

Planning Commission Meeting

433 Cherry Street, Sumas
Monday, July 15, 2024 at 5:30 PM

Agenda

Open Meeting

1. Old Business

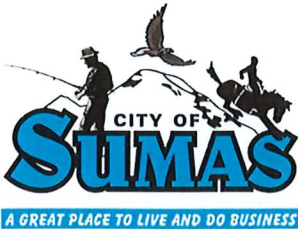
[A.](#) June 17, 2024 Draft Minutes

2. Old Business

[B.](#) Proposed Residential Zoning Code Review

3. New Business

4. Adjournment



Planning Commission Meeting

433 Cherry Street, Sumas
Monday, June 17, 2024, at 5:30 PM

Minutes

Open Meeting

Review/Correct and/or Approve Minutes

April 15, 2024, Draft Minutes

Teresa Josephson made a motion to approve April 15, 2024, Lizette Custer seconded; all were in favor the motion carried.

New Business

Community Survey Response Results

Carson Cortez, City Planner, went over the survey responses: there were one hundred and twenty responses received, which is about six-point six percent. This was a great response. A hundred and eight of the responses lived in Sumas, the rest lived outside the city limits. Carson found that the biggest concern on the survey was the flooding situation and how it is being addressed for future flooding.

Memo Proposed UGA Expansion Study Areas

Carson Cortez also started the conversation on our Urban Growth Area (UGA) expansion possibility and how to revise and expand the city UGA's areas. Carson is suggesting going west with our expansion growth. This will take the city out of the flood zone; we are trying to plan for more housing in the future. Discussions on the UGA and different areas that would be most logical and what would work with the surrounding areas. Carson explained the official decision on our UGA will be made by Whatcom County. The state is mandating that city allow Accessory Dwelling Units (ADU) and an ADU ordinance will need to be in place by June of 2026.

Teresa was wondering if anyone wanted to start going over the chapters of the comprehensive plan looking at the goals and what has been done or if it still applies after the last review in 2016.

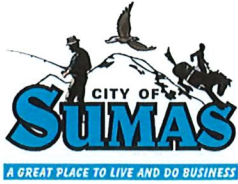
Adjournment

Monday July 15, 2024, will be the next planning commission meeting at 5:30 pm.

Jacob Williams made a motion to adjourn the meeting, John VanWingerden seconded; all were in favor the motion carried.

Councilmember Josh Clawson, Ex Officio

City Clerk



CITY OF SUMAS

433 Cherry Street/PO Box 9, Sumas, WA 98295

P: (360) 988-5711 F: (360) 988-8855

Memo

To: Sumas City Planning Commissioners
From: Carson Cortez, City Planner
Date: July 15, 2024
Re: Proposed Residential Zoning Code Review

As part of the update to the City of Sumas' development regulations, in congruence with the update of the City's Comprehensive Plan, Sumas city staff recommend a comprehensive analysis and update of the Sumas zoning code. This analysis will include the examination of the entire zoning code and zoning map to identify areas where the zoning in Sumas is less clear and causes more questions than answers. The analysis will also seek to create a more unified zoning system that allows for a more natural blending of different zoning districts.

The zoning analysis and update would happen in four distinctive parts, based on the four major zoning categories: residential, commercial, industrial, and public. Each part will include an ordinance adopting, amending, or repealing any zoning district in accordance with the planning commissioners' suggestions. These ordinances will then go through an extensive public review process, including a separate Planning Commission public hearing, and ultimately be brought before the City Council for final approval. This will be a long process which ultimately needs to coincide with the adoption of Comprehensive Plan amendments related to area-wide zoning designations.

To begin this process, the Planning Commission will review the City's residential zoning code, including the code chapters listed below:

- Chapter 20.24 - Single-Family Residential (RS-15) District, Low Density
- Chapter 20.28 – Residential (R-7) District, Medium Density
- Chapter 20.32 – Residential (R-6) District, High Density

The first amendment to the residential code proposed in the ordinance is the full repealing of Chapter 20.24 – Single-Family Residential (RS-15) District, Low Density. This zoning district limits the size of residential lots to nothing smaller than 10,890 sq ft. This requirement is unrealistic as the City continues to allow more density and try to infill residential development as much as possible. This district also only allows single-family residences. This restriction is

quickly becoming outlawed in many states and discouraged in many others, including the State of Washington. This district also only encompasses a total of 25 homes, who could be rezoned to the Residential, Medium-Density zoning and still be within the same requirements.

