



The City is conducting this public meeting using a hybrid model. The public is welcome to attend tonight’s meeting in-person at Sumner City Hall Council Chambers (1104 Maple Street) or virtually by using the meeting access link below:

<https://sumnerwa-gov.zoom.us/j/87067186448>

Webinar ID: [87067186448](https://sumnerwa-gov.zoom.us/j/87067186448)

CALL TO ORDER

FLAG SALUTE

ROLL CALL

Roll Call: Sharon Fochtman, Amy Huo, Rob Healy, Mark Isaacs, Kelly Locke, Mark Malcolm and Bill Moody

APPROVAL OF MINUTES

1. Planning Commission Meeting Minutes — December 4, 2025

PUBLIC COMMENT

The public may comment on topics that are not on the meeting agenda, virtually or in person. The public is strongly encouraged to submit comments via email to chrissandaw@sumnerwa.gov no later than 5pm on the day prior to the meeting. Your comments will be read into the record and limited to 3-minutes.

PUBLIC HEARING

1. Zoning Code Text Amendment--Co-living Housing

UNFINISHED BUSINESS

1. Zoning Code Text Amendment--Co-living Housing - *ACTION*
2. Battery Energy Storage Systems (BESS) 2.0- *DISCUSSION*

NEW BUSINESS

CORRESPONDENCE

COMMISSION COMMENTS

STAFF COMMENTS

Reminder: On February 9, at 6:00 p.m., the City Council will hold a training session with Jurassic Parliament. The session will provide an overview of the public meeting process, and compliance with the Open Public Meetings Act. The City Administrator has requested that the Planning Commissioners attend this training.

ADJOURNMENT

SUBJECT: Planning Commission Meeting Minutes — December 4, 2025

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. 20251204 PC-Meeting Minutes-DRAFT

STAFF CONTACT: Chrissanda Walker, Associate Planner

SUMMARY BACKGROUND:

Action minutes from a regular Planning Commission Meeting held on December 4, 2025, where the Planning Commission held chair and vice-chair elections and discussed co-living housing.

<p>COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: COMMITTEE RECOMMENDATION:</p>
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STAFF RECOMMENDATIONS/MOTION:

Move to approve December 4, 2025 minutes.



MEETING MINUTES

CALL TO ORDER

The meeting was called to order at 6:00 pm by Chair Issacs

ROLL CALL

Commissioners Present: Issacs, Healy, Malcolm, Locke, Huo

Excused Absences: Fochtman, Moody

APPROVAL OF MINUTES

1. Planning Commission meeting minutes-October 2, 2025

Moved to approve Malcolm, Second Healy; **passed unanimously**

PUBLIC COMMENT *(The public may provide comments that are not on tonight's agenda)*

None appearing

PUBLIC HEARING

NONE

UNFINISHED BUSINESS

NONE

NEW BUSINESS

1. Election of Planning Commission Chair and Vice Chair

Chair opens for nominations, brief discussion ensued.

Moved to appoint Commissioner Issacs to Chair, by Malcolm, Second Healy; **passed unanimously**

Moved to appoint Commissioner Malcolm to Vice-Chair, by Huo, Second Isaacs; **passed unanimously**

2. Zoning Code Text Amendment- Co-Living Housing

Ryan Windish, Community and Economic Development Director presented draft Ordinance No. 2953, an amendment to the Zoning code SMC Title 18 to allow co-living Housing in zones that already allow up to 6 multi-family dwelling units. This Ordinance is in response to ESHB 1998.

Commissioners asked staff several questions. Discussion ensued.

3. Overview of Planning

Staff, Chrissanda Walker, Associate Planner provided an overview on planning process, legislation topics, permitting and general roles and responsibility of the Planning Commission.

Discussion ensued.

CORRESPONDENCE

None

COMMISSION COMMENTS

Commissioners raised questions on the legislative agenda for 2026. Malcolm asked about maximum parking per unit.

Comments: Malcolm wanted to know about what the effect the Planning Commission can have on business and economic development, staff advised about the Commission's purview. Chair Isaacs advised Sumner Highschool basketball team is going to state. He also advised of the community pub crawl next week.

STAFF COMMENTS

Staff confirmed that on February 9, at 6:00 p.m., the City Council will hold a training session with Jurassic Parliament. The session will provide an overview of the public meeting process, and compliance with the Open Public Meetings Act. The City Administrator has requested that the Planning Commissioners attend this training.

ADJOURNMENT

Moved to adjourn by Healy, Second Huo; all in favor; meeting adjourned at 7:53 pm.

SUBJECT: Zoning Code Text Amendment--Co-living Housing

CATEGORY: Public Hearings

BUDGET IMPACT:

ATTACHMENTS:

1. Staff Report
2. Exhibit A - Draft Ordinance No. 2953
3. Exhibit B - Public Comments
4. Slideshow Presentation

STAFF CONTACT: Ryan Windish, Community & Economic Development Director

SUMMARY BACKGROUND:

In 2024, the Washington State Legislature adopted Engrossed Substitute House Bill (ESHB) 1998 requiring all Growth Management Act (GMA) cities to allow co-living housing as a permitted use on any lot within an Urban Growth Area where at least six (6) multifamily dwelling units are allowed. Local regulations must be amended to comply by December 31, 2025.

Co-living housing is defined in state law as a residential development comprised of independently rented sleeping units with shared kitchen facilities. The intent of the legislation is to expand access to lower-cost, market-rate housing options—particularly for workforce, seniors, and single-person households—by enabling development of small private units with shared amenities.

The South Sound Housing Affordability Partners (SSHA³P) prepared a regional model ordinance and user guide to assist jurisdictions in implementing ESHB 1998. The City of Sumner’s Draft Ordinance No. 2953 (Exhibit A) is based on this regional model.

The City of Sumner must update its zoning code to:

- Add definitions for co-living housing, sleeping units, shared kitchens, and related terms;
- Permit co-living housing in all zones where multifamily housing of six (6) or more dwelling units per structure is already allowed;
- Add performance, density, open space, parking, and sewer connection standards consistent with state law; and
- Ensure co-living housing is regulated no more restrictively than other multifamily residential uses.

The Planning Commission will hold a Public Hearing on draft Ordinance No. 2953 followed by Action.

<p>COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: COMMITTEE RECOMMENDATION:</p>
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STAFF RECOMMENDATIONS/MOTION:

Move to recommend that the City Council approve Ordinance No. 2953 amending the Zoning Code to allow co-living housing.



DATE: January 8, 2026
TO: Planning Commission
FROM: Ryan Windish, Community & Economic Development Director
CC: Chrissanda Walker, Associate Planner
RE: **Zoning Code Text Amendment – Co-Living Housing (ESHB 1998 Implementation)**

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

In 2024, the Washington State Legislature adopted Engrossed Substitute House Bill (ESHB) 1998 requiring all Growth Management Act (GMA) cities to allow co-living housing as permitted use on any lot within an Urban Growth Area where at least six multifamily dwelling units are allowed. Local regulations must be amended to comply by December 31, 2025.

Co-living housing is defined in state law as a residential development comprised of independently rented sleeping units with shared kitchen facilities. The intent of the legislation is to expand access to lower-cost, market-rate housing options—particularly for workforce, seniors, and single-person households—by enabling development of small private units with shared amenities.

The South Sound Housing Affordability Partners (SSHA³P) prepared a regional model ordinance and user guide to assist jurisdictions in implementing ESHB 1998. The City of Sumner’s draft Ordinance No. 2953 (Exhibit A) is based on this regional model. In addition to this the Washington State Department of Commerce published a guidance document on Co-living Housing that is available [here](#).

