

**CITY OF SUMAS
PROPOSED UPDATES TO DEVELOPMENT REGULATIONS**

Update Comprehensive Plan Amendment Process

20.08.180 Suggested amendments.

Any person, including applicants, citizens, council members, city staff, and staff of other agencies, may suggest an amendment to the comprehensive plan or to a city development regulation. Suggested amendments shall be submitted to the administrator in writing. The administrator shall compile and maintain a list of suggested changes and shall ensure that the accumulated suggestions are considered by the city council once each calendar year, consistent with the provision of RCW 36.70A.130. [Following consideration of the compiled list of suggested amendments, the city council shall pass a motion identifying those suggested amendments to be formally docketed for review during the annual amendment process. Only those amendments that are docketed shall be moved forward in the process, and those suggested amendments not docketed shall be removed from the list of suggested amendments unless the city council directs the administrator to keep a specific suggested amendment on the list until the following year. Application fees paid in conjunction with suggested amendments that are not docketed and are removed from the list shall be refunded to the applicant.](#) The list of suggested changes shall at all times be available for review by the public. (Ord. 1176 § 1 (part), 1996)

Update Zoning Districts to include the Open Space / Agricultural District

20.10.010 Districts-official map.

The city is hereby divided into use zones or districts, as shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted and declared to be a part of this title. The district names and designations are as follows:

	FULL NAME	DESIGNATION
OS/AG	<u>Open Space</u> /Agricultural District	“OS/AG” District
RS-15	<u>Single-Family</u> Residential District, Low Density	“RS-15” District
R-10	Residential District, Medium Density	“R-10” District
R-6	Residential District, High Density	“R-6” District
BT	Business District Traffic Oriented	“BT” District
BG	Business District General	“BG” District
I	Industrial District	“I” District
MW	Mini-Warehouse District	“MW” District
RV	Recreational Vehicle Park District	“RV” District

(Ord. 1002 (Attachment A) (part), 1989)

Add General Provision Addressing Dwellings Occupied by Handicapped Persons

20.18.130 Dwellings occupied by handicapped individuals or groups.

In all residential zoning districts, residential dwellings occupied by handicapped individuals or groups shall be regulated in the same manner as dwellings occupied by families, unrelated groups and non-handicapped individuals.

Update Agricultural District to the Open Space / Agricultural District

Chapter 20.20

OPEN SPACE / AGRICULTURAL (OS/AG) DISTRICT

Sections:

- 20.20.010 Purpose.
- 20.20.020 Permitted uses.
- 20.20.030 Conditional uses.
- 20.20.040 Prohibited uses.
- 20.20.050 Setbacks from streams.

20.20.010 Purpose.

~~Land in~~The purpose of the OS/AG district is ~~so classified to prevent indiscriminate uses which might inhibit future orderly~~ to limit growth ~~of in those portions of the city or create nuisances to the developed areas, but to permit~~ where development opportunities are impacted by the presence of critical areas, to conserve such areas as open space, and to allow continued productive ~~interim~~ utilization. (Ord. 1002 (Attachment A) (part), 1989)

20.20.020 Permitted uses.

Permitted uses in the OS/AG district are as follows:

- (a) Agriculture; including farming and dairying, horticulture, floriculture, bee keeping; keeping and raising of domestic animals, poultry and livestock; and structures accessory to these activities; provided, that feed-lot operations shall not be permitted. (Ord. 1002 (Attachment A) (part), 1989)
- (b) Open space, and environmental restoration.

20.20.030 Conditional uses.

Conditional uses in the OS/AG district are as follows:

- (a) One single-family residence per legal lot of record, except in those locations where such development would otherwise be prohibited pursuant to the ordinances of the city of Sumas. (Ord. 1519 § 1, 2008; Ord. 1002 (Attachment A) (part), 1989)
- (b) Public and private recreational uses.

