



**DETERMINATION OF NON-SIGNIFICANCE**

Description of proposal: **Zoning Code amendments including: 1) creation of a height exception in the CBD for historic buildings to increase height from 35 feet to 45 feet per certain conditions; 2) amendments to implement a Manufacturing/Industrial Center designation that was adopted into the Comprehensive Plan; 3) amendments to the M-1 and M-2 permitted uses list to be consistent with the commercial uses list and including uses not previously defined.**

Proponent: Ryan Windish, Planning Manager  
City of Sumner  
1104 Maple Street  
Sumner, WA 98390

Project Number: PLN 2010-00001

Location of Proposal: Sumner, WA 98390

Lead Agency: City of Sumner

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date below.

Responsible Official: Paul Rogerson

Position/Title: Director of Community Development

Phone: (253) 299-5521

Address: 1104 Maple Street Suite 250, Sumner, WA 98390

Date: January 14, 2010

Signature: \_\_\_\_\_  
Paul Rogerson

Published: January 15, 2010

City of Sumner

ENVIRONMENTAL CHECKLIST

*Purpose of checklist:*

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

*Instructions for applicants:*

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

*Use of checklist for nonproject proposals:*

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." in addition, complete the supplemental sheet for nonproject actions (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

**A. Background**

- 1. Name of proposed project, if applicable:

*Zoning Code Amendments (Height Exception in CBD and Manufacturing/Industrial Center amendments)*

- 2. Name of applicant:

*City of Sumner*

3. Address and phone number of applicant and contact person:

*Ryan Windish, Planning Manager  
1104 Maple Street, Suite 250  
Sumner, WA 98390  
Phone: 253.299.5524  
Fax: 253.299.5539*

4. Date checklist prepared:

*January 5, 2010*

5. Agency requesting checklist:

*City of Sumner*

6. Proposed timing or schedule (including phasing, if applicable):

*Planning Commission Informational discussion/action January 2010  
Planning Commission Public Hearing/Recommendation (January 2010 and February 2010)  
City Council Public Hearing/Action (March 2010)*

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

*No.*

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

*City of Sumner Draft Environmental Impact Statement and Final EIS for 2004 Comprehensive Plan and subsequent addendums.*

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

*No.*

10. List any government approvals or permits that will be needed for your proposal, if known.

*Planning Commission recommendation and City Council approval and adoption of amendments.*

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

*Zoning Code amendments including: 1) creation of a height exception in the Central Business District (CBD) for historic buildings to increase height from 35 feet to 45 feet; 2) amendments to implement a Manufacturing/Industrial Center designation that was adopted into the Comprehensive Plan; 3) amendments to the M-1 and M-2 permitted uses list to be consistent with the commercial uses list and including uses not previously defined.*

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a

legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

*Properties zoned commercial or industrial within the City. The proposal is not site specific.*

**TO BE COMPLETED BY APPLICANT**

**EVALUATION FOR  
AGENCY USE ONLY**

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other  
*Non-project Action. All those underlined occur within the City limits.*
- b. What is the steepest slope on the site (approximate percent slope)?  
*Non-project Action. Steepest slope in the City is greater then 25%.*
- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.  
*Non-project Action. City is predominately sandy loam, silt, muck, and other valley typical soils. Side hills contain gravel.*
- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.  
*Non-project Action. Generally, within the city limits there are areas of unstable soils and areas with liquefaction potential during an earthquake.*
- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.  
*None. Non-project Action*
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.  
*None. Non-project Action*
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?  
*None. Non-project Action*
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:  
*None. Non-project Action*

**Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.  
*Non-project Action*
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

*As a non-project action, the proposal will not be affected by off-site sources of emissions or odor.*

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

*The proposed non-project action will not have any impacts to the air.*

**3. Water**

- a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

*Non-project Action. There are wetlands, fish-bearing streams, and shorelines of statewide significance within the city limits.*

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

*Non-project Action. Some development within the City that may be affected by this proposal could occur within 200 feet of described waters.*

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

*None. Non-project action.*

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

*No.*

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

*Yes. Portions of the City lie within the 100-year floodplain and portions of the Low Density Residential zones and Medium Density and High Density zones lie within the 100 year floodplain.*

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

*No.*

- b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

*No.*

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

*None.*

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

*Non-project Action. The city has and maintains a city-wide stormwater system.*

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

*No.*

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

*None.*

**4. Plants**

a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

*Non-project Action. All species underlined occur in the City.*

b. What kind and amount of vegetation will be removed or altered?

*None.*

c. List threatened or endangered species known to be on or near the site.

*None known.*

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

*Non-project Action. None proposed.*

**5. Animals**

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other: skunk, opossum, squirrel,  
fish: bass, salmon, trout, herring, shellfish, other:

*Non-project Action*

- b. List any threatened or endangered species known to be on or near the site.

