**STAFF REPORT**

DATE: December 2, 2024

TO: SUMNER CITY COUNCIL

FROM: Ryan Windish, Director of Economic and Community Development

RE: **2024 Comprehensive Plan Update and Environmental Impact Statement**

File #:CPA-2024-0001

1. **BACKGROUND**

**Purpose:** The City Council is being asked to take action on Ordinance No. 2906 adopting the 2024 Comprehensive Plan update and the Environmental Impact Statement (EIS) and the 2024 Transportation Management Plan (TMP) and 2024 Capital Facilities Plan (CFP).

The Comprehensive Plan Update consists of the Comprehensive Plan with 18 Elements, an Environmental Impact Statement, updated Transportation Management Plan, Capital Facilities Plan, new regulations to implement the Comprehensive Plan, and a public outreach effort. City council reviewed Elements 1-10 at its October 16, 2024 meeting and reviewed Elements 11 through 15 at its October 28, 2024 meeting and reviewed Transportation, Capital Facilities and Utilities at the November 12, 2024 study session.

**Why amendments are being proposed**

The State Growth Management Act (GMA) requires cities to periodically update their Comprehensive Plans. The State also requires cities to complete a “10-year periodic update,” which must occur by December 31, 2024. The process for amending the City Comprehensive Plan is specified in the Sumner Municipal Code section 18.56.147 and in the state Growth Management Act (GMA) (RCW 36.70A). The Planning Commission is designated as the first review body, and makes recommendations to the City Council who makes the final decision on proposed amendments.

This 10-year periodic update involves extensive revisions to the Comprehensive Plan and regulations to reflect new laws and changes that have occurred over the last decade. Major changes at the state and regional level have shaped this 2024 update including:

* New regional growth targets have been established by the State and County, requiring each city to plan for its fair share of jobs and housing growth. The assigned growth targets for Sumner for 2020-2044 are 1,985 housing units, 5,313 jobs, and 4,904 residents.
* Sumner is required to plan for increased housing capacity and capacity for housing that is affordable to all income bands, particularly low- to moderate-income households.
* The Comprehensive Plan must address racially disparate impacts, displacement and inclusion (HB1220).
* The Comprehensive Plan must include a climate change/resiliency element (HB 1181).

The policies proposed in the 2024 Sumner Comprehensive Plan are intended to address these and other mandates under GMA, new State laws and Countywide Planning Policies. The updates are described in more detail in the 2024 Draft Comprehensive Plan (Volume I) dated November 2024 (**Exhibit A**), and the Draft Environmental Impact Statement (DEIS) for the 2024 Comprehensive Plan (Volume II) dated March 1, 2024 (**Exhibit B**), attached.

**Public meetings and participation**

In January 2023, the City Council opened the Comprehensive Plan amendment cycle for 2023-2024.  The City published notice of the open amendment cycle to allow private individuals and firms the opportunity to submit applications for changes. No applications from private parties were received during the open amendment cycle; the 2024 amendments are all proposed by City staff.

A Public Participation Plan (PPP) was developed for the 2024 Comprehensive Plan Update. The PPP was developed by staff, approved by the Planning Commission on March 2, 2023, and reviewed by the City Council in March 2023. A summary of public outreach efforts as of March 1, 2024 is included in the Draft EIS (DEIS).

The Planning Commission had a number of study sessions on the 2024 Comprehensive Plan during 2023-2024, and held a public hearing on April 4, 2024. Background materials have been provided in Commission meeting packets. Prior to the Planning Commission public hearing, a public notice for the 2024 Comprehensive Plan/DEIS package was published March 1, 2024 with a public comment period from March 1 to April 30, 2024. An additional 15-day notice of the Planning Commission public hearing was published on March 12 with a comment period ending March 27. All comments received were forwarded to the Planning Commission prior to their final recommendations. Comments received and staff responses will be contained in the Final EIS. In addition to these efforts, the City provided a dedicated project website for the 2024 Comprehensive Plan Periodic Update that contained documents, schedules, notices, and other pertinent information that was timely, accessible and readily available to the public. A final meeting with the Planning Commission was held on September 19, 2024 where the Commission voted unanimously to recommend approval by the City Council all updates to the Comprehensive Plan, EIS, TMP, and CFP associated plans.

**II. SUMMARY OF PROPOSAL**

The proposed 2024 Comprehensive Plan consists of amendments to each element (chapter) of the Comprehensive Plan, a new Transportation Management Plan, and Capital Facilities Plan. It also includes a Draft Environmental Impact Statement (DEIS). The update process includes amendments to development regulations that implement the Comprehensive Plan.

