

Planning Commission Meeting

433 Cherry Street

Monday, October 16, 2023 at 5:30 PM

Agenda

Open Meeting

1. Review/Correct and/or Approve Minutes

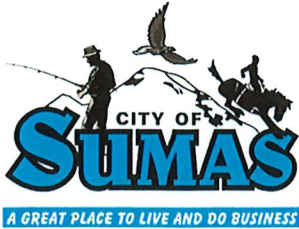
[A.](#) September 18, 2023 Draft Minutes

2. Old Business

3. New Business

[B.](#) Comprehensive Plan Review

4. Adjournment



Planning Commission Meeting

433 Cherry Street
Monday, September 18, 2023, at 5:30 PM

Minutes

Present

Commissioners

Teresa Josephson
Lizette Custer
John Van Wingerden
Jacob Williams

Josh Clawson, Ex Officio
Carson Cortez, City Planner
Michelle Quinn, City Clerk

John VanWingerden made a motion to approve August 07, 2023, Minutes, Lizette Custer seconded, all were in favor the motion carried.

Carson Cortez, City Planner, started the discussion following up from the last meeting and wanting to formalize their decision on the change of zoning request with the recommended decision. Teresa Josephson stated the decision was denial of the rezone request but with consideration for recommending options for the council. Lizette Custer has done some research on small cities and their requirements; most small cities do not allow mini warehouses. John VanWingerden believes mini warehouses should be in like industrial areas and not at the main entrance of town.

Also, due to the concern with the port expansion and losing businesses and a few rental properties to the expansion. John and Lizette are concerned if GSA closes our port of entry for rebuilding this will affect our businesses with loss of revenues.

John Van Wingerden made a motion to recommend to the council denying the change of zoning application for site specific rezone to mini warehouse due to it not being harmonious with the neighborhood, Jacob Williams seconded; all were in favor the motion carried.

Carson Cortez, City Planner updated the commissioners that the comprehensive plan review will be beginning; this review will bring updates and changes to the comprehensive plan. Carson also had received another request for storage units from another landowner, which also did not fit the zoning of the property. One suggestion to put in the comprehensive plan is to allow storage units in the industrial zone with a conditional use permit.

Carson's plan with this comprehensive review will be to start with the zoning codes making sure the areas are a good fit for those zones currently. Teresa inquired on how to begin this review of such a large amount of information, Carson said the process will be just starting on one section at a time moving forward.

Discussion on the UGA and what the City faces with not a lot of area for growth.

The next Planning Commission Meeting was set for October 16, 2023, at 5:30 pm.