*Non-project Action. The City of Sumner contains Puget Sound Chinook salmon, Bull trout, and steelhead is proposed for listing.*

- c. Is the site part of a migration route? If so, explain.

*Yes. The City is part of the Pacific Flyway for migratory waterfowl.*

- d. Proposed measures to preserve or enhance wildlife, if any:

*Non-proposed.*

**6. Energy and natural resources**

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project’s energy needs? Describe whether it will be used for heating, manufacturing, etc.

*None. Non-project Action*

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

*None. Non-project Action*

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

*None. Non-project Action*

**7. Environmental health**

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

*No.*

- 1) Describe special emergency services that might be required.

*Not applicable.*

- 2) Proposed measures to reduce or control environmental health hazards, if any:

*None.*

- b. **Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

*Information on types of noise that exist in the area that may affect the project does not apply to this proposal since it is a non-project action.*

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

*The proposed non-project action does not involve any type or level of noise. However, increases in height in the downtown, especially for residential development would be impacted by the train noises.*

- 3) Proposed measures to reduce or control noise impacts, if any:

*The proposed non-project action does not involve noise impacts. Therefore, no mitigation measures are proposed. However, mitigation on any site specific project potentially impacted by train noise would be required.*

**8. Land and Shoreline use**

- a. What is the current use of the site and adjacent properties?

*Non-project Action.*

- b. Has the site been used for agriculture? If so, describe.

*Non-project Action. Information on whether the site has been used for agriculture does not apply to this proposal.*

- c. Describe any structures on the site.

*Non-project action and not site specific.*

- d. Will any structures be demolished? If so, what?

*The proposed non-project action does not involve demolishing any structures.*

- e. What is the current zoning classification of the site?

*Non-project Action. This is not a site specific proposal. However, the proposed amendments would affect the Central Business District, Light and Heavy Manufacturing zones, and commercial zones.*

- f. What is the current comprehensive plan designation of the site?

*Non-project Action. This is not a site specific proposal. However, the proposed amendments would affect comprehensive plan designations in commercial and industrial locations.*

- g. If applicable, what is the current shoreline master program designation of the site?

*Non-project Action. This is not a site specific proposal. The industrial and commercial zones are within Shoreline Management Act jurisdiction.*

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

*Non-project Action. This is not a site specific proposal. There are environmentally sensitive areas throughout the City.*

- i. Approximately how many people would reside or work in the completed project?

*Non-project Action. This is not a site specific proposal. The number of people residing or working in the completed project does not apply to this proposal.*

- j. Approximately how many people would the completed project displace?

*Non-project Action. This is not a site specific proposal. The proposal would not displace anyone.*

- k. Proposed measures to avoid or reduce displacement impacts, if any:

*The proposed non-project action does not involve displacing people. Therefore, no mitigation measures are proposed.*

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

*The proposed non-project action does not involve a site-specific proposal. However, the amendments are intended to ensure that development in the CBD does not negatively impact surrounding residential uses or the streetscape of Main Street. Furthermore, the proposed amendments are consistent with the City's Comprehensive land use plan and will implement that plan.*

**9. Housing**

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

*Information on how many units the completed project would provide does not apply to this proposal since it is a non-project action. The zoning code amendments to the CBD would potentially lead to increased housing construction downtown. This would likely be middle to high income housing.*

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

*Information on how many units the completed project would eliminate does not apply to this proposal since it is a non-project action.*

- c. Proposed measures to reduce or control housing impacts, if any:

*The proposed non-project action will not reduce housing therefore not mitigation is proposed.*

**10. Aesthetics**

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

*This is a non-project action and doesn't include any structures or height increases. The proposal is to increase heights in the CBD from 35 feet to 45 feet for historical structures meeting certain criteria.*

- b. What views in the immediate vicinity would be altered or obstructed?

*The proposed non-project action, however, if heights were increased there would be a potential of blocking views of Mt. Rainier from downtown Sumner..*

Proposed measures to reduce or control aesthetic impacts, if any:

*The proposed non-project action, amendments to the Zoning Code require any height exception in the CBD to be a minimum of 100 feet from the nearest residentially zoned property thereby reducing potential impacts to residential uses and views.*

**11. Light and glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

*Non-project Action. This is not a site specific proposal. Information on the type of light or glare does not apply to this proposal.*

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

*Non-project Action. This is not a site specific proposal and would not result in light or glare that can pose as a safety hazard or interfere with views.*

- c. What existing off-site sources of light or glare may affect your proposal?

*Information on existing off-site sources of light or glare does not apply to this proposal since it is a non-project action.*

- d. Proposed measures to reduce or control light and glare impacts, if any:

*The proposed non-project action does not involve light or glare impacts. Therefore, no mitigation measures are proposed.*

**12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

*Parks and recreational opportunities can be found throughout the City of Sumner and within the commercial and industrial zones..*

- b. Would the proposed project displace any existing recreational uses? If so, describe.

