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BEFORE THE HEARING EXAMINER FOR THE CITY OF SUMNER

Emily Terrell, Hearing Examiner

RE: Sumner Public Library Conditional Use Permit CUP-2024-0007	FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION
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OVERVIEW

The Pierce County Library District (Applicant) is proposing to relocate the Sumner Public Library. The Applicant will construct a new 17,500sf library building with associated site development on a 1.7-acre site located at 15216 Main Street E. The Applicant has requested a conditional use permit and a development agreement. The development agreement was addressed in a separate recommendation to and decision by the Sumner City Council. The conditional use permit is approved subject to conditions.

ORAL TESTIMONY

A computer-generated transcript of the November 20, 2024 hearing has been prepared to provide an overview of the hearing testimony. The transcript is provided for informational purposes only as Appendix A.

EXHIBITS

Exhibits A-L on page 33 of the Staff Report were admitted into the record during the November 20, 2024 hearing. The Director's Decision on the East Main Street Modification and its associated attachments (Site Plans, Traffic Study, Modification Request Narrative and Elevations) were admitted as Ex. M. After the hearing, the following exhibits were admitted into the record.

- Ex. N Mitigated Determination of Non-Significance (November 26, 2024)
- Ex. O Dunn Comment (November 19, 2024)
- Ex. P Dunn Comment (December 10, 2024) and Staff Response (December 18, 2024)
- Ex. Q Revised Lighting Plan (December 12, 2024)

FINDINGS OF FACT

Procedural:

1. Applicant. Pierce County Library District, 3005 112th Street E, Tacoma, WA 98446.
2. Hearing. The Hearing Examiner conducted a hybrid in person and virtual hearing on the application on November 20, 2024.

Substantive:

3. Site/Proposal Description. The Pierce County Library District (Applicant) is proposing to relocate the Sumner Public Library. The Applicant will construct a new 17,500sf library building with associated site development on a site located at 15216 Main Street E. The site is made up of three parcels totaling approximately 1.7 acres. The parcels will be consolidated into one lot for the new Sumner Public Library building. Site development will include the East Main Street frontage and on-site parking on the south side of the site, lighting, landscaping and stormwater management.

The site has previously included residential and commercial uses. The site is relatively flat and does include some contaminated soil. The Library District is currently working with the Department of Ecology to receive a No Further Action related to the site clean-up. There are no critical areas or shorelines on or near the project site.

The project occurs over three parcels all fronting on East Main Street. All parcels are located in Sumner's East Main Street Design Strategy area. The East Main Street area includes requirements for wider sidewalks and uses cross access connections instead of individual driveways for vehicular access. The project shows site access through the mapped cross access corridor off of 153rd Avenue Court East. There is currently no access easement in place with the property owners between the proposed Library site

1 and 153rd Avenue Court E. In the event that an easement is not obtained, the Library
2 would be able to gain access off Main Street through a modified Main Street access
approval authorized by SMC 18.43.140.

3 The City of Sumner provides water, sewer and storm services to the site with PSE
4 providing power.

5 Subsequent site plan approval, including any design that features access from East Main
6 Street instead of from 153rd Avenue Court East, is associated with building permit
approval and is an administrative decision by staff.

7 4. Modification from Main Street Access Standards. The Applicant has
8 requested a deviation from the access management design standards pursuant to SMC
9 18.43.140. Specifically, SMC 18.43.090.A designates the location of cross-access
10 corridors. SMC 18.43.100 requires the Applicant to obtain an easement from the adjacent
11 property owner to create a cross-access corridor that takes access off of 153rd Avenue
12 Court East instead of directly from East Main Street. SMC 18.43.140 allows the
13 development services director, in consultation with the public works director and after a
14 recommendation from the design commission, to approve modifications to the
15 requirements for cross-access connections. The development services director has
16 approved direct access off of East Main Street in the event the Applicant is unable to
17 obtain the cross-access corridor easement (Ex. E). No other design modifications for any
18 applicable development standards are requested.