The City of Sumner must update its zoning code to:

1. Add definitions for co-living housing, kitchen, kitchenettes, sleeping units, shared kitchens, and related terms;
2. Permit co-living housing in all zones where multifamily housing of six or more dwelling units per structure is already allowed;
3. Add performance, density, open space, parking, and sewer connection standards consistent with state law; and
4. Ensure co-living housing is regulated no more restrictively than other multifamily residential uses.

The Planning Commission discussed draft Ordinance No. 2953 on December 4, 2025 and had questions for staff as follows:

1. Could an existing house be converted to co-living housing? – **Yes, existing housing could be converted to co-living housing, so long as the criteria for co-living housing is met.**

The draft ordinance required at least one shared kitchen per floor. Based on further comments and research this requirement has been removed from the current draft ordinance.

2. What kinds of building permit and other fees would apply to a co-living housing space? – ***All applicable building fees, based on the valuation of the construction, would be required plus system development charge ("hook-up" fees) for water, sewer, and stormwater facilities. State law requires the calculation of the sewer fees to be 50% of the charge that would apply to a multi-family dwelling unit, which equates to 0.375 ERU or under current fee rates \$2,107.92 per sleeping unit.***
3. Would the City of Sumner Design and Development Guidelines need to be updated? – ***No, co-living housing is included in the definition of "multifamily" and therefore would be regulated the same as other multifamily housing in the Design and Development Guidelines, and no amendments are necessary at this time.***
4. Should there be a restriction on the use of electric "hot plates" due to fire hazard and a requirement for only induction stove tops to be used? – ***No, the Zoning Code doesn't need to address this safety concern as it will be addressed by the building and fire codes.***
5. What is the difference between a "kitchen" and a "kitchenette"? – ***A "kitchen" has a 240V/220V or natural gas fixture capable of operating a kitchen stove and oven and a "kitchenette" has at least one 120V power outlet. See new definitions for "kitchen" and "kitchenette."***
6. Can the regulations regarding the number of parking spaces required be clarified? – ***Yes, the number of parking spaces is a minimum 1 for every 4 sleeping units. A developer may choose to provide more than the minimum required parking.***

II. DESCRIPTION OF PROPOSAL

The proposed Zoning Code Text Amendment would amend several sections of the Sumner Municipal Code (SMC), including SMC 13.16, SMC Title 18, and chapters 18.14, 18.16, 18.29, 18.30, and 18.42, to implement state law on co-living housing and utilize the SSHA^{3P} model code.

In summary, the Zoning Code Text amendments would:

1. Add New and Update Definitions (SMC 18.04)

The following definitions within the Zoning Code would be added or updated for clarity, to reference or be consistent with definitions in state law:

- Co-living housing (New)
- Density (Amended)
- Kitchenette (New)
- Kitchen (New)
- Major transit stop (New)
- Multifamily dwellings (Amended)

- Rooming and Boarding House (Repealed)
- Sleeping unit (New)
- Shared kitchen (New)
- Walking Distance (New).

2. Permit Co-Living Housing in All Applicable Zones

Co-living housing is required to be permitted in all zones where six (6) or more units of multifamily housing is allowed per structure. Therefore, co-living housing would be listed as a principal permitted use in:

- Medium Density Residential (MDR) & High Density Residential (HDR) (SMC 18.14)
- General Commercial & Neighborhood Commercial (SMC 18.16)
- Town Center Plan (SMC 18.29)
- East Sumner Urban Village Overlay (ESUV) (SMC 18.30)

Co-living housing would not be allowed in the Low-Density Residential (LDR) zones that are characterized by predominately single-family residential housing and allow under certain circumstances up to one four-plex.

3. Add Standards for Sleeping Units and Shared Kitchens

Sleeping units and shared kitchens are a new concept and allowance and would be implemented as follows consistent with ESHB 1998. Standards include:

- Sleeping unit size no more than 300 sq. ft.
- Private bathrooms required in sleeping unit.
- No in-unit kitchens allowed; kitchenettes permitted.
- Shared kitchens required at a minimum ratio of 1 per 15 sleeping units. (Note: The previous draft required 1 shared kitchen per floor. This has been removed.)

4. Define Density and Open Space

Housing unit density and open space requirements are to be calculated as follows and show up in the definitions for "Density" (SMC 18.04) and as footnotes for each applicable zone:

- For density calculations, each sleeping unit = 0.25 dwelling units.
- Open space requirements for sleeping units = 1/2 the requirement for dwelling units.

5. Adjust Parking Standards (SMC 18.42)

Parking standards would be changed to address co-living housing particularly as it relates to "sleeping units" and transit stops summarized below:

- Minimum of 1 stall per 4 sleeping units. (Note: Developers have the option to building more than minimum parking.)
- No parking required for sites within 1/2 mile of a major transit stop.

6. Establish Sewer System Development Charge (SMC 13.16)

Sewer system development charges are essentially "hook-up" fees and are paid at the time of construction or expansion of a structure and use. Sleeping units need to be included in this code

as follows:

- Sewer ERU rate for co-living = 0.375 ERU per sleeping unit, consistent with the 50% cap in ESHB 1998.

The draft ordinance containing the amendments discussed above is presented in Exhibit A, attached.

III. ANALYSIS

The proposal is consistent with state law (ESHB 1998) and implements key housing and land use goals and policies in the City of Sumner Comprehensive Plan, as discussed below.

1. Consistency with State Law (ESHB 1998)

The amendments directly implement the mandatory provisions of ESHB 1998 requiring jurisdictions to:

- Allow co-living where at least 6 multifamily units are allowed per structure.
- Not impose higher development standards than multifamily housing.
- Limit parking requirements.
- Apply sewer connection fees at $\leq 50\%$ of multifamily rates.
- Calculate density at 0.25 DU per sleeping unit.

The draft ordinance is consistent with all statutory requirements.

2. Sumner Comprehensive Plan

Sumner's Comprehensive Plan has general policies related to Land Use, Governance Sub-element, Family and Human Services and Housing element that support this proposal:

HOUSING ELEMENT

The proposal is consistent with Comprehensive Plan policies and goals for establishing Housing Element as follows:

1. Encourage public and private reinvestment in older residential neighborhoods and private rehabilitation of housing.

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

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

- 2.5. Plan for an adequate supply of land to accommodate projected housing needs for all income bands.
 - 2.5.1. Through the Comprehensive Plan, Zoning Code, Subdivision code, Design Guidelines, and other regulations and standards, allow for a variety of housing types and lot configurations including government-assisted housing; housing for moderate-, low-, very low-, and extremely low-income households; manufactured housing; multifamily

housing; group homes; foster care facilities; emergency housing; emergency shelters; permanent supportive housing; and duplexes, triplexes, and townhomes.

2.5.11. Consider implementing strategies such as an inclusionary housing program, minimum densities, density bonuses, adaptive re-use, and others to promote affordable housing.

LAND USE ELEMENT

The proposal is consistent with Comprehensive Plan Land Use Element policies and goals specifically:

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

1.3. Through the Land Use Element and Community Character Element, strive to balance residential, commercial, industrial and public land uses.

1.3.1. Periodically review development regulations to remove unnecessary requirements and to balance environmental protection, public participation, and housing and economic development goals.

1.7. Ensure new development is consistent with the policies of this Plan through implementation of regulations, programs, and project-specific review.

