



The city is conducting this public meeting using a hybrid model. The public is welcome to attend tonight's meeting in-person at City Hall (Council Chambers), or virtually by using the meeting access link below.

Please click the link below to join the webinar:

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Dial(for higher quality, dial a number based on your current location):

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Webinar ID: 852 3835 5948

CALL TO ORDER

Roll Call: Bitetto, Bowman, Clerget, Cole, Elfers and Reinke

REGULAR BUSINESS

1. 2024 Comprehensive Plan Update – Elements 11 through 15

CITY ADMINISTRATOR REPORT

AGENDA SETTING

1. Council Meeting Agenda Calendar
2. Council Committee Meeting Calendar

EXECUTIVE SESSION

ADJOURNMENT

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact the City Clerk at (253) 299-5590, 24 hours in advance.

SUBJECT: 2024 Comprehensive Plan Update – Elements 11 through 15

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Presentation
 2. Staff Memo
 3. Exhibits - Proposed Elements & Regulations Updates
-

STAFF CONTACT: Ann Siegenthaler, Senior Planner

SUMMARY BACKGROUND: The purpose of this meeting is to present the second set of Planning Commission recommendations on the Comprehensive Plan to the City Council. The Planning Commission's role is to review the Comprehensive Plan (Comp Plan) and development regulations, and make recommendations to the City Council. In April 2023, the Planning Commission started its review of the 2024 Comp Plan Update. After multiple study sessions in 2023-2024 and a public hearing, the Commission made its final recommendations in September 2024.

The Council reviewed the first set of Comp Plan updates on October 16, 2024. Additional discussions are scheduled for November 2024. At the October 28 meeting, staff will present updated Comp Plan Elements (chapters) with policies, and a number of new regulations that implement those policies. This will include updates to the following:

- Land Use Element
 - Housing Element
 - Housing/Land Use Regulations
 - Environment Element
 - Climate Element
 - Critical Areas Regulations
 - Historic/Cultural Resources Element
 - Historic/Cultural Resources Regulations
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COUNCIL COMMITTEE/STUDY SESSION:
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MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Review the proposed Elements and regulations and provide edits/comments to staff and consultants.



Sumner Comprehensive Plan Periodic Update

City Council Study Session - 10/28/24

- *Housing & Land Use*
- *Climate, Environment, & Critical Areas*
- *Historic & Cultural Resources*

Overview

Housing & Land Use

- Elements and Code Changes
 - Growth Targets
 - Changes to Low Density, Medium Density, and High Density Residential
 - Accessory Dwelling Units
 - Multi-Family Tax Exemption
 - Displacement
 - Supportive Housing
 - Other Changes

Climate, Environment, & Critical Areas

- New Climate Element
- Environment Element
- Critical Areas Ordinance Updates

Historic & Cultural Resources

- Summary of element and code changes

Housing & Land Use

Background

- **Housing capacity and affordability** is the biggest topic driving the plan update
- The State introduced substantial new requirements over the past few years:
 - **HB 1220** – requires planning for and accommodating housing for all income bands and addressing displacement and racially disparate impacts
 - **HB 1110** – requires allowing middle housing (in Sumner: two units on every residential lot, i.e. duplexes)
 - **HB 1337** – requires more flexibility for ADUs and allowing two ADUs per residential lot

Growth Targets

- **New growth targets for 2020-2044:** 1,985 housing units, 5,313 jobs, and 4,904 residents
- Pierce County Countywide Planning Policies set housing targets for each income band
- State guidance: higher-density housing is more affordable to lower income bands (but some areas may still need incentives to achieve this, such as Town Center and East Sumner)
- The City must show enough land capacity for these units and remove barriers to developing them

Housing Targets 2020-2044

	Total	0-30% AMI Non- PSH*	0-30% AMI PSH*	30-50% AMI	50-80% AMI	80- 100% AMI	100- 120% AMI	>120 % AMI	Emergency housing needs (beds)
Allocation	1,985	256	347	368	291	125	114	484	121

More than 60% of the target is units affordable to below 80% AMI
(housing types: ADUs, middle housing, and multifamily)

* “PSH” is permanent supportive housing

Meeting the Housing Targets

- **Continuation of current code and policies would not achieve the necessary capacity**
- The DEIS analyzed two sets of policies ("alternatives") that *would* achieve it. Planning Commission and Council selected a "Preferred Alternative" approach, which is a hybrid of the other alternatives.
- Based on the preferred approach, policies and regulations were developed for Housing/Land Use that:
 - Allows two units per residential lot (State requirement)
 - Allows two ADUs per residential lot (State requirement)
 - Allows up to one fourplex on large lots in LDR 8.5 and LDR-12 (1.5 x minimum lot size)
 - Increases maximum density in MDR from 15 dwelling units per acre to 22
 - Allows multiplexes and small apartments (up to 3 stories) in the MDR and HDR zones
 - Changes MFTE in Town Center to affordable only, expands East Sumner MFTE
 - Allows bonus density on religious organization property (similar to senior housing process) (State requirement)

Low Density Residential

Proposed Changes:

- Allow two units per lot (state requirement)
- Allow triplexes and fourplexes on large lots in LDR 8.5 and 12 (more than 1.5 x the minimum size)
- Allow two accessory dwelling units per lot where single-family is the primary unit (state requirement)

Duplex example



Fourplex example



Accessory Dwelling Units

The State now requires more allowances for ADUs; Sumner's updates address these.

Proposed changes:

- Two allowed per lot (detached or attached)
- No owner-occupancy requirements
- Allow conversion of existing structures
- Height requirement no shorter than 24 feet
- Max size limit of 1,000 square feet
- No parking required near transit
- Can be sold as a condo unit
- Limits to design requirements

Attached ADU example



Detached ADU example

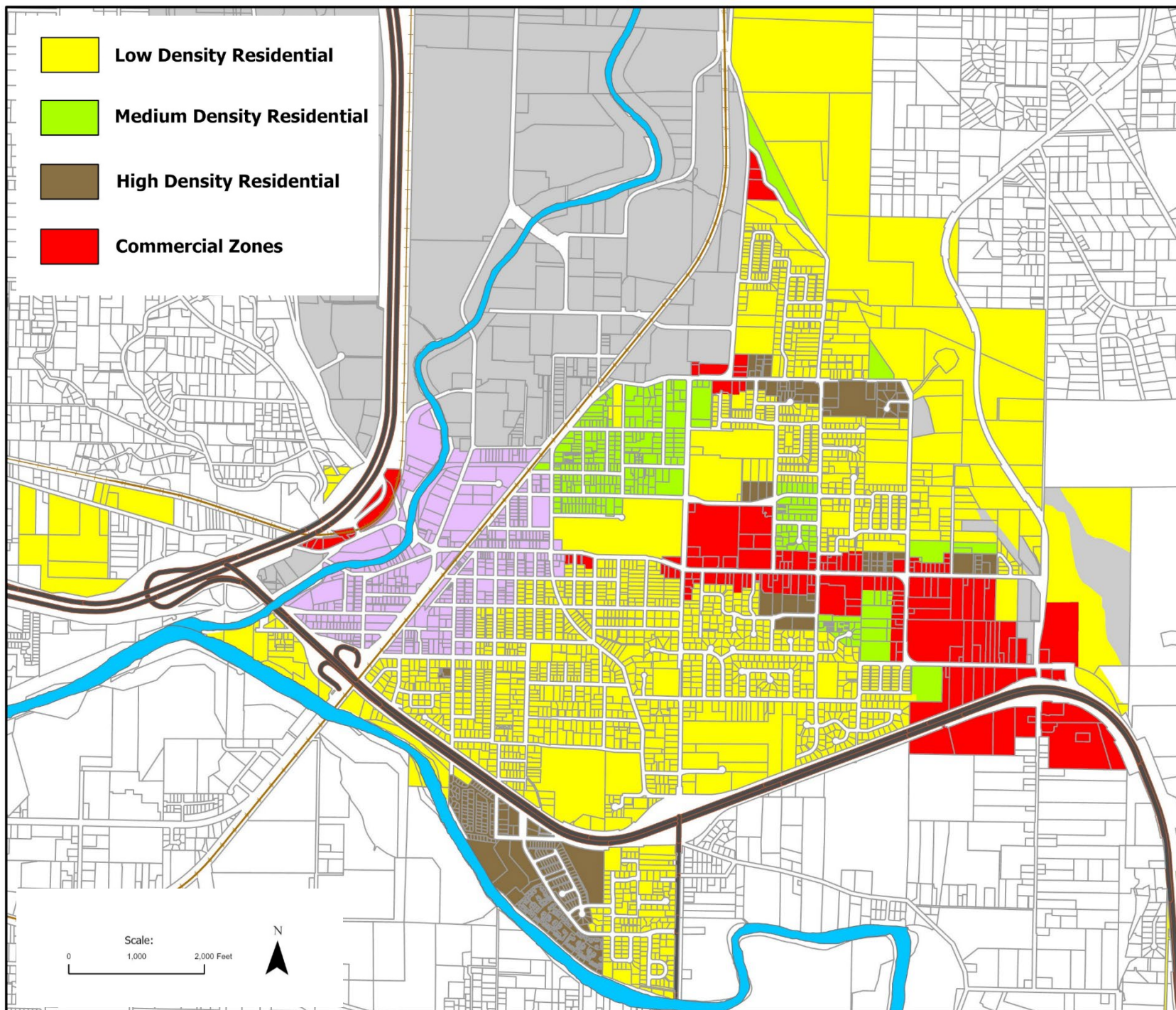


Medium Density and High Density Residential

Proposed Changes:

- Allow up to 22 dwelling units per acre in MDR (up from 15)
- Allow multiplexes and small apartments (up to three stories) in MDR and HDR
- Prohibit new single-family homes in the HDR zone (maintain capacity for higher densities)





MFTE - Town Center

- Current Multifamily Tax Exemption (MFTE):
Currently any development can qualify for an 8-year exemption without any affordable units
- **Proposed Change:** Make the Town Center MFTE available for affordable projects only



Kincaid Mixed Use
(Red Apple site) 90 du/ac

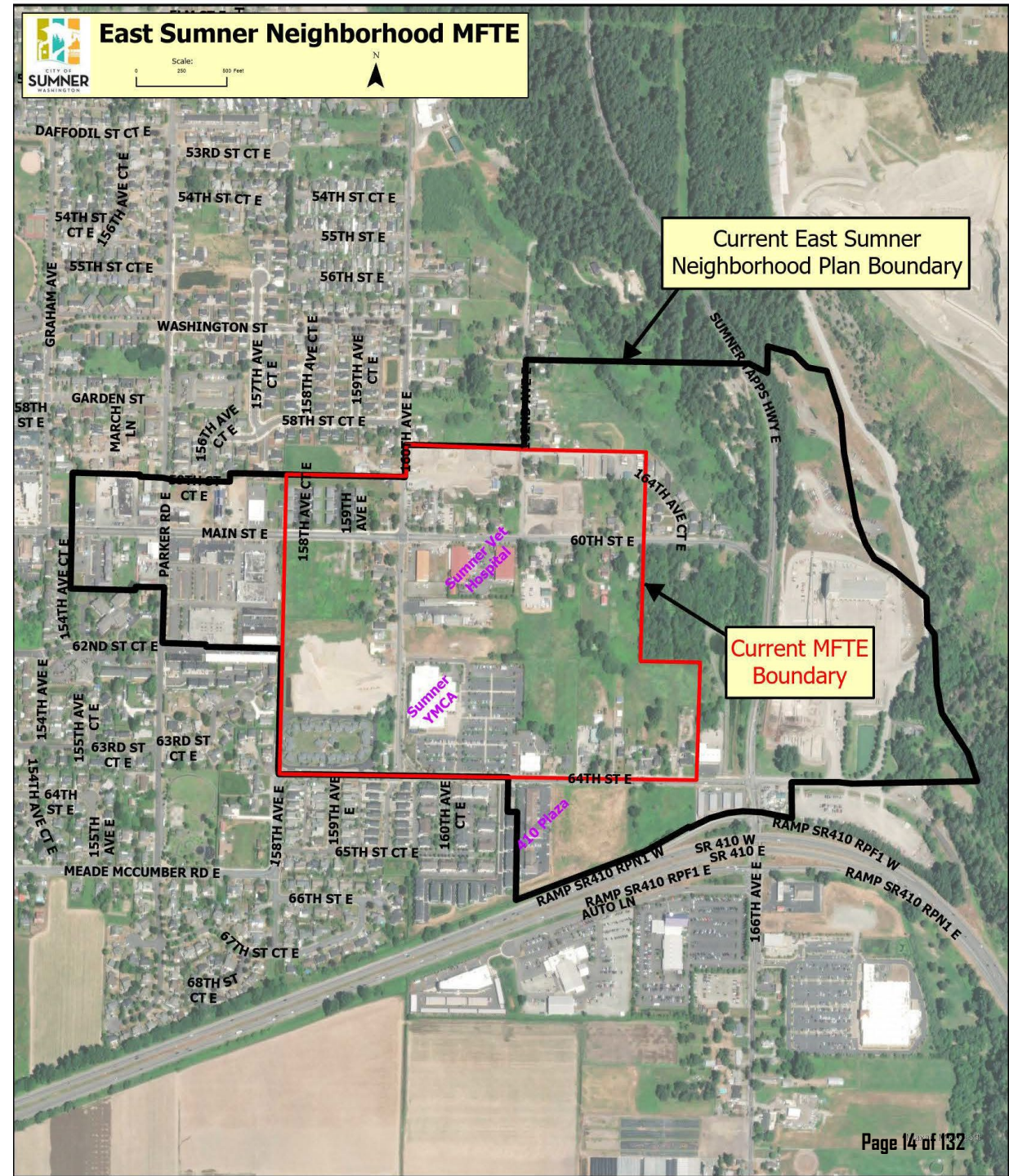


MFTE - East Sumner

- Currently the Multifamily Tax Exemption in East Sumner is limited to a smaller “target area” than the full East Sumner Urban Village boundary
- MFTE is available for affordable projects only
- **Proposed Change:** Expand the target area to the full East Sumner Urban Village Boundary



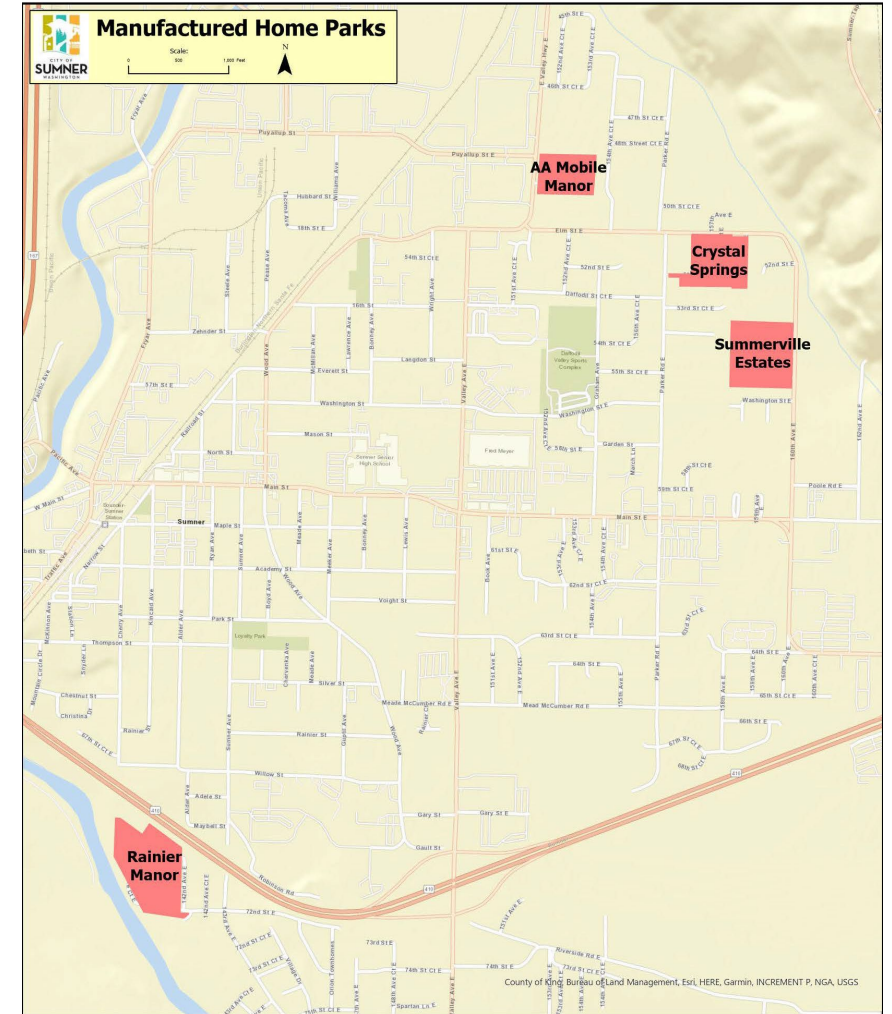
Sumner Mill – East Sumner
on 160th – 26 du/ac (market rate)



Addressing Displacement

The State requires cities to include policies to address displacement:

- Proposed policies & regulations address this in part by expanding housing options, improving affordability, and creating capacity for all income bands
- **Additional measures:**
- New Comp Plan text and policy support for future Manufactured Home Park overlay zone (could protect ~260 low-income households). (Code would be adopted in 2025 with more public engagement opportunities)
 - New code allows MFH parks in all residential zones (as CUP)
 - New code removes “new” requirement for a MFH on a single family lot



Supportive Housing

The State limits the City's ability to restrict permanent supportive housing, transitional housing, emergency housing, and emergency shelters. Sumner's update addresses these requirements related to occupancy and spacing.

Proposed changes:

- No longer require occupancy limits more restrictive than fire code (current code limits occupants to a lower number)
- No longer limit number of units per parcel (but still cannot exceed the density of the zone)
- Spacing requirements between facilities will no longer be greater than 880 feet (current code requires half-mile separation)

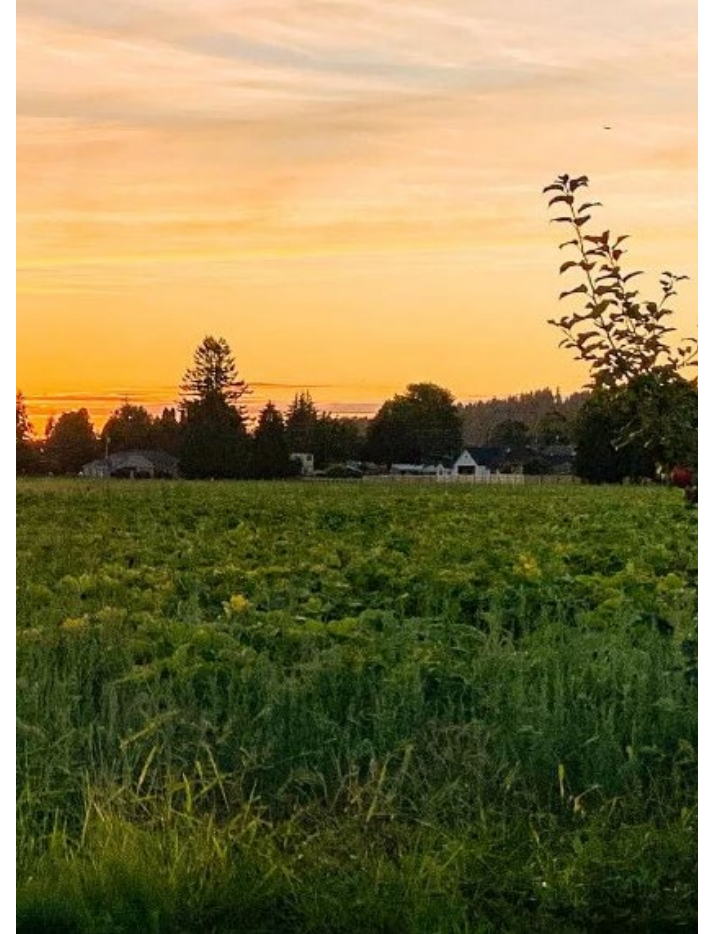
Other Land Use Element Updates

- New policy about considering impacts to tribal treaty rights in land use decisions
- Clarifying policies to implement the Town Center Plan and the MIC goals
- New policy aligning subarea plans with comprehensive plan
- New policy to encourage “healthy communities” in land use, design and programs (emphasized in VISION 2050 & adopted Countywide Planning Policies)
- New policy to plan for standards/programs to reduce wildfire risk
- New policy to support small-scale agriculture and non-profit community gardens

Climate, Environment, & Critical Areas

Climate Change Element: Background

- New element in response to new state requirement (HB 1181)
 - Greenhouse Gas Emissions Reduction Sub-element
 - Climate Resiliency Sub-element
- Does not contain policies but cross-references policies elsewhere in the plan
- Adopted plan already has many relevant policies



Climate Change Element: Topics

New and revised policies to address climate change (State requirement) are included throughout the draft Comprehensive Plan, relating to:

- Energy efficiency and alternative energy
- Walkability and bikeability
- Transit oriented development
- Tree planting and urban forestry
- Sustainable industries and practices
- Recycled materials and solid waste reduction
- Water and air quality
- Low impact development and stormwater management
- Emergency preparedness and management
- Food access
- Cultural resources resiliency
- Economic resiliency
- Wildfire prevention and flood resiliency

Climate Change Element: Examples

Existing Policy:

Community Character Element Policy 2.5: Through the use of form-based code, street and design standards, promote pedestrian and bicycle friendly streets with trees and other amenities that enhance the streetscape.

Revised Policy:

Governance and Permit Process Element Policy 1.7: Ensure that City government ~~meets environmental and social policies~~ sets the example for compliance and innovation in its own operations and facilities with regard to such as water and energy efficiency, conservation, compatible and sustainable building design, low impact development, noise and glare reduction, accommodations for the disabled, outreach services, and water and air quality, and accessibility for people with disabilities.

New Policy:

Family and Human Services Element Policy 6.2: Ensure that parks and recreation facilities serve as refuges during extreme heat, cold, and smoke events.

Environment Element

Proposed updates to the Environment Element are intended to strengthen resiliency and reduce emissions:

- Environmental stewardship and education
- Considering environmental justice in project decisions
- Preparedness for extreme weather events
- Air quality impacts on overburdened populations
- Protecting water quality with buffers
- Preserving vegetation as protection for groundwater recharge
- Accessibility in emergency notification plans
- Floodplain protection and mitigation
- Urban forest management and protecting forested hillsides
- Reducing emissions and supporting alternative energy technologies

Critical Areas Ordinance (SMC 16.40 – 16.56)

Purpose

- Protect people, public and private property from natural hazards
- Protect the environment and enhance quality of life, etc.

Includes:

- Wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas

Best Available Science (BAS)

- Regulations must be based on Best Available Science (per State)



Critical Areas Ordinance *(continued)*

Proposed Changes:

- Add partial exemptions for activities that only require minimal review
- Clarifications:
 - Variance approval
 - When non-conforming uses can continue
 - Projects can exclude disconnected buffers (for example, bisected by a street)
- Updated buffer widths for streams
- Updated buffer reductions for streams

Critical Areas Ordinance *(continued)*

Updated buffer widths for streams

- This is significant change, to meet BAS.
- Based on input from Washington Department of Fish and Wildlife (WDFW)
- Fish-bearing streams: maintain current buffer of 100 feet
- Non fish-bearing streams: increase buffers to 100 feet (change from 25-50 feet)
 - This is much less than the buffer recommended by WDFW (194-231 feet)
 - 100 feet is the minimum needed for a viable buffer
 - Consistent requirement simplifies design and permitting
 - Sumner's stream buffers were last updated in 1992; update needed for best available science
 - Most non fish-bearing streams are in landslide hazard areas where restrictions already exist, and some include wetlands (already restricted)

Salmon Creek



Critical Areas Ordinance *(continued)*

Buffer reductions for streams

- Fish-bearing streams: buffer reduction to no less than 75 feet (change from 100 feet)
- Non fish-bearing streams: change to match fish-bearing, no longer allow reduction to 20-25 feet
- Changes approval process to administrative approval (from more onerous variance process)
- Approval criteria updated
 - Reductions allowed on all properties
 - Remove limit of 10% impervious surface area adjacent to buffer
 - Must include measures to enhance remaining buffer, manage, and monitor

Historic & Cultural Resources

Historic & Cultural Resources

Proposed Changes

- New policy and code requiring consultation with the Washington Department of Historic Preservation (DAHP) on sites in Town Center with structures over 45 years old or those with structures identified as potentially eligible for listing
 - Applicant is required to *consider* DAHP's recommended mitigation measures
- New policies related to inadvertent discoveries of artifacts and human remains
- Removed reference to improving the Ryan House while keeping policy for adaptive reuse of buildings in general, and modifying "mandate" language to provide more flexibility
- Broadened language on working with historic preservation organizations (but still reference Sumner Historical Society as an example)
- Policies on collaborating with tribes on tribal cultural resources, adaptation of historic sites to climate change, inclusivity in cultural arts, and protection of culturally significant foods and plants

Discussion

MEMORANDUM

DATE: October 18, 2024
TO: Mayor Hayden and City Council
FROM: Ann Siegenthaler, Senior Planner
RE: **2024 Comprehensive Plan Update – Elements 11 through 15 Discussion**

I. BACKGROUND

The Comp Plan Update consists of the Comprehensive Plan with 18 Elements (chapters), an Environmental Impact Statement (Draft/Final EIS), updated Transportation Plan, Capital Facilities Plan, new regulations to implement the Comp Plan, and a public outreach effort. City Council reviewed Elements 1-10 at its October 16th meeting. The purpose of this meeting is to present the remaining elements to the Council for discussion.

II. OVERVIEW OF PROPOSED UPDATES - Comprehensive Plan Elements 11 through 15

Included in the Council packet are updated elements of the Comp Plan. The City has hired the firm BERK Consulting to assist in the updates, with the firm TranspoGroup assisting in developing transportation policies and a new transportation management plan, and the firm Parametrix assisting in updating environmental policies and regulations. The revisions are shown as underline/strikeout changes to the original adopted documents and reflect the Planning Commission's recommendations.

Below is a summary of the changes proposed to each element. Changes are intended to address new State legislation, Department of Commerce guidelines, adopted Countywide Planning Policies, and other agency comments.

1. Land Use Element

- Cleanup of obsolete language.
- New policy about considering impacts to tribal treaty rights in land use decisions.
- Clarifying policies to implement the adopted Town Center Plan and adopted MIC goals.
- New policy to encourage "healthy communities" in land use, design and programs.
- New policy to plan for standards/programs to reduce wildfire risk.
- New policy to support small-scale agriculture and non-profit community gardens.
- Updates to descriptions of land use designations to reflect proposed density increases to accommodate ADUs, multiplexes and middle housing).
- Updates to descriptions to allow more housing types.
- Adding Manufactured Home Park (MFHP) to descriptions & overlay district (to make them allowed).
- Medium Density Residential density range updated to up to 22 dwelling units/acre.
- New policy about ensuring consistency between Comprehensive Plan and sub-area plans.
- No proposed changes to the Comprehensive Plan Map.

2. Housing Element

- Removal of policies that contradict new State requirements for housing.
- Updated policies to plan for housing supply for all income bands and to allow for various housing types.
- New policy to support the preservation of manufactured home parks as affordable housing.
- New policy to allow 2 dwelling units per lot, per State requirements.
- New policy to allow triplexes and fourplexes on larger single-family lots.
- Updated policies for more flexibility for ADUs.
- New policy to maintain multifamily zones for multifamily units (not single family).
- Various policies related to supporting affordable housing.
- New policy to lower SEPA environmental thresholds to streamline housing developments.
- Added policies related to encouraging energy efficiency and reducing greenhouse gases.
- Updated Multifamily Tax Exemption (MFTE) policy for Town Center to allow MFTE credit only for affordable housing. (Affordable means affordable to low-moderate income households, which are those whose income is between 80%-115% of the median income in Pierce County.)
- Updated MFTE policy for East Sumner to expand the credit to affordable housing anywhere within the ESN boundary.
- New policy to support incentives for affordable housing by religious organizations.
- New policy to evaluate potential impact of Short Term Rentals on housing.
- New policies to consider protections for tenants vulnerable to displacement.

3. Housing/Land Use Regulations

- Updates to definitions for consistency with State law and case law.
- Allow 2 Accessory Dwelling Units (ADUs) per single-family residential lot (per State law).
- Update design standards for ADUs to make less restrictive (per State law), including: Maximum size of 1,000 s.f.; maximum building height of 24 feet or same as principal dwelling; setbacks not more restrictive than for principal dwelling.
- Allow 2 single family dwellings (duplexes) on any lot in lieu of one single family detached dwelling (per State requirement).
- Prohibit new single-family homes in the High Density Residential (HDR) zone and establish a maximum lot size in Medium Density Residential (MDR) for new single-family homes.
- Allow a triplex or fourplex on larger lots in the LDR 8.5 and LDR 12 zones (if more than 1.5 times the minimum lot size).
- Allow small-scale (3-story) apartments in the MDR zone.
- Increase the density allowed in MDR zone from 15 to 22 dwelling units per acre (to better accommodate multiplexes and small apartments).
- Add density and height bonuses for affordable housing developments by religious organizations.
- Multifamily Tax Exemptions (MFTE) in Town Center: Offer only for affordable housing.
- MFTE in East Sumner: Expand to apply to all affordable housing in the East Sumner Urban Village boundary.
- Change regulations to create more allowances for manufactured homes: Allow a new or old manufactured home on a single-family lot; also allow manufactured home parks as a conditional use in all residential zones.
- Update provisions (per State law) for permanent supportive housing, transitional housing, and emergency housing/shelters: Change current occupancy limits to be based on fire/building code; change spacing requirements to no closer than 880 feet from another (versus 1,000 feet).

4. Climate Change and Resiliency Element

- This required Plan element contains no policies; rather it is a list of policies throughout the Plan that address climate change and resiliency topics.
- Includes updated references to adopted 2024 Parks Plan policies (no policy changes).