19 5. Characteristics of the Area. The site is located primarily in the General
20 Commercial zone with a section at the south end of the site within the Low Density
21 Residential 8,500 zone. To the north is Main Street. Property to the north is zoned
22 General Commercial and currently includes a variety of restaurants, retail and
23 multifamily uses. Property adjacent to the northeastern portion of the site is also zoned
24 General Commercial and currently includes professional offices and personal services
25 uses. Property to the southeastern portion of the site is a low-density residential zone
developed with single-family housing. To the south is Low Density Residential zoned
property developed with a single-family home. Adjacent to the northwest portion of the
site is land zoned General Commercial and is the site of a funeral home. The southwest
portion of the property abuts Low-Density zoned single-family residential development.

6. Adverse Impacts. As mitigated and conditioned, there are no significant
adverse impacts associated with the project. A SEPA Mitigated Determination of Non-
Significant Impact was issued November 26, 2024 (Ex. N). There was one comment to
the SEPA and no appeals were filed. The SEPA contained 14 mitigation measures.
Specific areas of potential impact are discussed below.

A. Adequate Fire Protection. Adequate provisions for fire services and
design have been provided. No impacts from fire are anticipated. Fire service is

1 provided by East Pierce Fire and Rescue. The new building will be permitted to
2 comply with all applicable fire safety design codes and equipment requirements.

3 B. Screening and Compatibility. As conditioned and mitigated, the project
4 will be compatible with surrounding uses. A SEPA mitigation measure requires
5 the project to comply with the noise regulations of SMC 8.14. The proposed
6 landscaping provides greenery throughout the site and buffers where adjacent to
7 residential uses. The proposed Library project exceeds the buffer requirements for
8 commercial and residential properties by including an 8' fence in conjunction with
9 10' of dense landscaping. A SEPA mitigation measure requires the Applicant to
10 construct an 8' solid fence around the perimeter of the parking lot in all areas
11 adjacent to residential lots. A further SEPA Mitigation Measure restricts the
12 Applicant to benches or other outdoor seating designed to deter persons from
13 sleeping on them. The project will also be mitigated to require it to meet all design
14 regulation within the Sumner Municipal Code. As such, no adverse impacts with
15 respect to compatibility with neighboring uses is anticipated.

16 C. Pedestrian Safety. As designed, the project will provide for pedestrian
17 safety. The East Main Street design guidelines provide for a wide pedestrian
18 sidewalk adjacent to E. Main Street. The project will also provide a large, open
19 pedestrian open space between the building and the parking area (Ex. C). There
20 is also a pedestrian sidewalk along the western boundary of the parking lot to
21 minimize vehicle/pedestrian interactions. The nearby intersection at Main Street
22 and Valley Avenue has a signalized crosswalk. There are sidewalks along both
23 sides of all major roadways leading to the High School, shopping and residential
24 areas.

25 D. Historical and Cultural Resources. As mitigated, the project will ensure
preservation of historical and cultural resources. A SEPA mitigation measure will
require the applicant to contact the City, the Washington Department of
Archeology and Historic Preservation, the Puyallup Tribe of Indians and the
Muckleshoot Indian Tribe in the event of an inadvertent discovery of human
skeletal remains or artifacts of possible historic, cultural or archeological value.
In the event of an inadvertent discovery, all work will stop and the site will be
secured and protected from further disturbance until the State provides notice to
proceed.

E. Environmental Remediation. The Department of Ecology notes the
project is located on a known contaminated site (DOE Cleanup Site ID 15208,
Facility Site ID 75944). The site is currently enrolled in the Voluntary Cleanup
Program (VCP No. SW1778). Cleanup is ongoing (Ex. L). The Department of
Ecology recommends contamination be cleaned up prior to the construction of the
project. Ecology noted cleanup will be considered complete when the department
issues a no further action opinion letter. A SEPA Mitigation Measure will require
environmental remediation to be completed, consistent with any approved

1 Department of Ecology clean up plan and schedule, concurrent with or
2 consecutive to the project's development for the entire site sufficient to obtain a
3 No Further Action (NFA) determination. No certificates of occupancy will be
4 issued by the City prior to issuance of the NFA determination.