The other two residential zones would be renamed to the Medium Density Residential (MDR) district and High Density Residential (HDR) district, giving a more unified naming convention that doesn't confuse readers with codes such as R-6 and R-7 that even the City doesn't use.

Other amendments to the medium density and high density chapters will be reviewed in further detail during the Planning Commission meeting. This memo served to provide a high-level overview of the Sumas zoning redesign project and the Planning Commission's involvement in it moving forward.

Also included with this memo is a draft of the proposed residential zoning amendments ordinance, copies of the three residential zoning chapters as they currently stand, a draft zoning map with all of the proposed zoning amendments included, and a copy of the city's current zoning map for reference.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUMAS, WASHINGTON, REPEALING CHAPTER 20.24 AND AMENDING CHAPTERS 20.28 AND 20.32 OF THE SUMAS MUNICIPAL CODE PERTAINING TO THE REVISIONS TO TITLE 20 OF THE CITY'S DEVELOPMENT REGULATIONS AS REQUIRED BY THE STATE GROWTH MANAGEMENT ACT.

WHEREAS chapter 36.70A RCW, commonly known as the Growth Management Act (GMA), requires that the City adopt development regulations that are consistent with the City's comprehensive plan and specifies the required components of said development regulations; and

WHEREAS section 36.70.130 RCW requires that the City take legislative action by June 30, 2025, to review and revise the City's development regulations as necessary to ensure the development regulations comply with the requirements of chapter 36.70A RCW; and

WHEREAS Washington Substitute House Bill 2296 amended section 36.70.130 RCW to require that the City take legislative action by December 31, 2025, to review and revise the City's development regulations as necessary to ensure the development regulations comply with the requirements of chapter 36.70A RCW; and

WHEREAS the Sumas Planning Commission has prepared updates to the City's development regulations in accordance with the requirements stated in chapter 36.70A RCW and has forwarded those updates to the Sumas City Council with a recommendation for adoption; and

WHEREAS on _____, 2025, the City notified the public and the Washington State Department of Commerce, of the City's intent to adopt updates to the development regulations and the beginning of a 60-day public review and comment period, and solicited comments about said updates; and

WHEREAS the City Council closed the oral testimony portion of the public hearing on _____, 2025, but held the written record open through _____, 2025; and

WHEREAS the responsible SEPA official reviewed a SEPA checklist describing environmental impacts associated with the proposed development regulations updates and issued a Determination of Nonsignificance on the proposed development regulations updates on _____, 2025; and

WHEREAS comments on the development regulations have been received from various parties, including the Washington State Department of Commerce, and the development regulations have been modified in response to said comments; and

WHEREAS the City Council finds that the development regulations update process conducted from _____, 2024, through _____, 2025, constitutes a review and evaluation of the development regulations in accordance with the requirements of chapter 36.70A RCW; and

WHEREAS the City Council finds that the proposed revisions to the development regulations are in compliance with the provisions of chapter 36.70A RCW; and

WHEREAS the City Council finds that the proposed revisions to title 20 of the Sumas Municipal Code are in the public interest and will support the public health, safety, and welfare of the citizens of Sumas;

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

SECTION 1: Chapter 20.24 of the Sumas Municipal Code is hereby repealed in its entirety.

SECTION 2: The title of Chapter 20.28 of the Sumas Municipal Code is hereby amended to read as follows:

Chapter 20.28 Medium Density Residential (MDR) District

SECTION 3: Chapter 20.28 of the Sumas Municipal Code is amended to read as follows:

20.28.010 Purpose.

The purpose of the MDR district is to permit the establishment of medium density residential uses that are primarily single-family.

20.28.020 Permitted uses.

Permitted uses in the MDR district are as follows:

- a) Single-family dwelling, including site-built and manufactured;
- b) Accessory building 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.

20.28.030 Conditional uses.

Conditional uses in the MDR 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;

- e) 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;
- f) Water storage reservoirs owned and operated by a public utility, water district, or water association.
- g) Other uses compatible with the purpose of the district.

In addition to being subject to the conditions set forth in Chapter 20.66 of this code, any conditional use allowed pursuant to this subsections (e) and (f) 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.