Councilmember Josh Clawson, Ex Officio

City Clerk

DRAFT

Current Zoning Designations

Residential (R-6) District, High Density

Residential (R-7) District, Medium Density

Single Family Residential (RS-15) District, Low Density

Business (BG) District, General

Business (BT) District, Traffic Oriented

Business District III – Low Impact

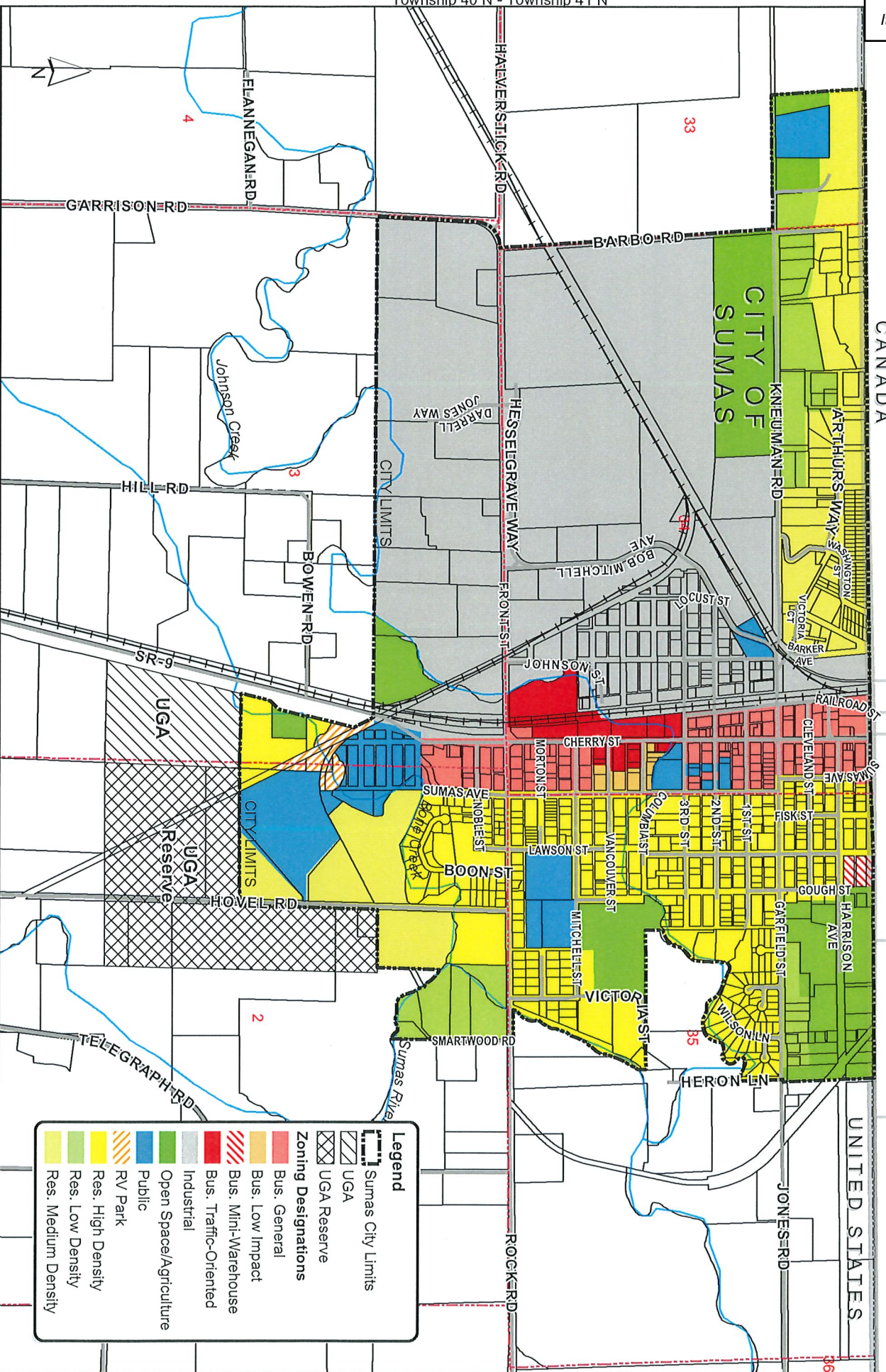
Industrial (I) District)

Open Space/Agricultural (OS/AG) District

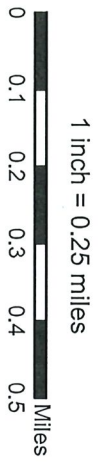
Mini-Warehouse (MW) District

Recreational Vehicle Park (RV) District

Township 40 N - Township 41 N



Legend	
	Sumas City Limits
	UGA
	UGA Reserve
Zoning Designations	
	Bus. General
	Bus. Low Impact
	Bus. Mini-Warehouse
	Bus. Traffic-Oriented
	Industrial
	Open Space/Agriculture
	Public
	RV Park
	Res. High Density
	Res. Low Density
	Res. Medium Density



PROJECTION:
 UTM Zone 10 North
 NAD 27
 SCALE: 1:15,840

CITY OF SUMAS, WA
EXHIBIT A
OFFICIAL ZONING MAP

DATA SOURCES:
 Whatcom County Assessor's
 Office & Planning Department,
 and the City of Sumas



Proposed Zoning Designations

High Density Residential District (HDR)

Medium Density Residential District (MDR)

Central Business District (CBD)

Highway Business District (HBD)

Municipal Business District (MBD)

Light Impact Industrial District (LII)

Heavy Impact Industrial District (HII)

Public District (PUB)

