



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/88655116217>

Or by phone: 253 215 8782 (Tacoma)

Webinar ID: 886 5511 6217

CALL TO ORDER

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

FLAG SALUTE

ROLL CALL

APPROVAL OF MINUTES

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. Child Care Centers Zoning Code Text Amendment

UNFINISHED BUSINESS

1. Child Care Centers Zoning Code Text Amendment- ACTION

NEW BUSINESS

CORRESPONDENCE

COMMISSION COMMENTS

STAFF COMMENTS

ADJOURNMENT

SUBJECT: Child Care Centers Zoning Code Text Amendment

CATEGORY: Public Hearings

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. Staff Report
2. Draft Ord No 2964- Child care siting

STAFF CONTACT: Chrissanda Walker, Associate Planner

SUMMARY BACKGROUND: In 2025, the Washington State Legislature adopted Engrossed Substitute Senate Bill (ESSB) 5509 requiring cities and towns to allow child care centers, and the conversion of existing buildings for the use of child care centers, as an outright permitted use in all zones except industrial zones. Local regulations must be amended within two years of the effective date, no later than December 31, 2027.

The intent of ESSB 5509 is to expand access to care facilities, remove zoning and permit barriers for licensed providers, and to help the workforce by encouraging the development of more childcare centers. The Sumner Municipal Code already allows "family childcare homes" and "day care facilities" as either accessory, principal or conditional permitted uses.

The proposed Amendment would align with the state legislation through:

1. Amending the definition of "day care facility"; and
2. Allowing child care centers as an outright permitted use in all zones, except industrial zones where a conditional use permit will remain required; and
3. Adding reasonable parking requirements pertaining to drop-off/pick up zones.

The Planning Commission will hold a public hearing on the proposal and review Ordinance 2964 for these Amendments.

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

STAFF RECOMMENDATIONS/MOTION:

Recommend to the City Council to approve Ordinance 2946, a zoning code text amendment addressing child care siting



DATE: April 2, 2026
TO: Planning Commission
FROM: Chrissanda Walker, Associate Planner
CC: Ryan Windish, Community & Economic Development Director
RE: Zoning Code Text Amendment – Child Care Centers (ESSB 5509 Implementation)

I. BACKGROUND / WHY THE AMENDMENTS ARE BEING PROPOSED

The Washington State Legislature adopted Engrossed Substitute Senate Bill (ESSB) 5509, requiring cities and towns to allow child care centers as an outright permitted use in all zones except industrial zones. In industrial zones, child care centers must be allowed as conditional uses, except in or around high-hazard facilities. Local development regulations must be amended no later than December 31, 2027.

The intent of ESSB 5509 is to expand access to child care by removing local zoning barriers that limit where child care centers may operate. Statewide and regional data demonstrate that permitting complexity, zoning restrictions, and facility costs are significant obstacles to child care expansion.

The 2025 Pierce County Child Care Report found that permitting ranked as the highest obstacle (5.0 average score), followed by zoning (4.3) and the cost of locating and renovating commercial space (4.8), see attached report Exhibit B. Additionally, 60% of providers reported capital project needs, with more than half attributable to regulatory requirements.

Sumner already allows in-home child care and day care centers as either accessory, principal or conditional permitted uses in various zones. Under the current Sumner Municipal Code (SMC 18.04.0320), “day care facility” includes several subcategories. In practice, these subcategories fall into two primary operational models as defined by the state: child care centers and family child care homes.

Family Child Care Home

A family child care home is a state-licensed child care operation located within the provider’s primary residence. Care is provided in the family living quarters for 12 or fewer children, including the provider’s own children, for periods of less than 24 hours. This model is residential in character and typically operates as an accessory use within a neighborhood setting.

Child Care Center

A child care center is a state-licensed facility that provides regularly scheduled care for a group of children (generally one month through 12 years of age) for periods of less than 24 hours. Unlike family child care homes, centers operate in commercial, institutional, or purpose-built facilities and are not limited to 12 children. They are considered principal uses rather than accessory residential uses.

II. DESCRIPTION OF PROPOSAL

The purpose of the amendment is to simplify the current definition of child care facilities to be consistent with state licensing classifications and operational scale. The amendments will align with ESSB 5509 requirements, allowing child care centers outright in residential districts zones, and proposing a reasonable requirement for on-site drop off/pick up loading spaces for child care centers. The proposed Zoning Code Text Amendment would amend several sections of the Sumner Municipal Code (SMC) under Title 18, including chapters 18.04, 18.12, 18.14, 18.16, 18.18, 18.42 and 18.44, that implement state law on child care centers.

