

**Chapter 18.30
EAST SUMNER URBAN VILLAGE OVERLAY DISTRICT (ESUV)**

Sections:

- 18.30.010 Purpose.**
- 18.30.020 Districts where permitted.**
- 18.30.030 Principal and conditional uses.**
- 18.30.040 Residential and mixed uses.**
- 18.30.050 Accessory residential uses.**
- 18.30.060 Prohibited uses.**
- 18.30.070 Conditional use criteria – Urban village.**
- 18.30.080 Property development standards.**
- 18.30.090 Performance standards.**
- 18.30.100 Streets and alleys.**
- 18.30.110 Private streets and driveways.**

18.30.010 Purpose.

The ESUV district is intended to be a neighborhood oriented area with a mix of residential, commercial, and civic uses that serve the neighborhood and the larger region with goods and services. The area features a wide range of types of residences, from single-family, to townhouse and multiple-family residential buildings. Motor vehicles are accommodated in the street designs and parking areas, yet the ESUV district strongly promotes a pedestrian scale through streetscape improvements, sidewalks, building locations, signage and pedestrian oriented development. An improved street grid system provides efficient circulation and supports transit. Though it features urban uses and development types, the neighborhood retains much of its original open character through landscaping and protection of the natural areas around Salmon Creek. (Ord. 2534 § 1 (part), 2015: Ord. 2436 § 2, 2013: Ord. 1694 § 1, 1995)

18.30.020 Districts where permitted.

The East Sumner urban village overlay may be applied with 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 comprehensive plan land use map. (Ord. 2534 § 1 (part), 2015: Ord. 1694 § 1, 1995)

18.30.030 Principal and conditional uses.

A. Permitted principal, accessory, and conditional uses in the ESUV shall be the same as those specified in the underlying zoning districts for the MDR, HDR and LDR districts, except that apartments may be allowed as a permitted principal use in the MDR and HDR districts; and professional offices and services shall not be allowed in the MDR or HDR district as a conditional use.

B. Those uses listed below shall govern the uses permitted and conditionally permitted where the base designations GC and NC are combined with the ESUV overlay district. A conditional use permit shall be required and in full force and effect in order to establish the conditional uses.

		NC/ESUV	GC/ESUV
--	--	----------------	----------------

		NC/ESUV	GC/ESUV
1.	Accessory parks and recreation facilities for use by on-site employees or residents	P	P
2.	Adult entertainment businesses subject to chapter 18.38 SMC	--	--
3.	Artist's studio and workshop having a retail component	p ²	P
4.	Automotive and motorized vehicle sales and rental agencies	--	P
5.	Business and consumer service	P	P
6.	Banks, business and professional offices and drive-up banking, including medical office buildings and similar activities	P	P
7.	Car wash	--	P
8.	Wireless communication facilities	See chapter 18.37 SMC	See chapter 18.37 SMC
9.	Cemeteries	--	--
10.	Churches	P	P
11.	Convenience store	P	P
12.	Dancehalls	--	CUP
13.	Drive-through businesses ¹	--	P
14.	Existing residential dwellings lawfully constructed as of the effective date of this title	P	P
15.	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
16.	Gasoline service stations and convenience stores with gasoline sales	--	CUP
17.	Health and fitness club	p ³	P
18.	Hospitals	--	CUP
19.	Hotels, bed and breakfasts, and tourist homes, excluding motels	P	P
20.	Mass transit systems including, but not limited to, bus stations, train stations, transit shelter stations, and park and ride lots	CUP	CUP
21.	Minor utility facility	P	P
22.	Multifamily dwellings, apartments, in accordance with the city of Sumner design and development guidelines, and subject to density maximums in SMC 18.30.080 (B) and locations as applicable in SMC 18.30.040	P	P
23.	Public parks and public recreation facilities	P	P
24.	Personal services including barber and beauty shops, photographic studios, and tailor/dressmaking shops	P	P
25.	Private clubs, lodges, fraternal organizations, union halls and social halls	CUP	P
26.	Public facilities	CUP	CUP

		NC/ESUV	GC/ESUV
27.	Private off-street parking lots	CUP	P
28.	Public off-street parking lots	P	P
29.	Regional community center	P	P
30.	Restaurants	P	P
31.	Retail business	P	P
32.	Schools, colleges, and universities	CUP	P
33.	Senior housing including retirement homes, assisted living facilities, continuing care communities, board and care homes, hospices, or nursing homes, in accordance with the city of Sumner design and development guidelines, and subject to density maximums in SMC 18.30.080(B)	P	P
34.	Streets	P	P
35.	Taverns, micro-breweries, brew pubs, and bars	P	P
36.	Theaters and other enclosed commercial recreation establishments such as bowling alleys and arcades	CUP ⁴	P
37.	Unenclosed commercial recreation establishments such as driving ranges, miniature golf, and miniature airplane field	CUP	CUP
38.	Vehicle repair, minor	--	P
39.	Veterinary clinics, excluding outdoor boarding kennels	--	P
40.	Vocational or fine arts school except on the ground floor	--	P
41.	Water towers and water supply plants	CUP	CUP
42.	Retail and wholesale nurseries and greenhouses	P	P
43.	Temporary homeless encampments in accordance with SMC 18.36.060	CUP	CUP
44.	Funeral homes, mortuaries, and funeral parlors	P	P
45.	Accessory uses to an existing mineral extraction use ⁵	--	CUP

