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Please click the link below to join the webinar:

<https://sumnerwa-gov.zoom.us/j/89894960766>

Or iPhone one-tap :

US: +12532158782,,89894960766# or +13462487799,,89894960766#

Or Telephone:

US: +1 253 215 8782

Webinar ID: 898 9496 0766

CALL TO ORDER

Roll Call: Bitetto, Brown, Hamilton, Hayden, Hochstatter, Neuman and Reed

- a. Motion to Approve Councilmember Bitetto's Absence

REGULAR BUSINESS

1. ~~Main Street Visioning~~
1. Sumner-Bonney Lake School District Family Center Update
2. 2020 Comprehensive Plan Update - Discussion
3. Covid-19 Emergency Declaration – Confirmation of Rules and Regulations
4. **American Rescue Plan**

EXECUTIVE SESSION

CITY ADMINISTRATOR REPORT

AGENDA SETTING

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

ADJOURNMENT

SUBJECT: Sumner-Bonney Lake School District Family Center Update

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

STAFF CONTACT: Jason Wilson, City Administrator

SUMMARY BACKGROUND:

Representatives from the Sumner-Bonney Lake School District will be presenting an annual update on the Family Center.

COUNCIL COMMITTEE/STUDY SESSION:
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MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Information Only

SUBJECT: 2020 Comprehensive Plan Update - Discussion

CATEGORY: Presentation

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Staff Memo-031021
 2. Sumner Comprehensive Plan Responses to Comments
 3. Comment letters as of 02-16-21
 4. Presentation
-

STAFF CONTACT: Ann Siegenthaler, Associate Planner

SUMMARY BACKGROUND:

The purpose of this Study Session is to discuss the proposed 2020 Comprehensive Plan Update and 2020 East Sumner Neighborhood Plan. In the Council packet for this Study Session is a list of public comments received with staff responses to comments. The Council has previously been provided comment letters and heard testimony.

The City Council last reviewed the proposal at a Study Session on February 8, 2021 and held a public hearing on February 16, 2021.

City Council and Planning Commission review has included several study sessions and two public hearings. Public comment periods have included published notices with opportunities to comment during:

- Comment period for individual property rezones (July 2020)
 - Comment opportunity on East Sumner Planned Action Ordinance (published October 2020)
 - Comment period for 30-days on Environmental Impact Statement (November 2020)
 - Public hearing with the Planning Commission on December 3, 2020
 - Public hearing with the City Council on February 16, 2021.
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COUNCIL COMMITTEE/STUDY SESSION: February 8, 2021 Study Session

MEETING/STUDY SESSION DATE: 2/8/2021
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COMMITTEE RECOMMENDATION: n/a

STAFF RECOMMENDATIONS/MOTION:

Provide direction to staff on any changes needed



MEMORANDUM

DATE: March 9, 2021
TO: City Council
FROM: Ann Siegenthaler, Associate Planner
RE: 2020 Comprehensive Plan Update—Summary of Proposed Changes

I. BACKGROUND

The purpose of this memo is to provide a re-cap summary of the proposed changes. The proposed 2020 Comprehensive Plan Update and East Sumner Neighborhood Plan Update have been the subject of several study sessions and a Planning Commission public hearing on December 3, 2020. The Planning Commission voted 5 to 5 to recommend approval to the City Council. The City Council held a study session on February 8, 2021, and a public hearing on February 16, 2021. The March 22, 2021 study session will give the Council an opportunity for further discussion. Background materials, staff reports analyzing the proposals, and public comments have been provided in previous meeting packets. Below is an overview of those changes.

II. INDIVIDUAL PROPERTY OWNER & STAFF PROPOSALS

A. Houston Road/Valley Avenue parcels

- Map change for a 7.2 acre-site, 13 parcels,
- Located on Houston Road and Valley Avenue (now Cannery Way) (13223 and 13105 Houston Road).
- Change from General Commercial (GC) to a Light Industrial (M-1) designation, which is better suited to applicant's current uses and desired future uses.
- Most parcels within the UGA, so will require annexation to receive M-1 zoning.
- Update M-1 Industrial development standards:
 - Reduce setbacks for industrial adjacent to freeways and other industrial uses.
 - Increase lot area coverage for contractors' storage; and reduce the potential for the site to become non-conforming upon annexation.
 - Reduce landscaping but maintain landscaping along streets.

B. CBD commercial parcels on Main Street

- Remove obsolete Central Business District (CBD) and Mixed Use Development (MUD) zoning.
- (5) CBD sites on Main Street.
- Transfer some CBD regulations to Neighborhood Commercial (NC) zone.
 - Allow the current uses on (5) parcels on Main Street.
 - Ensure NC sign regulations prevent non-conforming.
- Minor updates to NC regulations:
 - Update setbacks to make consistent for (5) parcels, prevent non-conforming.
 - Allow dance studios, small theaters, and similar uses in NC.

C. School District parcels downtown

- Map change for Sumner-Bonney Lake School District properties in downtown Sumner.

- (11) parcels on Mason Street and (3) parcels at Elhi Hill School on Main Street.
- Map change to Public-Private Utilities/Facilities (PPUF) designation.
- Change underlying zoning to match adjacent property:
 - (11) Mason Street parcels to Low Density Residential (match school).
 - (2) Elhi Hill parcels change CBD to NC zone; (1) Elhi Hill parcel keep Low Density Residential.

D. Craft coffee-roasting

- Add regulations for the Town Center Plan area to allow small “craft” coffee roasting through a Conditional Use Permit (CUP).
- Add standards to address potential impacts of odor and noise, with variation allowed through a CUP.

E. Innovation District

- Create a new “Innovation District Overlay” in the Comprehensive Plan and Zoning Code.
- Allow innovative uses (artisanal, craft production, small R&D) in non-traditional locations.
- Location not mapped; only available in industrial and commercial zones, upon request.
- Add standards to address potential impacts to neighboring properties.

F. Miscellaneous “housekeeping” updates

- Clean up of policies, text, references, diagrams in the Comprehensive Plan.
- Re-organize code sections, footnotes in Zoning Code.
- Remove obsolete CBD and MUD zones throughout the Municipal Code.
 - Drive-thru standards transfer to Town Center area.
 - Sign Code regulations transfer to Town Center.
 - Transfer the CBD parking waiver to TCP for small commercial uses.
- Not substantive, not policy direction.

III. CRITICAL AREAS (WETLANDS) REGULATIONS

This is a staff proposal to update and clean up the City’s “wetlands” regulations. The update will help implement the 2020 East Sumner Neighborhood Plan and the proposed Resource Protection zone; also, it will help address existing uses that may be affected by wetlands/buffer regulations. Most of the updates are clarifications of existing code that staff considers minor. These updates are discussed further below.

A. Clarify regulations related to wetland buffers.

- Buffers not required to extend beyond large structures or developed areas.
- Buffers required when property converts to new use, or major new construction.

B. Clarify when work on wetland properties requires a permit.

- Maintenance and repair are exempt.

C. Add a new code section for non-conforming wetland and stream properties.

- Uses cannot expand further into a required buffer.
- Keeps the current exemption for single family dwellings (expand up to 25%).
- Uses/structure must be legally pre-existing to qualify for expansion.

IV. EAST SUMNER NEIGHBORHOOD PLAN

A. East Sumner Zoning Map Amendments

Proposed under the “Preferred Alternative 3:”

- Rezone the central wetlands area to Resource Protection district.
- Rezone (2) parcels on 162nd Street East (north of 60th Street East) to Medium Density Residential.

- Rezone the northeast corner of the central neighborhood (at 162nd Street and 60th Street East) to High Density Residential.
- Keep General Commercial as commercial only, south of 64th Street East.
- For reference see Exhibit B, ESNP proposed rezones (Alternative 3)

B. Resource Protection District (RES) regulations (Chapter 18.08)

- Update uses in existing RES zone to maintain low impact uses and minimize impacts to wetlands.
 - Allow parks and trails; but more intense uses require a conditional use permit.
 - Remove commercial kennel allowance due to noise impacts.

C. East Sumner Urban Village Overlay (ESUV) regulations (Chapter 18.30)

- Update to provide clarifications, remove redundancies, and reorganize code sections.
- Clarify where the Overlay may be applied (over Resource Protection District).
- Clarify that the ESUV doesn't preclude industrial districts (but this doesn't change existing zoning).
- Multifamily densities, setbacks, and other standards remain the same, except:
 - Building height limited to 4 stories at primary streets, primary intersections, and edge of wetlands.
 - Multifamily uses south of 62nd Street East no longer prohibited, but no longer allowed south of 64th Street East.
- Add new regulations for streets and alleys.
 - Provide non-vehicular circulation routes through the neighborhood.
 - Encourage community gathering places at "pedestrian nodes" intersections.
 - Require separated sidewalks, street trees and bike lanes on primary streets.
 - Implement the the Mid-Block Connections and Circulation Map in the ESNP when parcels redevelop.

D. East Sumner - Comprehensive Plan policies and text updates

Minor updates to policies and text in the Comprehensive Plan to implement the 2020 East Sumner Neighborhood Plan.

- Update a Comprehensive Plan policy to match current regulations: Currently, ground-floor units (apartments) are allowed in multifamily zones in East Sumner.
- Replace maps with new ones that remove the 62nd Street East extension.
- Update transportation policies to emphasize transit connections between East Sumner, downtown, and the MIC.

E. East Sumner Neighborhood Plan document

This is the proposed update to text, recommendations and maps in the "East Sumner Neighborhood Plan Update - 2020" document.

- The East Sumner Neighborhood Plan (ESNP) is a subarea plan that describes the future vision for the subarea regarding land uses, circulation, community design character, and environmental management. It contains recommendations for policy changes, regulations, and map changes.
- The ESNP document would be adopted as part of the Comprehensive Plan.
- A quick reference to the recommendations in the ESNP is the list of "Implementation & Phasing" at the end of the document.
- The draft ESNP is posted with other 2020 Update materials at the City's Document Center: <https://sumner.civicweb.net/filepro/documents/21595>, and on City's website at: <https://connects.sumnerwa.gov/east-sumner-neighborhood-plan>.

V. EAST SUMNER PLANNED ACTION ORDINANCE

The Planned Action Ordinance with its Exhibits (PAO) establishes an expedited environmental review process for projects that meet the threshold numbers established in the ordinance. These thresholds represent a moderate development scenario (based on the 2014 Buildable Lands Inventory), which has been re-calibrated so that it also considers: The maximum dwelling units per acre allowed in ESNP

(revised in 2019), actual capacity for housing units indicated in recent development proposals, and the possibility of a fairly high amount of growth in ESNP. If a future project in East Sumner meets these thresholds, it will qualify for expedited review, saving time and costs in the permitting process.

VI. Environmental Impact Statement - Draft EIS

The environmental impact statement for the 2020 Comprehensive Plan update will be issued in two parts. The Draft Environmental Impact Statement (DEIS) was issued November 10, 2020 with a 30-day comment period. The Final Environmental Impact Statement (FEIS) will be issued along with the other amendments proposed for City Council approval. The entire text of the DEIS is located at the City's Document Center: <https://sumner.civicweb.net/filepro/documents/21595>, and on the City's website at: <https://connects.sumnerwa.gov/comp-plan>

VII. NEXT STEPS

Draft ordinances for adopting the 2020 Updates were provided to the Council on February 16, 2021. Staff recommends that the Council take action on the proposal at its next regular meeting, by modifying or approving the various provisions of the Ordinances.