In summary the proposal would:

1. Amend the definition of "day care facility" by consolidating subcategories into two classifications:
 - Child care home
 - Child care center
2. Permit child care centers as an outright use in all residential and commercial zones, consistent with ESSB 5509.
3. Retain conditional use permit requirements in industrial zones, except where prohibited due to high-hazard uses.
 - Amend the use chart in SMC 18.18 to allow on-site child care in the industrial zones
4. Clarify performance standards to distinguish between:
 - Accessory child care homes
 - Principal-use child care centers

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

III. ANALYSIS

The proposal is consistent with state law (ESSB 5509) and implements key family and human services and land use goals and policies in the City of Sumner Comprehensive Plan, as discussed below.

A. Consistency with State Law (ESSB 5509)

The amendments implement ESSB 5509 through the following:

1. Permitted use and approval requirements:
 - The amendment adds child care centers as an outright permitted use in all zoning districts other than industrial, light industrial, and open space (or whichever local zones correspond to those categories).
 - The amendment allows conversion of existing buildings for child care centers under the same "outright permitted" framework.
 - The amendment provides a conditional use path for on-site child care centers in industrial and light industrial zones, with a clear exception for locations "in or around high-hazard facilities."
2. Definitions are aligned with state law:
 - ESSB 5509 ties "child care centers" to the meaning in RCW 43.216.010.

- Updating “Day care facility” definitions so that “Child day care center” term is replaced with “Child care center” so the local definition clearly aligns with state law.

B. Sumner Comprehensive Plan

Sumner’s Comprehensive Plan has general policies related to Governance and Permit Process, Family and Human Services and Economic Development and Employment Element that support this proposal as follows:

GOVERNANCE AND PERMIT PROCESS

1. Strive for a civic government that is broadly representative of the community, dedicated, participatory, open, visionary, and responsible.

- 1.1. Recognize all members of the community, such as residents, property owners, business owners and operators, industry, people who work here, people who play and shop here, children, and older adults as stakeholders in the future of the City

FAMILY & HUMAN SERVICES ELEMENT

1. Support collaborative and cost-effective human services to meet community needs.

- 1.1 Utilize the following criteria when supporting, funding, and evaluating human services:

- 1.1.4. Families. Emphasize programs which support strong, healthy, and nurturing families.

- 1.1.6 Accessibility. Support local programs that are affordable, physically accessible, and help meet the needs of communities affected by poverty, exclusion, and discrimination, and other underserved communities

2. Support human services programs that focus on community health and safety.

- 2.1. Provide human services that directly relate to other City services and programs and facilitate the delivery of services with emphasis on families, prevention and education.

Childcare Availability and Affordability

- 2.1.8. Support efforts for adequate and affordable childcare and adult care including.
 - Promote land uses, development codes, and fees that encourage day care.
 - Support neighborhood, school and business plans, and both public and public-private projects that include provision for childcare.

ECONOMIC DEVELOPMENT AND EMPLOYMENT ELEMENT

2. Support the necessary infrastructure and programs to develop a talented and qualified workforce that can afford to live near where they work.

- 2.6 Encourage adequate childcare and adult care facilities to support a diverse work force.

9. The SPMIC should include a diverse range of small and large industrial businesses.

- 9.4 Encourage a modest level of small-footprint businesses in the SPMIC that provide close-

by services for workers, such as food establishments, medical services, and childcare.

CONCLUSION: The draft Ordinance (Exhibit A) is consistent with all statutory requirements and with the Sumner Comprehensive Plan. The proposed zoning code amendments support policies related to human services, child care availability, and economic development. The Family and Human Services Element encourages land uses and development regulations that support child care and strengthen families. Allowing child care centers as permitted uses in residential and other applicable zones, while continuing to allow family child care homes as accessory residential uses, increases opportunities for child care services within neighborhoods and accessible to jobs.

The proposal supports the Economic Development and Employment Element, which recognizes Sumner as a regional employment center. Expanding opportunities for child care facilities such as on-site child care for certain uses in the industrial zones, helps meet the needs of the many employees who commute to Sumner for work. The amendments maintain compatibility and safety protections by requiring conditional use approval for child care centers in the industrial zones and prohibiting such facilities in heavy industrial areas or near hazardous uses.