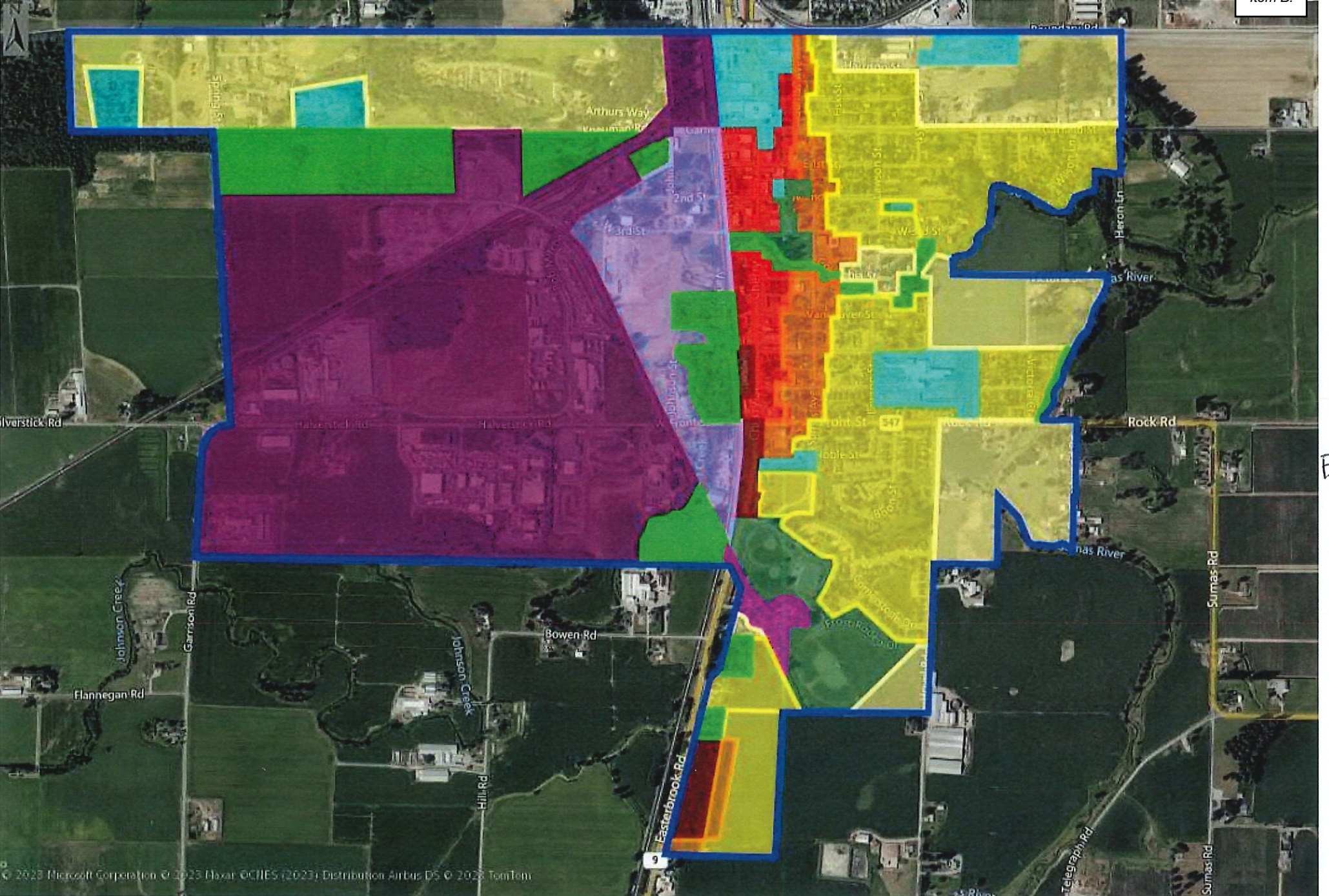
Recreational District (REC)

Open Space District (OSP)

Agricultural District (AGR)

Recreational Vehicle Park District (RVP)

N



S

Chapter 20.32

RESIDENTIAL (R-6) DISTRICT, HIGH DENSITY

Sections:

- 20.32.010 Purpose.**
- 20.32.020 Permitted uses.**
- 20.32.030 Conditional uses.**
- 20.32.040 Prohibited uses.**
- 20.32.050 Height.**
- 20.32.060 Rear yards.**
- 20.32.070 Side yards.**
- 20.32.080 Front yards.**
- 20.32.090 Setbacks from streams.**
- 20.32.100 Lot area and width.**
- 20.32.110 Signs.**
- 20.32.120 Uniform design standards—Residences.**
- 20.32.130 Attached single-family dwellings—Lot frontage requirements.**
- 20.32.140 Planned developments.**
- 20.32.150 Duplexes, multiple dwellings, attached single-family dwellings and planned developments.**

20.32.010 Purpose.

The purpose of the R-6 district is to permit the establishment of high density residential development of both single- and multiple-family dwellings. (Ord. 1493 § 1 (part), 2007; Ord. 1002 (Attachment A) (part), 1989)

20.32.020 Permitted uses.

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

- (1) Detached single-family dwellings, including site-built and manufactured;
- (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. 1686 § 15, 2016; Ord. 1493 § 1 (part), 2007; Ord. 1002 (Attachment A) (part), 1989)