CONCLUSION: The co-living housing amendments would provide additional housing types and living arrangements that are likely to be more affordable than other housing types therefore promoting affordable housing for all life stages and income bands consistent with the goals and policies in the Housing Element. Residents of co-living housing are typically single-persons creating a more affordable option for this demographic. The co-living housing amendments would also provide for a variety of land uses striving to balance residential and other types of land uses throughout the City. Co-living housing would only be allowed in zones that allow for multiplexes of at least 6 units and therefore would focus this type of housing in areas of the city that allow for multi-family, apartments, and mixed-use development. Co-living housing would not be allowed in industrial or interchange commercial areas to avoid conflicts with trucks, noise, and other impacts to residential living. The proposed amendments therefore are consistent with pertinent goals and policies in the Comprehensive Plan.

IV. SEPA ENVIRONMENTAL REVIEW

The State Environmental Policy Act (SEPA) application was submitted on November 21, 2025 (SEPA-2025-0010). Analysis of the checklist was completed on the proposed amendments, and a Determination of Non-Significance (DNS) was issued on December 10, 2025 with a 15 day comment period.

V. PUBLIC & AGENCY COMMENT

Comments were received from Mr. Nick Biermann on December 26, 2025 and are attached in Exhibit B.

VI. STAFF RECOMMENDATION

Move to recommend that the City Council approve Ordinance No. 2953 amending the Zoning

Code to allow co-living housing.

VII. PLANNING COMMISSION RECOMMENDATION

Planning Commission recommendation pending public hearing on January 8, 2026.

VIII. EXHIBITS

- A. Draft Ordinance No. 2953
- B. Public Comments

EXHIBIT A

ORDINANCE NO. 2953 CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING CHAPTER 13.16 “SEWERS”; AND “TITLE 18 “ZONING CODE” OF THE SUMNER MUNICIPAL CODE TO ADD DEFINITIONS AND REGULATIONS FOR CO-LIVING HOUSING, AND TO PERMIT CO-LIVING HOUSING IN ALL ZONES THAT ALLOW MULTIFAMILY RESIDENTIAL USES OF SIX DWELLING UNITS OR MORE PER STRUCTURE INCLUDING MEDIUM AND HIGH DENSITY RESIDENTIAL (CHAPTER 18.14), GENERAL COMMERCIAL AND NEIGHBORHOOD COMMERCIAL (CHAPTER 18.16), THE TOWN CENTER CODE (CHAPTER 18.29), THE EAST SUMNER URBAN VILLAGE OVERLAY DISTRICT (CHAPTER 18.30), AND OFF-STREET PARKING AND LOADING (CHAPTER 18.42); AND ADDS NEW DEFINITIONS (CHAPTER 18.04) FOR: CO-LIVING HOUSING, KITCHENETTE, KITCHEN, MAJOR TRANSIT STOP, SLEEPING UNIT, SHARED KITCHEN, AND WALKING DISTANCE AND REPEALS DEFINITION FOR ROOMING AND BOARDING HOUSE; AMENDS SYSTEM DEVELOPMENT CHARGES FOR SANITARY SEWER (SECTION 13.16.020); AMENDS SECTIONS 18.04.0325, 18.04.0722, 18.14.020, 18.14.080, 18.16.020, 18.16.040, 18.29.020, 18.30.020, AND 18.42.040.

WHEREAS, Engrossed Substitute House Bill 1998 (Chapter 180, Laws of 2024) requires all Growth Management Act cities to allow co-living housing as a permitted use in any zone that allows six or more multifamily residential units; and

WHEREAS, co-living housing is a residential development providing sleeping units with shared kitchen facilities that offers affordable, market-rate housing choices for workforce and moderate-income residents; and

WHEREAS, the legislation requires cities to allow co-living housing as a permitted use in all such zones by December 31, 2025, with no greater regulatory restrictions than for other multifamily residential uses; and

WHEREAS, co-living housing supports local and regional housing affordability goals by providing lower-cost, market-rate rental options for workforce housing and single-person households; and

WHEREAS, the South Sound Housing Affordability Partners (SSHA³P) Co-Living Model Code User Guide provides model language for implementing HB 1998 and amending municipal zoning codes to define and permit co-living housing; and

WHEREAS, the City of Sumner issued a SEPA Determination of Non-Significance on December 10, 2025, with a 15-day public comment period and provided notice consistent with SMC 18.56 and SMC 16.04; and

WHEREAS, the City has completed a public process including a duly noticed public hearing with the Planning Commission on January 8, 2026, and public meetings including December 4, 2025 with the Planning Commission; and City Council Community Development Committee Council **XXXX**; and

WHEREAS, the City Council finds that Sumner Municipal Code amendments are necessary to implement state law relating to co-living and housing requirements and said amendments are consistent with the City of Sumner Comprehensive Plan.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. That SMC 18.04 “Definitions” is hereby amended to add the following new definitions, and to amend existing definitions where necessary:

18.04.0246 – Co-living housing.

“Co-living housing” means a multifamily residential development with sleeping units that are independently rented or owned and lockable, each providing living and sleeping space, in which residents share kitchen facilities with other sleeping units in the building or meals are provided.

...

18.04.0325 Density.

“Density” means a measure of the intensity of permitted residential development in terms of dwelling units per acre. For the purposes of calculating density for co-living housing, sleeping units count as one quarter of a dwelling unit.

...

18.04.0536– Kitchen.

“Kitchen” means a room or part of a room which is used, intended, or designed to be used for preparing food. The kitchen includes facilities, or utility hookups for facilities, sufficient to prepare, cook, and store food, and wash dishes, including, at a minimum, countertops, a kitchen-style sink, space and utilities sufficient for a gas or 220/240v electric stove and oven, and a refrigerator.

18.04.0536.1 – Kitchenette.

“Kitchenette” means a room or part of a room used for basic food preparation, with a sink and at least one 120-volt electrical outlet.

...

18.04.0636 – Major Transit Stop. See definition in RCW 36.70A.030(27).

...

18.04.0722 Multifamily dwellings.

“Multifamily dwelling” means a type of housing contained in a single structure with three or more dwelling units. Examples of multifamily dwellings include, but are not limited to, ground-level or multi-level triplexes, fourplexes, senior housing, co-living housing and multifamily residential infill (MRI) dwellings as may be permitted pursuant to SMC 18.16.040(F).

...

18.04.0928 – Shared kitchen.

“Shared kitchen” means a kitchen used or intended to be used by residents of multiple dwelling units or sleeping units for preparing food simultaneously.

...

18.04.0944.1 – Sleeping unit.

“Sleeping unit” means an independently rented or owned and lockable unit providing living and sleeping space, with access to shared kitchen facilities within the same building.

...

18.04.0910 Rooming and boarding house.

“Rooming and boarding house” means any premises which is principally a dwelling unit, which provides lodging with, meals for five or fewer rooms, and where the principal function is providing lodging for compensation. Resident rooms numbering six or more shall constitute a motel or hotel. This definition does not include nursing or convalescent homes, group residences or any other situation where persons are not living and working together as a single housekeeping unit.

...

18.04.1103 – Walking Distance.

“Walking distance” means the distance measured from the entrance to a train station with a commuter rail stop; or measured from the center point of a front lot line of a subject parcel, along streets and sidewalks for a specified distance (e.g. ¼ mile).

Section 2. That SMC 18.14.020 “Principal Permitted Uses” is hereby amended to read as follows:

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

...