20.28.040 Prohibited uses.

The following uses are prohibited in the MDR district:

- a) Mobile homes not meeting the definition of manufactured home under the International Residential Code;
- b) All other uses not otherwise permitted.

20.28.050 Height.

Structures shall not exceed thirty-five feet in height or exceed two stories.

20.28.060 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 accessory buildings may be located in the rear yard if located no closer than two feet from the rear property line.

20.28.070 Side yards.

The depth of each side yard shall be not less than eight feet as measured from the foundation line of any structure.

20.28.080 Front yards.

The depth of the front yard shall be not less than twenty feet as measured from the foundation line of any principle or accessory structure.

20.28.090 Setbacks from streams.

- a) All 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.

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.

20.28.110 Signs.

Signs shall be permitted as follows:

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

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 structures shall have eaves with a minimum overhang twelve inches.

SECTION 4: The title of Chapter 20.32 of the Sumas Municipal Code is hereby amended in its entirety to read as follows:

Chapter 20.32 High Density Residential (HDR) District

SECTION 5: Chapter 20.32 of the Sumas Municipal Code is hereby amended in its entirety to read as follows:

20.32.010 Purpose

The purpose of the HDR district is to permit the establishment of high density residential development of both single- and multiple- family dwellings.

20.32.020 Permitted uses.

Permitted uses in the HDR district are as follows:

- a) Detached single-family dwellings, including site-built and manufactured;
- b) Accessory buildings such as garage, carport, greenhouse;
- c) Private swimming pools;
- d) Accessory uses;
- e) Adult daycare, subject to administrative conditions hours of operation, parking, and pick-up and drop-off.

20.32.030 Conditional uses.

Conditional uses in the HDR district are as follows:

- a) Duplexes and multiple dwellings;
- b) Attached single-family dwellings on two adjoining lots;
- c) 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 of this Chapter;
- d) Nonprofit club houses;
- e) Churches of all faiths and accessory school and residence;
- f) Public parks, community centers, and public libraries;
- g) Mobile home parks
- h) Other uses compatible with the purpose of this zone.

20.32.040 Prohibited uses.

The following uses are prohibited:

- a) Mobile homes outside of a mobile home park;

- b) Attached single-family dwellings on more than two adjoining lots, except within a planned development;
- c) All other uses not otherwise permitted.

20.32.050 Height.

Structures shall not exceed forty feet in height or exceed three stories.

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.

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.

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.

20.32.090 Setbacks from streams.

- a) All 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.

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 standard of sixty feet. The minimum 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.

20.32.110 Signs.

Signs shall be permitted as follows:

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

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 area. Each such building or housing-type structure shall have eaves with a minimum overhang of twelve inches.

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.

20.32.140 Planned Developments.

- a) Planned developments are those developments authorized in the HDR 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 these 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 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.

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 a consideration of factors including, but not limited to, the aesthetic nature 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.

SECTION 6: Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clauses or phrase thereof separately and independently and, in the event that any one or more sections, subsections, sentences, clauses or phrases may later be declared invalid or unconstitutional, then any ordinance or ordinances, or parts thereof, amended or repealed by such portion of this ordinance shall remain in full force and effect.

SECTION 7: Effective date. This Ordinance shall take effect and be in full force and effect after its passage by the City Council and approval by the Mayor, if approved, and five days following publication as required by law.

PASSED by the City Council of the City of Sumas, Washington, on the __th day of ____, 202__, and approved by its Mayor on the same date.

Chapter 20.24

SINGLE-FAMILY RESIDENTIAL (RS-15) DISTRICT, LOW DENSITY

Sections:

20.24.010 Purpose.

20.24.020 Permitted uses.

20.24.030 Conditional uses.

20.24.035 Prohibited uses.

20.24.040 Height.

20.24.050 Rear yards.

20.24.060 Side yards.

20.24.070 Front yards.

20.24.080 Setbacks from streams.

20.24.090 Lot area and width.

20.24.100 Signs.

20.24.110 Uniform design standards—Residences.

20.24.010 Purpose.

Land in the RS-15 district is so classified to permit suburban way of life combined with advantages of contemporary standards for single residential living. (Ord. 1002 (Attachment A) (part), 1989)

