



Arts & Culture Commission Meeting Agenda

Due to the restrictions related to public gatherings and the Open Public Meetings Act during the COVID-19 pandemic, the Arts & Culture Commission meeting will occur remotely using the Zoom platform. To join from a computer or smartphone, use this link: <https://bit.ly/3iCA65q>. To listen by phone, call 253-215-8782 and enter Webinar ID 931 9270 6412 followed by Passcode 283507.

Friday, June 18, 2021

10:00 AM

CALL TO ORDER

APPROVAL OF AGENDA

APPROVAL OF MINUTES

Minutes of May 21, 2021

[Minutes May 21st DRAFT](#)

AUDIENCE COMMENTS

AGENDA ITEMS

Sumner's "Innovation and Artisan" Zoning Overlay

[Sumner Innovation overlay staff memo](#)

[Sumner Innovation zoning overlay ordinance](#)

City Entrance Signage Update

OTHER

Dedication of "Camp Harmony" sculpture

[Camp Harmony.jpg](#)

Service Club Signage

ADJOURNMENT

CITY OF PUYALLUP ARTS & CULTURE COMMISSION
May 21, 2021

The meeting of the City of Puyallup Arts & Culture Commission was called to order at 10:00 a.m. Due to restrictions made necessary by the COVID-19 pandemic, the meeting was held remotely via the Zoom platform.

Members Present: Chair Becky Cain
Vice Chair Dave DeGroot
Commissioner Bethany Bevier
Commissioner Rosemary Eckerson
Commissioner Amy Johnson
Commissioner Nichole Nicholson
Commissioner Kathy Turner

Staff Present: Economic Development Manager Meredith Neal
Senior Capital Projects Engineer Scott Tkach
City Clerk Brenda Fritsvold

Approval of Agenda: A motion was made by Commissioner Eckerson, seconded by Commissioner Turner to approve the agenda as presented. The motion carried 6 – 0.

Approval of Minutes: A motion was made by Commissioner Turner, seconded by Commissioner Johnson to approve the minutes of April 16, 2021 as presented.

Vice Chair DeGroot requested the paragraph regarding the outdoor sculpture gallery be amended as follows:

The Commission discussed the idea of relocating a sculpture from the outdoor art gallery to another location such as Bradley Lake Park. While Commissioner DeGroot did not object to this, he said the timing of the suggestion was difficult, as phone and print tour guides need to be done in conjunction with the new art installation. He also pointed out that there are numerous vacant sites along Meridian, and downtown merchants like the presence of art there, so those locations might be considered for priority.

The motion to approve the minutes as amended carried 6 – 0.

Audience Comments: None

Creative District Program

Economic Development Manager Meredith Neal shared that she spoke with the manager of ArtsWA's Creative District Program regarding the possibility of establishing a Creative District in Puyallup. She said any grant funding available through the program would be minimal unless and until the legislature allocates additional funds,

and reported that the Washington State Department of Transportation has denied a request from the City of Edmonds to site a freeway sign advertising its creative district. Neal noted that the City of Sumner very recently approved zoning code amendments that create an innovation and artisan overlay to support artists and the creative economy.

Chair Cain recalled that although establishing a creative district could entail a large amount of work, the City has not approved funding or staff resources to make that happen.

Commissioner Turner agreed that the Commission should not spend time on this unless it is supported by the City Council.

Vice Chair DeGroot commented on a makerspace or another type of facility to accommodate artists. He asked if the intention is to define an area of downtown with signage.

Neal concurred that establishing a creative district involves a fairly intensive process including a five-year strategic plan with benchmarks. While some creative districts are established through downtown associations or similar outside organizations, cities that take this on themselves tend to hire someone to coordinate and manage it. She emphasized that however it is done, a large number of community partnerships are essential to making a creative district succeed.

Commissioner Turner questioned what defines success in the program. Neal said in talking with cities that have creative districts, most have shared that not much has changed for them.

Commissioner Johnson referred to the Puyallup Main Street Association's Economic Vitality Committee, which recently received a presentation from the SpaceWorks organization. Johnson noted that Puyallup already has many art and culture businesses, organizations and facilities in the downtown including Meeker Mansion, the library, the Puyallup Children's Theatre, Manestage and Karshner Museum and only lacks a shared creative space.

Responding to a question, Neal said the City's Downtown Economic Development Plan, adopted in 2019, identified looking at whether to establish a creative district as a medium-priority item. She offered to talk with planning staff regarding a possible overlay as Sumner has adopted and shared that she is working with others on downtown streetscape improvements, including wayfinding signage.

In response to Chair Cain, Neal said she will invite Sumner's Community Development Director Ryan Windish to the next meeting. She will also continue to work with PMSA's Economic Vitality Committee and report on those efforts in May.

Update on City Entrance Signage

Senior Civil Engineer Scott Tkach described his work with artist C.J. Rench to finalize the dimensions of the city entrance sign, and said that Rench is ready to move forward with fabrication which should take eight to ten weeks. Tkach will apply for the necessary permit from WSDOT, which he expected will take two to three weeks. Tkach added that WSDOT has indicated it will allow the City to use the existing electrical source for illuminating the sign.

Continuing, Tkach estimated the total cost of the sign aside from the foundation and conduit will be \$48,800. Responding to Commissioner Eckerson, he said the sign will total about 89 or 90 square feet in size.

With respect to the requested service club signage, Tkach shared that he met with Curtis Thiel, representing the service clubs, and public works employee Scott Hill. While there is interest in replacing the current sign on Main by Mama Stortini's, Tkach noted that this might involve taking down one of the nearby trees for sight distance purposes. Commissioner Turner cautioned that some of the trees in that area are historical linden trees, planted to commemorate the end of the second World War.

Chair Cain offered to talk with Curtis Thiel and Scott Hill about this and update the Commission at its next meeting.

"We Are One" Art Project

City Clerk Brenda Fritsvold reported on a new partnership between the City and the Puyallup School District to purchase and display interactive visual artwork created by a Puyallup High School student. The art consists of six different pieces which transition from one person to another as viewers walk from one end of the art to the other. The theme of "We Are One" is meant to demonstrate and emphasize the connection between all persons, regardless of ethnic, racial, gender or generational differences. The City and the School District will put two of the pieces on public display, and Pierce College and the Mel Korum YMCA will each display one piece.

Adjournment

There being no further business, Chair Cain declared the meeting adjourned at 11:01 am.



Arts & Culture Commission Agenda Item Report

Submitted by: Brenda Fritsvold

Submitting Department: City Clerk's Office

Meeting Date: 6/18/2021

Subject:

Sumner's "Innovation and Artisan" Zoning Overlay

Presenter:

Recommendation:

Background:

Ryan Windish, Community Development Director for the City of Sumner, will explain and answer questions about Sumner's new "Innovation District" zoning overlay.

Council Direction:

Fiscal Impacts:

ATTACHMENTS

- [Sumner Innovation overlay staff memo](#)
- [Sumner Innovation zoning overlay ordinance](#)

MEMORANDUM

DATE: May 3, 2021
TO: Mayor Pugh and City Council
FROM: Ann Siegenthaler, Associate Planner
RE: 2020 Comprehensive Plan Update – **Ordinance 2774 Citywide Regulations and Zoning – Overview**

I. BACKGROUND

The item being presented for City Council action is the ordinance for revisions to Citywide zoning code and municipal code regulations, and Zoning Map changes. The revised regulations in the ordinance are part of the 2020 Comprehensive Plan Update. Amendments include, among other changes: New regulations for contractor yards in Light Industrial zones, craft coffee roasting, and innovation district; East Sumner regulations and Zoning Map updates; general “housekeeping” updates; and Zoning Map updates reflecting individual proposals for map changes.

II. SUMMARY OF PROPOSED MAP UPDATES

A. Amend Zoning Map at individual parcels

The ordinance includes amendments to the Comprehensive Plan Map and Zoning Map. The proposals have been explained in individual staff reports with the required analysis of approval criteria. (See the maps in the Ordinance Exhibits for the parcels.) Below is a summary of the map changes.

1. Houston Road UGA parcels:

This proposal would change parcels within city limits from General Commercial to a Light Industrial zone. The proposed change is consistent with the existing and surrounding uses.

2. CBD parcels downtown:

This map change involves changing 5 parcels on Main Street from the obsolete Central Business District zone to Neighborhood Commercial zoning. Associated updates to regulations avoid non-conforming use issues.

3. School District parcels downtown:

This is primarily changing map designations to Public-Private Utilities & Facilities. The proposed change is consistent with the existing and planned uses by the School District.

B. Amend Zoning Map for East Sumner Neighborhood

The ordinance includes amendments to the Zoning Map within the East Sumner Neighborhood Plan (ESNP) boundary. The proposed zoning updated April 2021 removes the Resource Protection Zone from private parcels within the central wetlands area, but maintains other proposed zoning. These changes are consistent with public comments and City Council direction. The updated zoning is shown in the ordinance as an exhibit.

III. SUMMARY OF PROPOSED TEXT UPDATES

A. Update obsolete CBD and MUD zoning references and miscellaneous updates.

The ordinance includes revisions to the Zoning Code and Municipal Code, primarily as a “cleanup” of the now obsolete Central Business District (CBD) and Mixed Use Development District (MUD). The 2018 Town Center Plan (TCP) replaced most of the CBD zone. For the MUD zone, the Zoning Map has no locations mapped as MUD, and MUD text in the code is not applicable.

1. Noise Ordinance SMC 8.14: Removes CBD and MUD; replace CBD with Town Center Plan.
2. Vehicles and Traffic - Coasters & skateboards SMC 10.58.010: Replaces CBD with Town Center Plan.
3. Prohibited Uses – Collective gardens & marijuana SMC 18.03.020: Removes CBD & MUD.
4. Zoning Districts list of districts SMC 18.06: Removes CBD & MUD, adds missing Town Center Plan.
5. Medium Density Residential & High Density Residential zones SMC 18.14.020(K)(4): Removes reference to MUD zone.
6. Planned Mixed Use Development SMC 18.26: Removes references to CBD and MUD.
8. Town Center Code SMC 18.29:
 - Clarifies replacement of CBD with Historic CBD district in Town Center Plan area.
 - Transfers old CBD allowance for drive-throughs to Town Center. Intent was to allow drive-throughs to continue in TCP, but to ensure they have compatible design features.
9. Nonconforming uses SMC 18.46.040:
 - Removes references to MUD.
 - Clarifies that additional nonconforming provisions in the Town Center Plan area apply.
10. Procedures for permits SMC 18.56.030(I): Removes reference to CBD height exception.
11. Off-street parking regulations SMC 18.42:
 - Replaces CBD with Town Center Plan (TCP).
 - Transfers the existing CBD parking waiver to TCP for small commercial uses within 500 feet of a public parking lot (and other criteria). The existing CBD parking waiver allows commercial uses in the downtown to use public parking areas instead of installing their own parking stalls.
12. Sign Code (Chapter 18.44):
 - Changes CBD references to TCP. There is no corresponding Town Center Plan section in the Sign Code. Staff’s intent when TCP was adopted was to remove CBD and apply the existing CBD sign regulations to the TCP zone.
 - Parcels along Main Street that are to be rezoned from CBD to NC would be required to comply with the NC sign regulations, which have the same allowances as the CBD regulations.
 - Transfers of an existing Electronic Readerboard Signs (ERBS) allowance from General Commercial to Town Center district, west of the White River.

B. Add Craft coffee roasting in Town Center Plan area.

This code amendment would allow small “craft” coffee roasting in the Town Center Plan (TCP) area through a conditional use permit. This would:

1. Adds a definition at SMC 18.04 to the zoning code for craft coffee roasting.
2. Adds to Town Center Code at SMC 18.29 an allowance for craft coffee roasting in the Historic CBD, as a Conditional Use Permit. Establish standards to minimize noise and odor.

C. Add Innovation District chapter to the Zoning Code.

This would create a new "Innovation District Overlay" in the Zoning Code. The intent is to promote innovative commercial endeavors and incubator businesses that may not fit well into the standard zoning district regulations. Revisions include:

1. Adds related definitions to the Zoning Code, such as "micro-distillery" and "craft winery."
2. Adds a list of uses allowed in the Overlay, such as craft businesses, light manufacturing for artisans.
3. Allows only in non-residential zones, and applied only if property owner requests the overlay.

D. Revise the Light Industrial (M-1) regulations to address contractor yards.

This would revise the development standards for contractor yards in M-1 zone, such as:

1. Creates more lenient standards to increase available lot area for contractors' use near freeways.
2. Maintains screening from public streets.
3. Reduces building setbacks when next to other industrial zones or freeways.

E. Revise the commercial zone chapter to update the CBD, NC and MUD zones.

In addition to removing old CBD & MUD zones, this would update zoning regulations for the CBD and NC zones. This would combine most of the old CBD regulations into NC regulations, and clarify allowances for professional and medical offices, banks, artist studios and restaurants to ensure that existing businesses can continue to operate. Proposed changes include:

1. Zoning Code Definitions: Adds a definition for small-scale performing arts spaces, such as small theaters or dance studios, subject to a Conditional Use Permit (CUP). The goal is to add to the range of uses to NC that might be compatible with neighborhoods.
2. Commercial Districts Chapter 18.16: Removes references to now-obsolete CBD and MUD zones.
3. Allowed Uses Table:
 - Clarifies that uses like artists' studios and light fabrication must have a retail component.
 - Adds allowances for other small commercial businesses that may draw local visitors.
 - Footnotes removed or added to performance standards section as "cleanup" of code.
4. Residential Uses in commercial zones:
 - These are housekeeping changes that remove obsolete zones.
 - Standards for Town Center Plan are now in separate chapter, so those references are removed.
5. Property Development Standards 18.16.070: Minor changes are proposed to the NC development standards. This avoids making 5 parcels along Main Street non-conforming.
 - Allows 5 parcels on Main Street being rezoned to NC to continue with CBD standards.
 - Removes Town Center references, since these are in the TCP code section.
6. Performance Standards 18.16.080: Primarily housekeeping changes proposed.
 - Removes obsolete zoning districts.
 - Transfers drive-through standards from obsolete CBD to Town Center Plan area and Neighborhood Commercial.

