

ORDINANCE NO. XXXX

CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY OF SUMNER, WASHINGTON, AMENDING THE SUMNER ZONING CODE TO RATIFY THE ORIGINAL AMENDEMENT MADE ON THE FLOOR DURING THE COUNCIL MEETING THAT ADOPTED ORDINANCE NO. 2319, APPROVED MAY 17, 2010; 18.18.020(A).

WHEREAS, the City Council adopted Ordinance No. 2319 on May 17, 2010 amending the permitted and conditional uses of the Light and Heavy Industrial Districts and designated a Manufacturing/Industrial Center Core Overlay area to increase employment potential in the area and facilitated becoming a designated a Manufacturing/Industrial Center at the county and regional level; and

WHEREAS, the Planning Commission held a duly advertised Public Hearing on September 1, 2016 and considered these amendments and voted _____ to recommend the City Council _____ the amendments to Zoning Code; and

WHEREAS, this proposal was forwarded to the Washington State Department of Commerce for the mandatory 14-day expedited state review per the Growth Management Act on August 19, 2016; and

WHEREAS, a Determination of Non-Significance was issued on this proposal on August 19, 2016; and

WHEREAS, the proposed changes 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 Section 6, Ordinance No. 2319, approved May 17, 2010, and section 18.18.020 “Principal and conditional uses”, subsection A, of the Sumner Municipal Code, are hereby amended to read as follows:

“18.18.020 Principal and conditional uses.

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 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	<u>MICO</u>
1.	Accessory parks and recreation facilities for use by on-site employees	P	P	<u>P</u>
2.	Adult entertainment businesses, subject to chapter 18.38 SMC	P	P	<u>P</u>
3.	Agricultural activities, including mitigation banks	P	P	<u>P</u>
4.	Air separation facilities	--/P ⁺	P	<u>P</u> ¹
5.	Auction houses, wholesale	--	--	--
6.	Breweries	-- CUP	P	<u>CUP</u> ¹
7.	Cemeteries and crematories	CUP	CUP	<u>CUP</u>
8.	Contractor business ³	P	P	<u>P</u>
9.	Colleges and universities with no dormitories	CUP	CUP	<u>CUP</u>
10.	Commercial laundries	P	P	<u>P</u> ¹
11.	Outside commercial recreation fields and/or clubs, baseball fields, fairgrounds, golf driving ranges, animal race tracks, stadia, and tennis club	CUP	CUP	<u>CUP</u>
12.	Day care centers	CUP	--	<u>CUP</u>
13.	Electrical power generation and cogeneration	--	CUP	--
14.	Enclosed salvage and wrecking operations	P	P	<u>P</u>
15.	Existing residential dwellings lawfully constructed as of the effective date of this title	P	P	<u>P</u>
16.	Film processing plant	CUP-/P ⁺	P	<u>P</u> ¹
17.	Food manufacturing, processing or package plants, excluding slaughtering facilities	CUP-/P ⁺	P	<u>P</u> ¹
18.	Hazardous waste off-site treatment and storage facilities	--	--	--
19.	Hazardous waste on-site treatment and storage facilities	CUP	--	<u>CUP</u>
20.	Hospitals	CUP	CUP	<u>CUP</u>
21.	Hotels and motels	P/-- ⁺	P/-- ¹	--
22.	Lumber and wood products manufacturing or assembly	P	P	<u>P</u>
23.	Major utility facilities	P	P	<u>P</u>
24.	Manufacturing, processing or assembly of heavy equipment; airplanes; or vehicles	--/P ⁺	P	<u>P</u> ¹
25.	Manufacturing, processing or assembly of metals	--	P	--
26.	Manufacturing, refining or storage of noxious, volatile, toxic or explosive products as a principal use.	--	--	--
27.	Mass transit systems including, but not limited to, bus stations, train stations, transit shelter stations, and park and ride lots	CUP	CUP	<u>CUP</u>
28.	Medical equipment manufacturing plant	P	P	<u>P</u>

29.	Minor utility facilities	P	P	<u>P</u>
30.	Mini-warehouses	P / <u>—</u> ⁺	—	<u>—</u>
31.	Outside storage yards as a principal use	P	P	<u>P</u>
32.	Paper and allied products manufacturing	CUP ¹ / P	P	<u>P</u> ¹
33.	Parks	CUP	CUP	<u>CUP</u>
34.	Pharmaceutical plants	P	— / P ¹	<u>P</u>
35.	Prepared material, manufacturing, processing or package plants	P	P	<u>P</u>
36.	Prepared metal processing and assembly plant	P	P	<u>P</u>
37.	Professional and business offices	P ²	P / — ¹	<u>P</u> ²
38.	Professional and business offices, accessory to an allowed or conditional use on the same lot and/or in the same complex,	P	P	<u>P</u>
39.	Public facilities	CUP	CUP	<u>CUP</u>
40.	Wireless communication facilities	See chapter 18.37 SMC	See chapter 18.37 SMC	See chapter 18.37 SMC
41.	Recycling centers	CUP	P	<u>CUP</u>
42.	Restaurants, with no bar	P	P	<u>P</u>
43.	Rock, stone, brick, concrete or asphalt, batching or assembly	—	P	<u>—</u>
44.	Sales and rental of heavy machinery and equipment	P	P	<u>P</u>
45.	Salvage and wrecking yards	—	P	<u>—</u>
46.	Service stations	P	P	<u>P</u>
47.	Soil mixing	P	P	<u>P</u>
48.	Smelting, blast furnace or forging plants	—	P	<u>—</u>
49.	Storage/warehouse and distribution facilities	P	P	<u>P</u>
50.	Streets	P	P	<u>P</u>
51.	Taverns, micro-breweries, brewpubs, and bars	P	P	<u>P</u>
52.	Tow truck operation/impoundment yard ⁴	--	P	<u>--</u>
53.	Tow truck operations	P	P	<u>P</u>
54.	Truck terminals	P	P	<u>P</u>
55.	Utility yard	P	P	<u>P</u>
56.	Vehicle repair, major	P	P	<u>P</u>
57.	Vocational and art schools	P	—	<u>P</u>
58.	Water towers and water supply plants	CUP	CUP	<u>CUP</u>
59.	Commercial use, accessory to an industrial use on the same lot and/or in the same complex	P	P	<u>P</u>
60.	General commercial uses which are not otherwise listed	P / <u>P</u> ²	—	<u>P</u> ²

	above			
61.	Churches	P	P	<u>P</u>

¹Applies only within MICO, except ~~Not permitted~~ within 1,000 feet of residentially zoned lands ~~then the M-1 zone applies.~~

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

³Contractor businesses with accessory outdoor storage shall meet the requirements of

⁴SMC 18.18.060(C).

⁵An auto impoundment yard shall meet the screening requirements for outdoor storage in SMC 18.18.060(C).”

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall become effective five (5) days after its passage, approval and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this ___ day of ___, 2016.

Dave Enslow, Mayor

ATTEST:

APPROVED AS TO FORM:

Terri Berry, CMC, City Clerk

Brett Vinson, City Attorney

First Reading: September 12, 2016

Date Adopted:

Date of Publication:

Effective Date: