



**CITY COUNCIL REGULAR MEETING
MONDAY, JULY 14, 2025 – 7:00 PM
501 DELTA AVENUE
MARYSVILLE, WA 98270**

AGENDA

To listen to the meeting without providing public comment:

Join Zoom Meeting

<https://us06web.zoom.us/j/86246307568>

Or

Dial toll-free US: 888 475 4499

Meeting ID: 862 4630 7568

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Approval of the Agenda

Presentations

Public Comment

Approval of Minutes (*Written Comment Only Accepted from Audience*)

1. June 23, 2025, City Council Meeting Minutes
[CC 06232025.docx](#)

Consent

2. June 18, 2025, Claims in the Amount of \$2,407,375.89 Paid by Check Numbers 178373 through 178501 with Check Numbers 166462, 167503, 168305, 169348, 169908, and 178139 Voided
[061825.rtf](#)
3. June 25, 2025, Claims in the Amount of \$955,460.89 Paid by Check Numbers 178502 through 178642 with Check Numbers 163341, 163508, 165453, 170579, and 172100 Voided

[062525.rtf](#)

4. June 25, 2025, Payroll in the Amount of \$2,623,424.61 Paid by EFT Transactions and Check Numbers 35751 through 35773
5. July 2, 2025, Claims in the Amount of \$2,105,144.11 Paid by Check Numbers 178643 through 178772 with Check Numbers 164708, 168415, and 170233 Voided
[070225.rtf](#)

Review Bids

6. Contract Award – Cascade Elementary - 100th St NE Improvements
Recommended Motion: I move to authorize the Mayor to award and execute the Cascade Elementary – 100th Street NE project contract with SRV Construction, Inc. in the amount of \$948,533.50 and approve a management reserve of \$95,000.00 for a total allocation of \$1,043,533.50.
[R2104 - SRV Contract.pdf](#)
[R2104_Cascade Elementary - 100th ST NE Improvements_Bid Tab.pdf](#)
7. Contract Award – 67th Ave NE (Grove St to 88th St)
Recommended Motion: I move to authorize the Mayor to award and execute the 67th Ave NE (Grove to 88th St) project contract with Bayshore Construction Company in the amount of \$1,370,949.00 and approve a management reserve of \$137,094.90 for a total allocation of \$1,508,043.90.
[R2402 67th Ave NE \(Grove St to 88th St\)_Bayshore Construction Contract.pdf](#)
[Bid Tabulation_67th Ave NE \(Grove St to 88th St NE\)_Certified.pdf](#)

Public Hearings

8. Public Hearing on Interim Ordinance 3350 which Adopted Interim Zoning Regulations to Comply with Engrossed Second Substitute House Bill 5258 Pertaining to Unit Lot Subdivisions and Adopted a New Chapter 22G.095 Unit Lot Subdivisions to the Marysville Municipal Code
There is no action requested. This is a Public Hearing to accept testimony on Interim Ordinance 3350 adopted on June 23, 2025.
[O-3350 - Unit Lot Subdivisions Interim Regulations](#)
9. Public Hearing on Interim Ordinance 3351 which adopted Interim Zoning Regulations to Comply with Engrossed House Bill 1337 Pertaining to Accessory Dwelling Units and Amended MMC Title 22 Unified Development Code by Repealing MMC Chapter 22C.180 Accessory Structures and Adopting New MMC Chapters 22C.180 Accessory Structures and 22C.185 Accessory Dwelling Units
There is no action requested. This is a public hearing to accept testimony on the interim ordinance adopted on June 23, 2025.
[O-3351 - Accessory Dwelling Unit Interim Regulations](#)
10. Public Hearing on Interim Ordinance 3352 which Adopted Interim Zoning Regulations and other Interim Official Controls to Comply with Engrossed Second Substitute House Bill 1110 and Engrossed Substitute House Bill 2321 Pertaining to Middle Housing and Amending Impacted Titles of the Marysville Municipal Code

There is no action requested. This is a public hearing to accept testimony on the interim ordinance adopted on June 23, 2025.

[O-3352 - Middle Housing Interim Ordinance](#)

New Business

11. Region 1 SWAT Interlocal Agreement
Recommended Motion: I move to authorize the Mayor to sign and execute the interlocal agreement with Region 1 SWAT.
[2025 Region 1 SWAT ILA_CompiledSignaturePages.pdf](#)
[Region 1 SWAT addendum 2_Add Marysville PD.pdf](#)
[SWAT Update ILA Exhibit B with Signature Page.pdf](#)
[SWAT Update Exhibit B.pdf](#)
12. Freedom Run Women's Health and Wellness Family 5K Run
Recommended Motion: I move to approve the Special Event Permit for Freedom Run 5K, to be held exclusively in the grassy area of Ebey Waterfront Park and Ebey Waterfront Trail, subject to the conditions outlined in the Staff Recommendation.
[E006 - Staff Recommendation - SEP25-0001.pdf](#)
13. An **Ordinance** Affirming the Recommendation of the Hearing Examiner and Rezoning Approximately 0.34 Acres of the Josephine Caring Community Property Located at 16704 25th Ave NE from General Commercial (GC) to R-12 Multi-Family, Low Density (R-12) and Amending the Official Zoning Map of the City.
Recommended Motion: I move to adopt Ordinance _____.
[Ord. Josephine Caring Community second rezone](#)
[Exhibit C - Hearing Examiner Decision Josephine Caring Community Rezone and Minor CUP Revision](#)
14. Supplemental Agreement No. 7 to the Professional Services Agreement with HDR Engineering, Inc. for the 88th ST NE Corridor Improvement Project.
Recommended Motion: I move to authorize the Mayor to sign and execute Supplemental Agreement No. 7 to the Professional Services Agreement with HDR, Inc. for the 88th St NE Corridor Improvement Project.
[Supplemental No. 7 HDR Engineering.pdf](#)

Legal

Mayor's Business

15. Re-Appointment of Steve Leifer to the Planning Commission
[Re-Appointment to Planning Commission - Leifer.doc](#)

Staff Business

Call on Councilmembers and Committee Reports

Adjournment/Recess

Executive Session

- A. Litigation*
- B. Personnel*
- C. Real Estate*

Reconvene

Adjournment

Special Accommodations: The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact the City Clerk's office at (360) 363-8000 or 1-800-833-6384 (Voice Relay), 1-800-833-6388 (TDD Relay) two business days prior to the meeting date if any special accommodations are needed for this meeting.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Chari Taber, City Clerk

ITEM TYPE: Minutes

AGENDA SECTION: Approval of Minutes

SUBJECT: June 23, 2025, City Council Meeting Minutes

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[CC 06232025.docx](#)

City Council



501 Delta Ave
Marysville, WA 98270

Regular Meeting Minutes

June 23, 2025

Call to Order

Mayor Nehring called the meeting to order at 7:00 p.m.

Invocation

Luis Sanchez from the Fellowship of Christian Athletes and Bilingual Chaplain for the Mariners gave the invocation.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Councilmember Condyles, Councilmember James, Councilmember King, Council President Stevens, Councilmember Richards, Councilmember Norton

Staff: City Attorney Jon Walker, City Administrator Jennifer Stapleton, Interim Community Development Director Jeff Wilson, Finance Director Jennifer Ferrer-Santa Ines, IT Director Stephen Doherty, Chief Scairpon, Systems and Database Analyst Will Kaiser, Principal Planner Angela Gemmer, Engineering Services Director Jeff Laycock, Assistant Parks Director Dave Hall, Project Manager Nick Loutsis, Emergency Preparedness Manager Sarah LaVelle, Risk and Program Manager Leah Tocco

Motion to excuse Councilmember Muller moved by Councilmember Norton seconded by Councilmember Condyles.

AYES: ALL

Excused: Councilmember Muller

Approval of the Agenda

Motion to approve the agenda moved by Councilmember James seconded by Councilmember King.

AYES: ALL

Presentations

A. [Proclamation Declaring July 2025 Parks and Recreation Month in Marysville](#)

[PROCLAMATION Parks and Recreation Month 2025.pdf](#)

Mayor Nehring read the Proclamation into the record.

Public Comment

David Russell, Marysville, 98270, thanked the City for putting on the Strawberry Festival this year.

Joe Long, Cornerstone Homes, Marysville, 98271, commented on item 14, the Middle Housing Interim Ordinance. He would like to see single family residences as an allowed permitted use in all zones if possible. It is being proposed to be removed from the R-18 zone. He would also like to see the minimum lot size in R-8 zone remain 4000 sf instead of the proposed 5000 sf. He stated that you can't achieve an R-8 in an R-8 zone without having 4000 sf lots; it doesn't work with 5000 sf lots. Additionally, he would like the impervious surface percentage to remain at 50%.

David Toyer, Toyer Strategic Advisors, Everett, 98201, distributed some supplemental information and also spoke on item 14. He agrees that lot sizes should remain at 4000 sf in R-8 zones and discussed the impact of larger lot sizes. He spoke against the proposal to eliminate single family in the R-18 zone. He explained how this would negatively impact a site they are working with in the 116th Street Master Plan Area. He urged the City to consider an alternative, at least for that site. He referred to a letter he had submitted already with some other recommendations. Mr. Toyer and Mr. Long responded to several clarification questions about the R-18 zone and the intended proposal for this area.

Approval of Minutes

1. [May 27, 2025, City Council Meeting Minutes](#)

[CC 05272025.docx](#)

Motion to approve the May 27, 2025, City Council Meeting Minutes moved by Councilmember Condyles seconded by Councilmember Richards.

AYES: ALL

2. June 2, 2025, City Council Work Session Minutes

WS 06022025.docx

Motion to approve the June 2, 2025, City Council Work Session Minutes moved by Councilmember King seconded by Councilmember Norton.

AYES: ALL

3. June 9, 2025, City Council Meeting Minutes

CC 06092025.docx

Motion to approve the June 9, 2025, City Council Meeting Minutes moved by Councilmember James seconded by Councilmember Condyles.

AYES: ALL

Consent

4. June 4, 2025, Claims in the Amount of \$2,030,454.29 Paid by Check Numbers 178082 through 178195 with Check Numbers 167024, 167913, 167949, 168741, 173220, 173429, and 173757 Voided

060425.rtf

5. June 10, 2025, Payroll, June 10, 2025, Miscellaneous Payroll and June 10, 2025, Void and Re-issue Payroll in the Amount of \$2,074,583.54 Paid by EFT Transactions and Check Numbers 35718 through 35750 with Check Number 35749 Voided.

6. June 11, 2025, Claims in the Amount of \$636,328.50 Paid by Check Numbers 178196 through 178372 with Check Numbers 163893, 166063, 166659, 166764, 168385, 170635, 174185, 174618, 178056, and 178123 Voided

061125.rtf

Motion to approve Consent Agenda items 4, 5, and 6 moved by Councilmember Norton seconded by Councilmember Richards.

AYES: ALL

Review Bids

7. Contract Award - WWTP Chemical Tank Replacement Project

Certified Bid Tabulation

Contract

Director Laycock reviewed this item related to the Wastewater Treatment Plant Chemical Tank Replacement project. Three bids were received; McClure and Sons, Inc. was the low bidder.

Councilmember King asked about the life expectancy of the tanks. Director Laycock indicated he could find out.

Motion to authorize the Mayor to award and execute the WWTP Chemical Tank Replacement project contract with McClure and Sons, Inc. in the amount of \$489,861.47 including sales tax and approve a management reserve of \$48,990.00 for a total allocation of \$538,851.47 moved by Councilmember Norton seconded by Councilmember Richards.

AYES: ALL

8. Contract Award - WWTP Effluent Flow Splitting Project

Certified Bid Tab

Contract.pdf

Director Laycock reviewed this item related to the Wastewater Treatment Plant Effluent Flow Splitting project. Three bids were received; McClure and Sons, Inc. was also the low bidder for this project.

Motion to authorize the Mayor to award and execute the WWTP Effluent Flow Splitting project contract with McClure and Sons, Inc. in the amount of \$492,286.87 including sales tax and approve a management reserve of \$49,230.00 for a total allocation of \$541,516.87 moved by Council President Stevens seconded by Councilmember King.

AYES: ALL

9. Contract Award – Comeford Park Sidewalk and Lighting Project

Certified Bid Tabulation

Contract Draft

Project Engineer Nick Loutsis reviewed this item related to the Comeford Park Sidewalk and Lighting Project. Staff is recommending approval of the contract with Reaper Construction Inc. He noted the total cost for the City should be corrected to \$138,392.96.

Councilmember King praised the project.

Council President Stevens asked for clarification about the location of the project. Mr. Loutsis reviewed this and noted there would be no impacts to the play area.

Councilmember Richards noted there has been a lot of money put into Comeford Park when there are a lot of other parks in the city. Director Laycock explained this should be about the end of the projects there for now.

Motion to authorize the Mayor to award and execute the Comeford Park Sidewalk and Lighting Project contract with Reaper Construction Inc. in the amount of \$283,330.00 including sales tax and approve a management reserve of \$28,333.00 for a total allocation of \$311,663.00 moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

10. [Contract Award - Cedarcrest Golf Course Irrigation Replacement Project](#)

[Tabulation of Quotes.pdf](#)

[Contract.pdf](#)

[Vicinity Map.pdf](#)

Project Engineer Nick Loutsis reviewed this item related to the Cedarcrest Golf Course irrigation project. Staff is recommending approval of the contract with Terra Dynamics Inc. Clarification questions followed.

Motion to authorize the Mayor to award and execute the Cedarcrest Golf Course Irrigation Replacement Project contract with Terra Dynamics Inc. in the amount of \$3,858,829.00 including sales tax and approve a management reserve of \$385,882.90 for a total allocation of \$4,244,711.90 moved by Councilmember Norton seconded by Councilmember King.

AYES: ALL

11. [Contract Award - Cedarcrest Pump Replacement](#)

[Bid Tabulation_Cedarcrest Pump Replacement.pdf](#)

[Cedarcrest Pump Replacement - PumpTech Contract DRAFT.pdf](#)

Director Laycock reviewed this item related to the replacement of two additional pumps at Cedarcrest. Staff is recommending approval of the contract with PumpTech, LLC. Clarification questions followed related to energy efficiency and the bidding process.

Motion to authorize the Mayor to award and execute the Cedarcrest Pump Replacement contract with PumpTech, LLC in the amount of \$232,477.05 and approve a management reserve of \$23,247.71 for a total allocation of \$255,724.76 moved by Council President Stevens seconded by Councilmember James.

AYES: ALL

Public Hearings

New Business

12. An Ordinance Adopting an Interim Zoning Ordinance to Comply with Engrossed Second Substitute House Bill 5258 Pertaining to Unit Lot Subdivisions and Adopting a New Chapter 22G.095 Unit Lot Subdivisions to the Marysville Municipal Code

Principal Planner Gemmer reviewed the interim ordinance related to Unit Lot Subdivisions. She explained the reason for the interim regulations.

Councilmember Norton asked about potential impacts in the interim period before final regulations are approved. Ms. Gemmer reviewed the potential benefits of this.

Councilmember Condyles spoke in support of the interim ordinance. He would also like to discuss increasing the allowance for unit lot subdivisions in the coming months.

Memo re. Unit Lot Subdivision Interim Ordinance

Interim Ordinance - Unit Lot Subdivisions

DRAFT Interim Ord. Unit Lot Subdivisions - jw edit 6-17-25.docx

Motion to adopt Ordinance No. 3350 moved by Council President Stevens seconded by Councilmember Condyles.

AYES: ALL

13. An Ordinance Adopting an Interim Zoning Ordinance to Comply with Engrossed House Bill 1337 Pertaining to Accessory Dwelling Units and Amending MMC Title 22 Unified Development Code by Repealing MMC Chapter 22C.180 Accessory Structures and Adopting New MMC Chapters 22C.180 Accessory Structures and 22C.185 Accessory Dwelling Units

Memo re. Interim Accessory Structure and Accessory Dwelling Unit Amendments

Interim Ordinance Accessory Structure and Accessory Dwelling Unit Amendments (Exhibit 1)

Principal Planner Gemmer reviewed the interim ordinance relating to Accessory Dwelling Units.

Motion to adopt Ordinance No. 3351 moved by Council President Stevens seconded by Councilmember King.

AYES: ALL

14. An Ordinance Adopting an Interim Zoning Ordinance and other Interim Official Controls to Comply with Engrossed Second Substitute House Bill 1110 and Engrossed Substitute House Bill 2321 Pertaining to Middle Housing and Amending Impacted Titles of the Marysville Municipal Code

Memo re. Middle Housing Interim Ordinance

Interim Ordinance Middle Housing

Councilmember Condyles recused himself from this item.

Interim Director Jeff Wilson reviewed the proposed Interim Zoning Ordinance pertaining to middle housing.

Councilmember Norton spoke in support of removing the limitation of single family homes for now and discussing it further when they bring it back in the fall.

Council President Stevens thought they should remove the single family from the R-18 zone but this particular piece is a challenge. He wondered if a rezone would be the appropriate way to address it. He thinks that Councilmember Norton's proposal would address this and would also open it up to others. Director Wilson expressed concern about density issues. He noted that at this point there are no vested projects in that area. He discussed the possibility of looking at a complete re-evaluation of the area. Council President Stevens concurred that it probably needs to be revisited.

Councilmember James agreed with keeping the code as it is and making the change in the future after they have time to discuss it.

Principal Planner Gemmer explained the proposed amendment would approve the interim ordinance and amend exhibit NN to remove the striking of the single family from R-18 and R-28 zones.

City Attorney Walker explained they would need to pass with a majority plus one in order to take effect immediately.

Motion to adopt the Interim Ordinance 3352 pertaining to middle housing with an amendment to Exhibit NN to remove the removal of single family zones from R-18 and R-28 zones moved by Councilmember Norton seconded by Councilmember King.

VOTE: Motion carried 5 - 0

AYES: Councilmember James, Councilmember King, Council President Stevens, Councilmember Richards, Councilmember Norton

NOES: None

ABSENT: Councilmember Muller

ABSTAIN: None

RECUSED: Councilmember Condyles

Councilmember Condyles returned to the meeting.

15. [An Ordinance Amending the 2025-2026 Biennial Budget and Providing for the Increase/Decrease of Certain Expenditure Items as Budgeted for in Ordinance 3325](#)

[June 2025 Budget Amendment Memo.docx](#)

[062325 BA OrdinanceR.pdf](#)

Director Ferrer-Santa Ines reviewed the proposed ordinance.

Motion to adopt Ordinance No. 3353 moved by Councilmember Richards seconded by Councilmember James.

AYES: ALL

16. [Grant Agreement with the Washington State Military Department for Emergency Preparedness Outreach to Limited English Proficiency Populations](#)

[Proposed Contract_approved.pdf](#)

Emergency Preparedness Manager Sarah LaVelle reviewed this item and answered clarification questions.

Motion to authorize the Mayor to sign and execute the Emergency Management Performance Grant Agreement moved by Councilmember Condyles seconded by Councilmember Richards.

AYES: ALL

17. [July 1, 2025, to July 1, 2026, Property, Pollution and Cyber Insurance Renewal](#)

[2025-2026-City of Marysville APIP Proposal \(full proposal with final TIV\).pdf](#)

Risk and Program Manager Leah Tocco reviewed the Property, Pollution, and Cyber Insurance renewal.

Motion to authorize the Mayor to sign and bind the annual Property, Cyber, and Pollution renewal for policies effective July 1, 2025 in an amount not to exceed of \$456,615 moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

18. [Supplemental No. 1 to the Professional Services Agreement with BHC Consultants, LLC for the WWTP Chemical Tank Replacement Project](#)

[PSA_SuppSF.pdf](#)

[Original Contract for Reference.pdf](#)

Director Laycock reviewed this supplemental agreement with BHC Consultants for the Wastewater Treatment Plant Chemical Tank Replacement project.

Motion to authorize the Mayor to sign and execute the Supplemental Agreement No. 1 to the Professional Services Agreement with BHC Consultants, LLC for the WWTP Chemical Tank Replacement project moved by Council President Stevens seconded by Councilmember James.

AYES: ALL

19. [An Ordinance Regarding Parking Time Regulations and Amending Section 11.08.170 of the Municipal Code](#)

[Ordinance - Parking Time Limits.pdf](#)

City Attorney Walker reviewed the proposed ordinance related to parking time regulations on city property that has time limits. Currently, this would only apply to the Waterfront Park. Chief Scairpon reviewed current parking enforcement procedures. They will be looking at Twin Lakes this summer to see if any additional parking restrictions are needed up there.

Motion to adopt Ordinance No. 3354 moved by Councilmember Richards seconded by Councilmember Norton.

AYES: ALL

[Legal](#)

[Mayor's Business](#)

Mayor Nehring:

- He thanked staff and Council for all their work on all the agenda items.
- He thanked everyone involved in Strawberry Festival over the weekend. It was a wonderful weekend. He also appreciated seeing the street sweeper out so quickly after the event.
- The next Council meeting is July 7. Mayor Nehring will be gone, and Council President Stevens will be running the meeting.

[Staff Business](#)

Communications Manager Connie Mennie and Chief Scairpon gave an update on the fireworks ban and the communications and enforcement approach for this year.

City Attorney Walker stated the need for an Executive Session to discuss two potential litigation items with action expected on one item for a total expected time of 15 minutes.

[Call on Councilmembers and Committee Reports](#)

Councilmember Condyles:

- He thanked everyone for the great work on the Strawberry Festival. It was a really successful year.
- It is great to see the flag banners up.

Councilmember James:

- He agreed that the Strawberry Festival was great. He thanked Gary Kemp for taking responsibility for the car show which turned out well also.
- He attended a CDBG meeting to discuss what to do with additional funds which will be evenly distributed to the programs.
- He attended two ribbon cuttings.
- Several councilmembers will be going to the AWC conference this week.

Councilmember King:

- Congratulations to Dave Hall and Parks for being recognized this month.
- He agreed that the parade went well. He has received a lot of positive feedback.

Council President Stevens:

- Thanks to everyone who showed up to speak tonight.
- He commended Planning staff for their hard work.
- He is excited about the Comeford Park sidewalks.
- He noted he appreciates the parade route. He also was impressed with how quickly it was cleaned up.

Councilmember Richards:

- Congratulations to Parks.
- Strawberry Festival was great.
- He has his fireworks sign up for the holiday.
- Happy Independence Day to everyone.

Councilmember Norton:

- She reported on today's finance committee meeting.
- She thanked Parks for the great work they do. She is very pleased with the new flag banners.
- She wished everyone a happy holiday.

Adjournment/Recess

Council recessed at 8:36 p.m. for five minutes before reconvening at 8:41 p.m. in the Executive Session

Executive Session

Council entered Executive Session started at 8:41 p.m. to discuss two potential litigation items with action expected on one item for a total expected time of 10 minutes. There were two five-minute extensions.

- A. Litigation – two items, RCW 42.30.100(1)(i)
- B. Personnel
- C. Real Estate

Reconvene

The meeting reconvened at 9:06 p.m.

Motion to authorize the Mayor to sign and execute the agreement between the City of Marysville and Hanson Sisters, LLC regarding the size and value of property to be used for transportation purposes moved by Councilmember Richards seconded by Council President Stevens.

AYES: ALL

Adjournment

Motion to adjourn the meeting moved by Council President Stevens seconded by Councilmember King.

AYES: ALL

The meeting adjourned at 9:07 p.m.