F. Revise East Sumner Neighborhood Regulations.

To implement the East Sumner Neighborhood Plan (ESNP), updates to regulations are proposed as well as "housekeeping" amendments. These are summarized below.

1. Resource Protection District - Chapter 18.08: The proposed ESNP will place City parcels and the Salmon Creek buffer into the Resource Protection District (RES zone). The RES zone establishes allowed uses (where wetlands can be avoided), and proposed revision:
 - Allows parks and trails, but more intense recreation such as sports fields would require a conditional use permit.
 - Removes allowance for kennels due to noise impacts. ("Kennel" means a business engaged in boarding, breeding, training for a fee, selling of domesticated animals.)
 - Note that updates to wetland regulations are included under a separate ordinance.
2. East Sumner Urban Village (ESUV) - Chapter 18.30: The ESUV regulations govern uses in the East Sumner Neighborhood Plan area. Section 18.30.020 is proposed to be revised:
 - Allows Resource Protection zoning in the ESUV area (a "housekeeping" update).
 - Removes language referring to "industrial base designations." This responds to a public comment and avoids confusion regarding an allowed industrial use (mining operation).
3. ESUV Allowed uses - 18.30.030: This is primarily a code cleanup. Language that requires pedestrian-oriented commercial uses in certain locations is removed, since the zoning district and use table already govern pedestrian-oriented locations.
4. ESUV Residential and mixed uses -18.30.040: This is a re-organization and cleanup. The language in this section is moved to "performance standards" section. Also, redundant requirements are removed.
5. ESUV Performance standards -18.30.090:
 - New text is added to implement ESNP recommendations for community gathering places, "pedestrian nodes," and building height limits at key intersections.
 - Text is added to clarify what is allowed on ground floor in Neighborhood Commercial.
 - Revised text will allow multifamily residential south of 60th Street East but will not allow multifamily south of 64th Street East to preserve commercial sites.
 - Requirement for "ground-related" dwellings is removed (apartments became allowed in 2019).
 - Redundant text covered elsewhere in the code is deleted.
 - New text is added to provide an incentive for developments to provide electric charging stations in lieu of a parking space.
6. ESUV Streets and alleys -18.30.100: New text is added to support the ESNP recommendations for completing mid-block connections and pedestrian/bike improvements.
 - Adds requirement to include wider sidewalks, street trees, bike lanes on primary streets.
 - Adds requirement for pedestrian-oriented features at key intersections.
 - Adds requirements to support the mid-block connections shown in the ESNP. Implements the ESNP recommendations for mid-block connections and pedestrian/bike corridors.
 - New text is added to require major redevelopment to provide the mid-block connections. These requirements are similar to existing "cross access corridor" requirements adopted in the existing East Main Street Design Strategy document.

IV. STAFF RECOMMENDATION

Staff recommends approval of the ordinance.

VI. PLANNING COMMISSION RECOMMENDATION

Planning Commission recommended approval of the ordinance as proposed, January 7, 2021.

VII. EXHIBITS

- A. Ordinance 2774 - Proposed Zoning Code & Municipal Code Text and Map Amendments

ORDINANCE NO. 2774
CITY OF SUMNER, WASHINGTON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMNER, WASHINGTON, AMENDING THE SUMNER ZONING CODE, THE EAST SUMNER URBAN VILLAGE OVERLAY CODE; MUNICIPAL CODE AND ZONING MAP TO IMPLEMENT THE 2020 COMPREHENSIVE PLAN; AND AMENDING THE FOLLOWING MUNICIPAL CODE SECTIONS: 8.14; 10.58; 18.03; 18.04; 18.06; 18.14; 18.16; 18.18; 18.26; 18.29; 18.30; 18.42; 18.44; 18.46; 18.56; AND ADDING A NEW CHAPTER 18.22 ENTITLED INNOVATION DISTRICT.

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's 2020 comprehensive plan updates contain multiple amendments and revisions to different sections of City code, maps and standards. This ordinance relates solely to the amendments to Zoning Code and Zoning Map, Municipal Code, and East Sumner Urban Village regulations portions of the overall comprehensive plan updates. Separate ordinances will be adopting amendments to: 1) Comprehensive Plan, East Sumner Neighborhood Plan, and Supplemental Environmental Impact Statement; 2) Critical Areas Ordinances Title 16; and 3) Planned Action Ordinance for the East Sumner Neighborhood Plan; and

WHEREAS, the City concluded a public outreach process including public meetings, website postings and public notices; an optional State Environmental Policy Act (SEPA) scoping notice issued July 2, 2020 providing for public comment until July 23, 2020; and

WHEREAS, in compliance with the State Environmental Policy Act (SEPA) the City of Sumner issued a Draft Supplemental Determination of Significance (DSEIS) on this proposal on November 10, 2020 and comments were received until December 10, 2020; and a Final Supplemental Environmental Impact Statement (FSEIS) was issued on May 7, 2021; and

WHEREAS, on November 10, 2020, this proposal was forwarded to the Washington State Department of Commerce for the mandatory 60-day state review per the Growth Management Act; and

WHEREAS, on December 3, 2020, the Planning Commission held a duly-advertised public hearing on the proposed amendments, followed by a Study Session on December 17, 2020; and on January 7, 2021 voted by a 5-0 vote to recommend adoption by the City Council of the proposed amendments to the Comprehensive Plan; to adopt the DSEIS; and adopt Alternative 3 as set forth in the DSEIS; and

WHEREAS, on February 16, 2021, the City Council held a duly advertised public hearing followed by subsequent study sessions to review the Planning Commission's recommendation(s) and deliberate and discuss alternatives; and on May 17, 2021 voted by a _____ vote to adopt the proposed amendments to the Comprehensive Plan, adopt the FSEIS; and adopt Alternative 3B as set forth in the FSEIS; and

WHEREAS, the basis for the proposed amendments has been set forth in multiple individual staff reports provided to the Planning Commission and the City Council, including an analysis of the amendments' consistency with the City's adopted policies and regulations; and

WHEREAS, the City Council has found the proposed amendments to be consistent with the Sumner Municipal Code criteria for Comprehensive Plan and Zoning Code amendments, Comprehensive Plan, Growth Management Act, VISION 2040 Multi-county planning policies, and Pierce County Countywide Planning Policies;

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

Section 1. That Sumner Municipal Code Title 8 HEALTH AND SAFETY Chapter 8.14 "Noise control," section 8.14.070 "Zoning Classification for EDNA" is hereby amended as follows:

8.14.070 Zoning classification for EDNA.

A. The following land use zoning classifications as found in the zoning code are assigned the EDNA classification below:

Zone	EDNA
LDR-4; LDR-6; LDR-7.2; LDR 8.5; LDR-12; MDR; HDR; RP; MUD	Class A
NC; CBD ; <u>Town Center Plan</u> ; GC; IC	Class B
M-1; M-2; AG	Class C

The EDNA Class A, B, or C assigned to each zoning district shall be used to determine receiving property maximum permissible noise levels.

Section 2. That Sumner Municipal Code Title 10 VEHICLES AND TRAFFIC Chapter 10.58 "Coasters, Roller Skates, Roller Blades and Skateboards," Section 10.58.010 "Central Business District" is hereby amended to reads as follows:

10.58.010 ~~Central business district~~ Town Center Plan area.

It is unlawful for any person to use or operate a coaster or skateboard in the ~~area known as the central business district~~ Town Center Plan area of the city of Sumner, except upon private property with the permission of the owner or person in control.

The ~~central business district of the city of Sumner~~ Town Center Plan area is defined as ~~described on the map attached to the ordinance codified in this chapter~~ in SMC Title 18.

Section 3. That Sumner Municipal Code Section 18.03.020 "Prohibited Uses" is hereby amended to read as follows:

18.03.020 Prohibited Uses.

A. Collective gardens, as defined in SMC 18.04.0247, are prohibited in the following zoning districts:

1. Resource protection district;
2. All residential districts, including: residential protection, low density residential, medium density residential, high density residential, cluster overlay, and East Sumner urban village overlay;
3. All commercial/office districts, including: general commercial, neighborhood commercial, ~~central business district~~ Town Center Plan area, interchange commercial, ~~mixed-use development~~, East Sumner urban village overlay, and cluster overlay;

Section 4. That Sumner Municipal Code Chapter 18.04 “Definitions” is hereby amended with the addition of new sections to read as follows:

Craft Production.

“Craft production” means a commercial use that involves the production of arts, crafts, foods, beverages or other product with on-site production and assembly of goods in small batches, primarily involving the use of hand tools and/or small-scale equipment. Due to the limited scale of the activities and small boutique nature of craft production establishments, they are compatible, and are often co-located with, retail sales and service uses. This use category includes but is not limited to ceramic art, glass art, candle-making, custom jewelry manufacture, hand-made bakery and confections, specialty beverages; and micro-breweries and micro-distilleries co-located with a retail use.

Craft Coffee Roasting.

“Craft coffee roasting” means a type of craft production that involves the roasting of small batches of coffee utilizing primarily manually operated, small-scale equipment, where such roasting is incidental and accessory to a primary retail use on the premises. Roasted or packaged coffee may be sold on the premises directly to consumers, but craft roasting does not include wholesale distribution.

Distillery, micro.

“Micro-distillery” or “craft distillery” means a producer of alcohol spirits that produces fewer than 50,000 gallons per year; is independently owned and operated, and is transparent regarding its ingredients, its distilling and bottling location; its distilling and bottling process, and its aging process.

Live-work unit.

“Live-work unit” means a structure that predominantly functions as a work space and secondarily as a residence, and:

A. Combines a commercial or light manufacturing activity that is allowed in the zone or overlay zone with a residential living space for the owner of the business activity, or the owner’s employee, and that person’s household;

B. The resident owner or employee of the business is responsible for the commercial or light manufacturing activity performed; and

C. The commercial or light manufacturing activity conducted takes place subject to a valid business license associated with the premises.

Performing and cultural arts uses, minor

“Performing and cultural arts uses, minor” means an interior space designated for live performing and entertainment presented to the general public primarily from the local rather than regional area, such as a community theater, dance studio, library space for live readings, and similar venues not exceeding 5,000 square feet of total floor area as defined by 18.04.0385 SMC.

Winery, craft

“Winery, craft” means a producer of wine up to 125,500 liters or 30,000 gallons per year primarily of products produced on site, typically pressed in small batches, and typically including a wine tasting area open to the public. A craft winery is independently owned and operated.

Section 5. That Sumner Municipal Code Section 18.06.010 “Use districts designated” is hereby amended to read as follows:

18.06.010 Use districts designated.

In order to classify, segregate and regulate the uses of land, buildings and structures, the city is divided into the following use districts:

Abbreviation	District	Minimum Size Lot (sq. ft.)
RES	Resource protection	871,200
RP	Residential-protection	871,200
LDR-4	Low density residential	4,000
LDR-6	Low density residential	6,000
LDR-7.2	Low density residential	7,200
LDR-8.5	Low density residential	8,500
LDR-12	Low density residential	12,000
MDR	Medium-density multifamily residential	7,500
HDR	High-density multifamily residential	7,500
NC	Neighborhood commercial	15,000
CBD TCP	Central business Town Center Plan area	5,000 n/a
GC	General commercial	5,000
IC	Interchange commercial	5,000

Abbreviation	District	Minimum Size Lot (sq. ft.)
MUD	Mixed-use development	5,000
M-1	Light manufacturing	10,000
M-2	Heavy manufacturing	6,000

Section 6. That Sumner Municipal Code Section 18.08 .020 “Principal uses” in the Resource Protection district is hereby amended to read as follows:

18.08.020 Principal uses.

Permitted principal uses in the RES [Resource Protection] district are as follows:

- A. Agriculture, floriculture, horticulture, general farming, dairying, poultry raising, stock raising, and other agricultural land uses;
- B. The cultivation, harvest and production of forest products or any forest crop, including, but not limited to, timber, ferns, moss, boughs, bark, berries, nuts, tree fruits, nursery stock and Christmas trees;
- C. Minor utility facilities;
- ~~D. Parks and playgrounds;~~ Public nature trails and interpretive facilities;
- E. Streets;
- F. Wetland mitigation banks, and wildlife habitat mitigation and conservation projects;
- G. Wireless communication facilities subject to the standards of chapter 18.37 SMC.

Section 7. That Sumner Municipal Code Section 18.08.030 “Accessory uses” is hereby amended to read as follows:

18.08.030 Accessory uses.

Permitted accessory uses in the RES district are as follows:

- A. ~~Accessory kennels to principal agricultural uses~~ Parking and utilities required for the primary use;
- B. Detached buildings accessory to the permitted uses
- [...]