5. Environment Element

- New policies related to environmental stewardship, education.
- New policy to consider environmental justice in project decisions.

- Added policies related to preparedness for extreme weather events.
- New policy related to air quality impacts on overburdened populations.
- New policies related to protecting water quality with buffers.
- Policy added to protect vegetation as a means to protect groundwater recharge.
- Policy added to consider diversity and accessibility in emergency notification plans.
- Numerous new policies on floodplain protection and mitigation, adding references to current programs.
- New policies related to urban forest management and protecting forested hillsides.
- Policies added related to reducing greenhouse gas emissions and supporting alternative energy technologies.

6. Environment (Critical Areas) Regulations

- Proposed code updates to address changes in state regulations and science since 1992.
- Updated definitions and headings to be consistent with current state code.
- New section for “partial exemptions” for activities that only require a minimal amount of City review.
- Updates to clarify criteria for variance approval.
- Updates to clarify that non-conforming uses can continue and can expand outside of critical areas.
- Added text to allow a project to exclude functionally disconnected buffers (e.g. bisected by a street).
- Proposed updates to stream buffers to reflect “best available science” and State guidelines.
 - WA Dept. of Fish and Wildlife’s (WDFW) buffer recommendations for Sumner range from 100-231 feet. Sumner has proposed buffers of 100 feet.
 - Fish-Bearing Streams: Stream buffers for FBS would remain at 100 feet. Buffers may be reduced (if enhanced) to 75 feet.
 - Non-Fish-Bearing Streams: Stream buffers for Non-FBS would increase to 100 feet, the same as fish-bearing streams. This is an increase from the current 25-50-foot buffers. Buffers could no longer be reduced by 50% but buffers may be reduced (if enhanced) to 75 feet.
 - Buffer reduction process: Instead of a more onerous variance permit, a buffer reduction could be approved administratively.
 - Buffer reductions would be allowed on all properties, not just smaller ones (less than 200 feet deep).

7. Historic & Cultural Resources Element

- Updates to support preventing or mitigating impacts to historic/cultural resources.
- Updated policy to require documentation of how impacts were avoided.
- New policy requires consultation with State DAHP on sites in Town Center with structures over 45 years old.
- New policies related to inadvertent discoveries of artifacts.
- New policy to encourage measures to protect culturally significant plants and foods.
- Updates to reflect agency roles and references to the Sumner Historical Society to have more generic references to organizations.
- Removing reference to improving the Ryan House while keeping policy for adaptive reuse of buildings in general, and modifying “mandate” language to provide more flexibility.
- New policy addressing adaptation of historic sites vulnerable to climate change.
- New policy to encourage cultural arts that reflect various ethnic groups’ history.

8. Historic & Cultural Resources Regulations

- Adds a requirement for consultation with DAHP on sites located in Town Center with structures more than 45 years old.
- Allows 30 days for DAHP to make recommendations.
- City has authority to require appropriate mitigation measures.

III. ADDITIONAL UPDATES TO BE REVIEWED

At upcoming meetings in November, staff will present the other Comp Plan elements, which include:

- Transportation Element
- Transportation Plan
- Capital Facilities Element
- Capital Facilities Plan
- Utilities Element.

IV. STAFF RECOMMENDATION

Staff requests that the City Council review the proposed Elements and regulations, and provide edits or comments to staff and the consultants.

V. EXHIBITS

- Land Use Element
- Housing Element
- Housing/Land Use Regulations
- Climate Element
- Environment Element
- Critical Areas Regulations
- Historic/Cultural Resources Element
- Historic/Cultural Resources Regulations

EXHIBITS

DRAFT COMPREHENSIVE PLAN DOCUMENTS

October 28, 2024

1. Land Use Element
2. Housing Element
3. Housing/Land Use Regulations
4. Climate Element
5. Environment Element
6. Critical Areas Regulations
7. Historic/Cultural Resources Element
8. Historic/Cultural Resources Regulations

Land Use

Introduction

The Land Use Element plays the central role of correlating land use issues. It provides direction on land use patterns, compatibility, and orderly development. The potential for rapid and incompatible development can be minimized through the coordination with infrastructure plans and through site and building design and buffering techniques. [Its Land Use Element](#) goals, policies, and objectives relate directly to the other elements of the Sumner Comprehensive Plan particularly the Community Character Element, Capital Facilities and Public Services Element, and Transportation Element.

The Comprehensive Plan Land Use Map (Figure 9-2) category descriptions and statistics are found following the goals, policies, and objectives provided below.

[The Land Use Element establishes the growth patterns and uses that the community anticipates will be needed to accommodate projected growth over the planning period \(to 2044\). Pierce County has adopted housing, employment, and population growth targets for Sumner for 2020-2044 as follows:](#)

- [1,985 housing units](#)
- [5,313 jobs](#)
- [4,904 residents](#)

[The Sumner-Pacific MIC also must plan for 20,000 jobs total in order to maintain its status as a Manufacturing Industrial Center, per PSRC requirements.](#)

[The Land Use Element is divided into sub-elements due to the variety and complexity of issues. The section addresses:](#)

- [Land Use](#)
- [Historic and Cultural Resources](#)
- [Essential Public Capital Facilities](#)
- [Commuter Rail/Regional Transit](#)
- [Permit Process](#)
- [Plan Monitoring and Amendment](#)
- [Governance](#)

Goals, Policies, and Objectives

1. Provide for a variety of land uses in Sumner while preventing adverse impacts and ensuring consistent implementation of policies and regulations orderly development within the Sumner community.

- 1.1. Ensure appropriate transitions between land uses so that more intensive uses do not adversely impact adjacent uses.
 - 1.1.1. Maintain the ~~design guidelines and ordinances~~ Sumner design and development guidelines and zoning provisions to achieve compatible and attractive new residential, commercial, and industrial uses.
 - 1.1.2. Maintain zoning and subdivision regulations to ensure adequate setbacks, landscaping, and buffering where land use conflicts and impacts may occur.
- 1.2. Encourage infill development on vacant properties with existing public services and public utilities, and new development in areas with existing or planned public facilities.
 - 1.2.1. Review existing capital facility plans and update them as necessary to ensure compatibility consistency with land use plans.
 - 1.2.2. Review and develop incentive based programs that would facilitate the development of vacant properties to leverage economic development potential.
- 1.3. Through the Land Use Element and Community Character Element, strive to balance residential, commercial, industrial and public land uses.
 - 1.3.1. Periodically annually review development regulations to remove unnecessary requirements and to balance environmental protection, public participation, and housing and economic development goals.

Note: The State requires a 5-year progress report on some Comprehensive Plan topics (e.g., Climate, Housing, Permitting) but not required for all elements.

- 1.4. **Planning sub-areas.** Identify planning sub-areas that warrant further study and special design considerations and/or economic development focus.
 - 1.4.1. Planning sub-areas include:
 - Town Center Plan area
 - East Sumner Urban Village
 - East Main Street
 - Sumner-Pacific Manufacturing/Industrial Center.
 - 1.4.2. Where appropriate, prepare subarea plans to implement the Land Use and Community Character Elements of the Comprehensive Plan. Subarea plans shall specify in more

detail the allowable uses, urban design quality themes, buffering, and protection of critical areas ~~sensitive areas and resources~~.

- 1.4.3. Policies in other adopted City of Sumner plans that are identical to policies in the adopted Comprehensive Plan shall be updated automatically when those same Comprehensive Plan policies are updated through the legislative process.

Note: In a few instances, the City has adopted subarea plans with policies specific to the subarea, and those policies were imported verbatim into the old Comprehensive Plan. Where a policy is updated in the 2024 Comprehensive Plan Update, that should supersede the older policy in the subarea plan.

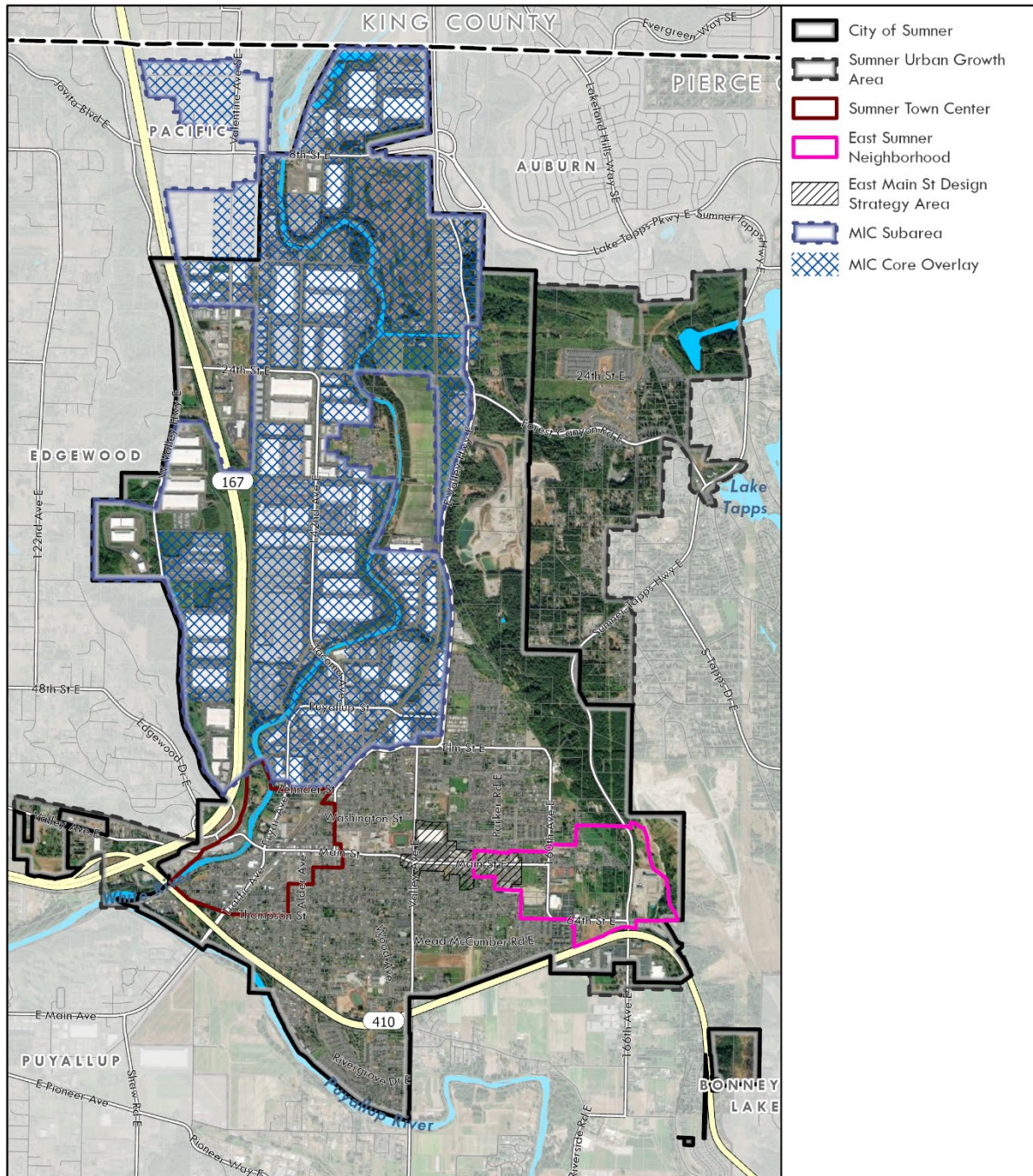
- 1.5. Integrate existing neighborhood plans, subarea plans, and design strategies into the Comprehensive Plan.
- 1.6. Implement the land use map and accompanying designation descriptions as presented in the section titled "Land Use Designations" and Figure 9-2 titled "Comprehensive Plan Map" through the adoption and maintenance of the Zoning Map.
- 1.7. Ensure new development is consistent with the policies of this Plan through implementation of regulations, programs, and project-specific review.

2. Consider the potential impacts to Tribal treaty rights related to fishing, hunting, and gathering grounds in land use decisions, including decisions on development patterns, comprehensive plans and zoning designations.

Note: Coordination with the tribes on potential land use impacts is required in the adopted Countywide Planning Policies.

- 2.1. When notified by Tribes of treaty rights in a particular location, incorporate ways to preserve and address treaty rights in land use decisions and designations.
- 2.2. Ensure that the tribes are provided timely and sufficient opportunity to comment on significant development projects and land use decisions.

Figure 9-1. Vicinity and Plan Boundaries Map



CITY OF SUMNER Vicinity Map



CITY OF
SUMNER
WASHINGTON

Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.

Map Date: January 2024

Source: Sumner, 2023; BERK, 2024.

3. Consistent with the Growth Management Act, designate an Urban Growth Area (UGA) within which urban growth must be encouraged and outside of which growth may occur only if it is not urban in nature.

- 3.1. Include sufficient areas within the UGA to accommodate the city's projected urban growth and housing needs.**
- 3.2. Coordinate with adjacent jurisdictions and Pierce County through joint planning to ensure service provision and development is consistent with the goals of this Plan.**
- 3.3. In accordance with the Countywide Planning Policies, promote and participate in joint planning of unincorporated lands within the Sumner Urban Growth Boundary as shown on Figure 9-1.**
- 3.4. Request joint planning of lands immediately adjacent to the City limits and the Sumner Urban Growth Boundary including land south of SR-410 and along SR-162. See Figure 9-1.**
- 3.5. Joint planning would be completed prior to any modification of the Sumner Urban Growth Boundary and following review of growth demands and capacity.**
- 3.6. Consider annexing unincorporated lands addressed in the Sumner Comprehensive Plan and located within the Sumner Urban Growth when initiated by a private party and in order to resolve service conflicts and avoid creating unincorporated "islands".**
- 3.7. Ensure newly annexed lands are zoned in conformance with the Sumner Comprehensive Plan Land Use Plan Map.**
- 3.8. A subarea plan should be required prior to any large annexation of the Urban Growth Area or request for expansion of the Urban Growth Areas to ensure that newly annexed areas are compatible with and do not adversely affect rural land uses.**

4. Support the Town Center Plan as a "Countywide Center" as it relates to transportation funding.

- 4.1. Implement the Town Center Subarea Plan (TCP) and Form-Based Code, to support dense, mixed-use development and walkable neighborhoods near the transit center.**

5. Support the Manufacturing/Industrial Center as a designated Regional Manufacturing/Industrial Center.

- 5.1. Implement the goals and policies in the Sumner- Pacific Manufacturing/Industrial Center Subarea Plan (MIC) to ensure a coordinated approach to development, environmental review, and strategic capital investments in the Center.**

6. Encourage neighborhood development that supports healthy communities.

Note: VISION 2050 (Multi-County Policies) and Pierce County Countywide Planning Policies require jurisdictions to address healthy communities. These are generally defined in the CPPs as: "...places where all individuals have access to healthy social, economic, built and natural environments that give everyone the

opportunity to live to the fullest, regardless of race and ethnicity, gender, income, age, abilities, or other socially defined circumstances.”

- 6.1. Promote land use planning that supports walkability, tree canopy, access to services that meet daily household needs, access to parks and open space, and access to healthy and culturally relevant foods.
- 6.2. Consider the environmental health and other impacts of land use decisions on overburdened communities (minority, low-income, tribal, or indigenous populations that potentially experience disproportionate environmental harms and risks). Encourage the participation of these communities in the decision-making process.

Note: “Overburdened Communities” is a term used by federal agencies like the EPA in discussing environmental justice and groups that have often experienced disproportionate environmental impacts.

- 6.3. Ensure that adequate landscape screening and trees are provided around sources of significant noise and air pollutants that may affect schools and neighborhoods.
- 6.4. Mitigate the environmental health effects of climate change, including air quality, stormwater, and heat impacts, through the acquisition of parks and open space and tree planting, prioritizing overburdened communities.
- 6.5. Engage with the community on the topic of climate impacts and adaptation strategies.
- 6.6. Support energy efficiency and upgrade programs that reduce health risks for vulnerable populations due to extremes of heat and cold.

Note: “Vulnerable populations” is a term used by health agencies to refer to groups that are more affected by extremes, such as children and older adults.

- 6.7. Adopt land use standards and connect residents to informational resources to mitigate wildfire risk.
- 6.8. Study the potential impacts of a citywide tree retention program on climate resilience and housing development.
- 6.9. Support small-scale agricultural uses in residential developments and local community gardens sponsored by public agencies, non-profit organizations, and private development.

Land Use Designations:

7. *The land use designations categories and target densities described in the sections below are to be utilized in conjunction with the Land Use Comprehensive Plan Map, shown in Figure 9-2. These designations guide the zoning districts in the adopted zoning map. Table 9-1 summarizes the categories and densities of particular districts.*

- 7.1. Residential

7.1.1. Resource Protection: The Resource Protection District applies to areas that have significant natural resources or potential for small- to -moderate-scale agricultural uses. The district's purpose is to: Protect natural resources such as agricultural, mineral resource, fish and wildlife habitat areas from the intrusion of non-resource based development; to promote the conservation of natural resource lands and related activities or operations; and to maintain large areas free of impervious surfaces in order to increase the potential for natural infiltration of rainfall and the retention of natural drainage water patterns, minimizing the need for storm water facilities and increasing the protection of ground water resources.

7.1.2. Residential Protection: This designation is applied to areas adjacent to lands in resource production (e.g. agriculture, mineral extraction, forestry) and in sensitive critical areas as appropriate (e.g. landslide/erosion hazard areas). Uses in Residential-Protection uses act as a buffer between natural resource productions and environmentally sensitive areas and higher density/intensity developments. Property owners would be on notice that in adjacent areas resource uses will be encouraged.

The very low densities reflect the absence of City services and the desire to minimize potential land use conflicts when resource production areas cease extraction activities and become more urbanized in the future. ~~and the desire to ensure that when areas become urbanized that previous land use patterns will not hinder future choices.~~

Allowable primary uses include single-family detached homes. Secondary uses include specialty farming, small-scale animal husbandry, home occupations, utilities subject to compatibility criteria, and other uses incidental to and compatible with the primary use.

7.1.3. Low Density: This designation (LDR) provides for primarily single-family dwellings and duplexes in areas with current or planned access to City facilities and services. At the higher end of the single family low density range (LDR-3 at 7-~~2010~~ du/ac), public transit can more easily be supported. Through a planned residential development permit process, this base density may be increased significantly for affordable senior housing. Low density residential uses provide a transition from rural residential ~~the Residential Protection district and protected critical areas~~ to higher density uses. Primary uses include detached single-family ~~residential~~ dwellings, duplexes, private garages, and other accessory buildings. Secondary uses allowed typically with appropriate criteria through a special permit process include accessory dwelling units ("mother-in-law units"), adult family homes, assisted living facilities, senior apartments and retirement homes, manufactured home parks and subdivisions, hospitals, educational facilities, utilities subject to compatibility criteria, and churches and religious institutions. Many of these secondary uses may bring a higher number of residents, visitors and vehicle trips than normally associated with low density residential areas. However, allowing such secondary uses reflects the desire to accommodate needed housing and human services uses that can be integrated into the neighborhood.

Note: New state law (HB 1110) requires Sumner and other cities to allow at least 2 dwelling units per lot in zones that are primarily residential. New law also requires Sumner to allow up to 2 ADUs per lot.

7.1.4. Medium Density: The medium density designation (MDR) is intended to provide for multi-family living to ensure that opportunities to obtain reasonable-cost housing exist for community residents. Primary uses include multi-family housing of various types including duplexes, multiplexes, and low-rise apartments (three stories or fewer), zero-lot line structures, townhouses, condominiums, senior apartments and retirement homes, etc., and may also include single-family dwellings. Secondary uses allowed typically with appropriate criteria through a special permit process can include accessory dwelling units, adult family homes, day care, educational facilities, utilities subject to compatibility criteria, churches and religious institutions, assisted living facilities, limited office/professional buildings, and manufactured home parks and subdivisions. Through a planned residential development permit process, the base density in Medium Density Residential may be increased significantly for affordable senior housing. Medium density developments may require design review to ensure diversity of building types/avoidance of building form repetition, plan goal consistency, and neighborhood compatibility.

Note: new state law requires jurisdictions to plan for and accommodate housing needs of all income bands. In Sumner, this means creating capacity for and encouraging more housing units and more affordable units. The policy question is where those units might best be accommodated in Sumner. Currently, apartments are not allowed in MDR outside of East Sumner and Town Center. Staff recommends that the MDR zone be updated to allow low-rise apartments as part of our approach to meeting the state law requirement.

7.1.5. High Density: This designation (HDR) allows for higher density multi-family developments to allow for a broad range of housing choices in areas with existing and planned infrastructure, and to allow for infill development and the reduction of sprawl. Primary uses include multi-family housing of various types including townhouses, condominiums, apartments, etc. Secondary uses can include low and moderate density residential developments, adult family homes, day care, manufactured home parks and subdivisions, and assisted living facilities. New single-family uses are prohibited so as not to take up housing capacity in the high density district, although existing single-family uses may remain. Through a planned residential development permit process, the base density in High Density Residential may be increased significantly for affordable senior housing. This designation may be applied in new areas as appropriate to the neighborhood's character (e.g. near commercial areas and transit). High density developments may occur. This designation should be applied where the following conditions exist:

- The area has access to appropriate services (e.g. near commercial services and transit);
- An over-concentration of multi-family dwellings in a single area is avoided. Where medium density residential or other moderate density use/mixed land use provides a buffer between low density and high density residential;

- A repetition of building forms is avoided in the proposed development;
- Design review will be required to ensure design appropriate to the neighborhood character;
- Adequate public and community facilities exist to support the density.

7.2. Mixed Use

~~X.X.X. Historic Central Business District (Town Center) Town Center Plan Area: The 2018 Town Center Plan update re-designated the Central Business District to the Historic Central Business District which provides a focal point for the City and allows for retailing and other commercial services in a fashion that preserves and enhances the pedestrian scale and character of development in the Town Center area. Small and medium independent shops and offices are typical to this district. Primary uses include retail businesses, professional offices, hospitals, medical clinics, hotels, theaters, restaurants, personal service shops, multi-family dwellings above ground floor commercial uses, and public/semi-public buildings. Secondary uses include, convenience stores, utilities subject to compatibility criteria, and small scale light manufacturing associated with artisan or craft production. The Historic Central Business District also functions as a "town center" because of its central location as a transit hub, the pedestrian scale and character, and the types of services provided.. The Town Center Plan district includes several sub-districts: the West Sumner district, riverside district, station district and the historic central business district. Each district has its own unique characteristics, and development requirements.~~

Note: This policy to be removed, since the Town Center Plan absorbed the old Central Business District and all of Town Center Area is an Overlay District (described below).

7.2.1. Urban Village: Urban villages are self-contained, tightly gridded, mixed use areas with a seamless mix of residential, commercial, and civic uses. An urban village in Sumner would be different than an urban village in Seattle. In Sumner, an urban village would be something like a "mini-Downtown" and would respect the "small town character" of Sumner by ensuring buildings are of appropriate height and scale. Urban villages are intended to be self-contained mixed use areas with a compact street grid and interconnected pedestrian corridors that promote walkability throughout the neighborhood. They are intended to support a mix of residential, commercial and civic uses. An urban village in Sumner would be something like a "mini-downtown."

The urban village(s) will provide a focus for neighborhoods outside of the downtown area. Urban villages promote development that is pedestrian scale, transit-oriented developments and in harmony with the character of the community. Primary uses include retailing and commercial services, banks (with no drive through facilities), professional offices, bed-and-breakfasts, hotels, civic uses, multi-family dwellings of various types including duplexes, townhouses, condominiums, apartments, etc. Secondary uses can include single-family dwellings and accessory dwelling units in residential zones only, and other dwellings such as duplexes and townhomes. Other secondary uses include adult family homes, day care, public and private educational

facilities, utilities subject to compatibility criteria, churches and religious institutions, convalescent care and rest homes. Mixed uses, converted residential buildings, converted commercial buildings, and variable lot sizes are encouraged to ensure pedestrian orientation, visual interest, and historic character protection.

Note: Currently the only designated Urban Village in Sumner is the East Sumner Urban Village (ESUV). It is comprised of different residential and commercial zones (e.g. ESUV/LDR, ESUV/GC).

7.3. Commercial

7.3.1. Neighborhood Commercial: This designation is intended to provide for neighborhood centers that include convenient retailing, small offices, and other commercial activities principally oriented to adjacent residential areas and neighborhoods. Primary uses include convenience stores, eating and drinking establishments, personal service shops, day care, dry cleaners, laundromats, and others ~~deemed to be neighborhood serving uses that serve primarily the immediate neighborhood, and are not auto-oriented uses~~. Secondary uses include public/quasi-public uses such as parks and other similar facilities as well as utilities subject to compatibility criteria. Higher density residential developments may also be allowed in the specified neighborhood commercial areas where integrated appropriately with the commercial uses and surrounding neighborhood.

7.3.2. General Commercial: This designation is applied to areas outside of the downtown area and urban villages where retailing, commercial, and office uses serving a larger market are promoted. While the uses accommodate automobiles to a greater degree, buildings with a street orientation, screened parking, and ample landscaping ensure more attractive commercial areas. Primary uses include retail businesses, automotive sales, professional offices, medical services and clinics, hotels, theaters, restaurants, personal service shops. Secondary uses include convenience stores, utilities subject to compatibility criteria, and light manufacturing, assembling, and repairing where accessory to retail uses. General commercial uses may occur in different forms to encourage specific uses. For example, retail or commercial uses near large employment centers may be limited to commercial uses to support workers. ~~Limited multi~~ Multi-family residential uses may be incorporated ~~(e.g. on second floors above retail) where it can be integrated into the proposed development and is compatible~~ with the surrounding neighborhood. Existing general commercial areas will be encouraged to incorporate pedestrian-oriented elements and positive design features such as additional landscaping, reduced front setbacks, screened parking, and pedestrian scale street fronts, lighting and signage. New development in general commercial areas will require design review to ensure these goals are met. Areas with this designation should provide an appropriate mix and a balance in the accommodation of facilities for all transportation modes including transit, bicycle and ~~modes pedestrians is achieved~~.

7.3.3. Interchange Commercial: This designation applies to areas surrounding the 24th/28th street interchange on SR167 and the area south of SR410 near the 166th Avenue

interchange. These areas are designated as Interchange Commercial (IC) because they function primarily as automobile dependent businesses, lack pedestrian connections to residential zoning and neighborhood services, and the future character is anticipated to be primarily automobile dependent. While not following as closely to the requirements for pedestrian oriented design, the design standards applied here will ~~be require~~ attractive and ~~of~~ high quality development. Primary uses in this zone will be similar to General Commercial such that there will be automotive sales, equipment sales, gas/convenience stores, automotive repair and maintenance, hotels/motels, theaters, and grocery stores. The area will have greater setbacks allowed than in General Commercial and have less emphasis on pedestrian connections to the street while internal pedestrian design amenities will still be required.

7.4. Manufacturing and Industrial

7.4.1. Light Manufacturing: ~~This district allows for the following uses:~~ Principle uses in this district include light manufacturing (particularly assembling and manufacturing of products from previously prepared material), ~~office~~, warehouse/distribution, and packaging plants, and limited office uses. Secondary uses include ~~service~~ retail services, restaurants, government uses, agricultural activities, and utilities subject to compatibility criteria.

Goals for landscaping are to ensure adequate landscaping/screening:

- Along streets
- Within parking lots
- Buffers next to lower intensive zones, ~~and open public open~~ space and critical areas
- ~~Some amortization of existing businesses~~
- Screening of outdoor storage
- Along side lot lines when not immediately adjacent to a parking lot/truck maneuvering area.

Goals for ~~Site Design~~ site and building design are:

- ~~Design consistent with transit goals~~
- Quality building materials and modulation along street fronts
- Screening of parking and loading
- Discourage multiple curb cuts.

Note: Development in Industrial Zones currently must comply with Design Guidelines for industrial development, which are less stringent than guidelines for commercial, and which focus on landscape screening and building design along street fronts.

7.4.2. Heavy Manufacturing: This district provides areas for heavy industrial uses which are located appropriately to ensure minimal impacts to residential and commercial areas. Typical uses include processing of natural and manmade materials for use in general

manufacturing, assembly, warehousing, and distribution. Secondary uses include office, limited retail establishments, agricultural activities, and utilities subject to compatibility criteria.

7.4.3. Public and Private Facilities and Utilities: The primary purpose of this designation is to identify lands utilized to provide public and private utilities, facilities, and services. ~~A secondary purpose of this designation is to allow manufacturing and industrial uses in specific areas as provided in the underlying zoning.~~ Allowable uses include parks, schools, medical facilities, non-profit service uses/organizations, public and private utilities, and government buildings, ~~as well as manufacturing and industrial uses in specific locations.~~ Portions of the area ~~In some cases, properties~~ designated as Public and Private Facilities and Utilities are also located within the ~~manufacturing/industrial center~~ Manufacturing/Industrial Center Overlay area; however, these properties have natural resource restoration and recreation uses only. ~~identified in See~~ Figure 9-2 Comprehensive Plan Map. Proposed parks are indicated in the Parks Plan.

7.5. Overlay Designations

7.5.1. Shoreline: This overlay references the Sumner Shoreline Master Program which indicates required setbacks and allowable uses for land ~~in the affected shorelines within the shoreline jurisdiction (generally 200 feet from ordinary high water mark).~~ In Sumner, land along the Puyallup and White (Stuck) Rivers is governed by the State Shoreline Management Act and Sumner's Shoreline Master Program. There are three shoreline designations: urban, shoreline residential and urban conservancy. Refer to Figure 19-1 in the Shoreline Element.

~~X.X.X. Neighborhood Plan Districts:~~ Each neighborhood planning area is indicated in the form of a circle. The circles and concurrently the neighborhood size are defined by walking distance from a center that serves as a focus for the neighborhood. The radius is generally 1,500 feet and the walking time would be approximately 5 minutes. A majority of the neighborhoods have a local focus. The center of the neighborhood may be a park or a civic building. Some neighborhoods such as downtown have a more regional focus. (Refer to the Districts and Neighborhoods Map in the Community Character Element).