Q. Co-living housing subject to performance standards in SMC 18.14.80(Q).

Section 3. That SMC 18.14.080 “Performance Standards for MDR/HDR” is hereby amended with a new paragraph Q to read as follows:

The following special requirements and performance standards shall apply to properties in multifamily districts:

...

Q. Co-living housing shall meet the following performance standards:

1. Sleeping units shall be subject to the following standards:
 - a. All sleeping units shall be no more than 300 square feet.

- b. Sleeping units may include kitchenettes, but shall not include kitchens.
 - c. Sleeping units must include a private bathroom.
 - d. All sleeping units must have access by interior or covered exterior walkway to a shared kitchen.
2. At least one shared kitchen shall be provided for every fifteen sleeping units.
 3. Where open space standards are applied based on the number of dwelling units, one half of the open space requirement will be required for sleeping units that is required of dwelling units.
 4. For the purposes of calculating density for co-living housing, sleeping units count as one quarter of a dwelling unit.

Section 4. That SMC 18.16.020 “Principal and Conditional Uses” is hereby amended to read as follows:

18.16.020 Principal and Conditional Uses

The following table details permitted and conditionally permitted uses in the commercial districts. Where a “P” is indicated, the respective use in the same row is permitted in the zone classification in the same column. Where a “CUP” is indicated, the respective use in the same row is conditionally permitted in the zone classification in the same column. A conditional use permit shall be required and in full force and effect in order to establish the conditional uses. Where a “PRD” is indicated, the respective use in the same row is permitted through a planned residential development. A planned residential development shall be required and in full force and effect in order to establish the use.

		NC	GC	IC
...				
34a	Multifamily dwellings ² , rooming houses and boarding houses <u>co-living housing¹⁵</u> , senior apartments, retirement homes, assisted living facilities, continuing care communities, board and care homes, hospices, or nursing homes subject to the standards and locations as applicable in SMC 18.16.040	P	P	-
...				

¹Not involving operations or equipment that would cause excess noise, vibration, light, glare, or odor.

²Including multifamily residential infill (MRI) dwellings as may be permitted pursuant to SMC 18.16.040(F).

³Reserved.

⁴Reserved.

⁵Reserved.

⁶Contractor businesses are only permitted on lots within the IC zoning district in the vicinity of 24th Street East that abut industrial-zoned land on two sides. Contractor businesses shall meet the performance standards in SMC 18.16.080(T) and are a prohibited use in the IC zoning district in the vicinity of 166th Avenue East as depicted on the zoning map.

⁷Health and fitness clubs in the neighborhood commercial district shall not exceed 3,000 square feet in total floor area.

⁸Reserved.

⁹Truck-related parking allowed in the interchange commercial truck parking overlay area zone per SMC 18.42.046.

¹⁰Vehicle repair, automotive collision subject to performance standards in SMC 18.16.080(Y).

¹¹Reserved.

¹²No expansion of use or structure(s) allowed.

¹³See performance standards in SMC 18.16.080(W).

¹⁴See performance standards in SMC 18.16.080(X).

¹⁵ For the purposes of calculating density for co-living housing, sleeping units count as one quarter of a dwelling unit.

Section 5. That SMC 18.16.040 “Residential Uses” is hereby amended to read as follows:

18.16.040 Residential uses.

...

D. Other Residential Uses in the GC District. Multifamily residential and co-living housing developments are permitted as part of a mixed-use development with commercial uses. A mixed-use development shall have mixed-use structures and may have a combination of mixed-use and single-use residential structures. Except within the East Sumner urban village overlay district, a mixed-use structure is not required for a pipestem lot with street frontage that is less than 60 feet in width; instead the development may contain only single-use residential structures. Development shall occur such that:

1. Mixed-use structures shall have direct pedestrian access to the primary street and shall have ground floor building area designed to accommodate commercial uses along the entire length of the building facing the primary street. Ground floor building areas are intended for commercial use but may be improved as residential use and converted over time when economically viable.
2. Single-use residential structures shall contain only ground-related dwelling units and shall be located to the side or rear of mixed-use structures and not adjacent to the primary street.
3. The maximum number of dwelling units shall not exceed 25 dwelling units per net acre in the general commercial district.

E. Open space requirements for developments requiring design review shall be in compliance with the city of Sumner design and development guidelines, except that open space requirements for senior housing shall be provided in accordance with SMC 18.41.200 and open space requirements for co-living housing shall be in accordance with SMC 18.14.080(Q)(3).

...

G. Co-living housing shall comply with SMC 18.14.080(Q).

Section 6. That SMC 18.29.020 “Principal Uses” is hereby amended to read as follows:

18.29.030 Principal uses.

Permitted uses in the Town Center districts are as follows:

...

L. Multifamily dwellings (including multifamily residential infill (MRI) dwellings pursuant to SMC 18.16.040(F)); ~~rooming houses and boarding houses~~ co-living housing pursuant to SMC 18.14.080(Q); senior apartments, retirement homes, and continuing care communities; assisted living facilities, board and care homes, hospices, or nursing homes.

...

Section 7. That SMC 18.30.020 “Principal and Conditional Uses,” section B, is hereby amended to read as follows:

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

		NC/ESUV	GC/ESUV
...			
23.	Multifamily dwellings, including apartments, subject to density maximums in SMC 18.30.080(B), locations as applicable in SMC 18.30.090, and multifamily residential infill provisions in SMC 18.16.040(F), and co-living housing subject to SMC 18.14.080(Q)	P	P
...			

...

Section 8. That SMC 18.42.040 “Required Number of Parking Spaces,” section B, is hereby amended to read as follows:

B. Multifamily Dwellings.

1. One space per studio; one and one-half for each one- or two-bedroom unit; two spaces for three or more bedroom units; visitor parking for any type of multifamily use at one space for every five units;
2. Senior apartments and senior retirement homes: one for each unit; visitor parking at one space for every seven units; where on-site services are staffed, one for each employee per shift; except that minimum parking required per this subsection may be reduced through a conditional use permit or a planned residential development approval where circumstances related to the uses or site warrant a parking reduction.
3. Co-living housing: minimum one space for every four sleeping units.

Section 9. That SMC 18.42.040 “Required Number of Parking Spaces” is hereby amended with a new section V to read as follows:

V. No off-street parking is required for co-living housing located within one-half mile walking distance of a major transit stop.

Section 10. That SMC 13.16.220 “System Development Charges,” section A, is hereby amended to read as follows:

A. It is the policy of the city that all property owners seeking to connect to the city sewer system shall bear their equitable share of the cost of the general facilities of such system. Therefore, a system development charge may be paid either (1) upon the approval of a building (side) sewer permit application and prior to any construction, or (2) deferred according to subsection (D) of this section to the city at the city's finance department. The cost of such system development charge shall be computed according to the following schedule:

1. The fee for connection to the city sewer system shall be assessed per equivalent residential unit (ERU) as defined in SMC 13.16.030. All commercial, institutional, and industrial users discharging domestic sewage shall pay the system development charge per ERU as defined in SMC 13.16.030 for the amount of sewage that would be discharged to the city sewer system at full use of the intended facility or building. The system development charge per ERU is specified in the following list. This list shall be used in determining the number of ERUs for the building unless the applicant has a minimum of three previous years of water meter records at their present location that would more accurately reflect the waste load generated by the facility. The city engineer may choose to use the data submitted rather than determining the number of ERUs from the list. All ERU calculations used to determine system development charges shall be carried to the nearest 0.01 ERU.