20.32.030 Conditional uses.

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

- (1) Duplexes and multiple dwellings;
- (2) Attached single-family dwellings on two adjoining lots;
- (3) Attached single-family dwellings on up to a maximum of six adjoining lots where located within a planned development established consistent with Section 20.32.140;
- (4) Nonprofit club houses;
- (5) Churches of all faiths and accessory school and residence;
- (6) Public parks, community centers, and public libraries;
- (7) Mobile home parks. (Ord. 1493 § 1 (part), 2007; Ord. 1002 (Attachment A) (part), 1989)

20.32.040 Prohibited uses.

The following uses are prohibited:

- (1) Mobile homes outside of a mobile home park;
- (2) Attached single-family dwellings on more than two adjoining lots, except within a planned development;

(3) All other uses not otherwise permitted. (Ord. 1493 § 1 (part), 2007: Ord. 1175 § 3, 1996: Ord. 1002 (Attachment A) (part), 1989)

Item B.

20.32.050 Height.

Structures shall not exceed thirty-five feet in height or exceed two stories. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.060 Rear yards.

The depth of the rear yard shall be not less than five feet as measured from the foundation line of any structure; provided, that the accessory buildings may be located in the rear yard if located no closer than two feet from the rear property line. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.070 Side yards.

The depth of each side yard shall be not less than eight feet as measured from the foundation line of any structure; provided, that no side yard shall be required for attached single-family dwellings on the side where the two dwellings are attached. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.080 Front yards.

The depth of the front yard shall be not less than twenty feet as measured from the foundation line of any principal or accessory structure. In older areas in which fifty percent or more of the lots in a block are developed, the front yard may be the average depth of those existing yards. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.090 Setbacks from streams.

(a) All the development on the shoreline of streams within the jurisdiction of the city shoreline program shall comply with the shoreline setback requirement of that program. Where there is a conflict between this chapter and the shoreline program, the more restrictive provision shall apply.

(b) On all other streams within the city, all structures and other development shall be set back from the ordinary high water mark a distance of no less than twenty-five feet; provided, that ground level parking lots and parking areas may be set back from the ordinary high water mark a distance of no less than fifteen feet. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.100 Lot area and width.

Minimum lot area for all uses except attached, single-family dwellings shall be six thousand square feet and shall be increased as required so that no more than thirty-five percent of the lot area shall be covered by buildings. Minimum lot area for attached single-family dwellings shall be three thousand

square feet and shall be increased as required so that no more than thirty-five percent of the lot area of any end lot and forty-five percent of the lot area of any interior lot shall be covered by buildings. Except as provided below, the 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. The minimum lot width for a lot containing or planned for an attached single-family dwelling shall be thirty feet; provided, that such lots may have a minimum width of twenty feet if the lot width at the building line meets the minimum width standard of thirty feet. (Ord. 1493 § 1 (part), 2007; Ord. 1002 (Attachment A) (part), 1989)

Item B.

20.32.110 Signs.

Signs shall be permitted as follows:

- (1) Nameplate with a maximum surface of one square foot;
- (2) "For Sale" and "For Rent" signs with maximum surface of six square feet, and set back from property line ten feet;
- (3) Church, park or school signs with maximum surface of twenty square feet, and set back from the property line ten feet;
- (4) Illuminated signs shall:
 - (A) Not glare on adjoining property;
 - (B) Be of constant light intensity;
 - (C) Not conflict with traffic controls; and
 - (D) Not be exposed neon. (Ord. 1493 § 1 (part), 2007; Ord. 1002 (Attachment A) (part), 1989)

20.32.120 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 detached single-family dwelling 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. 1493 § 1 (part), 2007; Ord. 1425 § 5, 2005; Ord. 1208 § 1 (part), 1997; Ord. 1178 § 4 (part), 1996; Ord. 1175 § 8 (part), 1996; Ord. 1002 (Attachment A) (part), 1989)

20.32.130 Attached single-family dwellings—Lot frontage requirements.

For attached single-family dwellings, the city council may waive the lot frontage requirements established under Division II of this title through the approval of a conditional use permit where a finding is made that adequate access to said lot or lots can and will be provided through use of a properly recorded easement. (Ord. 1493 § 1 (part), 2007)