VII. EXHIBITS

- A. Diagram of proposed map changes citywide
- B. Diagram of proposed East Sumner Neighborhood Plan rezones (Alternative 3)

SEE ALSO FOR THIS PACKET:

- Sumner Comprehensive Plan Responses to Comments-March 3, 2021
- Comment letters as of 2/16/21 combined (previously distributed)
- Not attached, but previously provided 2/8/21: 2020 Comprehensive Plan packet including:
 - Executive Summary
 - 2020 Comp Plan Presentation
 - Staff Reports per Amendment, showing text updates and map changes
 - Property Owner Comment Letters
 - ESNP 2020 Draft Update
 - Sumner Draft Supplemental EIS
- Not attached but previously provided 2/16/21: Ordinances for adoption (4)

EXHIBIT A - Diagram of proposed map changes citywide:

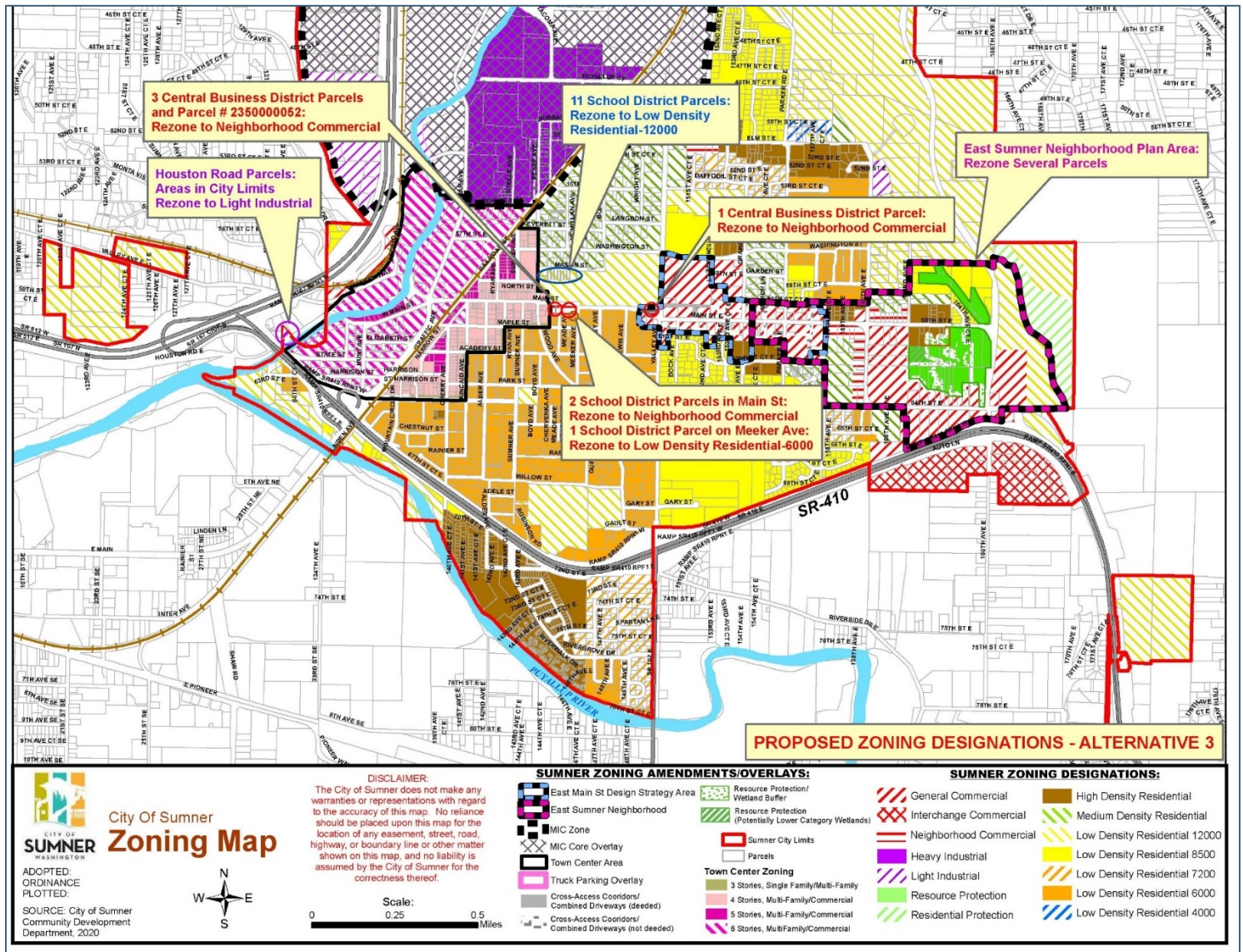
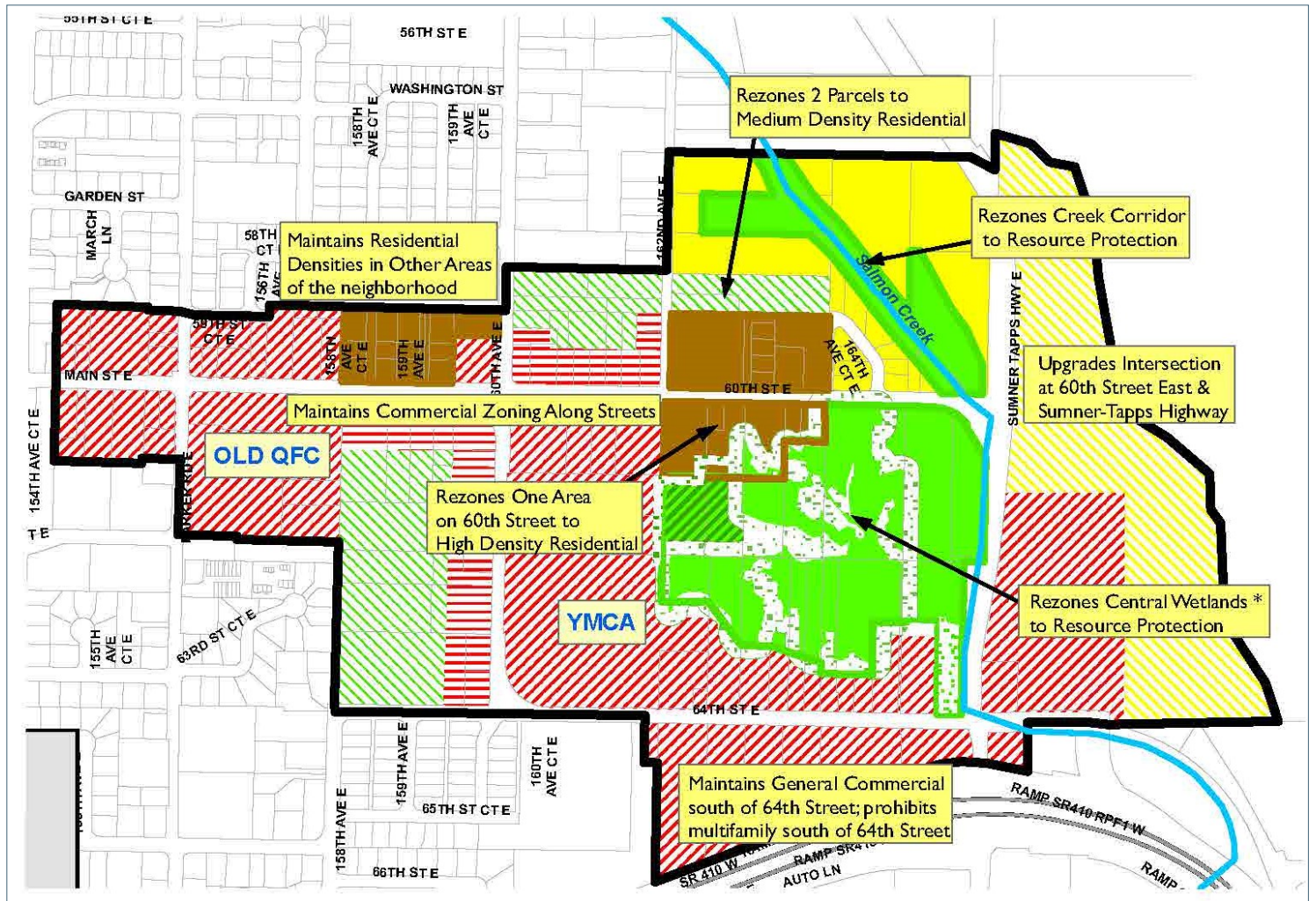


EXHIBIT B - Proposed rezoning for East Sumner Neighborhood Plan (Alternative 3)



Comments and Responses

Sumner Comprehensive Plan and Zoning Amendments 2020 and East Sumner Neighborhood Plan Update and Planned Action - Staff responses to comments

Comment Opportunities

The City of Sumner proposed Comprehensive Plan and Zoning Amendments and a Draft East Sumner Neighborhood Plan Update and Planned Action Ordinance amendments in 2020. The proposals were examined in a Draft Supplemental Environmental Impact Statement (Draft SEIS) and subject to a 30-day comment period whereby persons could submit written comments. A public hearing was held on December 3, 2020 where verbal comments on the proposal or Draft SEIS were accepted. The City also issued a 60-day notice of intent to adopt the amendments to the Washington State Department of Commerce to initiate state agency review.

The comments received through these various means are included in this document and provided a response. Comments that state preferences on alternatives or other matters are acknowledged with a response that the comment is noted and forwarded to City decision makers. Comments that address methods, analysis results, mitigation, or other matters are provided a response. Following City Council review of the proposals and direction, these comments and responses will be finalized for inclusion in the Final SEIS.

Exhibit 1. List of Commenters

Letter	Last	First	Organization	Received
Written Comments during Draft SEIS Comment Period November 10 to December 10, 2020				
1	Bartkowski	Sharon L.		12/1/20
2	Bort	Whitney		12/1/20
3	Ebsworth	Cheryl	Corliss Resources via Apex Engineering	12/1/20
4	Esquerra	Al & Darlene		12/9/20
5	Josten	George J.		11/29/20
6	Lindsey	James		12/1/20
7. Planning Commission Public Hearing Comments December 3, 2020				
7A	Ebsworth	Cheryl	Corliss Resources via Apex Engineering	12/3/20
7B	Esquerra	Al		12/3/20
7C	McCann	Clay		12/3/20
7D	Urback	Mary	Sumner-Bonney Lake School District	12/3/20
8. City Council Public Hearing February 16, 2021				
8	Lynn (letter)	Bill	Gordon Thomas Honeywell Law Offices	2/8/21
9	Bort (letter)	Whitney		2/12/21
8A	Esquerra	Al		2/16/21

Letter	Last	First	Organization	Received
8B	Troupe	John	On behalf of Fred Roesch	2/16/21
8C	Urback	Mary	Sumner-Bonney Lake School District	2/16/21
8D	McCann	Clay		2/16/21
8E	Bort	Whitney		2/16/21

60-Day Review Comments – State Agencies November 10, 2020 to January 10, 2021

9.	Huff	Mary	Washington State Department of Fish and Wildlife	1/6/21
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Response to Draft SEIS Comments

Letter 1: Sharon L. Bartkowski

Response: The change from Central Business District to Neighborhood Commercial zoning is not meant to fundamentally change the uses that exist or the future uses of the property. Rather it addresses that the Town Center zone replaced almost all of the Central Business District zone. The City is proposing changes to Neighborhood Commercial regulations to ensure consistency with the previous Central Business District and with existing uses for a few parcels. Any remaining references to the Central Business District would be retired from the Municipal Code and Zoning Map to simplify code implementation. The properties to be rezoned already have commercial uses on them, which would be allowed to remain, and there are no active development applications at this time.

Letter 2: Whitney Bort

Response: The subject property is proposed in Alternative 3 Preferred Alternative as split-zoned with General Commercial zoning on 64th Street East and Resource Protection zoning where a wetland exists.

- Even if the whole property remained General Commercial zoning, the area with the wetland and wetland buffer is still virtually completely restricted from development. The Resource Protection zone recognizes the existing wetland and buffer, bringing the zoning designation into consistency with the realities of that portion of the property, and providing tax benefits. If the property has room to add structures in the General Commercial zone portion of the property, it would be possible to expand the use. In discussions with the owner, staff indicated that it appears from aerial photos and the wetlands map that there is likely room for expansion in back of the structure north to the edge of the wetlands. The amount of developable area would be confirmed through a development permit application review with the City. The City is not proposing to acquire the rezoned wetlands areas. If, at some point in the future, the City Council desires to acquire property in this area, the City would be required to pay the owner just compensation at the time of the acquisition.
- Regarding traffic: The Draft SEIS addresses transportation and other potential impacts, and concludes that the change to the zoning and street network in East Sumner would not adversely affect the transportation system or the City's traffic levels of service. The traffic congestion at peak hour in Sumner is largely due to cut-through commuter traffic going to Bonney Lake and other areas to the east and south of the City.

Letter 3: Cheryl Ebsworth, Corliss Resources

Response: All studied alternatives – No Action Alternative (current plan), Alternative 2, and Alternative 3 Preferred – include the mineral extraction site ("Corliss property") in the East Sumner Neighborhood Plan and East Sumner Urban Village Overlay as has been the case since the 1990s.

- The East Sumner Neighborhood Plan identifies long-term uses of the property and does not change allowances on the property.

A gravel quarry and cement plant occupy most of the ESNP area east of Salmon Creek, and though isolated from the rest of the project area, the plan boundary includes the site because of its long-term potential for commercial and residential development along Sumner-Tapps Highway when the mining site is reclaimed. The 2020 ESNP planning analysis and recommendations focus on the central portions of the project area west of Sumner-Tapps Highway East because a) the main goal of the Plan update is to address conditions in the central neighborhood, and b) the quarry and plant property owners have not expressed interest in converting the site to commercial or residential uses in the near future.

- Any expansion and modernizing of mine facilities over time is subject to City regulations, as described in the Draft SEIS:

Lands east of Sumner-Tapps Highway East occupied by the existing mining site would stay with General Commercial and Low Density Residential 12,000 zoning. This mine site is separated from the central core area of the ESNP by the Sumner Tapps Highway East and the Salmon Creek corridor buffer. The current Low Density Residential zone on the mine site allows for mineral extraction as a conditional use, and the General Commercial zone allows for accessory uses to a mineral extraction use (through a conditional use permit). While commercial and residential uses are envisioned as the future uses, the existing mineral extraction uses would continue as an ongoing allowed use until the reclamation phase. Mineral extraction activity is a land use consistent with the ESNP current regulations that address this as a long-term commercial resource activity.

The language above from the Draft SEIS could be added to the proposed East Sumner Neighborhood Plan should the City decision makers desire added clarification.

- The commenter proposal to amend the Sumner Municipal Code to clarify that industrial (mineral extraction) uses are present has been addressed with a proposed regulation under Alternative 3. Such a change would be considered minor and would not change the status of the property:

18.30.020 Districts where permitted:

The East Sumner urban village overlay may be applied with LDR, MDR, HDR, NC and GC base designations. ~~It shall not be applied with any industrial base designations.~~ The extent of the urban village overlay district shall be consistent with comprehensive plan land use map.