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;

(3) Accessory buildings such as garage, carport, greenhouse, workshop. (Ord. 1686 § 8, 2016: Ord. 1425 § 7, 2005: Ord. 1178 § 1, 1996: Ord. 1002 (Attachment A) (part), 1989)

20.24.030 Conditional uses.

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

- (1) Churches of all faiths and accessory school and residence;
- (2) Private swimming pools;
- (3) Public parks and community centers. (Ord. 1002 (Attachment A) (part), 1989)

20.24.035 Prohibited uses.

The following uses are prohibited:

- (1) Mobile homes;
- (2) All other uses not otherwise permitted. (Ord. 1175 § 1, 1996)

20.24.040 Height.

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

20.24.050 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 accessory buildings may be located in the rear yard if located no closer than two feet from the rear property line. (Ord. 1002 (Attachment A) (part), 1989)

20.24.060 Side yards.

The depth of each side yard shall not be less than eight feet as measured from the foundation line of any structure. (Ord. 1002 (Attachment A) (part), 1989)

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

20.24.080 Setbacks from streams.

(a) All 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. 1002 (Attachment A) (part), 1989)

20.24.090 Lot area and width.

The minimum lot area shall be ten thousand eight hundred ninety square feet. The minimum lot width shall be seventy 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 seventy feet. (Ord. 1420 § 1, 2005; Ord. 1002 (Attachment A) (part), 1989)

20.24.100 Signs.

Signs shall be permitted as follows:

- (1) Name plates with a maximum surface of one square foot.
- (2) "For Sale" or "For Rent" signs with maximum surface of six square feet, and set back from the property line ten feet.
- (3) Church or park signs with maximum surface of twenty square feet, and set back from the property line ten feet.
- (4) Illuminated signs are not permitted except for church or park. (Ord. 1002 (Attachment A) (part), 1989)

20.24.110 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 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 § 8, 2005; Ord. 1175 § 7, 1996; Ord. 1002 (Attachment A) (part), 1989)

The Sumas Municipal Code is current through Ordinance 1813, passed March 11, 2024.

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.

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

City Telephone: (360) 988-5711

Chapter 20.28

RESIDENTIAL (R-7) DISTRICT, MEDIUM DENSITY

Sections:

20.28.010 Purpose.

20.28.020 Permitted uses.

20.28.030 Conditional uses.

20.28.040 Prohibited uses.

20.28.050 Height.

20.28.060 Rear yards.

20.28.070 Side yards.

20.28.080 Front yards.

20.28.090 Setbacks from streams.

20.28.100 Lot area and width.

20.28.110 Signs.

20.28.120 Uniform design standards—Residences.

20.28.010 Purpose.

The purpose of the R-7 district is to permit the establishment of medium density residential uses that are primarily single-family. (Ord. 1686 § 9, 2016; 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. 1686 § 10, 2016: 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 this subsection (2) 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. 1686 § 11, 2016: 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. 1686 § 12, 2016: Ord. 1244 § 6, 1998: Ord. 1175 § 2, 1996: Ord. 1002 (Attachment A) (part), 1989)

20.28.050 Height.

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

20.28.060 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 accessory buildings may be located in the rear yard if located no closer than two feet from the rear property line. (Ord. 1002 (Attachment A) (part), 1989)

20.28.070 Side yards.

The depth of each side yard shall be not less than eight feet as measured from the foundation line of any structure. (Ord. 1002 (Attachment A) (part), 1989)

20.28.080 Front yards.

The front yard depth shall be not less than twenty feet as measured from the foundation line of any principal or accessory structure. (Ord. 1002 (Attachment A) (part), 1989)

20.28.090 Setbacks from streams.

(a) All 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. 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. 1686 § 13, 2016: Ord. 1244 § 7, 1998: Ord. 1002 (Attachment A) (part), 1989)

20.28.110 Signs.

Signs shall be permitted as follows:

- (1) Nameplates with a maximum surface of one square foot.
- (2) "For Sale" or "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 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. 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. 1686 § 14, 2016; 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)

The Sumas Municipal Code is current through Ordinance 1813, passed March 11, 2024.