Overall, the amendments simplify the zoning code, align definitions with state licensing categories, and respond to documented barriers faced by child care providers. By removing zoning barriers and clarifying where child care centers are permitted, the proposal implements Comprehensive Plan policies that promote accessible and affordable child care options while supporting families and the local workforce.

IV. SEPA ENVIRONMENTAL REVIEW

The State Environmental Policy Act (SEPA) application was submitted on March 03, 2026 under application No. SEPA-2026-0002. A Determination of Non-Significance was issued on March 11, 2026, and published to the public and agencies. Comment period ends March 25, 2026.

V. PUBLIC & AGENCY COMMENT

No public or agency comments at this time.

VI. STAFF RECOMMENDATION

Staff recommends to approve the draft Ordinance

VII. PLANNING COMMISSION RECOMMENDATION

Planning Commission public hearing is scheduled for April 2, 2026, and a recommendation may follow.

VIII. EXHIBITS

A. Draft Ordinance No. 2964-Child Care Siting

DRAFT

**ORDINANCE NO. 2964
CITY OF SUMNER, WASHINGTON**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING “TITLE 18 “ZONING CODE” OF THE SUMNER MUNICIPAL CODE TO AMEND DEFINITIONS AND REGULATIONS FOR FAMILY CHILD CARE HOMES AND DAY CARE CENTERS TO OUTRIGHT PERMIT THEM IN ALL ZONES, EXCEPT INDUSTRIAL ZONES....

WHEREAS, Engrossed Substitute Senate Bill 5509 requires all Growth Management Act cities to allow child care centers as an outright permitted use in any zone, except as a conditional use in the industrial zones and open spaces; and

WHEREAS, child care centers and day care facilities remain distinguished from family child care homes, child care centers is defined as “an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours”; and

WHEREAS, the legislation requires cities to amend their development regulations to allow child care centers as a permitted use in any zone, except as a conditional use in industrial zones by December 31, 2027, with reasonable regulations pertaining to drop-off and pick-up zones; and

WHEREAS, removing permit and fiscal barriers for child care centers to locate in any residential zone supports the local and regional workforce through increasing child care availability; and

WHEREAS, the City of Sumner issued a SEPA Determination of Non-Significance on March 11, 2026 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 April 2, 2026, and several public meetings including March 5, 2026, and **XXXX**; and Council study session on **XXXX**; and

WHEREAS, the City Council finds that Sumner Municipal Code amendments are necessary to implement state law relating to child care centers 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 repeal SMC 18.04.0320 “Day Care Facility” and amending existing definitions into new subsections to read as follows:

~~18.04.0320 Day care facility.~~

"Day care facility"

means an establishment regularly providing care for a group of children for periods of less than 24 hours. Separate requirements are adopted for the following subcategories of day care facilities:

SMC 18.04.0243 A. "Family Child care home"

means a licensed child care facility operated in the permanent residence of the provider that regularly provides care for 12 or fewer children, including children who reside at the home, for periods of less than 24 hours. a facility in the family residence of the licensee providing regularly scheduled care for 12 or fewer children within a birth through 12 years of age range exclusively, for periods less than 24 hours. A child care home shall not be licensed as a child care center without first meeting the requirements of the state.

~~B. "Family child day care home"~~

~~means the same as "family child care home" and a child day care facility licensed by the state, located in the family abode of the person or persons under whose direct care and supervision the child is placed, for the care of 12 or fewer children, including children who reside at the home. Children not residing at the home are cared for during periods less than 24 hours.~~

~~C. "Family day care provider"~~

~~means a licensed day care provider who regularly provides day care for not more than 12 children in the provider's home in the family living quarters.~~

SMC 18.04.0242 D. "Child day care center"

means a state-licensed facility, other than a child care home, providing regularly scheduled care for a group of children one month of age through 12 years of age, including early childhood education and early learning services for periods less than 24 hours; ~~except a program meeting the definition of a family childcare home shall not be licensed as a day care center without meeting the requirements of WAC 388-150-020(5)(a).~~

...

Section 2. That SMC 18.12.010 "Principal uses" is hereby amended with a new section as follows:

18.12.020 Principal uses.

The following uses are permitted outright by right in the LDR district:

A. Small group homes;

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

C. Minor utility facilities;

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

...