5 F. Traffic. Adequate provisions for traffic impact have been assessed. As
6 mitigated and conditioned, no impact from traffic is anticipated. The Applicant
7 provided a Traffic Impact Analysis prepared by Fehr and Peers (Ex. J). Access to
8 the site will be taken from 153rd Avenue Court through an existing business access
9 easement. This access via a side road will avoid the necessity of creating another
10 driveway onto the arterial. The library use is expected to generate 144 PM Peak
11 Hour Trips. A public comment from John Dunn (Ex. P) asked if there was a speed
12 reduction plan. However, the traffic analysis of the level of service at nearby
13 intersections and roadway segments found the project did not have enough impact
14 to warrant any traffic mitigation. A SEPA Mitigation Measure will require the
15 project to include full frontage improvements to Main Street as necessary to bring
16 the roadway up to current standards. This includes removing unused driveway
17 approaches and installing sidewalks, street trees in planters or approved tree grates
18 and replacing street lighting to meet current standards. Conditions of approval will
19 require the Applicant to follow the recommendations of the Traffic Report (Ex. J)
20 including:

- 21 • Working with adjacent properties to implement pavement marking along
22 the access easement to reinforce the aisles as a two-way path that connects
23 the library to 153rd Avenue Court E. The purpose of this condition is to
24 help motorists parking adjacent to the easement aisle to keep the path
25 clear so as to not impede continuous access to the library patrons and
emergency vehicles.
- Providing wayfinding signage to guide visitors to the Library from 153rd
Avenue Court and to the pick-up and drop-off areas.
- Providing curb or pavement markers to indicate parking time restrictions,
loading/unloading zones and direction of traffic flow within the parking
lot.
- Providing a high visibility, mid-block pedestrian crossing on E. Main
Street at the site location.

23 G. Noise Impacts. John Dunn expressed concerns about noise impacts on
24 his property. The proposed access easement between 153rd Avenue Court East and
25 the Library site runs adjacent to his property (Ex. O). He is concerned about noise
from vehicles using the access easement. Though the project will have an 8-foot
fence around the project perimeter on the Applicant's property, there will be no
perimeter fencing along the access easement. Indeed, there cannot be perimeter

1 fencing along the easement since there are existing parking spaces for the current
2 commercial use on that parcel located to the south of the easement and directly
3 adjacent to Mr. Dunn's property (Ex. C). A fence along the easement would bisect
4 the adjacent property and cut it off from its existing parking. The project will be
mitigated to ensure it complies with the City's existing noise standards. For
excessive noise from vehicles using the parking lot after hours, the remedy is to
contact the police.

5 7. Performance Standards. The project conforms to the special performance
6 standards in the commercial zone and in the low-density residential district as follows.

7 A. Commercial District Performance Standards. SMC 18.16.080 provides
8 an extensive list of performance standards for properties located in the commercial
9 districts. The northern portion of the project site where the building will be located
is located within the General Commercial zone. Specific performance standards
applicable to this development are analyzed below.

10 i. Exterior Mechanical Devices. Mechanical devices are screened to avoid
11 noise impacts that might disturb the peace, quiet and comfort of
12 neighborhood residents. A SEPA mitigation measure requires all future
13 above ground and rooftop equipment must comply with the City's noise
ordinance SMC Chapter 8.14.

14 ii. Required Open Space and Landscaping. Landscaping is required along
15 blank building facades and property boundaries. Landscaping must also
16 be compliant with the Sumner design and development guidelines. The
17 staff report (Ex. A) stated the Applicant provided a landscaping plan
18 compliant with SMC 18.16.080 (Ex. D). Perimeter landscaping will
surround the project on all sides. There will also be a large public open
space at the rear of the building adjacent to the parking lot that contains
curvilinear landscaping as part of an active open space.