A summary of the key Comprehensive Plan amendments is provided below. More details are included in the published 2024 Comprehensive Plan dated November 2024, and Draft Environmental Impact Statement dated March 1, 2024.

1. Introduction
	* Minor updates to text, background, chronology.
2. Community Vision (not policies)
* Updates to reflect more current city characteristics, demographics, etc., since 2015
* Emphasis on walkable neighborhoods
* Removed protection of views, which Sumner does not regulate
* De-emphasized focus on single-family only, include residents not just owners
* Added allowing other housing types
* Higher density in Town Center and East Sumner anticipated
* Includes protection of natural resources
* New text includes consideration of environmental justice in projects
* Includes support for visual/cultural arts & awareness of history
* Added encouragement for innovative incubator business.
1. Community Values (not policies)
* Updates to reflect more current city characteristics, demographics, etc.
* More inclusive statements related to diversity
* Added text about treating each other with respect and helping with community safety
* Added text about maintaining and recruiting businesses
* Added text about having a fair and fiscally responsible government
* Added text about providing an inclusive educational system.
1. Plan Monitoring and Amendment Element
* New policy adding State-required wording for emergency amendments
* New policy to avoid reducing the UGA unless the areas cannot be served.
1. Governance and Permit Process Element
* Consideration of decision impacts on historically underserved populations
* Raising awareness related to diversity, equity and inclusion
* Updating how City business is communicated to the public, improving accessibility
* Streamlining permit processes
* New policy providing for tribal government participation in land use decisions
1. Community Character Element
* Clarify wording in Design Guidelines policy to respect historic context and use high quality materials
* Change emphasis on single family dwellings to emphasis on small-scale residential character
* New policy about Sign Code to allow reasonable advertising for owners while protecting the community from adverse impacts
* New policy to support a graffiti removal program
* New policy to clarify that East Sumner encourages mixed use development (in current code)
* New policy that supports alternative approaches to parking in East Sumner (in current code)
* New policy supporting neighborhood centers (focal point) and encouraging services within walking distance of these
* New policy to distribute streetscape amenities equitably across neighborhoods
* New policy supporting transit linkages from neighborhoods to the transit station
* Replaced specific historical society reference with generic historic preservation organizations; replaced specific downtown & chamber group names with generic names
* New policy to clarify what is actual area of “historic downtown” term used elsewhere
* Added policy to implement the 2021 Main Street Visioning Plan
* New policy that supports alternative approaches to parking in Town Center (in current code)
* Clarified policy about creating gateways by adding the adopted concept plan sketch
* New policy to implement the adopted East Main Street Design Strategy
* New policy to maintain Tree City USA designation
* New policies about providing pedestrian connections to transit and services, and working to reduce through-traffic
* New policy to require development in Manufacturing Industrial Center (MIC) to provide adequate screening.
1. Family and Human Services Element
* Extensive updates to clarify City’s role in the various community programs (provided mostly by other agencies and school district); examples: promoting healthy behaviors
* Wording changed throughout the chapter to put City in a supporting role working with other agencies, not as provider
* Removed policy about human services committee since City does not have such a committee
* New policy asserting City role to “support funding” for the school district recreation programs
* New policy to support food programs through information and supportive regulations
* New policy to prohibit marijuana/cannabis businesses
* New policy to support housing programs and regulations for underserved populations
* New policy to provide incentives for affordable senior housing.
* New policy to develop emergency response procedures for senior center patrons
* New policy to promote programs for older adults to work and volunteer
* New policy to distribute parks facilities equitably throughout the community
* New policy to maintain sidewalk system that connects services
* New policies to further climate resiliency and emergency preparedness.
1. Economic Development and Employment Element
* Policy updated to identify redevelopment opportunities as land supply decreases
* Policy updated to encourage agritourism
* Update to encourage industries that are sustainable and environmentally responsible
* New policy to coordinate economic development regionally
* Updated policy wording to support infrastructure and programs that promotes qualified workforce
* New policy to monitor policy impacts on underserved communities
* Policies added about improving the resiliency of the local economy to withstand climate change and reduce carbon emissions
* New policy to invest in programs that enhance downtown public safety
* Updates references to specific downtown organizations to be more generic
* Added policies from existing MIC area plan about supporting the MIC.
1. Land Use Element
* New policy about considering impacts to tribal treaty rights in land use decisions (Countywide policies)
* Clarifying policies to implement the Town Center Plan and the MIC goals
* New policy to encourage “healthy communities” in land use, design and programs
* New policy to plan for standards/programs to reduce wildfire risk
* New policy to support small-scale agriculture and non-profit community gardens
* Updates to descriptions of land use designations to reflect proposed density increases and allow more housing types.