Section 8. That Sumner Municipal Code Section 18.08.040 “Conditional uses” is hereby amended to read as follows:

18.08.040 Conditional uses.

The following uses are permitted on any parcel of land within the resource protection district subject to the issuance of a conditional use permit:

- A. Wireless communication facilities subject to the standards of chapter 18.37 SMC;
- B. Cemeteries;
- C. Commercial recreational fields and/or clubs, such as athletic clubs, baseball fields, golf driving ranges;
- D. Community clubs;
- E. Golf courses;

- ~~F. Kennels as a principal use of property~~Parks and playgrounds, excluding artificially-surfaced sports fields;
- G. Major utility facilities;
- H. Mineral extraction uses (see performance standards per SMC 18.08.080(A));
- I. ~~Outdoor, uncovered p~~Private recreational facilities, ~~excluding artificially-surfaced sports fields~~;
- J. Public facilities;
- K. Riding stables;
- L. Utility yard;
- M. Water towers and water supply plants.

Section 9. That Sumner Municipal Code Section 18.14.020 “Principal permitted uses” in MDR and HDR districts is hereby amended to read as follows:

18.14.020 Principal permitted uses.

The following uses are permitted in all MDR and HDR districts unless otherwise specified:
[...]

K. Expansion of existing automotive and motorized vehicle sales and rental agencies lawfully operating as of June 1, 2000; provided, that:

1. The required 10-foot landscaped yard setback shall include a solid, commercial grade, masonry wall; wood fence with minimum six-inch by six-inch posts; a vinyl fence; or equivalent...

[...]

2. The required 10-foot landscaped yard setback shall include evergreen trees with a minimum height at planting of five feet and caliper of two inches at time of planting...

[...]

3. The use of an outdoor public address (PA) system shall comply with the noise control regulations per chapter 8.14 SMC.

~~4. Such use shall not occur more than 180 feet from the boundary of an MUD zone as exists on or before August 1, 2013.~~

Section 10. That Sumner Municipal Code Section 18.16.010 “Purpose” is hereby amended to read as follows:

A. The following commercial districts are established; properties so designated shall be subject to the provisions contained in this chapter:

1. NC, neighborhood commercial district;

~~2. CBD, central business district;~~

~~3. GC, general commercial district;~~

~~4. IC, interchange commercial district;~~

~~5. MUD, mixed-use development district.~~

B. The commercial districts are established to provide appropriately located areas for office uses, retail stores, service establishments, and wholesale businesses, offering commodities

and services required by residents of the city and its surrounding market area. In addition to this purpose, each commercial district has its own specific and unique intent as follows:

1. NC, Neighborhood Commercial District. The NC district is intended to provide for convenient retailing and other commercial services principally oriented to adjacent residential areas and neighborhoods.

~~2. CBD, Central Business District. The CBD district is intended to provide for retailing and other commercial services in a fashion that preserves and enhances the pedestrian scale and character of development in Sumner's downtown area. Small, independent shops and offices are typical to this district.~~

3. 2. GC, General Commercial District. The GC district is intended to provide for retailing and other commercial services that serve the large market area surrounding the Sumner community. In this respect, GC district regulations are intended to accommodate conventional commercial development that is typical to urban areas such as shopping centers, commercial malls and office complexes. Such commercial developments usually rely upon the automobile as their principal source of access.

4. 3. IC, Interchange Commercial District. The IC district is intended to provide for retailing and other commercial services that are easily accessible from the freeway, yet are not located near residential districts. Such commercial developments primarily rely on the automobile as their principal source of access.

~~5. MUD, Mixed-Use Development District. The MUD district is intended to provide for a mix of residential and appropriate commercial services within close proximity to the historic central business district and increased housing density near regional transit centers.~~

Section 11. That Sumner Municipal Code Section 18.16.020 “Principal and conditional uses” is hereby amended to read as follows:

18.16.020 Principal and conditional uses.

The following table details permitted and conditionally permitted uses in the commercial districts...

[...]

		NC	CBD	MUD	GC	IC
1.	Accessory parks and recreation facilities for use by on-site employees or residents	P	P	P	P	P
2.	Adult entertainment businesses subject to chapter 18.38 SMC	–	–	–	P	P
3.	Artist's studio and workshop having a retail component <u>comprising at least 15% of the total floor area</u>	– P	P	P ⁴	P	P
4.	Automotive and motorized vehicle sales	–	–	– ⁸	P	P ⁹
5.	Banks, business and professional offices and drive-up banking	CUP	P	P	P	P
6.	Business and consumer services, <u>including advertising, property management, and consulting services</u> ⁹	CUP P	P	P	P	P
7.	Car wash ⁹	–	–	–	P	P
8.	Wireless communication facilities	See chapter 18.37 SMC				
9.	Cemeteries	–	CUP	CUP	CUP	CUP

		NC	CBD	MUD	GC	IC
10.	Churches	P	P	P	P	P
11.	Contractor business ⁶	–	–	–	–	P
12.	Convenience store ⁹	CUP	P	P	P	P
13.	Dancehalls	–	CUP	–	CUP	P
14.	Drive-through businesses, <u>subject to performance standards at SMC 18.16.080</u> ^{4,5,9}	–	P	–	P	P
15.	Drive-through espresso/coffee business, <u>subject to performance standards at SMC 18.16.080</u> . ^{4,5,14}	CUP	P	–	P	P
16.	Existing residential dwellings lawfully constructed as of the effective date of the ordinance codified in this title	P	P	P	P	P
17.	Family child care home or family child day care home in accordance with the provisions of SMC 18.16.025; and child day care centers	P	P	P	P	P
18.	Gasoline service stations and convenience stores with gasoline sales ⁹	–	CUP	–	CUP	P
19.	Hazardous waste on-site treatment and storage facilities	–	–	–	CUP	–
20.	Health and fitness club ⁹	P ⁷	P	P	P	P
21.	Heavy equipment and/or boat repair, accessory to a permitted use ⁹	–	–	–	–	P
22.	Heavy equipment and/or boat sales	–	–	–	–	CUP
23.	Hospitals	CUP	CUP	–	CUP	CUP
24.	Hotels, bed and breakfasts and tourist homes ^{2,9}	P	P	CUP	P	P
25.	Light manufacturing, fabrication, assembling and repairing, <u>excluding vehicle repair, subject to SMC 18.16.080(S)</u> ¹⁰	–	–	–	CUP	–
26.	Light-medium equipment sales	–	–	–	–	P
27.	Major utility facility	CUP	CUP	CUP	CUP	–
28.	Mass transit systems including, but not limited to, bus stations, train stations, transit shelter stations, and park and ride lots	CUP	CUP	CUP	CUP	P
29.	Medical and dental services ⁹	P	P	P	P	P
30.	Miniwarehouses	–	–	–	–	–
31.	Existing miniwarehouses ¹²	–	–	–	P	P
32.	Minor utility facility	P	P	P	P	P
33.	Motels ⁹	CUP	–	–	P	P
34.	Multifamily dwellings, rooming houses and boarding houses, retirement homes, assisted living facilities, continuing care communities, board and care homes, hospices, or nursing homes except on the ground floor, or in accordance with the city of Sumner design and development guidelines, and subject to density maximums and locations as applicable in SMC 18.16.040	P	P ³	P ³	P ³	–
35.	Outdoor storage	–	–	–	–	–

		NC	CBD	MUD	GC	IC
36.	Public parks and public recreation facilities	CUP	CUP	CUP	CUP	CUP
37.	Personal services including barber and beauty shops, <u>salons/spas</u> , photographic studios, tailor-dressmaking shops ⁹	P	P	P	P	P
<u>38.a.</u>	<u>Performing and cultural arts uses, minor</u>	<u>CUP</u>	=	=	<u>P</u>	<u>P</u>
<u>38.b.</u>	Private clubs, lodges, fraternal organizations, union halls and social halls	CUP	P	P	P	P
39.	Public facilities	CUP	CUP	CUP	CUP	CUP
40.	Private off-street parking lots	P	P	-	P	-
41.	Private off-street parking lots, paid	-	-	-	-	-
42.	Public off-street parking lots	P	P	P	P	-
43.	Public off-street parking lots, paid	-	CUP	-	-	-
44.	Public garage	-	CUP	CUP	CUP	CUP
45.	Recycling collection station	-	-	-	P	P
46.	Restaurants ⁹	<u>CUP</u> <u>P</u>	P	P	P	P
47.	Retail business ⁹	P	P	P	P	P
<u>48.a.</u>	Schools, colleges and universities	CUP	CUP	CUP	CUP	CUP
<u>48.b.</u>	<u>Schools for instruction in fine arts, crafts, dance, martial arts, languages and office technology not exceeding a total of 5,000 square feet floor area</u>	<u>CUP</u>	=	=	<u>P</u>	<u>P</u>
49.	Storage/warehouse and distribution facilities	-	-	-	-	-
50.	Streets	P	P	P	P	P
51.	Taverns, micro-breweries, brewpubs, and bars	-	CUP	CUP	CUP	P
52.	Theaters and other enclosed commercial recreation establishments such as bowling alleys and arcades; <u>except in NC allowed up to 5,000 square feet floor area.</u>	- <u>CUP</u>	P	CUP	P	P
53.	Truck-related retail and services ⁹	-	-	-	-	P
54.	Truck stops	-	-	-	-	-
55.	Truck terminals	-	-	-	-	-
56.	Unenclosed commercial recreation establishments such as driving ranges, miniature golf, miniature airplane field ⁹	-	CUP	-	CUP	P
57.	Utility yard	CUP	CUP	-	CUP	-
58.	Vehicle repair, minor ⁹	-	CUP	-	P	P
59.	Veterinary clinics, excluding outdoor boarding kennels ⁹	-	-	-	P	P
60.	Vocational or fine arts school; <u>except in CBD-NC allowed up to 5,000 square feet floor area except on ground floor</u>	- <u>CUP</u>	P	P	P	P
61.	Water towers and water supply plants	CUP	CUP	CUP	CUP	CUP
62.	Car rental agency	-	-	-	P	P

		NC	CBD	MUD	GC	IC
63.	Temporary homeless encampments in accordance with SMC 18.36.060	CUP	CUP	CUP	CUP	CUP
64.	Funeral homes, mortuaries, and funeral parlors	P	P	—	P	P
65.	Truck sales with 10,000 square feet associated professional offices	—	—	—	—	P

¹Not involving operations or equipment that would cause excess noise, vibration, light, glare, or odor.

²~~Reserved. Hotels may be stand-alone developments within the MUD zone and are not required to contain other commercial or residential uses.~~

³Reserved.

⁴~~Reserved. See performance standards per SMC 18.16.080(T).~~

⁵~~Reserved. See performance standards per SMC 18.16.080(Y).~~

⁶Contractor businesses are only permitted on lots within the IC zoning district in the vicinity of 24th Street East that abut industrial-zoned land on two sides. Contractor businesses shall meet the performance standards in SMC 18.16.080(~~WT~~) and are a prohibited use in the IC zoning district in the vicinity of 166th Avenue East as depicted on the zoning map.

⁷Health and fitness clubs in the neighborhood commercial district shall not exceed 3,000 square feet in ~~gross~~^{total} floor area.

⁸~~Existing permitted automotive and motorized vehicle sales and rental dealerships operating as of November 1, 2010, are allowed as a permitted use in the MUD zone. Existing dealerships may be sold, but must continue primarily as a new car dealership.~~

⁹Truck-related parking allowed in the interchange commercial truck parking overlay area zone per SMC 18.42.046.

¹⁰~~Must have a retail component that represents at least 15 percent of the gross floor area.~~

¹¹~~Reserved. See performance standards per SMC 18.16.080(O).~~

¹²No expansion of use or structure(s) allowed.

Section 12. That Sumner Municipal Code Section 18.16.040 “Residential uses” is hereby amended to read as follows:

18.16.040 Residential uses.

A. In the NC districts, only floor area above the first story commercial uses may be used for residential purposes; provided, that the maximum number of dwelling units shall not exceed a ratio of 25 dwelling units per net acre; and provided, that the dwelling units shall be provided with sufficient off-street parking at ratios required in chapter 18.42 SMC. Residential dwellings may be attached or included to the side or rear of the main commercial building. Such mixed use may be attached or included to the side or rear of the main commercial building. Such mixed-use development shall conform to the city of Sumner design and development guidelines.

B. ~~In the GC district, M~~multifamily residential developments are permitted ~~in the GC and CBD districts~~ as part of a mixed-use development with commercial uses. A mixed-use development shall have mixed-use structures and may have a combination of mixed-use and single-use residential structures. Except within the East Sumner urban village overlay district, a mixed-use structure is not required for a pipestem lot with street frontage that is less than 60 feet in width; instead the development may contain only single-use residential structures. Development shall occur such that:

1. Mixed-use structures shall have direct pedestrian access to the primary street and shall have ground floor building area designed to accommodate commercial uses along the entire length of the building facing the primary street. Ground floor building areas are intended for commercial use but may be improved as residential use and converted over time when economically viable.

2. ~~Outside the Town Center Plan area single~~Single-use residential structures shall contain only ground-related dwelling units and shall be located to the side or rear of mixed-use structures and not adjacent to the primary street.