Single-family residence	1.0 ERU per unit
Multifamily residence	0.75 ERU per unit
<u>Co-living housing</u>	<u>0.375 ERU per sleeping unit</u>
Accessory dwelling units	0.5 ERU
Retail	1.25 ERU per 1,000 sq/ft of building
Restaurant	0.14 ERU per occupant load
Assembly	0.08 ERU per occupant load
Office	0.8 ERU per 1,000 sq/ft of building
Industrial domestic	0.1 ERU per 1,000 sq/ft of building
High cubed warehouse	0.03 ERU per 1,000 sq/ft of building
Mobile home park	1.0 ERU per space
Motel	0.65 ERU per room
Service station	4.0 ERU per pump
Mini-mart	6.0 ERU per pump

Industrial waste loads shall pay a system development charge based on the number of ERUs as defined in SMC 13.16.030 (since nondomestic wastewaters are different in strength and composition). Four parameters in the definition of an ERU shall be weighted as follows in calculating the number: Flow, five-day BOD and TSS shall each be weighted at 0.3 and ammonia shall be weighted at 0.1.

2. Sixty-five percent of the fee shall be used for the treatment/disposal system upgrades.
3. Thirty-five percent of the fee shall be used for pump stations, force mains and sewer interceptor system upgrades.

Section 11. Severability. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. If the provisions of this ordinance are found to be inconsistent with other provisions of the Sumner Municipal Code, this ordinance is deemed to control.

Section 12. Effective Date. This ordinance shall be effective five (5) days from and after its passage approval and publication as provided by law.

Section 13. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection number; or references to other local, state, or federal laws, codes, rules, or regulations.

Section 14. The Mayor is hereby authorized to implement such administrative procedures as may be necessary to carry out the directions of this legislation.

Passed by the City Council and approved by the Mayor the of the City of Sumner, Washington, at a regular meeting thereof this XX day of XX, 202X.

Mayor Kathy Hayden

ATTEST:

APPROVED AS TO FORM:

Michelle Converse, CMC, City Clerk

Andrea Marquez, City Attorney

Date Adopted:
Date of Publication:
Effective Date:

From: [Nicholas Biermann](#)
To: [Chrissanda Walker](#)
Subject: Public input on co-living amendment
Date: Friday, December 26, 2025 3:49:34 PM

External: Use caution with links/attachments.

Hi, Chrissanda. I would like to submit my input below as part of the public comment period for the proposed zoning code amendment allowing co-living housing. Would you please be so kind as to forward my message below to the Community Development/Development Services Department? Thank you. -Nick-

Dear Director of Community Development,

First, I would like to note that I am not speaking for or against co-living as part of this public comment. Rather, I would like to offer some insight into the very real advantages but also the potential drawbacks associated with adding co-living space here in Sumner. Also, I will note that these comments are not in specific response to the SEPA decision and I will be happy to submit them again in the future if there is an additional public comment period on the ordinance itself.

I used to live in co-living space when I resided in Seattle a few years ago, and my experiences were somewhat different from the information that city staff presented to the Planning Commission during the meeting on December 4. By making comment now, I hope to offer some additional information that the Planning Commission and City Council can use when making decisions about this proposed zoning code text amendment.

Some particular points I would like to address:

1. Size of co-living units. Some units, including a unit I lived in, were in fact greater than 300 sq ft presented to the planning commission. But in general, the size of units varied from approx 150 sq ft to around 400 sq ft. The smallest units were "dorm size" or smaller, and considerably smaller than most hotel rooms.
2. Kitchen space. Units had kitchenettes, with no stove or oven, but a microwave and a dorm-sized mini fridge. There were 110 V electrical outlets for appliances like hotplates or cookers and air fryers but no 220 V outlets. Shared kitchens with ovens/stoves, a pantry, sinks, and a full-size refrigerator were provided for shared community use by all residents. But shared kitchens may not be required on each floor. Instead, we had vertical "stacks" of individual rooms and a shared kitchen only the first floor at entry-level.
3. Bathrooms. Bathroom space provided consisted of a toilet, sink, and a shower stall. No bathtub. In some units, the sink was outside of the "water closet" where the toilet was located and doubled as a kitchenette sink. I want to be sure that commissioners and council members are aware of the type of living quarters allowed under co-living housing regulations.
4. Accessibility. In my experience, elevators were not required in all parts of co-living housing developments. Access to the individual rooms was by staircase only. Having no elevators could make co-living arrangements in multiple-story buildings impractical for residents with accessibility needs.
5. Parking. Despite the limits imposed on the maximum number of parking spaces that can be required in a co-living housing development, most residents do in fact bring their cars. Most residents will bring vehicles and will park on the surrounding city streets. This is particularly true in a city like Sumner. Unlike in Seattle, there are not multiple grocery stores within a few

blocks walk, and Sumner Station does not offer the same type of service as light rail does. Commuter rail is very different from taking the light rail to the store or a doctor appointment or attending an event.

6. Affordability. While some co-housing rooms can be purchased and owned by the residents, most residents will be renters. Due to the constraints on living space, most renters will be single folks looking for short-term housing. Also, while the face-value cost for monthly rent may be lower than with a corresponding 1-bedroom or 2-bedroom apartment, the cost per square foot is not necessarily proportional. In other words, renters in co-housing pay more for less space than they would in a 1 or 2-bedroom apartment with a roommate or partner/spouse to share the cost. Space limitations could also exclude families or even single residents with children.

I do recognize that the City of Seattle may have different standards than may be desired in Sumner. But I still would like to recommend that city staff present some additional background information to the Planning Commission and City Council on this particular topic before the ordinance is sent to the full council for approval.

Thank you.

Sincerely,

Nick Biermann
Sumner resident
5802 Parker Rd E

Co-Living Housing—Zoning Code Text Amendment

Planning Commission – January 8, 2026
Public Hearing

Ryan Windish, Community & Economic Development Director



Background

In 2024, the legislature adopted ESHB 1998 requiring GMA cities to allow co-living housing in zones where *at least 6 dwelling units are allowed in one structure*. The intent is to allow this type of housing to expand housing options and affordability.

Co-living housing is defined as residential development with independently rented “sleeping units” with shared kitchen facilities.

