



STATE OF WASHINGTON  
DEPARTMENT OF COMMERCE  
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October 24, 2025

City Council  
City of Sumas  
433 Cherry Street  
Sumas, WA 98295

c/o Carson Cortez  
City Planner

Sent Via Electronic Mail: [CCortez@cityofsumas.com](mailto:CCortez@cityofsumas.com)

Re: Review of the City of Sumas draft 2025 Comprehensive Plan and Development Regulations periodic update

Dear City Council:

Thank you for the opportunity to comment on the proposed changes to the City of Sumas (City) draft comprehensive plan and development regulations periodic update. We appreciate the ongoing coordination with our agency as you work to achieve the community's vision consistent with the goals and requirements of the Growth Management Act (GMA). Growth Management Services received the proposed amendments on August 26, 2025, and processed them with material identification number 2025-S-9790 (draft comprehensive plan) and 2025-S-9791 (development regulations).

Your submission represents a great deal of work and substantial progress towards the 2025 periodic update of your comprehensive plan, due December 31, 2025.

We have reviewed your submittal using Commerce's [Periodic Update Checklist-Updated July 2024](#), and [Expanded Housing Checklist](#). We encourage you and your community to consider the following as you finalize your drafts:

**Comprehensive Plan (2025-S-9790)**

1. Land Use Element

The Land Use Element and Future Land Use Map (Map 8) indicates a proposed expansion of the urban growth area (UGA) in order to accommodate growth targets. The proposed UGA expansion appears to include an expansion into designated resource lands. [WAC 365-196-310\(5\)\(e\)\(v\)](#) states that "urban growth areas should not be expanded into designated agricultural, forest or resource lands unless no

other option is available.” For consistency, we recommend a more detailed discussion and analysis of why expansion into resource lands is necessary.

Please note that if you are making UGA modifications (swaps) that do not result in expansion, the areas added to the urban growth may not be or have been designated as agricultural, forest, or mineral resource lands of long-term commercial significance per [RCW 36.70A.130\(3\)\(c\)](#).

UGA expansions to accommodate residential growth must demonstrate that the expansion is closing a capacity gap for the housing types needed to meet housing targets. The draft plan does not currently demonstrate a lack of capacity for housing needs by income level. If future growth forecasts exceed the current capacity, cities should first consider the potential of increasing capacity of existing urban areas through allowances for higher densities, or for additional provisions to encourage redevelopment. Please see [WAC 365-196-310\(5\)\(d\)\(iv\)](#) and Commerce’s [UGA](#) and [Land Capacity \(Housing Element Book 2\)](#) guidance for more information.

## 2. Housing Element

### a) *Goals, policies and objectives for:*

- *the preservation, improvement and development of housing, RCW 36.70A.070(2)(b), and*
- *moderate density housing options including, but not limited to, duplexes, triplexes, and townhomes, within an urban growth area boundary. RCW 36.70A.070(2)(b) amended in 2021, and WAC 365-196-410(2)(a)*

Goal 5.2 and policy 5.2.1 relate to the preservation of housing, as required by RCW 36.70A.070(2)(b). However, the draft housing element does not yet include a statement of goals, policies, objectives, or mandatory provisions for development and preservation of moderate-density housing options, as required by RCW 36.70A.070(2)(b). To better align with this statute, we recommend adding goals and policies to address this requirement. Examples can be found in [Appendix C of Guidance for Updating Your Housing Element](#) (see pg. 130-132).

We recommend the city also consider revising or removing policy 5.3.2, which is not consistent with the city’s obligation to allow ADUs in areas that allow single-family homes (RCW 36.70A.681). For example, you may consider updating this policy to encourage integration of smaller housing types into residential neighborhoods, or to promote a compatible mix of housing types in residential areas.

### b) *Consideration of the role of accessory dwelling units (ADUs) in meeting housing needs. RCW 36.70A.070(2)(d) amended in 2021*

The draft housing element does not demonstrate consideration of the role of ADUs in meeting housing needs, as required by [RCW 36.70A.070\(2\)\(d\)](#). We recommend either:

1. Including ADU capacity in the city’s land capacity analysis. Guidance on estimating ADU capacity can be found in [Guidance for Updating Your Housing Element](#) (pg. 29-30).
2. Including policies to support ADU development in the housing element. Example policy language can be found in [Appendix C of Guidance for Updating Your Housing Element](#) (see pg. 130-131).

### c) *An inventory and analysis of existing and projected housing needs over the planning period, by income band, consistent with the jurisdiction’s share of countywide housing need, as provided by Commerce. RCW 36.70A.070(2)(a) amended in 2021, WAC 365-196-410(2)(b) and (c)*

Figures for projected housing needs over the planning period are not consistent with those adopted by Whatcom County in Resolution 2025- 011, and do not include existing and projected needs by income band or emergency and supportive housing needs, as required by [RCW 36.70A.070\(2\)\(a\)](#). We recommend including a table of existing and projected housing needs by income band, including emergency and supportive housing, which is consistent with the county's figures.

- d) *Identification of capacity of land for housing including, but not limited to, government-assisted housing, housing for moderate, low, very low, and extremely low-income households, manufactured housing, multifamily housing, group homes, foster care facilities, emergency housing, emergency shelters, permanent supportive housing. [RCW 36.70A.070\(2\)\(c\)](#) amended in 2021, [WAC 365-196-410\(e\) and \(f\)](#)*

During our review we did not find analysis indicating sufficient land capacity to accommodate housing needs at all income levels, as required by [RCW 36.70A.070\(2\)\(c\)](#). To demonstrate sufficient land capacity for projected housing needs at each income level, including emergency and permanent supportive housing, we recommend modifying the existing analysis to include an estimate of how many housing units at each income level may be accommodated under existing or planned zoning and infrastructure availability. Please see chapter 3 of [Guidance for Updating Your Housing Element](#) for additional information on meeting this requirement. We suggest including additional information on the methodology used in this analysis, for the sake of transparency.