Note: This section proposed to be deleted, since Sumner no longer defines neighborhoods in this way; also, these have never been true overlay districts (e.g. with unique zoning or design standards).

~~X.X.X. Community Linkages:~~ The Community Linkages Map indicates potential future transit stops and neighborhood focus points similar to those in the Neighborhoods and District Map. The future transit stops could be for a regional or a community transit system that could serve the commuter rail station. These potential transit stops would be within a 5 minute walk of much of the area to which they service similar to the neighborhood focal points and with a range between 500-1500 feet in diameter.

Note: Section proposed to be deleted, since this has never been a true overlay district. The concept of walkable neighborhoods with transit is supported with policies in the community character element.

- 7.5.2. Manufacturing/Industrial Center: The Manufacturing/Industrial Center (MIC) is part of the larger Sumner/Pacific MIC, (Figure 9-1) an area that is targeted for high intensity industrial land uses for to create an employment and economic center on a local, county, and regional level. This area is characterized by light and heavy manufacturing uses, restrictions limits on retail uses, and a prohibition of residential uses in this area. The Sumner/Pacific MIC is designated a Regional MIC, giving it special status for infrastructure funding, and is a priority for infrastructure improvements to promote the industrial and economic development in the area.
- 7.5.3. Innovation District and Enterprise Area: The Innovation District and Enterprise Area (IDEA District) is a flexible overlay designation that may be applied to non-residential areas at the request of a property owner. An IDEA overlay provides greater flexibility in the allowable uses and development standards than the underlying zone, in order to encourage and to expand economic opportunities for innovative, small-scale businesses to locate in Sumner. Criteria are established to ensure that proposed uses are compatible with surrounding properties. The IDEA District could contain a combination of office, retail, residential, co-working spaces, a makerspace and entrepreneur support services.
- 7.5.4. Planned Mixed Use Development and Planned Residential Development: The Planned Mixed Use Development (PMUD) overlay area requires a mix of commercial and residential development that will undergo extensive public process including design review, hearing examiner recommendation, and City Council approval. The PMUD offers greater flexibility to develop a mix of ground floor commercial, walkable neighborhoods, increased density as appropriate, adequate open space, complete street designs and opportunities for green and environmentally friendly development. The result is a development that fits the character of the surrounding neighborhood as a whole and is an asset to the community. A PMUD may have a mix of commercial, mixed use structures, and stand-alone multi-family residential in a variety of configurations from live/work units, residential over ground floor commercial, to townhouses, and cottages. Buffer areas can also be configured within a PMUD to minimize conflicts between uses such as agriculture and large-lot single-family or, between more intense uses such as industrial, depending on the neighborhood.
- 7.5.5. Planned Residential Development: The Planned Residential Development (PRD) overlay is similar to a PMUD but for residential developments. The PRD offers greater flexibility to develop a mix of housing types with varying lot sizes and dimensions, increased density as appropriate, adequate open space, and building setbacks and heights that are compatible with adjacent residential uses. The result is a development that allows for a high level of variety in housing and flexibility in site design while remaining compatible with the character of the surrounding neighborhood.
- 7.5.6. Town Center Plan Area: The Town Center Plan covers an area within approximately one-half mile radius of the Sumner commuter rail station. This is an area that is targeted for

future residential and mixed use development that takes advantage of being near transit and amenities and conveniences in the downtown core. The increased population in the downtown would add to the market for an “everyday” downtown and further strengthen the economic vitality of Main Street. The Town Center Plan also envisions a mixed of uses along Main Street, Traffic and Fryar Avenues and Activity Nodes. The Town Center Plan area has greater increase in heights and residential densities than other areas of the city. The Town Center Plan Subarea is implemented through design standards, and a “form based code.” The Town Center is also designated a “Countywide Growth Center.” A Form Based Code, adopted for the Town Center, contains design details on building forms and streetscapes.

There are four districts within the Town Center Plan subarea:

- Historic Central Business District (HCBD)
- Station District (SD)
- West Sumner District (WSD)
- Riverfront District (RD)

7.5.7. Manufactured Home Park Overlay: The Manufactured Home Park (MFHP) Overlay district applies to properties primarily in manufactured home park use where the MFHP was created prior to 2024. The purpose of the overlay is to support the continuation of manufactured homes as the primary use on the property and to help ensure that MFHPs continue to provide an affordable housing option for Sumner residents. The overlay is not intended to apply to new MFHPs, but may be applied in the future to MFH subdivisions if residents become vulnerable to displacement and apply to the Director for designation. The overlay is a land use designation only and is not intended to include provisions for rent control or tenant protections.

Note: Sumner code defines MFHP as: “... a tract of land designed and maintained under a single ownership or unified control where two or more spaces or pads are provided solely for rent or lease for the placement of manufactured homes for residential purposes.” MFHPs require a conditional use permit; Sumner has 4 such parks. Sumner’s current code chapter 18.34 Manufactured Home Parks from the 1990s would be updated to reflect current conditions and appropriate standards.

Note: The State requires cities to address potential displacement of low income households. Adopting a MFHP designation has the potential to protect hundreds (approximately 260) of low-income households who live in Sumner. This helps reduce the chance of re-development into market rate housing and displacing the low-income residents. There is also a proposed policy in the Housing Element that supports MFHP protection. Future code updates to implement the policy would have more details regarding the range of uses allowed (e.g. manufactured homes or affordable cottages, etc.) and how the overlay would be applied.

Note: REGARDING THE DENSITY TABLE BELOW: The Land Use Designations here set a range of densities that may be adopted in the zoning code. For LDR: the density changes recommended below reflect new State legislation that allows 2 units on every lot in zones that allow single family homes.

For MDR: the density is proposed to increase slightly to support middle housing, such as small-scale apartment buildings and townhomes. This and proposed code changes will support such development primarily in MDR north of Main Street (where apartments not currently allowed). Both proposals help meet Sumner's assigned housing targets. These densities were reviewed and recommended by the Planning Commission on 6/6/24.

Table 9-1: Land Use Designations

CATEGORY	DENSITY
<u>Residential</u>	
Resource Protection (RES)	1 du/20 acres
Residential-Protection (R-P)	1 du/20 acres
Low Density Residential-1 (LDR-1)	2.9 – 10.0 <u>5.0</u> du/acre*
Low Density Residential-2 (LDR-2)	5.1- 13.0 <u>6.5</u> du/acre*
Low Density Residential-3 (LDR-3)	7.0- 20.0 <u>10.0</u> du/acre*
Medium Density (MDR)	8.1- 22.0 - <u>15</u> du/acre*
High Density (HDR)	12.1-25 du/acre*
<u>Commercial</u>	
General Commercial (GC)	12.1-25 du/acre*
Interchange Commercial (IC)	--
Neighborhood Commercial (NC)	12.1-25 du/acre*
Town Center Plan area	Unlimited density per TCP Form Based Code
Urban Village (UV)	26-40 du/acre*
<u>Manufacturing</u>	
Light (M-1)	--
Heavy (M-2)	--
<u>Public/Private Facilities & Utilities</u> (P)	
<u>Overlay Designations</u>	
Shoreline	Refer to Sumner SMP
Planned Residential Development (PRD)	Based on underlying zone
Planned Mixed Use Development (PMUD)	5-37.5 du/acre

Town Center Plan Subarea Sub-Districts	Unlimited if height, open space, setbacks, and parking are met.
Innovation District & Enterprise Area	Based on underlying zone

Source: Sumner Community Development Department

Notes: du = dwelling unit

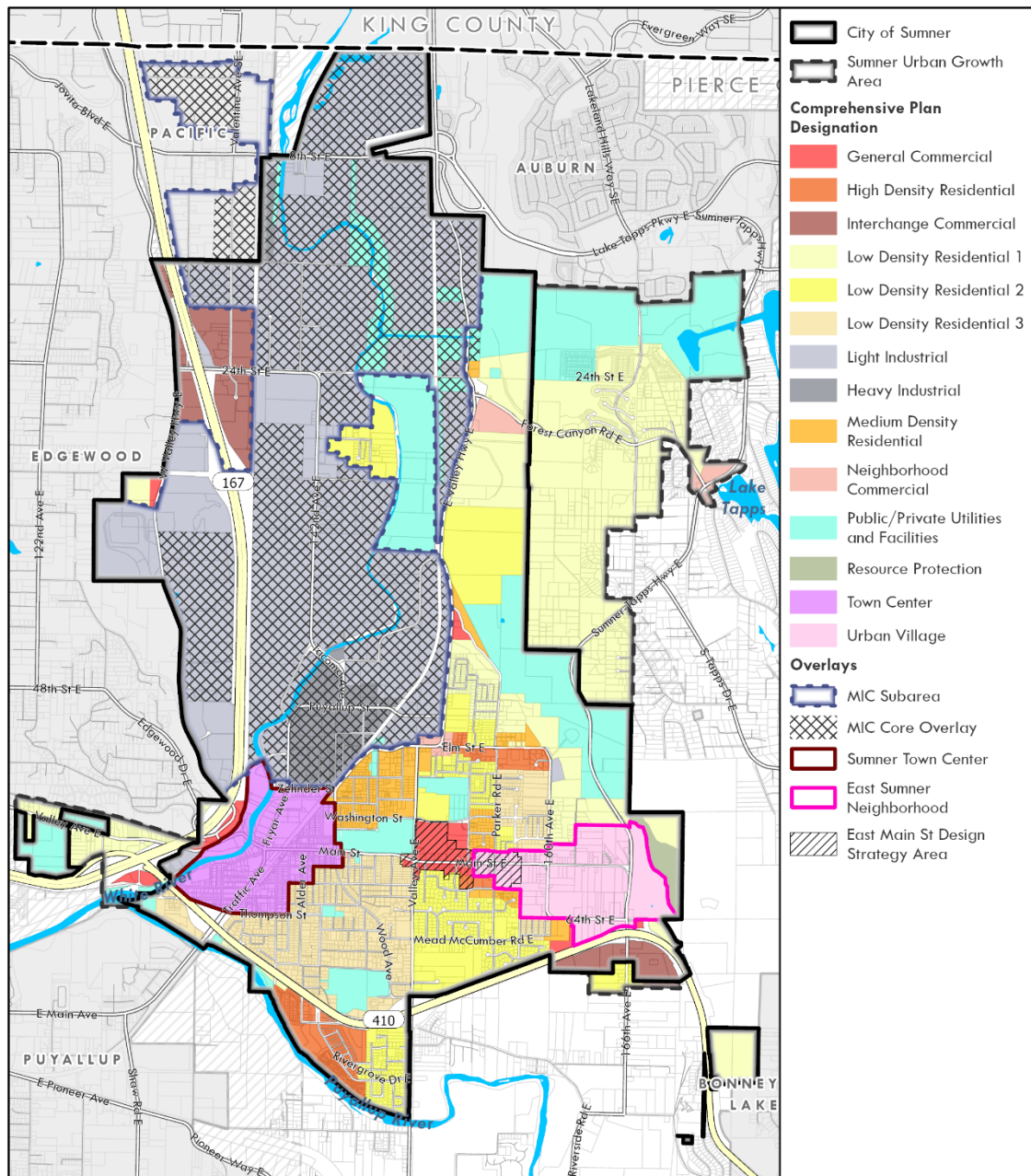
SMP = Shoreline Master Program

*Density may be increased to 30-50 du/ac for affordable senior housing through a PRD process, [or for affordable housing on properties owned by religious organizations.](#)

Note: Governments are required by law (RCW 35a.63.300) to allow religious organizations an increased density bonus "consistent with local needs" for affordable housing development (must be exclusively for low-income households for at least 50 years). The RCW does not define a specific density bonus number, but staff propose similar allowances to those for affordable senior housing.

Figure 9-2. Comprehensive Plan Map

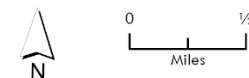
Note: No changes to existing comprehensive plan map.



CITY OF SUMNER

Comprehensive Plan Map

Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.



Map Date: January 2024

Housing

Introduction

The Growth Management Act (GMA) requires consideration of housing needs through the State Planning Goals and through the requirements for a housing element. Housing Elements are required to recognize the vitality of existing neighborhoods, inventory existing and projected housing needs, identify sufficient land for a variety of housing types and needs, and make adequate provisions for the existing and projected needs for all economic segments of the community.

The 2021 Sumner-Bonney Lake Housing Action Plan identified existing and future housing needs in Sumner. These needs include: increasing numbers of the elderly, female-headed households, smaller household sizes, and the homeless; very low vacancy rates for single-family units and somewhat low vacancy rates for multi-family units; a large percentage of households which earn less than the County median income; and single-family housing costs above county median and rental costs below the county median. [Additional 2024 analysis as part of the Comprehensive Plan's environmental review found that racially disparate impacts appear to be present in Sumner, particularly around homeownership and housing cost burden. Housing cost burden is also higher for renter households. Additionally, displacement risk is considered to be high in Sumner relative to other parts of Pierce County. Policy revisions as part of the 2024 Comprehensive Plan periodic update aim to reduce barriers to affordability and homeownership to address these impacts.](#)

[Note: content added to introduction in response to DEIS comments from the Washington State Department of Commerce]

The Land Use Element and Comprehensive Plan Map (Figure 9-2) provide for a variety of housing densities and housing types including single-family, multi-family, and mixed uses. The goals, policies and objectives below are intended to reinforce other elements of the Comprehensive Plan, and to describe the community's commitment to housing.

[Pierce County has adopted housing targets for Sumner for each income band, per state requirements in the Growth Management Act:](#)

Table 14-1: Adopted Housing Targets by Income Band (2020-2044)

	Total	0-30% AMI Non- PSH*	0-30% AMI PSH*	30-50% AMI	50-80% AMI	80-100% AMI	100- 120% AMI	>120 % AMI	Emergency housing needs (beds)
<i>Estimated Supply (2020)</i>	4,492	73	0	445	1,334	1,049	518	1,073	0
<i>Allocation (2020-2044)</i>	1,985	256	347	368	291	125	114	484	121

Source: Pierce County Ordinance No. 2023-22s.

Goals, Policies, and Objectives

1. ~~Encourage the maintenance and preservation of existing housing stock and residential neighborhoods. Encourage public and private reinvestment in older residential neighborhoods and private rehabilitation of housing.~~

- 1.1. ~~Encourage private reinvestment in older residential neighborhoods and private rehabilitation of housing, such as temporarily~~ Consider waiving or reducing permit fees for low-income housing rehabilitation projects. ~~completing public works projects, etc.~~
- 1.2. ~~Review and revise regulations to encourage rehabilitation instead of demolition of existing homes, where feasible.~~
- 1.3. ~~Equitably invest in municipal infrastructure capital replacement, repair, and maintenance, including sidewalks, street trees, and parks. Support the revitalization of older neighborhoods by keeping the streets and other municipal systems in good repair.~~
- 1.4. ~~Establish programs focused on promoting good management and reducing criminal activity in multi-family developments and areas. This could include crime free/resistant housing programs~~ Promote safety and deter vandalism in residential neighborhoods through environmental design best practices in development permits and “safe street” concepts. ~~in multi-family design and maintenance.~~

~~X.X. In cooperation with the County, promote the use of weatherization programs in existing housing.~~

Note: Moved this under Goal 3.

- 1.5. ~~Promote County and local programs that reduce maintenance and rehabilitation costs for residents.~~

Note: Pierce County has a Home Repair Program and a Home Rehabilitation Loan Program.

~~X.X. In order to balance the protection of viable neighborhoods and the need to provide for a range of housing to all life stages and economic segments, allow for accessory units in single-family neighborhoods.~~

~~X.X.X. Maintain Design Guidelines to ensure new multi-family is consistent with the character of existing neighborhoods. Maintain design standards for neo-traditional single-family developments.~~

Note: This policy to be deleted because design guidelines for all types of development are already addressed in Community Character Element.

~~X.X.X. Allow for accessory dwelling units in low density residential districts.~~

~~X.X.X. Reduce regulatory obstacles to permitting accessory dwelling units.~~

Note: Moved the above and reworded under Goal 2, to remove redundancy and consolidate under the most relevant goal.

1.6. Accommodate local non-profit housing agencies' efforts to purchase and rehabilitate housing to meet affordable housing needs and special needs of the community.

~~X.X Multi-family housing outside the Town Center area and outside the East Sumner Urban Village should be "ground related" housing, such as single family attached, cottages, and townhouses. This does not include mixed use commercial/residential buildings or "housing for the aged" such as assisted living facilities, continued care communities, board and care homes, hospices or nursing homes.~~

Note: This policy to be deleted since new State housing legislation requires adding more affordable options. Town Center and East Sumner Area already allow apartments; proposed new regulations will allow small scale apartments in medium density residential zones.

1.7. Support the preservation of existing mobile home/manufactured home parks as affordable housing.

2. Provide a range of housing types for all life stages and economic segments of the Sumner community.

~~X.X Strive to meet the City's fair share of housing needs by planning that 25% of the growth population allocation is satisfied through affordable housing.~~

~~X.X Develop a housing strategy to implement fair share objectives. It shall include an inventory of affordable housing, an analysis of Sumner's fair share as compared to surrounding cities, and a phased approach to meet the community's fair share housing allocation. Milestone dates and interim objectives shall be established to allow for progress in meeting the overall fair share targets. The housing strategy should be completed by December 2017.~~

Note: Policy to be deleted as no longer relevant; it has been superseded by housing legislation (HB 1220).

2.1. Promote the development of senior housing units in proximity to needed services.

- 2.2. Provide incentives for developing senior housing ~~in the downtown~~ such as permit fee waivers and reductions, parking requirement reductions, and multi-family tax exemptions.
- 2.3. ~~Provide for~~ Encourage design elements in housing that support transit ~~access, and~~ pedestrian improvements to support connections, and universal access features for special needs populations, ~~older adults, lower income, and residents with limited access to an automobile.~~
- 2.4. Provide residents with information on County, State, and other programs that support homeownership, such as loan and down payment assistance for first-time homebuyers, veterans, and residents with disabilities.

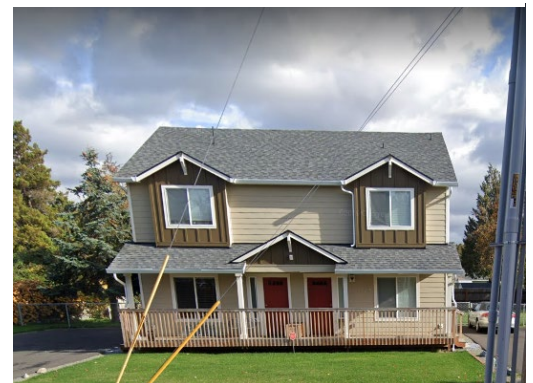
Note: Homeownership support is a key topic in VISION 2050 and the Pierce County CPPs.

- 2.5. Plan for an adequate supply of land ~~in appropriate land use designations and zoning categories~~ to accommodate projected ~~housing needs for all income bands~~ household growth.

Note: This revision comes directly from State HB 1220 requirements.

- 2.5.1. Through the Comprehensive Plan, Zoning Code, Subdivision code, ~~and~~ Design Guidelines, ~~and other regulations and standards.~~ allow for a variety of housing types and lot configurations including ~~multi-family housing, mixed use development, cluster development, zero-lot line and similar subdivisions, planned unit development, and non-traditional housing forms such as adult family homes.~~ government-assisted housing; housing for moderate, low, very low, and extremely low-income households; manufactured housing; multifamily housing; group homes; foster care facilities; emergency housing; emergency shelters; permanent supportive housing; and duplexes, triplexes, and townhomes.

Figure 14-1: Duplex Example
(Google Street View)



Note: This revision aligns with Growth Management Act language.

- 2.5.2. Allow for a variety of lot sizes in low density residential districts including a percentage of lots larger and smaller than the minimum lot size.
- 2.5.3. Allow for at least two dwelling units on all lots zoned predominantly for residential use.

Note: This is required in new State law HB 1110.

- 2.5.4. Provide flexibility for larger lots in low density residential districts to build triplexes and fourplexes.

Note: This policy was reviewed and recommended by Planning Commission 6/6/24. Policy supports small housing infill projects that add housing capacity.

- 2.5.5. Allow for accessory dwelling units in low density residential districts. Allow for two accessory dwelling units per lot in low density, medium density, and high density residential districts.

- 2.5.6. Support the development of accessory dwelling units by reducing regulatory obstacles and streamlining permit procedures such as providing pre-approved plan sets and reduced permit fees.

Note: New State legislation requires Sumner to allow 2 ADUs on a lot in all zones that allow single family homes, which includes LDR, MDR and HSR zones. New single family construction is not allowed in commercial and manufacturing zones.

- 2.5.7. Incorporate reasonable measures as necessary to accommodate the projected population growth.
- 2.5.8. Establish lot sizes and standards that maintain Medium- and High-Density Residential zoning districts for higher density residential development.

Note: Sumner recently established a maximum lot size of 6,000s.f. for single family homes in these districts.

- 2.5.9. Review the Zoning Code, Subdivision Code, Building Codes, and other development-control ordinances to identify and ~~remove~~ address excessive, duplicative, unclear, or unnecessary regulations. The analysis should consider in particular unit type allowances; lot, site, and building dimensions; lot width, access widths, street improvement standards; parking; common service lines as well as other ~~issues~~ development standards.
- 2.5.10. Review the City's administrative procedures and streamline the permit process for housing development, with affordable housing ~~developments~~ as a priority.
- 2.5.11. Consider implementing strategies such as an inclusionary housing program, minimum densities, density bonuses, adaptive re-use, and others to promote affordable housing.
- 2.5.12. ~~Consider participation~~ Participate, where appropriate, with developers and agencies in the preparation of applications for federal or state housing funds.

Figure 14-2: Triplex Example
(Sightline Institute)



Figure 14-3: Townhouse Example



2.5.13. Identify and catalogue real property owned by the City that is no longer required for its purposes ~~that might be~~ suitable ~~for to assemble, reutilize, or redevelop for affordable housing projects. the development of affordable housing for very-low to moderate income households. The inventory shall be provided to the state Department of Commerce annually in accordance with state law.~~

Note: Policy revised since cataloging and reporting not actually required. However, Countywide Planning Policies suggest that cities explore their surplus lands for possible affordable housing projects (e.g. sold to or partnered with third party).

2.5.14. Implement the strategies in the 2021 Sumner-Bonney Lake Housing Action Plan.

2.5.15. For SEPA environmental reviews of housing construction, establish thresholds for SEPA exemptions to streamline the review process, consistent with allowed State thresholds.

2.5.16. Support affordable housing development by religious organizations through density bonuses and consider fee waivers.

Note: This policy was reviewed and recommended by the Planning Commission on 6/6/24. Governments are required by law (RCW 35a.63.300) to allow religious organizations an increased density bonus "consistent with local needs" for affordable housing development (must be exclusively for low-income households for at least 50 years). The RCW does not define a specific density bonus number; but higher density can be achieved through the number of dwellings and number of floors.

2.5.17. Evaluate potential impacts and benefits of short term rentals on the use of ADUs and other housing units.

Note: The Planning Commission asked staff to explore code updates to limit short-term rentals to limit potential impacts on housing, and recommended this policy wording on 6/6/24 and 9/5/24. The Department of Commerce also recommends restricting short-term rentals of ADUs.

2.6. Collaborate with other Pierce County jurisdictions on housing affordability through the South Sound Housing Affordability Partnership (SSHA³P).

2.7. Support the reclamation of mine sites for housing once mining operations end.

~~X.X — Encourage a variety of housing available to all economic segments of the community.~~

Note: Policy consolidated into Policy 2.5 above.

2.8. Provide for a jobs and housing balance that satisfies the local need for employee housing and affordability.

2.9. Promote fair and equal access to housing for all persons in accordance with state law ~~by~~ connecting residents to information on tenant protections.

2.10. Make a biennial report to the City Council and the Pierce County Regional Council regarding the progress made in meeting community housing needs. Five years after the comprehensive plan periodic update, make a report to the City Council, Pierce County Regional Council, and

Washington State Department of Commerce regarding the progress made in permit processing timelines, housing affordability, and housing availability.

Note: RCW 36.70a.130 now requires a report five years after the periodic update adoption. This includes review of implementation of changes to the housing element and impacts to housing affordability and availability.

2.11. Participate in the development of data for buildable lands analysis as required by the Growth Management Act.

~~X.X. — The Town Center will contain “transition areas” that will be at reduced height (maximum 3 stories) to create more compatible transition between traditionally single-family residential zones and areas with increased height. *Note: Policy about Town Center transition areas moved to TCP policies in 4.0 below*~~

~~X.X. — Provide incentives for developing senior housing in the downtown such as permit fee waivers and reductions, parking requirement reductions, and multi-family tax exemptions. *Note: Policy about incentives for senior housing moved to Goal 2.0*~~

~~X.X. — Establish programs focused on promoting good management and reducing criminal activity in multi-family developments and areas. This could include crime free/resistant housing programs and “safe street” concepts in multi-family design and maintenance. *Note: Policy about crime resistant design moved to Goal 1.0.*~~

3. Encourage energy efficiency in housing developments.

3.1. Promote the use of energy conservation features in the design of all new residential structures: Encourage, through incentives and technical support, energy conservation, energy efficiency in building materials and site design, and the application of sustainable, or “green” development practices.

3.2. Reduce reliance on automobiles by promoting Promote higher density and infill developments that are located near major transportation links such as the Sumner Commuter Transit Station, and by supporting a network of transit stops connecting neighborhoods to the station.

3.3. Continue to enforce the energy efficiency requirements in the State Energy Code and other Washington State building codes requirements.

3.4. Establish standards for street widths, landscaping, and parking lots to reduce heat loss or provide shade.

3.4.1. Adopt flexible street standards to allow for narrower streets in appropriate locations to reduce pavement area.

~~X.X. Review and update codes as necessary regarding solar energy:~~

- 3.5. Recognize and support energy conservation and efficiency programs.
- 3.6. In cooperation with the County, Puget Sound Energy, and other providers, promote programs that help minimize utility costs for residents, particularly seniors and households with lower incomes, such as bill assistance, permitting and fee assistance, weatherization programs, pipe repairs, and installation of energy efficient heating and cooling appliances in existing housing.

4. Provide for a variety of housing types and densities in the Town Center Plan area in close proximity to the train station.

- 4.1. Promote the construction of housing stock in the Town Center by at least 500-1000 dwelling units by 2035.
- 4.2. Adopt greater height limit, 5-6 stories, for development at higher density in West Sumner and west of the White River to promote re-development of the area for transit-oriented development.
- 4.3. Adopt greater height limits, 4-5 stories, east of the BNSF Railroad with a transition area to low density single-family residential at a maximum of 3 stories as appropriate.
- 4.4. Maintain the Town Center ~~will contain~~ “transition areas” that will be at reduced height (maximum 3 stories) to create more compatible transition between ~~traditionally single-family~~ low density residential zones and areas with increased height.
- 4.5. Encourage land assembly allowing for feasible and attractive housing or mixed housing/commercial developments. Waive permit fees associated with lot consolidation such as lot line adjustments. Facilitate matching compatible owners that can work jointly to consolidate and sell/develop.
- 4.6. Prohibit garden style apartments in the Town Center that would promote surface parking.
- 4.7. In order to promote redevelopment to desired densities, prohibit new single-family residential development and limit expansion of existing single family.
- 4.8. ~~Adopt a~~ Maintain the Multi-family Tax Exemption allowance ~~per RCW 84.14 that would and~~ create other substantial incentives for re-development in the Town Center by providing property tax relief for qualified ~~multifamily and~~ affordable housing developments for 12 years.

Note: This policy was reviewed and recommended by the Planning Commission on 6/6/24, and would change the current MFTE to apply it only to affordable housing developments.

5. Support high density multifamily development and apartments in key locations in East Sumner Neighborhood Plan area.

- 5.1. Apply the Multi-Family Tax Exemption allowance to the East Sumner Urban Village area to create incentives for affordable housing.

Note: A small MFTE area in East Sumner was adopted in 2022. The Planning Commission recommended on 6/6/24 that the MFTE area be expanded to include all of East Sumner neighborhood boundary area. While

this policy can have fiscal impacts on other property taxpayers in Sumner, the MFTE is used by many cities as an effective way to incentivize affordable housing.

6. Support measures to prevent or mitigate residential displacement through tenant protections and existing programs.

Note: Goal 6 is proposed in order to address requirements in State HB 1220 regarding anti-displacement policies in local comprehensive plans.

- 6.1. Consider working with agencies to provide public information on County/State programs on eviction prevention, property tax assistance, mortgage assistance, energy assistance, and foreclosure prevention counseling.
- 6.2. Consider supporting tenant protections such as tenant relocation assistance, just cause eviction protections, and notice of intent to sell, consistent with State law.
- 6.3. Consider adopting provisions in the zoning code such as special zones or development standards that protect manufactured home parks over other types of housing developments.

Note: Policy updates above were reviewed and recommended by the Planning Commission on 6/6/24. With limited resources, it would be difficult for the City to enforce landlord/tenant laws or to have an advocacy or clearing-house role in tenant protection programs. Protection of low income households in Sumner's existing MFHPs was determined to be a reasonable strategy to address displacement as required by the State.

Housing and Land Use Code Changes - *Draft October 14, 2024*

Comprehensive Plan 2024 Periodic Update

Housing and Land Use

Definitions

3.52.020

A. "Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low- or moderate-income households.

18.04.0035 Accessory unit

"Accessory unit" means a second dwelling unit located on the same lot as a single-family housing unit, duplex, triplex, or townhome, either in or added to the principal unit an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling principal unit, for use as a complete, independent living facility with provision within the accessory apartment for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling. Accessory units are also commonly known as "mother-in-law" units or "carriage houses."

NOTE: THIS DEFINITION COMES DIRECTLY FROM NEW STATE LEGISLATION DEFINING ADUs AND WHAT IS CONSIDERED THE MAIN DWELLING.