3. ~~Outside the Town Center Plan area the~~The maximum number of dwelling units shall not exceed 25 dwelling units per net acre in the general commercial district ~~and in the central business district.~~

4. ~~Inside the Town Center Plan area the maximum number of dwelling units shall not exceed 30 dwelling units per net acre in the general commercial district and in the central business district.~~

5. ~~All development must be designed in accordance with the city of Sumner design and development guidelines.~~

~~C. A mix of residential and commercial uses is permitted in the MUD zone. Residential uses are required at the minimum densities listed in subsection (C)(3) of this section and commercial uses on the ground floor are optional. Mixed use developments shall have mixed use structures and may have a combination of mixed use and single use residential structures such that:~~

~~1. Mixed-use structures shall be adjacent to and have direct pedestrian access to the primary street and shall have ground floor commercial uses along the entire length of the building facing the primary street;~~

~~2. Single-use residential structures shall be located to the side or rear of the mixed-use structures, otherwise the single-use residential structures may be located along the primary street;~~

~~3. The maximum number of dwellings shall not exceed a ratio of 40 dwelling units per net acre and contain at least a minimum ratio of 15 dwelling units per net acre;~~

~~4. Dwelling units shall be provided sufficient off-street parking ratios as required in chapter 18.42 SMC;~~

~~5. A minimum of 80 percent of the area of the first floor shall be covered by a second story for mixed-use structures; and~~

~~6. Mixed-use development shall conform to the city of Sumner design and development guidelines and SMC 18.16.080(S).~~

Section 13. That Sumner Municipal Code Section 18.16.070 “Property development standards” is hereby amended to read as follows:

18.16.070 Property development standards.

The following table sets forth the required development standards applicable to properties located in commercial districts:

		NC	CBD	MUD	GC	IC
1.	Minimum lot area per building site in square feet	4,500	5,000	5,000	5,000	5,000

2.	Minimum lot width in feet	50	50	50	50	50
3.	Lot depth in feet	100	80	100	100	100
4.	Front yard setback in feet, in accordance with the Sumner design and development guidelines (minimum front yard setback required for properties located on arterials or collectors)	min. 0 max. 25	0	min. 0 max. 15¹	General zoning: min. 5 max. 50 max. 25 on corner Town Center: min. 0 max. 25 East Main Street area: max. 0 ³	min. 15 no max.
5.	Rear yard setback in feet	20	0	0²	General zoning: 20 Town Center: 0, unless abutting residential zone, then 20	20
6.	a. Interior side yard setback in feet b. Interior side yard setback in feet within NC zone along Main Street west of Valley Avenue:	10 ⁴ 0	0	0²	General zoning: 5 Town Center: 0, unless abutting residential zone, then 15 -- East Main Street area: 0 when property abuts East Main Street; and 5 when property not abutting East Main Street ³	15 --
7.	a. Street side yard setback in feet b. Street side yard setback in feet within NC zone along Main Street west of Valley Avenue:	10 0	0	5	5 --	15 --
8.	Required landscaped setback along any common boundary with residentially zoned property	10	10	10	10	10
9.	Minimum street frontage in feet	35	35	35	35	35
10.	Maximum lot coverage	75%	100%	80%	75%	80%
11.	Maximum building height in feet	35	35⁵⁻⁶	35	35	45
12.	Maximum building height in feet in the Town Center Plan area for a structure with at least 50% of the ground floor occupied by underbuilding parking			45	45	
13.	Town Center Plan area: maximum floor area ratio		-	2.4	2.25	
14.	Town Center Plan area: maximum floor area ratio for structures with underbuilding parking			3.2	3	

~~¹See SMC 18.16.080(S).~~

~~²Setback shall be a minimum of 15 feet where abutting residentially zoned property and not separated by an alley or street.~~

~~³East Main Street per SMC 18.43.020. Also see design and development guidelines, general commercial.~~

~~⁴Or where abutting property zoned NC.~~

~~⁵See SMC 18.16.075.~~

~~⁶For a public garage the maximum height is 45 feet.~~

Section 14. That Sumner Municipal Code Section 18.16.075 “Height exception in the central business district zone” is hereby deleted as follows:

~~18.16.075 Height exception in the central business district zone.~~

~~The maximum building height listed in SMC 18.16.070 for the central business district (CBD) zone may be increased to 49 feet under the following conditions:~~

~~A. Portions of structures or additions to structures that exceed 35 feet in height shall not be within 40 feet of Main Street nor readily visible from the sidewalk on either side of Main Street.~~

~~B. Rehabilitation and/or restoration of a structure on the Sumner Historic Register.~~

~~C. Additions to structures, any portion of which exceed 35 feet in height, and associated restoration of existing structures on the site, shall be designed and constructed as per plans that have been reviewed by the Sumner historic commission and received a certificate of appropriateness per SMC 18.39.070.~~

~~D. Portions of structures or additions to structures that exceed 35 feet in height shall not be within 100 feet of a single family residence.~~

~~E. Height exception in the central business district zone shall be a Type V decision per chapter 18.56 SMC.~~

Section 15. That Sumner Municipal Code Section 18.16.080 “Performance standards” is hereby amended as follows:

18.16.080 Commercial districts - Performance standards.

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...

B. Required Open Space and Landscaping. For each development in the NC, IC, ~~MUD~~ and GC districts a landscape plan shall be prepared in accordance with chapter 18.41 SMC to address landscaping of yards and screening of parking, and shall be submitted for approval by the community development director. Landscaping shall be provided along blank building facades and property boundaries. Landscaping shall be provided in accordance with the city of Sumner design and development guidelines. ~~Landscaping requirements shall apply to properties in the CBD which have setbacks or on-site private parking areas.~~ Whenever landscaping is required by this title and/or conditions of approval of discretionary applications required by this title, such landscaping shall be permanently maintained in a

neat and orderly manner. In no event shall such landscape areas be used for the storage of materials or parking of automobiles.

C. Outdoor Storage of Materials. Outdoor storage is not permitted in the ~~CBD~~, GC, ~~MUD~~, and NC zones, except that outdoor storage of materials is permitted in the IC zone as accessory to a contractor business and in conformance with subsection (W) of this section. The storage of vehicles, such as motorcycles, automobiles, boats and farm equipment for retail sale, shall not be subject to the provisions of this subsection.

D. Outdoor Lighting. Outdoor lighting and aerial-mounted floodlighting shall be shielded...

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

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

~~2. Within the Town Center Plan area, portions of structures within 30 feet of the side or rear property line abutting a residentially-zoned district shall not exceed a height of 35 feet.~~

F. Swimming Pools. All swimming pools or outdoor bodies of water having a depth of 24 or more inches...

[...]

G. Trash Receptacles. Trash receptacles enclosed within gated, solid walls or fences shall be provided...

[...]

H. Accessory antennas, including satellite dish antennas which are less than or equal to three feet...

[...]

I. Any on-site treatment and storage facilities must meet the Washington State siting criteria...

[...]

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

[...]

K. Businesses selling firearms are prohibited from locating within 500 feet of public or private schools...

[...]

L. Expansion of Specified Existing Uses. Existing residential dwellings lawfully constructed...

[...]

M. Fences – Intent. The intent of this section is to establish minimum requirements and standards...

[...]

N. *Repealed by Ord. 2624.*

O. Outdoor sales shall be allowed for espresso/coffee businesses, taverns, micro-breweries, brewpubs, bars and restaurants... provided the following are met:

1. Temporary outdoor sales:

2. Permanent outdoor sales standards:

- a. The outdoor area shall be part of the total ~~gross~~ floor area calculation for minimum parking requirements.
- b. The outdoor area shall be set back, at a minimum, 50 feet from any residentially zoned lot...

[...]

~~P. Drive-in espresso/coffee businesses located within a neighborhood commercial district shall have a minimum gross floor area of 500 square feet and indoor seating for a minimum of 12 persons.~~

~~Q. P.~~ For properties located within the area defined as East Main Street in SMC 18.43.020, the setback may be increased to 15 feet when the area between the sidewalk and the building...

[...]

~~R. Q.~~ All development is subject to applicable Sumner design and development guidelines.

~~S. For properties located within the MUD zone, the setback may be increased to 15 feet when the area between the sidewalk and the building:~~

- ~~1. Is utilized as usable pedestrian space such as a plaza, outdoor seating, or public art (fountain, etc.); or~~
- ~~2. Is used for outdoor displays of merchandise or when the displays are an intrinsic part of the nature of the business or it provides a pedestrian amenity. Examples include, but are not limited to, nurseries, outdoor monuments, etc. Additional landscaping may be required that is a minimum five feet wide as measured from the front property line and running parallel to the street for the entire frontage of the property, except for driveways, and meets the city of Sumner design and development guidelines.~~

~~TR.~~ Drive-through businesses and drive-through espresso/coffee businesses located within the neighborhood commercial district (except on Main Street) or East Main Street area shall be subject to the following:

1. The drive-up service windows and queuing for cars shall not be located between the building and any street and shall be obscured from the street; and
2. The drive-through business shall have a minimum gross floor area of 500 square feet and indoor seating for at least 12 persons; and
3. The drive-through business shall have a pedestrian entrance located on the street edge with pedestrian amenities such as seating benches and tables.

~~US.~~ A light manufacturing, fabrication, assembling and repairing use within the neighborhood commercial or general commercial zone may be allowed as an accessory use to a retail business, provided it meets all the following performance standards:

1. Be contained within a fully enclosed structure; and
2. The operation shall not create noise, light, glare, vibration, or odor that would disturb the peace, quiet, and comfort of neighboring residents, retail uses, lodging and restaurant uses.

~~3. Must have a retail component that represents at least 15 percent of the total floor area.~~

~~V. A light manufacturing, fabrication, assembling and repairing use may be allowed as an accessory use to a retail business, provided it meets all the performance standards in subsection (U)(1) and (2) of this section.~~

~~WT.~~ A contractor business shall be permitted an outside storage yard for materials, vehicles and equipment...

[...]

~~XU.~~ Truck parking in the IC zone shall be screened from view of an abutting public right-of-way...

[...]

~~YV.~~ Drive-through businesses and drive-through espresso/coffee businesses located within the ~~central business district~~ Town Center area or located within a neighborhood commercial district on Main Street shall be subject to the following:

1. Be located in a multistory building; and
2. The drive-up service windows and queuing for cars shall not be located between the building and any street and shall be obscured from the street; and
3. The drive-through business shall have a minimum gross-total floor area of 500 square feet and indoor seating for at least 12 persons; and
4. A building containing a drive-through business of any type shall not be located adjacent to another building containing a drive-through business of any type either on the same or an adjacent parcel.

Section 16. That Section 18.18.050 “Property development standards” is hereby amended to read as follows:

18.18.050 Property development standards.

The following table sets forth the required development standards applicable to properties located in the manufacturing districts:

		M-1	M-2
1.	Minimum lot area per building site.	10,000	6,000
2.	Lot width in feet	75	50
3.	Lot depth in feet	100	75
4.	Front yard setback in feet	20*	10
5.	Rear yard setback in feet	20	0
6.	<u>a. Interior side yard setback in feet, adjacent to industrial zones</u> b. Interior side yard setback	<u>10</u> 20	0 0
7.	Setback from state-highway <u>freeway right of way</u>	<u>40</u> <u>5</u>	<u>40</u> <u>5</u>
8.	Street side yard setback in feet	20	10
9.	Required landscaped setback along any common boundary with residentially zoned property	25	35
10.	Required building setback along any common boundary with residentially zoned property	50	50
11.	Required landscaped setback along any common boundary with commercially zoned property	10	15
<u>12.</u>	<u>a. Minimum street front landscaping for semi-truck/trailer storage, in feet</u> <u>b. Minimum street frontage landscaping for other uses, in feet</u>	<u>20</u> <u>12</u>	<u>12</u> <u>12</u>

		M-1	M-2
<u>13.</u>	Minimum street frontage in feet	25	25
<u>14.</u>	Maximum lot coverage <u>(per 18.04.0570)</u>	70%	80%
<u>15.</u>	Maximum building height in feet within 100 feet of any street right-of-way, or residentially or commercially zoned property	35*	35*
<u>16.</u>	Maximum building height in feet when greater than 100 feet from any street right-of-way or residentially or commercially zoned property	45**	45
<u>17.</u>	Minimum setback from principal or minor arterial as designated in the comprehensive plan	25	25
<p>**M-1 zone properties <u>located within the MICO</u> meeting height incentive criteria in SMC 18.18.060(U) may increase their maximum height to 55 feet.</p> <p>*A special exception per SMC 18.50.040 may be granted <u>for buildings within the MICO</u> to allow the building height to increase up to a maximum of 45 feet for buildings located between 50 and 100 feet of any street right-of-way, or residentially or commercially zoned property</p>			

Section 17. That Sumner Municipal Code Section 18.18.060 “Performance standards” is hereby amended to read as follows:

18.18.060 Performance standards.

The following special requirements and performance standards shall apply to properties located in the manufacturing districts:

A. Exterior Mechanical Devices...

[...]

B. Required Landscaping. All required yards adjacent to the street shall be landscaped except for driveways and sidewalks, as per the requirements in the Sumner design and development guidelines....

[...]

C. Outdoor Storage of Materials.

1. In the M-1 zone outdoor storage is allowed ~~as an accessory use to another principal use~~ provided it meets the standards of SMC 18.18.060(C)(2).
2. The following standards apply to ~~accessory~~ outdoor storage in M-1 zones:
 - a. The material(s) being stored shall not exceed 12 feet in height; and
 - b. The material(s) being stored shall be wrapped or enclosed to prevent wind blown debris; and
 - c. The outdoor storage area shall not exceed 40 percent of the building footprint or 15 percent of the lot area, whichever is less. Outside storage accessory to a contractor business shall not exceed 75% of the lot area; and
 - d. Adjacent to public ways: The outdoor storage is screened from adjacent public streets or from future or present bicycle or pedestrian paths, as follows:
 - i. For semi-truck and trailer storage, by a minimum of a six-foot fence or masonry wall and a fully landscaped buffer meeting the requirements in subsection (iii) and at least the width of the applicable required setback.