- e) *Adequate provisions for existing and projected housing needs for all economic segments of the community. [RCW 36.70A.070\(2\)\(d\)](#) amended in 2021, [WAC 365-196-010\(g\)\(ii\)](#), [WAC 365-196-300\(f\)](#), [WAC 365-196-410](#) and see Commerce's Housing Action Plan (HAP) guidance: [Guidance for Developing a Housing Action Plan](#)*

The housing element does not include documentation of programs and actions needed to achieve housing availability, as required by [RCW 36.70A.070\(2\)\(d\)\(ii\)](#). We recommend adding to the housing element a list of barriers to affordable housing needs and actions needed to remove those barriers to align with statute. Guidance on completing this requirement can be found in chapter 4 of [Guidance for Updating Your Housing Element](#) (pg. 52-68).

- f) *Identify local policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, including:*
- *Zoning that may have a discriminatory effect*
  - *Disinvestment*
  - *Infrastructure availability*

In our review, we did not find identification of policies and regulations that result in racially disparate impacts, displacement, and exclusion in housing, as required by [RCW 36.70A.070\(e\)](#). For guidance on completing this requirement, please see [Guidance to Address Racially Disparate Impacts](#) (pages 19-32 and 33-36).

- g) *Establish policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions.*

In our review, we did not find policies and regulations to address and begin to undo racially disparate impacts, displacement, and exclusion in housing caused by local policies, plans, and actions. To be consistent with [RCW 36.70A.070\(2\)\(f\)](#), we recommend including policies or actions to address

racially disparate impacts, displacement, and exclusion in housing. Ideally, these will be informed by the findings of the policy evaluation (see comment f above). For additional guidance, please see [Guidance to Address Racially Disparate Impacts](#), particularly steps 4 and 5 (pg. 36-48).

- h) Identification of areas that may be at higher risk of displacement from market forces that occur with changes to zoning development regulations and capital investments.*

The housing element does not include identification of areas at risk of residential displacement, as required by [RCW 36.70A.070\(2\)\(g\)](#). This requirement can be met by including a displacement risk map – such as [Commerce’s Draft Displacement Risk Map](#) – or a discussion of areas that may be at risk of displacement.

### 3. Transportation Element

The transportation element in this submittal is not complete. The final version of the plan should meet all requirements laid out for the transportation element in RCW 36.70A.070(6). See the [Periodic Update Checklist](#) for a summary of requirements.

### **Development Regulations (2025-S-9791)**

- a) Permanent supportive housing or transitional housing must be allowed where residences and hotels are allowed*

Based on our review of the city’s current zoning regulations, we were unable to find where permanent supportive housing (PSH) and transitional housing are allowed in the city. For consistency with [RCW 35A.21.430](#) and [RCW 36.70A.070\(2\)\(c\)](#), we recommend updating your code to reflect that these housing types are allowed in all areas that allow residential uses or hotels.

- b) Indoor emergency shelters and indoor emergency housing shall be allowed in any zones in which hotels are allowed, except in cities that have adopted an ordinance authorizing indoor emergency shelters and indoor emergency housing in a majority of zones within one-mile of transit. Indoor emergency housing must be allowed in areas with hotels.*

Based on our review of the city’s current zoning regulations, we were unable to find where emergency housing and shelter are allowed in the city. For consistency with [RCW 35A.21.430](#) and [RCW 36.70A.070\(2\)\(c\)](#), we recommend updating your code to reflect that these housing types are allowed in all areas that allow hotels or in a majority of zones within a one-mile proximity to transit.

- c) Parking requirements must allow tandem, gravel or grass pavers, and new spaces must be at least 8 by 20 feet in size. Existing and non-conforming parking must be allowed to meet parking requirements for up to six spaces. [SB 6015](#), new in 2024*

SMC 20.56.080(2) does not allow for grass pavers. For consistency with [RCW 36.70A.622\(1\)\(g\)](#), we recommend removing this requirement.

- d) Family day care providers are allowed in all residential dwellings located in areas zoned for residential or commercial ([RCW 36.70A.450](#)). Review [RCW 43.216.010](#) for definition of family day care provider and [WAC 365-196-865](#) for more information.*

Based on our review of the city’s current zoning regulations, we were unable to find where family day cares are allowed in the city. We did see adult daycares as a permitted use, but did not see a

definition for adult daycares. For consistency with [RCW 36.70A.450](#), we recommend updating your code to reflect this use is allowed in all residential dwellings located in areas zoned for residential or commercial. We recommend using the definition of family daycare from [RCW 43.216.010](#).

As a friendly reminder, copies of adopted plans shall be submitted to Commerce within ten days after final adoption ([RCW 36.70A.106\(2\)](#)).

Again, we appreciate the work your proposed amendments represent, and we wish you success in meeting the goals of the Growth Management Act. We are available for technical assistance and, if requested, can attend upcoming meetings with your Planning Commission and/or Council. If you wish to discuss these comments, you may reach me at [lexine.long@commerce.wa.gov](mailto:lexine.long@commerce.wa.gov) or 360-480-4498.

Sincerely,



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Senior Planner  
Growth Management Services

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