20.32.140 Planned developments.

- (a) Planned developments are those developments authorized in the residential high density zoning district that allow increased variation in lot coverage and dwelling types based on review and approval of a master plan submitted in conjunction with an application for approval of a preliminary plat for a long subdivision pursuant to Division II of this title.
- (b) Planned developments may only be approved for those projects located on a minimum of one acre of gross land area. Such developments are not authorized within the developed portions of the city located north of Front Street.
- (c) In addition to the information required with an application for preliminary plat approval, the master plan for a planned development shall include the following information: a description of the proposed development, including its purpose and design goals; a listing and description of the dwelling types and other uses planned, as well as their distribution throughout the development; architectural design, landscaping and parking standards proposed; a description of proposed open space and park areas; and other information necessary to allow the city council to review the proposed development.
- (d) The development of specific uses within areas approved as planned developments shall be subject to the regulations established in this chapter. (Ord. 1493 § 1 (part), 2007)

20.32.150 Duplexes, multiple dwellings, attached single-family dwellings and planned developments.

In reviewing applications for approval of duplexes, multiple dwellings, attached single-family dwellings and planned developments, the city council shall retain broad authority to approve, approve with conditions or deny a specific project application based on the unique circumstances specific to that proposal. Such authority shall be based on consideration of factors including, but not limited to, the character of the neighborhood within which the project is proposed, the development plan for the subject neighborhood as expressed in the comprehensive plan, the presence of other similar developments in the surrounding area, the proximity of the development to public services, and the availability of adequate on- and off-street parking. (Ord. 1493 § 1 (part), 2007)

The Sumas Municipal Code is current through Ordinance 1801, passed March 13, 2023.

Disclaimer: The city clerk's office has the official version of the Sumas Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

Item B.

City Website: <https://cityofsumas.com/>

City Telephone: (360) 988-5711

Code Publishing Company

Chapter 20.32 – High Density Residential (HDR)

Sections:

- 20.32.010 Purpose.
- 20.32.020 Permitted uses.
- 20.32.030 Conditional uses.
- 20.32.040 Prohibited uses.
- 20.32.050 Height.
- 20.32.060 Rear yards.
- 20.32.070 Side yards.
- 20.32.080 Front yards.
- 20.32.090 Setbacks from streams.
- 20.32.100 Lot area and width.
- 20.32.110 Signs.
- 20.32.120 Uniform design standards—Residences.
- 20.32.130 Attached single-family dwellings—Lot frontage requirements.
- 20.32.140 Planned developments.
- 20.32.150 Duplexes, multiple dwellings, attached single-family dwellings and planned developments.

20.32.010 Purpose.

The purpose of the High Density Residential (HDR) district is to permit the establishment of high density residential development of both single- and multiple-family dwellings. (Ord. 1493 § 1 (part), 2007; Ord. 1002 (Attachment A) (part), 1989)

20.32.020 Permitted uses.

Permitted uses in the HDR district are as follows:

- 1) Detached single-family dwellings, including site-built and manufactured;
- 2) Accessory buildings such as garage, carport, greenhouse;
- 3) Private swimming pools;
- 4) Accessory uses;

- 5) Accessory dwelling units. No more than two accessory dwelling units per property. Accessory dwelling units must be built pursuant to the regulations listed in Chapter 20.XX, as well as to the satisfaction of the Building Official.
- 6) Adult daycare, subject to administrative conditions addressing hours of operation, parking, and pick-up and drop-off. (Ord. 1686 § 15, 2016: Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.030 Conditional uses.

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

- 1) Duplexes and multiple dwellings;
- 2) Attached single-family dwellings on two adjoining lots;
- 3) Attached single-family dwellings on up to a maximum of six adjoining lots where located within a planned development established consistent with Section 20.32.140;
- 4) Nonprofit club houses;
- 5) Churches of all faiths and accessory school and residence;
- 6) Public parks, community centers, and public libraries;
- 7) Private childcare facilities;
- 8) Mobile home parks. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.040 Prohibited uses.

The following uses are prohibited:

- 1) Mobile homes outside of a mobile home park;
- 2) Attached single-family dwellings on more than two adjoining lots, except within a planned development;
- 3) All other uses not otherwise permitted. (Ord. 1493 § 1 (part), 2007: Ord. 1175 § 3, 1996: Ord. 1002 (Attachment A) (part), 1989)

20.32.050 Height.

Structures shall not exceed forty-five feet in height or exceed three stories. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.060 Rear yards.

The depth of the rear yard shall be not less than five feet as measured from the foundation line of any structure; provided, that the accessory buildings may be located in the rear yard if located no closer than two feet from the rear property line. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.070 Side yards.