- ii. For other storage, a fully landscaped buffer meeting the requirements in subsection (iii) and is a minimum of 12 feet in width where storage is visible. A landscaped buffer is not required adjacent to freeway right-of-way.
 - iii. All buffers~~The buffer~~ shall include at least a ~~five-three~~-foot high earth berm and at least 50 percent evergreen trees at least six feet in height at planting. Deciduous trees shall be a minimum of two-and-one-half-inch caliper measured three feet from the ground. All trees shall be planted no less than 20 feet apart on-center. For every 100 square feet of buffer area, at least one evergreen shrub of a minimum size of two feet shall be provided. Ground cover of a minimum two-gallon size shall be planted in the buffer area sufficient to cover the area within three years of planting; and
- e. Adjacent to other properties: Outdoor storage shall be screened from adjacent properties, except those properties zoned M-2, as follows:
 - i. Adjacent to properties zoned M-1: No buffer required where storage is not visible from a public street or trail.
 - ii. Adjacent to other properties: Screened by a 12-foot landscaped buffer.
 - iii. This buffer shall contain at least 50 percent evergreen trees of a minimum size of six feet at planting. Deciduous trees shall be a minimum of two-and-one-half-inch caliper measured three feet from the ground. No less than one tree per 30 linear foot of buffer shall be provided. This landscaping shall not substitute for the required setbacks of the underlying zoning; and
- f. Outdoor storage shall only be allowed between the rear lot line and the extension of the front facade of the principal structure, provided no outdoor storage is allowed between a building and a side street lot line;
- g. Buffer plantings should include low maintenance and/or drought tolerant species. The director may require irrigation for buffer areas if it is necessary to ensure the long-term success of the landscaping as a buffer;
- h. The director may modify the requirements for spacing, number and size of plantings and berms only upon a satisfactory showing by a licensed landscape architect that an alternate proposal will accomplish the same buffering goals.

Section 18. New Chapter. That Title 18 ZONING is hereby amended to include a new Chapter 18.22 “Innovation Districts and Enterprise Area (IDEA) to read as follows:

Chapter 18.22 Innovation District and Enterprise Area (IDEA)

18.22.010 Purpose and intent.

The purpose and intent of this chapter is:

- A. Encourage innovative businesses, small incubator businesses, and research and development start-ups, within the city that attract young talent to the community and help build the city’s future work force.
- B. Encourage thoughtfully designed sites and buildings that provide a collaborative social environment with spaces for living, working, designing, inventing, playing, and learning.
- C. Enable small-scale business enterprises to locate in a wider range of suitable locations, while minimizing impacts on residential neighborhoods.
- D. Encourage infill in commercial and industrial districts to promote use of underutilized sites and efficient use of land, and to promote economic activity near downtown.

- E. Accommodate a range of enterprises in a manner that is flexible and responsive to changing uses, trends and innovations.
- F. Provide live/work uses in close proximity to each other to reduce reliance on auto trips. Within the overlay, limited residential uses may be allowed in commercial and industrial zones where associated with workspaces.
- G. Provide affordable housing units and affordable workspaces.

18.22.020 Districts – Where permitted.

An IDEA overlay may be applied to the following districts and areas: May be applied to any commercial or industrial zone.

18.22.030 (reserved)

18.22.040 Permitted uses.

- A. Restaurants, cafes, coffee houses, bakeries, and similar food services.
- B. Retail services, offices shared workspaces, and live/work spaces that support incubator businesses.
- C. Residential units provided that residential uses are limited to 50 percent of total floor area.
- D. Bars and brew pubs.
- E. Farmers markets.
- F. Artist studio, blacksmith shop, glassblowing, and similar artisan enterprises.
- G. Craft brewing (micro-brewery, micro-distillery, craft winery).
- H. Artisanal food products production.
- I. Museums, libraries, art galleries.
- J. Public post-secondary educational institutions, such as a university branch or community college.
- K. Light fabrication of metal products, clothing products, small electronics, machine prototypes and similar small-scale light industrial uses; provided all operations are conducted indoors, no noise, odor or vibrations are noticeable beyond the property lines; and provided fabrication area is limited to 5,000 square feet floor area.

18.22.050 (reserved)

18.22.060 Development standards:

The director shall be guided by the following criteria in applying the IDEA overlay:

- A. The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the proposed use or in the district in which the subject property is situated;
 - B. The proposed use and development on the premises:
 - 1. Shall not create noise, light, glare, vibration, or odor that would disturb the peace, quiet, and comfort of neighboring residents, retail uses, lodging and restaurant uses.
 - 2. Shall be compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design;
 - 3. Shall be in keeping with the goals and policies of the Sumner comprehensive plan;
- and

4. May be permitted exterior changes, subject to the Sumner Design Guidelines, and administrative approval by the Director.

18.22.070 Approval process

The Director may approve application of the overlay through an administrative use permit as a Type III.d decision, pursuant to SMC 18.56.030(G).

Section 19. That Sumner Municipal Code Section 18.26.020 “Districts - Where permitted” is hereby amended to read as follows:

18.26.020 Districts – Where permitted.

Planned mixed-use developments (PMUD) may be permitted in the following districts:

A. NC, neighborhood commercial district;

~~B. CBD, central business district;~~

~~C. B.~~ GC, general commercial district.

Section 20. That Sumner Municipal Code Section 18.26.050 “PMUD prohibited” is hereby deleted in its entirety.

~~**18.26.050 PMUD prohibited.**~~

~~A planned mixed-use development shall be prohibited in the mixed-use development (MUD) district.~~

Section 21. That Sumner Municipal Code Section 18.29.020 “Districts in the Town Center” is hereby amended to read as follows:

18.29.020 Districts in the Town Center.

The Town Center includes the West Sumner district, riverside district, station district and the historic central business district (mapped as Historic District). Each district has its own unique characteristics, whether it is the increased heights allowed in the West Sumner district, or the connection to the White River in the riverfront district, or the proximity to the Sounder Station of the station district, or the historic character of the historic central business district. These characteristics are a primary focus in the Town Center Code.

Section 22. That Sumner Municipal Code Section 18.29.030 “Principal uses” is hereby amended to read as follows:

18.29.030 Principal uses.

Permitted uses in the Town Center districts are as follows:

- A. Accessory parks and recreation facilities for use by on-site employees or residents.
- B. Adult entertainment businesses subject to chapter 18.38 SMC.
- C. Artist’s studio and workshop having a retail component.
- D. Automotive and motorized vehicle sales.
- E. Wireless communication facilities¹.
- F. Churches.

- G. Existing residential dwellings lawfully constructed as of the effective date of the ordinance codifying this title.
- H. Family child care home or family child day care home in accordance with the provisions of SMC 18.16.025; and child day care centers.
- I. Health and fitness club.
- J. Hospitals.
- K. Hotels, bed and breakfasts and tourist homes.
- L. Multifamily dwellings, rooming houses and boarding houses, retirement homes, assisted living facilities, continuing care communities, board and care homes, hospices, or nursing homes.
- M. Private clubs, lodges, fraternal organizations, union halls and social halls.
- N. Professional offices.
- O. Public off-street parking lots.
- P. Restaurants.
- Q. Retail.
- R. Streets.
- S. Taverns, micro-breweries, brewpubs, and bars.
- T. Theaters and other enclosed commercial recreation establishments such as bowling alleys and arcades.
- U. Vocational or fine arts school.
- V. Funeral homes, mortuaries, and funeral parlors.
- W. Drive thru businesses. Drive-through businesses located in the Town Center Historic Central Business District (Historic District on map) are subject to performance standards at SMC 18.16.080(V).

¹ Not involving operations or equipment that would cause excess noise, vibration, light, glare, or odor.

Section 23. That Sumner Municipal Code Section 18.29.040 “Conditional uses” is hereby amended to read as follows:

18.29.040 Conditional uses.

Conditional uses allowed in the Town Center districts are as follows:

- A. Churches.
- B. Cemeteries.
- C. Major utility facility.
- D. Mass transit systems including, but not limited to, bus stations, train stations, transit shelter stations, and park and ride lots.
- E. Public parks and public recreational facilities.
- F. Public facilities.
- G. Public off-street parking lots, paid.
- H. Public garage.
- I. Schools, colleges and universities.
- J. Temporary homeless encampments in accordance with SMC 18.36.060.
- K. Water towers and water supply plants.
- L. Craft coffee roasting in the Historic District, subject to the standards at 18.29.060(F).

Section 24. That Sumner Municipal Code Section 18.29.060 “Performance standards” is hereby amended to read as follows:

18.29.060 Performance standards.

A. Required Landscaping. For each development in the Town Center, a landscape plan shall be submitted...

[...]

B. Expansion of Specified Existing Uses. Existing residential dwellings lawfully constructed as of the effective date of this title may be maintained as follows...

[...]

C. As applicable, the provisions of the city of Sumner design and development guidelines per chapter 18.40 SMC shall be met for new development.

D. As applicable, the provisions of the Town Center Code shall be met for new development.

E. School, Church and Public Parking Facility Height Exceptions. When applicable, a height exception shall be applied for as part of a conditional use permit application to establish such uses or expansion of such uses...

[...]

F. Craft coffee roasting shall comply with the following performance standards:

1. Roasting is permitted to occur only during the hours of 5:00 a.m.-7:00 a.m. and 11:00 p.m.-1:00 a.m., unless the hearing examiner through the conditional use permit finds that other hours will have minimal impact on neighboring properties.
2. Volume of each roast shall not exceed 11 pounds of coffee beans, but may be increased through the conditional use permit, provided roasting occurs within the same time window allowed under Subsection (1).
3. Roasting operations shall comply with Puget Sound Clean Air Agency (PSCAA) regulations for emissions. In addition, at a minimum, roasting equipment shall be fitted with a roaster afterburner or similar infrared clean-burn technology designed to minimize the release of odors and smoke.
4. Exterior mechanical equipment shall be maintained and operated in a manner so as not to exceed 57 dBA, or the maximum permissible noise levels allowed from a Class B EDNA to a Class A EDNA, as defined in SMC 8.14.060.
5. Exterior mechanical equipment and refuse containers shall be screened from neighboring streets and sidewalks. To the extent practicable, screening shall be architecturally compatible with the historic character of the Town Center Historic Central Business District (Historic District), as determined by the hearing examiner through the conditional use permit.
7. Roasting operations shall remain incidental and accessory to the on-site retail use and shall not involve wholesale distribution.
8. The hearing examiner through the conditional use permit may modify the above standards, provided the applicant demonstrates that alternative measures can be put in place that will provide an equivalent or higher level of odor and noise control.

Section 25. That Sumner Municipal Code Section 18.30.020 “Districts where permitted” is hereby amended to read as follows:

18.30.020 Districts where permitted.

The East Sumner urban village overlay may be applied with Resource Protection, LDR, MDR, HDR, NC and GC base designations. ~~It shall not be applied with any industrial base designations.~~ The extent of the urban village overlay district shall be consistent with the comprehensive plan land use map.

Section 26. That Sumner Municipal Code Section 18.30.030 “Principal and conditional uses” is hereby amended to delete and remove subsection C as follows:

18.30.030 Principal and conditional uses

A. Permitted principal, accessory, and conditional uses in the ESUV...

[...]

B. [ESUV Allowed Use Table] Those uses below shall govern the uses permitted and conditionally permitted...

[...]

~~C. Buildings and developments fronting on Main Street west of 162nd Avenue E and buildings and developments located adjacent to the intersection of the proposed 62nd Street E and 162nd Avenue E shall feature pedestrian-oriented commercial uses or transitional residential to commercial space along the ground floors of the street fronts. The ground floors of these developments must conform to city of Sumner design and development guidelines as required in chapter 18.40 SMC for commercial structures. For the purposes of this provision, pedestrian-oriented commercial uses include retail businesses, eating and drinking establishments, commercial services such as accountants, banks and beauty parlors, health clubs, professional offices, and other similar uses that are frequented by the general public. They do not include uses that provide services oriented to automobiles such as gas stations, auto repair, car washes, etc. Uses existing as of the date of the adoption of this provision that are not pedestrian-oriented commercial uses shall be considered conforming uses.~~

Section 27. That Sumner Municipal Code Section 18.30.040 “Residential and mixed uses” is hereby amended to read as follows:

18.30.040 Residential and mixed uses.

The development standards for the LDR/ESUV zones are the same as the base zone districts. Multifamily residential uses are allowed in the MDR, HDR, NC and GC districts within the ESUV, subject to performance standards in SMC 18.30.090.

~~A. In the NC/ESUV districts multifamily residential uses are allowed up to 26 dwelling units per net acre. Residential dwellings may be part of a mixed-use structure or detached single-use structure located to the side or rear of the mixed-use structure or commercial building(s); provided, that the ground floor fronting Main Street East, 60th Street East or the portion of 160th Avenue East south of Main Street East be occupied by a commercial use or is transitional residential to commercial space. Such multifamily, commercial, and mixed-use development shall conform to the city of Sumner design and development guidelines as required in chapter 18.40 SMC and requirements in SMC 18.30.030(C). Any~~

~~multifamily development shall be provided with sufficient off-street parking at ratios required in chapter 18.42 SMC.~~

~~B. Multifamily residential developments are permitted in the GC/ESUV district as part of a mixed-use development with commercial uses, except in the area south of 62nd Street East where no multifamily residential uses are allowed. A mixed-use development shall have mixed-use structures and may have a combination of mixed-use and single-use residential structures; provided, that the mixed-use structures shall be completed prior to occupancy of the single-use residential structures.~~

~~1. Mixed-use structures shall have direct pedestrian access to the primary street and shall have ground floor commercial uses along the entire length of the building facing the primary street.~~

~~2. Single-use residential structures shall contain only ground-related dwelling units and shall be located to the side or rear of mixed-use structures and not adjacent to the primary street.~~

~~3. The maximum number of dwelling units shall not exceed 40 dwelling units per net acre.~~

~~4. All development must be designed in accordance with the city of Sumner design and development guidelines as required in chapter 18.40 SMC.~~

Section 28. That Sumner Municipal Code Section 18.30.090 “Performance Standards” is hereby amended to read as follows:

18.30.090 Performance standards.

A. Required landscaping...

[...]