Approved this _____ day of _____, 2025



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Shauna Crane, Finance

ITEM TYPE: Claims

AGENDA SECTION: **Consent**

SUBJECT: June 18, 2025, Claims in the Amount of \$2,407,375.89 Paid by Check Numbers 178373 through 178501 with Check Numbers 166462, 167503, 168305, 169348, 169908, and 178139 Voided

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:

[061825.rtf](#)

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/18/2025 TO 6/18/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178373	PREMERA BLUE CROSS	CLAIMS PAID	MEDICAL CLAIMS	92,716.56
178374	STATE AUDITORS OFFICE	AUDIT PERIOD 2024	NON-DEPARTMENTAL	13,144.95
	STATE AUDITORS OFFICE		UTIL ADMIN	13,144.95
178375	COMMONSTREET	PROFESSIONAL SERVICE	GMA - STREET	10,091.58
178376	RAPID FINANCIAL SOL	JURY FUNDS	MUNICIPAL COURTS	0.30
178377	3RD STREET BOOK	GRANT REIMBURSEMENT REQUEST	PROTECTIVE INSPECTIONS	2,156.59
178378	911 SUPPLY INC.	UNIFORM - REDIGER	POLICE INVESTIGATION	59.48
	911 SUPPLY INC.	UNIFORM - ALLEN	POLICE PATROL	179.57
	911 SUPPLY INC.	UNIFORM - GAY	POLICE PATROL	338.43
	911 SUPPLY INC.	UNIFORM - CADET	POLICE TRAINING-FIREARMS	411.70
178379	ALEXANDER PRINTING	PRINT SERVICE	POLICE PATROL	90.69
	ALEXANDER PRINTING	PRINT SERVICES	POLICE PATROL	390.93
178380	AMERICAN CLEANERS	DRY CLEANING	POLICE ADMINISTRATION	30.35
	AMERICAN CLEANERS		DETENTION & CORRECTION	46.60
	AMERICAN CLEANERS		POLICE PATROL	456.48
178381	ANDERSON, KRISTEN	PROTEM SERVICE	MUNICIPAL COURTS	1,850.00
178382	APSCO, INC.	SPARE PARTS	SEWER LIFT STATION	13,029.47
178383	ARLINGTON, CITY OF	ACCT #700033.31	WATER FILTRATION PLANT	39.90
178384	BERGER PARTNERSHIP	PROFESSIONAL SERVICE	GMA-PARKS	17,948.44
178385	BILLING DOCUMENT	PAYMENT PROCESSING	UTILITY BILLING	2,250.37
	BILLING DOCUMENT	BILL PRINTING SERVICE	UTILITY BILLING	4,155.25
178386	BLAKE, BRANDON	INTERVIEW COURSE	POLICE INVESTIGATION	391.00
178387	BLEACHERS GRILL	FOOD FOR SENIOR LUNCH	RECREATION SERVICES	437.60
178388	BOTESCH, NASH & HALL	PROFESSIONAL SERVICE	UTILITY CONSTRUCTION	10,011.43
178389	BRISCOE, DEAN & LORI	UB REFUND	WATER/SEWER OPERATION	247.92
178390	BROOKS, DIANE E	INSTRUCTOR PAYMENT	RECREATION SERVICES	439.20
178391	CANNON, DOUGLAS	UB REFUND	WATER/SEWER OPERATION	144.88
178392	CANTU, AMBER	REFUND - CREDIT BALANCE	PARKS-RECREATION	12.00
178393	CASCADE NATURAL GAS	NATURAL GAS	WATER FILTRATION PLANT	1,227.40
178394	CASCADE SEPTIC PUM	PORTABLE RESTROOM CLEANING	SOURCE OF SUPPLY	327.00
178395	CELLNETIX PATHOLOGY	INMATE EMERGENCY CARE	DETENTION & CORRECTION	18.00
178396	CHARM-TEX, INC.	JAIL SUPPLIES	DETENTION & CORRECTION	39.50
178397	CLEAN CUT TREE & STU	HAZARD TREE REMOVAL	NON-DEPARTMENTAL	711.10
178398	CLINAGE, MORGAN	INSTRUCTOR PAYMENT	RECREATION SERVICES	648.00
178399	CML SECURITY, LLC	TCS-6 STATION RESET	DETENTION & CORRECTION	109.40
178400	CONSOLIDATED PRESS	NEWSLETTER PRINT	EXECUTIVE ADMIN	5,490.29
178401	COSTLESS SENIOR SRVC	MEDICATION SERVICES	DETENTION & CORRECTION	400.41
178402	CREATIVE PRODUCT SOU	GOODIE BAG ITEMS	GENERAL FUND	-32.58
	CREATIVE PRODUCT SOU		CRIME PREVENTION	379.15
178403	CRIMINAL JUSTICE	TRAINING	POLICE TRAINING-FIREARMS	200.00
178404	CRYSTAL SPRINGS	WATER SERVICE	POLICE INVESTIGATION	100.00
	CRYSTAL SPRINGS		POLICE ADMINISTRATION	100.00
	CRYSTAL SPRINGS		OFFICE OPERATIONS	120.84
	CRYSTAL SPRINGS		POLICE PATROL	200.00
	CRYSTAL SPRINGS		DETENTION & CORRECTION	200.00
178405	DAILY JOURNAL OF COM	WWTP EFFLUENT BID AD	SEWER CAPITAL PROJECTS	954.00
	DAILY JOURNAL OF COM	CHEMICAL TANK BID ADVERTISING	SEWER CAPITAL PROJECTS	1,171.30
178406	DICKS TOWING	TOWING 25-30608	POLICE PATROL	77.54
	DICKS TOWING	TOWING 25-31235	POLICE PATROL	77.54
	DICKS TOWING	TOWING 25-31344	POLICE PATROL	77.54
	DICKS TOWING	TOWING CPJ1049	POLICE PATROL	77.54
178407	DIMENSIONAL COMMUNITY	LABOR AND PROGRAMMING	COMPUTER SERVICES	1,225.28

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/18/2025 TO 6/18/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178408	DRIVE PAYMENTS, LLC	PAYMENT PROCESSING	UTILITY BILLING	1,169.65
178409	E&E LUMBER	BUTCHER BLOCK OIL	WASTE WATER TREATMENT	60.83
178410	EAGLE FENCE	FENCE REPAIR	PARK & RECREATION FAC	711.10
178411	ENVIRONMENTAL SCIENCE	PROFESSIONAL SERVICE	SURFACE WATER CAPITAL	3,969.37
	ENVIRONMENTAL SCIENCE		SURFACE WATER CAPITAL	20,217.72
178412	EVERETT, CITY OF	LAB ANALYSIS	WASTE WATER TREATMENT	115.20
	EVERETT, CITY OF		WATER QUAL TREATMENT	207.00
	EVERETT, CITY OF		WATER QUAL TREATMENT	253.80
	EVERETT, CITY OF		WASTE WATER TREATMENT	852.30
178413	EVIDENT, INC.	EVIDENCE SUPPLIES	GENERAL FUND	-25.08
	EVIDENT, INC.		GENERAL FUND	-2.73
	EVIDENT, INC.		POLICE PATROL	31.73
	EVIDENT, INC.		POLICE PATROL	291.84
178414	FAMILY PET MEDICAL	VET VISIT	K9 PROGRAM	182.45
178415	FASTER ASSET SOLUTION	PROFESSIONAL SERVICE	EQUIPMENT RENTAL	15,492.14
	FASTER ASSET SOLUTION	PROFESSIONAL SERVICE	EQUIPMENT RENTAL	60,250.65
178416	FERRELLGAS	PROPANE	TRAFFIC CONTROL DEVICES	56.61
	FERRELLGAS		ROADWAY MAINTENANCE	56.62
178417	GALLS, LLC	UNIFORM - ROBERTS	POLICE PATROL	643.28
178418	GEISE, DONNA	INSTRUCTOR PAYMENT	RECREATION SERVICES	126.00
178419	GRAINGER	DRAIN VALVE	WATER FILTRATION PLANT	150.00
178420	GRAY AND OSBORNE	PROFESSIONAL SERVICE	SURFACE WATER CAPITAL	6,283.13
	GRAY AND OSBORNE		SURFACE WATER CAPITAL	32,187.72
	GRAY AND OSBORNE	ENGINEERING SERVICE	SURFACE WATER CAPITAL	96,370.93
178421	GREENSHIELDS INDS	FLARES	POLICE PATROL	616.21
178422	HANSON SISTERS LLC	LAND PURCHASE	GMA - STREET	394,460.00
178423	HDR ENGINEERING	PROFESSIONAL SERVICE	GMA - STREET	43,916.04
178424	HERNANDEZ, RUBEN	INSTRUCTOR PAYMENT	RECREATION SERVICES	168.00
	HERNANDEZ, RUBEN		RECREATION SERVICES	315.00
178425	HON COMPANY	FURNITURE PIECES	POLICE PATROL	340.52
178426	HUTCHISON LAW, LLC	CONFLICT COUNSEL	PUBLIC DEFENSE	450.00
	HUTCHISON LAW, LLC		PUBLIC DEFENSE	450.00
178427	JENSEN, APRIL	UB REFUND	WATER/SEWER OPERATION	342.38
178428	KAISER PERMANENTE	PRE-EMPLOYMENT	POLICE ADMINISTRATION	1,193.00
178429	KPFF CONSULTING	PROFESSIONAL SERVICE	GMA - STREET	30,152.83
178430	LIBERTY TIRE RECY	TIRE DISPOSAL	ROADSIDE VEGETATION	36.00
	LIBERTY TIRE RECY		EQUIPMENT RENTAL	472.26
178431	LUCKE, KIM & JESSICA	UB REFUND	WATER/SEWER OPERATION	222.58
178432	MARYSVILLE FIRE	EMERGENCY AID SERVICE	FIRE-EMS	3,150.11
178433	MARYSVILLE FOOD BANK	REFUND - OPERA HOUSE DEPOSIT	GENERAL FUND	500.00
178434	MARYSVILLE, CITY OF	6621 GROVES ST IRRIGATION	PARK & RECREATION FAC	429.89
178435	MCDONALD, KEVIN D	HEARING EXAMINER SERVICE	COMMUNITY	1,544.20
178436	MCMASTER-CARR	PIPE FITTING, HANDLE, WIRE	SEWER LIFT STATION	704.93
178437	MOTTE, SUSAN	REFUND: PICKLEBALL ADVANCED	PARKS-RECREATION	65.00
178438	NEWLUN, BEATRICE	UB REFUND	WATER/SEWER OPERATION	52.10
178439	NORTHWEST CORROSION	CORROSION CONTROL UPDATE	WATER CAPITAL PROJECTS	499.26
178440	OLSON, CHRISTINE	PROTEM SERVICE	MUNICIPAL COURTS	185.00
178441	PACIFIC PLUMBING	PARTS FOR SINK	WASTE WATER TREATMENT	22.91
178442	PALUMBO, SUSAN	UB REFUND	WATER/SEWER OPERATION	258.84
178443	PEACE OF MIND	MINUTE TAKING - REGULAR COUNCIL	CITY CLERK	114.00
178444	PETROCARD SYSTEMS	FUEL CONSUMED	UTIL ADMIN	42.29
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	59.32

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/18/2025 TO 6/18/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178444	PETROCARD SYSTEMS	FUEL CONSUMED	EQUIPMENT RENTAL	60.20
	PETROCARD SYSTEMS		ENGR-GENL	173.03
	PETROCARD SYSTEMS		CUSTODIAL SERVICES	220.21
	PETROCARD SYSTEMS		COMMUNITY	283.84
	PETROCARD SYSTEMS		DEVELOPMENT SERVICES	308.50
	PETROCARD SYSTEMS		PARK & RECREATION FAC	3,476.38
	PETROCARD SYSTEMS		GENERAL	4,009.57
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	6,708.31
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	7,959.02
	PETROCARD SYSTEMS		POLICE PATROL	10,928.02
178445	PGC INTERBAY LLC	REIMBURSEMENT TO GOLF	PRO-SHOP	64.44
	PGC INTERBAY LLC		MAINTENANCE	79.80
	PGC INTERBAY LLC		MAINTENANCE	99.00
	PGC INTERBAY LLC		MAINTENANCE	101.98
	PGC INTERBAY LLC		GOLF ADMINISTRATION	147.89
	PGC INTERBAY LLC		GOLF ADMINISTRATION	170.11
	PGC INTERBAY LLC		MAINTENANCE	206.52
	PGC INTERBAY LLC		MAINTENANCE	214.66
	PGC INTERBAY LLC		MAINTENANCE	363.54
	PGC INTERBAY LLC		PRO-SHOP	546.06
	PGC INTERBAY LLC		GOLF ADMINISTRATION	1,066.66
	PGC INTERBAY LLC		GOLF ADMINISTRATION	1,171.28
	PGC INTERBAY LLC		GOLF ADMINISTRATION	1,309.00
	PGC INTERBAY LLC		PRO-SHOP	1,360.00
	PGC INTERBAY LLC		MAINTENANCE	1,372.00
	PGC INTERBAY LLC		MAINTENANCE	1,629.89
	PGC INTERBAY LLC		MAINTENANCE	2,425.08
	PGC INTERBAY LLC		GOLF COURSE	5,403.25
178446	PRICE, KAITLYN	UB REFUND	WATER/SEWER OPERATION	238.17
178447	PUD	ACCT #201346665	SEWER LIFT STATION	55.23
	PUD	ACCT #204260343	TRAFFIC CONTROL DEVICES	57.79
	PUD	ACCT #204262620	TRAFFIC CONTROL DEVICES	57.79
	PUD	ACCT #204259469	TRAFFIC CONTROL DEVICES	59.60
	PUD	ACCT #205481823	GOLF ADMINISTRATION	59.60
	PUD	ACCT #223919549	STREET LIGHTING	61.20
	PUD	ACCT #205195373	PARK & RECREATION FAC	61.71
	PUD	ACCT #220681340	STORM DRAINAGE	67.46
	PUD	ACCT #200501617	TRANSPORTATION	68.76
	PUD	ACCT #224411843	PARK & RECREATION FAC	72.09
	PUD	ACCT #200973956	SEWER LIFT STATION	74.13
	PUD	ACCT #201142155	TRANSPORTATION	80.81
	PUD	ACCT #203500020	STREET LIGHTING	81.19
	PUD	ACCT #202294245	SEWER LIFT STATION	83.43
	PUD	ACCT #204829691	STREET LIGHTING	83.58
	PUD	ACCT #200448801	TRANSPORTATION	90.21
	PUD	ACCT #200660439	STREET LIGHTING	93.27
	PUD	ACCT #223735101	STREET LIGHTING	97.76
	PUD	ACCT #222664310	TRANSPORTATION	98.37
	PUD	ACCT #223154923	STREET LIGHTING	100.04
	PUD	ACCT #202011813	PUMPING PLANT	102.69
	PUD	ACCT #202303301	SEWER LIFT STATION	102.76
	PUD	ACCT #203996343	STREET LIGHTING	103.81

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/18/2025 TO 6/18/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178447	PUD	ACCT #221610405	STREET LIGHTING	114.85
	PUD	ACCT #222664740	TRANSPORTATION	117.25
	PUD	ACCT #205237738	TRAFFIC CONTROL DEVICES	121.29
	PUD	ACCT #221115934	MAINT OF GENL PLANT	124.65
	PUD	ACCT #205239270	TRAFFIC CONTROL DEVICES	124.75
	PUD	ACCT #202524690	PUMPING PLANT	129.01
	PUD	ACCT #223764663	SEWER LIFT STATION	130.65
	PUD	ACCT #203291216	GENERAL	133.90
	PUD	ACCT #222663973	TRANSPORTATION	147.57
	PUD	ACCT #201628880	WASTE WATER TREATMENT	149.02
	PUD	ACCT #201909637	SEWER LIFT STATION	153.26
	PUD	ACCT #220020531	STREET LIGHTING	178.00
	PUD	ACCT #222025900	PUMPING PLANT	233.46
	PUD	ACCT #201617479	NON-DEPARTMENTAL	314.16
	PUD	ACCT #201675634	WASTE WATER TREATMENT	474.17
	PUD	ACCT #202177333	MAINT OF GENL PLANT	657.00
	PUD	ACCT #200021871	RECREATION SERVICES	672.52
	PUD	ACCT #201587284	WASTE WATER TREATMENT	825.50
	PUD	ACCT #201639689	MAINT OF GENL PLANT	1,314.87
	PUD	ACCT #202075008	WASTE WATER TREATMENT	17,725.17
	PUD	ACCT #201721180	WASTE WATER TREATMENT	30,566.41
178448	RAILROAD MANAGEMENT	LICENSE FEES	UTIL ADMIN	417.05
178449	RAINWATER, MIKE & LO	UB REFUND	WATER/SEWER OPERATION	389.77
178450	RH2 ENGINEERING INC	PROFESSIONAL SERVICE	WATER CAPITAL PROJECTS	3,897.82
	RH2 ENGINEERING INC		WATER CAPITAL PROJECTS	4,753.70
	RH2 ENGINEERING INC		SEWER CAPITAL PROJECTS	24,762.25
178451	RIORDAN, PAUL & JEAN	UB REFUND	WATER/SEWER OPERATION	170.91
178452	RONGERUDE, JOHN	PROTEM SERVICE	MUNICIPAL COURTS	185.00
	RONGERUDE, JOHN		MUNICIPAL COURTS	185.00
178453	SAFEWAY INC.	JAIL SUPPLIES	DETENTION & CORRECTION	23.93
178454	SAFEWAY INC.		DETENTION & CORRECTION	54.77
178455	SAFEWAY INC.		DETENTION & CORRECTION	67.25
178456	SAN DIEGO POLICE	AMMO	POLICE TRAINING-FIREARMS	5,452.50
178457	SCAIRPON, ERIK	CONFERENCE - COLORADO	POLICE ADMINISTRATION	153.00
178458	SCCFOA	SCCFOA MEETING	FINANCE-GENL	20.00
	SCCFOA		CITY CLERK	40.00
178459	SCORE	INMATE HOUSING SCORE	DETENTION & CORRECTION	9,738.26
178460	SKAGIT SHOOTING RANG	RANGE RENTAL	POLICE TRAINING-FIREARMS	38.05
	SKAGIT SHOOTING RANG		POLICE TRAINING-FIREARMS	244.58
178461	SMARSH INC	TEXT MESSAGE ARCHIVING	COMPUTER SERVICES	-38.37
	SMARSH INC		COMMUNITY	7.85
	SMARSH INC		YOUTH SERVICES	7.85
	SMARSH INC		CRIME PREVENTION	7.85
	SMARSH INC		PROPERTY TASK FORCE	7.85
	SMARSH INC		LEGAL-GENL	7.85
	SMARSH INC		GENERAL	7.85
	SMARSH INC		EQUIPMENT RENTAL	7.85
	SMARSH INC		FACILITY MAINTENANCE	7.85
	SMARSH INC		CITY COUNCIL	15.70
	SMARSH INC		FINANCE-GENL	15.70
	SMARSH INC		RECREATION SERVICES	15.70
	SMARSH INC		UTILITY BILLING	15.70

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/18/2025 TO 6/18/2025

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178461	SMARSH INC	TEXT MESSAGE ARCHIVING	SEWER MAIN COLLECTION	15.70
	SMARSH INC		MUNICIPAL COURTS	23.55
	SMARSH INC		COMMUNITY SERVICES UNIT	23.55
	SMARSH INC		CITY CLERK	23.55
	SMARSH INC		PERSONNEL ADMINISTRATION	23.55
	SMARSH INC		CUSTODIAL SERVICES	31.40
	SMARSH INC		COMMUNITY	39.25
	SMARSH INC		GIS SERVICES IS	39.25
	SMARSH INC		LEGAL - PROSECUTION	47.10
	SMARSH INC		OFFICE OPERATIONS	47.10
	SMARSH INC		COMMUNITY SERVICES UNIT	47.10
	SMARSH INC		PARK & RECREATION FAC	47.10
	SMARSH INC		WATER QUAL TREATMENT	54.95
	SMARSH INC		STORM DRAINAGE	54.95
	SMARSH INC		GENERAL	94.20
	SMARSH INC		POLICE INVESTIGATION	109.90
	SMARSH INC		DETENTION & CORRECTION	109.90
	SMARSH INC		WASTE WATER TREATMENT	117.75
	SMARSH INC		EXECUTIVE ADMIN	125.60
	SMARSH INC		POLICE ADMINISTRATION	125.60
	SMARSH INC		SOLID WASTE CUSTOMER	133.45
	SMARSH INC		UTIL ADMIN	149.15
	SMARSH INC		ENGR-GENL	188.40
	SMARSH INC		POLICE PATROL	541.65
178462	SNO CO PUBLIC WORKS	SOLID WASTE SERVICE - APRIL 2025	SOLID WASTE OPERATIONS	246,617.00
178463	SNOHOMISH CO 911	DISPATCH	COMMUNICATION CENTER	103,932.42
178464	SOUND PUBLISHING	PUBLICATION	COMMUNITY	82.68
178465	SOUND PUBLISHING	WWTP EFFLUENT BID AD	SEWER CAPITAL PROJECTS	340.80
178466	SOUND PUBLISHING	WWTP CHEMICAL BID AD	SEWER CAPITAL PROJECTS	419.92
178467	SOUND PUBLISHING	MARKETING ADVERTISEMENT	HOTEL/MOTEL PARKS	983.00
178468	SPRAGUE PEST SOLUTION	PEST CONTROL	POLICE PATROL	120.34
	SPRAGUE PEST SOLUTION		POLICE PATROL	150.43
178469	STRATEGIES 360	PROFESSIONAL SERVICE	GENERAL	3,750.00
	STRATEGIES 360		WASTE WATER TREATMENT	3,750.00
	STRATEGIES 360		UTIL ADMIN	5,000.00
178470	SUPERIOR POWDER COAT	GATE PIN LOCKS	GMA-PARKS	100.00
	SUPERIOR POWDER COAT	SECURITY POLES	GMA-PARKS	240.00
178471	SUPERIOR RESTROOMS	PORTABLE RESTROOM RENTAL	RECREATION SERVICES	795.00
178472	SYSTEMS FOR PUBLIC	POLICE UP-FIT P227	EQUIPMENT RENTAL	26,884.16
	SYSTEMS FOR PUBLIC	POLICE UP-FIT P230	EQUIPMENT RENTAL	26,944.71
	SYSTEMS FOR PUBLIC	POLICE UP-FIT P228	EQUIPMENT RENTAL	27,202.34
	SYSTEMS FOR PUBLIC	POLICE UP-FIT P229	EQUIPMENT RENTAL	27,202.34
178473	T-MOBILE USA, INC.	INVESTIGATIVE TOOL	POLICE INVESTIGATION	50.00
178474	TATISTCHEFF, SARAH	PROTEM SERVICE	MUNICIPAL COURTS	370.00
178475	TIVIS, SILVANUS & MA	UTILITY REFUND	WATER/SEWER OPERATION	334.06
178476	TRANSPO GROUP	PROFESSIONAL SERVICE	GMA - STREET	305.97
	TRANSPO GROUP		GMA - STREET	1,523.91
	TRANSPO GROUP		GMA - STREET	1,869.54
	TRANSPO GROUP		GMA - STREET	5,249.67
178477	TRANSPORTATION, DEPT	SIGNALIZATION - SUNNYSIDE	GMA - STREET	1,318.70
178478	TRITON GROUP EHM	EHM PILOT PROGRAM	PROBATION	3,687.00
178479	TRIVETT, MARK A	PROTEM SERVICE	MUNICIPAL COURTS	740.00

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/18/2025 TO 6/18/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178480	TYLER TECHNOLOGIES	CREDIT FOR SOCRATA	COMPUTER SERVICES	-12,092.12
	TYLER TECHNOLOGIES	CREDIT MEMO FOR 045-489597	COMPUTER SERVICES	-5,186.38
	TYLER TECHNOLOGIES	CREDIT MEMO FOR 045-441702	COMPUTER SERVICES	-4,939.41
	TYLER TECHNOLOGIES	SUPPORT & UPDATE LICENSING	COMPUTER SERVICES	2,646.12
	TYLER TECHNOLOGIES	PADS	COMPUTER SERVICES	4,939.41
	TYLER TECHNOLOGIES		COMPUTER SERVICES	5,186.38
	TYLER TECHNOLOGIES	SOCRATA OPEN FINANCE	COMPUTER SERVICES	12,092.12
178481	ULINE	EVIDENCE SUPPLIES	POLICE PATROL	263.60
	ULINE	JAIL SUPPLIES	DETENTION & CORRECTION	850.94
178482	UNIVAR SOLUTIONS USA	HYPO DELIVERY	WATER FILTRATION PLANT	1,101.74
178483	VALDEZ CONSTRUCTION	1049 STATE AVE ADDITION	UTILITY CONSTRUCTION	-13,586.61
	VALDEZ CONSTRUCTION		UTILITY CONSTRUCTION	297,275.27
178484	VERIZON	WIRELESS SERVICES	POLICE ADMINISTRATION	20.96
	VERIZON		PURCHASING/CENTRAL	30.64
	VERIZON		SEWER MAIN COLLECTION	40.01
	VERIZON		COMMUNITY SERVICES UNIT	60.03
	VERIZON		FINANCE-GENL	84.16
	VERIZON		POLICE PATROL	100.04
	VERIZON		EQUIPMENT RENTAL	105.12
	VERIZON		EXECUTIVE ADMIN	171.26
	VERIZON		MUNICIPAL COURTS	210.40
	VERIZON		LEGAL - PROSECUTION	257.75
	VERIZON		FACILITY MAINTENANCE	362.60
	VERIZON		WATER QUAL TREATMENT	370.51
	VERIZON		PARK & RECREATION FAC	418.38
	VERIZON		RECREATION SERVICES	418.38
	VERIZON		COMMUNITY	450.46
	VERIZON		COMPUTER SERVICES	474.94
	VERIZON		WATER SUPPLY MAINS	520.19
	VERIZON		SOLID WASTE CUSTOMER	616.62
	VERIZON		SEWER MAIN COLLECTION	726.72
	VERIZON		STORM DRAINAGE	872.02
	VERIZON		GENERAL	1,014.27
	VERIZON		ENGR-GENL	1,702.56
	VERIZON		UTIL ADMIN	2,471.34
178485	VESTIS GROUP INC.	LINEN SERVICE	OPERA HOUSE	299.01
178486	VIGNA, HECTOR	REFUND - ELECTRICAL PERMIT	COMMUNITY DEVELOPMENT	224.00
178487	WAMPOLD, THOMAS	UB REFUND	WATER/SEWER OPERATION	193.20
178488	WASTE MANAGEMENT	RECYCLING SERVICE	RECYCLING OPERATION	531,595.20
178489	WEBB, JAMES V.^	UTILITY REFUND	WATER/SEWER OPERATION	53.83
178490	WESTERN GRAPHICS	GRAPHIC REMOVAL	POLICE PATROL	820.50
178491	WET RABBIT EXPRESS	CAR WASHES - PW	EQUIPMENT RENTAL	144.00
	WET RABBIT EXPRESS	CAR WASHES - POLICE	POLICE PATROL	720.00
178492	WILLIAMS, JILL	UTILITY REFUND	WATER/SEWER OPERATION	18.16
178493	ZARIPOVA, TATIANA	REFUND - CRAFT CAMP	PARKS-RECREATION	120.00
	ZARIPOVA, TATIANA		PARKS-RECREATION	130.00
178494	ZIPLY FIBER	ACCT #3606575532	OPERA HOUSE	244.41
178495	ZIPLY FIBER	ACCT #3606589493	POLICE INVESTIGATION	50.37
	ZIPLY FIBER		RECREATION SERVICES	50.37
178496	ZIPLY FIBER	ACCT #4253357893	SUNNYSIDE FILTRATION	133.32
	ZIPLY FIBER		SUNNYSIDE FILTRATION	144.43
178497	ZIPLY FIBER	ACCT #4253359912	SUNNYSIDE FILTRATION	91.06

