

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING THE SUMNER DEVELOPMENT REGULATION RELATED TO SHORT SUBDIVISIONS AND PANHANDLE AND PIPESTEM LOTS.**

**WHEREAS**, the City Council adopted interim development regulation ordinance number 2566 on June 6, 2016 to address previous existing potential for permitting of short subdivisions, and pipestem and panhandle lots that could jeopardize the implementation of the City’s Comprehensive Plan; and

**WHEREAS**, the adoption of the interim development regulation created a time-frame during which the City could clarify the intended nature of allowing short subdivisions and pipestem lot configurations as envisioned by the Comprehensive Plan; and

**WHEREAS**, the Planning Commission held a duly advertised Public Hearing on October 6, 2016 and considered the amendments and ratifications herein and voted \_\_\_\_\_ to recommend the City Council \_\_\_\_\_ these amendments to the Zoning Code; and

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

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

**WHEREAS**, the proposed 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 Section 1, Ordinance No. 2566, approved June 6, 2016, and section 17.04.060 “Piggyback or accumulative short subdivisions” definition, of the Sumner Municipal Code, is hereby amended to read as follows:

**“17.04.060 Definitions.**

...

“Piggyback or accumulative short subdivision” means multiple short subdivisions of contiguous land under common ownership. “Ownership” for purposes of this section means the owner of record ownership as established ~~at~~ as of the application submittal date of the initial short subdivision approval....”

**Section 2.** That Section 1, Ordinance No. 2566, approved June 6, 2016, and section 17.12.090 “Accumulative short subdivisions” development standard, of the Sumner Municipal Code, is hereby amended to read as follows:

**“17.12.090 Accumulative short ~~plats~~ subdivisions.**

Piggyback or ~~Accumulative short plats subdivisions~~, circumventing the requirements of a full subdivision, are not permitted.”

**Section 3.** That Section 1, Ordinance No. 2566, approved June 6, 2016, and section 17.28.200 “Private streets” development standard, of the Sumner Municipal Code, is hereby amended to read as follows:

**“17.28.195 Pipestem lots.**

- A. Pipestem lot (flag lot) means an interior lot in which the buildable area is not bounded laterally by a public or private road, and which gains road access by means of a lot extension, a driveway easement, or the terminus of a private or public road.
- B. Pipestem lots shall be served by a strip of land not less than 15 feet wide and designed for the purpose of providing access to one lot, tract, or parcel.”

**Section 4.** That Section 1, Ordinance No. 2566, approved June 6, 2016, and section 17.28.200 “Private streets” development standard, of the Sumner Municipal Code, is hereby amended to read as follows:

**“17.28.200 Private streets.**

Private streets shall serve no more than ~~two~~ one lots; provided, that ~~one of those lots also has access from a fronting public~~ the private street shall have a minimum width of 30 feet. In no case shall the front lot line of a pipestem or panhandle lot be separated from a public street by more than one lot.

Private streets shall be improved or guaranteed to the standards considered appropriate to the situation by the city engineer and fire marshal, but in all cases shall meet the minimum requirements of the city’s Development Specifications and Standard Details.”

*\*\*All numerical references afterwards will be updated accordingly.*

**Section 5. 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 6. Effective Date.** This ordinance shall become effective five (5) days after its passage, approval and publication as provided by law.

**Section 7.**     **Corrections by City Clerk or Code Reviser.** Upon approval of the City Attorney, the City Clerk and the Code Reviser are authorized to make the necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

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.

\_\_\_\_\_  
David Enslow, Mayor

**APPROVED AS TO FORM:**

**ATTEST:**

\_\_\_\_\_  
**Brett Vinson, City Attorney**

\_\_\_\_\_  
**Michelle Converse, City Clerk**

*First Reading:*  
*Date Adopted:*  
*Date of Publication:*  
*Effective Date:*

DRAFT