18.04.0115 Apartments. "Apartments" means a building designed for the purpose of human habitation containing two or more more than two dwelling units where units are stacked vertically one upon another, but does not include a multiplex such as a triplex or fourplex.

18.04.0375 Family. "Family" means an individual, or two or more persons related by blood, marriage, or adoption. For the purposes of this title, "family" includes a group of not more than five persons who are not related, but a group of persons who may be related who are living and sharing kitchen facilities together as a single housekeeping unit. (Six or more unrelated persons living together constitutes a "Group residence." See "Group residence.")

NOTE: RCW 35.21.682 AND RCW 35A.21.314 PROHIBIT CITIES FROM LIMITING THE NUMBER OF UNRELATED PERSONS IN A HOUSING UNIT.

18.04.XXXX Community Garden. "Community garden" means a garden for growing produce that serves the local community and is managed by and located on the premises of a public agency, non-profit organization, or private development.

Chapter 18.12, Low Density Residential District (LDR-4, LDR-6, LDR-7.2, LDR-8.5, LDR-12)

18.12.020 Principal Uses

A. Adult family homes;

B. Manufactured homes subject to the standards of SMC 18.12.080(N), but not to exceed one dwelling on any one lot, except [for accessory dwellings](#) as provided in SMC 18.12.030;

C. Minor utility facilities;

D. Single-family detached dwellings, but not to exceed one [detached](#) dwelling on any one lot, except [for accessory dwellings](#) as provided in SMC 18.12.030;

E. [Duplexes, on any one lot in lieu of one single family detached dwelling;](#)

...

H. Existing automotive and motorized vehicle sales and rental agencies lawfully operating as of June 1, 2000 [and in accordance with SMC 18.12.080\(M\);](#)

...

[J. Multiplexes;](#)

- [In the LDR 8.5 and LDR 12 zones on parcels more than 1.5 times the minimum lot size, one multiplex per parcel with up to four units in lieu of one detached single family dwelling.](#)

NOTE: TO HELP MINIMIZE POTENTIAL IMPACTS, SUMNER DESIGN GUIDELINES APPLY TO MULTIFAMILY DEVELOPMENTS, INCLUDING DUPLEXES AND BUILDINGS WITH 3 OR MORE DWELLING UNITS. GUIDELINES ADDRESS BUILDING MATERIALS AND ALSO ADDRESS IMPACTS ON SURROUNDING PROPERTIES, THROUGH OPEN SPACE REQUIRED, BUILDING HEIGHT, AND SETBACKS.

[K. Community Gardens.](#)

18.12.040 Conditional Uses

The following uses in the LDR district require a conditional use permit or, where specifically required, a planned residential development approval from the city:

...

[G. Manufactured housing development:](#)

[a. Manufactured home parks subject to SMC 18.34; and](#)

[b. Manufactured housing subdivisions subject to SMC Title 17;](#)

...

Note: The State requires cities to address potential displacement of low income households. A strategy proposed in the Land Use Element of the Comprehensive Plan is to create a MFHP Overlay District that would protect sites from market rate development (the district would not be applied yet, but would be in place for the future). For 2024 code updates, the proposal is to state clearly in the Zoning Code that MFHPs are allowed in residential zones (2 currently in LDR, 2 currently in HDR.).

- M. 1. Assisted living facilities, board and care homes, hospices or nursing homes that meet building height and other standards in the zone require a conditional use permit.
2. Multifamily senior housing, including retirement homes, senior apartments and continuing care communities may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC;
3. Affordable multifamily housing on properties owned by a religious organization may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.

NOTE: SENIOR HOUSING (APARTMENTS) IS CURRENTLY ALLOWED IN MOST ZONES BUT ONLY IF 20% OF THE UNITS ARE AFFORDABLE. NEW CODE WILL EXPAND THAT TO ALLOW RELIGIOUS INSTITUTIONS TO CREATE AFFORDABLE HOUSING (NOT JUST FOR SENIORS) ON THEIR PROPERTIES. THIS IS REQUIRED UNDER STATE LAW.

...

- S. Permanent supportive housing that exceeds one two dwellings on any one lot, subject to the performance standards in SMC 18.12.080(R); and

NOTE: STATE LAW REQUIRES SUMNER TO ALLOW 2 UNITS PER LOT (HB 1220). PERMANENT SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING (BELOW) MUST MEET THE SAME SETBACKS AND HEIGHT IN THE ZONE.

- T. Transitional housing that exceeds one two dwellings on any one lot, subject to the performance standards in SMC 18.12.080(R).

18.12.030 Accessory Uses

- A. Accessory dwelling units subject to the following criteria:

NOTE: THE STANDARDS BELOW FOR ADUs ARE BEING UPDATED TO MATCH NEW STATE LEGISLATION (HB 1337). SUMNER CAN NO LONGER REQUIRE CERTAIN STANDARDS:

- CANNOT REQUIRE OWNER RESIDENCY
- MUST REMOVE PARKING REQUIREMENTS NEAR TRANSIT
- ALLOW BOTH ATTACHED AND DETACHED ADUs ON ANY LOT
- ALLOW AT LEAST 24-FOOT BUILDING HEIGHT (VERSUS 18-FOOT)
- CANNOT REQUIRE SETBACKS GREATER THAN THE MAIN DWELLING
- CANNOT REQUIRE THE BUILDING ENTRANCE LOCATION TO BE RESTRICTED
- CANNOT IMPOSE CERTAIN DESIGN STANDARDS.

- *CANNOT PROHIBIT THE SALE OF A CONDOMINIUM UNIT INDEPENDENTLY OF A PRINCIPAL UNIT ON THE GROUNDS OF IT BEING BUILT AS AN ADU*

1. ~~One Two~~ accessory dwelling units shall be allowed per legal building lot as a subordinate use in conjunction with the one-single-family detached dwelling allowed under SMC 18.12.020(D) ~~which, for the purposes of this section, is the primary dwelling unit; except that no accessory dwelling units are allowed where the building lot is below the minimum lot size specified for the zone.~~
2. ~~Either the primary dwelling unit or the accessory dwelling unit must be occupied by the owners of the property. In addition,~~ Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the primary dwelling unit, except in accordance with subsections (A)(14) and (15) of this section. ~~The owners shall sign an affidavit affirming that the owners will occupy the main building or the accessory dwelling unit as their primary residence for at least six months of every year. The owners shall sign a covenant agreeing to the conditions of this section which shall be recorded with the Pierce County auditor. The form of the affidavit and covenant shall be specified by the development services department;~~
3. ~~The accessory dwelling unit and primary dwelling unit together may account for a total of two families established by the definition of "family" in this title.~~

NOTE: RCW 35.21.682 AND RCW 35A.21.314 PROHIBIT CITIES FROM LIMITING NUMBER OF UNRELATED PERSONS IN A HOUSING UNIT.

34. The accessory dwelling unit shall contain a maximum floor area of 1,000 square feet, excluding any related garage area used for vehicle parking; provided, that if an attached accessory unit is completely located on a single floor, the director may allow increased floor area up to the minimum area necessary in order to efficiently use all floor area, so long as all other standards set forth in this section are met;
45. *Repealed by Ord. 2300;*
56. There shall be one off-street parking space provided for per accessory dwelling units, except that no off-street parking shall be required for accessory dwelling units that are located within one-half mile of the Sumner transit station ~~if the applicant demonstrates that on-street parking is available.~~
67. Accessory dwelling units may be located as an attached unit in the same building as the primary dwelling unit or in a detached accessory building, ~~except that, in the LDR 4,000 zone, accessory dwelling units shall be located only in the same building as the primary dwelling unit;~~
78. ~~General appearance and layout regulations for accessory dwelling units are as follows:~~

Accessory dwelling units constructed concurrently with a subdivision shall be subject to subdivision Design Review pursuant to SMC 18.40.020.

- ~~a.—Detached accessory dwelling units for which any portion of the structure is located closer to the front of the lot than the rear of the primary dwelling unit shall be consistent with the exterior architectural style of the primary dwelling unit, including style of siding and windows;~~
- ~~b.—The entrance for an attached accessory dwelling unit shall be located either on the rear or the side of the primary dwelling unit;~~

NOTE: STATE HB 1337 DOESN'T ALLOW DESIGN REVIEW STANDARDS THAT ARE MORE RESTRICTIVE THAN THE PRINCIPAL UNIT.

- o SUMNER CURRENTLY HAS DESIGN GUIDELINES THAT APPLY SPECIFICALLY TO ADUs, SUCH AS DOOR PLACEMENT AND QUALITY MATERIALS. HB 1337 DOESN'T ALLOW THIS.*
- o A NEW "INFILL" SINGLE FAMILY HOME IN SUMNER MUST MEET A FEW SIMPLE DESIGN GUIDELINES RELATED TO ARCHITECTURALLY COMPATIBLE SIDING AND PROHIBITING MATERIALS LIKE CORRUGATED SIDING. A NEW ADU CONSTRUCTED AT THE SAME TIME COULD BE SUBJECT TO THE SAME GUIDELINES.*
- o SINGLE FAMILY SUBDIVISIONS OF 10 OR MORE LOTS REQUIRE DESIGN COMMISSION REVIEW. SINGLE FAMILY SUBDIVISIONS OF 9 OR FEWER UNITS REQUIRE ADMINISTRATIVE DESIGN REVIEW. ADUs CONSTRUCTED AS PART OF A NEW SUBDIVISION COULD BE SUBJECT TO THE SAME DESIGN GUIDELINES.*
- o IN A FUTURE CODE UPDATE, STAFF WILL REVIEW SMC 18.40 TO UPDATE ADU DESIGN REVIEW TO COMPLY WITH STATE REQUIREMENTS.*

- 9. Height. Detached accessory dwelling units shall have a maximum building height of ~~24~~ 18 feet, unless the principal dwelling unit is less than 24 feet in height, in which case the height of the ADU shall not exceed the height of the principal dwelling unit. ~~In no case shall the second story contain exterior walls exceeding five feet in height on more than 50 percent of the perimeter of the second story. Attached accessory dwelling units may match the height of the primary dwelling unit, except that attached units located closer than 30 feet to the rear property line shall have a maximum building height of 18 feet;~~

NOTE: BUILDING/WALL HEIGHT RESTRICTION CANNOT BE MORE RESTRICTIVE THAN FOR THE PRIMARY UNIT.

- 10. Setbacks, Detached Units. Minimum yard setbacks for detached accessory dwelling units are as follows:

NOTE: SETBACKS BELOW ARE REVISED SINCE THEY CANNOT BE MORE RESTRICTIVE THAN FOR THE PRIMARY UNIT; ALSO STATE LAW SPECIFICALLY REQUIRES CITIES TO ALLOW ADUs TO ABUT AN ALLEY LOT LINE.

- a. Front yard setback: equal to or greater than existing front setback of the primary dwelling unit;

b. ~~Rear yard setback:~~ All other setbacks: minimum of 15 feet, same as required for the primary dwelling unit, except when:

- i. The rear property line is abutting an alley, in which case the ADU may be located at the lot line the setback shall be that required for garage ingress and egress per SMC 18.12.080(E); or,
- ii. The ADU is a maximum of 18 feet in height, in which case it may be located 15 feet from the rear property line, and 7.5 feet from interior side yard lot lines.

NOTE: STATE LAW LIKELY ALLOWS A "VOLUNTARY" HEIGHT RESTRICTION IN EXCHANGE FOR LESSER RESTRICTIONS THAN THE PRIMARY DWELLING. IF SUMNER ALLOWS ADUs CLOSER THAN THE 30-FOOT REAR SETBACK FOR THE MAIN HOUSE, WE COULD REQUIRE A MAXIMUM HEIGHT OF 18 FEET (MATCHES CURRENT CODE).

c. ~~Interior side yard: minimum of five feet, except as follows:~~

- i. ~~If the interior side property line is abutting an alley with vehicular access to a garage, then the setback is per SMC 18.12.080(E).~~
- ii. ~~If the interior side property line is the rear property line of an adjacent lot, the side yard shall be a minimum of 15 feet;~~

NOTE: THIS IS MORE RESTRICTIVE THAN THE PRIMARY DWELLING UNIT.

d. ~~Street side yard: same as required for the primary dwelling unit;~~

11. Setbacks, Attached Units. Minimum yard setbacks for attached accessory dwelling units shall be the same as the setback requirements for the primary dwelling unit; except that the rear yard setback is a minimum of 15 feet if the attached accessory dwelling unit is 18 feet or less in height;

12. Windows.

NOTE: NEW STATE LAW (HB 1337) REQUIRES CITIES TO MINIMIZE THE USE OF DESIGN STANDARDS ON ADUs, WHICH CAN MAKE ADUs MORE TIME-CONSUMING AND COSTLY TO CREATE. HOWEVER, IT APPEARS CITIES CAN HAVE SOME REGULATIONS THAT ADDRESS PRIVACY.

a. Windows in living, dining, and great room areas located above the first floor shall face interior to the site.

b. If the ADU is closer than 10 feet to a side setback or closer to the rear setback than the rear setback for the primary residence (except at an alley), window area on the ground floor is limited to 30 percent of the area of the facade;

13. The accessory dwelling unit shall meet all technical code standards including building, electrical, fire, plumbing and other applicable code requirements;

14. The accessory dwelling unit may be subdivided from the original parcel; provided, that the minimum lot size, all yard requirements as well as other applicable dimensional standards for a single-family dwelling, such as lot coverage and building height, of this title are met; and provided, that the subdivision is assessed

the difference between the ADU fees already paid and the full permit fees for a single-family home in effect at the time of subdivision;

15. Accessory dwelling units that are subdivided from the original parcel shall meet the off-street parking standards for a single-family dwelling in SMC 18.12.060 for the applicable zone;

16. **Conversion of existing accessory structure to ADU.** Existing accessory structures may be converted into an accessory dwelling unit, subject to the following provisions:

- ~~a. An accessory structure can be converted to an accessory dwelling unit so long as the building height, setbacks, and other provisions of this subsection (A) are met, unless otherwise provided in this section;~~
- ~~b. Setbacks. No conversion of an accessory structure to an accessory dwelling unit shall encroach further into the setbacks established in this subsection (A) for accessory dwelling units, except for preexisting structures as provided in subsection (A)(16)(c) of this section;~~
- a. The converted structure does not encroach further than the existing accessory structure into the setbacks established in section 10;
- b. The converted structure does not further violate lot coverage requirements;
- c. The converted structure meets all other development standards as required in 18.12.030(A).
- d. The original structure to be converted was legally constructed prior to the adoption of this code.

NOTE: NEW STATE LAW GREATLY RESTRICTS CITIES FROM APPLYING STANDARDS TO CONVERSIONS OF EXISTING ACCESSORY STRUCTURES (E.G. GARAGE) TO AN ADU—EVEN IF THEY DON'T MEET CURRENT SETBACKS OR LOT COVERAGE REQUIREMENTS. THE CODE UPDATES ABOVE ADDRESS STATE REQUIREMENTS WHILE ENCOURAGING CONVERSIONS IF THEY MEET ADDITIONAL STANDARDS.

- ~~c. Where the structure to be converted was constructed prior to 2012, the converted unit may have a minimum rear yard of three feet, and a minimum interior side yard of three feet, if located in the rear 33 percent of the lot, or in back of the front 75 feet of the lot, except as follows:~~
 - ~~i. An accessory structure with vehicular access from an alley shall have a rear setback and interior side setback established by SMC 18.12.080(E); unless the interior side property line is the rear property line of an adjacent lot, in which case the setback shall be a minimum of 10 feet at the abutting rear yard;~~
 - ~~ii. The converted unit shall be no taller than one story and 16 feet; and~~
- e. The structure to be converted shall be of sound condition and meet current fire, building and safety regulations, as determined by the building official;

- f. Parking. If off-street parking spaces for the primary dwelling unit are removed as part of converting an existing accessory structure to an accessory dwelling unit, the applicant shall demonstrate on a site plan how the provisions in subsection (A)(6) of this section and the parking requirements in SMC 18.12.070~~(J)(K)~~ are being met;

NOTE: THIS REFERENCES THE PARKING REQUIREMENTS FOR THE MAIN DWELLING.

- g. Conversion of a nonconforming structure to an accessory dwelling unit shall not result in an increase in the nonconformity; and

h. An accessory structure conversion may be expanded beyond its existing footprint and setbacks up to a maximum of 1,000 square feet in area, provided:

i. the finished structure shall comply with the maximum building height in 18.12.030(A)(9);

ii. the expanded portion of the structure shall meet the setbacks established in 18.12.030(A)(10).

Chapter 18.14, Medium and High Density Residential Districts

18.14.020 Principal Permitted Uses

The following uses are permitted in all MDR and HDR districts unless otherwise specified:

...

- H. One new single-family dwelling on each building site in the MDR zone only, subject to maximum lot size in 18.14.070. Single-family dwellings legally constructed prior to the adoption of this code are permitted in the MDR and HDR zones.

...

- L. One manufactured homes per lot in the MDR zone only, subject to the standards of SMC 18.14.080(N), except when placed in a manufactured home park, pursuant to SMC 18.14.040(K).

NOTE: THIS IMPLEMENTS THE PROPOSED POLICY TO MAINTAIN HIGH DENSITY ZONES FOR HIGH DENSITY HOUSING, NOT FOR SINGLE FAMILY HOMES.

...

- N. Apartments up to three stories in the medium density and high density residential zone south of East Main and 60th Street East, except for senior housing subject to SMC 18.14.040

NOTE: CURRENT CODE ALLOWS APARTMENTS ONLY IN TOWN CENTER PLAN AND EAST SUMNER NEIGHBORHOOD PLAN BOUNDARIES. NEW CODE WOULD ALLOW APARTMENTS IN BOTH MDR AND HDR ZONES. ALTHOUGH THESE ARE MULTIFAMILY ZONES, SUMNER YEARS AGO REMOVED APARTMENTS FROM ALLOWED USES.

...

O. Triplexes and fourplexes

P. Community Gardens.

18.14.030 Accessory buildings and uses

...

G. Wireless communication facilities subject to the standards of chapter 18.37 SMC. (Ord. 2134 § 15, 2005; Ord. 1830 § 20, 1998; Ord. 1694 § 1, 1995)

H. ADUs allowed subject to 18.12.030

NOTE: SINCE THE MDR AND HDR ZONES ALLOW FOR SINGLE-FAMILY DEVELOPMENT, ADUS MUST ALSO BE ALLOWED PER HB 1337.

...

18.14.040 Conditional Uses

...

~~B. Dwellings constructed for and occupied by households with at least one member being physically handicapped may exceed allowable dwelling unit densities by 50 percent of that permitted by the respective zone. A title notice indicating occupancy by the physically handicapped is required;~~

NOTE: THIS PROVISION NO LONGER NEEDED, SINCE NEW CODE WILL ALLOW EITHER 2 DWELLINGS PER LOT OR 2 ADUs PER LOT ALONG WITH THE PRINCIPAL UNIT.

...

K. Manufactured home parks Manufactured housing development:

1. Manufactured home parks subject to SMC 18.34; and

2. Manufactured housing subdivisions subject to SMC Title 17;

...

S. Senior housing and low income housing

1. Multifamily senior housing, including senior apartments, retirement homes and continuing care communities exceeding the maximum density and other standards for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC;

2. Affordable multifamily housing on properties owned by a religious organization exceeding the maximum density and other standards for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC.

NOTE: SENIOR HOUSING (APARTMENTS) IS CURRENTLY ALLOWED IN MOST ZONES BUT ONLY IF 20% OF THE UNITS ARE AFFORDABLE. NEW CODE WILL EXPAND THAT TO ALLOW RELIGIOUS INSTITUTIONS TO CREATE AFFORDABLE HOUSING (NOT JUST FOR SENIORS) ON THEIR PROPERTIES. THIS IS REQUIRED UNDER STATE LAW.

18.14.070 Property Development Standards for MDR/HDR

Table 18.14.070

	MDR	HDR
...	...	...
C. Maximum development density in dwelling units per net acre	<u>15-22</u>	25
...	...	...

18.14.080 Performance Standards for MDR/HDR

N. Manufactured homes shall meet all of the following conditions:

- ~~1. Manufactured homes shall be new;~~
2. Manufactured homes shall be set upon a permanent foundation and the space from the bottom of the home to the ground shall be enclosed by ~~concrete or an approved~~ concrete a product which can be either load-bearing or decorative;
3. Manufactured homes shall be thermally equivalent to the State Energy Code;
4. Manufactured homes shall have exterior siding similar in appearance to siding materials commonly used on site built single-family homes;
5. The roofs of manufactured homes shall be constructed with a shake or shingle, coated metal, or similar material ~~with a nominal roof pitch of 3-12~~; and
6. Manufactured homes shall be comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long.

NOTE: A "MANUFACTURED HOME" (MFH) IS FACTORY BUILT TO FEDERAL H.U.D. STANDARDS WHICH ADDRESS BUILDING CODES, ENERGY CODES, ETC., AND HAS AN APPEARANCE SIMILAR TO A SINGLE FAMILY HOME BUILT ON SITE. A "MOBILE HOME" IS A FACTORY BUILT DWELLING BUILT PRIOR TO JUNE 15, 1976. NO MOBILE HOMES HAVE BEEN BUILT SINCE INTRODUCTION OF THE HUD MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS ACT. THE REQUIREMENT THAT A MFH BE NEW EXCLUDES MANY HOMEOWNERS FROM SINGLE FAMILY NEIGHBORHOODS.

Chapter 18.16 - Commercial Districts

18.16.020 Principal and conditional uses.

...

		NC	GC	IC
1.	Accessory parks and recreation facilities for use by on-site employees or residents	P	P	P
...				
34a.	Multifamily dwellings, rooming houses and boarding houses, senior apartments, retirement homes, assisted living facilities, continuing care communities, board and care homes, hospices, or nursing homes subject to the standards and locations as applicable in SMC 18.16.040	P	P	
34b.	Senior apartments, retirement homes or continuing care communities that exceed allowable densities or that do not meet other standards of the respective zone may be allowed through a planned residential development, pursuant to chapter 18.24 SMC, subject to the standards and locations as applicable in SMC 18.16.040	PRD	PRD	
<u>34c.</u>	<u>Affordable multifamily housing on properties owned by a religious organization exceeding the maximum density and other standards for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC, subject to SMC 18.16.040.</u>	<u>PRD</u>	<u>PRD</u>	

...	...			
<u>76.</u>	<u>Community gardens</u>	<u>P</u>	<u>P</u>	<u>P</u>

NOTE: SENIOR HOUSING (APARTMENTS) IS CURRENTLY ALLOWED IN MOST ZONES BUT ONLY IF 20% OF THE UNITS ARE AFFORDABLE. NEW CODE WILL EXPAND THAT TO ALLOW RELIGIOUS INSTITUTIONS TO CREATE AFFORDABLE HOUSING (NOT JUST FOR SENIORS) ON THEIR PROPERTIES. THIS IS REQUIRED UNDER STATE LAW.

Chapter 18.30 - East Sumner Urban Village Overlay District

18.30.030 Performance standards

B. Commercial Districts. Those uses listed below shall govern the uses permitted and conditionally permitted where the base designations GC and NC are combined with the ESUV overlay district. Where a "P" is indicated, the respective use in the same row is permitted in the zone classification in the same column. Where a "CUP" is indicated, the respective use in the same row is conditionally permitted in the zone classification in the same column. A conditional use permit shall be required and in full force and effect in order to establish the conditional uses. Where a "PRD" is indicated, the respective use in the same row is permitted through a planned residential development. A planned residential development shall be required and in full force and effect in order to establish the use.

		NC/ESUV	GC/ESUV
1.	Accessory parks and recreation facilities for use by on-site employees or residents	P	P
...	...		
34a.	Senior housing including retirement homes and senior apartments, assisted living facilities, continuing care communities, board and care homes, hospices, or nursing homes, subject to density maximums and locations specified in SMC 18.30.080(B) and 18.30.090	P	P
34b.	Senior housing that exceeds the density maximums and other standards of SMC 18.30.080(B), subject to the locations specified in SMC 18.30.090	PRD	PRD
<u>34c.</u>	<u>Affordable multifamily housing on properties owned by a religious organization exceeding the maximum density and other</u>	<u>PRD</u>	<u>PRD</u>

	standards for the zone may be allowed only through a planned residential development, pursuant to chapter 18.24 SMC, subject to performance standards for multifamily residential uses in 18.30.090.		
...	...		
57.	Community gardens	P	P

Chapter 18.24 Planned Residential Development

18.24.020 Districts where permitted.

A. Planned residential development (PRD) may be permitted in the following residential districts:

1. LDR, low density residential district;
2. MDR, medium-density residential district;
3. HDR, high-density residential district.

B. A senior housing or [affordable multifamily housing on properties owned by a religious organization](#) PRD may be permitted in the following districts:

1. LDR, low density residential district;
2. MDR and ESUV/MDR, medium-density residential districts;
3. HDR and ESUV/HDR, high-density residential districts;
4. NC, neighborhood commercial district;
5. GC, general commercial district;
6. ESUV/NC, East Sumner urban village neighborhood commercial;
7. ESUV/GC East Sumner urban village general commercial.

...

18.24.030 Permitted uses in a PRD.

The following uses are allowed in planned residential developments:

A. Within the LDR districts, allowable residential uses shall include only the following:

1. Single-family residences or detached condominiums; or
2. Senior housing, including senior apartments or combination of senior housing types, provided at least 20 percent of the dwelling units are maintained as affordable housing.

[3. Affordable multifamily housing on properties owned by a religious organization.](#)

B. Within the MDR or HDR and ESUV/MDR or ESUV/HDR districts, residential development of all types regardless of the type of building in which such residence is located, such as single-

family residences, manufactured homes, duplexes, triplexes, fourplexes, townhouses, condominiums or senior apartments or other senior housing types; provided, that:

1. Senior housing shall maintain at least 20 percent of the units as affordable housing; and
2. Hotels, motels and mobile home parks are excluded; and
3. Affordable multifamily housing on properties owned by a religious organization shall include 100 percent of the units as designated affordable housing.

C. Within commercial districts, allowable residential uses in a planned residential development shall only include:

1. Senior housing, subject to location requirements specified in each district; provided, that at least 20 percent of the dwelling units are maintained as affordable housing.
2. Affordable multifamily housing on properties owned by a religious organization, subject to SMC 18.16.040; provided, that 100 percent of the units as designated affordable housing.

NOTE: THE PRD STANDARDS AND PROCESS ALLOW INCREASED DENSITY AND BUILDING HEIGHT FOR THESE AFFORDABLE HOUSING DEVELOPMENTS AND REQUIRE A PUBLIC HEARING WITH THE HEARINGS EXAMINER.

...

18.24.060 Property development standards in a PRD

A. Acreage Minimum. The minimum site for a planned residential development shall be as follows:

1. For low density residential zones, one acre.
2. For medium density residential zones, one-half acre.
3. For a senior housing PRD on a property owned or controlled by a religious organization~~church~~, public housing authority, or government agency that includes other uses, the site devoted to senior housing uses shall be a minimum of one-half acre. Density shall be calculated based on the area devoted to senior housing uses.
4. For an affordable multifamily housing PRD on a property owned by a religious organization that includes other uses, the site devoted to affordable housing shall be a minimum of one-half acre. Density shall be calculated based on the area devoted to affordable housing uses.

...

D. Density Standards. The maximum density permitted in the underlying zone shall serve as the base density. The base density may be adjusted based on conformance with the following:

1. Density Standards for General Residential Development. The total density for a planned residential development that does not include senior housing or affordable housing shall be the same as the density of the base zone, except that the allowed density may be clustered on the site.

2. Density Standards for Senior Housing [and Affordable Multifamily Housing on Properties Owned by a Religious Organization](#). The base density for senior housing [and religious organization affordable housing](#) may be increased according to the zone in which it is located, as follows:

- a. Low density residential (LDR) zone: up to 50 dwelling units per acre to a total maximum of 200 units.
- b. Medium density residential and high density residential (MDR, HDR, ESUV/MDR, ESUV/HDR) zones: up to 50 dwelling units per acre.
- c. Neighborhood commercial (NC, ESUV/NC) zones: up to 50 dwelling units per acre.
- d. General commercial (GC, ESUV/GC) zones: up to 50 dwelling units per acre.

E. Building Height for Senior Housing [and Affordable Multifamily Housing on Properties Owned by a Religious Organization](#). The maximum building height permitted in the underlying zone shall serve as the base height. Base height for senior housing [and religious organization affordable housing](#) may be increased according to the zone in which the development is located, as follows:

- 1. Low density residential (LDR) zone: Up to 35-foot building height; provided, that buildings greater than a 30-foot height have increased setbacks adjacent to single-family residential uses, based on the following guidelines: a) buildings adjacent to a rear yard should have a setback that increases by four feet for every one foot over the base height; and b) buildings adjacent to a side yard should have a setback that increases by two feet for every one foot increase over the base height.
- 2. Medium density residential and high density residential (MDR, HDR, ESUV/MDR, ESUV/HDR) zones: Up to 50-foot building height; provided, that buildings greater than a 35-foot height have increased setbacks based on the following guidelines: buildings adjacent to single-family rear yards and side yards should have a setback that increases by two feet for every one foot over the base height.
- 3. Neighborhood commercial (NC, ESUV/NC) zones: up to 50-foot building height.
- 4. General commercial (GC, ESUV/GC) zones: up to 50-foot building height.

F. Open Space. The minimum open space established in SMC 18.41.200 may be reduced as follows:

- 1. A single-family dwelling planned residential development shall provide not less than 30 percent of the lot area for common open space.

2. Attached single-family dwellings and multifamily developments may have reduced private open space, provided the area in common open space is not less than 30 percent of the lot area.
3. Senior apartments [and affordable multifamily housing on properties owned by a religious organization](#) may have reduced private open space to zero, provided the area in common open space is not less than 20 percent of the lot area devoted to senior housing or [affordable multifamily housing](#) uses.
4. Required open space shall be:
 - a. Concentrated in large usable areas and designed to provide either passive or active recreation;
 - b. If under one ownership, owned and maintained by the ownership; or
 - c. Held in common ownership by all the owners of the development by means of a homeowners' or similar association. Such association shall be responsible for maintenance of the common open space; or
 - d. Dedicated for public use, if acceptable to the city and/or other appropriate public agency.