9. Essential Public Facilities Element

* Extensive policy updates and new policies to establish guidelines for siting facilities and complying with new State guidelines.
1. Historic & Cultural Resources Element
* Updates to support preventing or mitigating impacts to historic/cultural resources
* Updated policy to require documentation of how impacts were avoided
* New policy requires consultation with DAHP on sites in Town Center with structures over 45 years old
* New policies related to inadvertent discoveries of artifacts
* New policy to encourage measures to protect culturally significant plants and foods
* Updates to reflect Sumner’s current practices and agency roles, changing references to historic preservation organizations to be more generic
* Updated references to the Ryan House and modifying “mandate” language to provide more flexibility in implementing policies and to make Comprehensive Plan policies consistent with the demolition of the Ryan House in Lucy V. Ryan Park.
	+ Numerous changes are proposed to reflect the City Council decision in September 2023 to proceed with demolition of the Ryan House, and Superior Court’s March 2024 ruling that demolition is not consistent with the policies in the Comprehensive Plan
* New policy addressing adaptation of historic sites vulnerable to climate change
* New policy to encourage cultural arts that reflect various ethnic groups’ history.
1. Environment Element
* New policies related to environmental stewardship, education
* New policy to consider environmental justice in project decisions
* Added policies related to preparedness for extreme weather events
* New policy related to air quality impacts on overburdened populations
* New policies related to protecting water quality with buffers
* Policy added to protect vegetation as a means to protect groundwater recharge
* Policy added to consider diversity and accessibility in emergency notification plans
* Numerous new policies on floodplain protection and mitigation, adding references to current programs
* New policies related to urban forest management and protecting forested hillsides
* Policies added related to reducing greenhouse gas emissions and supporting alternative energy technologies
1. Climate Change and Resiliency Element
* This required Plan element contains no new policies; rather it is a list of existing policies throughout the Plan that address climate change and resiliency topics.
1. Housing Element
* Extensive updates to outdated language
* Removal of policies that contradict new State requirements for housing
* New policy to support the preservation of manufactured home parks as affordable housing
* Updated policies to plan for adequate housing supply for all income bands and to allow for various housing types
* New policy to allow 2 dwelling units per lot per State requirement
* New policy to allow triplexes and fourplexes on larger residential lots
* Added policies to allow ADUs and streamline process
* New policy to maintain multifamily zones for multifamily units (not single family)
* Various policies related to supporting affordable housing
* New policy to re-establish SEPA review thresholds to streamline housing developments
* Added policies related to encouraging energy efficiency and reducing greenhouse gases
* Change in policies to apply MFTE tax credit in Town Center and East Sumner for affordable units only
* New policies to help support protections for tenants vulnerable to displacement.
1. Parks and Open Space Element
* Policies from the recently adopted 2024 Parks and Trails Plan have been added.
1. Transportation Element and Transportation Management Plan (See **Exhibit C**)
* Extensive revisions to clean up redundancies and outdated info
* New policy stressing importance of maintenance
* New policy supporting food truck parking on streets where appropriate
* Added existing policies from Town Center Plan and East Sumner Plan to support the street design and circulation guidelines in those plans
* New policy to pursue the expansion of the Pierce Transit district to Sumner
* Updated and new policies to support multimodal (ped and bike) modes
* New policy to prioritize commuter connections to MIC as primary employment center
* Added policies to consider transportation decision impacts on underserved populations
* Strengthen policies related to reducing environmental impacts and considering environmental justice in decisions about transportation/streets
* Updated existing and added new policies about improving air quality to emphasize reducing greenhouse gas emissions
* Added policy to consider in prioritizing projects the needs of underserved communities
* New policy that supports charging a multimodal transportation impact fee (new State allowance)
* Transportation Management Plan:
	+ Updates to Level of Service (LOS) at various intersections
	+ Integrating additional pedestrian/bicycle routes into the mapped system
	+ Revised project costs/revenues for various transportation projects
	+ Revised Traffic Impact Fees (TIFs), including a potential increase in TIFs.
1. Capital Facilities Element and Capital Facilities Plan (See **Exhibit D**)
* New policies related to social equity in capital facilities planning and programs
* Update policies to advance actions that reduce carbon footprint, greenhouse gases and promote climate resiliency
* New policy to specifically address actions to protect the Rivergrove neighborhood from flooding
* Updated policies to address more current Police Level of Service (LOS). New LOS is recommended based on new demographics of population, number of calls for service and other factors
* Updated policies to match current Fire District LOS
* Updated policies related to Government Services LOS. New LOS is recommended to replace 2015 estimate based on current data.
* Updated policies to align current LOS for water and sewer with adopted plans
* New policies to address regional coordination and emergency response to utility issues
* Added policies to promote equitable access to utility services for underserved populations.
1. Utilities Element
* Extensive revisions to clean up redundancies and outdated info
* New policies to support alternative energy and technology
* New policy to encourage undergrounding of utilities, particularly in Town Center
* New policy to require telecommunications facilities to avoid impacts to residential areas
* Added policies to support utility access to underserved communities
* New policies to support cooperative planning amongst providers.
1. Shoreline Master Program Element
* Introduction text modified for clarity, but no changes to shoreline policies or regulations.