19 iii. Outdoor Lighting. All new exterior lighting is proposed to be low scale
20 in size and includes glare shields. This reduces off-site lighting impacts
21 while still providing for a well-lit and safe park space and site. A SEPA
22 Mitigation Measure requires a photometric plan showing no light spill
onto neighboring residential properties. The Applicant provided a
compliant lighting plan (Ex. Q).

23 iv. Commercially Zoned Properties Adjacent to Residential Properties. The
24 Applicant is required to provide a 10-foot landscaped yard setback and 6-
25 foot masonry wall or wood fence along any property line that abuts
residential zones. The project exceeds this standard by providing 10-foot-
wide perimeter landscaping and an 8-foot perimeter fence.

- v. Trash Receptacles. The project will provide a trash enclosure north of the building at least 75 feet away from any residentially zoned property boundary.
- vi. Parking and Pedestrian Walkways. The East Main Street design guidelines provide for a wide pedestrian sidewalk adjacent to E. Main Street. The proposed parking and pedestrian facilities conform to the City's design and development guidelines. The project will also provide a large, open pedestrian open space between the building and the parking area (Ex. C). There is also a pedestrian sidewalk along the western boundary of the parking lot to minimize vehicle/pedestrian interactions.
- vii. Fences. The Applicant proposes to construct an 8-foot-tall solid perimeter fence on the west, south and east perimeters.
- viii. East Main Street Requirements. The proposed building will be set back from the street by 15 feet. The intervening space will be used for landscaping and pedestrian spaces.
- ix. Design and Development Guidelines. The project has been designed to meet the design and development guidelines through building location, landscaping, parking located behind the building, large window banks, building and roofline modulation and articulation, utility location, trash enclosure location and pedestrian space.

B. Low-Density Residential District Performance Standards. SMC 18.12.080 provides an extensive list of performance standards for properties located in the Low-Density Residential districts. The southern portion of the project site where the parking will be located is located within the Low-Density Residential zone. Specific performance standards applicable to this development are analyzed below.

- i. Exterior Mechanical Devices. As noted above in Finding of Fact No. 7Ai, a SEPA mitigation measure requires all future above ground and rooftop equipment must comply with the City's noise ordinance SMC Chapter 8.14.
- ii. Required Landscaping. The project includes landscaping and walkways/plazas along its frontage. The project is otherwise compatible with surrounding uses and meets or exceeds landscaping and screening requirements as noted in Finding of Fact No. 6B.
- iii. Outdoor Storage and Parking of Vehicles. The parking on site will be located within paved parking areas with an 8-foot solid fence and perimeter landscaping.

1 aesthetics through the application of design standards. The project will also be
2 conditioned to comply with the noise regulations of SMC 8.14.

3 **SMC 18.48.050.C:** *The proposed development shall be compatible generally with the*
4 *surrounding land uses in terms of traffic and pedestrian circulation, building and site*
5 *design;*

6 6. As mitigated and conditioned, the criterion is satisfied. The proposal would
7 not create a noticeable impact on vehicular traffic or pedestrian circulation outside of
8 temporary construction impacts. The proposed development is generally compatible with
9 surrounding land uses in terms of building and site design and with pedestrian circulation
10 as determined in Findings of Fact No. 6B, 6C and 7.

11 **SMC 18.48.050.D:** *The proposed use shall be in keeping with the goals and policies of*
12 *the Sumner comprehensive plan;*

13 7. This criterion is met. The project is in keeping with the goals and policies of
14 the City of Sumner Comprehensive Plan as described in Section 5 on pages 4-6 of the
15 Staff Report (Ex. A), adopted herein as if set forth in full.