Displacement Provisions

NOTE: DISPLACEMENT PROVISIONS WERE DISCUSSED BY THE PLANNING COMMISSION AND DRAFT COMPREHENSIVE PLAN POLICIES ADDRESS DISPLACEMENT STRATEGIES RECOMMENDED BY THE COMMISSION. HOWEVER, IMPLEMENTATION OF CODE CHANGES WILL NEED TO OCCUR AT A FUTURE DATE.

18.40.020(2) Design Review ADUs.

...

B. Administrative Review. The following types of projects shall require design review according to the procedures for Type III.b decisions, chapter 18.56 SMC, Procedures for Land Use Permits:

...

~~2. Accessory units in residential zones:~~

NOTE: THE CURRENT CODE REQUIREMENT FOR ADUS TO GO THROUGH DESIGN REVIEW IS PROPOSED TO BE REMOVED. HB 1337 DOES NOT ALLOW MORE RESTRICTIVE DESIGN REVIEW FOR ADUS THAN FOR THE PRINCIPAL UNIT. ONLY ADUS AS PART OF A SUBDIVISION WOULD BE SUBJECT TO DESIGN REVIEW, LIKE THE PRINCIPAL UNITS.

Performance Standards for Permanent Supportive Housing, Transitional housing, Emergency Shelters, and Emergency Housing

NOTE: THE CHANGES LISTED BELOW UPDATE OCCUPANCY LIMITS AND SPACING FOR THESE FACILITIES. CURRENT CODE IS NOT CONSISTENT WITH STATE GUIDELINES AND LAWS THAT STATE THAT CITIES CANNOT LIMIT THE NUMBER OF UNRELATED PERSONS IN A DWELLING. INSTEAD, SOME CITIES BASE OCCUPANCY ON BUILDING/FIRE CODE REQUIREMENTS. ALSO, PER STATE GUIDELINES, CITIES SHOULD BE CAREFUL OF ARBITRARY SPACING REQUIREMENTS THAT MAY NOT ACTUALLY REDUCE NEIGHBORHOOD IMPACTS. INSTEAD, CODES COULD INCLUDE LOCATION CRITERIA SUCH AS LOCATING NEAR TRANSIT OR SERVICES. SPACING REQUIREMENTS IN STATE LAW CREATE A "COMMUNITY PROTECTION ZONE" OF 880 FEET FROM INCOMPATIBLE USES.

Chapter 18.12 - Low Density Residential District

18.12.080 Performance standards

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R. Permanent supportive housing and transitional housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in this chapter;
2. Be limited to occupancy set by the City fire code by one family per dwelling unit;
3. Comply with the maximum housing density for the zone and occupancy limits set by the City fire code, except that in no case shall density exceed a maximum of 10 housing units on any single parcel of land; and
4. Where the number of housing units exceeds one unit per lot, such housing shall not be located within 880 feet one-half mile of any other emergency shelter or emergency housing use; or any permanent supportive housing or transitional housing use.

...

Chapter 18.14 - Medium and High Density Residential District

18.14.080 Performance Standards

...

P. Permanent supportive housing and transitional housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in this chapter;
2. Comply with the maximum housing density for the zone and occupancy limits set by the City fire code, except that in no case shall density exceed a maximum of 10 housing units on any single parcel of land; and

3. Not be located within 880 feet one-half mile of any other emergency shelter or emergency housing use; or any permanent supportive housing or transitional housing use.

...

Chapter 18.16 - Commercial Districts

18.16.080 Performance Standards

...

W. Indoor emergency shelters and indoor emergency housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the zone;
2. Comply with occupancy limits set by the City fire code~~Be limited to no more than five families or 20 occupants, whichever is fewer;~~
3. Not be located within 880 feet one-half mile of any other emergency shelter or emergency housing use; or any permanent supportive housing or transitional housing use.

X. Permanent supportive housing and transitional housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the zone;
2. Comply with the maximum residential density and mixed use requirements for the zone as specified in SMC 18.16.040 and occupancy limits set by the City fire code;~~except that in no case shall density exceed 25 dwelling units per acre;~~ and
3. Not be located within 880 feet one-half mile of any emergency shelter or emergency housing use; or any other permanent supportive housing or transitional housing use.

...

Chapter 18.18 - Manufacturing Districts

18.18.060 Performance standards

...

V. Indoor emergency shelters and indoor emergency housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the zone;
2. Comply with occupancy limits set by the City fire code~~Be limited to no more than five families or 20 occupants, whichever is fewer;~~

3. Not be located within 880 feet one-half mile of any other emergency shelter or emergency housing use; or any permanent supportive housing or transitional housing use.

W. Permanent supportive housing and transitional housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the zone;

2. Comply with occupancy limits set by the City fire code~~Not exceed a maximum housing density of 25 dwelling units per acre;~~

3. In no case exceed a maximum of 10 housing units on any single parcel of land; and

4. Not be located within 880 feet one-half mile of any emergency shelter or emergency housing use; or any other permanent supportive housing or transitional housing use.

...

Chapter 18.29 - Town Center Code

18.29.060 Performance standards

...

G. Indoor emergency shelters and indoor emergency housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the district;

2. Comply with occupancy limits set by the City fire code ~~Be limited to no more than five families or 20 occupants, whichever is fewer;~~ and

3. Not be located within 880 feet one-half mile of any other emergency shelter or emergency housing use; or any permanent supportive housing or transitional housing use.

H. Permanent supportive housing and transitional housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the district;

2. Comply with occupancy limits set by the City fire code where applicable; and in no case shall ~~Not~~ exceed a maximum housing density of 25 dwelling units per acre;

3. Not be located within 880 feet one-half mile of any emergency shelter or emergency housing use; or any other permanent supportive housing or transitional housing use.

...

NOTE: STAFF RECOMMENDS THAT OCCUPANCY BE BASED ON THE FIRE CODE (PER STATE GUIDELINES) BUT THAT THERE ALSO SHOULD BE A MAXIMUM DU/AC APPLIED TO PSH AND TRANSITIONAL HOUSING. OTHERWISE, BECAUSE THE MANUFACTURING DISTRICTS HAVE NO DU/AC SPECIFIED FOR THE UNDERLYING ZONE, IT COULD MEAN UNLIMITED DENSITY FOR THIS TYPE OF HOUSING. IT'S NOT AN ISSUE IN OTHER ZONES SINCE OTHER ZONES ALL HAVE MAXIMUM DU/AC ALREADY DEFINED.

Chapter 18.30 - East Sumner Urban Village Overlay District

18.30.090 Performance standards

...

G. Indoor emergency shelters and indoor emergency housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the zone;
2. Comply with the performance standards of SMC 18.30.090, including location requirements;
3. Comply with occupancy limits set by the City fire code~~Be limited to no more than five families or 20 occupants, whichever is fewer~~; and
4. Not be located within 880 feet one-half mile of any other emergency shelter or emergency housing use, or any permanent supportive housing or transitional housing use.

H. Permanent supportive housing and transitional housing shall:

1. Comply with all applicable setbacks, height and other dimensional standards as required in the zone;
2. Comply with the performance standards of SMC 18.30.090, including location;
3. Comply with occupancy limits set by the City fire code ~~Not exceed a maximum housing density of 25 dwelling units per acre~~;
4. Not be located within 880 feet one-half mile of any emergency shelter or emergency housing use; or any other permanent supportive housing or transitional housing use.

...

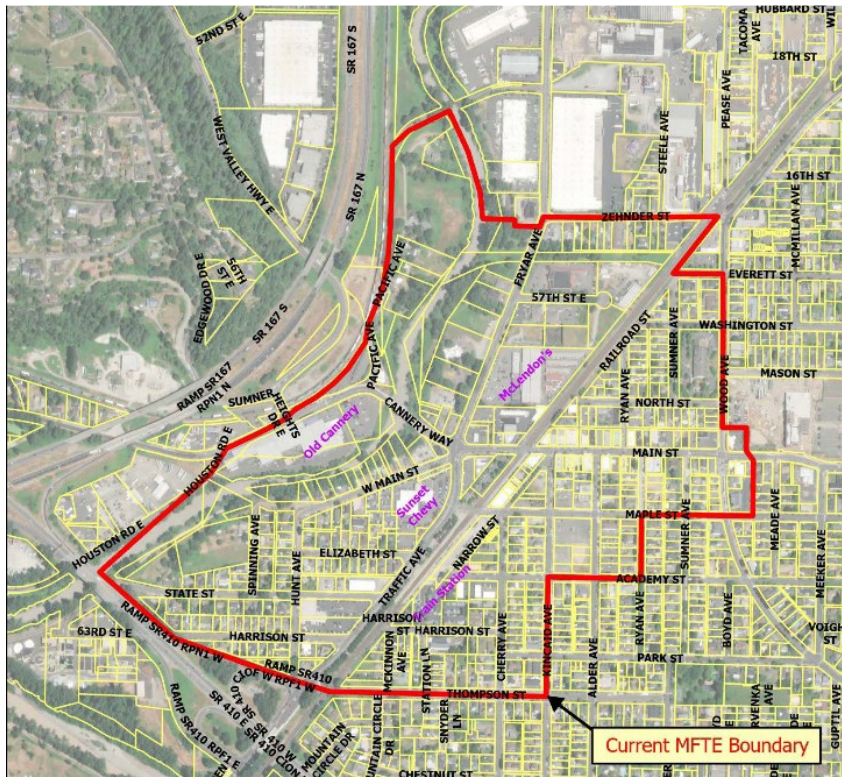
Ch 3.52 Multifamily Tax Exemption

Updates to maps and text in Ch 3.52 to reflect the following changes:

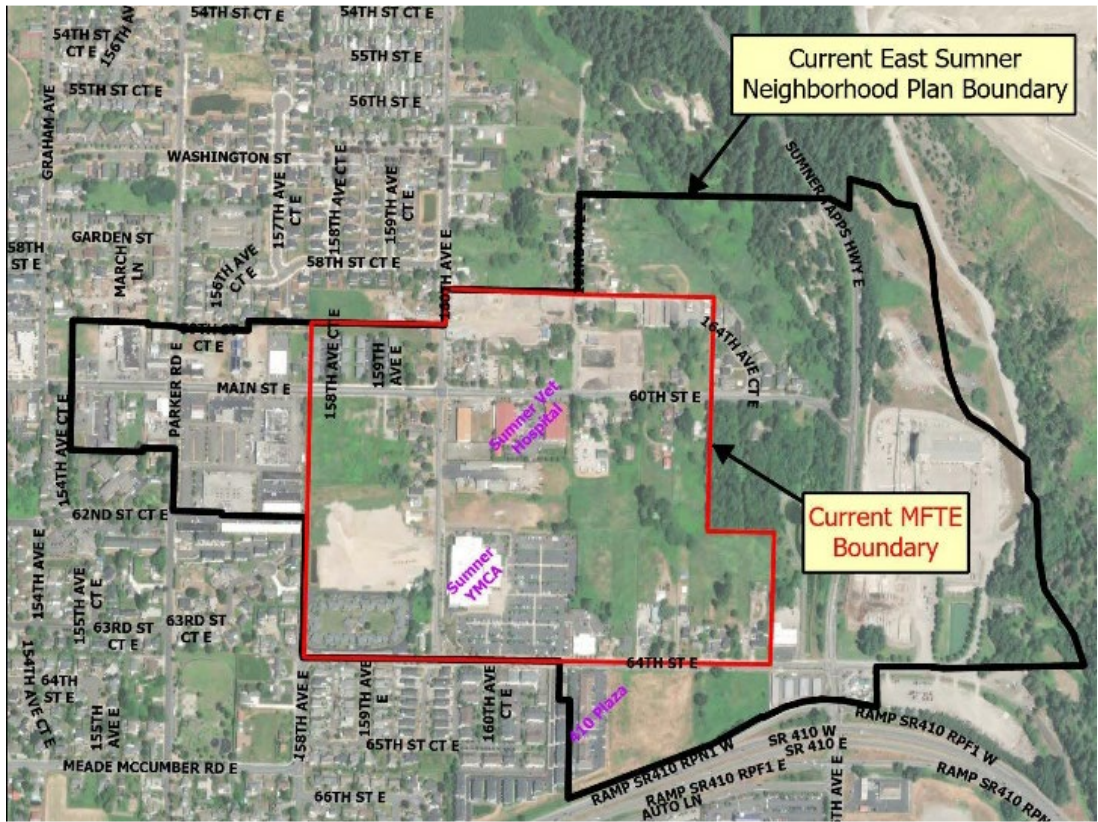
- Affordable housing development (less than 80% AMI) is incentivized in Sumner in 2 key areas:
 - The existing Town Center Multifamily Tax Exemption (MFTE) to be changed to limit MFTE eligibility to affordable developments;
 - The existing East Sumner MFTE area to be expanded to all of the East Sumner Neighborhood Plan boundary.

NOTE: THESE CODE UPDATES ARE INTENDED TO INCREASE SUMNER'S CAPACITY FOR, AND INCREASE INCENTIVES FOR AFFORDABLE HOUSING, WHILE CONCENTRATING MOST OF THE DENSITY INCREASE IN THE 2 SUBAREAS WITH THE GREATEST POTENTIAL FOR DWELLING UNITS. NOTE THAT "AFFORDABLE" IN THE COMPREHENSIVE PLAN MEANS AFFORDABLE TO HOUSEHOLDS MAKING LESS THAN 80% OF THE AVERAGE MEDIAN INCOME IN PIERCE COUNTY. THE CITY'S CURRENT MFTE PROGRAM IN TOWN CENTER HAS OPTIONS FOR MARKET RATE AND AFFORDABLE DEVELOPMENTS. SEE TOWN CENTER MAP BELOW.

TOWN CENTER MFTE AREA



EAST SUMNER MFTE AREA – EXISTING AND PROPOSED



Environment

Introduction

The Growth Management Act (GMA) requires that critical areas, natural resource lands, and the environment be protected. Countywide Planning Policies and the Multi-County Planning Policies (VISION 2050) also establish mandates for protection of the environment in the planning process. Updates to policies and regulations are required to be based on “best available science” and give special consideration to conservation or protection measures necessary to preserve or enhance habitat for anadromous fisheries. Legislation further requires jurisdictions to address climate change and greenhouse gas reduction in their policies and regulations. In addition, the Draft Environmental Impact Statement, prepared for the Comprehensive Plan in compliance with the State Environmental Policy Act (SEPA), discloses a variety of environmental impacts that could result from implementing the Comprehensive Plan. The policies below are intended to satisfy these statutory and regional policy directives.

Critical Areas within the City of Sumner include wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. The beneficial functions and values they provide include water quality protection; fish and wildlife habitat; flood storage; groundwater recharge and discharge; drinking water protection; erosion control; protection from natural hazards; and recreation.

Goals, Policies, and Objectives

Overall

1. Practice environmental stewardship by protecting, enhancing and promoting the natural environment in ~~and around~~ the City of Sumner.

- 1.1. Maintain up to date regulations that protect critical areas, the function and values of the natural environment, and/or safeguard the public from hazards to health and safety.

Note: This change is to meet WAC 365-196-830(3).

- 1.2. Incorporate the use of “best available science” as required by the Growth Management Act ~~when in developing policies and development regulations to protect the functions and values of implementing~~ critical areas ~~regulations.~~ Give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

Note: This change is to meet WAC 365.70A.172.

- 1.3. Promote cultural events that celebrate and inform the community about natural areas, such as salmon-related events and tours of restoration sites.
- 1.4. Work with ~~other agencies and~~ the Sumner-Bonney Lake School District and other organizations to promote environmental education on topics such as local ecology, conservation, waste reduction, and environmental justice.
- 1.5. Through the Parks Board, new development permits, community organizations, other agencies and other resources, promote equitable public access to unique and valuable natural areas, where access is designed to minimize impacts to the natural area.
- 1.6. Consider environmental justice in future project and policy decisions and ensure the benefits associated with environmental stewardship projects are equitably distributed throughout the city.
- 1.7. Develop a continuing program to assist the public with preventing storm damage through the proper use of vegetation and trimming of dangerous limbs.
- 1.8. Work with Pierce County to continue education programs related to winter preparedness as part of their preparedness education program.
- 1.9. Expand public education campaigns regarding fire safety, including information on wildfire hazards and protecting homes.
- 1.10. Maintain a program of street tree planting to boost carbon sequestration, improve air quality, and counter heat island effects, particularly in overburdened communities.

Air Quality

2. Protect air quality from adverse impacts.

- 2.1. In order to reduce emissions and reliance on the automobile as the primary method of transportation, encourage alternative modes of transportation.
- 2.2. Require air quality impact analysis for major new developments which could adversely impact the air quality levels in the vicinity.
- 2.3. Work with other agencies to educate the public about air quality impacts.
- 2.4. Work with other agencies to monitor air quality within the planning area.
- 2.5. Support infrastructure, codes and permit processes that encourage alternative fuels and electric vehicles.
- 2.6. Require trees and other vegetated barriers between busy roadways and schools, residential areas and other places with a high concentration of vulnerable children and adults.
- 2.7. Engage with the community, particularly overburdened populations, to understand and respond to local needs and concerns regarding air quality.

Noise

3. Encourage a reduction in noise impacts associated with human activity and development.

- 3.1.** Require new developments which could generate substantial levels of noise or could expose people to ~~substantial levels of noise from existing noise generators~~ noise impacts sufficient to cause environmental health problems to submit an analysis of potential noise impacts and to propose mitigation.
- 3.2.** Maintain the noise ordinance to address various noise sources, and periodically update it for consistency with industry standards and new environmental health data ~~and require mitigation of noise impacts if they are sufficient to cause environmental health problems or will exceed recognized health standards.~~

Natural Resource Lands

4. Protect viable long-term natural resource lands, including commercial agriculture and mining.

- 4.1.** In coordination with other jurisdictions, protect viable mining areas through allowances for permits, provisions for mitigation of impacts and restoration, notice to adjacent property owners, and compatibility of uses.
- 4.2.** ~~In coordination~~ Cooperate with Pierce County ~~protect in protecting lands designated by the State as~~ agricultural lands of long-term commercial significance, through conservation tools such as transfer of development rights, purchase of development rights, cluster zoning, and limitations on the extensions of public utilities and public facilities.

Note: This policy is not applied in Sumner because Sumner has no commercially significant ag lands. This does not affect a property owner's ability to grow produce, gardens, etc. Since those lands are not designated by the state as lands with "long term commercial significance."

- 4.3.** ~~Protect farming as a viable activity within the city through~~ Establish right-to-farm legislation to protect agricultural lands with significant long term commercial significance, including adjacent agricultural lands in the county. ~~allowance of markets and roadside stands, and provision of necessary services.~~

Note: Sumner, like many cities, has a "right to farm" ordinance (SMC Chapter 16.43). However, Sumner code only allows agriculture in a few small areas where it's mostly not viable or not likely: 1) Resource Protection Zones (City-owned property only, such as wetlands restoration); 2) Residential Protection Zone (which is the existing gravel mines); 3) Manufacturing Zones (not much land left for this.) Sumner also allows keeping of farm animals (Chapter 16.18) regardless of zone provided it meets minimum acreage and setbacks. Sumner zoning code does not allow produce stands except in resource protection zone and for special events, and does not allow community pea-patches.

- ~~X.X. Seek innovative ways to support agriculture through business development and flexible zoning.~~

Note: This policy is more relevant to economic development. Staff propose adding a related policy in that element.

~~X.X. Where appropriate, utilize a planned mixed use development overlay zone or detailed subarea plan, to ensure buffers and other measures to reduce impacts to agricultural lands of long-term commercial significance from conflicts with development prior to annexation.~~

Note: This policy no longer applicable/no commercial ag lands.

Surface Water

5. Protect surface water quality and quantity from significant degradation as required by state and federal law.

- 5.1. Implement development regulations and a surface water quality management plan to protect water quality.
- 5.2. Maintain regulatory requirements for adequate vegetated stream buffers to protect functions and values such as temperature reduction, as well as filtration and attenuation (slow release) of surface water runoff.
- 5.3. Protect wetlands and wetland buffers to protect functions and values, such as flood attenuation, through water storage and water filtration.
- 5.4. Monitor surface water quality discharges to provide a sufficient data base for determining if water quality is being degraded.
- 5.5. Work with other agencies to educate the general public and developers on the potential surface water quality degradation resulting from development and human activity and how to reduce impacts.
- 5.6. Maintain consistency with local, regional and federal water quality protection plans and permits.
- 5.7. Continue to implement wetland ~~protection~~ regulations as an essential part of water quality protection.
- 5.8. Continue to be a leader in developing and implementing state-of-the-art stormwater management techniques including low impact development.

~~X.X Low impact development techniques will be encouraged for both private and public developments including retention of native vegetation, soil amendment, rainwater harvesting, pervious pavement and bio-retention.~~

Note: Policy deleted as it is redundant with policy above.

- 5.9. Incorporate low impact development principles and practices into the design, construction and operation of all city facilities and city-funded projects when economically feasible.
- 5.10. ~~Work with~~ Require residential and commercial developers to incorporate low impact development techniques, where feasible, that preserve a site's natural hydrologic functions

and practices that protect native vegetation and soils, facilitate reuse of resources, such as reclaimed water, and reduce impervious surface.

- 5.11. Identify and evaluate potential changes to land use development regulations and building codes to support and promote low impact development.

Groundwater

6. Protect groundwater quality within the aquifer recharge area from substantial degradation.

- 6.1. Implement regulations to prevent groundwater quality degradation.
- 6.2. ~~Work with other agencies to educate the general public~~ Support inclusive education of the general public about potential groundwater quality issues resulting from development and human activity within the critical aquifer recharge areas (CARA).
- 6.3. Collaborate with adjacent jurisdictions and agencies within watersheds of the White and Puyallup Rivers to protect groundwater resources which support the Sumner water supply.
- ~~X.X Encourage the efficient use of energy as a means of practicing environmental stewardship.~~
- 6.4. Protect trees and vegetation in areas that contribute groundwater discharge and recharge.

Geologically Hazardous Areas and Special Flood Hazard Areas

7. Protect life and property in ~~natural~~ geologically hazardous areas and special flood hazard areas. Geologically hazardous areas include landslide, erosion, seismic, and volcanic hazard areas.

Note: Goal 7 and related policies have been updated to match terms in geo hazard areas: WAC 365-190-120. Used special flood hazard areas per SMC 15.52.

- 7.1. Work with other agencies to develop and implement inclusive public education and notification systems related to ~~natural~~ geologically hazardous areas.
- 7.1.1. In conjunction with other agencies, including Pierce County, school districts, and East Pierce Fire and Rescue, implement an emergency notification system and evacuation plan to provide early warning of impending ~~natural~~ disasters. As necessitated by new development, the system and plan shall be periodically revised.
- 7.1.2. Use title and plat notices for new development to inform current and future property owners of potential risk from applicable ~~natural~~ geologically hazardous areas and special flood hazard areas.
- 7.1.3. In conjunction with Pierce County, the federal government, the Red Cross, and other applicable agencies, educate the general public about the risks associated with geologically hazardous areas and special flood hazard areas ~~various natural hazards~~ and methods to reduce risk.

- 7.1.4. Create a disaster resistant and resilient community through proper design of critical facilities, inclusive public education of the public, and land use planning.
- 7.1.5. Emergency notification systems and evacuation plans should consider the diverse needs of the population to address accessibility, access to technology, and language.
- 7.2. Minimize the potential for loss of life and damage to public and private investments resulting from flooding in special flood hazard areas, such as along the White (Stuck) and Puyallup Rivers.
 - 7.2.1. Work with the appropriate agencies to secure easements and make the necessary improvements along the riverbanks to ensure damage is minimized and environmental impacts are mitigated.
 - 7.2.2. Work with other agencies to modify the operational mandate of the Mud Mountain Dam to reduce flood risk.
 - 7.2.3. Work with appropriate agencies to develop and implement regulations to reduce flood damage, including reinforced building design, compensatory flood storage, limitations on the location of building in floodplains, and adoption of a "zero-rise" standard or floodplain development.
 - 7.2.4. Continue to implement wetland protection and stormwater management regulations to help mitigate flooding impacts to the community.
 - 7.2.5. Acquire property that is located within flood prone areas as necessary to implement flood protection projects and plans.
 - 7.2.6. Continue and expand public education related to floods.
- 7.3. Implement and enforce the wetlands and floodplain regulations to retain the existing flood storage capacity.
- 7.4. Seek mitigation projects to increase flood storage as necessary to meet the adopted level of service for stormwater and flood conveyance.
- 7.5. In partnership with tribes, Pierce County, and private business, plan and develop a flood protection and habitat restoration area on 170 acres of city owned property generally east of the White River and south of Stewart Road.
- 7.6. Work with surrounding jurisdictions including the Dieringer and Sumner-Bonney Lake School Districts; East Pierce Fire and Rescue, Pierce County, and nearby cities and towns to coordinate and collaborate where possible on the creation and implementation of appropriate flood hazard mitigation measures.
- 7.7. Continue to update and implement floodplain development regulations which limit the opportunity for new homes and businesses to be constructed in flood hazard areas through

the City's Flood Damage Prevention Ordinance, Critical Areas Regulations and Shoreline Master Program.

- 7.8. Continue to include and update mitigation requirements in floodplain development regulations which can significantly reduce the potential for flooding to negatively impact drinking water sources, pipelines, septic systems, sewer lines, and water lines that intersect flood hazard areas.
- 7.9. Take measures to reduce risk and hazard from volcanic ~~mudflows~~ hazards off Mount Rainier.
 - 7.9.1. Take measures to reduce the location of large occupancy assembly uses in areas of volcanic ~~mudflow~~ hazard risk.
 - 7.9.2. Require analysis of volcanic hazard risk and mitigation to accompany substantial new development in areas of identified volcanic hazard risk.
- 7.10. Take measures to reduce risk and hazard from earthquakes (seismic hazards) and associated effects through disaster preparedness and public education, and facility design.
- 7.11. ~~Take measures~~ Require new development to address potential landslides, runoff, and other geologic hazards, to protect hillsides and ~~hillside surrounding~~ development from landslides or other geologic hazards ~~failures~~ and the impacts associated with building on steep slopes.
- 7.12. Take measures to reduce erosion and other geologic hazards in all areas, particularly in areas with high risk of erosion, and the associated impacts.
- 7.13. Implement land use and environmental regulations with flexibility to ~~assist~~ include in protecting geologically hazardous areas.

Fish and Wildlife Habitat Conservation Areas

8. Protect and enhance unique, valuable, and critical plant, fish, and wildlife habitat conservation areas and promote biodiversity.

- 8.1. Implement regulations and programs to protect unique, valuable and critical plant, fish, and wildlife habitat conservation areas, including flexible design standards.
- 8.2. Protect shorelines, fish and wildlife habitat conservation areas, and wetlands through appropriate regulations, acquisition, and non-regulatory policies ~~related such as to~~ education, stewardship, density credits, restoration, etc.
- 8.3. Maintain an urban forestry strategy to encourage the planting of trees on public and private property.
 - 8.3.1. Within the urban forestry strategy develop specific standards for planting of public trees such as minimum size, type, minimum soil conditions, and maintenance requirements.

8.3.2. Incorporate climate resilience strategies into the City's urban forest management, such as increasing citywide species diversity, native or climate resilient species, and increasing tree planting in areas with low canopy cover.

8.3.3. Manage City watershed lands on forested hillsides to improve climate resiliency and resistance to extreme events such as wildfires.

8.4. Take measures to protect forested hillside areas, which provide environmental benefits such as slope stability, wildlife habitat, water filtration, and attenuation (slow release), from the impacts of development.

8.5. Work with other agencies and the public to support restoration of the White River and its tributaries including develop a Salmon Creek, Restoration Plan and continue to support and implement the White River Restoration Project, to restore salmon habitat and reduce flood risks.

8.6. Give special priority consideration to conservation and protection measures necessary to that preserve and enhance of areas where anadromous fisheries and listed or endangered, threatened endangered, and sensitive species have a primary association.

8.7. Allow for the clustering of development at higher densities on a portion of a property when preserving fish and wildlife habitat conservation areas or wetlands on site.

~~X.X. The City will collaborate with partners and volunteer citizen groups that make up the Piece County Biodiversity Alliance to assist in completing the Sumner Chapter of the Lower White River BMA Stewardship Plan.~~

Note: Policy to be removed, since this plan was completed.

Air Quality and Emissions

9. Reduce greenhouse gas emissions and encourage energy efficiency.

Note: Climate change policies are a required part of the Comprehensive Plan. Some policies are included here while others are recommended for inclusion in other chapters (see climate analysis findings document).

9.1. Encourage, through incentives and technical support, energy conservation, energy efficiency, efficiency in building materials and site design, and the application of sustainable, or "green" development design practices in all major public and private development including large commercial and industrial projects, and residential subdivisions, and infrastructure such as streets, within the City.

9.2. Identify and evaluate potential changes to land use and development regulations to support and promote energy efficient, sustainable and green development.

9.2.1. Ensure that the Sumner design guidelines and zoning regulations have the flexibility to accommodate, and provide incentives for, the installation of green energy features.

9.2.2. Require street trees and on-site landscaping in all new developments.

9.3. Conduct a greenhouse gas emissions analysis on alternatives for major updates to the comprehensive plan. Require proposed rezones that significantly increase vehicle miles traveled to conduct a greenhouse gas emissions analysis and to propose mitigation.