The full scope of the proposed amendments is described in detail in the attached Exhibits.

1. **DRAFT EIS AND PREFERRED ALTERNATIVE**

The 2024 Comprehensive Plan Draft Environmental Impact Statement (DEIS) evaluated three Alternative growth scenarios. These focus primarily on alternative approaches to accommodating State and regional requirements for housing capacity and housing affordability. The Planning Commission reviewed the range of Alternatives at its meeting on June 6, 2024, and voted to accept the recommended “Preferred Alternative,” which guides the Comprehensive Plan’s policies and new regulations. In summary, the Preferred Alternative that was selected is a modification of Alternative 2 in the DEIS. The Preferred Alternative includes similar policies and meets State requirements. It provides incentives for affordable housing and additional allowances to promote housing capacity, with strategies such as:

* Plan for housing growth target of 1,985 units to meet the State- and County-assigned targets
* Not redesignate/increase density on the Cava Mine Site at this time.
* Allow multiplexes on large lots in LDR, but not require any of them to be affordable.
* Change the MFTE in Town Center (TCP) to allow MFTE only for affordable housing (incentive).
* Expand the MFTE in East Sumner to offer the affordable housing incentive to all properties within the East Sumner Neighborhood Plan boundary.
* Propose a density increase in MDR zone from 15 to22 du/ac, in order to balance out potential loss of affordable housing units if other affordability options are not pursued.

The original 3 Alternatives are described in detail in the Draft EIS for the 2024 Comprehensive Plan dated March 1, 2024 (**Exhibit B**).

1. **Comprehensive Plan Amendment Criteria**

Only those amendments which are found to be in substantial compliance with all criteria listed below shall be approved (SMC 18.56.147(N)). Below is an analysis of how the proposal meets the criteria:

1. ***An amendment is necessary to resolve inconsistencies between the Sumner Comprehensive Plan and other city plans or ordinances; or, to resolve inconsistencies between the Sumner Comprehensive Plan and other jurisdictions’ plans or ordinances.***

The proposed amendments would resolve inconsistencies between the Sumner Comprehensive Plan and new State legislation, State GMA, Multi-county Planning Policies (Vision 2050) and Countywide Planning Policies requirements.

1. ***Conditions have so changed since the adoption of the Sumner Comprehensive Plan that the existing goals, policies, objectives, and/or map classifications are inappropriate.***

Conditions have so changed since the adoption of the Comprehensive Plan that the text updates are necessary. The Comprehensive Plan has not undergone an extensive periodic review since 2015. There are new State requirements that must be addressed; there are also new development conditions and demographics in the community that have significantly changed over the years. Many of the existing policies use outdated language, do not reflect new City practices or new technologies, nor address emerging needs related to climate change, underserved communities, or needs for affordable housing. The proposed update would make the Plan text more consistent with the Zoning Code.

1. ***The proposed amendment is consistent with the overall intent of the goals of the Sumner Comprehensive Plan.***

The existing Comprehensive Plan includes goals related to maintaining Sumner’s character, encouraging housing, supporting seniors and youth, promoting economic development, and protecting the community’s natural environment. The proposed amendments support and are consistent with all of these goals, while addressing new State requirements and changes as described above.

1. ***The proposed amendment is consistent with chapter 36.70A RCW, the county-wide planning policies for Pierce County, and the applicable multi-county planning policies.***

### **Consistency with Growth Management Act (RCW 36.70A)**

The proposed Comprehensive Plan text amendments are consistent with the GMA. The text updates will address the new requirements of the GMA and State legislation, such as increasing housing density and types as required, addressing equity and disparate impacts, and addressing climate change and “Best Available Science” for protecting critical areas. Based on this, the proposal is consistent with the Growth Management Act.