*No.*

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

*The proposed non-project action does not involve impacts on recreation. Therefore, no mitigation measures are proposed.*

**13. Historic and cultural preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

*Non-project Action. This is not a site specific proposal. However, the amendments to the CBD to allow a height exception for certified historic properties would further preserve these properties.*

- c. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

*The CBD contains a number of potentially historic structures with one structure that is on the National historic register.*

- b. Proposed measures to reduce or control impacts, if any:

*The amendments to the CBD allowing height exceptions for historic properties would further the likelihood that these structures will be preserved.*

**14. Transportation**

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

*Information on existing public streets and highways and proposed access does not apply to this proposal since it is a non-project action.*

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

*Non-project Action. This is not a site specific proposal. Information on location of transit stop does not apply to this proposal since it is a non-project action. The City is served by Pierce Transit and Sound Transit both with carpool/vanpool, bus, and rail service.*

- c. How many parking spaces would the completed project have? How many would the project eliminate?

*The proposed non-project action does not involve creating or eliminating parking spaces.*

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

*This is a non-project proposal and new roads and streets or improvements would not be required.*

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

*Information on location of water, rail, or air transportation does not apply to this proposal since it is a non-project action. The City of Sumner has SR410 and SR167 and Burlington Northern Santa Fe and Union Pacific Railroads within the City limits.*

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

*The proposed non-project action does not involve vehicular trips.*

- g. Proposed measures to reduce or control transportation impacts, if any:

*None proposed.*

**15. Public services**

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

*Non-project Action. This is not a site specific proposal. However, increasing heights in downtown could result in a potentially higher demand for fire services.*

- b. Proposed measures to reduce or control direct impacts on public services, if any.

*None proposed.*

**16. Utilities**

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

*Information on availability of utilities does not apply to the proposal since it is a non-project action. In general, all underlined utilities are available to properties within the City of Sumner.*

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

*Information on utilities does not apply to the proposal since it is a non-project action.*

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:



Ryan Windish, Planning Manager

Date Submitted: January 6, 2010

**D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS**

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

*The proposed non-project action is not likely to increase the discharge to water; emissions to air; or production, storage or release of toxic or hazardous substance; or production of noise. The amendments to the Manufacturing/Industrial Center would allow for similar uses as the current regulations.*

Proposed measures to avoid or reduce such increases are:

*The proposed non-project action does not involve impacts on water, air, noise, or production, storage, or release of toxic or hazardous substances. Therefore, no mitigation measures are proposed.*

- 2. How would the proposal be likely to affect plants, animals, fish, or marine life?

*The proposed non-project action does not involve impacts to the natural environment, including plants, animals, fish, and marine life.*

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

*The proposed non-project action does not involve impacts to the natural environment. Therefore, no mitigation measures are proposed.*

- 3. How would the proposal be likely to deplete energy or natural resources?

*The proposed non-project action does not involve any depletion of energy or natural resources.*

Proposed measures to protect or conserve energy and natural resources are:

*The proposed non-project action does not involve impacts to energy or natural resources. Therefore, no mitigation measures are proposed.*

- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

*The proposed non-project action does not involve impacts to critical areas, natural resource lands (such as agricultural lands) and areas designated for governmental protection. The amendments proposed for a height exception in the downtown CBD would affect historic structures as it would allow for additions and modifications o these structures.*

Proposed measures to protect such resources or to avoid or reduce impacts are:

*The allowance of height exceptions for historic structures in the CBD would provide an incentive to property owners to maintain the structure in its historic nature by making the property more economically viable. The other option maybe to demolish the building rather than restore/modify it.*

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

*Amendments to the commercial and industrial land uses would effectively implement recent amendments to the Comprehensive Plan and make those land uses consistent with the existing plan. Shoreline designations and uses are not being amended at this time. The height increase in the CBD might increase impacts to the streetscape, increase shading, and decrease scenic views.*

Proposed measures to avoid or reduce shoreline and land use impacts are:

*There are no impacts anticipated by the changes in the zoning land uses in the commercial and industrial zones as they are typical uses found in these types of zones and are compatible.*

*The height increase in the CBD is being mitigated by 1) allowing only for historic structures; 2) limiting height increase to occur a minimum 40 feet from the street; 3) not readily visible from Main Street; and 4) not allowed within 100 feet residentially zoned property.*

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

*The zoning code amendments would likely increase demand on transportation, public services, and utilities as development occurs at potentially higher densities and intensities.*

Proposed measures to reduce or respond to such demand(s) are:

*Impacts on transportation, public services or utilities will be mitigated through impact fees, user fees, and taxes.*

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

*This proposal does not conflict with any local, state, or federal laws relating to the protection of the environment.*

[Statutory Authority: RCW 43.21C.110. 84-05-020 (Order DE 83-39), § 197-11-960, filed 2/10/84, effective 4/4/84.]