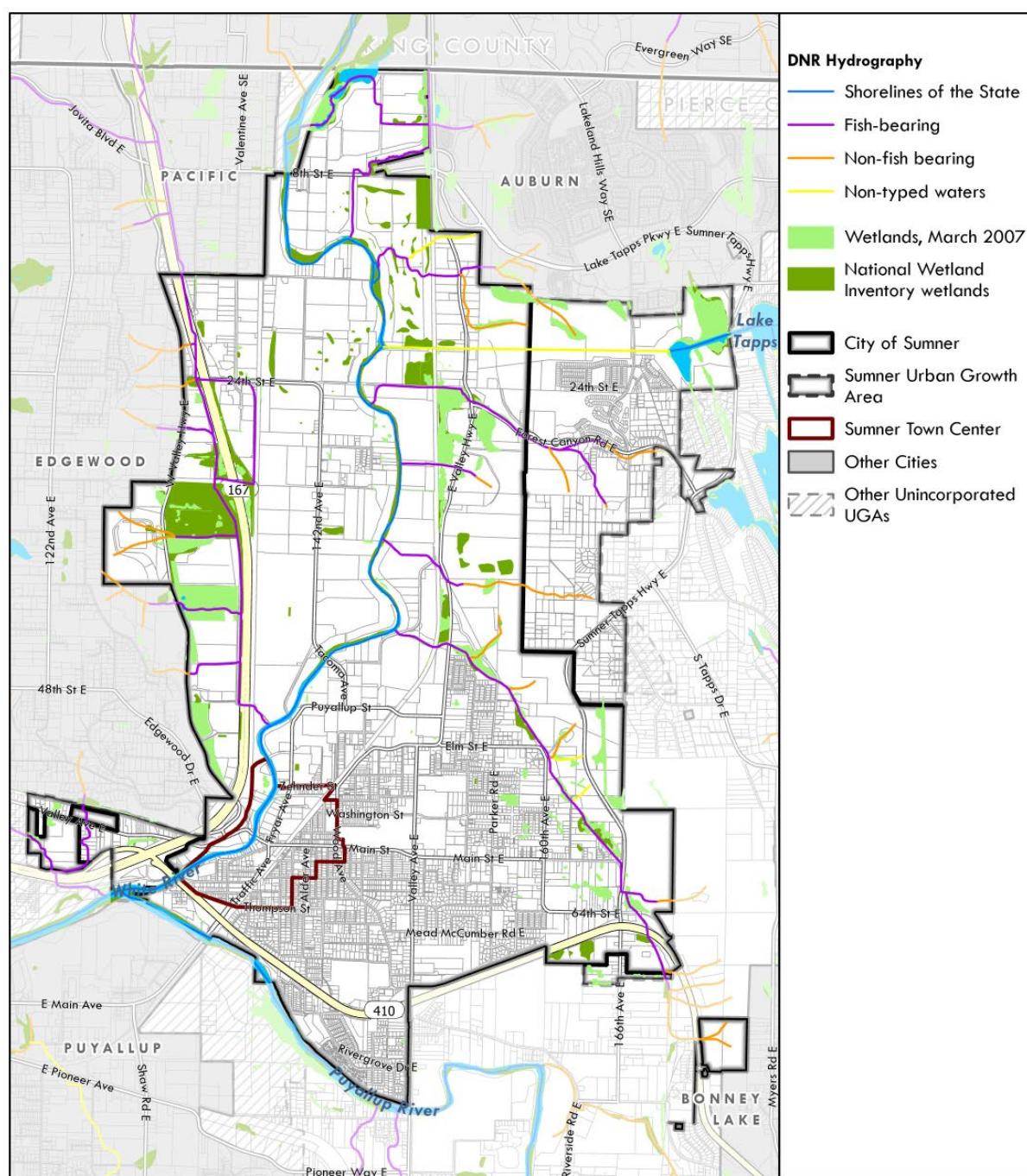
9.4. Promote a healthy and sustainable environment in terms of air quality and climate, energy resources, and active lifestyles by using prudent building design and construction methods such as recycled construction materials, reducing space heating and electricity usage, reducing water consumption and waste generation, and encouraging alternative travel modes such as transit, walking, and biking.

9.5. Consider adopting City purchasing policies that prioritize sustainable and recycled products.

10. Establish regulations and processes to allow and streamline permits for new energy technologies, such as battery storage facilities, small- and large-scale solar facilities, and similar alternative technologies.

10.1. Explore ways to streamline and reduce costs in the permitting process for residential-scale solar facilities.

Figure 12-1. Critical Areas Map



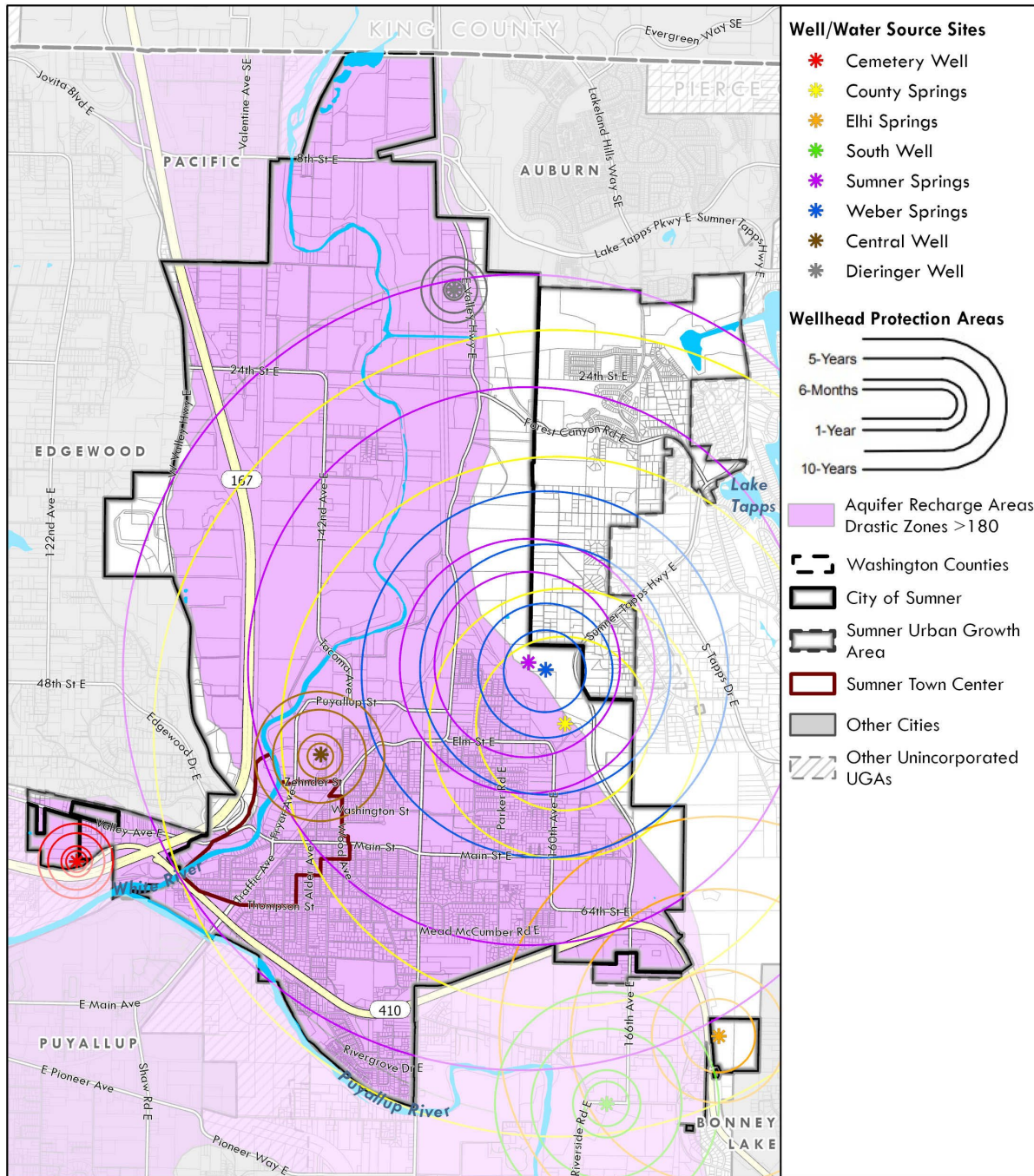
CITY OF SUMNER

Streams and Wetlands

Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.

Map Date: February 2024

Figure 12-2. Aquifer Recharge Areas and Groundwater Resources



CITY OF SUMNER

Aquifer Recharge Areas and Groundwater Resources

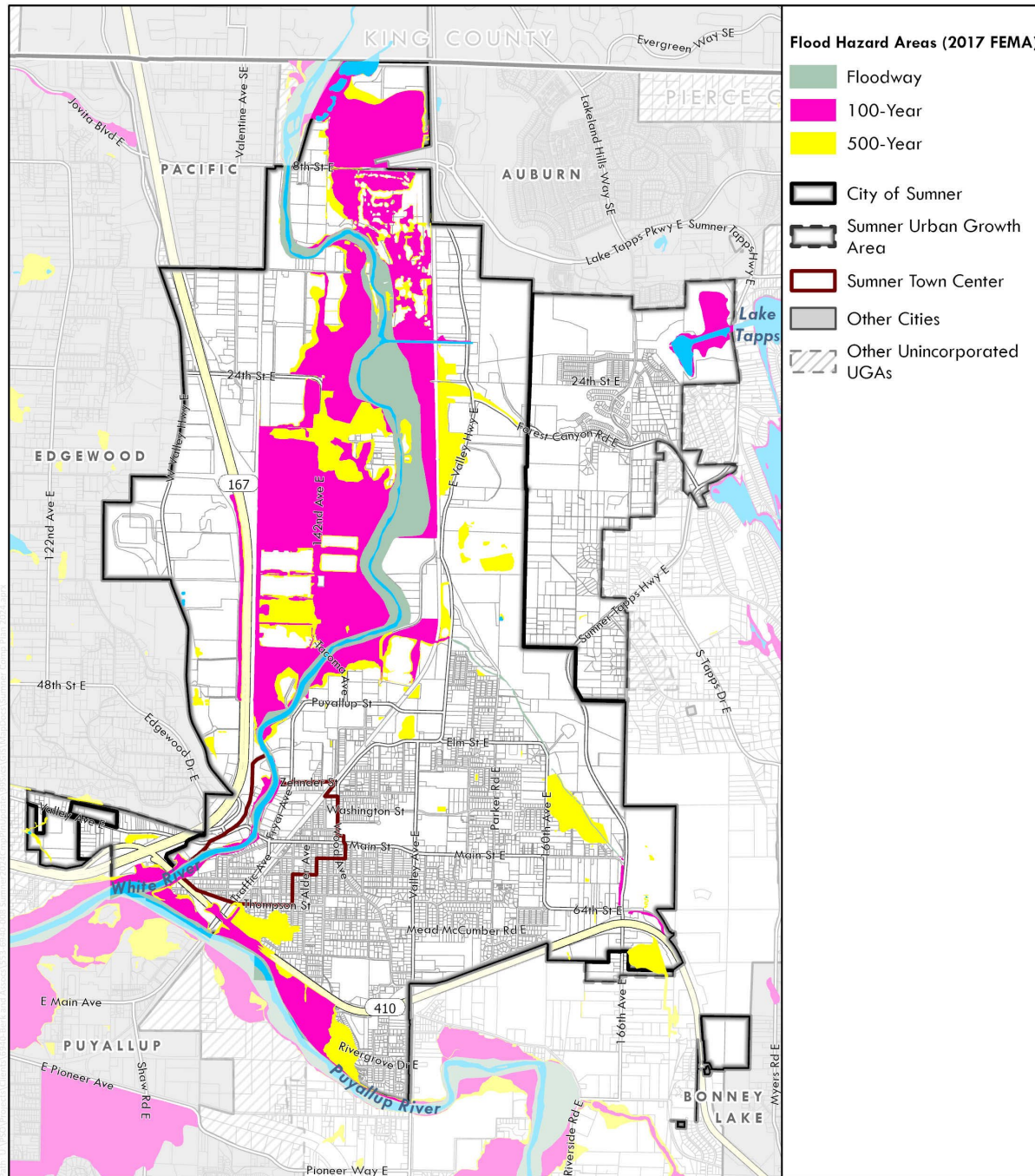
Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.



CITY OF
SUMNER
WASHINGTON

Map Date: August 2023

Figure 12-3. Flood Hazard Areas



CITY OF SUMNER

Flood Hazard Areas

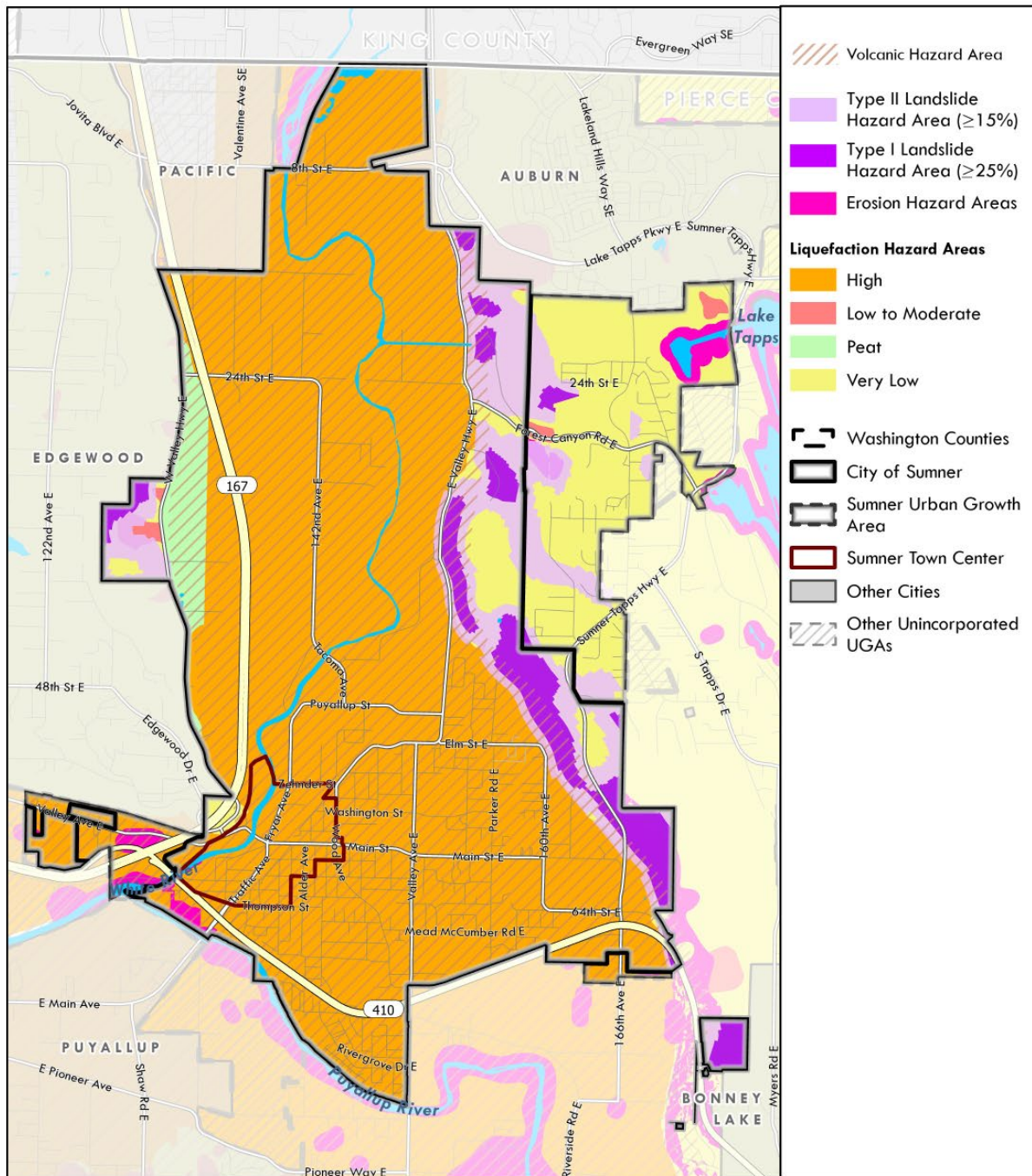


CITY OF
SUMNER
WASHINGTON

Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.

Map Date: August 2023

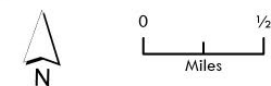
Figure 12-4. Geologically Hazardous Areas



CITY OF SUMNER

Geologically Hazardous Areas

Disclaimer: Map features are approximate only. The City of Sumner does not guarantee the accuracy of this map nor assume any liability from the use of or reliance on the information herein.



Map Date: February 2024

Climate Change and Resiliency

Introduction

As of 2023, the Growth Management Act (GMA) requires comprehensive plans to include a Climate Change and Resiliency Element, with two subelements: greenhouse gas reduction and resiliency. The greenhouse gas emissions reduction subelement identifies actions the City will take to reduce greenhouse gas emissions and per capita vehicle miles traveled. The resiliency subelement includes policies that enhance resiliency to the impacts of climate change. Both elements must prioritize actions that benefit communities overburdened by environmental health and climate change impacts.

Climate Change and Resiliency goals and policies are integrated throughout the Comprehensive Plan and cross-referenced in this element.

Note: The consultant team cleaned up some of the cross-references below since the Planning Commission draft (cross-referenced additional policies where they cover similar topics to those already highlighted). There were no changes to the actual policy text.

Greenhouse Gas Emissions Reduction

Key sources of greenhouse gas emissions in Sumner include electricity, heating, and cooling; transportation; solid waste and wastewater processing; natural gas and propane transport and use; industrial processes; land use; and tree loss. The Comprehensive Plan includes goals and policies intended to reduce these emissions that contribute to climate change.

Goals and policies that reduce greenhouse gas emissions include:

Governance and Permit Process: 1.7

- Key topics: energy efficiency

Community Character: 1.1, 2.3, 2.3.1, 2.3.2, 2.3.3, 2.5, 2.5.1, 2.5.2, 2.6, 2.7, 3.2, 3.2.1, 3.2.2, 3.6, 5.4, 5.6, 5.7, 6, 6.1, 6.2, 7, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9

- Key topics: walkability and pedestrian scale; bicycle-friendly streets; transit-oriented development; efficient use of water and energy; tree planting and urban forestry

Family and Human Services: 5.4, 5.6

- Key topics: walkability and bikeability

Economic Development and Employment: 1.7, 5, 5.3, 5.5

- Key topics: sustainable industries and practices; reducing emissions

Land Use: 4.1, 6.1

- Key topics: walkability and transit-oriented development

Environment: 1.10, 2.1, 2.5, 8.3, 8.3.1, 8.3.2, 9, 9.1, 9.2, 9.2.1, 9.2.2, 9.3, 9.4, 9.5, 10, 10.1

- Key topics: tree planting and carbon sequestration; alternative energy technologies; alternative modes of transportation; alternative fuels and electric vehicles; energy conservation and efficiency; recycled materials

Housing: 3, 3.1, 3.2, 3.3, 3.4, 3.4.1, 3.5, 3.6

- Key topics: energy conservation and efficiency; alternative modes of transportation; transit-oriented development; reducing pavement area to prevent heat loss

Parks: 1.1.2, 2.1.1, 2.2.1, 3, 3.1, 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.1.5, 3.3, 3.3.1, 3.3.2, 3.4, 3.4.1

- Key topics: walkability and bikeability

Transportation: 6, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 7.2, 7.5, 7.7, 7.9, 8, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 10, 10.3.1, 10.6, 10.7, 10.8, 10.9, 11.8

- Key topics: alternative fuels; electric vehicles; transportation demand management; walkability and bikeability; transit-oriented development

Capital Facilities: 3, 3.1, 3.2, 3.3, 3.4, 3.6, 3.8, 16.1, 16.2

- Key topics: recycling; energy efficiency and green development practices in City projects; tree planting for energy efficiency; alternative energy

Utilities: 1, 1.4, 1.4.1, 1.4.2, 1.4.3

- Key topics: alternative energy

Resiliency

Sumner and the rest of Pierce County are expected to be impacted by climate change over the next 20 years and beyond. The area can expect increased precipitation, higher temperatures in the summer months, more high fire danger days, and increased streamflows. This is likely to increase the risk of heat waves, flooding, and wildfires, which can impact infrastructure, the natural environment, and human health. Goals and policies in this plan are intended to make Sumner more resilient to these impacts.

Goals and policies relating to resiliency include:

Governance and Permit Process: 1.7

- Key topics: water and air quality; sustainable building design, low impact development; energy efficiency

Community Character: 1.5, 5.4, 5.6, 5.7, 5.9

- Key topics: natural drainage; energy efficiency; recycling; tree planting; parks and open space preservation; natural resource conservation

Family and Human Services: 1.3, 2.1.5, 2.2.1, 2.4.4, 5.5, 6, 6.1, 6.2, 6.2.1, 6.2.2, 6.2.3

- Key topics: emergency preparedness and management; food access; parks and open space; tree canopy and shade; refuges for heat, cold, and smoke

Economic Development and Employment: 5, 5.1, 5.2, 5.3, 5.4, 5.5

- Key topics: economic resiliency to climate change; food economy resiliency

Land Use: 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9

- Key topics: tree canopy; landscape screening for air and noise pollutants; parks and open space; tree planting; reducing health risks; mitigating wildfire risk; supporting small-scale agricultural uses

Historic and Cultural Resources: 1.1.4, 1.2, 1.7

- Key topics: protocol for artifact discovery; ecosystem protection; cultural foods and resources; protection of historic sites from climate impacts

Environment: 1.6, 1.7, 1.8, 1.9, 1.10, 5.1, 5.2, 5.3, 5.5, 5.7, 5.8, 5.9, 5.10, 5.11, 6.1, 6.3, 6.4, 7, 7.1, 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.5, 7.2, 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.11, 7.12, 7.13, 8.1, 8.2, 8.3, 8.3.1, 8.3.2, 8.3.3, 8.4, 8.5, 8.6, 8.7, 9, 9.1, 9.2, 9.2.1, 9.2.2, 9.4, 10, 10.1

- Key topics: green energy; emergency preparedness; fire safety and wildfire prevention; water quality; low impact development; stream cooling; wetland protection; tree protection; flood resilience; protection of plants and animals; recycling; energy and resource efficiency

Housing: 3.3, 3.4, 3.4.1, 3.5, 3.6, 6.1

- Key topics: energy efficiency; shade; reducing pavement area; minimizing utility costs for residents

Parks: 1.1.4, 2.1.3, 2.2, 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.3, 3.1.2, 3.1.5, 3.4, 3.4.1

- Key topics: habitat protection; open space protection; parks and recreation; urban tree canopy; stormwater filtration; accessibility

Transportation: 1.5, 3.4, 10.1, 10.1.1, 10.4, 10.5

- Key topics: stormwater filtration; habitat protection; infrastructure resilience

Capital Facilities: 3, 3.2, 3.3, 3.5, 3.6, 3.10, 3.11, 15.2.2, 15.4, 16.1, 16.2

- Key topics: recycling; resiliency of capital facilities projects; energy efficiency; tree planting; stormwater management and water quality; solid waste reduction; generators for critical facilities; flood protection

Utilities: 4.1.1, 4.1.2, 6.2, 6.4, 6.5, 7.1, 7.2

- Key topics: energy efficiency; weatherization; service continuity; emergency response; cost effectiveness

Shoreline: 2, 2.1, 6, 6.1, 6.2, 7, 7.1, 8, 8.1

- Key topics: water access; shoreline protection; flood protection

Critical Areas Code Changes - *Draft October 14, 2024*

Comprehensive Plan 2024 Periodic Update

Critical Areas

Title 16. ENVIRONMENT

NOTE: SUMNER MUNICIPAL CODE CONTAINS "CRITICAL AREAS" PROTECTIONS IN TITLE 16 ENVIRONMENT. TITLE 16 IS DIVIDED INTO CHAPTERS THAT COVER TOPICS SUCH AS STATE SEPA ENVIRONMENTAL REVIEW, SHORELINE (RIVERS) MANAGEMENT, FISH AND WILDLIFE HABITAT (E.G. STREAMS, WETLANDS, FLOODPLAINS) AND OTHER CRITICAL AREAS SUCH AS AQUIFER RECHARGE AND STEEP SLOPE AREAS. THE FOCUS OF PROPOSED CODE CHANGES IS ON CHAPTERS RELATED TO FISH AND WILDLIFE HABITAT.

Chapters:

- 16.40 Resource, Wildlife and Hazard Area Regulation Framework**
- 16.42 *Repealed***
- 16.43 Right to Farm**
- 16.44 Mineral Resource Lands**
- 16.46 Wetlands Protection**
- 16.48 Critical Aquifer Recharge Area**
- 16.50 Landslide and Erosion Geologically Hazardous Areas**
- 16.52 Seismic Hazard Area**
- 16.54 Volcanic Hazard Area**
- 16.56 Fish and Wildlife Habitat Conservation Area**
- 16.58 *Repealed***

Chapter 16.40

RESOURCE, WILDLIFE AND HAZARD AREA REGULATION FRAMEWORK

NOTE: THIS CHAPTER PROVIDES A FRAMEWORK FOR PERMITS AND REVIEWS THAT APPLY TO ALL CRITICAL AREAS.

16.40.010 Short title.

The ordinance codified in this chapter, together with any amendments, shall be known as the "Resource, Wildlife and Hazard Area Regulation Framework Ordinance." (Ord. 1539 § 1 (part), 1992)

16.40.030 Purpose.

The purpose of this chapter is to regulate the use of land in and around critical areas ~~and~~ natural resource lands, ~~wildlife habitat, and natural hazard areas~~ lying within the corporate limits of the city, ~~to bring the city into compliance with the Washington State Growth Management Act (chapter 36.70A RCW). RCW 36.70A requires cities to adopt development regulations to classify, designate, and protect critical areas and to assure the conservation of designated agricultural, forest, and mineral lands of long-term commercial significance. } RCW 36.70A.172(1) requires to incorporate appropriate "best available science" be included in policies into the~~ and regulations to protect the functions and values of critical areas and give special consideration to conservation or protection measures necessary to preserve or enhance anadromous fisheries. ~~resource lands, wildlife habitat, and natural hazard areas(RCW 36.70A.172(1)) These regulations are,~~ and to promote the public health, safety and general welfare in accordance with the standards established by the federal government, state and the city, and to:

- A. Protect areas of land with valuable and nonrenewable resources for future generations...
- B. Regulate development on and around critical areas in order to protect lives, property and public infrastructure;
- C. Prevent development which is incompatible with certain critical areas which are particularly susceptible to water quality, noise, and air quality impacts associated with nearby development;
- D. Establish mechanisms to inform present and future landowners of their location on or near natural resource lands or critical ~~lands~~areas;
- E. Establish mechanisms to process and review development proposals for consistency with the new regulations...

...

NOTE: THESE UPDATED DEFINITIONS ARE RECOMMENDED FOR CLARITY WHEN EVALUATING CRITICAL AREAS AS THEY ARE CONSISTENT WITH AGENCY DEFINITIONS.

16.40.060 Definitions.

For the purpose of this title, the following definitions shall apply:

"Action" means any grading, clearing, filling, construction, dredging, removal of trees or use on a piece of property.

"Activity" means any application for the following actions: building permit creating additional habitable space in a residential structure as defined by the International Building Code; building permit for a nonresidential structure; conditional use approval; shoreline permit; rezone; planned residential development; planned mixed-use development; shoreline variance or conditional use; shoreline redesignation; subdivision of land; SEPA review or other similar land use or environmental discretionary review.

"Adaptive management" means using scientific methods to evaluate how well regulatory and nonregulatory actions protect the sensitive area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. Management policy may be adapted based on a periodic review of new information.

"Anadromous fish" means fish species that spend most of their lifecycle in salt water but return to freshwater to reproduce.

"Aquifer recharge area" or "Critical aquifer recharge area" means areas that have a critical recharging effect on groundwaters aquifers used for potable water, including areas where an aquifer that is a source of drinking water is supplies and/or that demonstrate a high level of susceptibility or vulnerability vulnerable to groundwater contamination that would affect the potability of the water, or is susceptible to reduced recharge from land use activities.

Examples of aquifer recharge areas include:

1. Wellhead protection areas delineated pursuant to the Federal Safe Drinking Water Act; and
2. Recharge areas for sole source aquifers designated pursuant to the Federal Safe Drinking Water Act;
3. Areas established for special protection pursuant to a groundwater management program, chapters 90.44, 90.48, and 90.54 RCW, and chapters 173-100 and 173-200 WAC;
4. Other areas meeting the definition of "areas with a critical recharging effect on aquifers used for potable water" in WAC 365-190.

~~Other areas with a high level of susceptibility or vulnerability to contamination as demonstrated through the use of the DRASTIC model.~~

"Best available science (BAS)" means information from research, inventory, monitoring, surveys, modeling, synthesis, expert opinion, and assessment that is used to designate, protect, or restore sensitive areas. As defined by WAC 365-195-900 through 925, best available science is derived from a process that includes peer-reviewed literature, standard methods, logical conclusions and reasonable inferences, quantitative analysis, and documented references to produce reliable information.

"Best management practices (BMPs)" mean physical, structural, and/or managerial practices, that when used singly or in combination, ~~prevent or reduce water pollution, erosion,~~

groundwater contamination, slope instability and similar impacts of construction, development and other actions. Source control BMPs include those which keep the pollutant from ever coming in contact with stormwater, and stormwater treatment BMPs include those which consist of various methods of treating stormwater. BMPs could include, but are not limited to, use of hay bales and plastic coverings to reduce erosion, education programs for employees regarding the use and disposal of chemicals, signage for customers regarding use of gasoline fueling facilities, and use of grass-lined swales to reduce pollutants in stormwater.

(a) Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, or sediment;

(b) Minimize adverse impacts to surface water and ground water flow and circulation patterns and to the chemical, physical, and biological characteristics of wetlands;

(c) Protect trees, vegetation, and soils designated to be retained during and following site construction and use native plant species appropriate to the site for re-vegetation of disturbed areas; and

(d) Provide standards for proper use of chemical herbicides within critical areas.

"Building official" means the city staff person responsible for the administration of the International Building Code or his or her designee.