DATE: 6/18/2025
TIME: 9:50:03AM

**CITY OF MARYSVILLE
INVOICE LIST**

PAGE: 7

FOR INVOICES FROM 6/18/2025 TO 6/18/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178498	ZIPLY FIBER	ACCT #3606594037	CITY HALL	142.37
178499	ZIPLY FIBER	ACCT #3606597159	COMPUTER SERVICES	236.42
178500	ZIPLY FIBER	3606580637	COMPUTER SERVICES	236.42
178501	ZIPLY FIBER	LOCAL AND LD LINES	CRIME PREVENTION	11.62
	ZIPLY FIBER		PROPERTY TASK FORCE	11.62
	ZIPLY FIBER		FACILITY MAINTENANCE	11.62
	ZIPLY FIBER		SOLID WASTE CUSTOMER	23.24
	ZIPLY FIBER		PARK & RECREATION FAC	34.85
	ZIPLY FIBER		CITY CLERK	34.85
	ZIPLY FIBER		LEGAL-GENL	34.85
	ZIPLY FIBER		GENERAL	34.85
	ZIPLY FIBER		GIS SERVICES IS	34.85
	ZIPLY FIBER		COMMUNITY SERVICES UNIT	46.47
	ZIPLY FIBER		WATER QUAL TREATMENT	46.47
	ZIPLY FIBER		LEGAL - PROSECUTION	69.71
	ZIPLY FIBER		PERSONNEL ADMINISTRATION	69.71
	ZIPLY FIBER		UTILITY BILLING	69.71
	ZIPLY FIBER		EQUIPMENT RENTAL	81.33
	ZIPLY FIBER		EXECUTIVE ADMIN	104.56
	ZIPLY FIBER		FINANCE-GENL	104.56
	ZIPLY FIBER		POLICE ADMINISTRATION	104.56
	ZIPLY FIBER		POLICE INVESTIGATION	104.56
	ZIPLY FIBER		RECREATION SERVICES	104.56
	ZIPLY FIBER		COMPUTER SERVICES	116.22
	ZIPLY FIBER		MUNICIPAL COURTS	127.80
	ZIPLY FIBER		WASTE WATER TREATMENT	127.80
	ZIPLY FIBER		UTIL ADMIN	127.80
	ZIPLY FIBER		OFFICE OPERATIONS	139.42
	ZIPLY FIBER		COMMUNITY	197.51
	ZIPLY FIBER		DETENTION & CORRECTION	209.13
	ZIPLY FIBER		ENGR-GENL	255.60
	ZIPLY FIBER		POLICE PATROL	569.29

WARRANT TOTAL: 2,408,413.32

SILVANUS & MAURICE TIVIS	CHECK LOST/DAMAGED	166462	334.06
JILL WILLIAMS	CHECK LOST/DAMAGED	167503	18.16
HECTOR VIGNA	CHECK LOST/DAMAGED	168305	224.00
JAMES WEBB	CHECK LOST/DAMAGED	169348	53.83
SUSAN MOTTE	CHECK LOST/DAMAGED	169908	65.00
APRIL JENSEN	CHECK LOST/DAMAGED	178139	342.38

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

UNCLAIMED PROPERTY

WARRANT TOTAL: \$2,407,375.89



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Shauna Crane, Finance

ITEM TYPE: Claims

AGENDA SECTION: **Consent**

SUBJECT: June 25, 2025, Claims in the Amount of \$955,460.89 Paid by Check Numbers 178502 through 178642 with Check Numbers 163341, 163508, 165453, 170579, and 172100 Voided

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:

[062525.rtf](#)

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/25/2025 TO 6/25/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178502	LICENSING, DEPT OF	DRIVING ABSTRACT - MKRTYCHYAN	PERSONNEL ADMINISTRATION	15.00
	LICENSING, DEPT OF	DRIVING ABSTRACT - SAYLOR	PERSONNEL ADMINISTRATION	15.00
	LICENSING, DEPT OF	DRIVING ABSTRACT - TIPPER	PERSONNEL ADMINISTRATION	15.00
178503	BENEFIT COORDINATORS	PREMIUM - JULY 25	MEDICAL CLAIMS	173,891.20
178504	RAPID FINANCIAL SOL	JURY FUNDS/LOAD FEES	MUNICIPAL COURTS	655.54
178505	PREMERA BLUE CROSS	CLAIMS PAID 6/8 TO 6/14/25	MEDICAL CLAIMS	165,980.84
178506	LICENSING, DEPT OF	DRIVING ABSTRACT - TRYON	PERSONNEL ADMINISTRATION	15.00
178507	LICENSING, DEPT OF	DRIVING ABSTRACT - STAUFFER	PERSONNEL ADMINISTRATION	15.00
178508	120 WATER, INC.	PROFESSIONAL SERVICE	WATER SERVICES	17,140.00
178509	3M	GREEN VINYL ROLL	TRANSPORTATION	740.22
178510	911 SUPPLY INC.	UNIFORM - REDIGER	POLICE INVESTIGATION	113.94
	911 SUPPLY INC.		POLICE INVESTIGATION	488.13
178511	ALEXANDER PRINTING	ENVELOPES	PROBATION	174.77
	ALEXANDER PRINTING	BUSINESS CARDS	GENERAL	184.05
	ALEXANDER PRINTING	ENVELOPES	MUNICIPAL COURTS	524.34
178512	ALS LABORATORY	PFA'S SAMPLING	WATER QUAL TREATMENT	1,210.00
178513	ANALYTICAL SERVICES	LAB ANALYSIS	WATER QUAL TREATMENT	728.00
178514	ANDERSON, KRISTEN	PROTEM SERVICE	MUNICIPAL COURTS	555.00
178515	ARAMSCO	TRAFFIC CONTROL DEVICES	TRAFFIC CONTROL DEVICES	320.60
	ARAMSCO	DELINEATORS	TRAFFIC CONTROL DEVICES	3,832.45
178516	ARCEO, JOYCE	REFUND - JENNINGS PARK BARN	PARKS-RECREATION	140.00
178517	ARG INDUSTRIAL	HOSE REPAIR - H008	SEWER MAIN COLLECTION	217.28
	ARG INDUSTRIAL		STORM DRAINAGE	217.29
178518	ARLINGTON HARDWARE	SURGE VALVE PARTS	PUMPING PLANT	37.95
178519	AT&T MOBILITY LLC	CELL SERVICE	CITY CLERK	43.93
	AT&T MOBILITY LLC		WASTE WATER TREATMENT	43.93
	AT&T MOBILITY LLC		ENGR-GENL	87.86
	AT&T MOBILITY LLC		LEGAL - PROSECUTION	87.86
	AT&T MOBILITY LLC		RECREATION SERVICES	87.86
	AT&T MOBILITY LLC		COMMUNITY	131.79
	AT&T MOBILITY LLC		PERSONNEL ADMINISTRATION	131.79
	AT&T MOBILITY LLC		UTIL ADMIN	131.79
	AT&T MOBILITY LLC		GIS SERVICES IS	175.72
	AT&T MOBILITY LLC		FINANCE-GENL	175.72
	AT&T MOBILITY LLC		MUNICIPAL COURTS	219.65
	AT&T MOBILITY LLC		LEGAL-GENL	219.65
	AT&T MOBILITY LLC		OFFICE OPERATIONS	307.51
	AT&T MOBILITY LLC		FACILITY MAINTENANCE	439.30
	AT&T MOBILITY LLC		EXECUTIVE ADMIN	483.23
	AT&T MOBILITY LLC		POLICE ADMINISTRATION	615.02
	AT&T MOBILITY LLC		DETENTION & CORRECTION	790.74
	AT&T MOBILITY LLC		COMMUNITY SERVICES UNIT	834.67
	AT&T MOBILITY LLC		POLICE INVESTIGATION	879.04
	AT&T MOBILITY LLC		COMPUTER SERVICES	922.53
	AT&T MOBILITY LLC		POLICE PATROL	2,855.45
178520	BENS CLEANER SALES	PUMP PACKAGE - 899P	EQUIPMENT RENTAL	574.36
178521	BERNER, ELIAS	INTERPRETER SERVICE	COURTS	172.00
	BERNER, ELIAS		COURTS	172.00
178522	BILLING DOCUMENT SPE	BILL PRINT SERVICE	UTILITY BILLING	2,482.11
	BILLING DOCUMENT SPE		UTILITY BILLING	2,720.15
178523	BROSSARD, LINDA	UB REFUND	WATER/SEWER OPERATION	21.16
178524	CAMERON, ISOM	REIMBURSEMENT - MILEAGE/TRAVEL	UTIL ADMIN	791.37

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/25/2025 TO 6/25/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178525	CAMPBELL, DEBBIE	UB REFUND	WATER/SEWER OPERATION	177.17
178526	CANON FINANCIAL	GIS PLOTTER SERVICE	GIS SERVICES IS	267.80
178527	CAPTURE ENERGY	HYDRANT METER RENTAL, USAGE	WATER-UTILITIES/ENVIRONME	-53.50
	CAPTURE ENERGY		WATER/SEWER OPERATION	1,150.00
178528	CASCADE COLUMBIA	POLY ALUMINUM CHLORIDE	WASTE WATER TREATMENT	20,675.51
	CASCADE COLUMBIA		WASTE WATER TREATMENT	21,025.59
178529	CHAMPION BOLT	BOLTS - J031	EQUIPMENT RENTAL	53.14
178530	CIMCO-GC SYSTEMS	EPOXY DISC RETAINER	WATER RESERVOIRS	229.74
	CIMCO-GC SYSTEMS	CONTROL VALVE SOLENOID VALVES	WATER RESERVOIRS	774.48
	CIMCO-GC SYSTEMS	CONTROL VALVE REPAIR PARTS	WATER DIST MAINS	816.45
	CIMCO-GC SYSTEMS	HYTROL VALVE	SOURCE OF SUPPLY	5,206.77
178531	CML SECURITY, LLC	JAIL RAILING/RETAINAGE	GENERAL FUND	-1,212.50
	CML SECURITY, LLC		DETENTION & CORRECTION	24,250.00
178532	COMCAST	ACCT #8498310020341322	COMPUTER SERVICES	727.07
178533	COOP SUPPLY	STRAW BALE	WATER SUPPLY MAINS	16.40
	COOP SUPPLY	LANDSCAPE SUPPLIES	WASTE WATER TREATMENT	54.69
	COOP SUPPLY		WASTE WATER TREATMENT	164.09
178534	COPIERS NORTHWEST	EQUIPMENT COSTS	OFFICE OPERATIONS	25.40
	COPIERS NORTHWEST		FINANCE-GENL	25.40
	COPIERS NORTHWEST		POLICE PATROL	44.15
	COPIERS NORTHWEST		DETENTION & CORRECTION	44.15
	COPIERS NORTHWEST		MUNICIPAL COURTS	47.24
	COPIERS NORTHWEST		COMMUNITY SERVICES UNIT	52.88
	COPIERS NORTHWEST		DETENTION & CORRECTION	60.31
	COPIERS NORTHWEST		WASTE WATER TREATMENT	67.63
	COPIERS NORTHWEST		PROBATION	84.49
	COPIERS NORTHWEST		PROPERTY TASK FORCE	87.84
	COPIERS NORTHWEST		GENERAL	109.63
	COPIERS NORTHWEST		UTIL ADMIN	109.63
	COPIERS NORTHWEST		ENGR-GENL	162.34
	COPIERS NORTHWEST		COMPUTER SERVICES	162.34
	COPIERS NORTHWEST		FINANCE-GENL	162.35
	COPIERS NORTHWEST		COMMUNITY	172.24
	COPIERS NORTHWEST		UTILITY BILLING	172.24
	COPIERS NORTHWEST		WASTE WATER TREATMENT	227.80
	COPIERS NORTHWEST		RECREATION SERVICES	229.60
	COPIERS NORTHWEST		POLICE PATROL	242.19
	COPIERS NORTHWEST		DETENTION & CORRECTION	245.07
	COPIERS NORTHWEST		UTIL ADMIN	246.17
	COPIERS NORTHWEST		POLICE INVESTIGATION	261.41
	COPIERS NORTHWEST		LEGAL - PROSECUTION	263.09
	COPIERS NORTHWEST		PERSONNEL ADMINISTRATION	274.68
	COPIERS NORTHWEST		MUNICIPAL COURTS	281.85
	COPIERS NORTHWEST		EXECUTIVE ADMIN	291.18
	COPIERS NORTHWEST		POLICE INVESTIGATION	294.00
	COPIERS NORTHWEST		UTIL ADMIN	319.31
	COPIERS NORTHWEST		RECREATION SERVICES	344.49
	COPIERS NORTHWEST		OFFICE OPERATIONS	620.01
178535	CORE & MAIN LP	REFRIGERATED INCUBATOR BOTTLES	WASTE WATER TREATMENT	7,599.06
178536	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	13,367.20
178537	COUNTRY SUPPLIER	UNIFORM - WINELAND	FACILITY MAINTENANCE	118.14
	COUNTRY SUPPLIER	UNIFORM - MILLER	ENGR-GENL	126.89

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/25/2025 TO 6/25/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178537	COUNTRY SUPPLIER	UNIFORM - BUELL	UTIL ADMIN	240.66
178538	CUMMINS NORTHWEST	PARTS/LABOR SERVICE	WASTE WATER TREATMENT	1,698.77
178539	DESANTIS, ANNE	INTERPRETER SERVICE	COURTS	168.20
178540	DICKS TOWING	TOWING - 25-32732	POLICE PATROL	77.54
	DICKS TOWING	TOWING - 25-46223	POLICE PATROL	77.54
	DICKS TOWING	TOWING - BRT7519	POLICE PATROL	77.54
	DICKS TOWING	SUPER DUTY TOW	POLICE PATROL	161.54
178541	DUEMMELL, JERRY	NASRO CONFERENCE	POLICE PATROL	460.00
178542	E&E LUMBER	SHACKLE PADLOCK, KEYS	WATER DIST MAINS	46.18
178543	EARLY, SHANNON	REIMBURSEMENT - MILEAGE	FINANCE-GENL	33.24
178544	EAST JORDAN IRON WORK	VALVE BOX RISERS	WATER DIST MAINS	341.72
178545	ELECTRONIC MOBILE SO	COMMUNICATION VAN	TRIBAL GAMING-GENL	10,550.97
178546	ENTERPRISE FM TRUST	LEASE CHARGE	EQUIPMENT RENTAL	20,683.11
178547	ENTERPRISE RENTAL	RENTAL CAR	POLICE PATROL	84.72
178548	EUROFINS ENVIRONMENT	LAB ANALYSIS	WATER QUAL TREATMENT	20.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	20.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	25.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	25.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	25.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	25.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	25.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	50.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	80.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	80.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	352.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	420.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	440.00
178549	EVERETT HYDRAULICS	STEEL TUBE - J031	EQUIPMENT RENTAL	177.69
178550	FIELD INSTRUMENTS	NEW UVT ANALYZER	SOURCE OF SUPPLY	12,175.67
178551	FREEMAN, NICOL & TRE	UB REFUND	WATER/SEWER OPERATION	68.22
178552	GDA 14 LLC	UB REFUND	WATER/SEWER OPERATION	256.73
178553	GEOTEST SERVICES INC	PROFESSIONAL SERVICE	UTILITY CONSTRUCTION	2,201.00
178554	GILLINGS, FRED	REIMBURSEMENT - CONFERENCE	MUNICIPAL COURTS	799.79
178555	GMP CONSULTANTS	INTERIM DIRECTOR - CD DEPT	COMMUNITY	10,473.65
178556	GOVCONNECTION INC	IPADS/CASES	EQUIPMENT RENTAL	7,891.95
178557	GRAHAM, JEFFREY M &	UB REFUND	WATER/SEWER OPERATION	41.48
178558	GRAINGER	SWITCH	WASTE WATER TREATMENT	37.22
	GRAINGER		WASTE WATER TREATMENT	157.25
178559	GRANITE CONST	ASPHALT	ROADWAY MAINTENANCE	321.44
	GRANITE CONST		ROADWAY MAINTENANCE	462.64
	GRANITE CONST		ROADWAY MAINTENANCE	487.08
	GRANITE CONST		ROADWAY MAINTENANCE	570.78
	GRANITE CONST		ROADWAY MAINTENANCE	711.63
	GRANITE CONST		ROADWAY MAINTENANCE	786.18
	GRANITE CONST		ROADWAY MAINTENANCE	871.63
178560	HAMILTON, DEBORAH	REFUND - CREDIT BALANCE	PARKS-RECREATION	10.00
178561	HANSON, JENNIFER	UB REFUND	WATER/SEWER OPERATION	309.73
178562	HAVELLANA, JEREMY	REIMBURSEMENT - PHYSICAL	UTIL ADMIN	125.00
178563	HELLYER, STEVEN	CONSERVATION REBATE 2025	UTIL ADMIN	50.00
178564	HEWLETT PACKARD	TONER & MAINTENANCE	UTIL ADMIN	0.26
	HEWLETT PACKARD	DEPARTMENTAL TONER/MAINTENANCE	UTIL ADMIN	0.33
	HEWLETT PACKARD	PRINT SERVICE	PARK & RECREATION FAC	0.96

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INVOICE LIST**

FOR INVOICES FROM 6/25/2025 TO 6/25/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178564	HEWLETT PACKARD	TONER & MAINTENANCE	WASTE WATER TREATMENT	1.87
	HEWLETT PACKARD	PRINT SERVICE	FINANCE-GENL	4.61
	HEWLETT PACKARD		ENGR-GENL	18.97
	HEWLETT PACKARD		FINANCE-GENL	24.72
	HEWLETT PACKARD		FINANCE-GENL	69.35
178565	HYLARIDES, LETTIE	INTERPRETER SERVICE	COURTS	187.50
178566	INFORMATION SERVICES	ENTERPRISE INFRASTRUCTURE	COMPUTER SERVICES	2,520.00
	INFORMATION SERVICES		GIS SERVICES IS	4,882.50
178567	J. THAYER COMPANY	COPY PAPER	WATER DIST MAINS	288.60
178568	J2 CLOUD SERVICES	FAX	LEGAL - PROSECUTION	16.43
	J2 CLOUD SERVICES		LEGAL-GENL	16.43
	J2 CLOUD SERVICES		UTILITY BILLING	32.85
	J2 CLOUD SERVICES		CITY CLERK	32.85
	J2 CLOUD SERVICES		COMMUNITY	32.85
	J2 CLOUD SERVICES		WASTE WATER TREATMENT	32.85
	J2 CLOUD SERVICES		WASTE WATER TREATMENT	32.85
	J2 CLOUD SERVICES		EXECUTIVE ADMIN	32.85
	J2 CLOUD SERVICES		POLICE ADMINISTRATION	32.85
	J2 CLOUD SERVICES		RECREATION SERVICES	32.85
	J2 CLOUD SERVICES		POLICE INVESTIGATION	32.85
	J2 CLOUD SERVICES		MUNICIPAL COURTS	32.85
	J2 CLOUD SERVICES		DETENTION & CORRECTION	32.85
	J2 CLOUD SERVICES		PROBATION	32.85
	J2 CLOUD SERVICES		FINANCE-GENL	32.85
	J2 CLOUD SERVICES		UTIL ADMIN	32.85
	J2 CLOUD SERVICES		ENGR-GENL	32.85
	J2 CLOUD SERVICES		PERSONNEL ADMINISTRATION	32.85
	J2 CLOUD SERVICES		WATER DIST MAINS	32.86
	J2 CLOUD SERVICES		COMPUTER SERVICES	32.87
	J2 CLOUD SERVICES		OFFICE OPERATIONS	65.70
	J2 CLOUD SERVICES		MUNICIPAL COURTS	98.56
178569	JEWELL, JULIE	REFUND - ACCOUNT BALANCE	PARKS-RECREATION	5.00
	JEWELL, JULIE	REFUND - CREDIT BALANCE	PARKS-RECREATION	5.00
178570	KING CO SHERIFF	4A0901981 - CASTILLO	LEGAL - PROSECUTION	111.00
	KING CO SHERIFF	CASE 4A0901981 - MINDT	LEGAL - PROSECUTION	111.00
178571	KINGSFORD, ANDREA	REIMBURSEMENT - DANCE	OPERA HOUSE	60.42
178572	LABCONCO CORPORATION	BOD RACK BOTTLE	WASTE WATER TREATMENT	496.10
178573	LAKE STEVENS SCHOOL	MITIGATION FEES	SCHOOL MITIGATION FEES	96,110.00
178574	LASTING IMPRESSIONS	WELLNESS COMMITTEE TOTE BAGS	WELLNESS GRANT	464.95
178575	LAWSON PRODUCTS, INC	SELF-TAPPING SCREWS	TRANSPORTATION	40.19
	LAWSON PRODUCTS, INC		TRANSPORTATION	49.25
178576	LES SCHWAB TIRE CTR	WHEELS/TIRES	EQUIPMENT RENTAL	434.30
	LES SCHWAB TIRE CTR	TIRES	EQUIPMENT RENTAL	708.68
	LES SCHWAB TIRE CTR		ER&R	1,964.59
178577	LINC NW	MARYSVILLE MOTEL CONTRACT	COUNTY HM GRANT	6,340.43
	LINC NW	MOTEL CONTRACT - MAY 2025	COUNTY HM GRANT	16,038.19
178578	LINDBERG, JASON	REIMBURSEMENT - TESTING FEE	UTIL ADMIN	106.00
178579	MAKENA, SHANNON	REFUND - MINDS IN MOTION	PARKS-RECREATION	190.00
178580	MALLORY SAFETY & SUP	HEADSET	POLICE PATROL	1,922.03
178581	MANCHANDA, SANJAY K	UB REFUND	WATER/SEWER OPERATION	276.81
178582	MILES SAND & GRAVEL	SIDEWALK REPAIRS	SIDEWALK MAINTENANCE	1,933.65
178583	MILLER, MELISSA	UB REFUND	WATER/SEWER OPERATION	349.75