¹Drive-through businesses and drive-through espresso/coffee businesses within the area defined as East Main Street in SMC [18.43.020](#) and in the GC district within the Town Center Plan area shall meet the provisions of SMC [18.16.080\(T\)](#).

²Artist studios shall not exceed 3,000 square feet in gross floor area not counting the retail component.

³Health and fitness clubs shall not exceed 3,000 square feet in gross floor area.

⁴Theaters and other enclosed commercial recreation establishments shall not exceed 10,000 square feet in gross floor area.

⁵Accessory uses to an existing mineral use may be allowed as follows:

- a. Equipment maintenance, repair and storage;
- b. Mineral conveying, sorting, screening, washing, storage, crushing, and loading;

- c. On-site mineral processing, including concrete batching, concrete recycling and other mineral recycling, but does not include asphalt batching;
- d. Administrative offices and sales of mineral, soil and compost products;
- e. Light manufacturing of precast concrete products;
- f. The operation shall not create:
 - i. Noise in violation of chapter [8.14](#) SMC;
 - ii. Light, glare or vibration in any amount determined to disturb the peace, quiet, and comfort of neighboring residents, business or properties;
- g. All mechanical devices shall be screened from surrounding properties and public streets and shall be so operated that they do not disturb the peace, quiet and comfort of neighboring residents;
- h. Consistent with the city's comprehensive plan maps, the property shall continue to be designated a mineral resource land pursuant to chapter [16.44](#) SMC.

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. (Ord. 2701 § 1, 2019; Ord. 2696 § 1, 2019; Ord. 2656 § 9, 2018; Ord. 2642 § 5, 2018; Ord. 2615 § 9, 2017; Ord. 2550 § 3, 2015; Ord. 2534 § 1 (part), 2015; Ord. 2436 § 3, 2013; Ord. 1830 § 24, 1998; Ord. 1694 § 1, 1995)

18.30.040 Residential and mixed uses.

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. (Ord. 2701 § 2, 2019; Ord. 2534 § 1 (part), 2015)

18.30.050 Accessory residential uses.

A single-family residence established as an integral part of a commercial building for the exclusive use by the owner/operator of the business shall be permitted in all commercial districts. (Ord. 2534 § 1 (part), 2015; Ord. 1694 § 1, 1995. Formerly 18.30.040)

18.30.060 Prohibited uses.

Any use or structure not listed under permitted principal, accessory or conditional uses is prohibited in the urban village overlay district unless authorized in chapter [18.36](#) or [18.46](#) SMC. Metal storage containers are regulated per SMC [18.16.050](#) and [18.18.045](#). (Ord. 2534 § 1 (part), 2015; Ord. 2436 § 4, 2013; Ord. 1694 § 1, 1995. Formerly 18.30.050)

18.30.070 Conditional use criteria – Urban village.

The following criteria shall be met, in addition to the criteria contained in SMC [18.48.050](#), for conditionally allowed uses in the ESUV district:

A. The proposed use shall support the goals, policies and objectives of the community character element of the Sumner comprehensive plan.

B. The proposed use shall promote a pedestrian orientation.

C. The proposed use shall include a landscape plan that identifies the materials used to screen parking and provide for attractive yards and common open space, if applicable. Where the conditional use abuts lots with residential uses a six-foot masonry wall or wood fence shall be constructed and maintained along the property line that abuts the residential uses, except that fences and walls located within the required front or street side yard shall not exceed a height of three feet.

D. The proposed use shall meet the applicable city of Sumner design and development guidelines based on the type of development proposed as determined by the director. Types of developments are listed in SMC [18.40.020\(C\)](#). (Ord. 2534 § 1 (part), 2015; Ord. 2436 § 5, 2013; Ord. 1694 § 1, 1995. Formerly 18.30.060)

18.30.080 Property development standards.

A. Unless otherwise stated in this section, new development must comply with the development and performance standards in the base zoning district.