K. Community gardens.

L. Child care centers which:

1. Meet Washington State child care licensing requirements;
2. Comply with all land use development, building, fire, safety, health code and business licensing requirements;
3. Conform to lot size, building size, setbacks, and lot requirements of this chapter except if the structure is a legal nonconforming structure;
4. Comply with the applicable sign provisions in SMC 18.44.210, where applicable.
5. Meet the minimum requirements of the parking code in SMC 18.42.

Section 3. That SMC 18.12.030 “Accessory uses” in the Low-density residential district is hereby amended to read as follows:

18.12.030 Accessory uses.

Accessory uses permitted in the LDR district are uses and structures customarily appurtenant to the principally permitted uses, such as:

A. Accessory dwelling units subject to the following criteria:

...

B. Adult day-care home facilities which:

...

C. ~~Family~~ Child day care home ~~family child care home~~ which:

1. Meet Washington State child care licensing requirements;
2. Comply with all building, fire, safety, health code and business licensing requirements;
3. Conform to lot size, building size, setbacks, and lot requirements of this chapter except if the structure is a legal nonconforming structure;
4. Comply with the applicable provisions of the sign code of this title;
5. Make no structural or decorative alteration which will alter the design ~~single-family character~~ of an existing or proposed residential structure which would make it incompatible with surrounding residences.

Section 4. That SMC 18.14.020 “Principal permitted uses” is hereby amended to read as follows:

18.14.020 Principal permitted uses.

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

- A. Townhouse and townhouse condominiums;
- B. Duplexes;
- C. Small or large group homes;
- D. Minor utility facilities;
- E. Cottage housing in accordance with the density standards set forth;
- ...

P. Community gardens.

Q. Child care centers which:

1. Meet Washington State child care licensing requirements;
2. Comply with all land use development, building, fire, safety, health code and business licensing requirements;
3. Conform to lot size, building size, setbacks, and lot requirements of this chapter except if the structure is a legal nonconforming structure;
4. Comply with the applicable sign provisions in SMC 18.44.210, where applicable.
5. Meet the minimum requirements of the parking code in SMC 18.42.

Section 5. That SMC 18.14.030 “Accessory buildings and uses” is hereby amended to read as follows:

18.14.030 Accessory buildings and uses.

Accessory buildings and uses permitted in the MDR and HDR districts are those uses customarily incidental or appurtenant to the principal permitted uses.

A. Accessory dwelling units subject to the following criteria:

...

C. ~~Family Child day care home~~ ~~family child care home~~ which:

1. Meet Washington State child care licensing requirements;
2. Comply with all building, fire, safety, health code and business licensing requirements;

3. Conform to lot size, building size, setbacks, and lot requirements of this chapter except if the structure is a legal nonconforming structure;
4. Comply with the applicable provisions of the sign code of this title;
5. Make no structural or decorative alteration which will alter the design ~~single-family character~~ of an existing or proposed residential structure which would make it incompatible with surrounding residences.

Section 6. That SMC 18.16.020 “Principal and conditional uses” is hereby amended to read as follows:

| | | NC | GC | IC |
|-----|---|----|----|----|
| 1. | Accessory parks and recreation facilities, for use by on-site employees, <u>including on-site child care facilities</u> | P | P | P |
| | ... | | | |
| 16. | Existing residential dwellings lawfully constructed as of the effective date of the ordinance codified in this title | P | P | P |
| 17. | Family Child care home in accordance with the provisions of SMC 18.16.025; and child care centers | P | P | P |
| | ... | | | |

Section 7. That SMC 18.16.025 “Family day care provisions” in the Commercial Districts is hereby amended to read as follows:

18.16.025 ~~Family~~ Child care home provisions.

A ~~family~~ child care home may be permitted as accessory to existing residential dwelling subject to the following. ~~They must:~~

- A. Meet Washington State child care licensing requirements.
- B. Comply with all building, fire, safety, health code and business licensing requirements.
- C. Conform to lot size, building size, setbacks, and lot requirements of this chapter except if the structure is a legal nonconforming structure.
- D. Comply with the applicable provisions of the sign code of this title.
- E. Make no structural or decorative alteration which will alter the design ~~single-family character~~ of an existing or proposed residential structure which would make it incompatible with surrounding residences.