Add Adult Daycare as a Permitted Use in the Residential, Low Density zone

20.24.020 Permitted uses.

Permitted uses in the RS-15 district are as follows:

- (1) Single-family dwelling, [including site-built and manufactured](#);
- (2) [Adult daycare, subject to administrative conditions addressing hours of operation, parking, and pick-up and drop-off](#);
- (23) Accessory buildings such as garage, carport, greenhouse, workshop. (Ord. 1425 § 7, 2005: Ord. 1178 § 1, 1996: Ord. 1002 (Attachment A) (part), 1989)

Add Adult Daycare as a Permitted Use and add Duplex as a Conditional Use in the Residential, Medium Density District

20.28.010 Purpose.

The purpose of the R-7 district is to permit the establishment of medium density ~~single-family~~ residential uses [that are primarily single-family](#). (Ord. 1244 § 3, 1998: Ord. 1002 (Attachment A) (part), 1989)

20.28.020 Permitted uses.

Permitted uses in the R-7 district are as follows:

- (a) Single-family dwelling, [including site-built and manufactured](#);
- (b) Accessory buildings such as garage, carport, greenhouse, workshop;
- (c) Private swimming pool;
- (d) [Adult daycare, subject to administrative conditions addressing hours of operation, parking, and pick-up and drop-off](#). (Ord. 1244 § 4, 1998: Ord. 1002 (Attachment A) (part), 1989)

20.28.030 Conditional uses.

(1) Conditional uses in the R-7 district are as follows:

- (a) Churches of all faiths and accessory schools and residences;
- (b) Public schools;
- (c) Public parks, community centers and public libraries.
- (d) [Duplex](#).

(2) Additional conditional uses in the R-7 district are as follows:

- (a) Wireless communications facilities, including their support structures, antennas, accessory equipment structures, and appurtenances used to transmit, receive, distribute, provide or offer personal wireless communications service to the public;
- (b) Water storage reservoirs owned and operated by a public utility, water district, or water association.

In addition to being subject to the conditions set forth in Chapter 20.66 of this code, any conditional use allowed pursuant to subsection (2) of this section is also subject to such additional conditions and requirements as the city council may deem appropriate, including those necessary to minimize impacts and protect and promote the general health, safety, and welfare of the city of Sumas and its residents. Included among the additional conditions and requirements that the city council may impose are those set forth in Chapter 20.13 of the Whatcom County Code pertaining

to wireless communications facilities. (Ord. 1330 §§ 1, 2, 2001: Ord. 1244 § 5, 1998: Ord. 1002 (Attachment A) (part), 1989)

20.28.040 Prohibited uses.

The following uses are prohibited in the R-7 district:

- (1) Mobile homes [not meeting the definition of manufactured home under the International Residential Code](#);
- (2) All other uses not otherwise permitted. (Ord. 1244 § 6, 1998: Ord. 1175 § 2, 1996: Ord. 1002 (Attachment A) (part), 1989)

20.28.100 Lot area and width.

Minimum lot area shall be seven thousand two hundred square feet for a single-family residence [and nine thousand square feet for a duplex](#). Minimum lot width shall be sixty feet; provided, that cul-de-sac lots may have a minimum width at the street line of thirty feet if the lot width at the building line meets the minimum width standard of sixty feet. (Ord. 1244 § 7, 1998: Ord. 1002 (Attachment A) (part), 1989)

20.28.120 Uniform design standards—Residences.

No building or housing-type structure moved onto or constructed within this residential zoning district which is to be used as a single-family dwelling [or duplex](#) shall have less than one thousand one hundred square feet of enclosed floor space, excluding garage and/or carport areas. Each such building or housing-type structure shall have eaves with a minimum overhang of twelve inches. (Ord. 1425 § 6, 2005: Ord. 1208 § 1 (part), 1997; Ord. 1178 § 4 (part), 1996: Ord. 1175 § 8 (part), 1996: Ord. 1002 (Attachment A) (part), 1989)