B. The dimensional standards for properties in the ESUV overlay district are in the table below:

Development Standard	ESUV/NC	ESUV/GC	ESUV/HDR	ESUV/MDR
1. Minimum lot area in SF	4,500	5,000	5,000	4,000
2. Minimum lot width in feet	45	50	50	40
3. Minimum lot depth in feet	100	100	100	100
4. Front yard setback in feet	0	0	See city of Sumner design guidelines	See city of Sumner design guidelines
5. Rear yard setback in feet	0, unless abutting a residential zone then 20	0, unless abutting a residential zone then 20	See city of Sumner design guidelines	See city of Sumner design guidelines

Development Standard	ESUV/NC	ESUV/GC	ESUV/HDR	ESUV/MDR
6. Interior side yard setback in feet	0, unless abutting a residential zone then 20	0, unless abutting a residential zone then 20	See city of Sumner design guidelines	See city of Sumner design guidelines
7. Street side yard in feet	0	0	See city of Sumner design guidelines	See city of Sumner design guidelines
8. Required landscaped setback along any common boundary with residentially zoned property	See chapter 18.41 SMC	See chapter 18.41 SMC	Same as for HDR base zoning. See also chapter 18.41 SMC	Same as for MDR base zoning. See also chapter 18.41 SMC
9. Minimum street frontage in feet	35	35	35	35
10. Maximum development density in dwelling units per net acre	26	40	40	26
11. Maximum lot coverage by a permanent structure	NA	NA	NA	NA
12. Maximum building height in feet	45	45	45	35
13. Maximum floor area ratio	NA	NA	NA	NA
14. Minimum landscaped open space (% of property area)	See city of Sumner design guidelines	See city of Sumner design guidelines	See city of Sumner design guidelines	See city of Sumner design guidelines

The development standards for the LDR/ESUV zones are the same as the base zone districts. (Ord. 2701 § 3, 2019; Ord. 2534 § 1 (part), 2015; Ord. 2444 § 2, 2013; Ord. 2436 § 6, 2013; Ord. 1694 § 1, 1995. Formerly 18.30.070)

18.30.090 Performance standards.

A. Required Landscaping. For each development in the urban village district where the ESUV overlay is combined with HDR, MDR, NC, or GC base designations, a landscape plan shall be prepared to address landscaping of yards and screening of parking, and shall be submitted for approval by the community development director. The requirements of the city of Sumner design and development guidelines shall be met. Landscape plans shall be prepared and submitted in accordance with chapter [18.41](#) SMC.

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

1. The specified uses may expand up to 25 percent of their square footage, except that expansion shall 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 existing single-family dwellings may add an accessory dwelling unit if the performance standards to establish an accessory dwelling unit as found in chapter [18.12](#) SMC, Low Density Residential District (LDR-4, LDR-6, LDR-7.2, LDR-8.5, LDR-12), are met;
3. Structures may be rebuilt after a fire or other disaster to original dimensions unless a health or safety impact would occur, provided a complete building permit application has been submitted within three years;

4. Structures that were destroyed by a fire or other disaster prior to July 1, 2006, may be rebuilt to original dimensions unless a health or safety impact would occur without any limitation on time.

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

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 and, where allowed, shall meet the following provisions:

1. The buildings shall have a maximum front yard setback of 10 feet, except the maximum front yard setback shall be 25 feet when the primary pedestrian street is a principal arterial;
2. Drive-in businesses that are not adjacent to a principal arterial shall meet the performance standards set forth in SMC [18.16.080](#)(T). Regardless of location, all drive-up windows and queuing for cars shall be located behind buildings and obscured from the primary pedestrian street; and
3. Building openings/bays shall be oriented away from the primary pedestrian street; retail portions of the buildings may orient to the primary pedestrian street. (Ord. 2534 § 1 (part), 2015: Ord. 2436 § 7, 2013: Ord. 1694 § 1, 1995. Formerly 18.30.080)

18.30.100 Streets and alleys.

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. The public works director may make alterations to the alignments when:

- A. The affected street or alley sections are contained within one parcel or group of parcels subject to a land use permit; and
- B. 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. (Ord. 2534 § 1 (part), 2015: Ord. 2253 § 4, 2008. Formerly 18.30.090)

18.30.110 Private streets and driveways.

Private streets and driveways shall be configured in such a manner as to promote a gridded street pattern of development that allows these private streets and driveways to function similar in character and scale as public streets and maintaining pedestrian scale and walkability. Said private street or driveway shall remain un gated unless: (A) it can be demonstrated, to the satisfaction of the director, that a gate is needed for the safety and security of the residents; and (B) that a gate does not inhibit overall connectivity of the larger neighborhood; and (C) where it is determined such connectivity would be inhibited a development shall contain an un gated pedestrian access that traverses the site. (Ord. 2534 § 1 (part), 2015: Ord. 2444 § 3, 2013. Formerly 18.30.100)

[Mobile Version](#)