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178584	MILLER, STEVEN	REIMBURSEMENT - MILEAGE	ENGR-GENL	15.82
178585	MITCHELL 1	SUBSCRIPTION FEE	EQUIPMENT RENTAL	2,218.63
178586	MPAC	INSTRUCTOR PAYMENT	RECREATION SERVICES	448.20
178587	MURPHY, KATHY	REFUND - PICKLEBALL	PARKS-RECREATION	75.00
178588	MYERS, LIBBY	REFUND - DEPOSIT	GENERAL FUND	250.00
178589	NAPA AUTO PARTS	FUEL CAP, GREASE TIP ADAPTER - J040	EQUIPMENT RENTAL	8.83
	NAPA AUTO PARTS	FUEL/WATER SEPARATOR FILTER - M032	EQUIPMENT RENTAL	27.95
178590	NAT ASS OF PRE-TRIAL	CERTIFICATION TESTING	PROBATION	75.00
	NAT ASS OF PRE-TRIAL		PROBATION	75.00
178591	NCSI	BACKGROUND SCREENING	PERSONNEL ADMINISTRATION	111.00
	NCSI		PERSONNEL ADMINISTRATION	111.00
178592	NELSON'S NOXIOUS	WEED TREATMENT	STORM DRAINAGE	464.95
178593	NORTH CENTRAL	LAB CHEMICALS	WATER/SEWER OPERATION	-22.96
	NORTH CENTRAL		WASTE WATER TREATMENT	267.21
178594	OCCUPATIONAL HEALTH	ANNUAL AUDIOGRAMS	PERSONNEL ADMINISTRATION	178.00
	OCCUPATIONAL HEALTH	VACCINE	PERSONNEL ADMINISTRATION	342.00
178595	OKIYAMA, BRITTNEY	REFUND - RENTAL DEPOSIT	GENERAL FUND	250.00
178596	OLSON, CHRISTINE	PROTEM SERVICE	MUNICIPAL COURTS	185.00
178597	OREILLY AUTO PARTS	OIL PRESSURE SENSOR/SWITCH - V022	EQUIPMENT RENTAL	34.40
	OREILLY AUTO PARTS	BRAKE PADS & ROTORS - V020	EQUIPMENT RENTAL	153.54
	OREILLY AUTO PARTS	BRAKE PADS & ROTORS - V045	EQUIPMENT RENTAL	382.88
178598	PALAMERICAN SECURITY	SECURITY SERVICE	MUNICIPAL COURTS	-350.40
	PALAMERICAN SECURITY		PROBATION	-116.80
	PALAMERICAN SECURITY		PROBATION	1,265.50
	PALAMERICAN SECURITY		MUNICIPAL COURTS	3,796.50
178599	PEACE OF MIND	COUNCIL MEETING, TRAVEL	CITY CLERK	114.00
	PEACE OF MIND	PROFESSIONAL SERVICE	COMMUNITY	114.00
	PEACE OF MIND	COUNCIL WORK SESSION	CITY CLERK	220.40
178600	PERTEET ENGINEERING	ENVIRONMENTAL PERMITTING	UTILITY CONSTRUCTION	776.25
178601	PETERSEN BROTHERS	GUARDRAIL SUPPLY/REPAIR	ROADWAY MAINTENANCE	5,852.95
178602	PGC INTERBAY LLC	REIMBURSEMENT - GOLF	MAINTENANCE	4.06
	PGC INTERBAY LLC		PRO-SHOP	97.98
	PGC INTERBAY LLC		PRO-SHOP	317.78
	PGC INTERBAY LLC		GOLF ADMINISTRATION	442.25
	PGC INTERBAY LLC		GOLF ADMINISTRATION	544.12
	PGC INTERBAY LLC		MAINTENANCE	1,035.53
	PGC INTERBAY LLC		PRO-SHOP	1,123.50
	PGC INTERBAY LLC		MAINTENANCE	2,240.19
	PGC INTERBAY LLC		MAINTENANCE	2,397.65
	PGC INTERBAY LLC		GOLF COURSE	18,097.07
	PGC INTERBAY LLC	PAYROLL REIMBURSEMENT - GOLF	PRO-SHOP	18,166.03
	PGC INTERBAY LLC		MAINTENANCE	19,244.63
178603	PHAM, JOSEPH	INTERPRETER SERVICE	COURTS	130.00
178604	PLATT ELECTRIC	AERATOR SUPPLIES	SEWER LIFT STATION	54.63
	PLATT ELECTRIC	LED LIGHTS	SOURCE OF SUPPLY	55.44
	PLATT ELECTRIC		SOURCE OF SUPPLY	277.22
	PLATT ELECTRIC		SOURCE OF SUPPLY	373.02
178605	POSTAL SERVICE	CC REPORT MAILING FEES	WATER QUAL TREATMENT	7,600.27
178606	PREMIER GOLF CENTERS	MANAGEMENT SERVICES - GOLF	GOLF ADMINISTRATION	11,009.63
178607	PRIMAL TREE SERVICE	HAZARDOUS TREE REMOVAL	STORM DRAINAGE	2,186.00
178608	PUBLIC SAFETY TESTIN	TESTING FEES	DETENTION & CORRECTION	352.00
	PUBLIC SAFETY TESTIN	Q1 SUBSCRIPTION FEES	PERSONNEL ADMINISTRATION	1,065.00

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178608	PUBLIC SAFETY TESTIN	TESTING FEES	POLICE ADMINISTRATION	2,356.00
178609	PUD	ACCT #205136245	SEWER LIFT STATION	27.41
	PUD	ACCT # 224101675	ROADWAY MAINTENANCE	57.79
	PUD	ACCT #202461026	MAINT OF GENL PLANT	61.40
	PUD	ACCT #202175956	TRAFFIC CONTROL DEVICES	85.08
	PUD	ACCT #203199732	TRANSPORTATION	85.63
	PUD	ACCT #202794657	TRANSPORTATION	88.11
	PUD	ACCT #223945742	TRAFFIC CONTROL DEVICES	92.45
	PUD	ACCT #223514563	TRANSPORTATION	93.23
	PUD	ACCT #202368544	TRANSPORTATION	95.38
	PUD	ACCT #202288585	TRANSPORTATION	98.55
	PUD	ACCT # 222772634	TRANSPORTATION	100.31
	PUD	ACCT #202368551	PARK & RECREATION FAC	100.39
	PUD	ACCT #203430897	STREET LIGHTING	103.12
	PUD	ACCT #200625382	SEWER LIFT STATION	106.95
	PUD	DEERING WILDFLOWER PUD	PARK & RECREATION FAC	120.76
	PUD	ACCT #202000329	PARK & RECREATION FAC	145.45
	PUD	ACCT #205419765	NON-DEPARTMENTAL	149.56
	PUD	ACCT #201065281	PARK & RECREATION FAC	163.28
	PUD	ACCT #201021698	PARK & RECREATION FAC	190.33
	PUD	ACCT #204821227	TRAFFIC CONTROL DEVICES	210.69
	PUD	ACCT #201247699	STREET LIGHTING	224.10
	PUD	ACCT #201021607	PARK & RECREATION FAC	355.45
	PUD	ACCT #220824148	WASTE WATER TREATMENT	464.57
	PUD	ACCT #221320088	SUNNYSIDE FILTRATION	2,748.54
	PUD	ACCT #201420635	WASTE WATER TREATMENT	15,260.09
178610	PUSH UNDERGROUND	HYDRANT METER RENTAL, USAGE	WATER-UTILITIES/ENVIRONMN	-60.50
	PUSH UNDERGROUND		WATER/SEWER OPERATION	1,150.00
178611	RAY ALLEN MANUFACTURE	NEW K9 EQUIPMENT	TRIBAL GAMING-GENL	364.27
	RAY ALLEN MANUFACTURE		TRIBAL GAMING-GENL	2,562.95
178612	REECE TRUCKING	BRANCH HOUL OFF	ROADSIDE VEGETATION	40.00
	REECE TRUCKING	DECANT WASTE DISPOSAL	STORM DRAINAGE	1,236.50
178613	RIXIR SYSTEMS LLC	RETAINAGE	GENERAL FUND	7,270.00
178614	RKIRA LLC	UB REFUND	WATER/SEWER OPERATION	243.51
178615	RONGERUDE, JOHN	PROTEM SERVICE	MUNICIPAL COURTS	148.00
178616	SCORE	INMATE MEDICAL	DETENTION & CORRECTION	308.00
178617	SHI INTERNATIONAL	PAGER DUTY RENEWAL	COMPUTER SERVICES	9,397.97
178618	SIMPSON, SIERRA	REIMBURSEMENT - MILEAGE	DETENTION & CORRECTION	740.60
178619	SISKUN POWER EQUIPMENT	TRIMMER GEAR HEAD - P899	EQUIPMENT RENTAL	134.12
	SISKUN POWER EQUIPMENT	GASKET, CRANKCASE FAN	EQUIPMENT RENTAL	474.57
178620	SMITH, BROCK	UB REFUND	WATER/SEWER OPERATION	199.38
178621	SNO CO CORRECTIONS	INMATE HOUSING	DETENTION & CORRECTION	61,358.38
178622	SOUND PUBLISHING	ADVERTISING	COMMUNITY	106.64
178623	SOUND SAFETY	REPLACEMENT UNIFORM - REMLE	GENERAL	63.38
	SOUND SAFETY	UNIFORM - CARY	UTIL ADMIN	131.14
	SOUND SAFETY	UNIFORM - DOUGLAS	SOLID WASTE OPERATIONS	343.16
	SOUND SAFETY	UNIFORM - RAIRDON	SOLID WASTE OPERATIONS	361.47
	SOUND SAFETY	GLOVES	DETENTION & CORRECTION	1,301.18
178624	SPRAGUE PEST SOLUTION	EXTERIOR RODENT SERVICE	SOLID WASTE OPERATIONS	84.24
	SPRAGUE PEST SOLUTION		MAINT OF GENL PLANT	84.24
	SPRAGUE PEST SOLUTION		SOLID WASTE OPERATIONS	84.24
	SPRAGUE PEST SOLUTION		MAINT OF GENL PLANT	84.24

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 6/25/2025 TO 6/25/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178625	STARK, CHRIS	REFUND - JENNINGS PARK BARN	PARKS-RECREATION	140.00
178626	STERICYCLE, INC.	SHRED-A-THON SERVICE	SOLID WASTE OPERATIONS	2,329.20
178627	SUMMIT LAW GROUP	LABOR BARGAINING	PERSONNEL ADMINISTRATION	240.00
178628	TRANSPORTATION DEPT	SR9/SR92 INTERSECTION	TRANSPORTATION	741.48
178629	TRANSPORTATION DEPT	INTERIM WALKWAY/SR31	GMA - STREET	89.75
178630	ULINE	PALLETS	WASTE WATER TREATMENT	952.68
178631	UNIVAR SOLUTIONS USA	SOD HYPO LIQUICHLOR	WATER QUAL TREATMENT	1,573.92
	UNIVAR SOLUTIONS USA		WASTE WATER TREATMENT	4,463.52
178632	USA BLUEBOOK	CHLORINE PACKETS	WASTE WATER TREATMENT	51.89
	USA BLUEBOOK	SAMPLE COLLECTORS	WASTE WATER TREATMENT	319.55
178633	USDA-APHIS-WILDLIFE	PERSONNEL COMPENSATION	STORM DRAINAGE	302.89
178634	VESTIS GROUP INC.	LINEN SERVICE	OPERA HOUSE	241.30
178635	WAYNE'S AUTO DETAIL	DETAILING INTERIOR/EXTERIOR	POLICE PATROL	656.29
178636	WEEKS, BRADLEY J	INSTRUCTOR PAYMENT	RECREATION SERVICES	90.00
178637	WESTERN SYSTEMS	TRAFFIC SIGNAL PARTS/SUPPLIES	TRANSPORTATION	3,494.21
	WESTERN SYSTEMS	PRIORITIZATION PROGRAM	CITY STREET - GENERAL	23,806.16
178638	WHEELER, KARI	SUMMER CONCERT SERIES	RECREATION SERVICES	600.00
178639	WILKINS, SUSAN	UB REFUND	WATER/SEWER OPERATION	128.18
178640	WILSON, JEFF	REIMBURSEMENT - MILEAGE, HOTEL	COMMUNITY	1,015.98
	WILSON, JEFF	TRAVEL/HOUSING	COMMUNITY	1,516.56
178641	WOILLARD, JEFFREY &	UB REFUND	WATER/SEWER OPERATION	265.46
178642	WU, THOMAS	INTERPRETER SERVICE	COURTS	130.00

WARRANT TOTAL: 955,954.21

HP INC.	163341	CHECK LOST/DAMAGED	.33
HP INC.	163508	CHECK LOST/DAMAGED	2.13
BRITTNEY OKIYAMA	165453	CHECK LOST/DAMAGED	250.00
AMANDA &N JEFFREY GRAHAM	170579	CHECK LOST/DAMAGED	41.48
BROCK SMITH	172100	CHECK LOST/DAMAGED	199.38

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

UNCLAIMED PROPERTY

WARRANT TOTAL: \$955,460.89



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Shannon Early, Finance

ITEM TYPE: Payroll

AGENDA SECTION: **Consent**

SUBJECT: June 25, 2025, Payroll in the Amount of \$2,623,424.61 Paid by EFT Transactions and Check Numbers 35751 through 35773

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Shauna Crane, Finance

ITEM TYPE: Claims

AGENDA SECTION: **Consent**

SUBJECT: July 2, 2025, Claims in the Amount of \$2,105,144.11 Paid by Check Numbers 178643 through 178772 with Check Numbers 164708, 168415, and 170233 Voided

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:

[070225.rtf](#)

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 7/2/2025 TO 7/2/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178643	REVENUE, DEPT OF	EXCISE TAXES MAY 2025	RECREATION SERVICES	0.99
	REVENUE, DEPT OF		CITY CLERK	7.86
	REVENUE, DEPT OF		POLICE ADMINISTRATION	22.34
	REVENUE, DEPT OF		TRIBAL GAMING FUND	22.94
	REVENUE, DEPT OF		GENERAL FUND	26.08
	REVENUE, DEPT OF		WATER/SEWER OPERATION	103.86
	REVENUE, DEPT OF		GOLF ADMINISTRATION	1,515.62
	REVENUE, DEPT OF		STORM DRAINAGE	7,796.98
	REVENUE, DEPT OF		GOLF COURSE	30,021.11
	REVENUE, DEPT OF		SOLID WASTE OPERATIONS	43,137.70
	REVENUE, DEPT OF		UTIL ADMIN	84,771.49
178644	LICENSING, DEPT OF	FIREARMS SECTION	INTERGOVERNMENTAL	1,044.00
178645	FIRST AMERICAN TITLE	FILE 4221-4279184 CLOSING FUNDS	GMA - STREET	44,914.46
178646	EARTHWORK SOLUTIONS	FINAL PAYMENT	WATER CAPITAL PROJECTS	72,032.17
178647	3R TECHNOLOGY LLC	CLEAN SWEEP	PROTECTIVE INSPECTIONS	5,721.70
178648	ACCO ENGINEERED SYST	REFUND - MECHANICAL PLAN REVIEW	COMMUNITY DEVELOPMENT	132.82
178649	AFFORDABLE ENVIRO	ENCAMPMENT CLEAN UP	ROADSIDE VEGETATION	8,752.00
178650	ALEXANDER PRINTING	PRINT SERVICE	POLICE PATROL	90.69
	ALEXANDER PRINTING	OFFICE SUPPLIES	COMMUNITY	424.93
178651	ANDERSON, SHARON	UB REFUND	WATER/SEWER OPERATION	227.54
178652	ASSOC OF SHERIFFS	CONFERENCE REGISTRATION	POLICE TRAINING-FIREARMS	1,700.00
178653	AUTOMATIC DOOR & GAT	GATE BUTTON FOR MCC	POLICE PATROL	1,225.28
	AUTOMATIC DOOR & GAT		ENGR-GENL	1,225.28
	AUTOMATIC DOOR & GAT		COMMUNITY	1,225.28
	AUTOMATIC DOOR & GAT		COMPUTER SERVICES	1,225.28
	AUTOMATIC DOOR & GAT		NON-DEPARTMENTAL	1,225.28
178654	BACHOFER, WENDY	REFUND - PICKLEBALL	PARKS-RECREATION	75.00
178655	BENS CLEANER SALES	PRESSURE WASHER UNIT REPAIR	SOLID WASTE OPERATIONS	517.51
	BENS CLEANER SALES	PRESSURE WASHER UNIT PARTS	SOLID WASTE OPERATIONS	706.70
178656	BILLS BLUEPRINT INC	FULL-SIZE PLANS/BINDING	GMA-PARKS	310.50
178657	BOTESCH, NASH & HALL	PROFESSIONAL SERVICE - OLD CITY HALL	UTILITY CONSTRUCTION	3,175.00
178658	BROCK, TINA	REIMBURSEMENT - MILEAGE/MEALS	CITY CLERK	364.97
178659	BROWN, DARLENE	INSTRUCTOR PAYMENT	RECREATION SERVICES	432.00
178660	BURTIS, MICHAEL	REIMBURSEMENT - MILEAGE	DETENTION & CORRECTION	316.40
178661	CASTANEDA, YANELI	REFUND - RENTAL FEE	PARKS-RECREATION	140.00
178662	CHARM-TEX, INC.	JAIL UNIFORMS	DETENTION & CORRECTION	390.10
178663	CLEAN HARBORS ENV	GAS CLEANUP	STORM DRAINAGE	9,681.18
178664	COCKRELL & ASSOCIATE	INSURANCE RECOVERY PAYMENT	SURFACE WATER CAPITAL	5,858.54
178665	CODE PUBLISHING	ANNUAL WEB FEE	CITY CLERK	830.00
178666	COMMAND SOURCING	FARO RENEWAL	POLICE PATROL	3,117.90
178667	CONSSOR NORTH AMER	PROFESSIONAL SERVICE	GMA - STREET	1,613.21
	CONSSOR NORTH AMER		GMA - STREET	6,092.49
178668	CORRECTIONS, DEPT OF	D.O.C WORK	ROADSIDE VEGETATION	188.84
	CORRECTIONS, DEPT OF		WATER RESERVOIRS	208.39
	CORRECTIONS, DEPT OF		PARK & RECREATION FAC	340.91
178669	COUNTRY SUPPLIER	UNIFORM - MILLER	UTIL ADMIN	190.78
178670	CREATIVE PRODUCT SOU	GIVE AWAYS	POLICE ADMINISTRATION	1,884.50
178671	CRISIS SYSTEMS MANAG	TRAINING REGISTRATION	POLICE TRAINING-FIREARMS	595.00
178672	DAILY JOURNAL OF COM	BID ADVERTISEMENT	SURFACE WATER CAPITAL	667.80
	DAILY JOURNAL OF COM	COMEFORD PARK SIDEWALK ADVERTISING	GMA - STREET	689.00
178673	DICKS TOWING	TOWING 25-33527	POLICE PATROL	103.38
	DICKS TOWING	TOWING - 25-33527	POLICE PATROL	155.08

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 7/2/2025 TO 7/2/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178674	DOBBS PETERBILT	PATCH TRUCK #J082	EQUIPMENT RENTAL	155,603.93
178675	DUNLAP INDUSTRIAL	BAR SCREEN REPAIR	WASTE WATER TREATMENT	368.41
178676	E&E LUMBER	CREDIT FOR INV 28979	PARK & RECREATION FAC	-15.29
	E&E LUMBER	KEYS	FACILITY MAINTENANCE	8.47
	E&E LUMBER	BENCH REPAIR	PARK & RECREATION FAC	8.76
	E&E LUMBER	WEST TRUNK BAR SCREEN REPAIR	WASTE WATER TREATMENT	10.02
	E&E LUMBER		WASTE WATER TREATMENT	12.02
	E&E LUMBER	HANGING BASKET SUPPLIES	PARK & RECREATION FAC	15.29
	E&E LUMBER	GASKET, FASTENERS	MAINT OF GENL PLANT	17.11
	E&E LUMBER	PAINT BRUSHES	SEWER LIFT STATION	31.96
178677	EAGLE FENCE	BLACK POST HINGE	PARK & RECREATION FAC	22.97
178678	ECOLOGY, DEPT. OF	EFFECTIVE STUDIES/SOURCE ID	STORM DRAINAGE	44,876.00
178679	ELECTRONIC BUSINESS	GIS PLOTTER SUPPLIES	GIS SERVICES IS	38.29
178680	ELLIS, BRANDY	REIMBURSEMENT - MILEAGE	GMA - STREET	19.80
178681	ENVIRONMENTAL SCIENCE	PROFESSIONAL SERVICE	SURFACE WATER CAPITAL	10,250.82
178682	FARLEY, CHRISTOPHER	REIMBURSEMENT - VEST CARRIER	POLICE INVESTIGATION	366.85
178683	FBI/LEEDA	REGISTRATION - PALMER	POLICE TRAINING-FIREARMS	795.00
	FBI/LEEDA	REGISTRATION - SMITH	POLICE TRAINING-FIREARMS	795.00
	FBI/LEEDA	REGISTRATION - YOUNG	POLICE TRAINING-FIREARMS	795.00
	FBI/LEEDA	REGISTRATION -REDIGER	POLICE TRAINING-FIREARMS	795.00
178684	FIDELITY NATIONAL	PARTIAL RECONVEYANCE FEE	GMA - STREET	496.35
178685	FOOT WORKS	INSTRUCTOR PAYMENT	RECREATION SERVICES	440.00
178686	GENERAL PACIFIC, INC	DRONE REPAIR	POLICE PATROL	672.81
178687	GPS GOLF AS-BUILT DE	PROFESSIONAL SERVICE	GOLF CAPITAL OUTLAY	44,500.00
178688	GRANICUS	GRANICUS RENEWAL LICENSES	COMPUTER SERVICES	35,571.59
178689	GRAY AND OSBORNE	PROFESSIONAL SERVICE	SURFACE WATER CAPITAL	2,693.25
	GRAY AND OSBORNE		SURFACE WATER CAPITAL	9,028.39
	GRAY AND OSBORNE	COMP PLAN - STORM/SURFACE WATER	SURFACE WATER CAPITAL	11,482.28
178690	GREG BECVAR & LAURA	UB REFUND	WATER/SEWER OPERATION	184.45
178691	HASLON, SCHYVANDA	REIMBURSEMENT - CLAIM FOR DAMAGES	RISK MANAGEMENT	1,962.21
178692	HDR ENGINEERING	PROFESSIONAL SERVICE	GMA - STREET	70,688.54
178693	HERC RENTALS INC	MINI-EXCAVATOR RENTAL	PARK & RECREATION FAC	340.69
	HERC RENTALS INC	SCRUBBER RENTAL	SMALL ENGINE SHOP	629.05
178694	HERITAGE BANK	PAY ESTIMATE 2/RETAINAGE	UTILITY CONSTRUCTION	313.29
178695	HOME DEPOT PRO	CREDIT FOR INV 866337512	PARK & RECREATION FAC	-167.32
	HOME DEPOT PRO	CREDIT FOR INV 864428610	CUSTODIAL SERVICES	-92.97
	HOME DEPOT PRO	TRASH CANS	CUSTODIAL SERVICES	61.13
	HOME DEPOT PRO	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	176.44
	HOME DEPOT PRO		CUSTODIAL SERVICES	179.46
	HOME DEPOT PRO		CUSTODIAL SERVICES	371.65
	HOME DEPOT PRO		CUSTODIAL SERVICES	394.45
	HOME DEPOT PRO		CUSTODIAL SERVICES	432.68
	HOME DEPOT PRO		CUSTODIAL SERVICES	442.63
	HOME DEPOT PRO		PARK & RECREATION FAC	466.57
	HOME DEPOT PRO	VACUUM FILTERS	CUSTODIAL SERVICES	691.96
	HOME DEPOT PRO	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	773.24
	HOME DEPOT PRO		CUSTODIAL SERVICES	809.34
	HOME DEPOT PRO		CUSTODIAL SERVICES	929.68
178696	HON COMPANY	ADDITIONAL DESK, CHAIR, CABINETS	POLICE TRAINING-FIREARMS	3,667.46
178697	ICS JAIL SUPPLIES	JAIL SHIRTS	DETENTION & CORRECTION	477.06
178698	JULZ ANIMAL HOUZ	K9 SUPPLIES	K9 PROGRAM	18.75
	JULZ ANIMAL HOUZ	SUPPLIES FOR MOLLY	POLICE ADMINISTRATION	44.41