B. Expansion of specified existing uses. Existing residential dwellings lawfully constructed as of the effective date of this title may be maintained as follows...

[...]

C. As applicable, the provisions of the city of Sumner design and development guidelines shall be met for new development, except that the following performance standards shall apply, and the design and development guidelines shall not supersede the standards of this section:

1. Community gathering places provided for public use in private development may count toward the common open space requirement in design guidelines.

2. New development at “pedestrian activity nodes” shown in the East Sumner Neighborhood Plan shall feature pedestrian amenities and shall have building setbacks deep enough to accommodate gathering areas such as plazas.

3. Building height shall be limited to 4 stories at following locations: The blocks adjacent to the corners of Main Street East/60th Street East and 160th Avenue East, Main Street East/60th Street East and Parker Road, Main Street East/60th Street East and 162nd Avenue East; and along 160th Avenue East; and around the central wetlands preserve. The blocks where this applies are generally a depth of 300 feet from the street right of way, as determined by the Director. Building height in these locations shall not be superseded by height exceptions in the design guidelines.

D. Banks, vehicle repair, drive-in businesses, car washes, gas stations, automotive sales, and other auto-oriented uses are not permitted in the ESUV/NC zone...
[...]

E. Multifamily residential and mixed uses.

1. NC/ESUV district.

In the NC/ESUV districts multifamily residential uses are allowed as part of a mixed-use structure or detached single-use structure located to the side or rear of the mixed-use structure or commercial building(s); provided, that the ground floor fronting Main Street East, 60th Street East or the portion of 160th Avenue East south of Main Street East be occupied by a commercial use or is transitional residential to commercial space. Transitional residential to commercial space means a space designed with architectural and structural features that facilitate future conversion to commercial space, such as: building setbacks suitable for commercial, first floor ceiling height suitable for retail, modules of doors and windows in a pattern similar to a retail storefront, structural features and materials that allow wall sections to be demolished to accommodate windows and doors.

2. GC/ESUV district.

In the GC/ESUV districts multifamily residential developments are permitted as part of a mixed-use development with commercial uses, except in the area south of 64th Street East where no multifamily residential uses are allowed. A mixed-use development shall have mixed-use structures and may have a combination of mixed-use and single-use residential structures; provided, that the mixed-use structures shall be completed prior to occupancy of the single-use residential structures.

a. Mixed-use structures shall have direct pedestrian access to the primary street and shall have ground floor commercial uses along the entire length of the building facing the primary street.

b. Single-use residential structures shall be located to the side or rear of mixed-use structures and not adjacent to the primary street.

3. Multifamily development in the ESUV shall comply with the off-street parking ratios required in 18.42 SMC, except that the number of visitor stalls may be reduced at a 1:1 ratio for each charging station provided for electric vehicles, electric bikes and scooters.

Section 29. That Sumner Municipal Code Section 18.30.100 “Streets and alleys” is hereby amended to read as follows:

18.30.100 Streets and alleys.

A. Walkable street grid. The East Sumner Neighborhood Plan Area is intended to contain a gridded street pattern including streets and alleys to increase connectivity and promote walkability; therefore, through streets generally following the established alignment with existing streets shall be required ~~and curvilinear side streets shall be encouraged.~~ These street/alley alignments along with pedestrian and bike corridor connections are shown generally on the circulation improvements map in the East Sumner Neighborhood Plan. The public works director may make alterations to the alignments when:

- ~~A1.~~ The affected street or alley sections are contained within one parcel or group of parcels subject to a land use permit; and
- ~~B2.~~ The modified alignment does not affect street or alley locations on other parcels;
and
- ~~C.~~ ~~At least one north-south collector street between 60th Street East and 64th Street East and one east-west collector street between 160th Avenue East and Sumner-Tapps Highway is retained in a straight line or nearly a straight line.~~
- ~~B.~~ Street improvements should include separated sidewalks at least 6 feet wide; street trees; and bicycle lanes on Main Street, 60th Street East, 160th Avenue East, and 64th Street East, where safe and practicable to do so. Midblock connections should include accessible surfacing, landscaping, and pedestrian amenities.
- ~~C.~~ Street improvements and multimodal corridors shall comply with city's adopted cross sections for the ESUV.
- ~~D.~~ Pedestrian activity nodes identified in the East Sumner Neighborhood Plan shall feature landscaping, traffic calming, crosswalks and other pedestrian-friendly features, as deemed appropriate by the Public Works Director.
- ~~E.~~ Mid-block connections.
The East Sumner Neighborhood Plan Area promotes a pedestrian-friendly environment that encourages multimodal connections throughout the neighborhood. These connections promote a complete street grid, bicycle and pedestrian connections, and a walkable neighborhood. Mid-block connections and multimodal corridors shown in the East Sumner Neighborhood Plan shall be implemented as follows:
 - 1. Multimodal or mid-block connection means a corridor that provides pedestrian/bike and/or vehicular access. These locations are designated generally as "Mid-block connections" in the ESNP circulation improvements map.
 - 2. These mid-block connections shall be provided where feasible when major new construction and minor new construction occurs as defined in 18.43.020 SMC.
 - 3. To provide a mid-block connection, the property owner shall grant an easement, running with the land, allowing public ingress and egress along the corridor. Prior to issuance of a building permit for minor new construction, such easement shall be recorded in the public records of Pierce County and constitute a covenant running with the land.
 - 4. Buildings shall not be located in such a way as to block designated mid-block connections.
 - 5. When major new construction occurs on properties that have designated mid-block connections, such connections shall be constructed as a part of the development.

Section 30. That Sumner Municipal Code 18.42.045 "Parking in Central Business District parking area" is hereby deleted in its entirety.

18.42.045 Parking in Central Business District parking area.

- ~~A.~~ The boundaries of the central business district parking area shall be defined as any area

~~with a central business district designation and west of Meade Avenue.~~

~~B. Within the central business district parking area, certain new and expanding uses are allowed an administrative waiver from the parking requirements, provided all of the following are satisfied:~~

- ~~1. The proposed use is a retail, business or commercial use; business or professional office; restaurant not exceeding 3,000 gross square feet; assembly use not exceeding an occupancy of 50; or a food store or market not exceeding 2,500 square feet.~~
- ~~2. The property owner enters into an agreement to not protest the formation of a future local improvement district to provide additional parking.~~
- ~~3. The proposal will not result in the displacement of existing private parking established as accessory to an existing structure. The required parking may only be removed if such structure is similarly removed or a conditional use approval is granted as provided below.~~

~~C. A use which is not allowed an administrative waiver from the parking requirements in the central business district parking area, may apply to the hearing examiner for conditional use approval to allow such use without all or a portion of the required parking.~~

- ~~1. In determining whether to grant a proposed conditional use for certain uses without all or a portion of the parking in the central business district parking area, the hearing examiner and city council shall consider the general conditional use criteria and the specific criteria listed below:~~
 - ~~a. Uses which have peak parking demands during times of low parking demand for other uses in the central business district parking area shall be preferred.~~
 - ~~b. Uses with documented clientele which would complement and support other uses in the central business district parking area are preferred.~~
 - ~~c. Projects which are in close proximity to existing public parking lots with capacity to accommodate additional parking during periods of peak demand from the proposed uses are preferred.~~
 - ~~d. Projects which provide a portion of their required parking or directly create new public parking are preferred over those which provide no parking.~~
 - ~~e. Projects whose overall design and use complement the downtown and further the goals of the comprehensive plan shall be preferred.~~
- ~~2. Based on the review of the proposal, the hearing examiner and city council may deny the proposal, if it does not sufficiently satisfy the above criteria. A proposal must satisfy criterion (e) of the previous sub-section and at least three of criteria (a) through (d) of the previous subsection.~~
- ~~3. When considering a conditional use permit for a use subject to the provisions of this section, the hearing examiner or city council may, as a condition to the granting thereof, require the applicant make other necessary improvements to improve parking and access.~~

~~D. Developments which would result in the removal of required private parking within the boundaries of the central business district parking area may apply for conditional use approval to allow such development pursuant to the criteria and standards of SMC 18.42.045 (C).~~

~~E. When determining the amount of contribution of a particular project towards providing parking through a future local improvement district, the demand created by the new use and any resulting loss of existing parking shall be considered. An applicant may credit~~

~~towards this obligation, any new public parking within the central business district parking area towards which they directly provide or contribute. For purposes of this credit, one public parking space shall be credited as two required private spaces. In order to qualify as public parking, it must be dedicated to the city or occur on city owned property, and be available at all times for public parking.~~

~~F. Any proposal for a conditional use permit to waive all or a portion of the parking shall be accompanied with an agreement to not protest a future local improvement district for parking.~~

Section 31. That Sumner Municipal Code 18.42.047 “Parking in Town Center Plan area” is hereby amended to read as follows:

18.42.047 Parking in Town Center Plan area.

A. The boundaries of the Town Center Plan area shall be defined by the comprehensive plan.
B. Within the Town Center Plan area, new and expanding uses are allowed an administrative waiver to allow on-street parking units to be counted towards the minimum parking requirements, provided all of the following are satisfied:

1. The proposed use is a retail, business or commercial use; business or professional office; restaurant; not automotive vehicle sales; and
2. The property owner enters into an agreement to not protest the formation of a future local improvement district to provide additional parking; and
3. Only parking units along the property frontage may be applied; and
4. The proposal will not result in the displacement of existing private parking established as accessory to an existing structure. The required parking may only be removed if such structure is similarly removed or a conditional use approval is granted.

C. Within the Town Center Plan area, new and expanding uses are allowed an administrative reduction of required parking stalls, provided all of the following are satisfied:

1. The proposed use is a retail, business or commercial use; business or professional office; restaurant not exceeding 3,000 gross square feet; assembly use not exceeding an occupancy of 50; or a food store or market not exceeding 2,500 square feet.
2. The property owner enters into an agreement to not protest the formation of a future local improvement district to provide additional parking.
3. The proposal will not result in the displacement of existing private parking established as accessory to an existing structure.
4. The use will have peak parking demands during times of low parking demand for adjacent uses.
5. The use is within 500 feet of an existing public parking lot with capacity to accommodate additional parking during periods of peak demand.
6. Projects which provide a portion of their required parking are preferred over those which provide no parking.

Section 32. That Sumner Municipal Code Section 18.44.220 “Signs permitted in the central business district” is hereby amended to read as follows:

18.44.220 Signs permitted in the ~~central business district~~ Town Center Plan area.

A. Aggregate Sign Area. The aggregate sign area for any premises shall not exceed one and one-half square feet for each foot of street frontage. The aggregate sign area for corner lots shall not exceed one square foot for each foot of street frontage. Unless otherwise exempt, signs permitted in accordance with this section are subject to the total aggregate sign area.

B. Multiestablishment Buildings. A multiestablishment building is a single building that contains more than one commercial or mixed use establishment. A multiestablishment building may erect the following signs up to the maximum aggregate sign area:

1. Building Identification Sign. Sign(s) identifying the name and/or address of the building are allowed as follows. The names of individual establishments in the building may be placed on up to 70 percent of the sign area.

a. Freestanding Sign.

i. Freestanding signs are prohibited ~~in the central business district~~ along Main Street between Wood Avenue and the Burlington Northern Railroad right-of-way.

ii. One wall sign or freestanding sign is allowed for each street frontage not to exceed a total of two signs on the premises.

iii. The maximum sign area permitted is 150 square feet. No one face shall exceed 75 square feet. The freestanding sign shall not exceed a height of 15 feet within 15 feet of any lot line abutting a public street right-of-way. For each additional one-foot setback beyond 15 feet the sign height may be increased by two feet to a maximum height of 35 feet.

iv. Low, horizontal monument signs are preferred.

b. Wall Signs. One wall sign or freestanding sign is allowed for each street frontage not to exceed a total of two signs on the premises. The maximum sign area permitted for a building identification wall sign is equal to five percent of the facade to which it is attached, or 150 square feet, whichever is less.

c. Window Signs. Sign area shall not exceed 20 percent of the total window area of any facade. Window signs shall meet the standards in SMC 18.44.030(D).

d. Projecting Signs. Projecting signs are prohibited on Main Street between Traffic Avenue and Wood Avenue ~~and the north side of Main Street between Lewis Avenue and Valley Avenue~~. Projecting signs where allowed shall be erected in accordance with SMC 18.44.180.

e. Awning or Canopy Signs. Sign area shall be calculated as part of total allowed area for a wall sign. No canopy sign shall extend above the top of the canopy.

f. Roof signs are prohibited.

g. Suspended Signs. Suspended signs shall meet the standards set forth in SMC 18.44.170.