Letter 4: Al and Darlene Esquerro

Response: Under Alternative 3 Preferred, the subject property would be split zoned, with land along 64th Street East staying General Commercial and the rear portion being zoned Resource Protection in recognition of the wetland(s) and buffer(s).

- Regarding 62nd Street extension: The 2015 East Sumner Neighborhood Plan proposed a road through the central wetlands as a new 62nd Street which would have required the City to relocate the wetland in an off-site wetland mitigation bank. The City originally proposed the new road as a means to encourage commercial development in the area by opening up more area to street-front access. The City Council made a decision not to continue pursuing that plan due to the significant expense of the road and wetland mitigation/relocation (with part of that cost burden passed on to property owners) and due to difficulties in finding suitable off-site mitigation sites and achieving ecological goals. Instead, in 2019, the City increased densities in the General Commercial zone in East Sumner and maintained commercial zoning along street fronts to allow a wide range of commercial uses. This provides for reasonable use of the property and opportunities to develop

multifamily and commercial uses in the General Commercial area.

- Regarding park land: The current proposal does not include a public park. The central wetlands area could, at some point in the future, become a public park or environmental preserve area, in which case all impacted property owners would receive just compensation for the property purchased by the City.
- Regarding traffic, the Draft SEIS indicates that the removal of the 62nd Street proposal and allowed commercial, residential, and mixed uses in the East Sumner area would still meet City standards for transportation levels of service.
- Regarding the YMCA: The City partnered with the YMCA to create a public recreation center that provides a significant benefit to the entire community, filling a wider need for recreational and educational opportunities, and also incidentally supporting other commercial businesses in Sumner. Part of this partnership involved the City providing an area for wetland mitigation off-site on City-owned property, as allowed by applicable wetland regulations. One of the goals in the 2020 East Sumner Neighborhood Plan is to explore the feasibility of a City-sponsored, neighborhood-wide mitigation program that would benefit all of the owners of wetland property there.
- Regarding wetland mitigation opportunities: The Resource Protection Zone will limit the ability of individual property owners to develop commercial uses in that zone even if they could provide their own wetland mitigation. Keeping the area as General Commercial maintains the remote possibility that a property owner could afford to mitigate the wetlands and develop them. However, providing the amount of wetland mitigation that would be needed, especially on a parcel-by-parcel basis, would be extremely difficult and very expensive. The square footage of wetlands filled must be mitigated/replaced elsewhere with a much higher square footage and higher quality wetland, and would likely require additional land to mitigate wetlands off-site. A Resource Protection zoning on City maps identifies the wetland areas very clearly as restricted, and can prevent false assumptions in the future about the development potential of a property. Additionally, property owners may enjoy a tax benefit on the portion of the property zoned Resource Protection.

Letter 5: George J. Josten

Response: The comment indicating support for the Josten parcel on 64th Street East to have a General Commercial zone with a wetland delineation is noted and forwarded to City decision makers.

Letter 6: James Lindsey

Regarding the concern to maintain residential character of neighborhood near 1616 Main Street, the proposed zoning changes for the School District property and 4 other commercial sites on Main Street are not intended to change what is there. These sites are already being used as school sites, or commercial businesses, and the proposal will make the zoning consistent with the uses.

7: Planning Commission Public Hearing

7A: Ebsworth, Cheryl, Apex for Corliss Resources (testimony)

Comment Summary: Corliss Resources submitted concerns about the text of allowed uses in the ESNP in order to maintain their existing use. The update does not appear to impact the current use, but owner would like to ensure that the Corliss site can continue to operate.

Response: See Response to Letter 3.

7B: Esquerra, Al (testimony)

Comment Summary: Asked a question about the intent of the natural resource zoning of the central

wetland areas. Asked why wetlands appear to have expanded. Raised some questions about whether the rezone would make most of the land unusable and supported the earlier proposal for a road extension.

Response: Regarding a possible expansion of wetland area: The City keeps a general “wetlands map” showing roughly where wetlands might be located throughout the city. The locations are general estimates, based on regional information, and aerial photos, and is not fined-tuned to the city-scale or specific to a property. Prior to development, property owners are required to hire a consultant themselves to prepare a more detailed wetlands delineation study; however, to aid the City and property owners in determining development potential on their properties, the City solicited the updated wetland mapping. There has been no known expansion of wetlands in this area. The 2020 wetlands study that the City conducted was the first on-the-ground study of this area, and therefore has provided a more accurate depiction of the actual wetland areas that already existed. See also Response to Letter 4.

7C: McCann, Clay (testimony)

Comment summary: Concerned with the extent of the resource zone area that is outlined on his property and not clear what the City's plan is for that area. Asked what is the brown zoning area also shown on his property.

Response: The “central wetlands” area in East Sumner has been zoned as commercial for many years. However, most of this area cannot be developed into commercial uses because there are extensive wetlands present that are protected by State and City regulations, and that would require cost prohibitive (in most cases) mitigation before those portions of the properties could be developed.

- Regarding Resource Protection zone on the property: To help property owners better understand the extent of the wetlands, the City in 2020 took the initiative to complete a multi-property wetlands study. The City's 2020 wetland study now shows more clearly the line between developable and non-developable areas. The City is proposing to rezone the wetland(s) to Resource Protection since these are largely undevelopable, and to keep the developable areas zoned as General Commercial. The rezone doesn't change what's on the ground; it simply shows the extent of existing wetlands, and separates out wetland areas from non-wetland areas. The property owner may also qualify for property tax reductions based on this zoning.
- Regarding proposed brown-shaded zone: The City is proposing a High Density Residential (HDR) zone at the corner of 160th Avenue East and 60th Street East, which generally covers the developable, non-wetlands part of this property. The HDR zone provides for reasonable use of the property and may be developed at 40 dwelling units per acre.
- Existing house on the property: The buffer that extends across the house would not be counted as a buffer since it is a legally pre-existing developed area. The proposed regulations include provisions for a single family home to be maintained and expanded, so long as expansion occurs away from the buffer; and there appears to be room on this parcel to expand toward the street.

7D: Urback, Mary Sumner- Bonney Lake School District (testimony)

Comment summary: Shared the school district's plan and position to re-designate recently acquired properties to public facilities.

Response: The comment is noted and forwarded to City decision makers.

8. City Council Public Hearing

Letter 8: Lynn, Bill (Letter on behalf of Al Esquerra)

Response: The premise underlying the comments is that the change in zoning to Resource Protection District (RES zone) makes the subject parcel unusable. That is not accurate. It is the presence of existing Category 3 wetlands and the required 60-foot buffer that makes most of the subject parcel undevelopable without significant and costly mitigation. There remain allowable uses available with the RES zoning designation. The proposed RES zone is overlaid on the wetlands, denoting where wetlands begin and where further commercial development is restricted.

- Regarding reasonable use of the property: The parcel would have a split zone, providing for a continued reasonable use of the parcel. The area within the RES zone may be developed with low-impact uses that do not impact wetlands. Existing legal uses may continue consistent with the City's nonconforming use code. The area outside of the wetlands/buffers retains its commercial zoning and potential for a wide range of uses and development at 40 dwelling units per acre. A Resource Protection zoning on a parcel can qualify the area for tax credits, rather than being taxed at a higher commercial rate. Credits are established through the Assessor's Open Space Public Benefit Program, and a property may receive an estimated 40-60% reduction of the assessed market value.
- Regarding the public benefit of a RES zone: Applying the RES zone is not essential to protecting the wetlands; the City's existing "critical areas" regulations, most of which are mandated by the State, already provide protection for wetlands and buffers. However, there is a benefit to applying the RES zone.
 - The RES zone allows uses that are less-intensive than commercial uses and, therefore, would result in fewer impacts on wetlands than commercial uses. Also, it is a pro-active means of avoiding wetland impacts altogether. For example, there would be less pavement and runoff to mitigate, and uses abutting wetlands would be less intense.
 - City wetland regulations require that developers demonstrate that they have complied with wetland **avoidance** as the first priority in wetland mitigation. Low impact uses help achieve this priority by reducing the need to fill wetlands in the first place.
 - The application of the Resource Protection District to the central wetlands area is consistent with its purpose as stated in the Zoning Code: "A. To protect natural resources such as agricultural, mineral resource, fish and wildlife habitat areas from the intrusion of non-resource based development; B. To promote the conservation of natural resource lands...; and C. To maintain large areas free of impervious surfaces in order to increase the potential for natural infiltration of rainfall..."
 - Showing the restricted wetlands area on the City zoning map will clearly show the extent of wetlands, and can protect unwitting buyers in the future from purchasing "commercial" property that is almost impossible to develop as commercial.
 - For these reasons, it is in the public's interest to promote a higher level of wetlands protection through the application of the RES zone.
- Regarding apparent increase in wetland area: The City does not tell property owners that it's adopted wetland map shows all wetland areas, and there is a disclaimer on the map to that effect. Wetland areas have not been expanded. The City's 2020 wetland study now shows a more accurate location of wetlands. The City's updated mapping does not replace the requirement that property owners obtain their own wetland delineation/study as part of the permit process prior to developing property. See response 7F.
- Regarding the statement that consideration was given to buying the property: The City has never proposed buying the property. In public presentation materials for the East Sumner

Neighborhood Plan update, the “central wetlands” area (about 12 acres) was discussed at times as a potential future park or central mitigation opportunity. However, if at any point in the future, the City desires to make a public use of the property, the City would be required to purchase or otherwise acquire the property and provide the property owner with just compensation.

- See also Letter 4 and Response 7B.

Letter 9: Bort, Whitney (Letter-email)

Response: See Letter 2

8A: Esquerra, Al (testimony)

Comment Summary: Provided a diagram of the area of his property impacted by wetlands. Expressed concern that the natural resource zoning of the wetland areas would make his property unusable for any meaningful private use. The financial impact of this should be evaluated and considered. Also, it sounds as though the City is proposing a nature park; the City should compensate owners if taking the land for a park. Wondering why the City helped the YMCA with wetland mitigation but not other property owners. Believes that individual owners should have the option to complete wetland mitigation on their own.

Response: See response to Letter 4 and Letter 8.

8B: Troupe, John (testimony)

Comment summary: Speaking on behalf of client who has 2 properties to east of veterinary clinic (2 properties starting at 16208 60th Street East). Wondering how much square footage is taken away by the wetlands and buffers, and whether there is any option to mitigate those. Also, would there be compensation for land taken away. Wonders why City biologist wasn't able to access his client's property for the wetlands study.

Response:

- Regarding determining areas encumbered by wetlands: Wetland maps and proposed zoning maps have been available on the City's website; these maps help show the area proposed for Resource Protection zone. The 2 subject properties are proposed for Resource Protection where there are wetlands, and High Density Residential (HDR) in the more developable areas along 60th Street East. The proposed HDR zone is over 300 feet deep on these properties, similar to the existing HDR zone across the street. The HDR zone provides for reasonable use of the property and may be developed at 40 dwelling units per acre.
- Regarding the wetlands study: For many years, staff has heard from East Sumner property owners that understanding where wetlands are located is important to them in order to market or develop their property. Wetland studies can be very expensive and are typically only completed late--when permits are ready for submittal. To help property owners better understand the extent of the wetlands on their properties, and thus the development potential for the East Sumner parcels, the City initiated a wetlands study in 2020. Letters were sent to all property owners in April and May requesting permission for the biologist to access the property. There were several other mailings to East Sumner property owners during the drafting of the Plan. Staff did not receive a response regarding this property, so the biologist did not have express authority to enter the property for purposes of the study.
- See also responses to similar questions under Letter 4, Letter 8 and Response 7C.

8C: Urback, Mary, Sumner Bonney Lake School District (testimony)

Comment summary: In support of the proposed map changes, noted that change in designation of school district properties to Public-Private Utilities/Facilities is consistent with the Comprehensive Plan policies. Cited several policies that apply. Also noted proposal's consistency with direction in the GMA. Response: Comment noted and forwarded to City decision makers.

8D: McCann, Clay (testimony)

Comment summary: Regarding property at 16322 60th Street. Notes that most of the property has wetlands and a buffer mapped across it. Wondering why the City parcels along Sumner-Tapps are not shown as wetlands. Also asked whether the Resource Protection District means preservation and "lock up" the land from development, and is the City going to "take" the land or devalue the land so that it could be acquired at little cost.

Response:

- Regarding City wetland parcels: The City parcels to the east are also wetland areas. Since the City previously conducted wetland studies for these parcels, there was no need to repeat that in 2020. City parcels there and along Salmon Creek are also proposed for Resource Protection zoning.
- Regarding the restrictions of the Resource Protection District: The property would have split zoning, with Resource Protection zoning on wetland areas and High Density Residential (HDR) zoning along 60th Street East. As staff discussed with the owner, the existing dwelling would qualify for the single-family home expansion under the existing code (expand up to 25% outside of wetland areas). The Resource Protection zone is much more restrictive than the current commercial zoning, but may be developed with some low-impact uses. It does not render the property completely unusable, it just can't be developed as commercial. The combination of HDR and RES zoning provides for reasonable use of the parcel.
- Regarding City acquisition of the land: The City is not proposing to acquire the wetland areas from the owner. The purpose of the Resource Protection District is to better protect the wetlands in the area, and to have the zoning actually reflect the reasonable use and realities of the property. See also Response 7C.