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 7/2/2025 TO 7/2/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178699	KAISER PERMANENTE	OCCUPATIONAL HEALTH SERVICE	POLICE ADMINISTRATION	52.00
	KAISER PERMANENTE	OCCUPATIONAL HEALTH SERVICES	POLICE ADMINISTRATION	1,141.00
178700	KAUR, MELINDA	INSTRUCTOR PAYMENT	RECREATION SERVICES	153.00
178701	KBHPNW LLC	UB REFUND	WATER/SEWER OPERATION	52.70
178702	KBHPNW LLC		WATER/SEWER OPERATION	38.20
178703	KBHPNW LLC		WATER/SEWER OPERATION	34.70
178704	KELLER SUPPLY COMPANY	NEW TOILET	MAINT OF GENL PLANT	249.56
	KELLER SUPPLY COMPANY		MAINT OF GENL PLANT	350.26
178705	KPFF CONSULTING	PROFESSIONAL SERVICE	GMA - STREET	62,798.68
178706	LAKEWOOD SCHOOL DIST	ADVERTISING	COMMUNITY	205.00
178707	LINSCOTT, ROBERT	REFUND - PARK MITIGATION FEE	GMA PARK-ECON	1,956.00
	LINSCOTT, ROBERT		GMA PARK-ECON	1,956.00
	LINSCOTT, ROBERT	REFUND - TRANSPORTATION MITIGATION FEE	ECONOMIC ENVIRONMENT	6,300.00
	LINSCOTT, ROBERT		ECONOMIC ENVIRONMENT	6,300.00
178708	MARYSVILLE COURT	WARRANT SERVICE	GENERAL FUND	1,000.00
178709	MARYSVILLE, CITY OF	5300 SUNNYSIDE BLVD	SEWER LIFT STATION	68.34
	MARYSVILLE, CITY OF	6915 ARMAR RD	PARK & RECREATION FAC	132.17
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	158.65
	MARYSVILLE, CITY OF	67TH AVE & 64TH PL NE	PARK & RECREATION FAC	200.71
	MARYSVILLE, CITY OF	6915 ARMAR RD	PARK & RECREATION FAC	217.97
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	324.98
	MARYSVILLE, CITY OF	5315 64TH ST NE	PARK & RECREATION FAC	388.27
	MARYSVILLE, CITY OF	6915 ARMAR RD IRRIGATION	PARK & RECREATION FAC	680.13
	MARYSVILLE, CITY OF		PARK & RECREATION FAC	702.21
	MARYSVILLE, CITY OF	6915 ARMAR RD	PARK & RECREATION FAC	1,822.34
178710	MAYER, JULIE	REFUND - THEATER CAMP	PARKS-RECREATION	200.00
178711	MCKENNA, DAVID	BASIC SRO	POLICE PATROL	473.00
	MCKENNA, DAVID	NASRO SCHOOL SAFETY CONFERENCE	POLICE PATROL	520.00
178712	MCLOUGHLIN & EARDLEY	GO-LIGHT WIRED DASH REMOTE - J053	EQUIPMENT RENTAL	356.62
	MCLOUGHLIN & EARDLEY	OUTFITTING EQUIPMENT - P225/226	EQUIPMENT RENTAL	13,198.56
178713	MCPAHON, COLIN	PROTEM SERVICES	MUNICIPAL COURTS	185.00
178714	OLASON, MONICA	INSTRUCTOR PAYMENT	RECREATION SERVICES	1,008.00
178715	OTAK	PROFESSIONAL SERVICE	GMA - STREET	347.98
178716	PACIFIC POWER BATTER	BATTERIES	PARK & RECREATION FAC	96.27
178717	PETROCARD SYSTEMS	FUEL CONSUMED	ENGR-GENL	35.15
	PETROCARD SYSTEMS		UTIL ADMIN	93.89
	PETROCARD SYSTEMS		EQUIPMENT RENTAL	106.14
	PETROCARD SYSTEMS		CUSTODIAL SERVICES	155.83
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	156.57
	PETROCARD SYSTEMS		COMMUNITY	183.33
	PETROCARD SYSTEMS		DEVELOPMENT SERVICES	317.79
	PETROCARD SYSTEMS		PARK & RECREATION FAC	3,103.70
	PETROCARD SYSTEMS		GENERAL	3,904.19
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	5,073.18
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	8,301.78
	PETROCARD SYSTEMS		POLICE PATROL	12,368.48
178718	PH CONSULTING LLC	QUIET ZONE PROJECT	GMA - STREET	666.25
178719	POSTAL SERVICE	FALL/WINTER POSTCARDS	RECREATION SERVICES	7,791.02
178720	POTTERY NOOK, THE	INSTRUCTOR PAYMENT	RECREATION SERVICES	57.60
178721	POWERS, PHILLIP	SCHOOL SAFETY CONFERENCE	POLICE PATROL	600.00
178722	PROTOCOL PLUMBING	SINK KIT	PARK & RECREATION FAC	339.09
178723	PROVIDENCE EVERETT M	INMATE MEDICAL CARE	DETENTION & CORRECTION	6,213.50

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 7/2/2025 TO 7/2/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178724	PUBLIC SAFETY PSYCHO	PRE-EMPLOYMENT	POLICE ADMINISTRATION	1,350.00
178725	PUD	ACCT #223806431	SEWER LIFT STATION	10.71
	PUD	ACCT #202461034	UTIL ADMIN	55.64
	PUD	ACCT #222871949	PARK & RECREATION FAC	62.71
	PUD	ACCT #204933311	PUMPING PLANT	63.21
	PUD	ACCT #202012589	PARK & RECREATION FAC	64.12
	PUD	ACCT #221192545	SOURCE OF SUPPLY	67.46
	PUD	ACCT #200998532	PARK & RECREATION FAC	67.60
	PUD	ACCT #201672136	SEWER LIFT STATION	68.03
	PUD	ACCT #220761803	OPERA HOUSE	71.77
	PUD	ACCT #202476438	SEWER LIFT STATION	71.85
	PUD	ACCT #202791166	PUMPING PLANT	75.01
	PUD	ACCT #201610185	TRANSPORTATION	82.79
	PUD	ACCT #202178158	SEWER LIFT STATION	83.35
	PUD	ACCT #201668043	PARK & RECREATION FAC	85.82
	PUD	ACCT #202557450	STREET LIGHTING	88.94
	PUD	ACCT #203005160	STREET LIGHTING	91.89
	PUD	ACCT #202368536	TRANSPORTATION	94.16
	PUD	ACCT #202140489	TRANSPORTATION	94.40
	PUD	ACCT #200571842	TRANSPORTATION	96.72
	PUD	ACCT #220792733	STREET LIGHTING	97.10
	PUD	ACCT #202694337	TRANSPORTATION	97.94
	PUD	ACCT #202102190	TRANSPORTATION	98.47
	PUD	ACCT #200869303	TRANSPORTATION	101.72
	PUD	ACCT #200827277	TRANSPORTATION	108.62
	PUD	ACCT #202490637	SEWER LIFT STATION	113.57
	PUD	ACCT #202143111	TRANSPORTATION	114.24
	PUD	ACCT #203231006	TRANSPORTATION	116.95
	PUD	ACCT #200084036	TRANSPORTATION	118.85
	PUD	ACCT #224248013	STREET LIGHTING	125.52
	PUD	ACCT #202689105	WASTE WATER TREATMENT	126.45
	PUD	ACCT #220298624	STREET LIGHTING	127.24
	PUD	ACCT #202572327	STREET LIGHTING	133.14
	PUD	ACCT #201670890	TRANSPORTATION	138.04
	PUD	ACCT #202294336	STREET LIGHTING	141.20
	PUD	ACCT #202463543	SEWER LIFT STATION	142.00
	PUD	ACCT #220838882	TRAFFIC CONTROL DEVICES	151.48
	PUD	ACCT #202309720	TRAFFIC CONTROL DEVICES	155.82
	PUD	ACCT #203223458	PARK & RECREATION FAC	171.37
	PUD	ACCT #202030078	TRANSPORTATION	171.51
	PUD	ACCT #200070449	TRANSPORTATION	172.43
	PUD	ACCT #200084150	TRANSPORTATION	176.16
	PUD	ACCT #220731285	STREET LIGHTING	181.26
	PUD	ACCT #221100092	GMA - STREET	240.00
	PUD	ACCT #200223857	PARK & RECREATION FAC	304.57
	PUD	ACCT #202499489	PARK & RECREATION FAC	305.00
	PUD	ACCT #223521238	STORM DRAINAGE	317.35
	PUD	ACCT #220761175	OPERA HOUSE	351.96
	PUD	ACCT #200586485	SEWER LIFT STATION	934.16
	PUD	ACCT #202689287	WASTE WATER TREATMENT	973.93
	PUD	ACCT #200303477	WATER FILTRATION PLANT	2,314.59
	PUD	ACCT #223505728	NON-DEPARTMENTAL	2,924.93

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 7/2/2025 TO 7/2/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178725	PUD	ACCT #223003021	NON-DEPARTMENTAL	9,047.76
178726	RADIA INC PS	INMATE MEDICAL CARE	DETENTION & CORRECTION	1,192.00
178727	REECE TRUCKING	PATH IMPROVEMENTS	GMA - STREET	79,280.27
178728	REECE TRUCKING	PAVEMENT PRESERVATION	MARYSVILLE TBD	-8,979.25
	REECE TRUCKING		GENL GVRNMNT SERVICES	179,585.00
178729	REECE TRUCKING	FILL PROJECT	UTILITY CONSTRUCTION	-1,523.36
	REECE TRUCKING		UTILITY CONSTRUCTION	33,331.01
178730	RESTORICAL RESEARCH	INSURANCE RECOVERY PAYMENT	SURFACE WATER CAPITAL	5,858.54
178731	RETIREMENT SYSTEMS	INCORRECT LEOFF2 REPORTING	POLICE PATROL	50.00
178732	RH2 ENGINEERING INC	PROFESSIONAL SERVICE	WATER CAPITAL PROJECTS	2,089.72
	RH2 ENGINEERING INC		WATER CAPITAL PROJECTS	3,006.97
	RH2 ENGINEERING INC		SEWER CAPITAL PROJECTS	14,561.63
	RH2 ENGINEERING INC		SEWER CAPITAL PROJECTS	17,672.94
178733	RUBATINO	CLEAN SWEEP CONTAINER RENTALS	PROTECTIVE INSPECTIONS	356.08
178734	SIGMOND, SHEILA	REFUND - TEEN YOGA	PARKS-RECREATION	15.00
178735	SILVANG SENG & RAFLE	REIMBURSEMENT - CLAIM FOR DAMAGES	RISK MANAGEMENT	5,144.17
178736	SINGH, RAMESH & CHRI	UTILITY BILLING REFUND	WATER/SEWER OPERATION	245.01
178737	SNO CO AUDITOR	RECORDING - WARRANTY DEED	GMA - STREET	305.50
178738	SNO CO DIST COURT	BAIL	GENERAL FUND	1,000.00
178739	SNO CO PUBLIC WORKS	SOLID WASTE SERVICE	ROADSIDE VEGETATION	43.00
	SNO CO PUBLIC WORKS		SOLID WASTE OPERATIONS	243,303.00
178740	SNO HEALTH DISTRICT	PILES	STORM DRAINAGE	4,280.00
178741	SONITROL	SECURITY MONITORING	COURTS	159.08
	SONITROL		COURTS	159.08
	SONITROL		UTIL ADMIN	189.47
	SONITROL		UTIL ADMIN	189.47
	SONITROL		GOLF ADMINISTRATION	207.09
	SONITROL		GOLF ADMINISTRATION	207.09
	SONITROL		PARK & RECREATION FAC	231.32
	SONITROL		PARK & RECREATION FAC	231.32
	SONITROL		SUNNYSIDE FILTRATION PLANT	298.49
	SONITROL		SUNNYSIDE FILTRATION PLANT	298.49
	SONITROL		UTIL ADMIN	315.89
	SONITROL		UTIL ADMIN	315.89
	SONITROL		RECREATION SERVICES	359.89
	SONITROL		RECREATION SERVICES	359.89
	SONITROL		OPERA HOUSE	368.48
	SONITROL		OPERA HOUSE	368.48
	SONITROL		MAINT OF GENL PLANT	420.09
	SONITROL		MAINT OF GENL PLANT	420.09
	SONITROL		WASTE WATER TREATMENT	425.09
	SONITROL		WASTE WATER TREATMENT	425.09
	SONITROL		EXECUTIVE ADMIN	427.10
	SONITROL		EXECUTIVE ADMIN	427.10
	SONITROL		POLICE ADMINISTRATION	522.29
	SONITROL		POLICE ADMINISTRATION	522.29
178742	SOUND PUBLISHING	ADVERTISING	COMMUNITY	77.52
178743	SOUND PUBLISHING		COMMUNITY	62.04
178744	SOUND PUBLISHING	CASCADE ELEMENTARY BID AD	SURFACE WATER CAPITAL	206.40
178745	SOUND PUBLISHING	COMEFORD PARK BID AD	GMA - STREET	223.60
178746	SOUND SAFETY	GLOVES	POLICE PATROL	128.06
178747	STARMAN, TERESA	REFUND - PICKLEBALL	PARKS-RECREATION	65.00

DATE: 7/3/2025
TIME: 7:29:48AM

**CITY OF MARYSVILLE
INVOICE LIST**

PAGE: 6

FOR INVOICES FROM 7/2/2025 TO 7/2/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
178748	STILLAGUAMISH OUTDOOR	ADVERTISING/JAG GRANT	DRUG ENFORCEMENT	2,200.00
178749	SUBURBAN PROPANE	TANK RENTAL	PARK & RECREATION FAC	65.64
178750	SUPERIOR RESTROOMS	PORTABLE RESTROOM SERVICE	WATER DIST MAINS	71.11
	SUPERIOR RESTROOMS	PORTABLE RESTROOM RENTAL	GMA-PARKS	455.00
178751	TONNING, ELLIOTT & B	UB REFUND	WATER/SEWER OPERATION	103.20
178752	TRANSCO GROUP	PROFESSIONAL SERVICE	COMMUNITY	2,943.75
	TRANSCO GROUP		GMA - STREET	39,329.40
178753	TULALIP CHAMBER	REFUND - FASHION SHOW DEPOSIT	GENERAL FUND	500.00
178754	UTILITIES UNDERGROUND	EXCAVATION NOTIFICATION	UTILITY LOCATING	753.30
178755	VANDERWALKER,M	REIMBURSEMENT - MILEAGE	POLICE ADMINISTRATION	22.89
178756	VANN, ASHLEY	REFUND - DANCE CAMP	PARKS-RECREATION	32.00
178757	VERLEY, NATALYA	REFUND: BELLY DANCE FOR ALL	PARKS-RECREATION	48.00
178758	VESTIS GROUP INC.	UNIFORM CLEANING/SHOP RENTALS	EQUIPMENT RENTAL	37.15
	VESTIS GROUP INC.		EQUIPMENT RENTAL	37.15
	VESTIS GROUP INC.		EQUIPMENT RENTAL	64.87
	VESTIS GROUP INC.		EQUIPMENT RENTAL	68.99
	VESTIS GROUP INC.		EQUIPMENT RENTAL	68.99
	VESTIS GROUP INC.		EQUIPMENT RENTAL	120.47
178759	VESTIS GROUP INC.	CUSTODIAL CLEANING/MCC RENTAL	CUSTODIAL SERVICES	38.88
	VESTIS GROUP INC.	CUSTODIAL CLEANING/MCC RENTALS	CUSTODIAL SERVICES	38.88
	VESTIS GROUP INC.		CUSTODIAL SERVICES	38.88
	VESTIS GROUP INC.	CUSTODIAL CLEANING/MCC RENTAL	CUSTODIAL SERVICES	155.50
	VESTIS GROUP INC.	CUSTODIAL CLEANING/MCC RENTALS	CUSTODIAL SERVICES	155.50
	VESTIS GROUP INC.		CUSTODIAL SERVICES	155.50
178760	VESTIS GROUP INC.	LINEN SERVICE	OPERA HOUSE	241.30
178761	WAITE, BRIAN	SUMMER CONCERT	RECREATION SERVICES	650.00
178762	WASTE MANAGEMENT	RECYCLING SERVICE - MAY 2025	RECYCLING OPERATION	532,804.03
178763	WESTERN MECHANICAL &	BLOWER MOTOR	NON-DEPARTMENTAL	2,361.19
	WESTERN MECHANICAL &	BLOWER MOTOR ASSEMBLY	UTILITY BILLING	2,361.19
178764	WILSON, JASMINE	REFUND - DANCE CAMP	PARKS-RECREATION	74.00
178765	ZIPLY FIBER	ACCT #3606512517	STREET LIGHTING	69.22
178766	ZIPLY FIBER	ACCT# 3606515087	PARK & RECREATION FAC	97.54
178767	ZIPLY FIBER	ACCT #3606519123	WATER FILTRATION PLANT	175.47
178768	ZIPLY FIBER	ACCT #3606534028	CITY HALL	206.11
178769	ZIPLY FIBER	ACCT #3606577108	STREET LIGHTING	80.99
178770	ZIPLY FIBER	ACCT #3606583635	COMPUTER SERVICES	97.54
178771	ZIPLY FIBER	ACCT #3606596212	MAINT OF GENL PLANT	97.13
178772	ZIPLY FIBER	PHONE LINES	POLICE ADMINISTRATION	59.60
	ZIPLY FIBER		POLICE PATROL	59.60
	ZIPLY FIBER		COMMUNICATION CENTER	59.60
	ZIPLY FIBER		UTILITY BILLING	59.60
	ZIPLY FIBER		GENERAL	59.60
	ZIPLY FIBER		GOLF ADMINISTRATION	59.60
	ZIPLY FIBER		COMMUNITY	119.20
	ZIPLY FIBER		DETENTION & CORRECTION	119.20
	ZIPLY FIBER		OFFICE OPERATIONS	119.20
	ZIPLY FIBER		GOLF ADMINISTRATION	119.20
	ZIPLY FIBER		CITY HALL	178.79
	ZIPLY FIBER		RECREATION SERVICES	238.39
	ZIPLY FIBER		WASTE WATER TREATMENT	297.99
	ZIPLY FIBER		UTIL ADMIN	297.99

DATE: 7/3/2025
TIME: 7:29:48AM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 7/2/2025 TO 7/2/2025

PAGE: 7

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
WARRANT TOTAL:				<u><u>2,105,507.82</u></u>
DE MCDERMOT		CHECK LOST/DAMAGED	164708	70.70
RAMESH & CHRISTINA SINGH		CHECK LOST/DAMAGED	168415	245.01
NATALYA VERLEY		CHECK LOST/DAMAGED	170233	48.00
REASON FOR VOIDS:				
INITIATOR ERROR				WARRANT TOTAL: <u>\$2,105,144.11</u>
CHECK LOST/DAMAGED				
UNCLAIMED PROPERTY				



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Thadd Zehnder, Engineering

ITEM TYPE: Bid Award

AGENDA SECTION: **Review Bids**

SUBJECT: Contract Award – Cascade Elementary - 100th St NE Improvements

SUGGESTED ACTION: Recommended Motion: I move to authorize the Mayor to award and execute the Cascade Elementary – 100th Street NE project contract with SRV Construction, Inc. in the amount of \$948,533.50 and approve a management reserve of \$95,000.00 for a total allocation of \$1,043,533.50.

SUMMARY:

The Cascade Elementary – 100th Street NE Improvements project will add sidewalks, a bike lane, RRFBs, stormwater management elements, and other appurtenances to 100th Street NE adjacent to the Cascade Elementary School. These improvements will provide for safer pedestrian and cycle routes to and from the school as well as for others who may utilize this corridor. Additionally the stormwater improvements will address the lack of water quality treatment in this area and connect the water quality features to the City's existing stormwater infrastructure. Specific additions to the corridor include new sidewalk, curb and gutter, drainage swale, RRFBs, improved and ADA compliant crosswalks, a bike lane, lighting, and other items.

The Project was advertised for a Bid Opening on June 26, 2025. The City received 7 bids per the attached bid tabulation. The low bidder was SRV Construction, Inc. with a bid of \$948,533.50. The engineer's estimate for this work is \$1,164,770.00. This project is partially funded through two grants. The first is a WSDOT Safe Routes to School grant in the amount of \$599,089 and the second is a Department of Ecology Stormwater grant the will cover \$253, 875.25 of construction costs. The City will be responsible for \$190,569.25. Staff recommend award to SRV Construction, Inc in the amount of \$948,533.50, and authorize a 10-percent management reserve of \$95,000.00, for a total allocation of \$1,043,533.50

ATTACHMENTS:

[R2104 - SRV Contract.pdf](#)

[R2104_Cascade Elementary - 100th ST NE Improvements_Bid Tab.pdf](#)

PUBLIC WORKS CONTRACT

THIS PUBLIC WORKS CONTRACT (the “Contract”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (the “City”) and SRV Construction, Inc., a corporation, organized under the laws of the State of Washington, located and doing business at PO Box 507, Anacortes, WA 98221, (the “Contractor”).

WITNESSETH:

Whereas, the City desires to have certain public work performed as hereinafter set forth, requiring specialized skills and other supportive capabilities; and

Whereas, the Contractor represents that it is qualified and possesses sufficient skills and the necessary capabilities to perform the services set forth in this Contract.

NOW, THEREFORE, in consideration of the terms, conditions, and agreements contained herein, the parties hereto agree as follows:

- I. SCOPE OF WORK.** The Contractor agrees to do all work and furnish all labor, tools, materials, equipment, and supplies required to build and construct and to build and construct in a workmanlike manner the work, improvements, and appurtenances in order to accomplish the following project:

CASCADE ELEMENTARY – 100th ST NE IMPROVEMENTS R2104

All such work, labor, tools, materials, equipment, and supplies to be procured and furnished in accordance with the following documents (the “Contract Documents”) which are incorporated by reference and are hereby made a part of this Contract:

- A. This Contract;
- B. The Call for Bids, Information for Bidders, and Bidder’s Checklist;
- C. 2025 Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction as modified by all amendments thereto as of the date of the Contractor’s bid;
- D. Special Provisions
- E. Plans, Drawings, Project and Technical Specifications;
- F. Addenda (if any)
- G. Contractor's Proposal/Bid
- H. Payment Bond and Performance Bond; and
- I. All provisions required by law whether set forth and reproduced herein or not.

and shall perform any alterations in or additions to the work provided under this Contract and every part thereof.

The Contractor shall provide and bear the expense of all equipment, work, and labor of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in this Contract, except as may otherwise be provided in the Contract Documents.

The Contractor shall guarantee said materials and work for a period of one year after completion of this Contract.

- II. TIME FOR COMPLETION & LIQUIDATED DAMAGES.** Physical completion shall be achieved within Fifty (50) working days of the effective date of the Notice to Proceed. If said work is not completed within the time specified, the Contractor agrees to pay the City liquidated damages as provided in Section 1-08.9 of the Standard Specifications.
- III. COMPENSATION AND METHOD OF PAYMENT.** The lump sum/total itemized amount of the Contract is nine hundred forty-eight thousand five hundred thirty-three dollars and 50 cents (\$948,533.50) including Washington State Sales Tax. The total Project cost includes all costs associated with the Project work, including, but not limited to labor, materials, overhead, sales and use taxes, profit, subcontractors, consultants, professional services, and administrative, permit, and regulatory costs, unless otherwise agreed in writing. The Project cost is based on the proposal/bid submitted by the Contractor dated June 26th, 2025. The basis for final payment will be the actual amount of work performed and payments, whether partial or final, will be made according to the Contract Documents.
- IV. ATTORNEY FEES.** Should either the City or the Contractor commence any legal action relating to the provisions of this Contract, or the enforcement thereof, the prevailing party shall be awarded judgment for all costs of litigation including, but not limited to, costs, expert witnesses and reasonable attorney fees.
- V. INDEMNIFICATION.** In addition to any other obligations contained in the Contract Documents,
- A. The Contractor shall defend, indemnify and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorney fees, arising out of or in connection with the performance of this Contract, except for injuries and damages caused by the sole negligence of the City.
- B. Should a court of competent jurisdiction determine that this Contract is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence.

- C. The Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW, as provided in RCW 4.24.115. The indemnification obligation under this Contract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under workers compensation acts, disability benefits acts, or other employee benefits acts; provided the Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against the Contractor by the City and does not include, or extend to, any claims by the Contractor's employees directly against Contractor. The obligations of Contractor under this subsection have been mutually negotiated by the parties hereto, and Contractor acknowledges that the City would not enter into this Contract without the waiver thereof of Contractor.

_____ (City initials) _____ (Contractor initials)

- D. The provisions of this section shall survive the expiration or termination of this Contract with respect to any event occurring prior to such expiration or termination.

VI. CONTRACT ADMINISTRATION.

This Contract shall be administered _____ (Contractor Representative) on behalf of the Contractor and by Thadd Zehnder on behalf of the City. Any written notices required by the terms of this Contract shall be served or mailed to the following addresses:

Contractor:
SRV Construction, Inc.
PO Box 507
Anacortes, WA 98221

City:
City of Marysville
Public Works – Attn: Thadd Zehnder
501 Delta Ave
Marysville, WA 98270

- VII. PREVAILING WAGES.** The Contractor shall comply with all state and federal laws relating to the employment of labor and wage rates to be paid.