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

City Telephone: (360) 988-5711

General Code

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)

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)

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)

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7/10/24, 4:09 PM

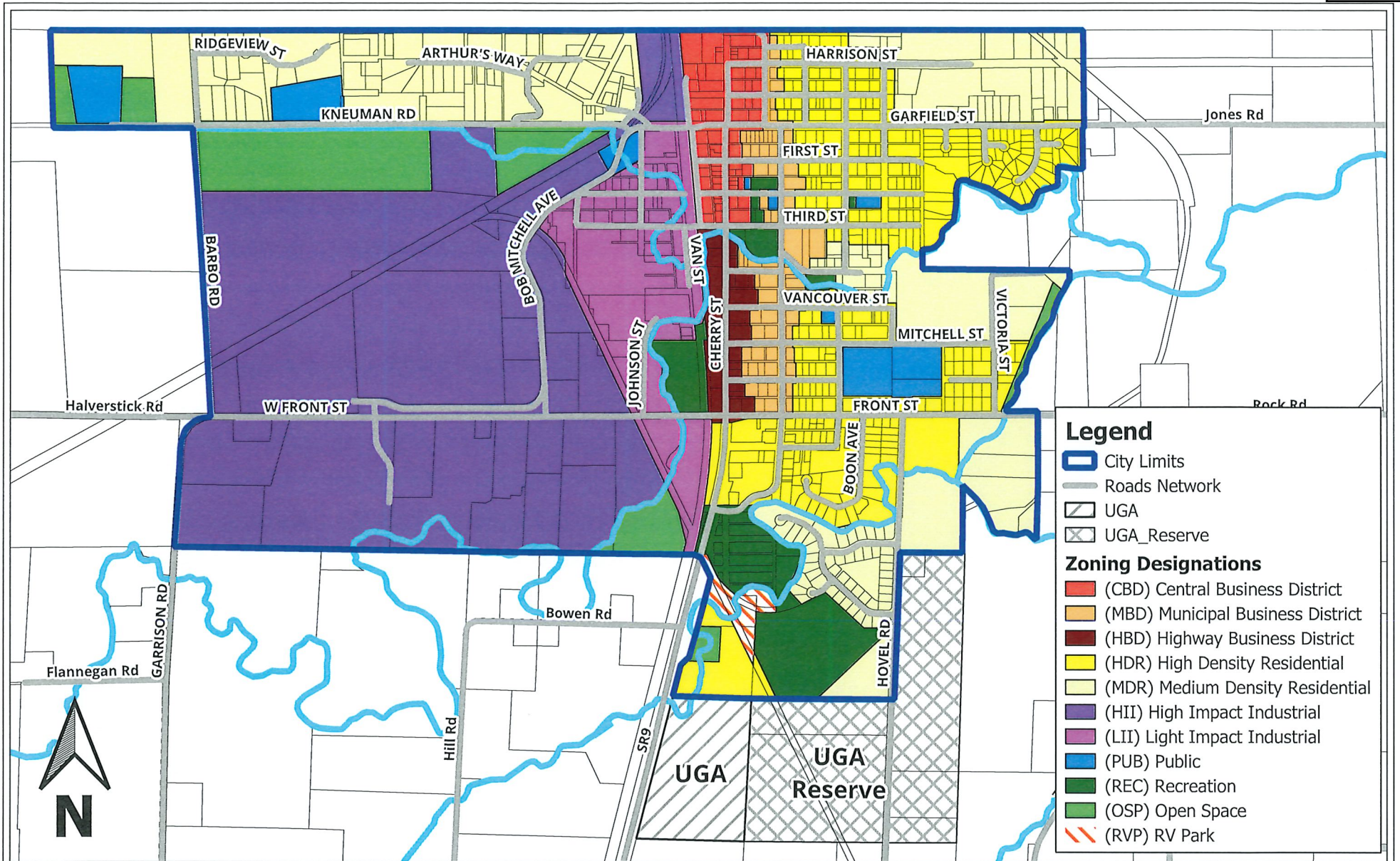
Chapter 20.32 RESIDENTIAL (R-6) DISTRICT, HIGH DENSITY