8E: Whitney Bort (testimony)

Comment summary: Agrees with some of the comments. Concerned that the land will be "taken." They bought their property (16401 64th Street East) with hopes to expand the business and do not want the opportunity taken away.

Response: See Letter 2.

State Comments during 60-Day Review Period

Comments: WDFW (The Washington Department of Fish and Wildlife) is particularly interested in protecting wetlands (especially wetland complexes) which are "riparian-adjacent," as these ones are, being immediately west of Salmon Creek, which is a known Coho (and possibly Chinook) fish-bearing stream, and thus a designated Priority Habitat. The area immediately across the Salmon Creek from the wetland complex (to the east) already has a large commercial development and so the importance of the wetlands on the west side of the creek as contributing to riparian habitat is especially important. Additionally, not far to the north of this area of Salmon Creek is a large terrestrial Priority Habitat (Biodiversity Area and Corridor) which still has some connectivity to those wetlands through/around Salmon Creek. For these reasons, it is difficult for us to see how we could support any residential zoning within/across wetlands and their buffer areas, even at low density. Further, we have concerns about certain permitted uses that may be allowed under the RES zone: Modest parks and trails

seem appropriate, but it is hard to imagine agriculture and/or forestry land uses that would be suitable.

Response: The subject area encompassing the wetland and Salmon Creek is currently zoned General Commercial. The City is proposing Resource Protection zoning rather than General Commercial zoning in the area where a wetland has been delineated in order to recognize the sensitivity of the wetland and Salmon Creek.

Consistent with the Growth Management Act and case law, zoning is applied to each property in East Sumner, and the parcels are often split zoned so the more intensive zoning of General Commercial or High Density Residential is applied to developable areas and Resource Protection zoning is applied to portions of parcels that are less developable due to the presence of the wetland or its buffer.

Just like any parcel that is zoned, full utilization of a parcel for uses allowed in the zoning district is not possible when there is a wetland or other critical areas, and the City's critical areas regulations would apply. Thus, new agriculture or new residential uses would be difficult to achieve and meet mitigation requirements, and are unlikely. It is possible that some limited recreation uses that are compatible with the wetland could occur. There are some nonconforming uses that can continue.

For the vast majority of the city limits, Sumner has zoned territory for urban uses and densities. The City has upzoned areas that are freer from constraints like the Town Center in 2018. In portions of the East Sumner area, the commercial and multifamily zones were allowed more densities in 2019. Now, the City wishes to recognize the wetlands and Salmon Creek areas with an appropriate zoning designation of Resource Protection. The City may deviate from urban densities in certain circumstances as described in state rules:

WAC [365-196-300](#) (4) (g) Counties and cities may designate some urban areas at less than urban densities to protect a network of critical areas, to avoid further development in frequently flooded areas, or to prevent further development in geologically hazardous areas. Counties or cities should show that the critical areas are present in the area so designated and that area designated is limited to the area necessary to achieve these purposes.

Changes to urban designations to protect critical areas and allow lower densities and clustering have been upheld in case law before the Growth Management Hearings Board, such as:

- Golden Gate Ventures, LC v. City of Chelan, Case No. 18-1-0002, 2018
- Abbey Road Group, LLC, et al v. City of Bonney Lake, 05-3-0048, 2005

Ann Siegenthaler

From: theprintshopsharon@earthlink.net
Sent: Tuesday, December 1, 2020 12:13 PM
To: Ann Siegenthaler
Subject: Rezoning on Main st

EXTERNAL EMAIL
EXTERNAL EMAIL

Hello Ann,

Ref: Planned rezoning.

I live at 1812 Main Street. I am concerned about the planned rezoning of the 1907-1915 Main Street. I have lived in me home for more than 40 years and have seen the city change. Needless to say I feel that the possible resale of my property is not the best. Was not happy when McDonald became my view from my back door and the two story structure right next door with two business and two apartments plus the parking lot view. Not the best selling feature for someone to be interested in purchasing a home. So my question to you is what type of commercial building and business is being planned for the 1907-1915 lots. I already endure the addition traffic that passes my front door every day, there is no stop to the continuous traffic and noise it produces. I will hope that the city council takes my concern to heart.

Respectfully yours,

Sharon L. Bartkowski

Ann Siegenthaler

From: Whitney Bort <wbort13@yahoo.com>
Sent: Tuesday, December 1, 2020 3:34 PM
To: Ann Siegenthaler
Subject: East Neighborhood Plan

EXTERNAL EMAIL
EXTERNAL EMAIL

Hi Ann,

I just wanted to reach out and submit a few comments about the East Neighborhood Plan. I own the business at 16401 64th St E and am planning on expanding in the future. Currently my business is ran out of the building in the front of the parcel and I would like to use the backside of my parcel to expand. The options shown on the cities website shows that #2 or #3 seems as though the city would want the back half of my parcel.

I also have questions on how the cities plan will be paid for, traffic impacts and how they are planning to acquire the land. I will be attending the meeting on Thursday so I will ask them then, but I wanted to let it be known for my plans for my parcel. I look forward to the meeting.

Thanks
Whitney Bort
425-786-6877

Corliss Resources comment on the 2020 East Sumner Neighborhood Plan (ESNP) Update Draft to the Planning Commission.

We understand from page 4 of this document that this ESNP update will guide growth over the next 20 years. Further, we see a description of the existing Corliss site in The Planning Area description below.

Excerpt from the Draft ESNP Introduction

The Planning Area

The East Sumner planning area is approximately 174 acres of lowland located in the eastern portion of the City of Sumner. The area is bordered by five roadways—160th Avenue East, 64th Street East, Main/60th Street East, Sumner-Tapps Highway East, and State Route 410, and Salmon Creek cuts through the eastern portion of the neighborhood.

A gravel quarry and cement plant occupy most of the ESNP area east of Salmon Creek, and though isolated from the rest of the project area, the plan boundary includes the site because of its long-term potential for commercial and residential development along Sumner-Tapps Highway when the mining site is reclaimed. The 2020 ESNP planning analysis and recommendations focus on the central portions of the project area west of Sumner-Tapps Highway East because a) the main goal of the Plan update is to address conditions in the central neighborhood, and b) the quarry and plant property owners have not expressed interest in converting the site to commercial or residential uses in the near future.

Corliss would like to reiterate that the existing facility is not expected to reclaim in the next 20 years. In fact, it is likely that the facility will remain in operation for at least the next 40 years. Page 35 of the draft ESNP update does show the Alternative Plan I plan from Community Outreach in 2019. In this alternative the majority of the Corliss site was removed from the ESNP. While removal is preferred by Corliss Resources based on longevity of the use, the ESNP does describe that there is no intended change which would affect or hinder the existing industrial use of the Corliss site.

Corliss would like to see language added to this description which makes it clear that continued operation, expansion and modernizing facilities over time is expected and does comply with the East Sumner Neighborhood Plan.

Corliss also acknowledges that this ESNP update will result in zoning text amendments to implement the new policies. Corliss is requesting that the clarity requested in the ESNP update is also carried forward to a text amendment. In an effort to have a clear request, a change is proposed below to SMC section

18.30.020 in redline format. This is a suggestion and we defer to staff expertise on exact wording and code location. As an industrial base zoning designation is M-1 or M-2 and as an overlay for those zones is not listed above, it is clearer to omit the sentence to avoid a misinterpretation of not allowing industrial uses.

18.30.020 Districts where permitted.

The East Sumner urban village overlay may be applied with LDR, MDR, HDR, NC and GC base designations. ~~It shall not be applied with any industrial base designations.~~ The extent of the urban village overlay district shall be consistent with comprehensive plan land use map. (Ord. 2534 § 1 (part), 2015; Ord. 1694 § 1, 1995)

We thank you for your review of our comment on the East Sumner Neighborhood Plan update. Please feel free to reach out with any questions.



Cheryl Ebsworth

Senior Planner



2601 S. 35th St. Ste. 200 | Tacoma, WA 98409 | O 253.473.4494 x1328 | F 253.473.0599

ebsworth@apexengineering.net

www.apexengineering.net

Apex Engineering has retained a copy of this work. In forwarding this data we are authorizing its subsequent use by you. We are not authorizing any changes to any portion of the work. Any modifications made to the data without our consent will result in an immediate invalidation of the work and assumption of full liability by you. If you discover any required changes, please contact the project manager at 253-473-4494. We will then oversee any and all revisions.

Dear Ann, City Council and Planning Commission,

My name is Al Esquerra and my wife and I own the property at 16313 64th St., Sumner. Thank you for holding the public hearing to discuss the environmental impact statement draft SEIS and updated plan of action ordinance. I attended the December 3rd meeting and was very surprised to find out that there were no plans to remediate the wetlands. Many of us had planned on selling to developers or developing the property ourselves. I am very much in favor of the decisions that were made in 2015. I feel that the decisions being made now need to be re-thought for the benefit of those that are going to be the most affected. When I first heard of the plans I thought the city probably wants the land for a park and they are going to purchase the property and develop the park. That doesn't seem to be the new plan which is to restrict the wetlands from being developed and no compensation will be given to those around the property or allow for future development. Please reconsider and put yourself in our situation. Traffic on 64th St. is terrible and we need a 62nd St. I was told that the reason 62nd St. was not going to be built was there is no interest and that is not true.

From looking at your map wetland regulations update and attending the meeting on Dec 3rd it appears that the YMCA building was part of a remediation that the city partnered with. As a property owner I would like to have the same consideration for a partnership for remediation. Or in all fairness to keep the plan that was created in 2015 that would allow us to develop and remediate our own properties. Let the market determine if remediation is a viable plan. The re-zoning of our land as a wetland buffer results in an economic hardship. If the city is interested in purchasing the property to protect or develop please make a fair market offer.

Respectfully,

Al & Darlene Esquerra

Ann Siegenthaler

From: George Josten <georgejosten@gmail.com>
Sent: Sunday, November 29, 2020 7:40 PM
To: Ann Siegenthaler
Subject: East Sumner Neighborhood Zoning

EXTERNAL EMAIL
EXTERNAL EMAIL

Hi Ann,

I like the current plan where the Josten parcel is zoned general commercial with a wetlands delineation. Thanks for all of your hard work on this project. We will tune into the upcoming open house to show our support.

Thanks,

George J Josten



Cell: 253-948-6272

Email: georgejosten@gmail.com

City of Sumner - Response
1104 Maple Street
Sumner, WA 98390

Notice of Public Hearing on Rezones and new regulations; virtual Hearing 12/3/2020 and

Notice of Public Hearing on Map changes and Rezones; Virtual Hearing 12/3/2020 6:00 pm

Dear Sirs,

I am James Lindsey, the property owner of 1616 Main Street in Sumner and I and my property will be the most effected by the proposed changes of land use.

I object to the expansion plans as the originally developmental process was to maintain the residential nature of the neighbor up to Main street. I understand needs and concepts change over time but my residential property is losing its flavor; if the City desires to change directions I would like to vacate my residential property for a less commercial and more residential site.

I would be open to selling my property to the City or school district, at its current market value, if the City moves forward with it's planned changes. I have to object to the City of Sumner expansion plans as my property will change in nature.

Thank you for your time and consideration.


James Lindsey 11/25/2020

Property Owner and lifetime residence

1616 Main Street Sumner, WA. 98390-1814

CITY OF SUMNER
RECEIVED

DEC 01 2020

DEVELOPMENT SERVICES

William T. Lynn
Direct: (253) 620-6416
E-mail: blynn@gth-law.com

February 8, 2021

Mayor Bill Pugh
Members of Sumner City Council
1104 Maple Street
Sumner WA 98390
mayorbill@sumnerwa.gov

RE: East Sumner Zoning

Mayor Pugh and Members of City Council:

We are writing on behalf of Al Esquerra, the owner of property at 16313 64th Street in the East Sumner Neighborhood. His property has been zoned General Commercial (GC) for many years. That is why he made the investment. He objects to any proposal to change the zoning to Resource Protection (RES) as it is both unnecessary and unreasonably impairs the likely and reasonable uses of his property. It would hurt him without providing any overriding public benefit.

The northern part of the Esquerra property is impacted by wetlands and buffers. He knew that when he bought it and, after asking City staff, took into account City maps that showed the extent of that impact. The maps the City recently commissioned show vastly increased wetland impacts on the property, to the extent that the entire north half may be virtually unusable. The cause of that increase has not been established. It could be from increased runoff from nearby development, obstruction of historic drainage, or more detailed mapping, likely some combination of those. In any event the result is startling and alarming even without a proposed zone change.

Now some in the City are proposing a rezone of the north part of his property to RES, the most restrictive zone in the City. That zone effectively allows no use that would return the investment of an owner, certainly no reasonable use of property being taxed as commercial land. At some point in the East Summer review process, consideration was given to buying the RES property (from Mr. Esquerra and other affected owners) and making it a public park or a wetland mitigation area with public access. That was a key part of the City presentation in videos etc. and may well have convinced people in the area that they would be compensated for their lost rights. At that time, the RES zoning made some sense as the

Reply to:

Tacoma Office
1201 Pacific Ave., Suite 2100 (253) 620-6500
Tacoma, WA 98402 (253) 620-6565 (fax)

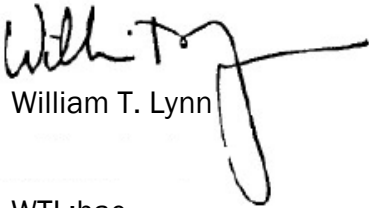
Seattle Office
520 Pike St, Suite 2350 (206) 676-7500
Seattle, WA 98101 (206) 676-7575 (fax)

proposed uses would have been very limited, consistent with the RES zoning. Now, the City seems to have put aside the concept of compensation for the owners, but the very restrictive zoning remains.