- VIII. DEBARMENT.** By signing this contract, Contractor certifies that it is not presently debarred or proposed for debarment, suspended, or otherwise excluded by any state or federal department or agency from participating in transactions. Contractor agrees to refrain from hiring any subcontractor or employee who is debarred, proposed for debarment, suspended, or otherwise excluded by a state or federal department or agency from participating in transactions. Contractor must immediately notify the City if it or any subcontractor or employee is proposed for debarment or is debarred during the term of this Contract. The City may terminate this Contract if the Contractor, a subcontractor, or employee is debarred, proposed for debarment, suspended, or otherwise excluded by a state or federal department or agency from participating in transactions.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

DATED _____

CITY OF MARYSVILLE

By: _____
Jon Nehring, Mayor

DATED _____

_____ (CONTRACTOR)

By: _____

(Name)
Its: _____

(Title)

Attested/Authenticated:

Chari Taber, Deputy City Clerk

Approved as to form:

Jon Walker, City Attorney

City of Marysville
Cascade Elementary - 100th ST NE Improvements - Certified Bid Tabulation

Bid Opening: June 26, 2025 1:00pm

Apparent Low Bidder

				Engineer's Estimate		Trico Companies, LLC		SRV Construction, Inc.		Tastad Construction, Inc.		Gregco Excavating LLC		Kamins Construction, Inc.		Larry Brown Consturction, Inc		Marshbank Construction, Inc.		
ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	
1	Minor Change (1-04.4(1))		1	CALC	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	
2	Survey (1-05.4(2))		1	LS	\$ 20,000.00	\$ 20,000.00	\$ 17,000.00	\$ 17,000.00	\$ 14,250.00	\$ 14,250.00	\$ 14,000.00	\$ 14,000.00	\$ 16,700.00	\$ 16,700.00	\$ 12,960.00	\$ 12,960.00	\$ 18,200.00	\$ 18,200.00	\$ 12,150.00	\$ 12,150.00
3	Record Drawings (Min. Bid \$1000) (1-05.18)		1	LS	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,600.00	\$ 1,600.00	\$ 1,000.00	\$ 1,000.00
4	SPCC Plan (1-07.15(1))		1	LS	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 250.00	\$ 250.00	\$ 1,000.00	\$ 1,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,000.00	\$ 1,000.00	\$ 495.00	\$ 495.00	\$ 500.00	\$ 500.00
5	Mobilization, Cleanup and Demobilization (1-09.7)		1	LS	\$ 110,000.00	\$ 110,000.00	\$ 90,000.00	\$ 90,000.00	\$ 67,500.00	\$ 67,500.00	\$ 95,000.00	\$ 95,000.00	\$ 116,900.00	\$ 116,900.00	\$ 124,866.00	\$ 124,866.00	\$ 90,000.00	\$ 90,000.00	\$ 59,569.00	\$ 59,569.00
6	Flaggers (1-10.5(2))		800	HR	\$ 65.00	\$ 52,000.00	\$ 83.00	\$ 66,400.00	\$ 82.00	\$ 65,600.00	\$ 80.00	\$ 64,000.00	\$ 1.00	\$ 800.00	\$ 80.00	\$ 64,000.00	\$ 72.00	\$ 57,600.00	\$ 65.00	\$ 52,000.00
7	Other Traffic Control Labor (1-10.5(2))		80	HR	\$ 60.00	\$ 4,800.00	\$ 83.00	\$ 6,640.00	\$ 87.00	\$ 6,960.00	\$ 80.00	\$ 6,400.00	\$ 1.00	\$ 80.00	\$ 80.00	\$ 6,400.00	\$ 72.00	\$ 5,760.00	\$ 65.00	\$ 5,200.00
8	Other Temporary Traffic Control Devices (1-10.5(2))		1	LS	\$ 8,000.00	\$ 8,000.00	\$ 32,000.00	\$ 32,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 60,000.00	\$ 60,000.00	\$ 10,206.00	\$ 10,206.00	\$ 6,000.00	\$ 6,000.00	\$ 1,500.00	\$ 1,500.00
9	Traffic Control Supervisor (1-10.5(2))		1	LS	\$ 5,000.00	\$ 5,000.00	\$ 82,750.00	\$ 82,750.00	\$ 7,725.00	\$ 7,725.00	\$ 39,000.00	\$ 39,000.00	\$ 1.00	\$ 1.00	\$ 2,950.00	\$ 2,950.00	\$ 35,000.00	\$ 35,000.00	\$ 20,000.00	\$ 20,000.00
10	Pedestrian Traffic Control (1-10.5(2))		1	LS	\$ 10,000.00	\$ 10,000.00	\$ 13,300.00	\$ 13,300.00	\$ 2,975.00	\$ 2,975.00	\$ 5,000.00	\$ 5,000.00	\$ 1.00	\$ 1.00	\$ 5,400.00	\$ 5,400.00	\$ 1,300.00	\$ 1,300.00	\$ 6,000.00	\$ 6,000.00
11	Clearing and Grubbing (2-01.5)		1	LS	\$ 8,000.00	\$ 8,000.00	\$ 12,300.00	\$ 12,300.00	\$ 17,500.00	\$ 17,500.00	\$ 20,000.00	\$ 20,000.00	\$ 28,500.00	\$ 28,500.00	\$ 26,000.00	\$ 26,000.00	\$ 9,215.00	\$ 9,215.00	\$ 10,000.00	\$ 10,000.00
12	Removal of Structures and Obstructions (2-02.5)		1	LS	\$ 10,000.00	\$ 10,000.00	\$ 10,500.00	\$ 10,500.00	\$ 20,500.00	\$ 20,500.00	\$ 30,000.00	\$ 30,000.00	\$ 19,000.00	\$ 19,000.00	\$ 15,000.00	\$ 15,000.00	\$ 27,000.00	\$ 27,000.00	\$ 18,000.00	\$ 18,000.00
13	Removing Asphalt Conc. Pavement (2-02.5)	1600	SY	\$ 8.00	\$ 12,800.00	\$ 21.00	\$ 33,600.00	\$ 7.00	\$ 11,200.00	\$ 35.00	\$ 56,000.00	\$ 28.50	\$ 45,600.00	\$ 22.34	\$ 35,744.00	\$ 12.30	\$ 19,680.00	\$ 25.00	\$ 40,000.00	
14	Removing Asphalt Conc. Curb, Gutter and Sidewalk (2-02.5)	160	SY	\$ 15.00	\$ 2,400.00	\$ 26.00	\$ 4,160.00	\$ 8.50	\$ 1,360.00	\$ 40.00	\$ 6,400.00	\$ 33.75	\$ 5,400.00	\$ 29.13	\$ 4,660.80	\$ 17.65	\$ 2,824.00	\$ 25.00	\$ 4,000.00	
15	Excavation, Embankment and Grading, Incl. Haul (2-03.5)	430	CY	\$ 80.00	\$ 34,400.00	\$ 43.00	\$ 18,490.00	\$ 60.00	\$ 25,800.00	\$ 50.00	\$ 21,500.00	\$ 1.00	\$ 430.00	\$ 73.74	\$ 31,708.20	\$ 55.45	\$ 23,843.50	\$ 40.00	\$ 17,200.00	
16	Unsuitable Foundation Excavation, Incl. Haul (2-03.5)	10	CY	\$ 50.00	\$ 500.00	\$ 75.00	\$ 750.00	\$ 60.00	\$ 600.00	\$ 500.00	\$ 5,000.00	\$ 110.00	\$ 1,100.00	\$ 50.00	\$ 500.00	\$ 60.00	\$ 600.00	\$ 40.00	\$ 400.00	
17	Gravel Borrow, Incl. Haul (2-03.5)	920	TN	\$ 60.00	\$ 55,200.00	\$ 46.00	\$ 42,320.00	\$ 35.60	\$ 32,752.00	\$ 50.00	\$ 46,000.00	\$ 1.00	\$ 920.00	\$ 47.14	\$ 43,368.80	\$ 53.80	\$ 49,496.00	\$ 50.00	\$ 46,000.00	
18	Locate Existing Utilities (2-09.5)	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 4,500.00	\$ 4,500.00	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00	\$ 13,700.00	\$ 13,700.00	\$ 4,888.00	\$ 4,888.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	
19	Crushed Surfacing Top Course (4-04.5)	80	TN	\$ 120.00	\$ 9,600.00	\$ 49.00	\$ 3,920.00	\$ 33.60	\$ 2,688.00	\$ 50.00	\$ 4,000.00	\$ 63.00	\$ 5,040.00	\$ 60.00	\$ 4,800.00	\$ 74.10	\$ 5,928.00	\$ 75.00	\$ 6,000.00	
20	Crushed Surfacing Base Course (4-04.5)	550	TN	\$ 60.00	\$ 33,000.00	\$ 53.00	\$ 29,150.00	\$ 55.00	\$ 30,250.00	\$ 50.00	\$ 27,500.00	\$ 51.00	\$ 28,050.00	\$ 55.00	\$ 30,250.00	\$ 74.40	\$ 40,920.00	\$ 42.00	\$ 23,100.00	
21	Permeable Ballast (4-04.5)	320	TN	\$ 60.00	\$ 19,200.00	\$ 58.00	\$ 18,560.00	\$ 50.00	\$ 16,000.00	\$ 60.00	\$ 19,200.00	\$ 1.00	\$ 320.00	\$ 53.95	\$ 17,264.00	\$ 78.80	\$ 25,216.00	\$ 70.00	\$ 22,400.00	
22	HMA Cl. 1/2" PG 58H-22 (5-04.5)	460	TN	\$ 170.00	\$ 78,200.00	\$ 153.00	\$ 70,380.00	\$ 167.00	\$ 76,820.00	\$ 225.00	\$ 103,500.00	\$ 225.50	\$ 103,730.00	\$ 248.40	\$ 114,264.00	\$ 213.00	\$ 97,980.00	\$ 220.00	\$ 101,200.00	
23	Temporary HMA (5-04.5)	50	TN	\$ 200.00	\$ 10,000.00	\$ 300.00	\$ 15,000.00	\$ 166.00	\$ 8,300.00	\$ 350.00	\$ 17,500.00	\$ 1.00	\$ 50.00	\$ 216.00	\$ 10,800.00	\$ 281.35	\$ 14,067.50	\$ 180.00	\$ 9,000.00	
24	Job Mix Compliance Price Adjustment (5-04.5)	1	CALC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
25	Compaction Price Adjustment (5-04.5)	1	CALC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
26	Pervious Conc. Sidewalk (5-06.5)	500	SY	\$ 170.00	\$ 85,000.00	\$ 145.00	\$ 72,500.00	\$ 79.75	\$ 39,875.00	\$ 116.00	\$ 58,000.00	\$ 170.00	\$ 85,000.00	\$ 126.52	\$ 63,260.00	\$ 130.15	\$ 65,075.00	\$ 85.00	\$ 42,500.00	
27	PVC Underdrain Perforated Pipe, 6 In. Diam. (7-01.5)	290	LF	\$ 80.00	\$ 23,200.00	\$ 35.00	\$ 10,150.00	\$ 36.00	\$ 10,440.00	\$ 125.00	\$ 36,250.00	\$ 61.00	\$ 17,690.00	\$ 53.03	\$ 15,378.70	\$ 41.90	\$ 12,151.00	\$ 165.00	\$ 47,850.00	
28	PVC Storm Sewer Pipe, 6 In. Diam. (Incl. Bedding) (7-04.5)	65	LF	\$ 80.00	\$ 5,200.00	\$ 51.00	\$ 3,315.00	\$ 42.50	\$ 2,762.50	\$ 80.00	\$ 5,200.00	\$ 67.00	\$ 4,355.00	\$ 71.89	\$ 4,672.85	\$ 53.75	\$ 3,493.75	\$ 180.00	\$ 11,700.00	
29	CPEP Storm Sewer Pipe, 12 In. Diam. (Incl. Bedding) (7-04.5)	520	LF	\$ 90.00	\$ 46,800.00	\$ 69.00	\$ 35,880.00	\$ 51.00	\$ 26,520.00	\$ 150.00	\$ 78,000.00	\$ 80.00	\$ 41,600.00	\$ 88.31	\$ 45,921.20	\$ 70.75	\$ 36,790.00	\$ 95.00	\$ 49,400.00	
30	DI Storm Sewer Pipe, 12 In. Diam. (Incl. Bedding) (7-04.5)	110	LF	\$ 150.00	\$ 16,500.00	\$ 132.00	\$ 14,520.00	\$ 193.00	\$ 21,230.00	\$ 250.00	\$ 27,500.00	\$ 173.50	\$ 19,085.00	\$ 143.29	\$ 15,761.90	\$ 149.00	\$ 16,390.00	\$ 160.00	\$ 17,600.00	
31	CPEP Storm Sewer Pipe, 24 In. Diam. (Incl. Bedding) (7-04.5)	15	LF	\$ 300.00	\$ 4,500.00	\$ 210.00	\$ 3,150.00	\$ 215.00	\$ 3,225.00	\$ 400.00	\$ 6,000.00	\$ 253.00	\$ 3,795.00	\$ 229.25	\$ 3,438.75	\$ 262.20	\$ 3,933.00	\$ 200.00	\$ 3,000.00	
32	Catch Basin, Type 1 (7-05.5)	7	EA	\$ 2,200.00	\$ 15,400.00	\$ 2,250.00	\$ 15,750.00	\$ 2,500.00	\$ 17,500.00	\$ 2,800.00	\$ 19,600.00	\$ 1,790.00	\$ 12,530.00	\$ 2,491.87	\$ 17,443.09	\$ 1,925.00	\$ 13,475.00	\$ 1,800.00	\$ 12,600.00	
33	Concrete Inlet (7-05.5)	3	EA	\$ 1,900.00	\$ 5,700.00	\$ 2,150.00	\$ 6,450.00	\$ 2,550.00	\$ 7,650.00	\$ 2,600.00	\$ 7,800.00	\$ 1,790.00	\$ 5,370.00	\$ 1,942.92	\$ 5,828.76	\$ 1,785.00	\$ 5,355.00	\$ 1,800.00	\$ 5,400.00	
34	Catch Basin, Type 1 w/Beehive Grate (7-05.5)	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,200.00	\$ 2,200.00	\$ 2,550.00	\$ 2,550.00	\$ 4,000.00	\$ 4,000.00	\$ 1,790.00	\$ 1,790.00	\$ 2,636.28	\$ 2,636.28	\$ 1,925.				



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Valorie Cross, Engineering

ITEM TYPE: Bid Award

AGENDA SECTION: **Review Bids**

SUBJECT: Contract Award – 67th Ave NE (Grove St to 88th St)

SUGGESTED ACTION: Recommended Motion: I move to authorize the Mayor to award and execute the 67th Ave NE (Grove to 88th St) project contract with Bayshore Construction Company in the amount of \$1,370,949.00 and approve a management reserve of \$137,094.90 for a total allocation of \$1,508,043.90.

SUMMARY:

The 67th Ave NE (Grove St to 88th St) project includes the pavement overlay, pavement repair, updating of ADA facilities, and addition of bike lanes on 67th Ave NE between Grove St and 88th St NE. The project is funded in part by federal funds administered through WSDOT. The project was advertised and bids opened on July 2, 2025. The City received 4 bids as shown on the attached certified bid tab. Bayshore Construction Company was the low bidder at \$1,370,949.00. The engineer's estimate is \$1,511,697.55. Bayshore Construction Company bid was determined to be responsive. Staff recommends that Council award the contract to Bayshore Construction Company in the amount of \$1,370,949 and approve a ten percent (10%) management reserve of \$137,094.90, for a total allocation of \$1,508,043.90.

The financial breakdown of the project construction costs is shown below:

Contract Bid:	\$ 1,370,949.00
<u>Management Reserve (10%)</u>	<u>\$ 137,094.90</u>
Total:	\$ 1,508,043.90

WSDOT Grant	\$ 805,714.00
Total Construction Cost to City:	\$ 702,329.90

ATTACHMENTS:

[R2402 67th Ave NE \(Grove St to 88th St\)_Bayshore Construction Contract.pdf](#)
[Bid Tabulation_67th Ave NE \(Grove St to 88th St NE\)_Certified.pdf](#)

PUBLIC WORKS CONTRACT

THIS PUBLIC WORKS CONTRACT (the “Contract”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (the “City”) and Bayshore Construction Company (Contractor), a Limited Liability Company, organized under the laws of the State of Washington, located and doing business at 16821 Smokey Point Blvd. #808, Arlington, WA 98223, (the “Contractor”).

WITNESSETH:

Whereas, the City desires to have certain public work performed as hereinafter set forth, requiring specialized skills and other supportive capabilities; and

Whereas, the Contractor represents that it is qualified and possesses sufficient skills and the necessary capabilities to perform the services set forth in this Contract.

NOW, THEREFORE, in consideration of the terms, conditions, and agreements contained herein, the parties hereto agree as follows:

- I. SCOPE OF WORK.** The Contractor agrees to do all work and furnish all labor, tools, materials, equipment, and supplies required to build and construct and to build and construct in a workmanlike manner the work, improvements, and appurtenances in order to accomplish the following project:

67th Ave NE (Grove St to 88th St NE) - R2402

All such work, labor, tools, materials, equipment, and supplies to be procured and furnished in accordance with the following documents (the “Contract Documents”) which are incorporated by reference and are hereby made a part of this Contract:

- A. This Contract;
- B. The Call for Bids, Information for Bidders, and Bidder’s Checklist;
- C. 2025 Washington State Department of Transportation Standard Specifications for Road, Bridge, and Municipal Construction as modified by all amendments thereto as of the date of the Contractor’s bid;
- D. Special Provisions
- E. Plans, Drawings, Project and Technical Specifications;
- F. Addenda (if any)
- G. Contractor's Proposal/Bid
- H. Payment Bond and Performance Bond; and
- I. All provisions required by law whether set forth and reproduced herein or not.

and shall perform any alterations in or additions to the work provided under this Contract and every part thereof.

The Contractor shall provide and bear the expense of all equipment, work, and labor of any sort whatsoever that may be required for the transfer of materials and for constructing and completing the work provided for in this Contract, except as may otherwise be provided in the Contract Documents.

The Contractor shall guarantee said materials and work for a period of one year after completion of this Contract.

- II. TIME FOR COMPLETION & LIQUIDATED DAMAGES.** Physical completion shall be achieved within Forty Five (45) working days of the effective date of the Notice to Proceed. If said work is not completed within the time specified, the Contractor agrees to pay the City liquidated damages as provided in Section 1-08.9 of the Standard Specifications.
- III. COMPENSATION AND METHOD OF PAYMENT.** The lump sum/total itemized amount of the Contract is One Million Three Hundred Seventy Thousand Nine Hundred Fourty Nine Dollars (\$1,370,949) including Washington State Sales Tax. The total Project cost includes all costs associated with the Project work, including, but not limited to labor, materials, overhead, sales and use taxes, profit, subcontractors, consultants, professional services, and administrative, permit, and regulatory costs, unless otherwise agreed in writing. The Project cost is based on the proposal/bid submitted by the Contractor dated July 2nd, 2025. The basis for final payment will be the actual amount of work performed and payments, whether partial or final, will be made according to the Contract Documents.
- IV. ATTORNEY FEES.** Should either the City or the Contractor commence any legal action relating to the provisions of this Contract, or the enforcement thereof, the prevailing party shall be awarded judgment for all costs of litigation including, but not limited to, costs, expert witnesses and reasonable attorney fees.
- V. INDEMNIFICATION.** In addition to any other obligations contained in the Contract Documents,
- A. The Contractor shall defend, indemnify and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorney fees, arising out of or in connection with the performance of this Contract, except for injuries and damages caused by the sole negligence of the City.
 - B. Should a court of competent jurisdiction determine that this Contract is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, and volunteers, the Contractor's liability hereunder shall be only to the extent of the Contractor's negligence.

- C. The Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW, as provided in RCW 4.24.115. The indemnification obligation under this Contract shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under workers compensation acts, disability benefits acts, or other employee benefits acts; provided the Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against the Contractor by the City and does not include, or extend to, any claims by the Contractor's employees directly against Contractor. The obligations of Contractor under this subsection have been mutually negotiated by the parties hereto, and Contractor acknowledges that the City would not enter into this Contract without the waiver thereof of Contractor.

_____ (City initials) _____ (Contractor initials)

- D. The provisions of this section shall survive the expiration or termination of this Contract with respect to any event occurring prior to such expiration or termination.

VI. CONTRACT ADMINISTRATION.

This Contract shall be administered _____ (Contractor Representative) on behalf of the Contractor and by Adam Benton (City Representative) on behalf of the City. Any written notices required by the terms of this Contract shall be served or mailed to the following addresses:

Contractor:
Bayshore Construction Company

16821 Smokey Point Blvd. #808
Arlington, WA 98223

City:
City of Marysville
Public Works – Attn: Adam Benton
501 Delta Ave
Marysville, WA 98270

- VII. PREVAILING WAGES.** The Contractor shall comply with all state and federal laws relating to the employment of labor and wage rates to be paid.

- VIII. DEBARMENT.** By signing this contract, Contractor certifies that it is not presently debarred or proposed for debarment, suspended, or otherwise excluded by any state or federal department or agency from participating in transactions. Contractor agrees to refrain from hiring any subcontractor or employee who is debarred, proposed for debarment, suspended, or otherwise excluded by a state or federal department or agency from participating in transactions. Contractor must immediately notify the City if it or any subcontractor or employee is proposed for debarment or is debarred during the term of this Contract. The City may terminate this Contract if the Contractor, a subcontractor, or employee is debarred, proposed for debarment, suspended, or otherwise excluded by a state or federal department or agency from participating in transactions.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

DATED _____

CITY OF MARYSVILLE

By: _____

Jon Nehring, Mayor

DATED _____

BAYSHORE CONSTRUCTION
COMPANY(CONTRACTOR)

By: _____

_____(Name)

Its: _____(Title)

Attested/Authenticated:

Chari Taber, Deputy City Clerk

Approved as to form:

Jon Walker, City Attorney

Bond No.

The Principal, and _____ (the "Surety"), a corporation organized under the laws of the State of _____ and licensed to do business in the State of Washington as surety and named in the current list of "Surety Companies Acceptable in Federal Bonds" as published in the Federal Register by the Audit Staff Bureau of Accounts, U.S. Treasury Dept., are jointly and severally held and firmly bound to the City in the sum of One Million Three Hundred Seventy Thousand Nine Hundred Forty Nine U.S. Dollars (\$ 1,370,949) Total Contract Amount, subject to the provisions herein.

The Surety for value received agrees that no change, extension of time, alteration, or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way, affect its obligation on this bond, and waives notice of any change, extension of time, alteration, or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to the Surety is not required for such increased obligation.

Principal

Surety

Principal Signature	Date
---------------------	------

Surety Signature	Date
------------------	------

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Name, address, and telephone number of local office/agent of Surety is:

Bond No. _____

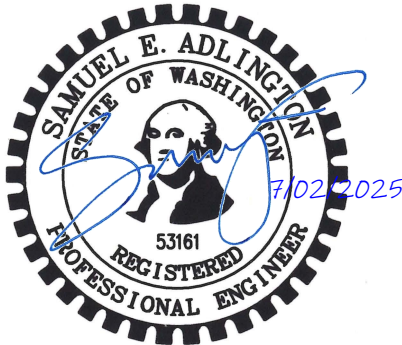
City of Marysville
Certified Bid Tabulation
67th Ave NE (Grove St to 88th St NE)

Bid Opening: July 2nd, 2025 at 1:00 p.m.