Add Adult Daycare as a Permitted Use in the Residential, High Density District

20.32.020 Permitted uses.

Permitted uses in the R-6 district are as follows:

- (1) Detached single-family dwellings;
- (2) Accessory buildings such as garage, carport, greenhouse;
- (3) Private swimming pools;
- (4) Accessory uses;
- (5) [Adult daycare, subject to administrative conditions addressing hours of operation, parking, and pick-up and drop-off](#). (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

Add Electric Vehicle Battery Charging Stations as a Permitted Use in the Business District, Traffic Oriented

20.36.020 Permitted uses.

Permitted uses in the BT district are as follows:

- (1) Motels;

- (2) Drive-in restaurants;
- (3) Car washes;
- (4) Restaurants;
- (5) Convenience stores;
- (6) [Electric vehicle battery charging stations](#). (Ord. 1002 (Attachment A) (part), 1989)

Add Electric Vehicle Battery Charging Stations as a Permitted Use in the Business District, General

20.40.020 Permitted uses.

Permitted uses in the BG district are as follows:

- (1) Retail stores;
- (2) Professional and business offices;
- (3) Establishments offering personal services, such as barber and beauty shops, shoe repair, dressmaking and tailoring, cleaning and pressing, coin-operated laundry and dry cleaning;
- (4) Financial institutions such as banks, savings and loan associations and finance companies;
- (5) Restaurants, taverns and cocktail lounges;
- (6) Hotels and motels;
- (7) Dental and medical offices and clinics;
- (8) Schools for business, trade, art and music;
- (9) Printing and publishing establishments;
- (10) Brokerage offices;
- (11) Public libraries;
- (12) Government offices and related facilities;
- (13) [Electric vehicle battery charging stations](#);
- (~~13~~14) Accessory use to a use permitted in subsections (1) through (~~12~~13) of this section. (Ord. 1002 (Attachment A) (part), 1989)

Add Electric Vehicle Battery Charging Stations as a Permitted Use in the Business District, Low Impact

20.42.020 Permitted uses.

Permitted uses in the business district III are as follows:

- (1) Single-family dwellings;
- (2) Professional and business offices;
- (3) Establishments offering personal services, such as barber and beauty shops, shoe repair, coin operated laundry, dry cleaning;
- (4) Dental and medical offices and clinics;
- (5) Public libraries and museums;
- (6) Government offices and related facilities; **and**
- (7) [Electric vehicle battery charging stations](#);
- (~~7~~8) Accessory use to a use permitted above. (Ord. 1188 § 2, 1996)

Add Vehicle Repair and Electric Vehicle Battery Charging Stations as Permitted Uses in the Industrial District

20.44.020 Permitted uses.

Permitted uses in the I district, unless otherwise specifically prohibited or allowed only as a conditional use, are as follows:

- (1) Warehousing and wholesaling establishments; excluding the storage and handling of explosives, ammonia, chlorine, and any other similarly dangerous or toxic substance;
- (2) Light manufacturing and assembly of products or material, excluding any manufacturing or assembly requiring approval of a conditional use permit pursuant to Section 20.44.030;
- (3) Retail sales of products manufactured in the district when accessory to the primary use;
- (4) Offices;
- (5) Plant nurseries;
- (6) Small scale animal hospitals;
- (7) Transportation-related facilities (such as freight operations and terminals), excluding freight operations and terminals involving the storage or transport of garbage or refuse;
- (8) Construction business including contractor's storage yards and offices;
- (9) On-site hazardous waste storage and treatment facilities accessory to a use permitted in the district; provided, that such facilities comply with the state hazardous waste siting standards and the requirements of the State Environmental Policy Act and local environmental standards and regulations;
- (10) Food processing and/or production not involving the presence of livestock, such as cattle or chickens, on-site, including the manufacturing of value-added food products;
- (11) Trucking, warehousing, and parcel delivery operations not involving the storage or transport of garbage or refuse;
- (12) Light manufacturing and fabrication, including the fabrication of apparel, textile products, furniture and fixtures, leather products, stone products, glass products, electric equipment, communications equipment and other products of a similar nature and the manufacturing and fabrication of jewelry, silverware, plate ware, metal products, musical instruments and parts, toys, sports and athletic goods, recreational goods and equipment, and other similar products, but excluding any manufacturing and fabrication requiring approval of a conditional use pursuant to Section 20.44.030;
- (13) Machine shops and workshops;
- (14) Cold storage;
- (15) [Heavy Vehicle and heavy](#) equipment repair;
- (16) Boat building, excluding any boat building requiring approval of a conditional use permit based on use of materials or processes identified under Section 20.44.030(1);
- (17) Grain milling;
- (18) Business firm headquarters;
- (19) Testing laboratory;
- (20) Wood drying kilns;
- (21) Power generation plants utilizing natural gas as a single fuel that generate less than three hundred fifty megawatts per hour;
- (22) Utility and communication transmission facilities;
- (23) [Electric vehicle battery charging stations](#). (Ord. 1619 § 1, 2013; Ord. 1520 § 1, 2008; Ord. 1002 (Attachment A) (part), 1989)

Add New Chapter 20.82 to Address Concurrency

**Chapter 20.82
CONCURRENCY**

Sections:

20.82.010 Concurrency required..

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Any development or redevelopment that increases the demand and need for capital facilities as defined in this section shall be subject to the following:

a. Development and redevelopment activities subject to this section shall not receive approvals from the city until the zoning administrator makes a determination that all required capital facilities meeting adopted level of service or other standards will be available to serve the proposed development at the time the development is established.

b. For the purposes of this section, capital facilities shall include the following whether provided by the city or other governmental agency: domestic water, sanitary sewer, storm sewer, streets and other transportation facilities, park and recreation facilities, law enforcement, fire protection, and schools.

c. In the event that the zoning administrator makes a determination that one or more capital facilities will not be available as required by this section, then the administrator shall identify the capital improvements necessary to ensure compliance with this section. Said improvements shall be provided to the applicant in writing and may be included as conditions of approval attached to required permits.

d. Except as noted below, all required capital improvements shall be completed prior to completion of authorized development activities in conformance with established conditions of approval; otherwise, final approval of permitted activities shall be withheld until all such improvements have been completed.

e. Where found to be reasonable and appropriate by the administrator, permits may be issued by the city based on the posting of a performance bond, in a form acceptable to the city attorney, in an amount equal to one hundred fifty (150%) percent of the estimated cost of required improvements not completed prior to permit issuance. The estimated cost for all such improvements utilized in calculating the dollar amount of the bond shall be based on the cost for the city to complete said improvements while meeting governmental prevailing wage and other requirements under municipal contracts.

f. Following completion of all required improvements, the administrator shall make a written finding that the development has met the concurrency requirements established in this section.

Amend Purpose Statement in Subdivision Ordinance to Include Implementation of Comprehensive Plan Goals and Policies

20.84.020 Purpose.

The purpose of this division is to [implement the goals and policies established in the city comprehensive plan](#); regulate the subdivision of land and to promote the public health, safety and general welfare in accordance with the standards

established by the state to prevent the overcrowding of land; provide for orderly growth and development; conserve, protect and enhance property values; to lessen congestion in the streets and on the highways; to provide adequate provisions for water, sewerage, parks and recreation areas, sites for schools and school grounds and other public requirements; to provide for proper traffic circulation; and to require uniform monumenting of land subdivisions and conveyancing by accurate legal description. Further, these regulations are established to effectuate the policy of the prescribed state law referring to the platting and dedication of lands and shall not preclude full compliance thereto. (Ord. 1032 (Attachment A) (part), 1991)