There is no reason for this. To the extent there are demonstrated wetlands, the existing City codes will require preservation and buffers. That is already part of the law and the RES zone is not needed to protect that resource. The RES zone will though severely limit what Mr. Esquerra can do with the part of his land that remains usable. Though most of that land is in the south, some usable area may lie north in what could be zoned RES. That is very harmful to the landowner and no legitimate public purpose is achieved by limiting uses so severely.

Frankly, the RES zoning looks like a remnant of the one-time effort to make the land a public park. Certainly, the RES zoning makes the land virtually unusable for any meaningful private use. With that restriction, compensation is appropriate. If the once-planned compensation for property rights is off the table, the dramatic limit on use rights with the RES zoning is unfair and unnecessary.

Very truly yours,

A handwritten signature in black ink, appearing to read "William T. Lynn", with a long horizontal stroke extending to the right.

William T. Lynn

WTL:hac

Ann Siegenthaler

From: Whitney Bort <wbort13@yahoo.com>
Sent: Friday, February 12, 2021 7:50 AM
To: Ann Siegenthaler
Subject: 64th St E

EXTERNAL EMAIL

EXTERNAL EMAIL

Hi Ann,

We are submitting thoughts on 64th St E again and we still want to build an extension of our salon and or use it for a greenhouse. We will be at the next meeting.

Thank you

Whitney & Tyler Bort

[Sent from Yahoo Mail for iPhone](#)

2020 Comprehensive Plan Update and 2020 East Sumner Neighborhood Plan

Study Session – City Council March 22, 2021



Process and Milestones

January 2020—Council invites Comprehensive Plan Amendments

May 2020—Planning Commission approves Docket items

June 2020 – Council reviews Docket items

Summer-Fall 2020—Planning Commission Review

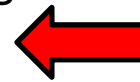
December 2020—Planning Commission Public Hearing

January 2021—Planning Commission Recommendations

February 2021—City Council Study Session

February 2021—City Council Public Hearing

March 2021—City Council Study Session



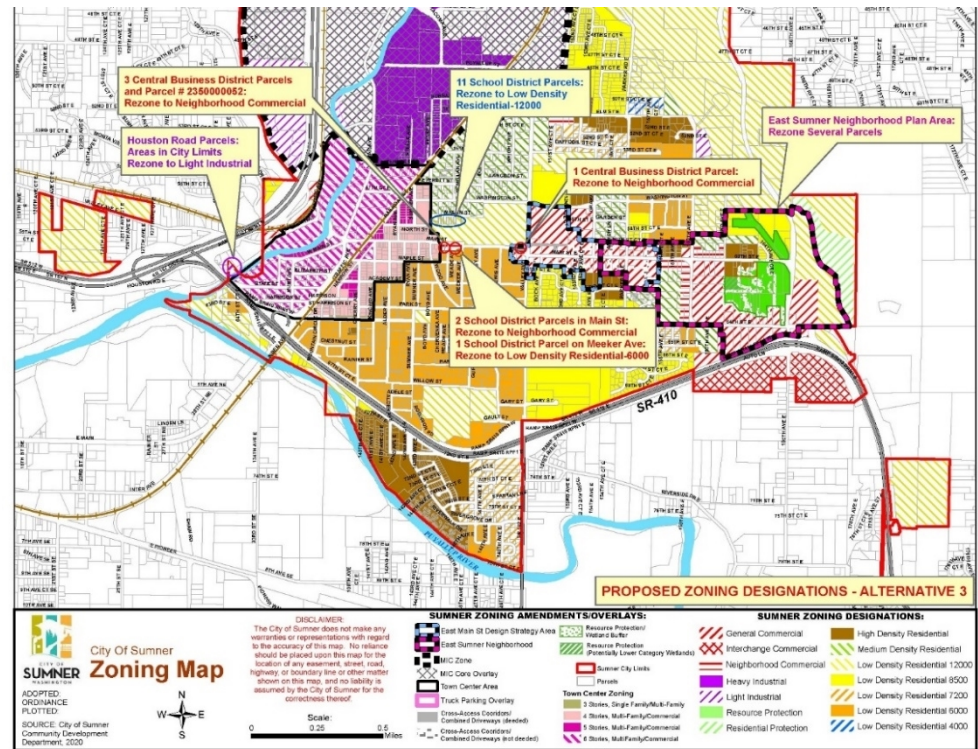
April 2021 – City Council decision

SUMNER CONNECTS webpages have background, documents and notices.

Overview of Proposals

◆ 2020 Update includes a number of proposals:

- ❖ Individual property map changes
- ❖ Policy updates, code changes
- ❖ “Housekeeping” updates
- ❖ Critical areas (wetlands) code update
- ❖ East Sumner Neighborhood Plan
- ❖ East Sumner Planned Action Ordinance
- ❖ Environmental Impact Statement (EIS)



Public Outreach

- ◆ **2020 Update** has included numerous public notices and outreach.
- ◆ **Received comments from 10 different property owners.**
 - ❖ 4 of those comments regarding Resource Protection Zone in East Sumner Neighborhood
- ◆ **Packet for Council includes:**
 - ❖ All comments combined (as of last public hearing date 2/16/21)
 - ❖ Comprehensive Plan Responses to Comments – March 2, 2021

PROPOSED: ZONING MAP CHANGE

PROJECT NAME: HOUSTON ROAD/VALLEY AVE PARCELS

PERMIT NUMBER:
PLN 3030-0018

WHO APPLIED:
K. Weatherbee; D. Guthrie; Houston Road LLC
(3 property owners)

PROJECT ADDRESS:
Addresses: 14 Parcels associated with 13223 and 13105 Houston Rd E, Sumner WA

QUICK STATS:
Comprehensive Plan Map change
Zoning Map change
Approx. 7-acre site

PUBLIC HEARING:
Comment/Listen: 2/16/21 6pm

WHAT IS BEING PROPOSED:
Change the Comprehensive Plan Map from General Commercial to Light Industrial; change the Zoning Map



WWW.SUMNERWA.GOV

Learn more and tell us what you think!


COMMENT BY
In writing: 2/12/21


CONTACT
Ann Siegenthaler
253-299-5528
ansie@sumnerwa.gov


SCAN
WITH PHONE'S CAMERA
TO CONNECT INSTANTLY

East Sumner Neighborhood Plan

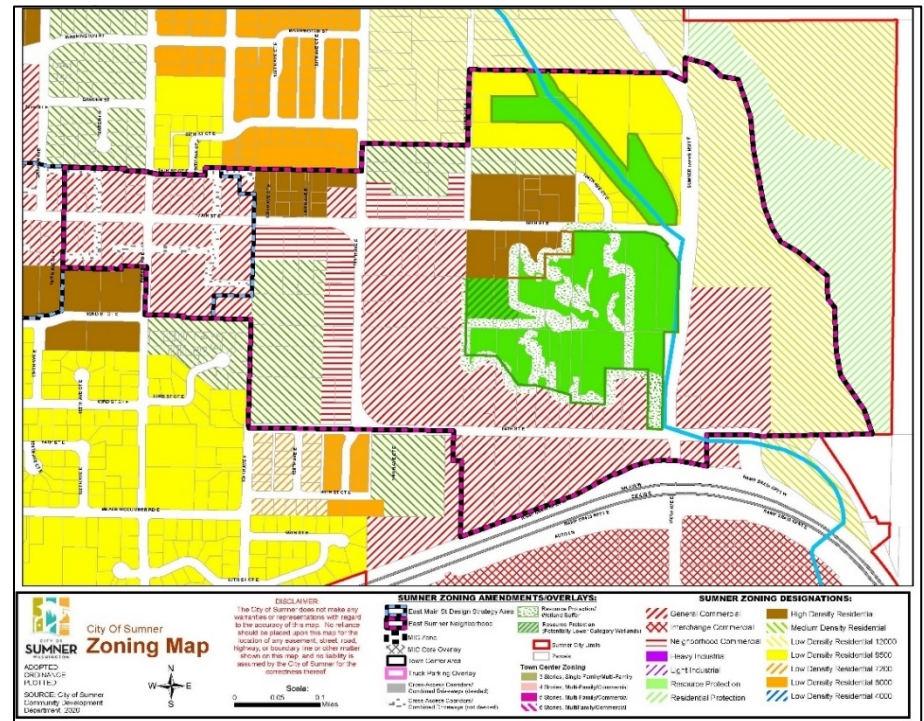
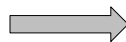
- ◆ East Sumner Neighborhood Plan update, map & zoning amendments



East Sumner Neighborhood Plan

- ◆ **Remove 62nd Street Extension through wetlands.**
- ◆ **Zoning map changes:**
 - Central wetlands from General Commercial to Resource Protection.
 - 1 area of General Commercial to High Density Residential.
 - 1 area from Low Density Residential to Medium Density Residential.

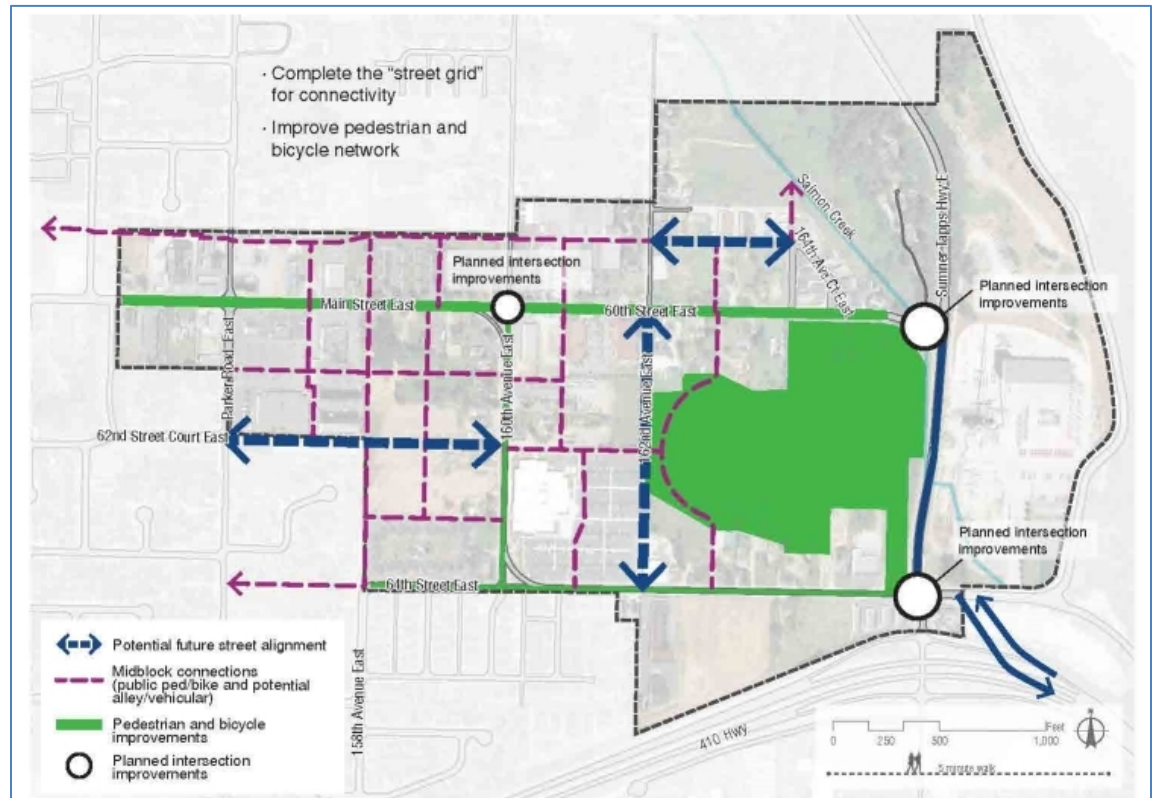
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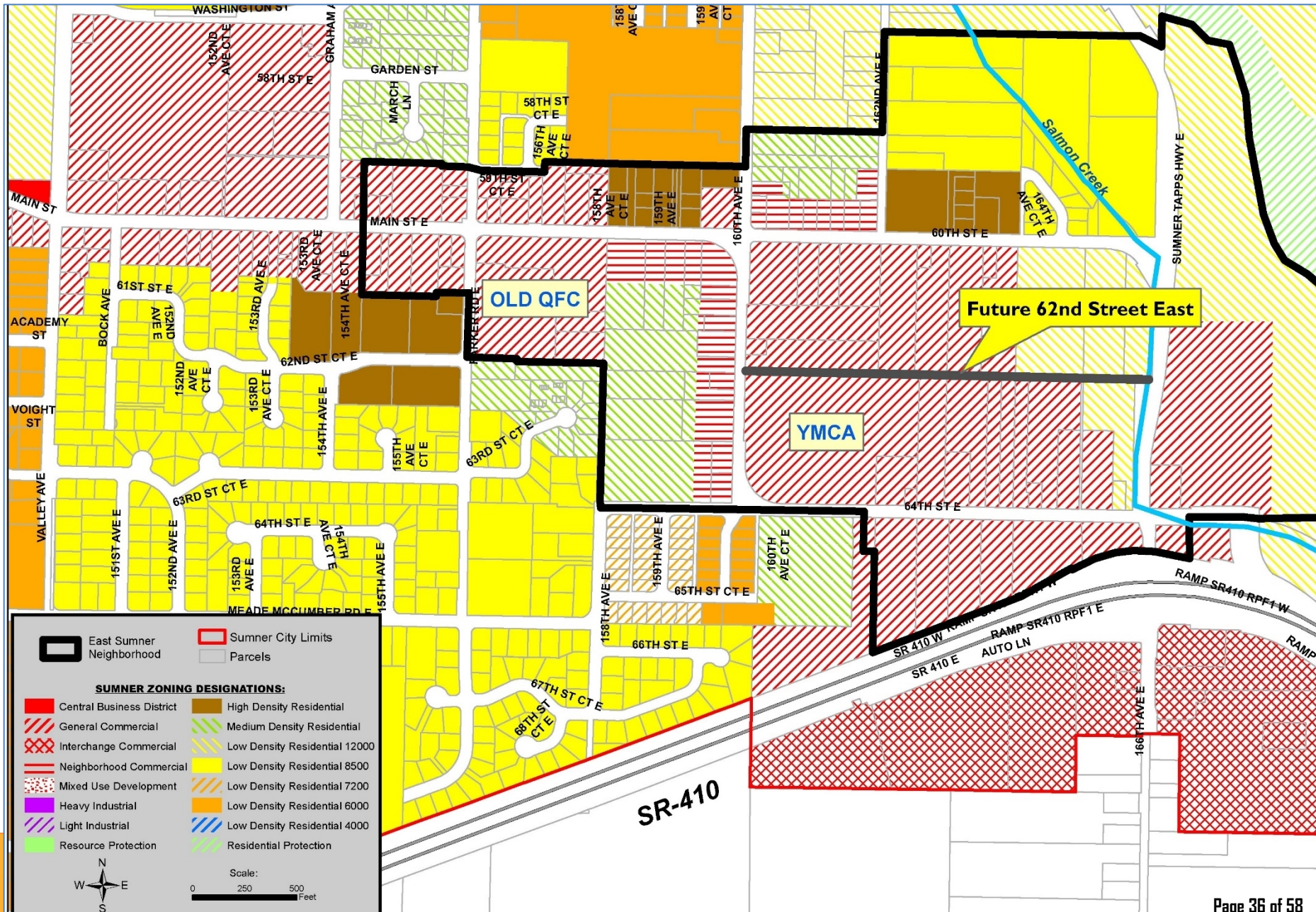
East Sumner Neighborhood Plan, continued...