"Critical areas" are those areas established as wetlands, volcanic hazard areas, wetlands, critical aquifer recharge areas (CARAs), frequently flooded hazard areas (special flood hazard areas), fish and wildlife habitat areas, seismic hazard areas, landslide hazard areas, erosion hazard areas, seismic hazard areas, volcanic hazard areas, and fish and wildlife habitat conservation areas, aquifer recharge areas.

Development. Refer to the definition in the zoning code, chapter 18.04 SMC.

"Director" means the development services director or his or her designee.

...

"Frequently flooded areas" means lands in the floodplain subject to a one percent or greater chance of flooding in any given year and those lands that provide important flood storage, conveyance, and attenuation functions, as determined by the city in accordance with WAC 365-190-080(3). Classifications of frequently flooded areas include, at a minimum, the one hundred (100) year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program. Also known as special flood hazard areas (see SMC 15.52).

"Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns, per WAC 365-190-120.

...

"Landslide hazard area - Type I" means a slope of 25 percent or greater.

"Landslide hazard area - Type II" means a slope of less than 25 percent and equal to or greater than 15 percent.

...

"Riparian" means adjacent to a water body: stream, river, lake, or pond.

"Riparian management zone" means the regulated buffer area that includes the land from the ordinary high water mark to a specified distance as measured horizontally in each direction.

"Wellhead protection area" (WHPAs) means protective areas associated with public drinking water sources established by water systems and approved or assigned by the state department of health WAC-190-030, WAC 246-290-020, WAC 246-290-135. (Ord. 2788 § 13, 2021; 1Ord. 2439 § 11, 2013; Ord. 2071 § 2, 2003; Ord. 1539 § 1 (part), 1992). They are:

- Group A wells serve 15 or more service connections or 25 or more people at least 60 days per year.
- Group B wells serve fewer than 15 connections and fewer than 25 people per day. means the area within the 10-year time-of-travel zone boundary of a group A public water system well, as delineated by the water system purveyor or its designee, pursuant to WAC 246-290-135. (Ord. 2788 § 13, 2021; 1Ord. 2439 § 11, 2013; Ord. 2071 § 2, 2003; Ord. 1539 § 1 (part), 1992)

16.40.070 General application.

A. This division shall apply to all properties which are designated as critical areas or natural resource lands....

...

16.40.080 Mapping.

Maps have been developed to indicate the location of natural resource lands and critical areas by state and federal agencies. Maps may be developed by the city which show the general location of natural resource lands and critical areas for informational purposes. The actual presence of critical areas and natural resource lands shall be determined by the classification criteria established for each natural resource land and critical area. The burden and costs associated with further delineation of resource or critical lands shall be borne by project applicants.

16.40.090 Permitted uses.

Uses permitted on properties designated as critical areas or natural resource lands shall be the same as those permitted by the underlying zone classification and the Sumner shoreline master program unless specifically regulated by this division. (Ord. 1539 § 1 (part), 1992) See Section 16.40.135 Application and review process for RWHA (Resource, Wildlife, and Hazard) permit.

16.40.100 Exemptions.

The following activities shall be exempt from the application and permit requirements at SMC 16.40.135 unless specifically modified in SMC 16.46.090, SMC 16.56.100 or other sections of this division. All activities in critical areas must comply with SMC 16.40.110, Best best

management practices, regardless of exemption status. These exemptions apply specifically to activities regulated by the ~~city~~ City of Sumner. Other state and federal permits and approvals may still apply.

A. Agricultural activities ...

B. Forest practices regulated and conducted in accordance with the provisions of chapter 76.09 RCW...

C. Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife;

D. Outdoor recreational activities, including, but not limited to, fishing, birdwatching, hiking, boating, horseback riding, swimming, canoeing, and bicycling;

E. Education, scientific research, and use of nature trails;

F. ~~Operation, m~~Maintenance or ~~reconstruction-repair or improvements~~ of existing structures or infrastructure (e.g. roads, bridges, and associated storm drainage facilities); provided, that ~~reconstruction-activities does not alter or increase impacts to critical areas and there is no increased risk to life or property~~involve expansion of facilities;

G. The following utility line activities, if there is no other practical alternative to the proposed development with less impact on the critical areas; when the proposal is consistent with other applicable regulations and standards; the proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site; and the proposal attempts to protect and mitigates impacts to the critical area functions and values consistent with the best available science:

...

NOTE: EXISTING CODE EXEMPTS UTILITY LINE ACTIVITIES, SUCH AS NORMAL REPAIR, RELOCATION OF POLES/APPURTENANCES, ETC. WHEN WITHIN IMPROVED RIGHT OF WAY.

H. ~~Reconstruction, remodeling, Interior remodeling~~ or maintenance of existing single-family residential structures, accessory structures, where legally preexisting; provided, that ~~a cumulative expansion of the building footprint, developed area and impervious surface area does not increase by more than 25 percent; and provided further, that the new construction or related activity does not further intrude into the activity does not impact~~ the critical area or buffer;

I. ~~Reconstruction, remodeling, or maintenance of structures, where legally preexisting; other than single-family structures and accessory structures; provided, that such reconstruction, remodeling, or maintenance does not increase the building footprint or height, or increase developed or impervious surface area;~~

NOTE: THE ABOVE "EXEMPTIONS" APPLY TO ALL CRITICAL AREAS, NOT JUST STREAMS AND WETLANDS. ALSO 1) THIS CLARIFIES INTERIOR CHANGES ARE EXEMPT; 2) EXEMPTIONS FOR EXISTING STRUCTURES HAVE BEEN MOVED TO "PARTIAL EXEMPTIONS" SECTION BELOW.

J. Minor site investigative work necessary for land use and building application submittals such as surveys...

K. Emergency action necessary to prevent imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation, in a timeframe too short to allow for compliance with the requirements of the critical areas regulations. The

director shall review all proposed emergency actions to determine the existence of the emergency and reasonableness of the proposed actions taken. The action may require necessary permits after the fact, including any restoration or mitigation;

...

N. Projects with the primary purpose of restoring or enhancing wetlands, streams, or fish and wildlife habitat conservation areas; provided, that:

1. Such projects are part of an approved local, state, or federal restoration or enhancement plan; and
2. The project would not result in adverse impacts to any critical area;

...

16.40.105 Partial Exemptions.

The following activities require a RWA permit processed as a Type 1 decision, pursuant to SMC 18.56.030(B):

NOTE: MOVED WORDING FROM 16.56.100 ABOVE TO THIS SECTION. RATHER THAN A BLANKET EXEMPTION, A PARTIAL EXEMPTION IS PROPOSED, WHICH IS A SIMPLE PERMIT PROCESS. WITHOUT SOME INPUT/OVERVIEW FROM STAFF, THE ACTIVITIES ABOVE HAVE THE POTENTIAL TO CAUSE HARM TO THE RESOURCE.

~~1. Reconstruction, remodeling, or maintenance of existing single-family residential structures; and accessory structures where legally preexisting; provided, that a cumulative expansion of the building footprint, developed area and impervious surface area does not increase by more than 25 percent; and provided further, that the new construction or related activity does not increase the building footprint, development area, impervious surface area or construction impacts further intrude into within the critical area or its buffer.~~

~~2. Reconstruction, remodeling, or maintenance of structures, where legally preexisting, other than single-family structures and accessory structures; provided, that such reconstruction, remodeling, or maintenance does not increase the building footprint or height, or increase developed or impervious surface area.~~

NOTE: THIS SECTION IS UPDATED TO TREAT ALL MINOR DEVELOPMENT THE SAME (INSTEAD OF DISTINGUISHING SINGLE FAMILY STRUCTURES).

16.40.120 Variances.

NOTE: THE PURPOSE OF VARIANCE PROVISIONS IS TO ALLOW FOR ADJUSTMENTS DUE TO EXTRAORDINARY CIRCUMSTANCES, ATYPICAL SITE CHARACTERISTICS, AND SIMILAR SITUATIONS WHERE APPLYING THE CODE WOULD CREATE A SIGNIFICANT HARDSHIP. BUFFER REDUCTIONS FOR TYPICAL DEVELOPMENT PROJECTS ARE COVERED ELSEWHERE IN THE CODE.

- A. The purpose of a variance is strictly limited to granting relief to specific development standards set forth in this division. A variance is also appropriate where there are extraordinary or unique circumstances relating to the property such that the strict implementation of this division would impose unnecessary hardships on the applicant. These provisions should be applied in a manner, which while protecting the environment,

will assure that a person will be able to use his/her property in a fair and equitable manner. Other state and federal permits and approvals may still apply.

- B. In all instances of granting a variance, extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.
- C. An application for a variance shall be processed as a Type IV decision pursuant to chapter 18.56 SMC, Procedures for Land Use Permits...
- D. Criteria for Granting Variances. Variances for development that will be located landward of the ordinary high water mark, within a wetland buffer, stream buffer, or landslide or erosion hazard area may be authorized provided the applicant can demonstrate all of the following:
 - 1. That the strict requirements of the development standards set forth in this division preclude or significantly interfere with a reasonable use of the property...
 - 2. That the hardship described above is specifically related to the property, and is the result of unique conditions ...and not, for example, from deed restrictions, ~~or~~ and not from the applicant's own actions.
 - 3. That the design of the project will be compatible with other permitted activities in the area and will not cause adverse effects to adjacent properties or the critical area.
 - 4. That the variance authorized does not constitute a grant of special privilege not enjoyed by other properties in the area, and will be the minimum necessary to afford relief.
 - 5. That the public interest will suffer no substantial detrimental effect, and the proposal does not pose an unreasonable threat to the public health, safety, or welfare on or off the development proposal site.

E. Criteria for Granting In-water and Wetland Variances. Variances for development that will be located either waterward of the ordinary high water mark or within regulated wetlands may be authorized provided the applicant can demonstrate compliance with all the criteria stated above as well as the following:

- a. That the strict application of the development standards set forth in this division precludes all reasonable use of the property; and
- ~~b. That the proposal is consistent with the criteria established under subsections (D)(1) through (4) of this section;~~
- b. The impact is both unavoidable and necessary due to site-specific constraints not caused by the applicant.
- c. The proposal is consistent with other applicable regulations and standards, at the local, state and federal levels.

E.F. In the granting of all variances, consideration shall be given to the cumulative impact of additional requests for like actions in the area...

F. G. U.S. Fish and Wildlife Service and the National Marine Fisheries Service or agencies with jurisdiction shall be sent a notice of application for any variance requesting the reduction of buffer widths on Type ~~III~~ E streams. (Ord. 2071 § 4, 2003: Ord. 1695 § 20, 1995: Ord. 1539 § 1 (part), 1992)

*NOTE: THE VARIANCE CRITERIA ABOVE SET A HIGHER STANDARD IF THE IMPACT OCCURS IN ACTUAL WETLAND/SURFACE WATERS, BECAUSE THE RESOURCE IMPACTS ARE MUCH GREATER AND IRREVERSIBLE. THEREFORE, A DEVELOPMENT MUST DEMONSTRATE THAT **ALL** REASONABLE USES IS PRECLUDED, NOT JUST A HARDSHIP.*

16.40.125 Nonconforming uses, structures, activities

A. A structure, use or activity legally preexisting on the effective date of this title or at the time of any amendments thereto that does not conform to this title is considered nonconforming with the provisions of this title.

B. Expansion, reconstruction, maintenance or modification of ~~a nonconforming an existing structure, accessory~~ structure, use or activity, where legally preexisting, located in a critical area or its associated buffer may be allowed, provided, that the structure, use or activity does not remove native vegetation, or increase the activity footprint, developed area, or impervious surfaces, or create other construction impacts within the critical area or its associated buffer.

- ~~1. Further expand or intensify the footprint of activity; or~~
- ~~2. Increase impervious surface area; or~~
- ~~3. Remove vegetation;~~
- ~~within the critical area or its associated buffer area.~~

C. Routine repair and maintenance of nonconforming uses or structures, where legally preexisting within a critical area or buffer, may be allowed, provided it does not further impact the critical area or increase the degree of nonconformity.

16.40.135 Application and review process for RHWHA permit.

A. Activities which require resource, wildlife and hazard area (RWHA) approval shall be processed as Type I or Type II decisions pursuant to chapter 18.56 SMC, Procedures for Land Use Permits. ...

16.40.150 Relationship to other regulations.

...

D. Whenever conflicts exist between federal, state, or local laws, ordinances, or rules, the more restrictive provision shall apply.

...

WETLANDS PROTECTION

NOTE: THROUGHOUT THIS CHAPTER, NEW CODE WILL UPDATE TERMS FOR WETLANDS TO REMOVE THE TERM "REGULATED" WETLAND, SINCE ALL WETLANDS DEFINED IN THIS CHAPTER ARE REGULATED.

16.46.030 Definitions.

...

~~22. "Regulated wetlands" means ponds 20 acres or less, including their submerged aquatic beds, and those lands defined as wetlands under the federal Clean Water Act, 33 U.S.C. 1251 et seq., and rules promulgated pursuant thereto, and shall be those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Regulated wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands created as mitigation and wetlands modified for approved land use activities shall be considered as regulated wetlands. Regulated wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities.~~

NOTE: THE TERM "REGULATED" DOES NOT EXPLAIN WHO IS REGULATING. SOME WETLANDS ARE NOT REGULATED FEDERALLY BUT ARE STILL REGULATED BY THE STATE.

...

16.46.060 Mapping.

A. The approximate location and extent of wetlands in the city is displayed on the [City of Sumner, WA Public Webmap, the National Wetland Inventory \(US Fish and Wildlife Service\), and the Priority Habitat and Species Map \(Washington Department of Fish and Wildlife Service\) map titled "Wetland Inventory Map, 2007."](#) ~~This~~ These maps are inventory is general and not designed to support permit applications and ~~does~~ not establish jurisdictional boundaries. Furthermore, as site conditions change (due to natural and human processes), wetland areas and characteristics may change as well.

...

16.46.070 Wetlands rating.

A. Identification and Delineation. Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplement...

B. Rating. Wetlands shall be rated according to the Washington Department of Ecology wetland rating system, as set forth in the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Ecology Publication No. 14-06-029...

1. Category I. ...
2. Category II. ...
3. Category III. ...
4. Category IV. Category IV wetlands have the lowest levels of functions (scoring fewer

than 16 points) and are often heavily disturbed. These are wetlands that are good candidates for replacement and improvement. However, we should be able to replace, or in some cases to improve. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions and should be protected to some degree.

...

16.46.080 Regulated activities.

A resource, wildlife, and hazard area (RWHA) approval shall be obtained prior to undertaking the following in a regulated wetland or its buffer unless authorized by SMC 16.46.090:

- A. The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter, or material of any kind;
- B. The dumping, discharging, or filling with any material;
- C. The draining, flooding, or disturbing of the water level or water table;
- D. The driving of pilings;
- E. The placing of obstructions;
- F. The construction, reconstruction, demolition, or expansion of any structure, unless specifically exempted under SMC 16.46.090(B);
- G. The destruction or alteration of wetlands vegetation through clearing, harvesting, shading, intentional burning, or planting of vegetation within a regulated wetland or its buffer that would alter the character of a regulated wetland...
- H. Activities adjacent to a regulated wetland or its buffer that result in a significant change of water temperature, a significant change of physical or chemical characteristics of wetlands water sources...

16.46.090 Exemptions and allowed uses in wetlands.

A. The following wetlands may be exempt from the requirement to avoid impacts (SMC 16.46.170(A)(1)), and they may be filled if the impacts are fully mitigated based on the remaining actions in SMC 16.46.170(A)(2) through (6)...

1. All isolated Category IV wetlands less than 4,000 square feet that:

- a. Are not associated with riparian fish and wildlife habitat conservation areas or their buffers.
- b. Are not associated with shorelines of the state or their associated buffers.

...

B. In addition to those activities listed in SMC 16.40.100, the following activities shall be allowed within a wetland or wetland buffer without having to obtain a RWHA permit provided they are conducted using best management practices, except where such activities result in the conversion of a regulated wetland or wetland buffer to a use to which it was not previously subjected or have the potential to result in a loss of the functions, values or area of a wetland or wetland buffer:

1. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops...or the wetland by changing existing topography, water conditions or water sources...
2. Ongoing agricultural activities, provided they implement applicable best management practices (BMPs) contained in the latest editions of the USDA Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG); or develop a farm conservation plan in coordination with the local conservation district, and forest clearing and other forest practices regulated under the State Forest Practices Act.
- ...
3. The maintenance of drainage facilities and new drainage facilities provided they are an integral part of an ongoing agricultural activity and approved by the director;
4. The following uses are allowed within wetlands and/or wetland buffers; provided, that written notice at least 10 days prior to the commencement of such work has been given to the director; and provided, that wetland impacts are minimized and that disturbed areas are immediately restored:
 - a. Normal maintenance, repair, or operation of existing serviceable legally established structures, facilities, or improved areas. Maintenance and repair does not include any modification that changes the character, scope, or size of the original structure, facility, or improved area and does not include the construction of a maintenance road;
 - b. Minor modification of existing serviceable legally established structures within a wetland buffer zone where modification does not adversely impact wetland functions or increase the size of the structure's footprint;
 - c. Utility line activities listed under SMC 16.40.100(G); provided, that BMPs are used and impacts are mitigated; and
 - d. Normal and routine maintenance and repair of any legally preexisting public or private facility within an existing improved right-of-way...
5. Emergency actions which must be undertaken immediately...
6. Drilling for utilities/utility corridors under a wetland, with entrance/exit portals located completely outside of the wetland buffer...
7. Enhancement of a wetland through the removal of nonnative invasive plant species...
8. Normal and routine maintenance and repair of any legally established existing public or private facilities within an existing right-of-way; provided, that the maintenance or repair does not expand the footprint of the facility or right-of-way; and has no adverse effect on the wetland or buffer.
9. Stormwater Management Facilities. A wetland or its buffer can be physically or hydrologically altered to meet the requirements of a runoff LID, runoff treatment or flow control BMP if all of the following criteria are met:
 - ...

d. The hydrologic functions of the wetland can be improved as outlined in questions 3, 4, 5 of Chart 4 and questions 2, 3, 4 of Chart 5 in the "Guide for Selecting Mitigation Sites Using a Watershed Approach" ([Ecology Publication No. 09-06-032](http://www.ecy.wa.gov/biblio/0906032.html), or as revised and approved by [Ecology available here: http://www.ecy.wa.gov/biblio/0906032.html](http://www.ecy.wa.gov/biblio/0906032.html)); or the wetland is part of a **priority** restoration plan that intended to achieves restoration goals identified in a shoreline master program or other local or regional watershed plan; and

...

NOTE: THE OTHER CRITERIA IN THIS SECTION RELATE TO AREAS WITH LESS HABITAT VALUE AND WHERE WETLAND FUNCTIONS WILL NOT BE IMPAIRED.

16.46.150 Buffer requirements.

The following buffer widths have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the *Washington State Wetland Rating System for Western Washington: 2014 Update* (Ecology Publication No. 14-06-029, or as revised and approved by Ecology)...

...

J. Except as otherwise specified, wetland buffer zones shall be retained in their natural condition...

K. Regulated activities as specified in SMC 16.46.080 shall not be allowed in a buffer zone except...

L. A building setback line of 10 feet is required from the edge of any wetland buffer...

M. Buffer Establishment.

...

N. Functionally Disconnected Buffer Area. Buffers may exclude areas that are functionally and effectively disconnected from the wetland by an improved public street or legally established development, as determined by the director. Functionally and effectively disconnected means that the street or other significant development blocks the protective functions provided by a buffer. The director shall evaluate whether the interruption will affect the entirety of the buffer, considering the following:

1. Significant development includes public streets and railroads, and private developments such as homes or commercial structures and parking lots.
2. Linear development extending across a buffer results in a different variation of buffer interruption than isolated features such as houses or accessory structures. Linear development such as roads and continuous parking lots typically result in the greatest interruption of buffer functions.
3. Individual structures, such as a house, often do not fully interrupt buffer functions. In such cases, the allowable buffer exclusion should be limited to just the portion of the buffer that is within the footprint of the isolated structure and its contiguous improvements such as a paved driveway.
4. A critical area report (CAR) shall be submitted to the director, evaluating the buffer functions and impact of intervening structures. If the CAR demonstrates that functions

are greatly reduced by the intervening structure, the director may waive or reduce the required buffer width based on the information provided in the CAR.

5. Any future modifications to buffers shall be consistent with regulations outlined in SMC 16.46.150(A).

...

16.46.170 Minimizing and replacing wetlands impacts.

...

H. Wetland Mitigation Ratios.¹

Category and Type of Wetland	Creation or Reestablishment	Rehabilitation	<u>Preservation^a or Enhancement</u>
Category I: Bog, natural heritage site ^a	<u>Case by case^b Not considered possible</u>	Case by case ^b	Case by case ^b
Category I: Mature forested	6:1	12:1	24:1
Category I: Based on functions	4:1	8:1	16:1
Category II	3:1	6:1	12:1
Category III	2:1	4:1	8:1
Category IV	1.5:1	3:1	6:1

1 Ratios for rehabilitation and enhancement may be reduced when combined with 1:1 replacement through creation or reestablishment. See Table 1a, *Wetland Mitigation in Washington State - Part 1: Agency Policies and Guidance - Version 1* (Ecology Publication No. 06-06-011a, Olympia, WA, March 2006 or as revised). See also subsection (C)(4) of this section for more information on using preservation as compensation.

a Areas proposed for preservation must be unique, high quality wetlands systems such as bogs, meeting criteria found in *Wetland Mitigation in Washington State Part I (version 2) and II* (Ecology Publication No. 21-06-003 and 06-06-011b, or as revised)

b Complete avoidance of bogs and natural heritage sites is required unless overriding project need and lack of practicable options results in unavoidable impacts. In those cases, the proposed mitigation must include 24:1 preservation of the same wetland type (e.g., bog) at a minimum of a 24:1 ratio, plus protective buffer of sufficient width to protect the unique water quality conditions that support these unique wetlands. Additional wetland creation, rehabilitation and enhancement would be considered in determining the final mitigation ratios.

I. Credit/Debit Method. To more fully protect functions and values, and as an alternative to the mitigation ratios found in the joint guidance *Wetland Mitigation in Washington State Part*

s-I (version 2) and II (Ecology Publication No. [21-06-003 and 06-06-011a-b, Olympia, WA, March 2006 or as revised](#)), the administrator may allow mitigation based on the "credit/debit" method developed by the Department of Ecology in *Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Western Washington: Final Report* (Ecology Publication No. 10-06-011, Olympia, WA, March 2012, or as revised).

...

K. Advance Mitigation. Mitigation for projects with pre-identified impacts to wetlands may be constructed in advance of the impacts if the mitigation is implemented according to federal rules, state policy on advance mitigation, and state water quality regulations consistent with *Interagency Regulatory Guide: Advance Permittee-Responsible Mitigation* (Ecology Publication No. 12-06-015, [Olympia, WA, December 2012 or as revised](#)).

L. Alternative Mitigation Plans. The administrator may approve alternative wetland mitigation plans that are based on best available science...

The administrator shall consider the following for approval of an alternative mitigation proposal:

- G. The proposal uses a watershed approach consistent with *Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington)* (Ecology Publication No. 09-06-32, [Olympia, WA, December 2009 or as revised](#)).

...

16.46.180 Mitigation plans.

All wetland and buffer restoration, creation, and/or enhancement projects required pursuant to this chapter either as a permit condition or as the result of an enforcement action shall follow a mitigation plan prepared by qualified wetland professionals...

...

C. Establish specific criteria/[performance standards](#) (including water quality standards, survival rates of planted vegetation, species abundance and diversity targets, or other ecological, geological or hydrological criteria) for evaluating the mitigation proposal relative to the objectives of this chapter and the goals and objectives of the city's comprehensive plan;

...

2. Monitoring shall begin by the designated consultant with a wetland analysis of the wetland being altered. Consultants will use the same data sheets within this analysis as will be used in the monitoring procedure; and ...

3. Five years of monitoring and maintenance shall be required for mitigation of impacts. Monitoring reports shall be submitted by the qualified wetland professional to the city during the following years: one, three, and five for a five-year monitoring period. [Monitoring and maintenance may be extended if performance standards are not met, the applicant remains responsible for managing the mitigation project until the goals of the mitigation plan are achieved.](#) (Ord. 2212 § 14, 2007: Ord. 1542 § 1 (part), 1992)

Chapter 16.50

~~LANDSLIDE AND EROSION~~ **GEOLOGICALLY HAZARDOUS AREAS**

NOTE: THERE ARE NO CHANGES TO THIS CHAPTER, JUST THE TITLE

Sections:

16.50.010 through 16.50.140:

Short title. General authority. Purpose. Exemptions. Relationship to framework ordinance.

Applicability. Mapping. Title notification. Plat notification. Submittal requirements.

Regulations. Performance standards. Buffers. Subdivision regulations. Erosion control

Chapter 16.56

FISH AND WILDLIFE HABITAT CONSERVATION AREAS

Sections:

- 16.56.010 Short title.
- 16.56.020 General authority.
- 16.56.030 Purpose.
- 16.56.040 Relationship to framework ordinance.
- 16.56.050 Applicability.
- 16.56.060 Mapping and documentation.
- 16.56.070 Habitat assessments.
- 16.56.080 Habitat management plans.
- 16.56.090 Regulations.
- 16.56.100 Buffers.

...

16.56.030 Purpose.

The purpose of this chapter is to regulate development and the use of land in order to preserve and protect areas of critical and endangered fish, including anadromous or resident salmonid species, and wildlife habitat; and to conform with the Washington State Growth Management Act. (Ord. 2071 § 33, 2003: Ord. 1546 § 1 (part), 1992)

...

16.56.050 Applicability.

Fish and wildlife habitat conservation areas are those areas identified as being of critical importance to sustain needed habitats and species for the functional integrity of the ecosystem and which, if altered, may reduce the likelihood that the species will persist over the long term...

NOTE: THESE AREAS INCLUDE CRITICAL HABITAT FOR LISTED FISH, WILDLIFE OR PLANTS.

...

H. Fish and wildlife habitat conservation areas do not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

NOTE: DEFINITION IS TO BE UPDATED TO BE CONSISTENT WITH NEW STATE RCWs AND WACs.

16.56.060 Mapping and documentation.

Fish and wildlife habitat conservation areas shall be identified in the following documents:
[list of agency-prepared maps]

...

NOTE: THE ENVIRONMENT REGULATIONS PLACE THE ULTIMATE RESPONSIBILITY ON THE PROPERTY OWNER TO VERIFY ACTUAL LOCATIONS OF WETLANDS AND STREAMS (SMC 16.40.080). THE CITY AND AGENCIES PROVIDE GENERAL MAPS AS A RESOURCE, AND OWNERS CAN GET SITE-SPECIFIC ASSISTANCE FROM AGENCIES.

16.56.070 Habitat assessments.

A habitat assessment, prepared by a professional fisheries or wildlife biologist, shall be submitted for all nonexempt activities proposed on a site which contains or is within: (A) 300 feet of documented habitat for threatened, endangered, or sensitive fish or wildlife species as identified by documents listed under SMC 16.56.060...

16.56.080 Habitat management plans.

A. If the habitat assessment demonstrates to the satisfaction of the director that fish and wildlife habitat areas are not present within the potential habitat site, then the development can proceed without further requirements ...

B. The habitat management plan for sites within 300 feet of documented habitat for threatened, endangered, or sensitive fish or wildlife species (SMC 16.56.070(A)), or sites containing a wetland, wetland buffer, stream, or stream buffer (SMC 16.56.070(B)), shall contain at a minimum:

- ...
- 7. A discussion of ongoing management practices which will protect fish and wildlife habitat after the project site has been fully developed, including **proposed** monitoring, **adaptive management**, and maintenance programs;
- 8. An assessment of habitat recommendations proposed by resource agencies...
- ...

E. Annual monitoring reports shall be provided to the city by the property owner until the mitigation and/or restoration has been in place for at least 10 years and the success standards have been met. Monitoring and maintenance may be extended if performance standards are not met. The applicant remains responsible for managing the mitigation project until the goals of the mitigation plan are achieved. The city shall forward the monitoring reports annually to the federal agencies with expertise regarding the particular fish or wildlife identified in the HMP along with the following:

...

16.56.100 Buffers.

NOTE: THESE BUFFERS DO NOT APPLY TO AREAS SUBJECT TO THE SUMNER SHORELINE MASTER PROGRAM (GENERALLY WITHIN 200 FEET OF THE WATER'S EDGE (the Ordinary High Water Mark); SHORELINE BUFFERS ARE ESTABLISHED IN THE SHORELINE MASTER PROGRAM APPROVED BY THE STATE.

...

C. Buffers, consisting of undisturbed native vegetation, shall be required along all streams; ~~lakes and ponds~~ as classified by the DNR water typing classification system (WAC 222-16-030).

1. The buffer shall extend landward from the ordinary high water mark of the water body with the width of the buffer established by the chart below, except as provided in Subsections D and E below. ~~The buffer shall not extend landward beyond a public right-of-way that contains an improved street.~~

DNR Water Type	Buffer Width in Feet
<u>Fish Bearing</u> (F)	100 <u>feet</u>
<u>Non-Fish Bearing perennial</u> (Np)	50 <u>100 feet</u>
<u>Non-Fish Bearing seasonal</u> (Ns)	25 <u>100 feet</u>

NOTE: "DNR" IS STATE DEPARTMENT OF NATURAL RESOURCES. BASED ON DISCUSSIONS WITH THE WASHINGTON DEPARTMENT OF FISH AND WILDLIFE REGARDING BUFFERS, SUMNER'S STREAMS SHOULD HAVE A BUFFER OF BETWEEN 100'-225' ON THE VALLEY FLOOR AND A BUFFER BETWEEN 194'-231' ALONG FORESTED HILLSIDES

- *WDFW RECOMMENDATIONS BASED ON TREE SPECIES AND SOIL TYPE.*
- *THE MAJORITY OF THE STREAMS IN SUMNER CONTAINS TREE SPECIES AND SOIL TYPES WITH 100' OR 105' WDFW-RECOMMENDED BUFFERS, WITH JUST A FEW AREAS OF 225'.*
- *100' IS THE MINIMUM RECOMMENDED BUFFER -*
 - *95% or more removal efficacy of phosphorous, sediment, and most pesticides; and*
 - *80% removal efficacy for surface runoff containing excess nitrogen.*

ALL NON-FISH BEARING STREAMS SHOULD HAVE THE SAME BUFFER AS FISH-BEARING, DUE TO THE CRITICAL ROLE THESE TRIBUTARIES PLAY IN PROTECTING WATER QUALITY (TEMPERATURE, SEDIMENT, POLLUTANTS, BANK STABILITY, NUTRIENT INPUT [LEAF LITTER]) IN STREAMS IDENTIFIED AS CRITICAL SPECIES (SALMONID) HABITAT.