2. Individual Establishment Identification Signs. Each individual establishment in a multiestablishment building is allowed a minimum of 30 square feet of signage as set forth below. Aggregate sign area shall not apply to signs for individual establishments.

a. Freestanding signs are prohibited.

b. Wall Signs. A maximum of two wall signs are allowed, except that an establishment on a building corner is allowed one additional wall sign on the ground floor up to 10 square feet. The maximum sign area permitted is equal to five percent of the facade to which it is attached, or 150 square feet, whichever is less.

- c. Window Signs. Sign area shall not exceed 20 percent of the total window area of any facade. Window signs shall meet the standards in SMC 18.44.030(D).
- d. Projecting Signs. Projecting signs are prohibited on Main Street between Traffic Avenue and Wood Avenue. Projecting where allowed signs shall meet the standards set forth in SMC 18.44.180.
- e. Awning or Canopy Signs. Sign area shall be calculated as part of total allowed area for a wall sign. No canopy sign shall extend above the top of the canopy.
- f. Roof signs are prohibited.
- g. Suspended Signs. Suspended signs shall meet the standards set forth in SMC 18.44.170.

C. Single Establishment Buildings. Any commercial building or multifamily development site occupied by a single establishment may erect signs as follows up to the maximum aggregate sign area:

1. Freestanding Sign.

- a. Freestanding signs are prohibited ~~in the central business district~~ along Main Street between Wood Avenue and the Burlington Northern Railroad right-of-way.
- b. One freestanding sign is allowed per street frontage of the premises up to a maximum of two signs. The maximum sign area permitted is 150 square feet. No one face shall exceed 75 square feet.
- c. The freestanding sign shall not exceed a height of 15 feet within 15 feet of any lot line abutting a public street right-of-way. For each additional one-foot setback beyond 15 feet the sign height may be increased by two feet to a maximum height of 35 feet.
- d. Low, monument signs are preferred.

2. Wall Signs. A maximum of two wall signs are allowed on the premises, except that an establishment on a corner is allowed one additional wall sign on the ground floor up to 10 square feet. Sign area shall not exceed five percent of the area of the building facade to which it is attached, or 150 square feet, whichever is less. A single establishment building is allowed a minimum of 30 square feet of total signage.

3. Window Signs. Sign area shall not exceed 20 percent of the total window area of any facade. Window signs shall meet the standards in SMC 18.44.030(D).

4. Projecting Signs. Projecting signs are prohibited on Main Street between Traffic Avenue and Wood Avenue ~~and the north side of Main Street between Lewis Avenue and Valley Avenue~~. Projecting signs where allowed shall be erected in accordance with SMC 18.44.170.

5. Awning or Canopy Signs. Sign area shall be calculated as part of total allowed area for a wall sign. No canopy sign shall extend above the top of the canopy.

6. Roof signs are prohibited.

7. Suspended Signs. Suspended signs shall meet the standards in SMC 18.44.170.

8. Electronic reader board signs (ERBS). ERBS are allowed west of the White River for single-establishment retail buildings with a total floor area greater than 40,000 square feet, as follows:

- a. ERBS shall not display more than one message per eight seconds.
- b. Animation between messages shall not be allowed.
- c. ERBS are allowed only on wall signs in lieu of a wall sign allowed in subsection (C)(2) of this section. An ERBS shall not exceed 75 percent of the allowed sign square footage, or 125 square feet, whichever is less. Freestanding ERBS are not allowed.
- d. Only one ERBS is allowed per site and parcel.
- e. The difference between the off and solid-message measurement using the ERBS measurement criteria shall not exceed 0.3 foot-candles over ambient lighting conditions when measured at the recommended distance, based on the ERBS size. The measurement distance shall be calculated by using the following formula: measurement distance = the square root of the (area of the sign square feet x 100).
- f. ERBS shall be programmed to automatically adjust illumination for all times of day and night based on ambient light conditions using photocell technology.

D. Other Signs Allowed.

- 1. Sandwich board/sidewalk signs are allowed subject to the provisions SMC 18.44.120.
- 2. Rear Entrance Signs. Any building with a rear entrance from a public or private parking lot or alley may have a rear entrance sign which shall be either a wall sign or a marquee or awning sign. Said sign shall not exceed 10 percent of the facade to which it is attached.

E. General Standards. Signs as may be allowed per this section shall be subject to the following standards:

- 1. Signs may be attached flush to the building so long as they do not obscure historic building details.
- 2. All new signs, except for neon tube signs, are to be surface lit by external light sources rather than illuminated from inside.
- 3. Businesses are to create individual styled signage which distinguishes their establishment. The use of icons and symbols are ways to demonstrate the product or service provided.
- 4. Signs which relate to pedestrian eye level may be painted on the storefront glass.
- 5. Decorative motifs are allowed if they are consistent with the character, integrated with the building architecture, and are not used as advertising for the business.

Section 33. That Sumner Municipal Code Section 18.44.230 “Signs permitted in in neighborhood commercial district and mixed-use developments in the central business district, general commercial district and in the mixed-use development district” is hereby amended to read as follows:

18.44.230 Signs permitted in neighborhood commercial district ~~and mixed-use developments in the central business district, general commercial district and in the mixed-use development district.~~

- A. Aggregate Sign Area. The aggregate sign area for the premises shall not exceed one and one-half square feet for each foot of street frontage. The aggregate sign area for corner lots

shall not exceed one square foot for each foot of street frontage. Signs permitted in accordance with this section are subject to the aggregate sign area.

B. Multi-Establishment Buildings. A single building that contains more than one establishment may erect the following signs up to the maximum aggregate sign area:

1. Building Identification Sign. Sign(s) identifying the name and/or address of the building are allowed as follows. Said sign(s) may contain the names of individual establishments in the building on up to 70 percent of the sign area.

a. Freestanding Signs.

~~i. Freestanding signs are prohibited in the central business district along Main Street between Wood Avenue and the Burlington Northern Railroad right-of-way and in the mixed-use development district.~~

~~ii.~~ One wall sign or freestanding sign is allowed for each street frontage not to exceed a total of two signs.

~~iii.~~ The maximum sign area permitted is 150 square feet. No one face shall exceed 75 square feet. The freestanding sign shall not exceed a height of 15 feet within 15 feet of any lot line abutting a public street right-of-way. For each additional one-foot setback beyond 15 feet the sign height may be increased by two feet to a maximum height of 35 feet.

~~iv.~~ Low, horizontal monument signs are preferred.

b. Wall Signs. One wall sign or freestanding sign is allowed for each street frontage not to exceed a total of two signs. The maximum sign area permitted for a building identification wall sign is equal to five percent of the facade to which it is attached, or 150 square feet, whichever is less.

c. Window Signs. Sign area shall not exceed 20 percent of the total window area of any facade. Window signs shall meet the standards in SMC 18.44.030(D).

d. Projecting Signs. Projecting signs are prohibited on ~~Main Street between Traffic Avenue and Wood Avenue and~~ the north side of Main Street between Lewis Avenue and Valley Avenue ~~and in the mixed-use development district~~. Projecting signs where allowed shall be erected in accordance with SMC 18.44.170.

e. Awning or Canopy Signs. Sign area shall be calculated as part of total allowed area for a wall sign. No canopy sign shall extend above the top of the canopy.

f. Roof signs are prohibited.

g. Suspended Signs. Suspended signs shall meet the standards in SMC 18.44.170.

2. Individual Establishment Identification Signs. Each individual establishment in a multi-establishment building is allowed a minimum of 30 square feet of signage as set forth below. Aggregate sign area shall not apply to signs for individual establishments.

a. Freestanding signs are prohibited.

b. Wall Signs. A maximum of two wall signs are allowed, except that an establishment on a building corner is allowed one additional wall sign on the ground floor, up to 10 square feet. The maximum sign area permitted is equal to five percent of the facade to which it is attached, or 150 square feet, whichever is less.

c. Window Signs. Sign area shall not exceed 20 percent of the total window area of any facade. Window signs shall meet the standards in SMC 18.44.030(D).

d. Projecting Signs. Projecting signs are prohibited on ~~Main Street between Traffic Avenue and Wood Avenue and~~ the north side of Main Street between Lewis Avenue

and Valley Avenue. Projecting signs where allowed shall be erected in accordance with SMC 18.44.170.

e. Awning or Canopy Signs. Sign area shall be calculated as part of total allowed area for a wall sign. No canopy sign shall extend above the top of the canopy.

f. Roof signs are prohibited.

g. Suspended Signs. Suspended signs shall meet the standards in SMC 18.44.170.

C. Single Establishment Buildings. Any commercial building occupied by a single establishment may erect signs as follows up to the maximum aggregate sign area:

1. Freestanding Signs.

~~a. Freestanding signs are prohibited in the central business district along Main Street between Wood Avenue and the Burlington Northern Railroad right-of-way.~~

~~ba.~~ One freestanding sign is allowed per street frontage of the premises up to a maximum of two signs. The maximum sign area permitted is 150 square feet. No one face shall exceed 75 square feet.

~~eb.~~ The freestanding sign shall not exceed a height of 15 feet within 15 feet of any lot line abutting a public street right-of-way. For each additional one-foot setback beyond 15 feet, the sign height may be increased by two feet to a maximum height of 35 feet.

~~ec.~~ Low, monument signs are preferred.

2. Wall Signs. A maximum of two wall signs are allowed on the premises, except that an establishment on a corner is allowed one additional wall sign on the ground floor up to 10 square feet. Sign area shall not exceed five percent of the area of the building facade to which it is attached, or 150 square feet, whichever is less. A single establishment building is allowed a minimum of 30 square feet of total wall signage.

3. Window Signs. Sign area shall not exceed 20 percent of the total window area of any facade. Window signs shall meet the standards in SMC 18.44.030(D).

4. Projecting Signs. Projecting signs are prohibited on ~~Main Street between Traffic Avenue and Wood Avenue~~ and the north side of Main Street between Lewis Avenue and Valley Avenue. Projecting signs where allowed shall be erected in accordance with SMC 18.44.170.

5. Awning or Canopy Signs. Sign area shall be calculated as part of total allowed area for a wall sign. No canopy sign shall extend above the top of the canopy.

6. Roof signs are prohibited.

7. Suspended Signs. Suspended signs shall meet the standards in SMC 18.44.170.

8. Digital Message Signs. Digital message signs in the neighborhood commercial zone shall be allowed only for schools, or regional community centers subject to the following standards:

a. The digital message sign shall be considered a freestanding sign as per subsection (C)(1)(b) of this section.

b. The digital message sign shall not exceed a height of seven feet.

c. The digital message sign shall not exceed 63 square feet in area. The electronic portion shall not exceed more than 60 percent of the total sign area.

d. The digital message sign shall be a monument sign.

D. Other Signs Allowed. The following signs are allowed subject to the provisions of Article III of this chapter:

1. Neighborhood identification sign per SMC 18.44.150.
2. Sandwich board/sidewalk sign per SMC 18.44.120.
3. Rear Entrance Signs. Any building with a rear entrance from a public or private parking lot or alley may have a rear entrance sign which shall be either a wall sign or a marquee or awning sign. Said sign shall not exceed 10 percent of the facade to which it is attached.

E. General Standards. Signs allowed in this section shall be subject to the following:

1. Signs may be attached flush to the building so long as they do not obscure historic building details.
2. All new signs, except for neon tube signs and digital message signs allowed under subsection (C)(8) of this section, are to be surface-lit by external light sources rather than illuminated from inside.
3. Businesses are to create individual styled signage which distinguishes their establishment. The use of icons and symbols are ways to demonstrate the product or service provided.
4. Signs which relate to pedestrian eye level may be painted on the storefront glass.
5. Decorative motifs are allowed if they are consistent with the character, integrated with the building architecture, and are not used as advertising for the business.

Section 34. That Sumner Municipal Code Section 18.46.040 “Nonconforming uses” is hereby amended to read as follows:

18.46.040 Nonconforming Uses.

[...]

G. The following provisions shall apply to nonconforming multifamily uses and nonconforming commercial and professional service uses ~~outside the MUD zone~~:

1. Nonconforming multifamily and commercial and professional service uses may expand up to 25 percent of their square footage by conditional use permit; except that expansion may not occur if it is necessary to purchase additional property. The expansion shall meet the development standards of the zone such as setbacks, lot coverage and building height;
2. No additional dwelling units may be added, except that dwelling units may be added to a nonconforming commercial use ~~in the MUD zone~~;
3. Structures may be rebuilt after a fire or other disaster to original dimensions unless a health or safety impact would occur;
4. When a nonconforming commercial or professional service business ceases and a change of use is proposed, the site shall be treated as nonconforming and shall follow the nonconforming provisions indicated above and other portions of this chapter.

H. ~~Nonconforming uses in the Town Center Plan area are subject to the provisions in the Town Center Code at 18.29.060 Performance standards. The following provisions shall apply to nonconforming uses in the MUD zone:~~

- ~~1. Nonconforming uses may expand up to 25 percent of their square footage by conditional use permit; except that expansion may not occur if it is necessary to purchase additional property. The expansion shall meet the development standards of the zone such as setbacks, lot coverage and building height;~~
- ~~2. If the structure containing a nonconforming use is destroyed by any means to an extent of more than 100 percent of its replacement cost at the time of destruction it shall not be reconstructed except in conforming with the use and other provisions of this title.~~

Section 35. That Sumner Municipal Code Section 18.56.030 “Land use permits required” is hereby amended to read as follows.

18.56.030 Land use permits required.

[...]