◆ Regulations & policies updates:

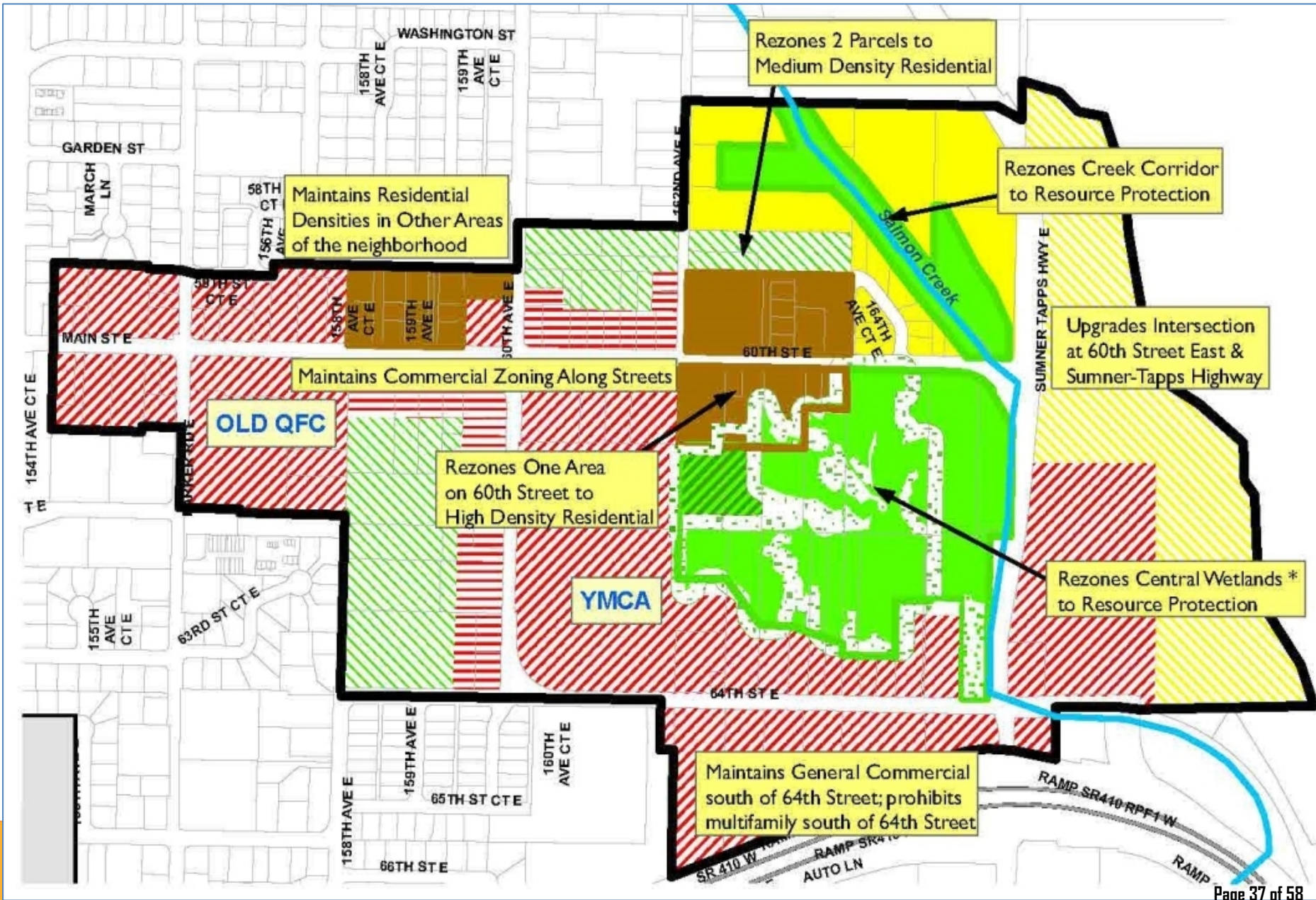
- Support a variety of multi-family residential.
- Support multi-use circulation corridors.
- Update Resource Protection regulations.
- “Housekeeping” code cleanup.



Current Zoning - East Sumner Neighborhood



Proposed Zoning - East Sumner Neighborhood



◆ **Resource Protection Zone (RES zone):**

-
- CITY OF SUMNER**
Zoning Map
- ADOPTED ORDINANCE PD1818-0
JULY 18, 2018
- SOURCE: City of Sumner Community Development Department 2020
- DISCLAIMER:**
The City of Sumner does not make any warranties or representations with regard to the accuracy of this map. No reliance should be placed upon this map for the location of any easement, street, canal, highway, or boundary line or other matter shown on this map, and its liability is assumed by the City of Sumner for the correctness thereof.
- SUMNER ZONING AMENDMENTS/OVERLAYS:**
- East Main St Design Overlay Area
 - East Sumner Neighborhood
 - MWIS Zone
 - TDC Code Overlay
 - West Campus Area
 - North Watering Community
 - Core Access Corridor
 - Central Business District
 - City Access Corridor
 - Overlaid Change (not detailed)
 - Resource Protection Urban Study
 - Reserve Future Potentially Over Category Islands
 - Summer City Limits
 - Purpose
 - Town Center Zoning
 - 3 Stories, Single Family Multi-Family
 - 4 Stories, Multi-Family Commercial
 - 6 Stories, Multi-Family Commercial
 - 8 Stories, Multi-Family Commercial
- SUMNER ZONING DESIGNATIONS:**
- General Commercial
 - Interchange Commercial
 - Neighborhood Commercial
 - Heavy Industrial
 - Light Industrial
 - Resource Protected
 - Residential Protection
 - High Density Residential
 - Medium Density Residential
 - Low Density Residential 12000
 - Low Density Residential 9500
 - Low Density Residential 7000
 - Low Density Residential 5000
 - Low Density Residential 4000

Next Steps

- ◆ City Council discussion at Study Session February 8, 2021
- ◆ City Council Public Hearing – February 16, 2021
- ◆ Study session March 22, 2021



- ◆ Adoption – tentative April-May 2021

Questions?

Ann Siegenthaler, City of Sumner Community Development

253-299-5520 annsi@sumnerwa.gov

DOCUMENTS: <https://connects.sumnerwa.gov/comp-plan>

SUBJECT: Covid-19 Emergency Declaration – Confirmation of Rules and Regulations

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Sumner Pandemic Policy Amended 3.2021_final_signed

STAFF CONTACT: Jason Wilson, City Administrator

SUMMARY BACKGROUND:

On March 12, 2020, Mayor Pugh declared a state of emergency in the City of Sumner related to the spread of the Covid-19 pandemic. Pursuant to SMC 2.76.070, the Mayor is vested with vast power during a state of emergency, including the power to “make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such .” The Mayor’s rules and regulations, however, are required to be confirmed by the City Council at the earliest practicable time following their implementation.

During the City’s March 16, 2020 meeting, the City Council ratified the original rules and regulations that attached to the Mayor’s Emergency Declaration. The rules were amended and approved by Council on April 13, June 2, and December 7, 2020.

On March 8, 2021 the Mayor amended the rules to address clarified guidance from state/local health officials and clarify federal leave laws. The Mayor also adopted a vaccination incentive program, providing an additional floating holiday upon proof of vaccination. Additional provisions were added to address late fees associated with land leases, gambling taxes and commercial parking taxes.

This item is scheduled for council consideration on April 5, 2021.

COUNCIL COMMITTEE/STUDY SESSION:
--

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:



RULES AND REGULATIONS GOVERNING COVID-19 PANDEMIC

Updated March 8, 2021

1. PURPOSE: Following a Proclamation of Emergency, and pursuant to the City's Emergency Management Policy (SMC 2.76) and the powers vested in the Mayor following a Declaration of Emergency, this policy was created to provide guidance in the event a pandemic illness is expected to or currently is taking place that may affect the operations of the City of Sumner and pose a risk to staff and the community at large. These rules are specific to this instance, are subject to revision at the Mayor's discretion, and shall not be interpreted to set any precedent the emergency or disaster for which they are specifically implemented.

2. SCOPE: This policy applies to all City of Sumner departments and employees, irrespective of exempt or non-exempt status or membership in any union within the City of Sumner.

3. DEFINITIONS:
 - A. City Hall Public Access Restrictions: the closure of City Hall and all other City Facilities from public access but shall not mean the closure of business operations inside City Facilities or the City.
 - B. Shelter in Place Closure: Means an order by the Governor, state or local department of health, or other entity with authority, prohibiting Washingtonians from leaving their homes except for absolutely necessary purposes and where City employees are expected to work remotely if capable and continue to report to work if unable to work remotely so as to continue the provision of necessary and essential governmental services.
 - C. City Facility Complete Closure: a complete closure of all services as ordered by the Governor, state or local department of health, or other entity with authority, where City employees are not expected to work remotely, except those essential governmental services necessary for the life and safety of the City and its community members.
 - D. Epidemic: a widespread occurrence of an infectious disease in a community at a particular time.
 - E. Pandemic: a disease that is prevalent over a region, country, or the world as declared by any national, state or local health department (see 6A below).

4. REFERENCES:
 - A. Chapter 7.05 RCW – Local Health Departments
 - B. Chapter 7.08 RCW – Combined City-County Health Departments
 - C. Chapter 70.26 RCW – Pandemic Influenza Preparedness
 - D. Chapter 2.76 SMC – Emergency Management
 - E. City of Sumner Comprehensive Emergency Management Plan (2013)
 - F. City of Sumner Personnel Policies
 - G. Washington Department of Health: doh.wa.gov
 - H. Tacoma Pierce County Health Department: tpchd.org

5. POLICY: It is the policy of the City of Sumner to take all appropriate measures needed to address a pandemic. Protecting the community and City staff are the top priority and this policy establishes some of the actions that may be taken, and the authority granted to address a pandemic.
6. PROCEDURES: The following procedures are created to minimize disease exposure and maintain continuity of City operations in the event that a pandemic becomes a threat to City employees, their families, and the community at large.
 - A. Declaration of Pandemic: Public health professionals at organizations such as the Centers for Disease Control and Prevention (CDC), Washington State Public Health Department, and/or Tacoma/Pierce County Health Department may declare that a pandemic or related public health emergency exists. Such declarations may contain instructions to both private and public sector entities which will be followed by the City as applicable.
 - B. Procedures to help minimize the spread of germs: Employees are urged to practice standard Non-Pharmaceutical Interventions (“NPI’s”), including wearing a face covering, covering coughs by coughing into their elbows or into a tissue, regular hand washing, regular use of alcohol hand sanitizer, and avoiding touching eyes, nose, or mouth. Hands and work surfaces should be disinfected frequently. Employees are also urged to utilize physical distancing such as maintaining a distance of six feet from others when practical to do so. In the event that it is not possible to physically distance, employees are required to wear PPE when interacting with other employees, citizens and customers. All employees will be required to comply with any personal protective equipment requirements as outlined by any federal, state or local health official or authority. Employees who do not feel comfortable following requirements should request a medical accommodation through Human Resources which will require a doctor’s certification per City of Sumner Personnel Policy sections 2.2.1 – 2.2.3.
 - C. During times of Declaration of Pandemic:
 - i. Employees who have a communicable illness or are experiencing flu-like symptoms are encouraged to stay home, take accrued leave and consult their physician.
 - ii. Employees reporting to work who exhibit symptoms of a communicable illness will be sent home by a supervisor after consultation with the HR Department, and encouraged to consult their physician. The employee shall be required to utilize accrued leave, if any, pursuant to the Personnel Policies or applicable collective bargaining agreement if they are sent home due to symptoms of an illness.
 - iii. If the illness of an employee or member of an employee’s household interferes with reporting to work in a timely manner, the employee is responsible for notifying their supervisor pursuant to the provisions of the Personnel Policies or applicable collective bargaining agreement. Employees must not return to work until they have been free of illness symptoms (fever, chills, sore throat, loss of taste or smell etc.) following the current CDC or Health Department guidelines, or deemed no longer infectious by a medical professional (i.e. negative test result).

iv. Employees are required to utilize their accrued sick or vacation leave, compensatory time, floating holidays, management leave, banked holiday leave or any other paid leave accrued by the employee while recovering from or caring for a spouse, dependent, or any other covered person recovering from illness, consistent with Section 8.3 of the Personnel Policy.

