

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON,  
ADOPTING AN UPDATED TOWN CENTER SUBAREA PLAN AND AMENDING THE  
2017 COMPREHENSIVE PLAN.**

**WHEREAS**, the Washington State Growth Management Act, per RCW 36.70A.130 allows for annual amendments to City’s Comprehensive Plan; and

**WHEREAS**, the City of Sumner’s Comprehensive Plan was originally adopted by Ordinance No. 1625 on April 4, 1994 to comply with the Growth Management Act, addressing land use, community character, transportation, regional planning, the environment, open-space and parks, capital facilities and utilities; and

**WHEREAS**, the City has completed a public process including a public hearing with the Planning Commission on October 4, 2018, and several public meetings including October 5, 2017, February 15, 2018, and October 2, 2018; and Council public hearing on November 5, 2018; and

**WHEREAS**, in compliance with the State Environmental Policy Act (SEPA) RCW 43.21c and WAC 197-11, the City of Sumner issued a Determination of Significance on this proposal on, May 21, 2018 and scoping was conducted and comment received until June 11, 2018; and a Draft Supplemental Environmental Impact Statement (DSEIS) was issued on September 12, 2018 for a 30-day comment period ending October 12, 2018, and the Final Supplemental Environmental Impact Statement (FSEIS) on November 26, 2018; and

**WHEREAS**, the proposed updated Town Center Subarea Plan draft and 2018 Comprehensive Plan amendments and DSEIS were sent to the Washington State Department of Commerce on September 12, 2018 per RCW 36.70A.106 for a 60-day review; and

**WHEREAS**, the Town Center Subarea Plan Update creates increased residential development options within close walking distance to the regional Sounder station by allowing for increased building heights and densities. The Town Center Plan creates flexible zoning with extensive opportunity for commercial-mixed use zones buildings 4-6 stories in height. The Town Center Plan includes open space, plazas and gathering areas, and promotes multimodal travel, new landscaping, and pedestrian amenities. Density ranges from 12-25 dwelling units per acre up to 112 units per acre and would adopt a form-based code to regulate building character and aesthetics; and

**WHEREAS**, the Town Center Subarea Plan also includes the Sessler rezone at 1504 Fryar Avenue, which rezones approximately 1.2 acres from General Commercial (GC) to Light Manufacturing (M-1); and

**WHEREAS**, the State Environmental Policy Act (SEPA) and its implementing regulations provide for the integration of environmental review with land use planning and project review through the designation of planned actions by jurisdictions planning under the Growth Management Act (GMA), such as the City of Sumner (“City”); and

**WHEREAS**, Section 43.21C.440 of the Revised Code of Washington (RCW), Sections 197-11-164 through 172 of the Washington Administrative Code (WAC), and Section 16.04.170 of the Sumner

Municipal Code (SMC) allow for and govern the adoption and application of a planned action designation under SEPA; and

**WHEREAS**, the designation of a planned action expedites the permitting process for projects of which the impacts have been previously addressed in a supplemental environmental impact statement (SEIS); and

**WHEREAS**, the City of Sumner established a public participation plan pursuant to RCW 36.70A.130(2)(a) and provided notice to all persons requesting notice of a comprehensive plan amendment update and provided opportunity to comment; and

**WHEREAS**, RCW 36.70A.130 allows amendments to the Comprehensive Plan to be considered more frequently than once per year when the initial adoption of a subarea plan or the adoption of comprehensive plan amendment is necessary to enact a planned action under RCW 43.21C.031(2), provided that amendments are considered in accordance with the public participation program established by the county or city under this subsection (2)(a) and all persons who have requested notice of a comprehensive plan update are given notice of the amendments and an opportunity to comment; and

**WHEREAS**, the Planning Commission on October 18, 2018 approved with a 3-1 vote a recommendation that the City Council adopt the updated Town Center Subarea Plan; and

**WHEREAS**, the City Council has found the updated Town Center Subarea Plan and subsequent Comprehensive Plan amendments to be consistent with the Growth Management Act, VISION 2040 Multi-county planning policies, and Pierce County Countywide Planning Policies; and

**WHEREAS**, the City Council held a duly advertised public hearing on November 5, 2018 and held numerous study sessions in 2018 to deliberate and discuss; and

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

**Section 1.** That the Town Center Plan, attached hereto as Exhibit A, and incorporated by reference is hereby adopted.

**Section 2.** That Section 1, of Ordinance No. 2646, adopted June 4, 2018 and the 2017 Comprehensive Plan are hereby amended to read as follows:

**INTRODUCTION, page 3**

Amend the list of "additional planning and guidance" as follows:

"The City has chosen, over the years, to implement the GMA in a number of ways with additional planning and guidance as follows:

- 1994—Community Character Strategy
- 1996—Design and Development Guidelines
- 2001—East Sumner Neighborhood Plan
- 2002—East Main Street Design Strategy
- ~~2005~~2018—Town Center Subarea Plan

## **INTRODUCTION, page 8**

Amend the Introduction with a new paragraph as follows:

"2018 Amendments—Updated Town Center Subarea Plan Ordinance No. XXXX, adopted December 3, 2018, adopted an updated to the Town Center Subarea Plan and amended the Comprehensive Plan. The updated Town Center Subarea Plan includes amendments to the Comprehensive Plan Map designations and Zoning districts, as well as refreshed policies, strategies, and a form-based code. A Planned Action Ordinance was also adopted pursuant to RCW 43.21C.440 following completion of a Supplemental Environmental Impact Statement."

## **INTRODUCTION, page 12**

Replace the description of the Town Center Plan in the “Implementing Plans and Strategies” list with a new description to read as follows:

"Town Center Plan, 2018. The update to the subarea plan was completed with assistance from consultant team BERK, The Transpo Group and ECONW. This document provides the policy and real estate market analysis for revitalizing the downtown core and encouraging development of more housing to serve local businesses and utilize the Sounder station. The update included adoption of a Planned Action Ordinance per RCW 43.21C.440 following completion of a Supplemental Environmental Impact Statement."

## **HISTORIC AND CULTURAL RESOURCES SUB-ELEMENT, page 27**

Amend policies 3.1 through 3.5 as follows:

- 3.1 Ensure Downtown’s historic character is retained as new businesses and buildings are established, such as through design standards, ~~landmark~~ historic preservation ordinances, or other means.
- 3.2 Enliven and refresh Downtown by allowing adaptive reuse of buildings and new construction that respects the historic district character.
- 3.3 Improve the Ryan House and public access to the museum and consider other public uses such as converting to a visitor center.
- 3.4 Partner with the Sumner Historic Society and other to ~~Provide~~ provide access to historic documentation ~~to for~~ for land owners, citizens, and others.
- 3.5 ~~Develop~~ Update a-walking tours that highlight public art, architecture, history, trees, and other icons of the historic downtown.

**LAND USE ELEMENT, Land Use Designations, page 42**

Amend Table 1, "Land Use Designations" to read as follows:

**TABLE 1  
LAND USE DESIGNATIONS**

<b>CATEGORY</b>	<b>DENSITY</b>	<b>FAR</b>
<b><u>Residential</u></b>		
Residential-Protection (R-P)	1 du/20 acres	--
Low Density Residential-1 (LDR-1)	2.9 -5.0 du/acre	--
Low Density Residential-2 (LDR-2)	5.1-6.5 du/acre	--
Low Density Residential-3 (LDR-3)	6.6-8 du/acre	--
Medium Density (MDR)	8.1-15 du/acre	--
High Density (HDR)	12.1-25 du/acre	--
<b><u>Commercial</u></b>		
General Commercial (GC)	12.1-20 du/acre	--
Interchange Commercial (IC)	--	.3 - .5
Neighborhood Commercial (NC)	12.1-20 du/acre	.3 - .5
<b><u>Mixed Use</u></b>		
Central Business District (CBD)	12.1 - 30 du/acre	2.0-3.0
Mixed Use Development	15 — 40 du/acre	2.4 3.2
Urban Village (UV)	12.1 - 40 du/acre	1.0 - 2.0
<b><u>Manufacturing</u></b>		
Light (M-1)	--	.3 - .8
Heavy (M-2)	--	.3 - .8
<b><u>Public &amp; Private Facilities &amp; Utilities</u></b> (P)	--	.3 - .8
<b><u>Overlay Designations</u></b>		
Shoreline	Refer to Sumner SMP	Refer to Sumner SMP
Planned Mixed Use Development	5-37.5 du/acre	.3-.5

CATEGORY	DENSITY	FAR
<u>Town Center Plan Subarea</u>	<u>Unlimited if height, openspace, setbacks, and parking requirements are met.</u>	<u>.75-6.0</u>

Source: Sumner Community Development Department

- Notes: du = dwelling unit  
 FAR = floor area ratio  
 SMP = Shoreline Master Program

**LAND USE ELEMENT, Land Use Designations, Mixed Uses, page 43**

Amend description of "Central Business District" to read as follows:

**"Central Business District and Historic Central Business District**

The 2018 Town Center Plan update redesignated the The Central Business District to the Historic Central Business District which provides a focal point for the City and allows for retailing and other commercial services in a fashion that preserves and enhances the pedestrian scale and character of development in the ~~downtown~~ Town Center area. Small and medium independent shops and offices are typical to this district. Primary uses include retail businesses, professional offices, hospitals, medical clinics, hotels, theaters, restaurants, personal service shops, multi-family dwellings above ground floor commercial uses, and public/semi-public buildings. Secondary uses include ~~automotive service stations~~, convenience stores, utilities subject to compatibility criteria, and small scale light manufacturing associated with artisan or craft production, assembling, and repairing. The Historic Central Business District also functions as a "town center" because of its central location as a transit hub, the pedestrian scale and character, and the types of services provided. A small portion of land remains zoned "Central Business District" in the vicinity of Valley Avenue and Main Street."

**LAND USE ELEMENT, Land Use Designations, Mixed Uses, page 44**

Delete the description of "Mixed Use Development" as follows:

**"Mixed Use Development**

~~The Mixed Use Development zone is located in the Town Center Plan area and permits a mix of commercial and residential uses in the same building and on the same site. The MUD zone allows for up to 40 dwelling units per acre and has the purpose of increasing housing in the downtown to promote business and transit use. The area will also have incentives for underbuilding parking and landscape amenities. There will be commercial uses in the ground floor of structures fronting on the primary streets with residential units above. Detached, stand alone residential structures may be ground related and in townhouse style arrangements, but would also be allowed to multi level. Transitions to adjacent residential zones will be softened through height restrictions and design standards."~~

## **LAND USE ELEMENT, Land Use Designations, Overlay Designations, page 47**

Amend the description of "Town Center Plan" as follows:

### **"Town Center Plan Subarea**

The Town Center Plan covers an area within approximately one-half mile radius of the Sumner commuter rail station. This is an area that is targeted for future residential and mixed use development that would take advantage of being near transit and amenities and conveniences in the downtown core. The increased population in the downtown would add to the market for maintaining an "everyday" downtown and further strengthen the economic vitality of Main Street. The Town Center Plan also envisions a mixed of uses along Main Street, Traffic and Fryar Avenues and Activity Nodes. ~~with an~~ The Town Center Plan area has greater increase in heights (4-6 stories) and residential densities than other areas of the City. The Town Center Plan Subarea is implemented through design standards, and a "form based code". The Town Center is also a "~~center of local importance~~Countywide Growth Center".

There are four districts within the Town Center Plan subarea:

- Historic Central Business District(HCBD)
- Station District (SD)
- West Sumner District (WSD)
- Riverfront District (RD)

## **ECONOMIC DEVELOPMENT ELEMENT, page 49**

Amend policies 1.10, 1.11, 5.1.1, 5.2, 5.2.1, 5.2.3, 5.5, 5.10, 5.11; and 5.15 through 5.18 to read as follows:

- "1.10 Recruit restaurants, cafés, ~~bookstores~~microbreweries, public facilities and other similar uses, which serve as gathering spots within the community and encourage evening activity in commercial area."
- "1.11 Maintain and enhance a partnership with many stakeholders Downtown including Sumner Downtown Promotion Association or similar organization, property owners, residents, Sound Transit, and others."
- "5.1.1 Partnering with the Puyallup/Sumner Chamber of Commerce and Small Business Association to ~~Work-work~~ with local lenders to secure sources of capital for existing businesses' building improvements and/or business expansion."
- "5.2 Every 5 years, ~~in~~ conjunction with interested parties, examine needs for ~~downtown~~ parking within the Town Center and develop methods for providing attractive, safe, accessible, effective and well utilized parking ~~within the downtown.~~ Modify and adjust ~~A coordinated~~ on and off-street parking ~~program~~ which serves retailers, other businesses, residents, and major employers downtown shall be implemented based on the 5-year parking study."