G. The following decisions are Type III.d decisions which shall require public notice and be reviewed administratively and are appealable to the hearing examiner:

1. Administrative use permit;
2. Administrative variance;
3. Application of IDEA district overlay.

[...]

I. The following decisions are Type V decisions which require a public hearing and decision by the hearing examiner, and are appealable only through the judicial system:

1. Conditional use;
2. Shoreline conditional use; provided, that supplemental procedures for shoreline decisions are provided in SMC 18.56.150;
3. Subdivision preliminary plats; provided, that supplemental procedures for subdivision approval are established in SMC Title 17;
4. Binding site plans;
5. Shoreline substantial development permits and shoreline variances; provided, that supplemental procedures for shoreline decisions are provided in SMC 18.56.150;
- ~~6. Height exception in the central business district per SMC 18.16.075.~~

Section 36. Zoning Map Amended. That Section 2 of Ordinance 2700 approved August 5, 2019 and the official Zoning Map for the City of Sumner is hereby amended and adopted as shown in Exhibit “A” attached hereto and incorporated by reference.

Section 37. 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 38. Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make 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 39. **Effective Date.** This ordinance shall become effective five (5) days after its passage, approval and publication as provided by law.

Passed by the City Council and approved by the Mayor of the City of Sumner, Washington, at a regular meeting thereof this _____ day of 2021.

Mayor William L. Pugh

Attest:

Approved as to form only:

City Clerk Michelle Converse

City Attorney Andrea Marquez

First Reading:

Date Adopted:

Date of Publication:

Effective Date:

EXHIBIT A - 2020 Proposed ZONING MAP (4/9/21)

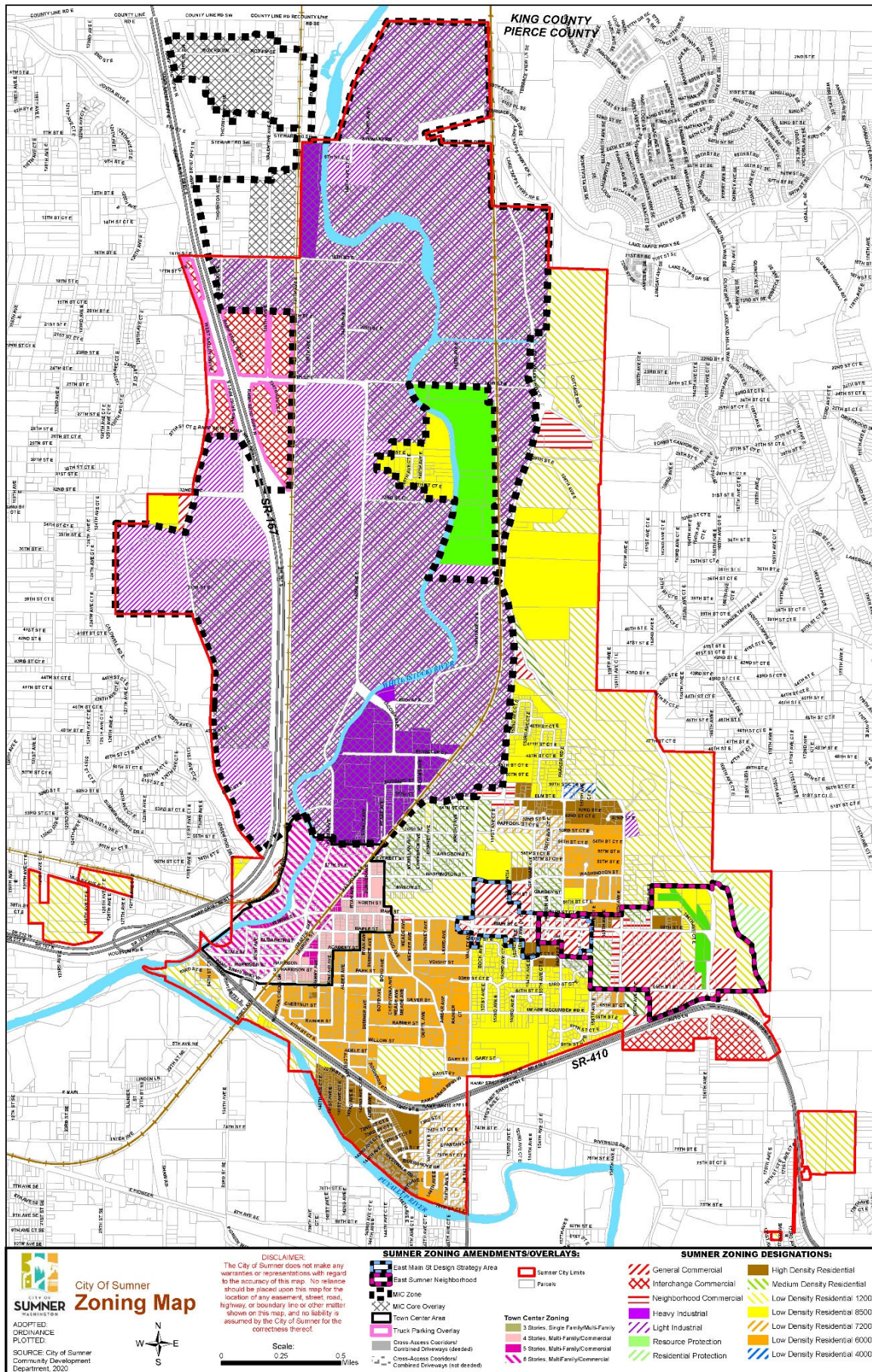


Figure A-1: Enlarged EXHIBIT A to Show Detail (4/9/21)

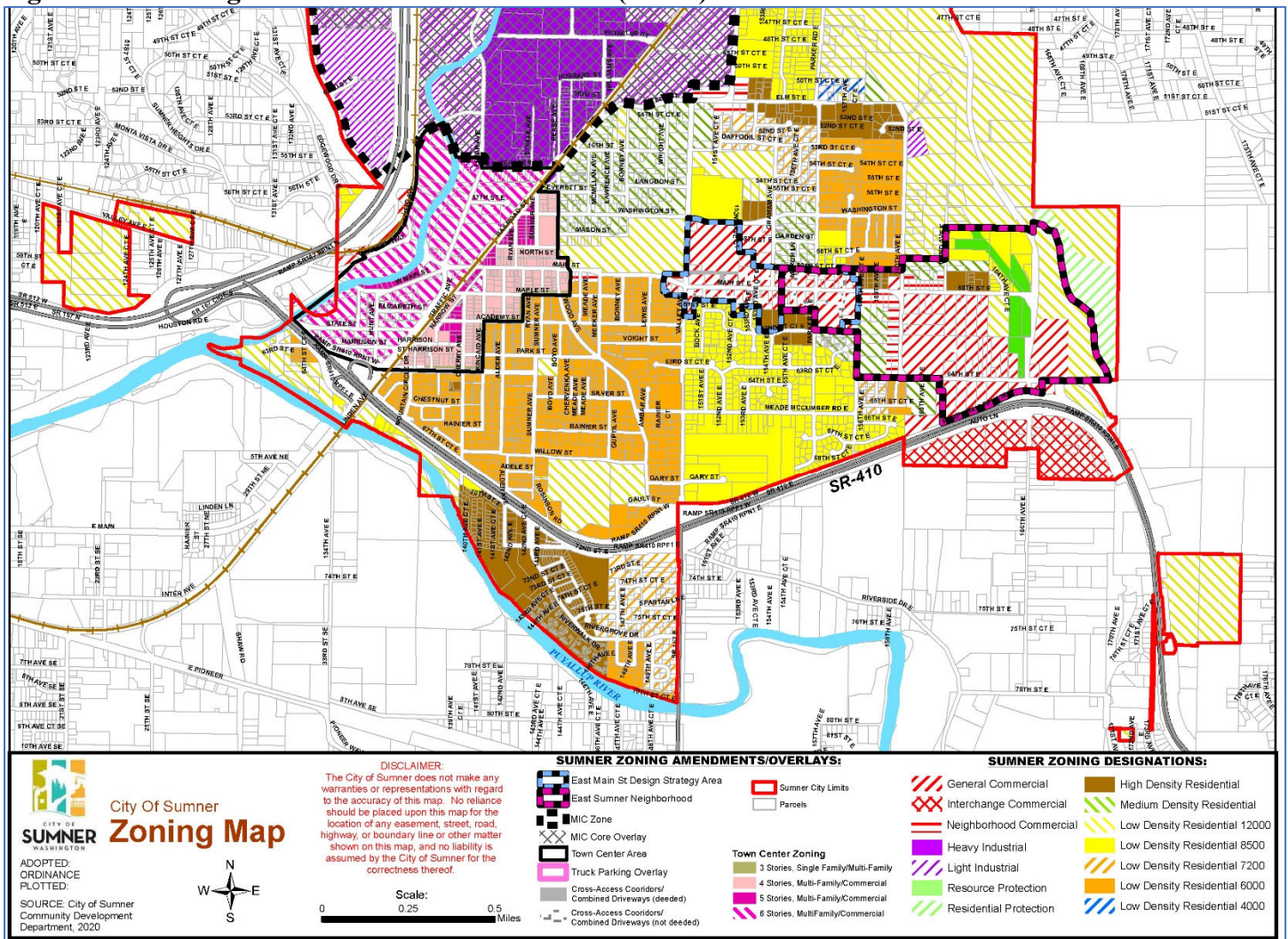
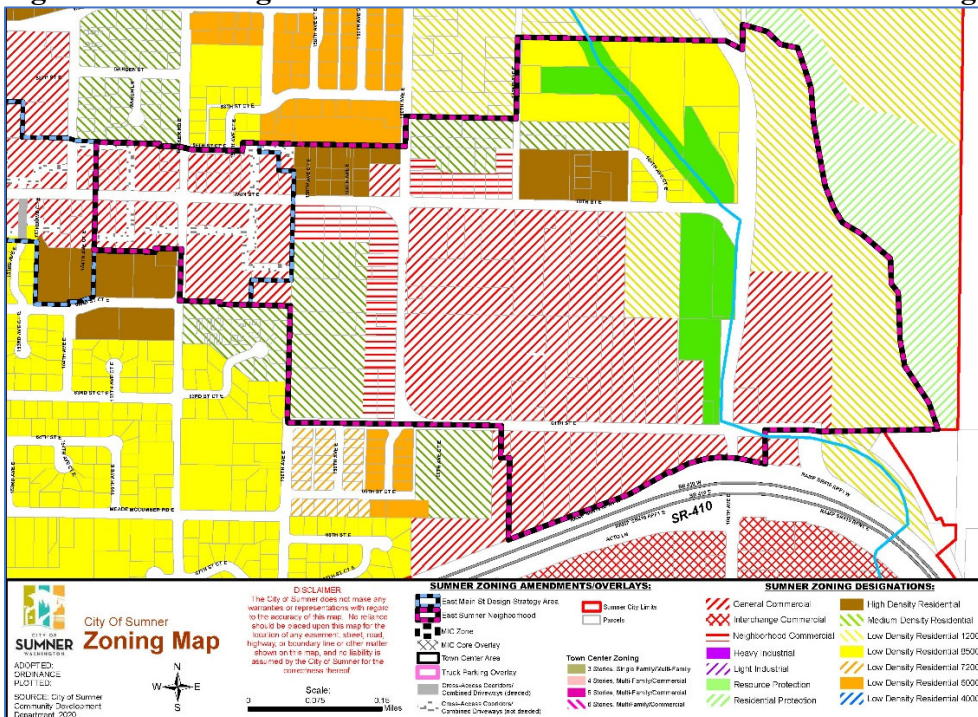


Figure A-2: Enlarged EXHIBIT A to Show Detail of East Sumner Neighborhood Plan Area (4/9/21)





Arts & Culture Commission Agenda Item Report

Submitted by: Brenda Fritsvold

Submitting Department: City Clerk's Office

Meeting Date: 6/18/2021

Subject:

City Entrance Signage Update

Presenter:

Recommendation:

Background:

Council Direction:

Fiscal Impacts:

ATTACHMENTS



Arts & Culture Commission Agenda Item Report

Submitted by: Brenda Fritsvold

Submitting Department: City Clerk's Office

Meeting Date: 6/18/2021

Subject:

Dedication of "Camp Harmony" sculpture

Presenter:

Recommendation:

None--information only.

Background:

Arts Downtown (ADT) is a local, all-volunteer organization established in 1995 for the purpose of bringing quality art to Puyallup. ADT curates Puyallup's outdoor art gallery, which has more than 50 pieces on public display throughout the downtown. Most of the pieces are in the permanent (i.e., city-owned) collection, with additional works contained in the two-year rotating gallery.

"Camp Harmony" by artist John Zylstra was added to the rotating gallery in 2019. Earlier this year, ADT purchased this piece from the artist and subsequently donated it to the City for placement in the permanent outdoor art collection.

"Camp Harmony" refers to the Japanese temporary assembly center located in and around the Washington State Fairgrounds in Puyallup in the early days of World War II. The design makes references to Japanese gardens and shoji screens as well as the barbed wire of such "camps."

According to Zylstra: "This sculpture is less about historical issues than it is about contemporary issues of ethnicity and profiling. It serves as a warning to be ever vigilant regarding conclusions drawn too quickly and specific assessments made of the human condition. We must be cautious to separate what is real from what is perceived with our actions driven by our sense of humanity and justice. It is not my purpose to condemn or point fingers historically; rather, encourage continued discussions of larger social issues of today."

Council Direction:

Fiscal Impacts:

ATTACHMENTS

- [Camp Harmony.jpg](#)