16 **SMC 18.48.050.E:** *All measures have been taken to minimize the possible adverse*
17 *impacts which the proposed use may have on the area in which it is located.*

18 8. This criterion is met. Adequate fire services will be provided as described in
19 Finding of Fact No. 6A. The project is compatible with surrounding uses (See Finding
20 of Fact No. 6B). The project proponent will employ best management practices during
21 construction to further avoid or reduce temporary environmental impacts. Consultation
22 with Sumner Comprehensive Plan policies include several goals under the environment
23 element that promotes protection and enhancement (See Ex. A, page 4-6). All historical
24 and cultural resources will be protected in the event of an inadvertent discovery (See
25 Finding of Fact No. 6D). Environmental remediation will occur in compliance with
Department of Ecology No Further Action requirements (See Finding of Fact No. 6E).

SMC 18.16.080: *The following special requirements and performance standards shall*
apply to properties located in the commercial districts:

A. Exterior Mechanical Devices. Air conditioners, heating, cooling, ventilating
equipment, pumps and heaters and all other mechanical devices shall be screened from
surrounding properties and streets and shall be so operated that they do not disturb the
peace, quiet and comfort of neighboring residents. Apparatus needed for the operation
of active or passive solar energy systems need not be screened pursuant to this
subsection.

B. Required Open Space and Landscaping. For each development in the NC, IC and GC
districts a landscape plan shall be prepared in accordance with chapter 18.41 SMC to

1 address landscaping of yards and screening of parking, and shall be submitted for
2 approval by the development services director. Landscaping shall be provided along
3 blank building facades and property boundaries. Landscaping shall be provided in
4 accordance with the city of Sumner design and development guidelines. Whenever
5 landscaping is required by this title and/or conditions of approval of discretionary
6 applications required by this title, such landscaping shall be permanently maintained in
7 a neat and orderly manner. In no event shall such landscape areas be used for the
8 storage of materials or parking of automobiles.

9 ...

10 *D. Outdoor Lighting.* Outdoor lighting and aerial-mounted floodlighting shall be
11 shielded from above in such a manner that the bottom edge of the shield shall be below
12 the light source. The lighting shall be shielded so that the direct illumination shall be
13 confined to the property boundaries of the light source. Ground-mounted floodlighting
14 or light projection above the horizontal plane is prohibited between midnight and
15 sunrise, except governmental flags.

16 *E. Commercially Zoned Properties Adjacent to Residential Properties.* Whenever
17 commercially zoned or mixed-use development abuts any residential district, there shall
18 be:

19 *1. A 10-foot landscaped yard setback and six-foot masonry wall or wood fence*
20 *established and maintained along the property line that abuts the residential zones,*
21 *except that fences and walls located within the required front or street side yard shall*
22 *not exceed a height of three feet.*

23 ...

24 *G. Trash Receptacles.* Trash receptacles enclosed within gated, solid walls or fences
25 shall be provided for each property in commercial use. The receptacle shall be set back
a minimum of 15 feet from any residentially zoned property boundary and shall be
maintained in a neat and sanitary condition.

...

*J. Parking areas and pedestrian walkways shall conform to the city of Sumner design
and development guidelines.*

...

M. Fences – Intent. The intent of this section is to establish minimum requirements and
standards for fences in order to promote safety, provide screening, and to protect the
aesthetic assets of the community. Fences constructed in commercial zones shall comply
with the standards set forth herein:

1 ...
2 3. No fence shall exceed a total height of six feet above existing or finished grade in
3 a commercial zone unless the site qualifies for an exception in subsection (M)(8) of
4 this section.

5 4. Fences utilized to enclose drainage detention ponds or other drainage facilities in
6 any zone shall meet the requirements of the King County Washington Surface Water
7 Design Manual, as well as any other applicable regulations of this section and the
8 Sumner Municipal Code. Chain link fences used to enclose drainage detention ponds
9 or other drainage facilities shall be green or black coated or painted.