Cities are required to adopt regulations by **December 31, 2025**

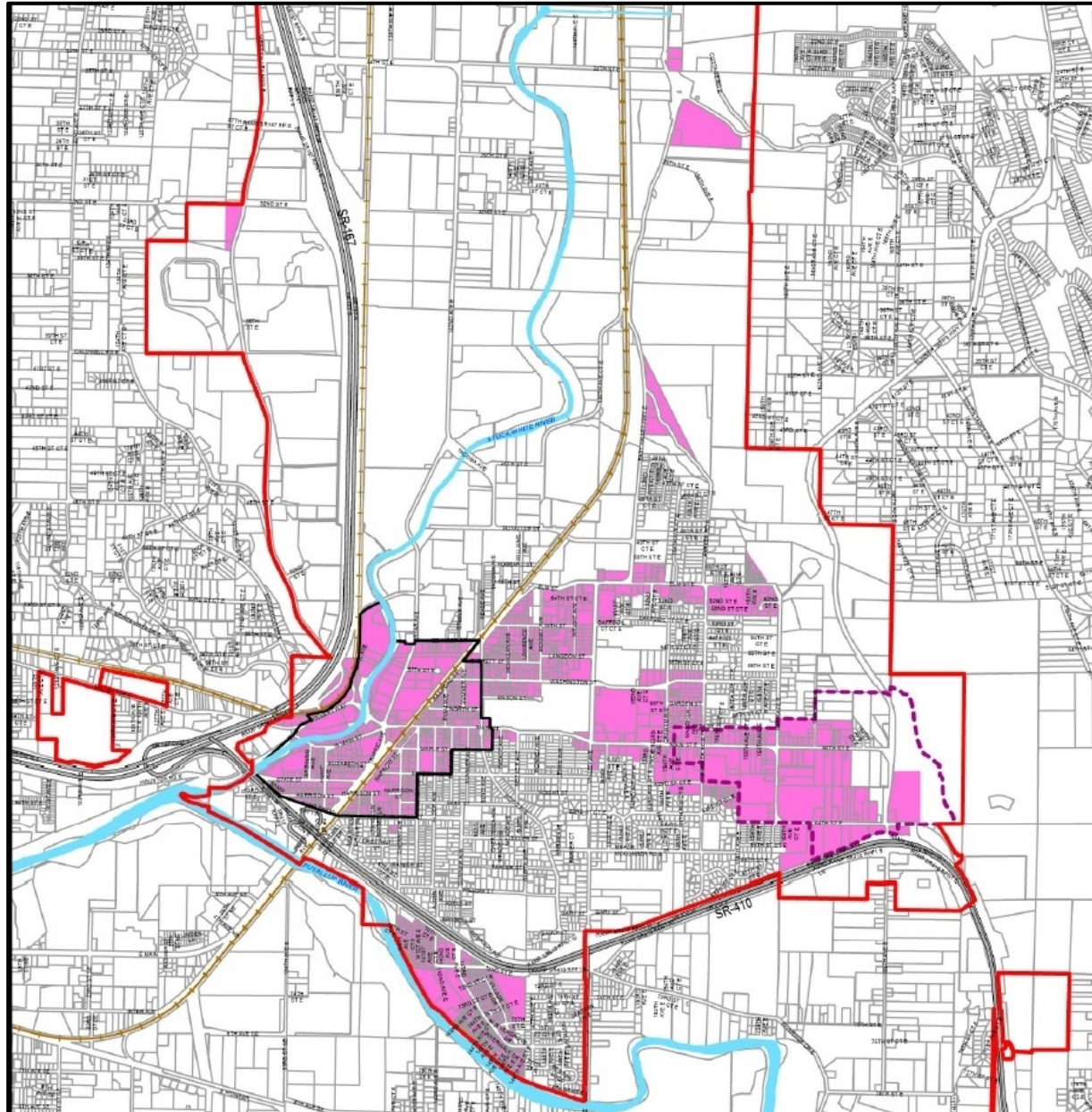


Zoning Code Updates

- Add definitions for co-living housing, sleeping units, shared kitchens, and related terms;
- Permit co-living housing in all zones where multifamily housing of six or more dwelling units per structure is already allowed;
- Add performance, density, open space, parking, and sewer connection standards consistent with state law; and
- Ensure co-living housing is regulated no more restrictively than other multifamily residential.



Zones Allowing Co-living Housing



Sleeping Unit Standards

Sleeping unit size no more than 300 sq. ft.

Private bathrooms required.

No in-unit kitchens allowed;
kitchenettes permitted.

Shared kitchens required at a minimum
ratio of 1 per 15 sleeping units.



Density & Open Space



- Sleeping units = 0.25 DU
 - Affects overall density calculations and for calculating fees such as sewer and water hookup fees.
- Open space requirements: 1 sleeping units = $\frac{1}{2}$ the requirements for DUs
 - Affects calculations in Design and Development Guidelines



Parking Requirements

- Minimum 1 parking stall per 4 sleeping units
- No parking required within ½-mile major transit stop (Sumner Sounder Station).



Sewer Fees

- 50% cap in ESHB 1998 for co-living housing on sewer fees
- Sewer ERU rate for co-living = 0.375 ERU per sleeping unit (\$2,107.92)
- Amends Sewer Fees in SMC 13.16.

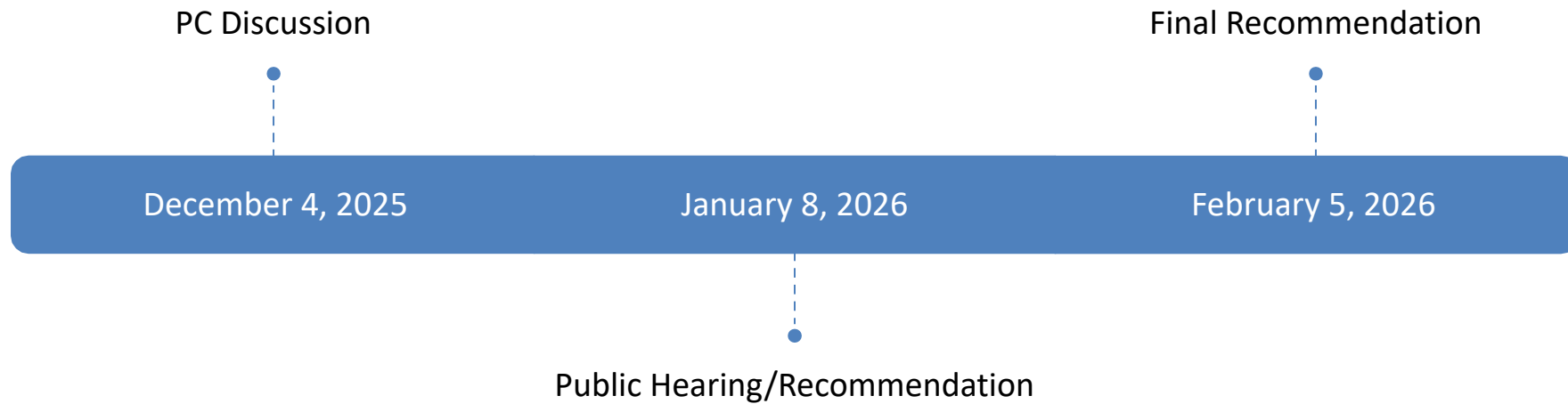


Comprehensive Plan

- Supports housing variety, affordability, infill & reinvestment.
- Consistent with affordable housing policies
- Consistent with Land Use policies related to compatibility zoning and housing



Next Steps



SUBJECT: Zoning Code Text Amendment--Co-living Housing - *ACTION*

CATEGORY: Motion

BUDGET IMPACT:

ATTACHMENTS:

STAFF CONTACT: Ryan Windish, Community & Economic Development Director

SUMMARY BACKGROUND: The proposed Amendment updates the Zoning Code to allow co-living Housing as a permitted use on any lot where at least six (6) multifamily dwelling units are allowed. Those zones in Sumner include:

1. Medium-density Residential
2. High-density Residential
3. General Commercial
4. Neighborhood Commercial
5. Town Center Subarea
6. East Sumner Neighborhood Subarea

The City of Sumner's Draft Ordinance No. 2953 (Exhibit A) amends the zoning code to:

- Add definitions for co-living housing, sleeping units, shared kitchens, and related terms;
- Permit co-living housing in all zones where multifamily housing of six (6) or more dwelling units per structure is already allowed;
- Add performance, density, open space, parking, and sewer connection standards consistent with state law; and
- Ensure co-living housing is regulated no more restrictively than other multifamily residential uses.