Section 8. That SMC 18.18.020 “Principal, administrative and Conditional Uses,” section A, is hereby amended to read as follows:

A. The following table details permitted and conditionally permitted uses in the manufacturing districts. Where a "P" is indicated, the respective use in the same row is permitted in the zone classifications in the same column. Where an "A" is indicated or SMC 18.48.020(B) applies, the respective use in the same row is allowed through an administrative use permit. An administrative use permit shall be required and in full force and effect in order to establish said administrative uses. 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 said conditional uses. Where "--" is indicated, the respective use is not allowed. Where a "1" or "2" is indicated, there are different or supplemental regulations for that particular use within the Sumner manufacturing/industrial core overlay (MICO) pursuant to the notes at the bottom of this table.

| | | M-1 | M-2 | MICO (M-1/M-2) |
|-----|--|-----|-----|----------------|
| 1. | Accessory parks and recreation facilities for use by on-site employees, <u>including on-site child care facilities</u> ¹⁰ | P | P | P |
| 2. | Adult entertainment businesses, subject to chapter 18.38 SMC | P | P | P |
| 3. | Agricultural activities, including mitigation banks | P | P | P |
| ... | | | | |
| 14. | Day <u>Child care facilities</u> centers ¹⁰ | CUP | -- | CUP/-- |
| ... | | | | |
| 17. | Existing residential dwellings lawfully constructed as of the effective date of this title | P | P | P |

¹Prohibited within 1,000 feet of residentially zoned lands.

²Within MICO, limited to 10,000 square feet of gross floor area per development site unless it is an accessory use.

...

⁷See performance standards in SMC § 18.18.060(V).

⁸See performance standards in SMC § 18.18.060(W).

⁹See performance standards in SMC § 18.18.060(X).

¹⁰Prohibited in and within 1,000 feet of high-hazard facilities.

Section 9. That SMC 18.42.050 “Loading spaces, nonpassenger,” is hereby amended with a new section (B) to read as follows:

18.42.050 Loading spaces, ~~nonpassenger.~~

A. Off-street space for standing, loading and unloading services shall be provided in such a manner as not to obstruct freedom of traffic movement on streets and alleys. For all office and commercial uses, a minimum of one loading space shall be provided consisting of at least a 10-foot by 30-foot loading space with 14-foot height clearance, and for industrial uses, in addition to that required for

office and commercial uses, a loading space of 12 feet by 65 feet with 14-foot height clearances for large trucks shall be provided.

B. For child care centers, a minimum of one drop off/pick up loading space for every 20 children enrolled shall be provided on-site at a minimum size of 8 feet by 20 feet, except in the residential district one off street parking space may be used. Drop off/pick up loading space must be located adjacent to the building or walkways to avoid children walking through parking areas.

Section 10. That SMC 18.44.210 “Signs permitted in residential districts,” is hereby amended under subsection (E) to read as follows:

A. Identification Signs.

1. Single-Family Dwellings. One identification sign is permitted for each occupancy. Only address and name of occupant is allowed on the identification sign. Said sign shall not exceed an area of two square feet, shall not exceed a height of six feet, shall be attached directly to a building, fence, standard or mailbox, and shall be unlighted or indirectly lighted. Signs identifying home occupations shall not be allowed.
2. Multifamily Complexes. Identification signs displaying the name and/or address of the complex are permitted as follows:

...

B. Single-Family Residential Sign. In addition to the other permitted signs, one single-family residential sign is permitted on the premises. Said sign shall be a freestanding or wall sign with a maximum size of six square feet in area and six feet in height. If freestanding, said sign shall be 10 feet from any property line. Said sign shall contain no commercial message and not advertise a home occupation.

C. Identification Sign for Conditional Use. One freestanding or wall sign identifying the conditional use is permitted for each street frontage up to a maximum of two signs on the premises. Said signs shall be a maximum of 40 square feet in area and 15 feet in height and set back 10 feet from any property lines, except that signs for a professional office use shall be a monument sign limited to a maximum of 20 square feet in area and five feet in height.

D. General Standards. All signs permitted under this section shall meet the following standards:

1. All signs are to be surface lit by external light sources rather than illuminated from inside except readerboard signs for schools and public facilities.
2. Neon tube signs are prohibited.

E. Other Signs Permitted.

1. Farm product identification signs per SMC § 18.44.160(H).
2. Neighborhood identification sign per SMC § 18.44.150.
3. Child care center is permitted one freestanding or wall sign for each street frontage up to a maximum of two signs on the premises. Wall signs shall be a maximum 10 square feet, and said freestanding sign shall be a monument sign limited to a maximum of 20 square feet in area and five feet in height.