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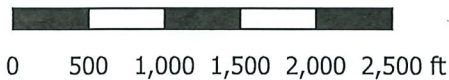
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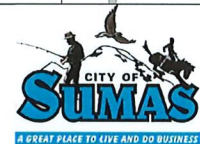
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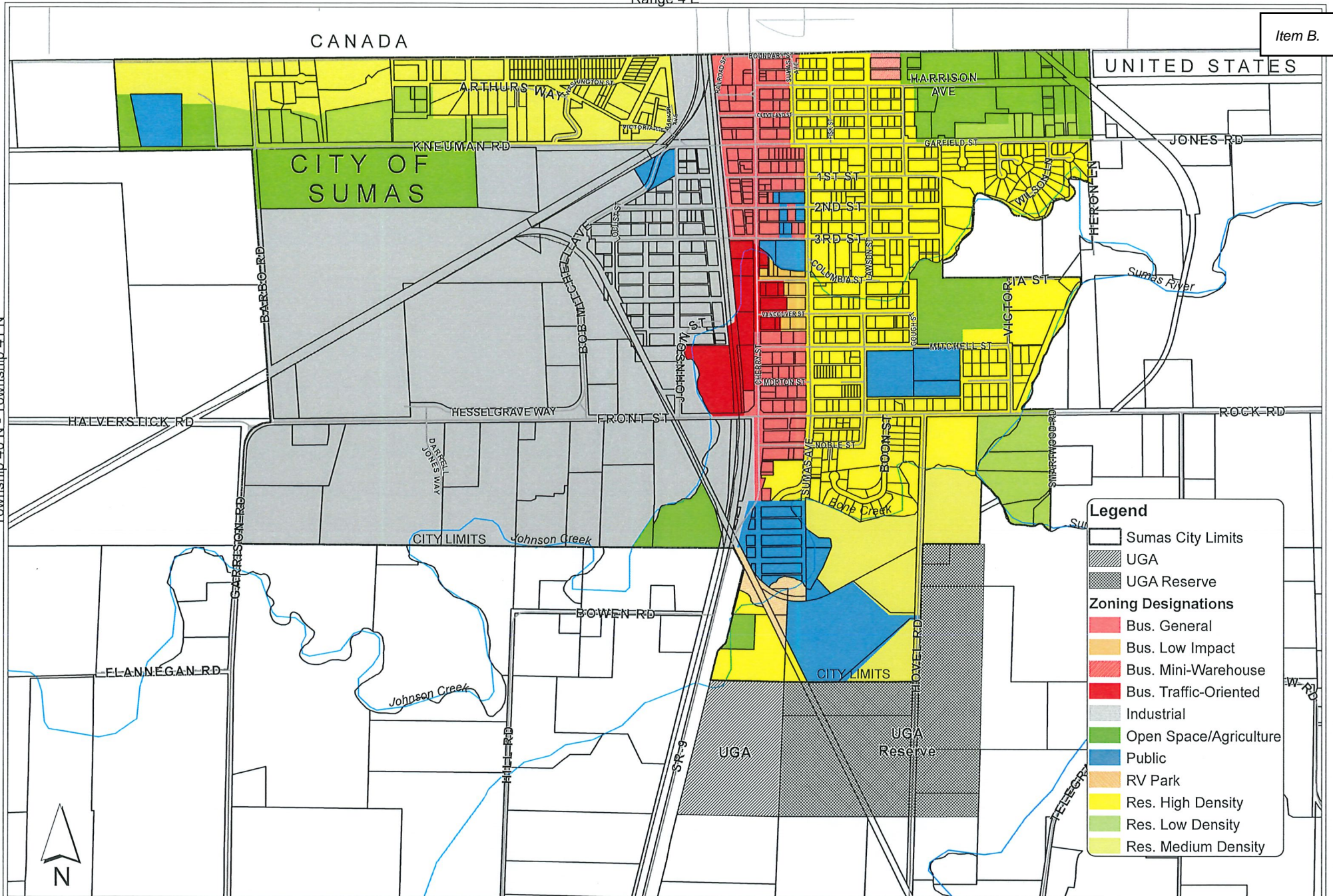
PROJECTION:
UTM Zone 10 North
NAD 27
1:21,000

CITY OF SUMAS, WA **EXHIBIT A** **PROPOSED ZONING MAP**

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



Date: May 30, 2024



1 inch = 300 Feet



PROJECTION:
UTM Zone 10 North
NAD 27
SCALE: 1:3,600

CITY OF SUMAS, WA EXHIBIT A OFFICIAL ZONING MAP

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