The Planning Commission reviewed the proposed code amendment at a regular meeting on December 4, 2025, followed by discussion and questions on parking minimums, unit size minimums and rules on conversions. The Planning Commission held a public hearing on January 8, 2026 on the clarifications made in the draft Ordinance. Following public comments, the Planning Commission is scheduled to take Action.

The co-living Housing Ordinance No. 2953 is intended to expand opportunities for affordable housing in Sumner and comply with ESHB 1998.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Move to recommend that the City Council approve Ordinance No. 2953 amending the Zoning Code to allow co-living housing.

SUBJECT: Battery Energy Storage Systems (BESS) 2.0- *DISCUSSION*

CATEGORY: Information Only

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Staff Memo BESS 2.0
2. Presentation

STAFF CONTACT: Chrissanda Walker, Associate Planner

SUMMARY BACKGROUND: This is a discussion item on the importance and value of Battery Energy Storage Systems (BESS) in supplementing the electric grid. The Council adopted Ordinance No. 2899 in November 2024 to regulate utility-scale BESS facilities that will have the capacity to store a minimum of 200 Megawatts (MW) for the sole purpose of deploying stored energy onto the grid by Puget Sound Energy (PSE). In January 2025 at a Council study session, PSE shared how BESS is an important component of renewable energy, because it enables reliability on the electric grid and serves to provide back-up power. Staff will re-introduce the topic of BESS and present the contents of the proposed Zoning Code text amendments for BESS 2.0, which will allow for residential scale BESS installations and mid-scale BESS on commercial sites.

The intent of the BESS 2.0 Discussion:

- Learn more about why BESS is important to the electric grid and how smaller scale BESS are needed in the future;
- Learn about the proposed tiered BESS definitions and how BESS should be permitted;
- Discuss the difference between large-scale BESS and utility grid-scale BESS;
- Review proposed performance standards

A draft Ordinance on BESS 2.0 will be provided at the next meeting, and the Planning Commission will hold a Public Hearing on these amendments in March 2026. More information is provided in the attached Staff Memo.

<p>COUNCIL COMMITTEE/STUDY SESSION: MEETING/STUDY SESSION DATE: COMMITTEE RECOMMENDATION:</p>
--

STAFF RECOMMENDATIONS/MOTION:

Review the information, discuss, and provide questions and comments to staff.



STAFF MEMO

DATE: January 8, 2026
TO: Planning Commission
Cc: Ryan Windish, Community and Economic Development Director
FROM: Chrissanda Walker, Associate Planner
RE: **Zoning Code Text Amendments on Battery Energy Storage System (BESS) 2.0-
DISCUSSION**

I. BACKGROUND/ WHY THE AMEDNMENTS ARE BEING PROPOSED

Battery energy storage systems (BESS) are becoming increasingly important as renewable energy sources are added to the energy mix. The increase in demand for the energy grid continues to rise as State mandates incentivizes toward green electrification. Utility providers are responding to the State's Clean Energy Transformation Act (CETA) by adding BESS to its existing utility infrastructure to provide grid efficiency and reduce peak energy prices by stabilizing power supply.

In 2024, the City of Sumner proceeded with land-use review of a large-scale BESS facility, capable of storing 200-megawatt (MW)/800-megawatt hour (MWh) of energy located in the Light-Manufacturing (M-1) zone. The BESS project is designed to provide critical energy storage to the region, while providing reliability for Puget Sound Energy (PSE) customers. The applicant, BrightNight, will begin construction in 2026 on approximately 8 acres along East Valley Hwy. The project includes a conditional use permit (CUP)-approved new transmission line that will connect from the BESS site to the PSE White River substation facility.

BESS 1.0 – Utility grid-scale BESS

In November 2024, following Planning Commission public hearing and recommendation, the City Council adopted Ordinance No. 2899 which regulates in the Zoning Code (Title 18) large-scale Battery Energy Storage Systems facilities, allowed under a CUP only in industrial zones, and subject to required performance standards to mitigate impacts.

Ordinance No. 2899, added 10 new performance standards under SMC 18.18.060(X), as follows:

- Prohibiting Utility grid-scale BESS facilities within 1,000 feet of residential zones
- Ensuring safety compliance with IFC and NFPA regulations
- Requiring emergency management planning with local fire district
- Specific site design standards
- 3rd party inspections
- Decommissioning and financial security

The Department of Ecology (DOE) responded to the rise in BESS deployment and issued a programmatic environmental impact statement in June 2025, assisting jurisdictions with the siting of green energy facilities. BESS

can be categorized under land use classifications like “major utility” or “associated electrical facilities” when co-located with green energy facilities, such as wind and solar. BESS are similar in characteristic to other storage and utility land uses yet presents unique considerations in hazardous potential and fire risk. Therefore, limiting the concentration of large-scale and grid-scale BESS and maintaining a safe distance from residential zones are a priority in the BESS 2.0 amendments. The proposed amendments address smaller and mid-scale BESS as communities will continue to see BESS associated with electric vehicle (EV) charging, solar panels and on-site backup energy.

II. DESCRIPTION OF PROPOSAL

What is BESS 2.0?

In response to the CETA, utility providers like PSE have issued requests for more grid-connected BESS to balance peak energy demand and store excess energy generated to be used later during non-peak times. Energy load sharing can happen at any point in the electric grid and battery energy storage does not need to always be at the utility grid-scale.

BESS 2.0 will address small and mid-scale BESS, where they are permitted and will define what is considered large-scale versus utility grid-scale. BESS are regulated under the International Building Code (IBC) and International Fire Code (IFC), therefore we refer to the latest adopted code standards for energy thresholds.

The proposed amendments would update the Sumner Municipal Code (SMC) to establish a regulatory framework for BESS at four scales: small, mid, large and utility. These changes align local zoning with clean energy objectives while ensuring public safety, compatibility with surrounding uses, and appropriate fire code compliance.

Defining BESS in the Zoning Code

Based on industry standards the current definition of BESS under SMC 18.04 capture features and assembly of a grid connected BESS facility, solely intended to supply energy at a future time to the electrical grid of a public utility provider.

SMC 18.04.0163 Battery Energy Storage Systems or “BESS” is a facility consisting of any combination of electrochemical storage batteries, battery chargers, controls, power conditioning systems and/or associated electrical equipment, including transmission lines, whether assembled together or separately, capable of storing at least 200 megawatt hours of electrical energy in order to supply energy at a future time to the electrical grid of a public utility provider(s).

The threshold that constitutes utility grid-scale is BESS having the ability to store 200 MW of energy and capacity to supply large amounts of energy at one time. With the growing opportunity to disperse BESS in more urban areas, the proposal will amend the current definition of “Battery Energy Storage systems” to fall into Tier 1, Tier 2, Tier 3 or Tier 4 classification of BESS as follows:

1. Small-scale

- **Tier 1-BESS:** Intended for residential uses, including single-family residential homes, duplexes, etc.
- **Use type:** Single-technology systems intended for excess solar energy backup, load sharing, EV charging.
- **Energy threshold:** 70kWh-80kWh BESS will require permits; energy limit is fixed by IFC and IBC.
- **Allowed Zones:** Accessory use in low-density residential, medium and high density residential, and zones where there are allowed single-family residences (e.g., Group R-2 and R-3 occupancy).
- **Permit required:** Residential solar permit + BESS; Electrical permit (through L&I).