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 off 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. Implementation. 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 Carla S. Bowman

ATTEST:

APPROVED AS TO FORM:

Michelle Converse, CMC, City Clerk

Andrea Marquez, City Attorney

Date Adopted: XXX XX, 2026
Date of Publication: XX XX, 2026 Online / XX ZZ, 2026
Effective Date: XX, XX, 2026

SUBJECT: Child Care Centers Zoning Code Text Amendment- ACTION

CATEGORY: Motion

BUDGET IMPACT:

Expenditure Required: None

Within Budget Allocation: N/A

ATTACHMENTS:

1. PC presentation-Child Care

STAFF CONTACT: Chrissanda Walker, Associate Planner

SUMMARY BACKGROUND: Scheduled for April 2, 2026, the Planning Commission conducted a public hearing on the zoning code text amendment addressing child care siting in the City of Sumner. The amendment intends to align with ESSB 5509 to expand access to child care by removing local zoning barriers that may limit where child care centers may operate. The amendment outright permits child care centers in the residential districts and includes a provision to require loading space to alleviate potential traffic congestion during drop off/pick up. The amendment includes allowance for on-site child care centers for certain industrial uses.

The proposal will align with the state legislation through:

1. Amending the definition of "day care facility"; and
2. Allowing child care centers as an outright permitted use in all zones, except industrial zones where a conditional use permit will remain required;

During the Public Hearing, a staff report was presented and included the draft Ordinance 2964 amending the SMC Title 18 Zoning for child care options in the City of Sumner. The Planning Commission may take action on the proposal after any discussion on the amendments proposed.

COUNCIL COMMITTEE/STUDY SESSION:

MEETING/STUDY SESSION DATE:

COMMITTEE RECOMMENDATION:

STAFF RECOMMENDATIONS/MOTION:

Recommend to the City Council to approve Ordinance 2964

Child Care Centers-

Zoning Code Text Amendment

Planning Commission
Public Hearing – April 2, 2026



Background

In 2025, the legislature adopted ESSB 5509 requiring GMA cities to allow childcare centers, and the conversion of existing buildings for the use of child care centers, as an outright permitted use in all zones except industrial zones. The intent of the bill is to remove barriers and help build more childcare facilities while also allowing for local flexibility.

Cities are required to adopt regulations by **December 31, 2027**



Zoning Code Updates

Definitions

Amend the definition of “Day care facility” to align with the state and remove redundancy.

Permitted Zones

Child care centers are required to be outright permitted in all zones, except in the industrial zone where a conditional use permit can be required.

Performance Standards

Review existing performance standards and address proposed regulations for child care centers.



Definitions

Child care center is defined in state law as an agency that regularly provides early childhood education and early learning services for a group of children for periods of less than 24 hours.

Amend SMC 18.04.0320 “Day care facility” to remove redundancy and align with the state definition.



SMC 18.04.242. “Child day care center”

means a state-licensed facility, other than a child care home, providing regularly scheduled care for a group of children one month of age through 12 years of age, including early childhood education and early learning services for periods of less than 24 hours.

SMC 18.04.243. “Family Child care home”

means a licensed child care facility operated in the permanent residence of the provider that regularly provides care for 12 or fewer children, including children who reside at the home, for periods of less than 24 hours. A child care home shall not be licensed as a child care center without first meeting the requirements of the state.

Land Uses - where allowed

| | LDR | MDR/HD R | Commercial | Town Center | Industrial |
|---|-----------------|-----------------|--|-------------|---|
| Child care center | <u>P</u> | <u>P</u> | NC – P GC – P IC – P | P | M-1 – CUP M-2 – X MICO – CUP/- |
| On-site child care center | -- | -- | <u>NC – P</u> <u>GC – P</u> <u>IC – P</u> | -- | <u>M-1 – P¹⁰</u> <u>M-2 – P¹⁰</u> <u>MICO – P¹⁰</u> |
| Family child care home or Family child day care home | A | A | NC – P* GC – P* IC – P* | P | -- |

¹⁰Prohibited in and within 1,000 feet of high-hazard facilities.





Performance Standards

Sign Code regulation

Add signage allowance for child care centers in the residential districts.

Design compatibility

Allow design review flexibility for child care centers and conversions of existing buildings. For child care homes, maintain compatible residential neighborhood character when in LDR zones.

Parking and Drop off/Pick up zones

Add reasonable regulations related to loading zones and off-street parking requirements for child care centers.



Next steps



Staff Recommendation

Move to recommend approval on Ordinance 2964 – amending the zoning code related to child care siting.