2. The buffer shall be separated from adjacent private property by a physical barrier such as, but not limited to, a pathway, berm, vegetation, or fence. The barrier shall be designed to allow for the movement of fish, including salmonid habitat, and wildlife and shall be approved by the director.
3. The buffer shall be established by a permanent protective easement, public or private land trust dedication, or similar protective mechanism as approved by the director. An easement shall also be provided by the underlying property owner that grants the city access to the buffer for the placement of further conservation/restoration measures.
4. Enhancement of the buffer shall not be required unless a buffer reduction is proposed pursuant to SMC 16.56.100(G).

D. Functionally Disconnected Buffer Area. The director may waive or reduce the required buffer due to intervening structures, pursuant to SMC 16.46.150(N).

DE. For projects in areas subject to the requirements of the Sumner Shoreline Master Program, the buffer widths and applicable regulations shall be established in the Sumner Shoreline Master Program.

E. Buffers for Type Np and Ns streams which are not required by other regulations may be modified by the director upon a showing that the following are satisfied:

1. Fish, wildlife and plant habitat will not be harmed by the reduction in buffer area based on the proposed use and site development proposed;
2. The buffer area includes enhancement measures to improve the functional attributes of the buffer through the use of plantings of native plant species. The improvements must be shown to improve the habitat conditions for wildlife;
3. A best management practices plan addressing the proper design, layout, construction and use of the site is provided which is sufficient to mitigate impacts to wildlife and habitat areas;
4. Under no circumstance shall the buffer be reduced below those shown in the table below:

DNR Water Type	Buffer Width in Feet
Np	25
Ns	20

F. Buffers for Non-Typed or Unknown Waters shall be the same as those for fish bearing streams. Applicants or landowners may apply for a water type modification as outlined by Washington State Department of Natural Resources.

GF. **Buffer reductions.** Buffers for ~~Type F~~ streams which are not required by other regulations may be modified upon approval of a variance per SMC 16.40.120 by the director, under procedures for Type II permits in chapter 18.56 SMC, Procedures for Land Use Permits and a showing that the following are satisfied:

NOTE: STAFF PROPOSES MAKING STREAM BUFFER REDUCTION PROCESS LESS ONEROUS THAN A VARIANCE. PROPOSED LANGUAGE IS THE SAME AS A PERMIT FOR WETLAND BUFFER REDUCTIONS WHICH DO NOT REQUIRE A VARIANCE PROCESS. THIS IS AN ADMINISTRATIVE DECISION BY THE DEPARTMENT DIRECTOR.

1. The subject parcel is less than 200 feet in depth as measured perpendicular from the ordinary high water mark There are no feasible alternatives to the site design or development that could be accomplished without buffer reduction; and
NOTE: THIS IS SIMILAR TO WHAT IS ALLOWED FOR WETLAND BUFFER REDUCTION/AVERAGING, AND REMOVES THE ARBITRARY 200-FOOT "SMALL PROPERTY" REQUIREMENT TO MAKE BUFFER REDUCTION AVAILABLE TO ALL PROPERTIES IF APPROPRIATE.

2. The buffer is not reduced below 75 feet and there is not net loss of buffer function;
and

3.6. The buffer area includes enhancement measures to improve the functional attributes of the buffer through the use of plantings of native plant species and removal of invasive species. The improvements must be shown to improve the habitat conditions for fish and wildlife and shall be monitored per SMC 16.56.080(C); and

4. Buffers shall provide conservation or protection measures necessary to preserve or enhance anadromous fisheries including measures that protect habitat important for all life stages of anadromous fish, including, but not limited to, spawning and incubation, juvenile rearing and adult residence, juvenile migration downstream to the sea, and adult migration upstream to spawning areas. Habitat protection measures should be based on the best available science relevant to stream flows, water quality and temperature, spawning substrates, instream structural diversity, migratory access, estuary and nearshore marine habitat quality, and the maintenance of salmon prey species.

5. Design and management measures in Table 1 are implemented; and

Table 1 - Required Measures to Minimize Impacts to Streams

<u>Disturbance</u>	<u>Required Measures to Minimize Impacts</u>
<u>Lights</u>	<u>Direct lights away from stream</u>
<u>Noise</u>	<u>Locate activity that generates noise away from stream</u> <u>If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source</u> <u>For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the outer stream buffer</u>
<u>Toxic runoff</u>	<u>Route all new, untreated runoff away from stream while ensuring stream is not dewatered</u> <u>Establish covenants limiting use of pesticides within 150 feet of stream</u> <u>Apply integrated pest management</u>
<u>Stormwater runoff</u>	<u>Retrofit stormwater detention and treatment for roads and existing adjacent development</u> <u>Prevent channelized flow from lawns that directly enters the buffer</u> <u>Use low intensity development techniques (for more information refer to the drainage ordinance and manual)</u>
<u>Change in water regime</u>	<u>Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns</u>

<u>Disturbance</u>	<u>Required Measures to Minimize Impacts</u>
<u>Pets and human disturbance</u>	<u>Use privacy fencing or plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion</u> <u>Place stream and its buffer in a separate tract or protect with a conservation easement</u>
<u>Dust</u>	<u>Use best management practices to control dust</u>

NOTE: THE ABOVE TABLE IS SIMILAR TO WHAT IS REQUIRED FOR WETLAND BUFFER REDUCTION. REDUCING A STREAM BUFFER BY ONE-FOURTH OF THE MINIMUM BUFFER COULD STILL IMPACT THE STREAM, UNLESS THESE ADDITIONAL PROTECTIVE MEASURES ARE IMPLEMENTED ON THE SITE.

~~3. The impervious surface of the reduced portion of the buffer shall not exceed 10 percent unless the following measures are taken:~~

~~a. The removal of an equivalent amount of existing impervious surface within the sub-basin of the Type F stream; and~~

~~b. The permanent setting aside and habitat restoration of area(s) where impervious surface has been removed;~~

NOTE: THE ABOVE REQUIREMENT #3 IS PROPOSED TO BE DELETED. A 10% IMPERVIOUS LIMIT FOR THE AREA REMOVED FROM THE BUFFER ESSENTIALLY PROHIBITS DEVELOPMENT IN THE REMOVED AREA, WHICH DEFEATS THE PURPOSE OF A BUFFER REDUCTION. OTHER REQUIREMENTS IN SECTION (F) PROVIDE ADEQUATE RESOURCE PROTECTION.

~~4. 5.~~ Appropriate state and federal agencies shall be consulted if requirements of subsection (F)(2) or (3) of this section are not possible and appropriate state agencies may be consulted; and

~~5.6. Documentation provided demonstrates that F~~fish, wildlife and plant habitat will not be harmed by the reduction in buffer area based on the proposed use and site development proposed; and

7. A best management practices plan addressing the proper design, layout, construction and use of the site is provided which is sufficient to mitigate impacts to wildlife and habitat areas; and

8. Monitoring of mitigation actions ~~is required~~ shall be implemented to verify long-term functional improvement of the enhanced buffer area per SMC 16.56.080(~~€~~) (E); and

9. The proposal includes a habitat management plan prepared by qualified professional biologist approved by the director that includes the submittal requirements in 16.56.080 Habitat Management Plans; and

10. The stream buffer shall be retained in an undisturbed or enhanced condition for the life of the project.

GH. Partial Exemptions. The following uses are allowed in fish and wildlife habitat buffers:

1. Activities directly related to the cultural, recreational, scientific and educational aspects of the stream...
2. Public utility corridors and large-scale public recreational facilities such as regional trails and parks may be allowed in buffer areas, through obtaining a RWHA permit, provided that the proposal is subject to review under the State Environmental Policy Act, and that the structure and function of impacted fish and wildlife habitat is replaced and restored and mitigated; and that appropriate federal and state agencies are notified of the project.

Historic and Cultural Resources

Introduction

Sumner's beginnings and cultural features provide a source of pride for the community and a context for understanding Sumner today. The City of Sumner is located within the traditional homelands of the Coast Salish Tribes, including the Puyallup Tribe and the Muckleshoot Tribe. Sumner continues to be a place of cultural importance for local tribes. As described in the Draft Environmental Impact Statement, although local Native American tribes were prevalent prior to American settlers, However, despite the tribal history of the area, few tribal archaeological resources have been found due to the lack of surveys.

Several historic buildings have been surveyed and placed on the National Register of Historic Places. While there are a number of locally significant buildings within city limits, as of 2022, only three historic buildings have been surveyed and placed on the National Register of Historic Buildings. Without adequate planning and controls Adequate planning during a project is important, in order to avoid, where feasible or practical, development that could has the potential to disturb historic and cultural resources. In 2008, the City adopted the historic preservation ordinance that provides the ability for property owners to voluntarily place their properties on the Sumner Historic Register.

Goals, Policies, and Objectives

1. Identify, preserve, protect, and enhance restore areas of Sumner with historical, cultural, educational, or scientific values. the historic and prehistoric cultural resources of Sumner.

~~X.X. Coordinate with local tribes and the State Department of Archaeology and Historic Preservation to conduct a general survey of the City limits and Planning Area to identify potential archaeological sites.~~

[Note: A general survey is not the typical process. Instead, surveys are conducted as development is proposed.]

1.1. Preserve and maintain the historic, cultural, scientific, or educational integrity of known resources of local, state, or national significance to the extent feasible, including properties listed on the National or State Register of Historic Places, if feasible. Developers should plan and design development on sites having historic, cultural, or archeological resources in a manner that prevents impacts to the resource and provides educational benefits to the public, where appropriate.

1.1.1. Through the permitting and environmental review process, ~~consider and avoid~~ document how impacts to archaeological, historic, and cultural sites and resources were considered and how impacts were avoided or how avoidance is infeasible.

[Note: Proposed wording removes the mandatory requirement to “avoid” impacts since that is not always possible. Also there is no State law that requires preservation of a listed building or historic non-listed properties. This policy requires the property developer to show due diligence in preservation efforts.]

- 1.1.2. Consider the potential impacts of development on culturally significant tribal sites and collaborate with the affected tribes, such as the Puyallup Tribe and Muckleshoot Tribe, to ensure the protection of tribal cultural resources.

[Note: In response to DAHP comments.]

- 1.1.3. Request consultation with the State Department of Archeology and Historic Preservation (DAHP) for demolition or construction projects on sites located in Town Center, with structures older than 45 years old, or with structures identified by DAHP as potentially eligible for listing.

[Note: In response to DAHP comments. Current Sumner code does not require consultation with DAHP, and the State does not require consultation on all projects; only projects receiving State funding. Consultation would help inform developers and reviewers of resources present and possible ways to protect them. Proposed regulations specify a more detailed process.]

- 1.1.4. Require developers to immediately stop work and notify the City, DAHP, the Puyallup Tribe, and the Muckleshoot Tribe if any artifacts of possible historic, cultural, or archeological value are uncovered during excavation.

- 1.1.5. Require Inadvertent Human Remains Discovery Language recommended by DAHP to be added to permits as a condition of project approval.

- 1.2. Work with tribes, agencies and property owners to encourage measures that protect, enhance, and restore ecosystems that could be adversely impacted by climate change, in order to make available cultural foods and other resources for indigenous tribes. *[Note: Based on State guidelines for climate resiliency]*

- 1.3. ~~Work with the Sumner Historical Society and other~~ Encourage the efforts of historic preservation organizations, such as the Sumner Historical Society, Puyallup Historical Society, the Japanese American Citizens League, the tribes, and other community groups to promote historic preservation, historic and cultural education, and recognition of Sumner’s history.

[Note: In response to public comments to keep references to Sumner Historical Society.]

~~X.X.X Continue to support the Sumner Historical Society by providing the use of the Ryan House.~~
[Note: Policy revised into new one below.]

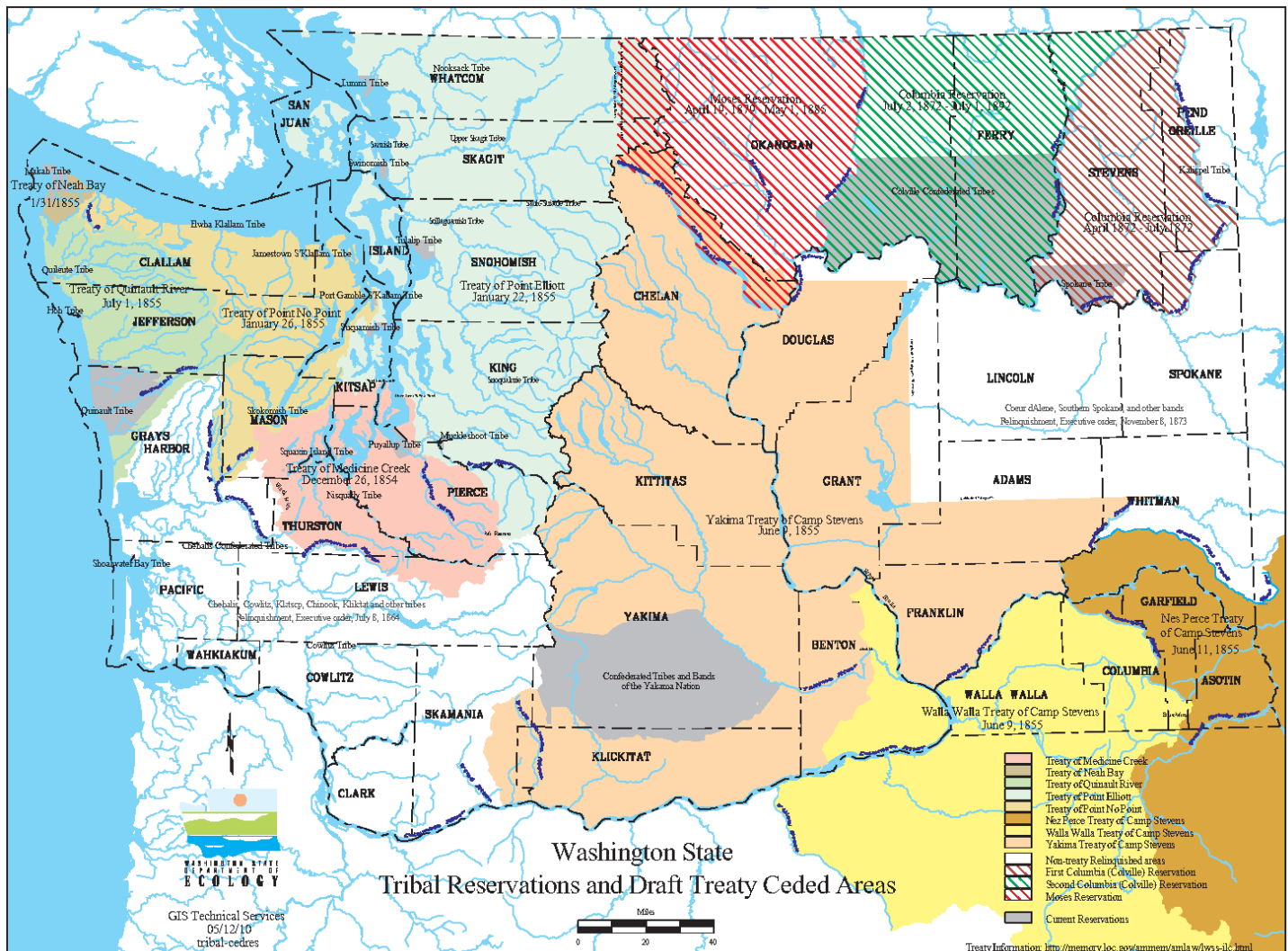
- 1.3.1. Consider partnerships with historical preservation organizations, such as the Sumner Historical Society, that could allow, where appropriate, an agreement for the use of city facilities.

[Note: New policy in response to public comments. Also makes the policy broader to apply to other organizations or facilities.]

~~X.X.X. Encourage local activities which promote the community’s history.~~

- 1.3.2. Partner with the Sumner Historical Society Encourage historical societies, historic preservation agencies, community groups, and others to provide access to historic documents, such as maps, photos, and newspapers, for landowners, citizens, residents, and others. *[Note: Moved from original Policy 3.4. Revisions broaden the policy to apply to other organizations who may have a role.]*
- 1.3.3. Encourage community programs for the collection and preservation of oral histories of the community, through partnerships with schools, the senior center, and other groups. *[Note: This is a new policy proposed by staff.]*
- 1.3.4. Encourage public awareness and understanding of prehistory and the history of tribes in the Sumner area.

Figure 11-1. Tribal Reservations and Draft Treaty Ceded Areas (Washington Department of Ecology)



- 1.4. Coordinate with community organizations, property owners, and local citizens residents to protect, acquire, and/or restore key historic properties where feasible.

- 1.4.1. Promote the preservation and revitalization of significant lands, historic sites and structures, and historic trees through a combination of techniques such as landmark programs, incentives, and local government historic preservation programs.
- 1.4.2. Implement design guidelines that protect and promote the historic and community character of Sumner.
- 1.4.3. Maintain a historic preservation program ~~that creates a local historic preservation commission, and pursue in an effort to support Sumner's~~ designation as a Certified Local Government for historic preservation purposes. *[Note: In response to DAHP comments. Also, a historic preservation commission already exists.]*
- 1.4.4. ~~Maintain a local register of historic places~~ Encourage the historic preservation commission to develop a local register of historic places and, with permission from the tribes, a list of traditional cultural properties.

[Note: There are no traditional cultural properties listed within Sumner. However, there are traditional and customary hunting and fishing areas within city limits. The tribes are given the opportunity to comment on environmental reviews of development projects, and potential impacts to the rivers.]

[Countywide Policies and State Law require jurisdictions to address protection of traditional cultural properties. Per statutes, these are sites or areas that have "traditional cultural significance, are associated with the cultural practices or beliefs of a living community that are rooted in that community's history, and are important in maintaining the continuing cultural identity of the community."]

~~X.X.X. Nominate properties for listing in the Washington State and National Register of Historic Places.~~ *[This policy is covered in Policy 1.4 above.]*

- 1.5. ~~Actively seek~~ Identify state and federal grants and other funding sources to support ~~implement the historic preservation in Sumner program such as developing a local historic preservation plan; conducting surveys of cultural resources; preparing nomination documents for Washington State and National Historic Places Registers; performing public education activities including presentations to citizens, articles in the city newsletter, school presentations, and booths at city events festivals.~~ *[Most of this policy is redundant with others.]*
 - 1.6. Analyze and consider a historic overlay zone in the ~~Dd~~ downtown area as a tool for preserving the character of Main Street.
 - 1.7. Encourage private property owners with eligible properties to voluntarily seek Register listing. ~~Maintain a voluntary nomination program for single-family residential properties.~~
- [Note: Sumner does not maintain a separate program like this; nomination is always voluntary.]*
- 1.8. Work with property owners and historic preservation societies toward protecting or adapting significant historic sites prone to floods, extreme snow events, and other hazards worsened by climate change through building retrofits, green infrastructure, and other strategies.

2 Enhance and improve the cultural arts environment.

- 2.1 Work with other organizations to promote visual, literary, and cultural arts and events in the community.
- 2.2 Maintain a cultural arts strategy reflective of Sumner's history and diverse communities to implement the goals of this Plan.
- 2.3 Partner with community or volunteer organizations, businesses and supporters to promote cultural arts ~~Maintain an Arts Commission for the promotion of cultural arts throughout the community.~~ partnering with other organizations, businesses, and supporters.
- 2.4 Encourage a diverse range of cultural arts and events that recognize the experiences of, and contributions of various ethnic groups throughout Sumner's history.

3 ~~Recognize the heart and historic meaning of Downtown.~~ Recognize downtown's historic meaning and the role of the historic downtown as the historic center of Sumner and the heart of the community.

Figure 11-2. Historic Downtown Sumner



- 3.1 Ensure Downtown's the historic character of the historic downtown is retained as new businesses and buildings are established, such as through design standards, historic preservation ordinances, or other means.
- 3.2 Encourage the incorporation of street furniture and features along streets in the historic downtown, such as streetlights and benches, that are compatible with the historic character of the area.

3.3 Enliven and refresh ~~Downtown historic downtown~~ by ~~encouraging allowing~~ adaptive reuse of buildings and new construction that ~~respects acknowledges~~ the historic character of the area.

~~X.X Improve the Ryan House and public access to the Ryan House museum and consider other compatible public uses such as converting it to a visitor center.~~

[Note: Policy to be deleted, since the City Council determined (09/2023) that due to the structure's very poor condition, there is no feasible means of preserving the Ryan House. Adaptive reuse of listed and non-listed historic buildings is covered generally already in Policy 3.3.]

~~X.X Partner with the Sumner Historical Society and others to provide access to historic documentation, to landowners, citizens, and others.~~

[Note: Incorporated into Policy 1.3.2 above.]

3.4 Provide ongoing support and expansion of ~~Update~~ walking tours that highlights public art, architecture, history, trees, and other icons of the historic downtown.

[Note: Sumner has policies in the Community Character chapter in the Comprehensive Plan that promote beautification, events, and economic support of the Downtown Core.]

Historic and Cultural Resources Code Changes - *Draft October 14, 2024*

Comprehensive Plan 2024 Periodic Update

Historic and Cultural Resources

Chapter 18.39: Historic Preservation

Add a new section to Title 18 (possibly 18.60): Cultural and Historic Resources Review Requirement:

1. Applicants for projects involving demolition of a building or new construction not categorically exempt from SEPA environmental review, on sites located in Town Center, with structures more than 45 years old or identified by the State Department of Archeology and Historic Preservation (DAHP) as potentially eligible for listing, shall be required to include a request for a consultation with DAHP to determine whether the property is considered a historic resource. If it is found to be a historic resource, consultation and appropriate mitigation shall be required mitigation measures recommended by DAHP within 30 days of a requested consultation will be considered and implemented only as appropriate.
 - a. The consultation request shall be submitted on form(s) approved by the Director.
 - b. Mitigation measures shall be applied as appropriate to the scale and impact of the project and as appropriate to the significance of the resource(s), as determined by the Director in consultation with the historic preservation commission.

NOTE: 45 YEARS IS A STATE GUIDELINE FOR STARTING CONSULTATION WITH DAHP. STAFF RECOMMENDATION IS TO SET A THRESHOLD FOR WHEN DAHP REVIEW IS REQUIRED. THE STATE SEPA ENVIRONMENTAL RULES DISTINGUISH BETWEEN SMALL "EXEMPT" PROJECTS AND LARGER PROJECTS THAT NEED TO GO THROUGH SEPA PERMITS. THIS CODE PROVISION WOULD FOLLOW THOSE THRESHOLDS. "LARGER PROJECTS" INCLUDE CONSTRUCTION OF MORE THAN 4 MULTIFAMILY UNITS, COMMERCIAL SPACE MORE THAN 4,000 S.F., AND GRADE/FILL OF MORE THAN 100 CUBIC YARDS, AS EXAMPLES. THE PROPOSED DAHP REVIEW WOULD NOT APPLY TO DEMOLITION OF A SINGLE-FAMILY HOME (LIKE MOST CITIES, THERE IS NO CURRENT REQUIREMENT FOR PRESERVATION). THE 28-DAY TIMELINE MIRRORS SUMNER'S CODE THAT REQUIRES THE CITY TO DETERMINE A COMPLETE PERMIT APPLICATION WITHIN 28 DAYS.

2. The City shall require Inadvertent Human Remains Discovery Language recommended by DAHP as a condition of project approval consistent with RCWs 68.50.645, 27.44.055, and 68.60.055:
 - o If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner

determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find.

3. All permits and statements of exemption shall contain provisions that require developers to immediately stop work and notify the City of Sumner, the State Department of Archaeology and Historic Preservation (DAHP), the Puyallup Tribe of Indians, and the Muckleshoot Tribe if any artifacts of possible historic, cultural, or archaeological value are uncovered during site work. In such cases, the developer shall be required to provide for a site inspection and evaluation by a professional archaeologist or historic preservation professional, as applicable, in coordination with the state and/or affected tribes to ensure that all possible valuable historic, cultural, or archaeological artifacts are properly protected or salvaged.

NOTE: THE PROPOSED LANGUAGE ABOUT INADVERTENT DISCOVERY AND POTENTIAL DISTURBANCE IS ACCEPTED STANDARD PRACTICE, BUT NOT CODIFIED IN SUMNER'S CODE.

CA – CONSENT AGENDA **ES** – EXECUTIVE SESSION **NB** – NEW BUSINESS
UB – UNFINISHED BUSINESS **P** – PRESENTATION **PH** – PUBLIC HEARING **PR** - PROCLAMATION

10/22 Fall Open House
 12/10 EE Breakfast

OCTOBER 30 (SSS) 3PM*2pm Wood & Main Ribbon Cutting*

- Budget Review (Unfunded Items)
- Financial Forecast Revenue Discussion

NOVEMBER 4 (RCM)

PR Native American Heritage Month
 UB Resolution 1700 Property Tax Ad Valorem Adoption
 NB Council Appointment

NOVEMBER 4 (SSS @ 6:15PM)

- 2025 Legislative Priorities
- Ordinance No. XXXX - Utility Rates
- Ordinance No. XXXX – Utility Code Billing Updates
- Utility Rate Discussion

NOVEMBER 12 SS

- COMP Plan
- Transportation
- Traffic Impact Fees
- Capital Facilities
- Park Impact Fees

NOVEMBER 18 (RCM)

P Councilmember Swearing In
 PH Budget
 CA West Valley Highway Sidewalks - Design Consultant Agreement
 CA South Tank Re-painting Construction Contract Award
 CA Resolution XXXX – Parklet Policy
 NB 2025 Legislative Priorities
 NB Ordinance No. XXXX - Utility Rates
 NB Ordinance No. XXXX – Utility Code Billing Updates
 NB Ordinance No. XXXX – Multifamily Residential Infill (HB 1042)
 NB Ordinance No. XXXX – Permit Review and Timeline (HB 1293 & 5290)
 NB Ordinance No. XXXX - Zoning Code Amendment for Essential Public Facilities
 NB Ordinance No. XXXX – Zoning Code Amendment – BESS
 NB Ordinance No. XXXX - Utility Rates
 NB Ordinance No. XXXX – Utility Code Billing Updates

NOVEMBER 18 (SSS @ 6:15PM)

- Budget Wrap-up
- Final Budget Amendment
- 166th Petition for Annexation Discussion

NOVEMBER 25 (RCM – CANCELLED)

CITY COUNCIL AGENDA CALENDAR**Updated October 22, 2024**

CA – CONSENT AGENDA	ES – EXECUTIVE SESSION	NB – NEW BUSINESS
UB – UNFINISHED BUSINESS	P – PRESENTATION	PH – PUBLIC HEARING PR - PROCLAMATION

DECEMBER 2 (RCM)

PH Budget (Final)
PH Comp Plan
PH Final Budget Amendment
PH Library Development Agreement
NB Ordinance No. XXXX - Traffic Impact Fees
NB Ordinance No. XXXX - Park Impact Fees
NB Ordinance No. XXXX – Water Service Code Amendment

DECEMBER 9 (SCM)

NB Operations Facility Contract
UB Budget Adoption
UB Final Budget Amendment
UB Library Development Agreement
CA Whiteriver Restoration Project Plant Procurement Contract Award

DECEMBER 9 (SS @ 6:10PM)

- Comp Plan Review Questions/Wrap Up

JANUARY 6, 2025 (RCM)

UB Comp Plan Adoption

JANUARY 13, 2025 (SS)

- Pierce Transit Long Range Plan Presentation

Pending

MISC.	MISC.	MISC.
Short Term Rentals	Ordinance – Refuse Collection (Code Enforcement)	Resolution No. 1673 - Commerce Grant Acceptance Cemetery Facility
CA State Homeland Security Program Grant Acceptance for Small Unmanned Aerial System	Public Memorial Policy	Water Cross Connection Control Code Update
Ordinance Insurance Requirements	Heritage Park Right of Way Vacation	
Sign Code Update (off premise)		
	School Impact Fee Update	

NOVEMBER 2024

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2
4	5	6	7	8	9
6:00PM Regular Council Meeting (Hybrid) 6:15PM Special Study Session (Hybrid)	4:00PM Public Works Committee		6:00PM Planning Commission (Hybrid)		
11	12	13	14	15	16
<i>Holiday – City Hall Closed</i>	6:00PM Study Session (Hybrid)	6:00PM Design Commission (Hybrid)	4:00PM Finance Committee (Hybrid) 4:30PM Forestry/Parks Commission (Hybrid)		
18	19	20	21	22	23
6:00PM Regular Council Meeting (Hybrid) 6:15PM Special Study Session (Hybrid)		4:00PM Public Safety (Hybrid)			
25	26	27	28	29	30
6:00PM CANCELLED Study Session		5:00PM CD Committee (Hybrid)	<i>Holiday – City Hall Closed</i> 6:00PM - CANCELLED Cultural Arts Commission		

Meeting dates and times may change. Please contact City Hall to confirm this information prior to any meeting you plan to attend. **These meetings are accessible to persons with disabilities.** For individuals who require special accommodations, please contact City Hall at (253) 299-5500, 24 hours in advance.

Name: Michelle Converse, CMC

Title: City Clerk

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