~~iv.v. When traveling internationally for non-work purposes, employees are required to follow any local, state, or federal quarantine guidelines before returning to in person work. Employees are required to utilize their accrued sick or vacation leave, compensatory time, floating holidays, management leave, banked holiday leave or any other paid leave accrued by the employee while on travel related quarantine.~~

~~v. The Families First Coronavirus Response Act (FFCRA) is hereby incorporated by reference as if fully set forth herein. If any term of this City policy conflicts with the terms of the FFCRA, the FFCRA shall govern.~~

vi. When quarantine of an employee is ordered by State or County Health Officials due to a pandemic illness, any accrued leave may be taken for the period of quarantine, ~~including emergency sick leave provided under the Families First Coronavirus Response Act (FFCRA).~~

vii. Employees who stay home due to the closure of a dependent's school for a health reason shall be permitted to use any accrued leave consistent with Section 8.3 of the Personnel Policy, ~~including emergency sick leave and FFCRA Expanded FMLA provided under the Families First Coronavirus Response Act (FFCRA).~~

viii. Employees who have exhausted all accrued leave of any type to cover their pandemic related absence may be eligible for Shared Leave as outlined in Section 8.6 of the Personnel Policy ~~will be entitled to continued pay and benefits for the entire duration of their reasonable absence, but for each additional day absent beyond the employee's accrued leave banks, the employee's vacation leave bank will be debited into the negative, up to a maximum of 40 hours, that can be earned back consistent with SMC 2.100.610. Employees who separate from employment prior to returning their vacation leave bank to a positive amount will see the leave amount that is in arrears deducted from their final paycheck.~~ Alternatively, employees who have exhausted all accrued leave may elect to take leave without pay (LWP) for a pandemic related absence with pre-approval from the City Administrator consistent with Section 8.12 of the Personnel Policy.

ix. At the Discretion of the City Administrator or designee, City Hall may alter its business practices, hours of business, and services provided. Examples of potential measures that could be taken include but are not limited to:

- a. The City may implement temporary emergency procedures to minimize in-person contact between employees. Such measures may include

greater use of e-mail, phone, and teleconferences as opposed to in-person meetings and contact.

- b. **Reduced Counter Service:** The City may alter how it conducts business with the public by limiting or halting services at counters/areas of the City Hall and other facilities where front-line services are typically provided.
- c. **Telecommuting:** Some staff, with the ability and technical capability to work from home, may be pre-authorized or assigned by their supervisor to work from home on a partial or full-time basis. Employees who are authorized or encouraged to telecommute shall not be required to use their accrued leave except as would otherwise be applicable for absences (appointments, vacations, etc) from normal working hours. If an employee is unable to telecommute due to loss of power, internet outage etc, they will be required to use accrued leave when not working.

7. City Service Levels

A. City Hall Public Access Restrictions

- i. **Purpose:** To maintain the provision of services and operations while ensuring proper physical distancing. During this response level, all normal city services are provided, but may be provided by phone, e-mail or by appointment.
- ii. **Staffing:** Most City Hall employees will continue to work from home, including answering their desk lines and public lines that are routed to them. If someone comes to City Hall and needs service that can't be provided over the phone or online, a staff member, after determining that the customer's request is not something that can be handled by means other than in-person, may greet and escort them into the building for service. Employees should doorway triage—if the customer is exhibiting cold/flu symptoms ask them to leave and provide services in some other manner and maintain proper physical distancing techniques while providing service. Additionally, the employees at work are a resource for the employees working from home and should be utilized to provide in person services if needed.

While a City Hall Public Access Restriction is in place, employees may come into City Hall to pick up additional work, drop off work product, get IT services, etc, but while in City Hall, employees are required to limit all in-person contact, wear a face covering if mandated and be sure to practice good hygiene.

Typical staffing during City Hall Public Access Restriction, should include:

- 1 Police Records Specialist

- 1 Employee capable of issuing a permit and answering permit questions (as determined by Development Services Director)
- 1 Employee capable of taking payments (as determined by Administrative Services Director)
- 1 Engineer (as determined by PW Director)
- 2 Engineer Technicians¹
- 1 Building Official²
- 1 IT Employee
- 2 Department Directors per day (as determined by the City Administrator)
- The Police Chief or Deputy Chief will rotate days
- The City Administrator and Communications Director will work 2 days in the office

Staffing can be adjusted as necessary based on current health department guidance or community spread of the virus.

- iii. **Supervision:** Directors (either directly or through first line supervisors) need to be checking in with their employees daily to discuss workload and understand what challenges (if any) they are having.
- iv. **Compensation:** During a public access restriction there is no additional compensation provided. Use of accrued leave or emergency sick leave are the same as those outlined in section 6.C.
- v. **Signage:** A City Hall Public Access Restricted sign should be placed on the main door. Services provided by appointment only. Sign should include a main number that routes through the City phone tree and provide information about online services. Deliveries should be instructed to press the call button Monday - Friday 8:00am – 5:00pm. *When possible, staff should ship Amazon.com deliveries to the locker or personal items to your home.*
- vi. **Modifications:** During a public access restriction, these procedures and staffing requirements will be reviewed weekly and adjusted as necessary. Employees will need to monitor email communication from Executive staff or HR regarding any procedure adjustments to ensure they are following required procedures.

B. Shelter in Place Closure:

- i. **Purpose:** To maintain the provision of services and operations while ensuring proper physical distancing. During this response level, all normal city services are provided, but may be provided by phone, e-mail and by appointment only.

¹ Work cannot be done from home

² May work partially from home

- ii. **Staffing:** All City Hall employees, capable of performing their job function remotely will be required to work remotely. Employees who cannot work remotely and are thus asked to report to work but *choose not* to report to work will be required to use accrued leave (any form).

Staff who are unable to perform their job functions remotely (determined and pre-authorized by a Department Director or City Administrator) or who are asked to report to City Hall shall be expected to report to work and will receive additional compensation as listed in section B(iii).

Non-City Hall Staff (Shops, Parks, Cemetery, Facilities, WWTF) shall continue to report to work as normal and will receive additional compensation as listed in section B(iii). Employees who choose not to report to work will be required to use accrued leave (any form).

- iii. **Compensation:** During a shelter in place closure, employees required to physically report to work shall be paid an additional 5% of the employee's regular pay for essential work performed. The 5% shall be paid in full day increments.
- iv. **Signage:** A City Hall Public Access Restricted sign on main door. Services provided by appointment only. Sign should include a main number that routes through the City phone tree and provide information about online services. Deliveries should be instructed to press the call button Monday - Friday 8:00am – 5:00pm. *When possible, staff should ship Amazon.com deliveries to the locker or personal items to your home.*

C. City Facility Complete Closure:

- i. **Purpose:** To maintain only essential and emergency services.
- ii. **Staffing:**

Situation non-essential employees will be required to stay home and shall be compensated according to section C(iii). Employees are not expected or allowed to work remotely unless pre-authorized.

Situation-Essential Staff (determined to be minimum staffing necessary to provide essential services as determined by a Department Director or City Administrator) will be required to work and shall be compensated according to section C(iii).

- iii. **Compensation:**

Situation non-essential employees will receive closure pay (regular wages). Closure pay will only be made available to staff who are scheduled to work on the day(s) on which the City Facilities are closed. Those who are on a planned absence, such as vacation leave and were not recalled back to work will not receive Closure Pay. Any

employee already on sick leave shall be eligible for Closure Pay in lieu of continued use of sick leave once closure pay is in effect. If an employee is using emergency sick leave under the Families First Coronavirus Response Act (FFCRA), that leave shall be used first prior to moving in a closure pay status.

Situation-Essential Staff (determined to be minimum staffing necessary to provide essential services as determined by the Department Director) will be paid an additional $\frac{1}{2}$ of the employee's regular hourly rate of pay for work carried out during a City Facility Complete Closure.

Situation-Essential Director and Deputy Director staff will receive a 5% (five percent) salary increase for hours worked during a City Facility Full Closure in 40-hour increments.

8. Safe Start and Re-Opening of City Hall

Purpose: To maintain the provision of services and operations while ensuring proper physical distancing between both employees and the public and ensure compliance with any phased re-opening restrictions implemented by any federal, state or local health official or authority. During this response level, City Hall will slowly be increasing staffing levels and customer access based on the Safe Start reopening phases outlined by the Washington State Governor. The City Hall reopening plan will begin when the county enters Phase II of the Safe Start plan. During Phase I, the City will follow the Shelter in Place provisions.

- i. **Staffing:** As the Washington State Governor transitions the state through the various stages of the Safe Start program, the staffing levels at City facilities will be permitted to gradually increase. While the state or county may move to a particular phase on a specific day, the Mayor will determine what day City Staff move to the same phase to ensure that all health department guidance can adequately be met. During any phase of a City Hall Reopening Restriction, City Hall and any field staff previously identified as being unable to work remotely will continue to work at their assigned location/facility, working their regular schedule. Any employees who are unable or unwilling to report to their designated work location will generally be required to use accrued leave, unless pre-approved to telework by their department director.

For Phase II and III, in an effort to reduce the number of staff in the building on any given day while still providing appropriate levels of service, the City Administrator will divide City Hall Staff into two work teams (Daffodil and Rhubarb). Employees will continue to work their normal schedule (including alternative work schedules if applicable) but will only work on-site in City Hall on the days their team is assigned. Team Daffodil will be responsible for staffing City Hall on Mondays and Tuesdays, Team Rhubarb will be responsible for staffing City Hall on Wednesdays and Thursdays. Friday will be reserved for deep cleaning and only those City Hall employees who cannot work from home will be allowed in the building. City Hall

staff shall only be allowed in City Hall on their assigned workdays based upon their assigned team, whether the entry into City Hall is for work or otherwise. Once assigned to a work group, employees will not be able to switch work groups without approval of the City Administrator. Employees who are unable or unwilling to report to their designated work location on their scheduled day will generally be required to use accrued leave, unless pre-approved to telework by their department director.

Employees who are not stationed at City Hall may be required to report to a different work location in order to assist with physical distancing.

- a. Phase II - When the Governor formally announces that the state has transitioned into Phase II, most staff will continue to work remotely. City Hall will be staffed based on the assigned team/day of the week at levels listed in the public access restricted (section 7.A).
- b. Phase III³ –When the Governor formally announces that the state has transitioned into Phase III, City Hall on-site staffing will increase beyond the staffing levels set forth in phase II. City Hall Staff will continue to work their regular schedule but will only be allowed to work in-person at City Hall on their assigned days according to the above-identified teams with a required minimum staffing level equal to Phase II. Employees who choose not to physically report to work on their team’s assigned day(s) will be required to use accrued leave, unless pre-approved to telework by their department director.
- c. Phase IV – This is the final phase of the City Hall Reopening Restriction. When the Governor formally announces that the state has transitioned to Phase IV, City Hall in-person staffing will be at roughly half of normal staffing levels. Employees will continue to work their normal schedules but will only work in-person at City Hall on their team’s assigned days, consistent with Phase III. Employees will now be required to be in the office on their teams’ assigned days. Employees who choose not to physically report to work on their team’s assigned day(s) will be required to use accrued leave.

To increase physical distancing, customers will continue to be encouraged to conduct city business over the phone or online. If a customer is exhibiting cold/flu symptoms they will be asked to leave, and services will be provided in some other manner. Customers allowed into City facilities will be required to maintain proper physical distancing techniques while receiving service, and will be required to

³ [At the time of adoption Roadmap to Recovery Phase III and Phase IV guidelines have not been released. Phase III and Phase IV is based on the original Safe Start Program. The policy will be updated if necessary.](#)

comply with any personal protective equipment requirements as outlined by any federal, state or local health official or authority.