10 8. Exceptions to the fencing standards set forth in this subsection may be granted
11 through a city permit, provided the following criteria are met:

12 a. The applicant has demonstrated a need for additional safety and security
13 measures to protect the site; and

14 b. Reasonable alternatives which result in reduced or no deviation from the
15 code have been considered and the applicant demonstrates that the
16 alternatives are not reasonably feasible; and

17 c. The adjustment to the standards is the minimum necessary to accommodate
18 security fencing; and

19 d. The exception will not create harmful impacts to public ways, adjacent
20 properties or the safety of the general public; and

21 e. The proposed fencing complies with the standards listed in subsections
22 (M)(9) and (M)(10) of this section; and

23 f. The applicant has provided sufficient documentation to describe the
24 proposal, such as a cross-section and elevation of the fencing types proposed,
25 and a site plan with the fence location and setbacks; and

g. For barbed wire fencing or electrified fencing, the owner shall agree in
writing to a “hold harmless” agreement indemnifying the city against any
claims related to injury from the proposed fencing.

9. Fencing Exceptions Standards – All Commercial Zones.

1 *a. Public facilities, minor and major utility facilities, and wireless*
2 *communication facilities may construct fences in accordance to the standards*
3 *set forth for such facilities.*

4 *b. Fences located around potentially dangerous facilities or equipment on*
5 *the interior of a site where there is a demonstrated need to provide added*
6 *security and public safety may exceed the height requirements set forth in this*
7 *section to a maximum height of eight feet. Examples of a demonstrated need*
8 *include sites utilizing draining facilities with steep slopes, water tanks, heavy*
9 *or dangerous machinery or equipment, hazardous substances, hazardous*
10 *waste, etc.*

11 *...*
12 *P. For properties located within the area defined as East Main Street in SMC 18.43.020,*
13 *the setback may be increased to 15 feet when the area between the sidewalk and the*
14 *building:*

15 1. *Is utilized as usable pedestrian space such as a plaza, outdoor seating, or public*
16 *art (fountain, etc.); or*

17 2. *Is used for outdoor displays of merchandise or when the displays are an intrinsic*
18 *part of the nature of the business or it provides a pedestrian amenity. Examples*
19 *include, but are not limited to, the display of motorized vehicles that are offered for*
20 *sale, nurseries, outdoor monuments, etc. Additional landscaping may be required*
21 *that is a minimum five feet wide as measured from the front property line and running*
22 *parallel to the street for the entire frontage of the property, except for driveways,*
23 *and meets the city of Sumner design and development guidelines.*

24 *Q. All development is subject to applicable Sumner design and development guidelines.*

25 9. These criteria are met. The project as conditioned and mitigated meets all
relevant performance standards for the general commercial district as described in
Finding of Fact No. 7A. SMC 18.16.080.M requires perimeter fencing around
commercial developments. The design guidelines specify the use of 6-foot fences (SMC
18.16.080.M.2) unless the project qualifies for an exemption under SMC 18.16.080.M.8
and is compliant with the standards in SMC 18.16.080.M.9. Staff note the Applicant has
demonstrated a need for additional safety on the site because the use will be adjacent to
residential uses (SMC 18.16.080.M.8). The proposed 8-foot fence is compliant with
SMC 18.16.080.M.9.b.

SMC 18.12.080: *The following special performance standards shall apply to properties
located in the LDR district:*

*A. Exterior Mechanical Devices. Air conditioners, heating, cooling, ventilating
equipment, swimming pool pumps and heaters and all other mechanical devices shall be*

1 screened from surrounding properties and streets and shall be so operated that they do
2 not disturb the peace, quiet and comfort of the neighboring residents. Apparatus needed
for the operation of solar energy systems need not be screened pursuant to this section.