The depth of each side yard shall be not less than eight feet as measured from the foundation line of any structure; provided, that no side yard shall be required for attached single-family dwellings on the side where the two dwellings are attached. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.080 Front yards.

The depth of the front yard shall be not less than twenty feet as measured from the foundation line of any principal or accessory structure. In older areas in which fifty percent or more of the lots in a block are developed, the front yard may be the average depth of those existing yards. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.090 Setbacks from streams.

(a) All the development on the shoreline of streams within the jurisdiction of the city shoreline program shall comply with the shoreline setback requirement of that program. Where there is a conflict between this chapter and the shoreline program, the more restrictive provision shall apply.

(b) On all other streams within the city, all structures and other development shall be set back from the ordinary high water mark a distance of no less than twenty-five feet; provided, that ground level parking lots and parking areas may be set back from the ordinary high water mark a distance of no less than fifteen feet. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.100 Lot area and width.

Minimum lot area for all uses except attached, single-family dwellings shall be six thousand square feet and shall be increased as required so that no more than thirty-five percent of the lot area shall be covered by buildings. Minimum

lot area for attached single-family dwellings shall be three thousand square feet and shall be increased as required so that no more than thirty-five percent of the lot area of any end lot and forty-five percent of the lot area of any interior lot shall be covered by buildings. Except as provided below, the 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. The minimum lot width for a lot containing or planned for an attached single-family dwelling shall be thirty feet; provided, that such lots may have a minimum width of twenty feet if the lot width at the building line meets the minimum width standard of thirty feet. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.110 Signs.

Signs shall be permitted as follows:

- 1) Nameplate with a maximum surface of one square foot;
- 2) "For Sale" and "For Rent" signs with maximum surface of six square feet, and set back from property line ten feet;
- 3) Church, park or school signs with maximum surface of twenty square feet, and set back from the property line ten feet;
- 4) Illuminated signs shall:
 - a. Not glare on adjoining property;
 - b. Be of constant light intensity;
 - c. Not conflict with traffic controls; and
 - d. Not be exposed neon. (Ord. 1493 § 1 (part), 2007: Ord. 1002 (Attachment A) (part), 1989)

20.32.120 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 detached single-family dwelling 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. 1493 § 1 (part), 2007: Ord. 1425 § 5, 2005: Ord. 1208 § 1 (part), 1997; Ord. 1178 § 4 (part), 1996: Ord. 1175 § 8 (part), 1996: Ord. 1002 (Attachment A) (part), 1989)

20.32.130 Attached single-family dwellings—Lot frontage requirements.

For attached single-family dwellings, the city council may waive the lot frontage requirements established under Division II of this title through the approval of a conditional use permit where a finding is made that adequate access to said lot or lots can and will be provided through use of a properly recorded easement. (Ord. 1493 § 1 (part), 2007)

20.32.140 Planned developments.

- 1) Planned developments are those developments authorized in the residential high density zoning district that allow increased variation in lot coverage and dwelling types based on review and approval of a master plan submitted in conjunction with an application for approval of a preliminary plat for a long subdivision pursuant to Division II of this title.
- 2) Planned developments may only be approved for those projects located on a minimum of one acre of gross land area. Such developments are not authorized within the developed portions of the city located north of Front Street.
- 3) In addition to the information required with an application for preliminary plat approval, the master plan for a planned development shall include the following information: a description of the proposed development, including its purpose and design goals; a listing and description of the dwelling types and other uses planned, as well as their distribution throughout the development; architectural design, landscaping and parking standards proposed; a description of proposed open space and park areas; and other information necessary to allow the city council to review the proposed development.
- 4) The development of specific uses within areas approved as planned developments shall be subject to the regulations established in this chapter. (Ord. 1493 § 1 (part), 2007)

20.32.150 Duplexes, multiple dwellings, attached single-family dwellings and planned developments.

In reviewing applications for approval of duplexes, multiple dwellings, attached single-family dwellings and planned developments, the city council shall retain broad authority to approve, approve with conditions or deny a specific project application based on the unique circumstances specific to that proposal. Such authority shall be based on consideration of factors including, but not limited to, the character of the neighborhood within which the project is proposed, the development plan for the subject neighborhood as expressed in the comprehensive plan, the presence of other similar developments in the surrounding area, the proximity of the development to public services, and the availability of adequate on- and off-street parking. (Ord. 1493 § 1 (part), 2007)