During any phase, while a City Hall Re-Opening Restriction is in place, employees shall not come into City Hall to pick up additional work, drop off work product, get IT services, etc, on a day that their team is not assigned to be working on-site, except with prior authorization from the City Administrator.

- ii. **Supervision:** During any phase of the City Hall Re-Opening restriction, Directors (either directly or through first line supervisors) need to be checking in with their employees daily to discuss workload and understand what challenges (if any) they are having.
- iii. **Compensation:** During any phase of the City Hall Re-Opening restriction, no employee shall receive additional compensation beyond their normal rate of pay or authorized overtime. Use of accrued leave or emergency sick leave are the same as those outlined in section 6.C.
- iv. **Public Access:**

Phase I: Closed. Public assistance for permitting by appointment only.

Phase II: Closed. Public assistance by appointment only—only for services not available online.

Phase III: Open four days a week, Monday-Thursday, hours determined by Mayor.

Phase IV: No restrictions, open five days a week.
- v. **Workplace Modifications:**
 - a. Signage will be placed throughout city facilities reminding employees and citizens to follow proper physical distancing guidelines.
 - b. Temporary “occupancy” restrictions will be established for common areas such as conference rooms and the employee breakroom.
 - c. Employees will be encouraged to hold meetings virtually and eat lunch at their own workspaces.
 - d. Outside travel will be restricted without prior approval.
 - e. Hallways will be designated as one way only to provide proper physical distancing.
 - f. Temporary protective barriers will be installed at customer facing counters to provide an additional level of safety for those employees dealing directly with the public.
 - g. A six-foot physical distancing mark will be placed on the floor for citizens to stand behind when waiting to be helped at public counters.
 - h. Employees will be encouraged to wash their hands throughout the workday.
 - i. Employees will be responsible for wiping down their workplace at least once per day.

- j. Employees using “pooled” vehicles will be required to wipe down touched surfaces with provided disinfectant wipes or spray.
 - k. Additional sanitization services will occur on Fridays at all city facilities, focusing on “high touch” surfaces such as banisters, door handles and countertops.
 - l. All employees, regardless of work location will be subject to health screenings and PPE use as required by the State Department of Health, Labor and Industries or any federal, state or local health official or authority.
- vi. **Modifications:** During a City Hall Re-Opening restriction, these procedures and staffing requirements will be reviewed weekly and adjusted as necessary based on federal, state or local health official or authority.

9. Miscellaneous Provisions

- i. **Special Event Permits:** Staff is authorized to deny a request for a special event permit if the event for which the permit is requested is (1) contrary to public health guidance, (2) in violation of a Governor’s order, or (3) when the City or applicant cannot safely accommodate or manage the event, in the sole discretion of the Mayor.

ii. **Temporary Use Permits:** Temporary uses permitted per SMC 18.36.020 for existing eating and drinking establishments shall be allowed to exceed the 3-week limit (SMC 18.36.020.C.) during the scope of the City’s pandemic emergency declaration to accommodate new or expanded outdoor seating. All building and fire code requirements must be met. Temporary uses may be allowed in off-street parking areas, provided all established parklet ROW use regulations are met. Temporary uses related to outdoor restaurant seating shall be on the same legal lot as the existing business or may be located offsite only upon proof of authorization of an abutting parcel owner.

iii. Late Fee/Penalty Waivers:

- a. Property Leases: The City currently leases City-owned property to a number of small businesses that may be negatively impacted by the loss of income associated with the Covid-19 pandemic. The City’s Finance Department shall not enforce or attempt to collect late fees imposed by any lease agreement of City-owned property incurred between the effective date of the City’s Proclamation of Emergency (March 11, 2020) and the earlier of: (1) Termination of the City’s Proclamation of Emergency; or (2) September 30, 2021.
- b. Gambling Taxes: The City collects Gambling Tax from a number of small businesses that may be negatively impacted by the loss of income associated with the Covid-19 pandemic. The City’s Finance Department shall not enforce or attempt to collect late fees imposed by SMC 3.08.060 for Gambling Taxes owed to the City incurred between the effective date of the City’s Proclamation of Emergency (March 11, 2020) and the earlier of: (1) Termination of the City’s Proclamation of Emergency; or (2) September 30, 2021.

c. Commercial Parking Taxes: The City collects Commercial Parking Tax from a number of small businesses that may be negatively impacted by the loss of income associated with the Covid-19 pandemic. The City's Finance Department shall not enforce or attempt to collect late fees imposed by SMC 3.26.060 for Commercial Parking Taxes owed to the City incurred between the effective date of the City's Proclamation of Emergency (March 11, 2020) and the earlier of: (1) Termination of the City's Proclamation of Emergency; or (2) September 30, 2021.

ii-iv. **Vaccinations:** The City will not require, but highly encourages employees to receive the coronavirus vaccine. Employees should use the Washington State Department of Health Phase Finder Tool to determine their vaccine eligibility. To incentivize employee vaccinations, any employee who provides Human Resources proof of an initial dose will receive one additional eight (8) hour floating holiday. Part-time employees would receive a prorated portion of eight (8) hours. The floating holiday must be used by the end of 2021. Unused floating holiday time will be forfeited to the City. Upon separation the floating holiday shall not be paid out. Use should be scheduled in advance and is subject to approval by the employee's supervisor.

Approved by:

DocuSigned by:

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Mayor William L. Pugh

SUBJECT: American Rescue Plan

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Association of Washington Cities American Rescue Plan Fact Sheet
-

STAFF CONTACT: Jason Wilson, City Administrator

SUMMARY BACKGROUND:

Earlier this month Congress passed the \$1.9 trillion American Rescue Plan (ARP). Under the plan, U.S. cities and towns will receive \$65.1 billion in direct and flexible funds. The funding will begin to arrive in the next couple of months and will be distributed in two installments, the first in 2021 and the second in 2022. Sumner is anticipated to receive \$2,270,241.

Cities can use the ARP funding for: 1) Responding to the Covid-19 pandemic, 2) covering costs incurred from the public health emergency, 3) replacing lost, delayed, or decreased revenues due to Covid-19, 4) addressing the negative economic impacts on local businesses and nonprofits, and 5) making necessary investments in water, sewer, and broadband infrastructure.

Staff is seeking direction in regards to the desired level of involvement council should play in the recommendation for allocation of funds.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Staff is seeking direction in regards to the desired level of involvement council should play in the recommendation for allocation of funds.

The American Rescue Plan Act

2021



Providing direct flexible funding to cities across the country

President Joe Biden recently signed the American Rescue Plan Act (ARP) into law. The sweeping **\$1.9 trillion** federal relief plan brings much needed financial assistance to individuals, businesses, and local governments across the nation.

Under the plan, U.S. cities and towns will receive **\$65.1 billion** in direct and flexible federal funds. The funding will begin to arrive in the next couple of months and will be distributed in two tranches: the first in 2021 and a second in 2022.



Washington cities are projected to receive more than **\$1.1 billion** in federal funding.

Cities can use ARP funds for:

- Responding to the COVID-19 pandemic
- Covering costs incurred from the public health emergency
- Replacing lost, delayed, or decreased revenues due to COVID-19
- Addressing the negative economic impacts on local businesses and nonprofits
- Making necessary investments in water, sewer, and broadband infrastructure

A chart of projected allocations for cities is available on our website. **The estimates are not official values and are subject to change.**



Funds will be available to cities through December 31, 2024.

In addition to city funding, the ARP provides **\$1.4 billion** to Washington counties and critical funding to social programs, schools, small businesses, and individuals.

The bill includes funding for:

- Agriculture and nutrition programs, including extending SNAP and Pandemic EBT to keep families fed through the pandemic;
- Schools and institutions of higher education to safely reopen schools, address learning loss, and support students and staff, including broadband support for students;
- Childcare to help sustain providers and expand childcare assistance to 857,000 children;
- COVID-19 vaccinations, testing, treatment, and prevention, especially for hard-to-reach communities;
- Mental health and substance use disorder services;
- Emergency rental assistance, homeowner assistance, and other housing programs to help families pay rent, mortgages, and utilities;
- Transit agencies to prevent transit worker layoffs and prevent severe cuts to transit services that essential workers and the public rely on;
- Small business assistance, including specific programs for restaurants and live venues;
- Tribal government services;
- Extending enhanced unemployment benefits through September 2021, providing an additional \$300 per week, on top of all state unemployment benefits; and
- Expanding the Child Tax Credit and the Earned Income Tax Credit, two powerful and effective tools to end poverty.

Contact:

Peter B. King

Chief Executive Officer
peterk@awcnet.org

Jacob Ewing

Legislative & Policy Analyst
jacobe@awcnet.org

CITY COUNCIL AGENDA CALENDAR**Updated March 17, 2021**

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

MARCH 22 (SS)

- Winter Quarter Main Street Visioning Project Presentation
- SBLSD Family Center (Marilee Hill-Anderson)
- 2020 Comprehensive Plan Update
- Resolution No. XXXX - Amended Pandemic Response

APRIL 5 (RCM)

PR Arbor Day (state 4/14)
PR Animal Care and Control Officers Appreciation Week
CA Resolution No. XXXX – Amended Pandemic Response
UB 2022-2028 TIP
UB Ordinance No. XXXXs (4) - 2020 Comprehensive Plan Update
NB Commission Appointments
NB Ordinance No. XXXX – Arts Commission SMC Amendment
NB Ordinance No. XXXX – Fence Code Amendments
NB Ordinance No. XXXX – Amending SMC 9.46 & 9.47 Unlawful Race Attendance/ Stay Out of Areas of Racing
NB Ordinance No. XXXX Amending SMC 10.68 Impoundment without prior notice
NB Ordinance No. XXXX Amending SMC 9.20 Drug Paraphernalia
NB Ordinance No XXXX Amending SCM 9.16.045 Possession or Use of Dangerous Drugs

APRIL 12 (SS)

- University of Washington Main Street Visioning Project
- Housing Action Plan Planning Commission Recommendation
- South Sound Housing Affordability Partnership Agreement

APRIL 19 (RCM)

CA Resolution No. XXXX – ILA City of Pacific Stewart Road Funding
NB Planning Commission Appointment Mark Isaacs
NB Planning Commission Appointment Carla Bowman
NB Planning Commission Appointment Kelly Locke
NB Commission Appointments – Parks & Forestry
NB Resolution XXXX – Amending ILA for SRO with SBLSD
NB Resolution No. XXXX – ILA South Sound Housing Affordability Partnership Agreement
NB Contract – Council Chambers Technology
NB Resolution No. XXXX – ILA Fire Services with Bonney Lake
NB Resolution No. XXXX – ILA Fire Services with East Pierce Fire & Rescue
NB Ordinance No. XXXX - Quarterly Budget Amendment

APRIL 26 (SS)

- Homeless Response Update

MAY 3 (RCM)

PR National Police Week

NB Ordinance No. XXXX - Emergency Management Code Update

NB Resolution No. XXXX - Housing Action Plan

MAY 10 (SS)**MAY 17 (RCM)****MAY 24 (SS)***Pending*

MISC.	MISC.	WHITE RIVER RESTORATION PROJECT
ROW Vacation Code Amendment	RFQ – Parks Master Plan (Bennett & Seibenthaler)	PH - Surplus Utility Property South of 24 th Street East
LEOFF 1 Policies	Contract Approval Code Amendment	UB - Resolution No. XXXX - Surplus Utility Property South of 24 th St E
	Temporary Use Permit – Food Trucks	PSA Golf Course Extension
Cable Franchise Agreement	Forest Canyon Late Comers Agreement	
Sign Code Update		BNSF Agreement
Raffle Repeal SMC 904		CWA Agreement
CTR Ordinance Update		CA - Water Rights Cost Reimbursement Agreement
Update electronic signatures code		

March 2021

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6
6:00PM Regular Council Meeting (Virtual)	4:00 PM Public Works Committee (Virtual)		6:00PM Planning Commission (Virtual)		
8	9	10	11	12	13
6:00PM Study Session (Virtual)		5:30PM Finance Committee (Virtual) 6:30PM **CANCELLED** Design Commission (Virtual)	4:30PM Forestry/Parks Commission (Virtual)		
15	16	17	18	19	20
6:00PM Regular Council Meeting 6:15PM Special Study Session (Virtual)		5:00PM Public Safety (Virtual)			
22	23	24	25	26	27
6:00PM Study Session (Virtual)		5:00PM CD Committee (Virtual)	5:30PM Arts Commission (Virtual)		
29	30	31			

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

City of Sumner
1104 Maple Street
Sumner, Washington 98390
Ph: (253) 299-5500 Fax: (253) 299-5509
Website: **www.sumnerwa.gov**

APRIL 2021

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3
			6:00PM Planning Commission (Virtual)		
5	6	7	8	9	10
6:00PM Regular Council Meeting (Virtual)	4:00 PM Public Works Committee (Virtual)		4:30PM Forestry/Parks Commission (Virtual)		
12	13	14	15	16	17
6:00PM Study Session (Virtual)		5:30PM Finance Committee (Virtual) 6:30PM Design Commission (Virtual)			
19	20	21	22	23	24
6:00PM Regular Council Meeting (Virtual)		5:00PM Public Safety (Virtual)	5:30PM Arts Commission (Virtual)		
26	27	28	29	30	
6:00PM Study Session (Virtual)		5:00PM CD Committee (Virtual)			

*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.*

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