2. Mid-scale

- **Tier 2-BESS:** Intended for commercial, multifamily, and light industrial businesses
- **Use Type:** accessory to solar panels, intended to provide electricity on-site, with on-site use including net metering and EV charging units, load sharing, or another grid-connected electricity sharing arrangement.
- **Energy threshold:** Less than 1 MW. Allow the IFC to regulate based on occupancy and function. The IFC has requirements for installations over 600 kWh to meet higher safety standards (e.g., IFC Group H-2).
- **Allowed Zones:** Accessory use in all commercial and industrial zones.

- **Permit required:** Commercial solar permit + BESS; Mechanical BESS permit and electrical permit (through L&I).

3. Large-scale

- **Tier 3-BESS:** Standalone BESS intended for large energy storing capacity.
- **Use types:** Co-located with solar panels and onsite electric substations.
- **Energy threshold:** Between 1MW and 4MW, proposal includes an aggregate footprint cap at 1,000 SF gross floor area. This size limit helps to minimize the size of high-risk BESS, keeping them manageable in an urban context.
- **Allowed Zones:** Only in Interchange commercial (IC) zones and all industrial zones as accessory or principal uses.
- **Permit required:** This tier will require an Administrative Use permit; Mechanical BESS permit and electric permit (through L&I).

4. Utility grid-scale

- **Tier-4 BESS:** Utility grid-scale facility capped at maximum 200 MW/800 MWh; Proposal will include a distancing requirement to limit concentration of utility scale BESS and remain prohibited within 1,000 feet away from residential zones.
- **Use types:** Standalone facilities to supplement the electric utility grid. With the capacity to store megawatts of energy for regional benefit.
- **Energy Threshold:** 5MW to 200MW
- **Allowed Zones:** Industrial zones only
- **Permit required:** This tier will require Conditional Use permit; Mechanical BESS permit and electric permit (through L&I).

BESS Performance Standards

The following are performance standards for the various BESS facilities, some of which are currently in the Zoning Code:

Setbacks and height standards:

- 10-foot minimum setbacks and 10-foot height limits on outdoor cabinets for Tier 1 and Tier 2 BESS
- 25-foot minimum setbacks and 20-foot height limits for Tier 3 and Tier 4 BESS.

Distance requirements:

- Tier-4 BESS remains prohibited within 1,000 feet of residential zones
- Propose a minimum separation of 1,000 feet from one Tier-4 BESS site to another.
- Propose a minimum 100-foot setback from residential zones for Tier-3 BESS (large-scale)

Minimum Lot size:

- Propose that Tier-4 BESS have a minimum of size of 5 acres
- Propose that electric substations be at least 1 acre for accessory Tier-3 BESS

Maximum size:

- Energy thresholds in certain zones/occupancy types are limited and regulated by the IBC & IFC
- Proposing that Tier-4 caps at a maximum energy capacity is 200 MW/800 MWh
- Proposing a maximum 1,000 SF aggregate footprint size for Tier-3 BESS

Aesthetic standards:

- Screening from adjacent properties using berms and evergreen landscaping (except M-2 zone).
- Non-glare finishes and durable cladding (e.g., powder-coated surfaces).
- Lighting, fencing, and odor/noise controls per SMC 18.18.060(D)(S).

BESS specific standards:

- All BESS tiers are subject to Fire code compliance where applicable (UL 9540, NFPA 855, IFC Section 1207).
- Decommissioning requirements and financial guarantees that will apply to certain BESS, except Tier 1.
- Tier 4 and larger Tier 3 systems must submit:
 - Emergency Operations Plans (EOPs),
 - Third-party inspections,
 - Decommissioning plans (per WAC 51-54A-1207),
 - Distribution equity assessments to avoid overconcentration.

VI. EXHIBITS

- A. Staff presentation - Battery Energy Storage Systems 2.0

Battery Energy Storage Systems BESS 2.0

Discussion

Planning Commission Meeting

January 8, 2026

Chrissanda Walker, Associate Planner

Review Process

PC New Business:
Large-scale Battery Energy Storage
System Facility - **BESS 1.0**

Council Adopts Ordinance No. 2899
Utility grid-scale BESS Facilities

May 2, 2024

October 3, 2024

November 18, 2024

April 3, 2025

PC Public Hearing &
Recommendation to approve

PC New Business: *Discussion*
BESS 2.0 small & mid-scale
systems



Background



Example Utility grid-scale BESS facility

In 2024 City of Sumner reviewed and approved Land Use permits for a 200-MW/800MWh BESS facility in the M-I zone.

Ordinance No. 2899, a Zoning Code Text Amendment was adopted by Council, that added 10 new performance standards under SMC 18.18.060(X):

- Prohibited within 1,000 feet of residential zones
- Safety compliance
- Emergency management planning
- BESS and site design standards
- 3rd party inspections
- Decommissioning requirements

Why?

Clean Energy Transformation Act (SB 5116)

Passed in 2019 and commits WA state to a carbon-neutral electric supply by 2030 and 100% clean electricity by 2045

PSE estimates the utility will need approximately **1,500 MW of storage by 2030!**



The “Bright night” BESS project is proposed on East Valley Hwy E, near the PSE White River Substation. New transmissions lines are needed to carry the energy voltage stored. The project is still under **permit** review.

Where is BESS be permitted?



Large-Scale BESS
Facilities*

- **Utility grid-scale & Large-scale BESS** is a standalone use allowed in Industrial zones.

**Optional EFSEC approval process*



Mid-scale BESS

- **Mid-scale BESS** – is an accessory use allowed in all commercial zones (i.e. general commercial, neighborhood commercial)



Small-scale ESS

- **Small-scale ESS-** is an accessory use allowed in all residential zones or in zones where single-family residential uses are allowed

What does the Amendment do?



Defines different
BESS tiers



Adds EV charging and
addresses solar
energy



Proposes new BESS
Performance
Standards



This solar array is affixed above a school, but many homes and warehouses in Sumner have solar panels. BESS can often be co-located.



Residential ESS are not the same as EV chargers.

Industrial Use:



Tier- 4 BESS
Maximum 200 MW



Tier- 3 BESS
Maximum 4 MW



PSE Glacier battery storage project.

Commercial Use:



Tier-2 BESS
Maximum 1 MW



PSE installed a solar array and battery at the Samish Island Fire Station in 2023.



Example on-site battery cabinet

Residential Use:



Tier-I BESS



Example outdoor battery pack



Example indoor Tesla battery wall charger

Small-scale ESS (residential)

- Regulated under the IRC and IFC
- Consumer-driven, should only be used for the storage of energy to be used on site
- Residential ESS typical thresholds >80kWh
- **what about schools?**
- Should be outright permitted, subject to a fire permit

Mid-scale BESS (commercial & industrial zones)

- Regulated under the IBC and IFC
- Consumer-driven, used for storage of energy to be used on site (accessory)
- Co-located with solar energy generation systems
- Require administrative CUP when greater than 1 MW
- 1,000 SF footprint limit for Tier-3

Large-scale & 'grid-scale' BESS (industrial only)

- Fully regulated under the IFC & NFPA
- Utility-driven, large quantity energy storage system facility intended to supplement energy in the electrical grid.
- Stand-alone use; 5-acre minimum lot size for Tier-4
- Requires a CUP
- 1,000-foot distance from residential

**BESS
Performance
Standard
Goals**

Limit the size of BESS in certain zones

Establish a Large-scale energy threshold

Post-incident protocols & fire permitting

Landscape buffers and setback requirements

Prohibit Tier-3 & Tier-4 BESS from within 1,000 feet of residential zones

Limit the concentration of Utility grid-scale

Next Steps