- "5.2.1 ~~Improve the appearance of parking areas with landscaping and maintenance~~ Redesign and install new parking lot signs that are strategically placed throughout the downtown area. Ensure designation of short and long-term parking, and enforcement of parking limitations."
- "5.2.3 Implement short-term, medium-term, and long-term parking strategies ~~in the Downtown Parking Study Recommendations~~ as indicated by the 5-year parking study."
- "5.5 ~~Adopt incentives and actively seek out and recruit developers to construct~~ Encourage ~~more~~ housing in and near Downtown to strengthen Downtown businesses that will in turn offer goods and services for residents."
- "5.10 Work with downtown stakeholders and the Sumner Downtown Promotions Association to develop and implement a detailed downtown "Main Street"-based revitalization strategy addressing organization, design, economic restructuring and promotion."
- "5.11 Promote and market the redevelopment of key downtown locations such as the ~~car dealerships~~ Library site and the Red Apple market site through partnering with developers, Sound Transit, and other key parties."
- "5.15 Encourage more mixed commercial/service/housing uses in the Town Center, such as along Traffic and Fryar Avenues. ~~Reduce~~ Discourage light industrial zoning in the Town Center in favor of mixed-use zoning unless there is an educational or artist component."
- "5.16 ~~Create a M~~ market strategy to and attract new business compatible with long-range plan and zoning intents, and strengthen and increase the variety of commercial shopping and service opportunities for the community. Allocate resources to implement market strategy."
- "5.17 Coordinate with Sumner Downtown Promotion Association and Puyallup/Sumner Chamber of Commerce on education, e.g. business management, business promotion ideas, entrepreneurship, etc."
- "5.18 Create a mixed economy Downtown that provides basic and specialty retail, services, destination attractions, hospitality and entertainment uses."

**ECONOMIC DEVELOPMENT ELEMENT, page 49**

Amend with NEW policies 1.19; and 5.19 through 5.23 to read as follows:

- "1.19 Keep the momentum for Downtown revitalization through implementation of many economic development, infrastructure and housing initiatives identified in the "Projects and Actions" section in the Town Center Plan. Provide for strategies civic investment and an ongoing partnership with stakeholders to implement the various initiatives."
- "5.19 Accommodate mixed use developments with commercial on the ground floor. Require that mixed use buildings within the Town Center and that have the potential for businesses on ground floor install ceiling heights and infrastructure for future conversion of residential to commercial spaces."

- "5.20 Reduce the parking requirement for multi-family developments within the Town Center to facilitate development that accommodates the transit rider, anticipates lower car ownership in this area because of transit, and changing trends and services related to transit and transportation such as on-demand services and autonomous vehicles."
- "5.21 Within the Town Center allow for visitor parking for multi-family and portions of commercial parking to be counted toward parking capacity for such developments. Smaller retail, restaurants, and other desirable pedestrian oriented businesses should be allowed without an off-street parking requirement provided they agree to not protest the formation of a future local improvement district for the construction of public parking in the Town Center."
- "5.22 Pursue creative solutions to accommodate parking for development through the creation of local improvement districts and other means."
- "5.23 In the Town Center structured and in-building or underbuilding parking is preferred over surface parking. Limit the development of surface parking."

**COMMUNITY CHARACTER ELEMENT, page 55**

Amend policies 2.4, 3.4, 3.5, 3.7, 3.10, 3.14, 3.16, 3.17; 13.19 through 3.22; 4.3; 5.12; and 7.6 to read as follows:

- "2.4 Through the use of form-based code, street and design standards, promote pedestrian and bicycle friendly streets with trees and other amenities that enhance the streetscape."
- "3.4 Through the Comprehensive Plan and Zoning Code and form based code, ensure a central role of the historic central business district, and limit competitive uses as appropriate."
- "3.5 Subject to a form-based code and design review, encourage infill residential development in the Downtown, such as "mixed use buildings" (multifamily units above ground-floor commercial), and "mixed use developments" (combination mixed use buildings and separate residential buildings on the same parcel), in order to allow for an active community core."
- "3.7 The City should, in partnership with the Sumner Downtown Promotions Association, actively recruit and promote pedestrian-oriented retail, service, and mixed uses. Uses that require outdoor storage, provide offsite services, or have little walk-in trade as primary parts of their businesses should be oriented to secondary locations in Downtown away from Main Street and Alder Avenue and designated Activity Centers."
- "3.10 Allow dining and other retail activities in the right-of-way where adequate public sidewalk widths are found and explore the potential for seating space in the form of "parklets" in the right-of-way and in alleys where appropriate."
- "3.14 Improve existing public parking lots with signage, landscaping, lighting, and drainage."