3 *B. Required Landscaping. Required front and street side yards shall be landscaped
4 except for necessary walks, drives and fences.*

5 *C. Outdoor Storage and Parking of Vehicles. Storage or parking of any motor vehicle or
6 vehicle accessory such as camper shells, boats, trailers, motorbikes or other wheeled
accessory or conveyance shall not be allowed except as follows:*

7 *1. Storage of such vehicles and vehicle accessories is permitted within the paved
8 areas and driveways located in the front and street side yard; and rear and interior
9 side yards; provided, that such vehicles and accessories are screened from
10 neighboring properties and public rights-of-way by a six-foot-high solid fence or
11 landscaped screen. For purposes of this subsection "storage" means the keeping of
such vehicles and accessories on any portion of any parcel of property for a period
of 120 continuous hours.*

12 ...
13 *J. Fences – Intent. The intent of this subsection is to establish minimum requirements
14 and standards for fences in order to provide screening and to protect the aesthetic assets
15 of the community. Fences, except as regulated under subsection (J)(8) of this section,
constructed within residential zones shall not exceed a maximum height above the
adjacent grade as set forth herein:*

16 ...
17 *4. No fence shall exceed a total height of six feet above existing or finished grade in
18 a residential zone, unless exceptions of subsection (J)(8) of this section apply.*

19 *5. Fences utilized to enclose drainage detention ponds or other drainage facilities
20 shall meet the requirements of the King County Washington Surface Water Design
21 Manual, as well as any other applicable regulations of this section and the Sumner
Municipal Code. Chain link fences used to enclose drainage detention ponds or other
drainage facilities shall be green or black coated or painted.*

22 ...
23 *8. Exceptions to the standards set forth in this subsection are listed as follows: public
24 facilities, minor and major utility facilities, schools, and wireless communication
25 facilities may have fences higher than the required six-foot maximum for safety and
security reasons, and are not subject to the requirements of this subsection. Such*

1 *facilities needing added public safety and security shall construct fences in*
2 *accordance to the standards set forth for such facilities.*

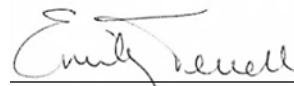
3 10. These criteria are met. The project as conditioned and mitigated meets all
4 relevant performance standards for the low-density residential district as described in
5 Finding of Fact No. 7N. SMC 18.12.080.J defines the standards for perimeter fencing in
6 the low-density residential zone. The design guidelines specify the use of 6-foot fences
7 (SMC 18.12.080.J.4) unless the project qualifies for an exemption under SMC
8 18.12.080.J.8. Staff note the Applicant has demonstrated a need for additional safety on
9 the site because the use will be adjacent to residential uses and because it is a public
10 facility (SMC 18.12.080.J.8). Staff note, the use of a solid 8-foot fence will provide the
11 best buffer available between the parking and adjacent residential uses.

8 **DECISION**

9 Based upon the application and Findings of Fact and Conclusions of Law, the requested
10 conditional use permit is approved, subject to the following conditions:

- 11 1. The project shall comply with the 14 SEPA Mitigation Measures from the November
12 26, 2024 SEPA Mitigated Determination of Non-Significant Impact.
- 13 2. The Applicant shall work with adjacent properties to implement pavement marking
14 along the access easement to reinforce the aisles as a two-way path that connects the
15 library to 153rd Avenue Court E. The purpose of this condition is to help motorists
16 parking adjacent to the easement aisle to keep the path clear so as to not impede
17 continuous access to the library patrons and emergency vehicles.
- 18 3. The Applicant shall provide wayfinding signage to guide visitors to the Library from
19 153rd Avenue Court and to the pick-up and drop-off areas.
- 20 4. The Applicant shall provide curb or pavement markers to indicate parking time
21 restrictions, loading/unloading zones and direction of traffic flow within the parking
22 lot.
- 23 5. The Applicant shall provide a high-visibility, mid-block pedestrian crossing on E.
24 Main Street at the site location.

25 Dated this 21st day of January 2025.



Emily Terrell
City of Sumner Hearing Examiner

Appeal Right and Valuation Notices

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Appeals of this decision may be filed with the City Council subject to SMC 18.56.180.

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.