				Engineer's Estimate		Bayshore Construction		Reece Construction		SRV Construction		Central Paving	
ITEM NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT	UNIT PRICE	EXTENDED AMOUNT
1	MINOR CHANGES	1	FA	\$25,000.00	\$ 25,000.00	\$25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
2	ROADWAY SURVEYING	1	LS	\$8,237.80	\$ 8,237.80	\$11,000.00	\$ 11,000.00	\$ 15,000.00	\$ 15,000.00	\$ 4,500.00	\$ 4,500.00	\$ 19,000.00	\$ 19,000.00
3	ADA FEATURE SURVEY	1	LS	\$22,000.00	\$ 22,000.00	\$5,500.00	\$ 5,500.00	\$ 10,000.00	\$ 10,000.00	\$ 11,500.00	\$ 11,500.00	\$ 16,000.00	\$ 16,000.00
4	RECORD DRAWINGS (MINIMUM BID \$2,000)	1	LS	\$2,000.00	\$ 2,000.00	\$2,000.00	\$ 2,000.00	\$ 2,500.00	\$ 2,500.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
5	SPCC PLAN	1	LS	\$920.00	\$ 920.00	\$500.00	\$ 500.00	\$ 1,400.00	\$ 1,400.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
6	MOBILIZATION	1	LS	\$111,977.60	\$ 111,977.60	\$100,000.00	\$ 100,000.00	\$ 100,958.50	\$ 100,958.50	\$ 72,000.00	\$ 72,000.00	\$ 135,000.00	\$ 135,000.00
7	OTHER TEMP. TRAFFIC CONTROL DEVICES	1	LS	\$50,422.25	\$ 50,422.25	\$29,100.00	\$ 29,100.00	\$ 5,000.00	\$ 5,000.00	\$ 21,750.00	\$ 21,750.00	\$ 36,000.00	\$ 36,000.00
8	PORTABLE CHANGEABLE MESSAGE SIGN	784	HR	\$8.43	\$ 6,605.20	\$25.00	\$ 19,600.00	\$ 2.50	\$ 1,960.00	\$ 16.00	\$ 12,544.00	\$ 5.20	\$ 4,076.80
9	CONTRACTOR PROVIDED UNIFORMED POLICE OFFICER	180	HR	\$173.75	\$ 31,275.00	\$233.00	\$ 41,940.00	\$ 230.00	\$ 41,400.00	\$ 160.00	\$ 28,800.00	\$ 192.00	\$ 34,560.00
10	TRAFFIC CONTROL LABOR	770	HR	\$83.00	\$ 63,910.00	\$131.00	\$ 100,870.00	\$ 85.00	\$ 65,450.00	\$ 87.75	\$ 67,567.50	\$ 96.00	\$ 73,920.00
11	TRAFFIC CONTROL SUPERVISOR	1	LS	\$25,000.00	\$ 25,000.00	\$70,000.00	\$ 70,000.00	\$ 33,000.00	\$ 33,000.00	\$ 3,500.00	\$ 3,500.00	\$ 35,000.00	\$ 35,000.00
12	SAWCUT	2294	LF	\$5.50	\$ 12,617.00	\$7.00	\$ 16,058.00	\$ 6.00	\$ 13,764.00	\$ 4.00	\$ 9,176.00	\$ 5.70	\$ 13,075.80
13	REMOVAL OF CURB AND GUTTER	1361	LF	\$32.20	\$ 43,824.20	\$5.00	\$ 6,805.00	\$ 28.50	\$ 38,788.50	\$ 9.00	\$ 12,249.00	\$ 6.30	\$ 8,574.30
14	REMOVAL OF SIDEWALK	917	SY	\$45.00	\$ 41,265.00	\$15.00	\$ 13,755.00	\$ 50.00	\$ 45,850.00	\$ 20.50	\$ 18,798.50	\$ 56.50	\$ 51,810.50
15	REMOVAL OF ASPHALT	532	SY	\$30.00	\$ 15,960.00	\$15.00	\$ 7,980.00	\$ 12.00	\$ 6,384.00	\$ 14.50	\$ 7,714.00	\$ 42.00	\$ 22,344.00
16	PAVEMENT REPAIR EXCAVATION INCL. HAUL	1079	SY	\$35.00	\$ 37,765.00	\$40.00	\$ 43,160.00	\$ 23.00	\$ 24,817.00	\$ 19.50	\$ 21,040.50	\$ 36.00	\$ 38,844.00
17	PLANING BITUMINOUS PAVEMENT	20840	SY	\$3.60	\$ 75,024.00	\$2.00	\$ 41,680.00	\$ 4.50	\$ 93,780.00	\$ 4.00	\$ 83,360.00	\$ 3.80	\$ 79,192.00
18	HMA CI. 1/2 IN PG 58H-22	2951	TON	\$127.30	\$ 375,662.30	\$141.00	\$ 416,091.00	\$ 118.00	\$ 348,218.00	\$ 153.00	\$ 451,503.00	\$ 120.00	\$ 354,120.00
19	ADJUST CATCH BASIN	10	EACH	\$1,000.00	\$ 10,000.00	\$500.00	\$ 5,000.00	\$ 1,255.00	\$ 12,550.00	\$ 1,500.00	\$ 15,000.00	\$ 1,200.00	\$ 12,000.00
20	ADJUST MANHOLE	4	EACH	\$1,000.00	\$ 4,000.00	\$700.00	\$ 2,800.00	\$ 1,255.00	\$ 5,020.00	\$ 2,300.00	\$ 9,200.00	\$ 1,200.00	\$ 4,800.00
21	ADJUST WATER VALVE	14	EACH	\$700.00	\$ 9,800.00	\$400.00	\$ 5,600.00	\$ 1,255.00	\$ 17,570.00	\$ 1,500.00	\$ 21,000.00	\$ 940.00	\$ 13,160.00
22	REPLACE CATCH BASIN FRAME AND GRATE	2	EACH	\$769.00	\$ 1,538.00	\$500.00	\$ 1,000.00	\$ 1,600.00	\$ 3,200.00	\$ 1,550.00	\$ 3,100.00	\$ 970.00	\$ 1,940.00
23	REPLACE MANHOLE FRAME AND LID	3	EACH	\$2,050.00	\$ 6,150.00	\$600.00	\$ 1,800.00	\$ 1,600.00	\$ 4,800.00	\$ 1,650.00	\$ 4,950.00	\$ 1,150.00	\$ 3,450.00
24	PROPERTY RESTORATION	1	LS	\$16,324.40	\$ 16,324.40	\$5,000.00	\$ 5,000.00	\$ 7,550.00	\$ 7,550.00	\$ 9,950.00	\$ 9,950.00	\$ 16,000.00	\$ 16,000.00
25	CEMENT CONC. TRAFFIC CURB AND GUTTER	1361	LF	\$70.80	\$ 96,358.80	\$60.00	\$ 81,660.00	\$ 44.00	\$ 59,884.00	\$ 66.00	\$ 89,826.00	\$ 45.00	\$ 61,245.00
26	CEMENT CONC. PEDESTRIAN CURB	750	LF	\$70.70	\$ 53,025.00	\$46.00	\$ 34,500.00	\$ 43.00	\$ 32,250.00	\$ 66.00	\$ 49,500.00	\$ 40.00	\$ 30,000.00
27	RAISED PAVEMENT MARKER TYPE 2	0.2	HUN	\$1,104.00	\$ 220.80	\$3,100.00	\$ 620.00	\$ 3,450.00	\$ 690.00	\$ 3,500.00	\$ 700.00	\$ 3,400.00	\$ 680.00
28	ADJUST MONUMENT CASE AND COVER	11	EACH	\$1,094.00	\$ 12,034.00	\$885.00	\$ 9,735.00	\$ 630.00	\$ 6,930.00	\$ 1,425.00	\$ 15,675.00	\$ 940.00	\$ 10,340.00
29	CEMENT CONC. CURB RAMP - Perpendicular	2	EACH	\$4,000.00	\$ 8,000.00	\$2,100.00	\$ 4,200.00	\$ 4,400.00	\$ 8,800.00	\$ 2,875.00	\$ 5,750.00	\$ 4,600.00	\$ 9,200.00
30	CEMENT CONC. CURB RAMP - Parallel	30	EACH	\$4,000.00	\$ 120,000.00	\$1,900.00	\$ 57,000.00	\$ 4,200.00	\$ 126,000.00	\$ 3,955.00	\$ 118,650.00	\$ 4,500.00	\$ 135,000.00
31	CEMENT CONC. SIDEWALK	207	SY	\$128.60	\$ 26,620.20	\$69.00	\$ 14,283.00	\$ 94.00	\$ 19,458.00	\$ 120.00	\$ 24,840.00	\$ 130.00	\$ 26,910.00
32	PERMANENT SIGNING	1	LS	\$1,200.00	\$ 1,200.00	\$9,000.00	\$ 9,000.00	\$ 6,300.00	\$ 6,300.00	\$ 4,400.00	\$ 4,400.00	\$ 4,300.00	\$ 4,300.00
33	PROFIED PLASTIC LINE	15125	LF	\$5.00	\$ 75,625.00	\$4.00	\$ 60,500.00	\$ 4.30	\$ 65,037.50	\$ 4.50	\$ 68,062.50	\$ 4.50	\$ 68,062.50
34	PROFIED PLASTIC WIDE LINE	7870	LF	\$9.00	\$ 70,830.00	\$9.00	\$ 70,830.00	\$ 8.50	\$ 66,895.00	\$ 9.00	\$ 70,830.00	\$ 8.80	\$ 69,256.00
35	PLASTIC STOP LINE	262	LF	\$17.00	\$ 4,454.00	\$19.00	\$ 4,978.00	\$ 19.00	\$ 4,978.00	\$ 20.00	\$ 5,240.00	\$ 19.00	\$ 4,978.00
36	PLASTIC CROSSWALK	832	LF	\$16.00	\$ 13,312.00	\$17.00	\$ 14,144.00	\$ 15.50	\$ 12,896.00	\$ 16.00	\$ 13,312.00	\$ 15.50	\$ 12,896.00
37	PLASTIC TRAFFIC ARROW	28	EACH	\$290.00	\$ 8,120.00	\$210.00	\$ 5,880.00	\$ 201.00	\$ 5,628.00	\$ 210.00	\$ 5,880.00	\$ 200.00	\$ 5,600.00
38	PLASTIC BIKE SYMBOL	38	EACH	\$200.00	\$ 7,600.00	\$350.00	\$ 13,300.00	\$ 345.00	\$ 13,110.00	\$ 350.00	\$ 13,300.00	\$ 340.00	\$ 12,920.00
39	REMOVE EXISTING CHAN LINE BY GRINDING	754	LF	\$5.00	\$ 3,770.00	\$5.00	\$ 3,770.00	\$ 5.25	\$ 3,958.50	\$ 5.50	\$ 4,147.00	\$ 5.00	\$ 3,770.00
40	PROJECT SIGN	2	EACH	\$1,000.00	\$ 2,000.00	\$300.00	\$ 600.00	\$ 525.00	\$ 1,050.00	\$ 775.00	\$ 1,550.00	\$ 1,500.00	\$ 3,000.00
41	REPLACE TRAFFIC LOOP	6	EACH	\$1,875.00	\$ 11,250.00	\$2,285.00	\$ 13,710.00	\$ 2,925.00	\$ 17,550.00	\$ 2,400.00	\$ 14,400.00	\$ 2,300.00	\$ 13,800.00
TOTAL BASE BID					\$1,511,697.55		\$1,370,949.00		\$1,375,375.00		\$1,422,765.00		\$1,472,324.90
Sales Tax (0%)					\$0.00		\$0.00		\$0.00		\$0.00		\$0.00



We hereby certify that this bid tabulation
represents all bids received and that all calculations
have been checked and are correct.





Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Public Hearing

AGENDA SECTION: **Public Hearings**

SUBJECT: Public Hearing on Interim Ordinance 3350 which Adopted Interim Zoning Regulations to Comply with Engrossed Second Substitute House Bill 5258 Pertaining to Unit Lot Subdivisions and Adopted a New Chapter 22G.095 Unit Lot Subdivisions to the Marysville Municipal Code

SUGGESTED ACTION: There is no action requested. This is a Public Hearing to accept testimony on Interim Ordinance 3350 adopted on June 23, 2025.

SUMMARY: On June 23, 2025, City Council adopted Interim Ordinance 3350 (attached) pertaining to Unit Lot Subdivisions to address the requirements of Washington State Senate Bill (SB) 5258. Pursuant to RCW 36.70A.390, a Public Hearing is required to be held within 60-days of adopting an interim ordinance.

The City Council will conduct a Public Hearing on July 14th and accept public testimony at the hearing; however, no action by City Council is required, and no motion is required. Findings of Fact are incorporated in the Interim Ordinance. Final regulations will be vetted through Planning Commission and presented to City Council in September or October for adoption.

ATTACHMENTS:
[O-3350 - Unit Lot Subdivisions Interim Regulations](#)

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. 3350

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADOPTING AN INTERIM ZONING ORDINANCE TO COMPLY WITH ENGROSSED SECOND SUBSTITUTE HOUSE BILL (E2SHB) 5258 PERTAINING TO UNIT LOT SUBDIVISIONS AND ADOPTING A NEW CHAPTER 22G.095 UNIT LOT SUBDIVISIONS TO THE MARYSVILLE MUNICIPAL CODE (MMC).

WHEREAS, in 2023 the Washington state legislature passed Engrossed Second Substitute House Bill (E2SHB) 5258 (chapter 337, Laws of 2023) related to Unit Lot Subdivisions; and

WHEREAS, in passing E2SHB 5258 (chapter 337, Laws of 2023) the State legislature aimed to increase the supply and affordability of condominium units and townhouses as an option for homeownership; and

WHEREAS, E2SHB 5258 (chapter 337, Laws of 2023) is codified in the Revised Code of Washington (RCW) section 58.17.060; and

WHEREAS, in passing RCW 58.17.060 requires that all cities, towns, and counties shall include in their short plat regulations procedures for unit lot subdivisions allowing division of a parent lot into separate unit lots; and

WHEREAS, RCW 58.17.060 was effective on July 23, 2023; and

WHEREAS, the City was unable to dedicate efforts to incorporate the provisions of RCW 58.17.060 into the MMC prior to 2025 due to needing to focus efforts on the 2024 Comprehensive Plan periodic update; and

WHEREAS, the City Council wishes to ensure broad public participation in the development of Unit Lot Subdivision standards; and

WHEREAS, ensuring broad public participation and drafting amendments to the municipal code require additional time; and

WHEREAS, City staff have prepared interim regulations pertaining to Unit Lot Subdivisions, for which environmental review occurred and for which a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 6, 2025; and

WHEREAS, the State Growth Management Act (RCW 36.70A) requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, pursuant to RCWs 35A.63.220 and 36.70A.390, the Marysville City Council may adopt an interim zoning ordinance that extends for a period of up to six months, if the Council holds a Public Hearing on the interim zoning ordinance within sixty days after adoption and subsequently adopts findings of fact to support the interim zoning ordinance; and

WHEREAS, applicants would be able to submit development applications under the proposed interim zoning ordinance; and

WHEREAS, during this six-month period, the City Council will consider permanent Unit Lot Subdivision regulations; and

WHEREAS, while the interim zoning ordinance is in effect, the City Council will direct City staff to consider all relevant facts, perform all necessary analyses, and work with the Marysville Planning Commission to prepare permanent Unit Lot Subdivision regulations; and

WHEREAS, during this six-month period, an ordinance which includes permanent Unit Lot Subdivision regulations will be drafted and processed according to applicable law, which will include a notice of Public Hearing(s), and consideration/action on the final ordinance by City Council; and

WHEREAS, the City Council considered this interim ordinance during the Council's regular meeting on June 23, 2025;

WHEREAS, the City Council will hold a Public Hearing on July 14, 2025 to accept public testimony and to consider such interim zoning ordinance; and

WHEREAS, the City Council adopts the findings and conclusions outlined in Section 2; and

WHEREAS, the interim zoning ordinance and other official controls are necessary for the public health, safety, and welfare; and

WHEREAS, this is a public emergency ordinance necessary for the protection of public health and public safety, and should be effective upon adoption.

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

Section 1. The purpose of this interim zoning ordinance is to allow the City adequate time to complete the activities described in the recitals, which are incorporated by this reference. These activities will be performed while an interim zoning ordinance establishing interim Unit Lot Subdivision regulations are in effect. The City Council finds that the adoption of an interim zoning ordinance for a six-month period will best serve the public interest. Said interim regulations are set forth in attached **Exhibit A**.

Section 2. The City Council makes the following findings of fact and conclusions in support of the interim zoning ordinance.

- (1) The City Council adopts and incorporates the recitals above as findings.
- (2) The interim zoning regulations set forth in **Exhibit A** will allow for Unit Lot Subdivisions that comply with RCW 58.17.060, while establishing interim standards promotes Unit Lot Subdivisions that align with the community's vision.
- (3) It is in the best interest of City of Marysville to adopt interim Unit Lot Subdivision regulations at this time, pending further study and public engagement on the final development regulations.

(4) The proposed interim zoning regulations will promote the public health, safety, moral, and general welfare, and are consistent with the goals and policies of the Comprehensive Plan.

(5) This ordinance satisfies the procedural and substantive requirements of, and is consistent with, the GMA.

Section 3. The City Clerk is authorized and directed to provide the necessary public notice and schedule a Public Hearing on this interim zoning ordinance to be held during the City Council's regular meeting on July 14, 2025, or within 60 days of the adoption of this Ordinance, as provided in RCW 35A.63.220 and RCW 36.70A.390. After the Public Hearing, the City Council may adopt additional legislative findings in support of this Ordinance and/or otherwise modify the provisions of this Interim Zoning Ordinance.

Section 4. A new Chapter 22G.095, Unit Lot Subdivisions, of the municipal code is adopted as set forth in **Exhibit A**.

Section 5. The amendments to MMC Title 22, consisting of the above-described amendments to MMC Chapter 22G.095, are consistent with the following required findings of MMC 22G.010.520:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of MMC Title 22;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action

Section 6. MMC Section 22A.010.160, entitled "Amendments," is hereby amended as follows by adding reference to this adopted ordinance to track amendments to the City's Unified Development Code (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
<u>3350</u>	Unit Lot Subdivisions Interim Regulations	<u>June 23, 2025"</u>

Section 7. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

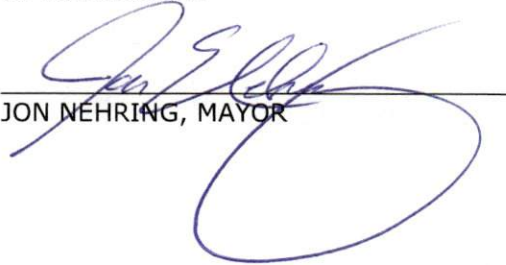
Section 8. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 9. This ordinance is necessary for the protection of public health and public safety, and is effective upon its passage by the City Council and approval by the Mayor.

PASSED by the City Council and APPROVED by the Mayor this 23 day of June, 2025.

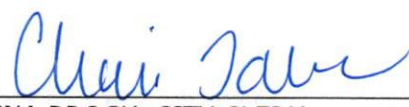
CITY OF MARYSVILLE

By:


JON NEHRING, MAYOR

Attest:

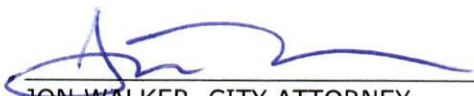
By:


~~TINA BROCK, CITY CLERK~~

Chari Taber, Deputy City Clerk

Approved as to form:

By:


JON WALKER, CITY ATTORNEY

Date of Publication:

June 26, 2025

Effective Date:

June 23, 2025

(Effective immediately upon passage)

Exhibit A

Chapter 22G.095 Unit Lot Subdivisions

22G.095.010 Purpose.

The purpose of this chapter is to provide an alternate process for the subdivision of land into unit lots for the creation of townhouse, cottage housing, Middle Housing, and similar developments. This process allows for fee-simple ownership while applying development standards primarily to a parent lot, rather than to the individual lots resulting from a subdivision.

22G.095.020 Applicability.

- (1) The provisions of this chapter apply exclusively to the subdivision of land for Middle Housing, cottage housing, townhouses, accessory dwelling units, and multiple detached single-family residences, in which no dwelling units are stacked on another dwelling unit or other use. These regulations ensure that development on individual unit lots need not conform to minimum lot area or dimensional standards, provided the overall development of the parent lot meets applicable standards.
- (2) A unit lot subdivision is permitted in all residential zones and in the Mixed Use zone.
- (3) The term "parent lot" is defined in MMC 22A.020.170, and terms "unit lot" and "unit lot subdivision" are defined in MMC 22A.020.220.
- (4) A unit lot subdivision creates a relationship between the parent lot and two or more unit lots created.
- (5) A unit lot subdivision may be used for any development with two or more dwelling units on parent lots of two acres or less that meet the standards of this chapter.
- (6) A unit lot subdivision may be combined with a subdivision or short subdivision so long as the portion of the development utilizing this chapter meets the requirements of this chapter.
- (7) Existing developments which meet or can be brought into conformance with the requirements of this chapter may apply for a unit lot subdivision under the conditions of this chapter.
- (8) Subdivisions with a commercial or other non-residential use must be approved through a binding site plan under Chapter 22G.100 MMC.

22G.095.030 General requirements.

- (1) Unit lots are subject to all applicable requirements of MMC Title 22, Unified Development Code, except as modified by this chapter.
- (2) A maximum number of 20 unit lots may be created through the unit lot subdivision process.
- (3) Development on individual unit lots need not conform to minimum lot area, density, lot frontage, or dimensional requirements; provided, that development on the parent lot must conform to these requirements.
- (4) All buildings shall meet all applicable provisions set forth in Title 9, Fire and Title 16, Building.
- (5) Access for the unit lot subdivision can be provided via a private multi-family drive aisle, alley, or private road. Each access type must conform to the standards set forth in the City's Engineering Design and Development Standards. Multi-family drive aisles shall comply with the following standards:
 - (a) Where buildings are located on both sides of a drive aisle, sidewalks must be provided on each side. Where buildings are located on only one side of a drive aisle, the sidewalk must be located on the side of the drive aisle that the buildings are located on.
 - (b) The drive aisle shall comply with standards set forth in Chapter 22C.130 MMC including the dimensional requirements in MMC 22C.130.050, Table 2; provided that, the width of the drive aisle shall be increased to 26 feet where required by MMC Title 9 *Fire*.
 - (c) The drive aisle shall be constructed with a subgrade and compaction as specified in the City's Engineering Design and Development standards.
- (6) Required parking for a dwelling unit may be provided on a different unit lot than the dwelling unit if the right to use the parking is formalized by an easement recorded with the Snohomish County Auditor.
- (7) Individual water and sewer connections shall be provided for each unit lot except as specifically exempted in Title 14, Water and Sewers.
- (8) A minimum of five (5) feet of separation is required between structures; provided that, this separation may be reduced if:

(a) Adequate fire rating is provided between structures per the International Building Code; and

(b) A 44-inch-wide paved pathway that is free of obstructions is provided between structures to ensure adequate access for emergency services.

(9) Adequate provisions for ingress, egress, emergency services, and utilities must be ensured through recorded easements. Access easements, joint use agreements, and maintenance agreements must be executed for use and maintenance of common areas and recorded with the county.

(10) Portions of the parent lot not subdivided for unit lots shall be identified as tracts and owned in common by the owners of the unit lots.

(11) Common areas and facilities, which may include parking, common open space, and stormwater facilities shall be maintained by a homeowners' association or the owners of the unit lots.

(12) Two hundred (200) square feet of private open space, with a minimum dimension of 15 feet, shall be provided for each unit lot on the respective unit lot it serves. Parking areas shall not count towards required open space.

(13) A unit lot subdivision may be amended subject to the minor revision requirements set forth in MMC 22G.010.260(2).

22G.095.040 Application procedure.

(1) Unit lot subdivisions creating 10 to 20 lots shall be processed as a subdivision under Chapter 22G.090 MMC.

(2) Unit lot subdivisions creating nine or fewer lots shall be processed as a short subdivision under Chapter 22G.090 MMC.

(3) Applications for a unit lot subdivision must fulfill the applicable requirements for a subdivision or short subdivision, and also identify:

(a) Areas and facilities owned in common by the owners of the unit lots, including garages, parking, vehicle access, and open space;

(b) Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common areas; and

(c) Conformance of the parent lot with all applicable development requirements of MMC 22G.090 *Subdivisions and Short Subdivisions*.

22G.095.050 Approval criteria.

Unit lot subdivisions are the approval requirements set forth in Chapter 22G.090 MMC for a subdivision or short subdivision, as applicable, in addition to the following additional criteria:

- (1) The requirements provided in this chapter are satisfied;
- (2) The parent lot is designed to function as one site with respect to, but not limited to, lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance, and parking;
- (3) The conditions of use, maintenance and restrictions on redevelopment of shared open space, parking, access, and other improvements are identified and enforced by covenants, easements or restrictions; and
- (4) Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, and parks and recreation.

22G.095.060 Recording.

The plat recorded with the Snohomish County Auditor for a unit lot subdivision is required to include the following in addition to the requirements in MMC Chapter 22G.090 *Subdivisions and Short Subdivisions*: Article II *Preliminary Subdivision Review*, Article III *Final Subdivision Review*, and Article IV *Short Subdivision Review*:

- (1) A title that includes "Unit lot subdivision."
- (2) Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common areas, including garages, parking, vehicle access, and open space.
- (3) Note all conditions of approval.
- (4) Notes to acknowledge the following:
 - (a) Approval of the unit lot subdivision was based on the review of the development as a whole on the parent lot and unit lots are not buildable lots independent of the overall development;
 - (b) Subsequent platting actions or additions or modifications to structures may not create or increase any nonconformity of the parent lot as a whole, and shall conform to the approved site plan;

(c) If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;

(d) Additional development of the individual unit lots may be limited due to the development standards that the parent lot is subject to;

(e) Individual unit lots are not separate buildable sites and additional development may be limited; and

(f) Subsequent platting actions or modifications may not create or increase nonconformity of the parent lot.

22G.095.070 Conflicts.

Any irreconcilable conflicts between the provisions of this chapter and other sections of the Marysville Municipal Code shall be resolved in favor of the text of this chapter.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Public Hearing

AGENDA SECTION: **Public Hearings**

SUBJECT: Public Hearing on Interim Ordinance 3351 which adopted Interim Zoning Regulations to Comply with Engrossed House Bill 1337 Pertaining to Accessory Dwelling Units and Amended MMC Title 22 Unified Development Code by Repealing MMC Chapter 22C.180 Accessory Structures and Adopting New MMC Chapters 22C.180 Accessory Structures and 22C.185 Accessory Dwelling Units

SUGGESTED ACTION: There is no action requested. This is a public hearing to accept testimony on the interim ordinance adopted on June 23, 2025.

SUMMARY: On June 23, 2025, City Council adopted Interim Ordinance 3351 pertaining to Accessory Dwelling Units to address the requirements of Washington State House Bill (HB) 1337. Pursuant to RCW 36.70A.390, a Public Hearing is required to be held within 60-days of adopting an interim ordinance. Due to City Council's August recess, the Public Hearing for the Interim Ordinance will be held on July 14th to ensure compliance with State law.

The City Council will conduct a Public Hearing on July 14th and accept public testimony at the hearing; however, no action by City Council is required, and no motion is required. Findings of Fact are incorporated in the Interim Ordinance. Final regulations will be vetted through Planning Commission and presented to City Council in September or October for adoption.

ATTACHMENTS:

[O-3351 - Accessory Dwelling Unit Interim Regulations](#)

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. 3351

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADOPTING AN INTERIM ZONING ORDINANCE TO COMPLY WITH ENGROSSED HOUSE BILL (EHB) 1337 PERTAINING TO ACCESSORY DWELLING UNITS AND AMENDING MARYSVILLE MUNICIPAL CODE (MMC) TITLE 22 UNIFIED DEVELOPMENT CODE BY REPEALING MMC CHAPTER 22C.180 ACCESSORY STRUCTURES AND ADOPTING NEW MMC CHAPTERS 22C.180 ACCESSORY STRUCTURES AND 22C.185 ACCESSORY DWELLING UNITS.