### **Consistency with countywide planning policies**

The County-wide planning policies (CPPs) for Pierce County, which Sumner and other cities have ratified, establish goals and policies related to such issues as: Transportation facilities, allocation of housing and affordable housing, equity and inclusion, healthy communities, and climate resiliency. The CPPs also allocate population, housing, and employment growth targets to Sumner and other cities for the 2020-2044 period. The proposed Sumner Comprehensive Plan text amendments include extensive updates in order to be consistent with the CPPs.

**Consistency with multi-county planning policies (Vision 2050)**

VISION 2050 contains multicounty planning policies, as required by GMA, and a regional growth strategy through the year 2050. It is the multi-county-level planning document for King, Kitsap, Pierce, and Snohomish Counties. VISION 2050 calls for focusing housing and job growth within regional growth centers and near high-capacity transit, such as in Sumner’s Town Center and in the Sumner-Pacific Manufacturing Industrial Center (MIC). The CPPs are developed by Pierce County jurisdictions to be consistent with VISION 2050, and Sumner’s Comprehensive Plan amendments have been developed to be consistent with the CPPs and VISION 2050.

1. ***Where an amendment to the Comprehensive Plan map is proposed, the proposed designation is adjacent to property having a similar and compatible designation, or the subject property is of sufficient size, or other conditions are present.***

There are no proposed amendments to the map.

1. ***Environmental impacts have been disclosed, and measures have been included to reduce possible adverse impacts.***

Potential impacts of the proposed 2024 Comprehensive Plan text amendments have been addressed through the Draft Environmental Impact Statement (DEIS) for the 2024 Comprehensive Plan (Volume II) published March 1, 2024 (see **Exhibit B**)**.** This document is also available for review on the City’s website at: https://connects.sumnerwa.gov/planning-sumners-future. The DEIS analyzes impacts related to the environment including: earth, water quality, plants and animals, noise, land use, transportation and housing. The preliminary determination in the DEIS is that any potential effects are not significant or are addressed through mitigation measures.

1. ***Potential ramifications of the proposed amendment to other Comprehensive Plan elements and supporting plans have been considered and satisfactorily addressed.***

The potential ramifications of the proposed amendments to other Comprehensive Plan elements have been addressed. The proposed amendments have been evaluated for consistency across Plan elements and supporting plans. The Comprehensive Plan update also includes updates to the Transportation Management Plan and the Capital Facilities Plan that support the proposed amendments in the land use and housing elements. Potential ramifications and impacts have been evaluated in the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) issued March 1, 2024, which concludes the proposed text amendments will have a negligible impact.

CONCLUSION:

The proposal is consistent with the criteria for a Comprehensive Plan amendment. Additional analysis is contained in the Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II), issued March 1, 2024 (see **Exhibit B**).

1. **PUBLIC & AGENCY COMMENTS**

The public notice for the 2024 Comprehensive Plan and Draft EIS was issued March 1, 2024, with a public comment period from March 1 to April 30, 2024. An additional 15-day notice of the Planning Commission public hearing was published on March 12. Comments received were forwarded to the Planning Commission prior to final recommendations.

1. **SEPA ENVIRONMENTAL REVIEW**

The State Environmental Policy Act (SEPA) establishes a process for SEPA review of Comprehensive Plan updates. In compliance with State SEPA environmental regulations, the 2024 Draft Comprehensive Plan (Volume I) and Draft Environmental Impact Statement for the 2024 Comprehensive Plan (Volume II) were issued March 1, 2024 for a 60-day public review through April 30, 2024. Comments received during the comment period were forwarded to the Planning Commission for consideration before final recommendations.

1. **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission voted unanimously to recommend that the City Council “Move to approve of Ordinance No. 2906 for the 2024 Comprehensive Plan and Environmental Impact Statement.

1. **EXHIBITS & REFERENCES**
2. Ordinance No. 2906: 2024 Comprehensive Plan and Environmental Impact Statement dated September 10, 2024.
3. Draft 2024 Comprehensive Plan (Volume I) dated November 1, 2024
4. Draft Transportation Plan dated October 20, 2024
5. Draft Capital Facilities Plan dated November 1, 2024
6. Draft Environmental Impact Statement (DEIS) for the 2024 Comprehensive Plan (Volume II) dated March 1, 2024

Documents are also available for review on the City’s website at: <https://connects.sumnerwa.gov/planning-sumners-future>

See also Staff reports for: Housing regulations, Historic and cultural resources regulations, and Critical Areas regulations