- "3.16 Maintain a high quality and attractive appearance. Work with Sumner Downtown Promotion Association to seasonally decorate Downtown with decorations, hanging baskets, lights, etc."
- "3.17 Prohibit franchise architecture ~~in the Central Business District and the General Commercial zone~~ within the Town Center and regulate design through form-based code and design and development guidelines."
- "3.19 ~~Create incentives that would expand setbacks from Traffic Avenue for residential~~ Through the use of form-based code require new development properties within the Town Center to provide pedestrian amenities such as landscaping, plazas and fountains and to buffer these areas from the street where appropriate."
- "3.20 ~~Update Design and Development Guidelines~~ Adopted a "form-based code" in the Town Center to ensure that the design standards for multi-family and mixed use development are specific enough to create high quality designs and were appropriate that are be compatible with the historic architectural context, and scale of the downtown Main Street."
- "3.21 Development along Traffic Avenue should be ~~limited to a maximum height of 45 feet in a range of 4-6 stories and be of a mid-rise urban style and provided there is for~~ underbuilding parking."
- "3.22 The height in the Historic Subdistrict ~~Central Business District~~ should be 3-4 stories remain at 35 feet to protect and preserve the small town character and scale of Main Street and reduce conflicts with adjacent residential uses."
- "4.3 Subject to a form-based code and design review, encourage infill residential development in the Downtown, such as "mixed use buildings" (multifamily units above ground-floor commercial), and "mixed use developments" (combination mixed use buildings and separate residential buildings on the same parcel), in order to allow for an active community core."
- "5.12 Continue to provide and fund maintenance of Public Restroom facilities for the historic Downtown Business District."
- "7.6 Enhance circulation in Downtown by implementing the Sumner Transportation Plan. Circulation improvements should enhance auto and non-motorized travel and provide landscaping and gateway features:
- ~~Reconfigure Fryar Avenue to relieve or improve traffic circulation,~~
  - ~~Improve Zehnder Street,~~
  - Improve the gateway Wood Avenue and Main Street intersection,
  - Further promote travel modes by commuter rail and bus and explore additional alternative modes;
- Complete the nonmotorized trail system along the White/Stuck River."

## **COMMUNITY CHARACTER ELEMENT, page 55**

Amend with a NEW Policies 3.23 and 3.24 to read as follows:

- "3.23 Ensure that adequate off-street parking is provided for multi-family development that is reflective of the transit oriented nature of the Town Center Plan area without requiring expensive construction of parking that exceeds demand.
- "3.24 Every 5 years following adoption of the Town Center Plan conduct a study reviewing parking utilization and parking issues and make policy adjustments as needed."

## **HOUSING ELEMENT, page 78**

Amend policies 2.7 and 2.8; and 4.1 through 4.3 to read as follows:

- "2.7 Plan for a standard density of 30 dwelling units per acre in Central Business District and General Commercial zones and 40 dwelling units per acre in the Mixed Use Development zone within the Town Center. The Town Center will contain "transition areas" that will be at reduced height (maximum 3 stories) to create more compatible transition between traditionally single-family residential zones and areas with increased height."
- "2.8 Provide incentives for developing senior housing in the downtown such as permit fee waivers and reductions, and parking requirement reductions, and multi-family tax exemptions."
- "4.1 Promote the construction of housing stock in the Town Center by at least 350-500-1000 dwelling units by 2015-2035."
- "4.2 ~~Examine~~ Adopt greater height limit, 5-6 stories, for development at higher density in West Sumner and west of the White River through the review of existing development patterns and desires of neighborhoods to consider allowing higher densities to promote re-development of the area for transit oriented development."
- "4.3 ~~Work with property owners and developers to promote increased housing on strategic properties in the Town Center.~~ Adopt greater height limits, 4-5 stories, east of the BNSF Railroad with a transition area to single-family residential at a maximum of 3 stories as appropriate."

## **HOUSING ELEMENT, page 78**

Amend with NEW policies 4.5 through 4.7 to read as follows:

- "4.5 Prohibit garden style apartments in the Town Center that would promote surface parking."

"4.6 In order to promote redevelopment prohibit new single-family residential development and limit expansion."

"4.7 Adopt a Multi-family Tax Exemption allowance per RCW 84.14 that would create substantial incentives for re-development in the Town Center by providing property tax relief for qualified multifamily and affordable housing developments for 8-12 years."

**TRANSPORTATION ELEMENT, page 83**

Amend with NEW policy 5.10 to read as follows:

"5.10 Explore the feasibility of a trolley system that would connect the Historic Downtown with eastern areas of the City."

**HEALTH AND HUMAN SERVICES ELEMENT, page 120**

Amend policy 4.1 to read as follows:

4.1 Promote and encourage the location of a grocery store in the ~~central business district~~ Town Center.

**Section 3.** That Section 1, of Ordinance No. 2645, adopted June 4, 2018 and the 2017 Comprehensive Plan, Figure 3, Comprehensive Plan Map, attached hereto as Exhibit B, and incorporated by reference is hereby amended.

**Section 4. 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.

**Section 5. Severability – Construction.** 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, the provisions of this ordinance shall control.

**Section 6. Effective Date.** This ordinance shall be in full force and effect five (5) days from and 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 \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor William L. Pugh

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Clerk Michelle Converse

\_\_\_\_\_  
City Attorney Andrea Marquez

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

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