WHEREAS, in 2023 the Washington state legislature passed Engrossed House Bill (EHB) 1337 related to Accessory Dwelling Units; and

WHEREAS, in passing EHB 1337 the State legislature aimed to expand housing options by easing barriers to the construction and use of accessory dwelling units; and

WHEREAS, EHB 1337 is codified in the Revised Code of Washington (RCW) sections 36.70A.680, 681, and 696; and

WHEREAS, RCW 36.70A.681(1) requires that all cities and counties comply with the various provisions of the statute which include, but are not limited to: eliminating the owner occupancy requirement for principal residences and accessory dwelling units; allowing at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes; allowing accessory dwelling units to be at least 1,000 square feet in size; requiring less off-street parking; and ensuring that impact fees are not greater than 50 percent of the impact fee that would be imposed on a principal residence; and

WHEREAS, pursuant to RCW 36.70A.680(1)(a), the City of Marysville must adopt Accessory Dwelling Unit regulations six months after its periodic Comprehensive Plan update required under RCW 36.70A.130, which the Washington State Department of Commerce has interpreted to be June 30, 2025; and

WHEREAS, pursuant to RCW 36.70A.680(1)(b), any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under RCW 36.70A.680, the requirements of RCWs 36.70A.680 and 36.70A.681 supersede, preempt, and invalidate any conflicting local development regulations; and

WHEREAS, the City Council desires that the standards that are locally adopted align with the City's visions for community character; and

WHEREAS, the currently the City's Accessory Dwelling Unit and accessory structure standards are in a consolidated chapter of the MMC Chapter 22C.180, Accessory Structures; and

WHEREAS, having both Accessory Dwelling Unit and accessory structures standards in a consolidated chapter has caused confusion for applicants and staff in administering the code; and

WHEREAS, significant reorganization of the code is needed to improve readability and to address the requirements of HB 1337; and

WHEREAS, as it is most efficient to amend the Accessory Dwelling Unit and accessory structure standards concurrently, and will enhance readability to have these subjects in separate chapters, the existing Chapter 22C.180, Accessory Structures, is proposed to be repealed and replaced with two new municipal code chapters: 22C.180, Accessory Structures, and 22C.185, Accessory Dwelling Units; and

WHEREAS, the City Council wishes to ensure broad public participation in the development of Accessory Dwelling Unit and accessory structure standards; and

WHEREAS, ensuring broad public participation and drafting amendments to the municipal code require additional time; and

WHEREAS, City staff have prepared interim regulations pertaining to Accessory Dwelling Units and accessory structures, for which environmental review occurred and for which a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 6, 2025; and

WHEREAS, the State Growth Management Act (RCW 36.70A) requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, pursuant to RCWs 35A.63.220 and 36.70A.390, the Marysville City Council may adopt an interim zoning ordinance that extends for a period of up to six months, if the Council holds a Public Hearing on the interim zoning ordinance within sixty days after adoption and subsequently adopts findings of fact to support the interim zoning ordinance; and

WHEREAS, applicants would be able to submit development applications under the proposed interim zoning ordinance; and

WHEREAS, during this six-month period, the City Council will consider permanent Accessory Dwelling Unit regulations; and

WHEREAS, while the interim zoning ordinance is in effect, the City Council will direct City staff to consider all relevant facts, perform all necessary analyses, and work with the Planning Commission to prepare permanent Accessory Dwelling Unit regulations; and

WHEREAS, during this six-month period, an ordinance which includes permanent Accessory Dwelling Unit and accessory structure regulations will be drafted and processed according to applicable law, which will include a notice of Public Hearing(s), and consideration/action on the final ordinance by City Council; and

WHEREAS, the City Council considered this interim ordinance during the Council's regular meeting on June 23, 2025;

WHEREAS, the City Council will hold a Public Hearing on July 14, 2025 to accept public testimony and to consider such interim zoning ordinance; and

WHEREAS, the City Council adopts the findings and conclusions outlined in Section 2; and

WHEREAS, the interim zoning ordinance is necessary for the public health, safety, and welfare; and

WHEREAS, this is a public emergency ordinance necessary for the protection of public health and public safety, and should be effective upon adoption.

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

Section 1. The purpose of this interim zoning ordinance is to allow the City adequate time to complete the activities described in the recitals, which are incorporated by this reference. These activities will be performed while an interim zoning ordinance establishing interim Accessory Dwelling Unit and accessory structure regulations are in effect. The City Council finds that the adoption of an interim zoning ordinance for a six-month period will best serve the public interest. Said interim regulations are set forth in attached **Exhibits A and B.**

Section 2. The City Council makes the following findings of fact and conclusions in support of the interim zoning ordinance.

- (1) The City Council adopts and incorporates the recitals above as findings.
- (2) The interim zoning regulations set forth in Exhibits A and B will allow for accessory dwelling units that comply with RCW sections 36.70A.680, 681, and 696, while establishing interim standards promote accessory dwelling units that align with the community's vision.
- (3) It is in the best interest of City of Marysville to adopt interim accessory dwelling unit and accessory structure regulations at this time, pending further study and public engagement on the final development regulations.
- (4) The proposed interim zoning regulations will promote the public health, safety, moral, and general welfare, and are consistent with the goals and policies of the Comprehensive Plan.
- (5) This ordinance satisfies the procedural and substantive requirements of, and is consistent with, the GMA.

Section 3. The City Clerk is authorized and directed to provide the necessary public notice and schedule a Public Hearing on this interim zoning ordinance to be held during the City Council's regular meeting on July 14, 2025, or within 60 days of the adoption of this Ordinance, as provided in RCW 35A.63.220 and RCW 36.70A.390. After the Public Hearing, the City Council may adopt additional legislative findings in support of this Ordinance and/or otherwise modify the provisions of this Interim Zoning Ordinance.

Section 4. The existing Chapter 22C.180, *Accessory Structures*, of the municipal code is repealed in its entirety.

Section 5. A new Chapter 22C.180, *Accessory Structures*, of the municipal code is adopted as set forth in **Exhibit A**.

Section 6. A new Chapter 22C.185, *Accessory Dwelling Units*, of the municipal code is adopted as set forth in **Exhibit B**.

Section 7. The amendments to MMC Title 22, consisting of the above-described amendments to MMC Chapters 22C.180 and 22C.185, are consistent with the following required findings of MMC 22G.010.520:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of MMC Title 22;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action

Section 8. MMC Section 22A.010.160, entitled "Amendments," is hereby amended as follows by adding reference to this adopted ordinance to track amendments to the City's Unified Development Code (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
<u>3351</u>	Accessory Dwelling Unit Interim Regulations	<u>June 23, 2025"</u>

Section 9. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

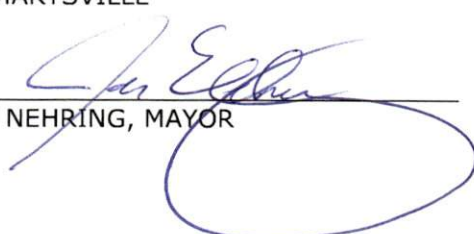
Section 10. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 11. This ordinance is necessary for the protection of public health and public safety, and is effective upon its passage by the City Council and approval by the Mayor.

PASSED by the City Council and APPROVED by the Mayor this 23 day of
JUNE, 2025.

CITY OF MARYSVILLE

By:


JON NEHRING, MAYOR

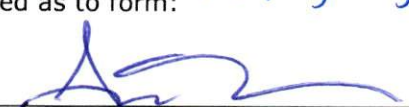
Attest:

By:


~~TINA BROCK, CITY CLERK~~

Chari Taber, Deputy City Clerk
Approved as to form:

By:


JON WALKER, CITY ATTORNEY

Date of Publication:

June 26, 2025

Effective Date:

June 23, 2025

(Effective immediately upon passage)

Exhibit A

Chapter 22C.180 ACCESSORY STRUCTURES

Sections:

22C.180.010 Purpose.

22C.180.020 Access structure standards.

22C.180.010 Purpose.

The purpose of this chapter is to allow for residential accessory structures to be established which are incidental to the primary residential use of a single-family residence or Middle Housing residence, while ensuring compatibility with surrounding residential uses. The accessory structure must be clearly subordinate to the primary use. Accessory structures or uses may not be established until the principal structure is constructed on the property.

22C.180.020 Accessory structure standards.

In the zones in which a residential accessory structure is listed as a permitted use, the community development director or designee shall review all proposals for accessory structures. The following standards and regulations shall apply to all proposed accessory structures.

(1)

Table 1

Front setback	See MMC 22C.010.080 for standard lots and MMC 22G.080.080 for PRD lots.
Side setback	5 feet
Side street setback	10 feet along non-arterials; 15 feet along arterials
Rear yard setback ^{1, 2, 3}	5 feet (one-story structure); 10 feet (when the entrance faces the rear yard or for two-story or greater structure in PRDs); 15 feet (two-story structure or when accessory structure entrance faces an alley with right-of-way less than 10 feet wide) ⁴
Building, and Impervious Coverage	See MMC 22C.010.080 for standard lots or MMC 22G.080.080 for PRD lots
Accessory Structure Footprint ⁵	On lots under one-acre, accessory structures not containing an accessory dwelling unit are further limited to 80 percent of the footprint of the primary residence. ⁶
Height	20 feet (lots under one acre) ⁶ ; or

	30 feet (lots over one acre, or lots under one acre where the accessory structure contains an accessory dwelling unit)
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¹ Accessory structures in Planned Residential Developments are subject to the rear yard setbacks set forth in MMC 22G.080.080.

² No more than 50 percent of the required rear setback area (i.e. back 20 feet of the lot) may be covered with accessory structures.

³ An accessory structure, which is located in the rear setback area, may be attached to the principal structure; provided, that no portion of the principal structure is located within the required yard setbacks for principal structures in the zone.

⁴ The increased alley setback applies to vehicle access points from garages, carports, fenced parking areas or other accessory structure. Exception: in the Downtown Neighborhood, the rear setbacks outlined in the table above may be reduced to two feet from the rear lot line; provided, that the alley right-of-way is a minimum of 20 feet in width. Where the alley right-of-way is less than 20 feet in width, the property owner shall be required to dedicate to the city sufficient property to widen the abutting alley to the full width as measured from the design centerline, to conform to the applicable road standards specified by the city engineer. Upon dedication of the necessary right-of-way, the rear setback may be reduced to two feet from the rear lot line. Where an existing, nonconforming structure located in the Downtown Neighborhood is internally remodeled to include an accessory dwelling unit, but the footprint of the structure is not increased, the structure can be allowed to remain at a zero setback; provided, that the right-of-way is 20 feet in width.

⁵ The community development director is specifically authorized to allow an increase in the size of a detached accessory structure over the requirements outlined in this table; provided, that the accessory structure(s) shall be compatible with the principal structure and/or neighborhood character. To make this determination, the community development director may consider such factors that include, but are not limited to, view obstruction, roof pitch, building materials, screening and landscaping, aesthetic impact on surrounding properties and streetscape, incompatible scale with dwellings on surrounding properties, and impact on neighborhood character. The community development director shall also have the authority to impose greater setback requirements, landscape buffers, or other locational or design requirements to mitigate the impacts of accessory structures which are greater in size than otherwise allowed by this section.

⁶ The community development director may allow minor deviations to the 20-foot height and the 80 percent building footprint limitations applicable to properties under one acre as necessary to accommodate industry standards for building dimensions.

(2) A detached garage, carport or other permitted accessory structure may be in the front or side yard, or on the flanking street side of a corner lot, only if the applicant demonstrates to the satisfaction of the community development director that:

(a) The accessory structure is consistent with the architectural character of the residential neighborhood where it will be located, and the principal structure on the lot; and

(b) The accessory structure shall have a roof pitch similar to the principal structure and have siding and roofing materials similar to or compatible with those used on the principal structure. No metal siding or roofing shall be permitted unless it matches the siding and roofing of the principal structure, or unless it is a building material that is of a residential character such as metal tab roofing or other products consistent with standard residential building materials. Plans for the proposed accessory structure(s) indicating siding and roofing materials shall be submitted with the application.

Exhibit B

Chapter 22C.185 ACCESSORY DWELLING UNITS

Sections:

22C.185.010 Purpose.

22C.185.020 Accessory dwelling unit standards.

22C.185.010 Purpose.

The purpose of this chapter is to allow for accessory dwelling units, to be established which are incidental to the primary residential use of a single-family residence or Middle Housing residence, while ensuring compatibility with surrounding residential uses. The accessory dwelling unit(s) must be clearly subordinate to the primary use. Accessory dwelling units may not be established until the principal residence is constructed on the property.

22C.185.020 Accessory dwelling unit standards.

In the zones in which an accessory dwelling is listed as a permitted use, the community development director or designee shall review all proposals to establish an accessory dwelling unit. The following standards and regulations shall apply to all proposed accessory dwelling units:

- (1) On each lot developed with a single-family residence, accessory dwelling units may be constructed subject to the standards set forth in Table 1 below. An accessory dwelling unit may not be located on a lot on which a temporary dwelling, as defined in Chapter [22C.110](#) MMC, is located.

Table 1

Principal Dwelling Unit(s)	Single family residence	Middle Housing
Number of Accessory Dwelling Units Allowed Per Lot ¹	Two (2)	Two (2) if the lot allows for a density of four (4) dwelling units per lot pursuant to MMC 22C.010.080. Note: The accessory dwelling unit(s) apply to the total allowed unit density for the lot.
Owner Occupancy Requirement for Principal Dwelling or Accessory Dwelling Units	None	
Allowed Accessory Dwelling Unit Configurations	a) One attached unit and one detached unit; b) Two attached units; or	

	c) Two detached units, which may be comprised of either one or two detached structures.
Use as Short Term Rental	Prohibited
Minimum Size per Accessory Dwelling Unit ²	200 SF gross floor area
Maximum Size per Accessory Dwelling Unit ^{2, 3}	1,000 SF gross floor area or 50 percent of the total floor area of the single family residence, whichever is greater; provided that, in no case shall an accessory dwelling unit exceed 1,200 square feet ¹
Maximum Bedrooms per Accessory Dwelling Unit	Two (2)
Front setback	See MMC 22C.010.080 for standard lots and MMC 22G.080.080 for PRD lots.
Side setback	5 feet
Side street setback	10 feet along non-arterials; 15 feet along arterials
Rear yard setback	15 feet; provided that, the rear yard setback may be reduced to 10 feet for one-story structures, or for structures located in a PRD ⁵
On-lot structure separation	A minimum of five (5) feet of separation is required between structures; provided that, this separation may be reduced if: (a) Adequate fire rating is provided between structures per the International Building Code; and (b) A 44-inch-wide paved pathway that is free of obstructions is provided between structures to ensure adequate access for emergency services.
Building, and Impervious Coverage	See MMC 22C.010.080 for standard lots and MMC 22G.080.080 for PRD lots.
Height	30 feet
Parking ⁶	See parking for Middle Housing in MMC 22C.130.030 Table 4.
¹ On any lot that meets the minimum lot size required for the principal dwelling unit.	
² Floor areas shall be exclusive of garages, porches, or unfinished basements.	

³ The community development director is authorized to conditionally allow an attached accessory dwelling unit greater than the maximum size limit within existing structures, when a denial of such an increase would result in an unreasonable division of interior space between the ADU and the primary dwelling unit.

⁴ Existing structures, including but not limited to detached garages, may be converted to accessory dwelling units, even if they do not comply with current code requirements for setbacks or building coverage.

⁵ Detached accessory dwelling units may be built at a lot line, if the lot line abuts a public alley.

⁶ No parking areas other than driveways may be in front yards. When the property abuts an alley, parking areas must be accessed from the alley.

(2) The architectural character of the single-family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single-family dwelling. In no case shall a detached accessory dwelling unit have axles or be on a chassis.

(3) The city may not prohibit the sale or other conveyance of a condominium unit independently of the principal structure solely on the grounds that the condominium unit was originally built as an accessory dwelling unit.

(4) The provisions of this section do not apply to portions of lots designated with critical areas or their buffers as designated in RCW 36.70A.060, or to lots in a watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the Federal Clean Water Act (33 U.S.C. Sec. 1313(d)).

(5) In addition to the conditions that may be imposed by the community development director, all accessory dwelling units shall also be subject to the condition that the use shall be discontinued if:

(a) The accessory dwelling unit is substantially altered and no longer conforms with the plans approved by the community development director and the building official;
or

(b) The subject lot ceases to maintain the required parking spaces outlined in MMC 22C.130.030 Table 4.

If the deficiencies outlined in subsections (a) and (b) are remedied, the community development director may allow the use to be reestablished.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. 3351

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADOPTING AN INTERIM ZONING ORDINANCE TO COMPLY WITH ENGROSSED HOUSE BILL (EHB) 1337 PERTAINING TO ACCESSORY DWELLING UNITS AND AMENDING MARYSVILLE MUNICIPAL CODE (MMC) TITLE 22 UNIFIED DEVELOPMENT CODE BY REPEALING MMC CHAPTER 22C.180 ACCESSORY STRUCTURES AND ADOPTING NEW MMC CHAPTERS 22C.180 ACCESSORY STRUCTURES AND 22C.185 ACCESSORY DWELLING UNITS.

WHEREAS, in 2023 the Washington state legislature passed Engrossed House Bill (EHB) 1337 related to Accessory Dwelling Units; and

WHEREAS, in passing EHB 1337 the State legislature aimed to expand housing options by easing barriers to the construction and use of accessory dwelling units; and

WHEREAS, EHB 1337 is codified in the Revised Code of Washington (RCW) sections 36.70A.680, 681, and 696; and

WHEREAS, RCW 36.70A.681(1) requires that all cities and counties comply with the various provisions of the statute which include, but are not limited to: eliminating the owner occupancy requirement for principal residences and accessory dwelling units; allowing at least two accessory dwelling units on all lots that are located in all zoning districts within an urban growth area that allow for single-family homes; allowing accessory dwelling units to be at least 1,000 square feet in size; requiring less off-street parking; and ensuring that impact fees are not greater than 50 percent of the impact fee that would be imposed on a principal residence; and

WHEREAS, pursuant to RCW 36.70A.680(1)(a), the City of Marysville must adopt Accessory Dwelling Unit regulations six months after its periodic Comprehensive Plan update required under RCW 36.70A.130, which the Washington State Department of Commerce has interpreted to be June 30, 2025; and

WHEREAS, pursuant to RCW 36.70A.680(1)(b), any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under RCW 36.70A.680, the requirements of RCWs 36.70A.680 and 36.70A.681 supersede, preempt, and invalidate any conflicting local development regulations; and

WHEREAS, the City Council desires that the standards that are locally adopted align with the City's visions for community character; and

WHEREAS, the currently the City's Accessory Dwelling Unit and accessory structure standards are in a consolidated chapter of the MMC Chapter 22C.180, Accessory Structures; and

WHEREAS, having both Accessory Dwelling Unit and accessory structures standards in a consolidated chapter has caused confusion for applicants and staff in administering the code; and



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Public Hearing

AGENDA SECTION: **Public Hearings**

SUBJECT: Public Hearing on Interim Ordinance 3352 which Adopted Interim Zoning Regulations and other Interim Official Controls to Comply with Engrossed Second Substitute House Bill 1110 and Engrossed Substitute House Bill 2321 Pertaining to Middle Housing and Amending Impacted Titles of the Marysville Municipal Code

SUGGESTED ACTION: There is no action requested. This is a public hearing to accept testimony on the interim ordinance adopted on June 23, 2025.

SUMMARY: On June 23, 2025, City Council adopted Interim Ordinance 3352 (attached) pertaining to Middle Housing to address the requirements of Washington State House Bill (HB) 1110. Pursuant to RCW 36.70A.390, a Public Hearing is required to be held within 60-days of adopting an interim ordinance. The City Council will conduct a Public Hearing on July 14th and accept public testimony at the hearing; however, no action by City Council is required, and no motion is required. Findings of Fact are incorporated in the Interim Ordinance. Final regulations will be vetted through Planning Commission and presented to City Council in September or October for adoption.

ATTACHMENTS:

[O-3352 - Middle Housing Interim Ordinance](#)

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. 3352

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, ADOPTING AN INTERIM ZONING ORDINANCE AND OTHER INTERIM OFFICIAL CONTROLS TO COMPLY WITH ENGROSSED SECOND SUBSTITUTE HOUSE BILL (E2SHB) 1110 AND ENGROSSED SUBSTITUTE HOUSE BILL (ESHB) 2321 PERTAINING TO MIDDLE HOUSING AND AMENDING IMPACTED TITLES OF THE MARYSVILLE MUNICIPAL CODE (MMC).

WHEREAS, in 2023 the Washington state legislature passed Engrossed Substitute House Bill (E2SHB) 1110 (chapter 332, Laws of 2023) related to Middle Housing; and

WHEREAS, in passing E2SHB 1110 (chapter 332, Laws of 2023) the State legislature found that Washington state is facing an unprecedented housing crisis for its current population and a lack of housing choices, and is not likely to meet affordability goals for future populations; and

WHEREAS, the State legislature further found that in order to meet the goal of 1,000,000 new homes statewide by 2044, and enhanced quality of life and environmental protection, innovative housing policies will need to be adopted and that increasing housing options that are more affordable to various income levels is critical to achieving the state's housing goals, including those established by the legislature in Engrossed Second Substitute House Bill No. 1220 (chapter 254, Laws of 2021); and

WHEREAS, E2SHB 1110 (chapter 332, Laws of 2023) is primarily codified in the Revised Code of Washington (RCW) section 36.70A.635; and

WHEREAS, in 2024 the Washington State legislature passed Engrossed Substitute House Bill (ESHB) 2321 (chapter 152, Laws of 2024), which modified certain middle housing requirements in RCW 36.70A.635, as well as amended definitions in RCW 36.70A.030; and

WHEREAS, the City of Marysville is designated as a 'Tier 2 City' under E2SHB 1110 meaning that the City's 2020 Office of Financial Management population estimate was between 25,000 and 75,000 people; and

WHEREAS, on December 9, 2024, the Marysville City Council passed Ordinance No. 3330 adopting the Comprehensive Plan "the Plan" and incorporating Middle Housing policies into the Housing Element of the Plan as required by House Bill 1220 (chapter 254, Laws of 2021); and

WHEREAS, pursuant to E2SHB 1110, the City of Marysville must adopt Middle Housing regulations six months after its periodic Comprehensive Plan update required under RCW 36.70A.130, which the Washington State Department of Commerce has interpreted to be June 30, 2025; and

WHEREAS, pursuant to RCW 36.70A.636(2)(b), in any City subject to RCW 36.70A.635 that has not passed ordinances, regulations, or other official controls within the time frames provided under RCW 36.70A.635(11), the Department of Commerce's model ordinance supersedes, preempts, and invalidates local development regulations until the City takes all actions necessary to implement RCW 36.70A.635.

WHEREAS, the Department of Commerce's model ordinance contains setbacks, lot coverage, height, and other standards which do not align with the City's vision for community character; and

WHEREAS, the City Council wishes to ensure broad public participation in the development of Middle Housing standards; and

WHEREAS, various amendments are needed to several titles of the Marysville Municipal Code (MMC), including but not limited to Titles 3, 6, 7, 12, 14, and 22, along with portions of the Comprehensive Plan to comply with state law regarding Middle Housing standards; and

WHEREAS, ensuring broad public participation and drafting amendments to the municipal code require additional time beyond the June 30, 2025, deadline imposed by state law; and

WHEREAS, City staff have prepared draft interim regulations pertaining to Middle Housing, for which environmental review occurred and for which a State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS) was issued on June 6, 2025; and

WHEREAS, the State Growth Management Act (RCW 36.70A) requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, pursuant to RCWs 35A.63.220 and 36.70A.390, the Marysville City Council may adopt an interim zoning ordinance or interim official control that extends for a period of up to six months, if the Council holds a Public Hearing on the interim zoning ordinance within sixty days after adoption and subsequently adopts findings of fact to support the interim zoning ordinance; and

WHEREAS, applicants would be able to submit development applications under the proposed interim zoning ordinance and other interim official controls; and

WHEREAS, during this six-month period, the City Council will consider permanent Middle Housing regulations; and

WHEREAS, while the interim zoning ordinance and other interim official controls are in effect, the City Council will direct City staff to consider all relevant facts, perform all necessary analyses, and work with the Marysville Planning Commission to prepare permanent Middle Housing regulations; and

WHEREAS, during this six-month period, an ordinance which includes permanent Middle Housing regulations will be drafted and processed according to applicable law, which will include a notice of Public Hearing(s), and consideration/action on the final ordinance by City Council; and

WHEREAS, the City Council considered this interim ordinance during the Council's regular meeting on June 23, 2025;

WHEREAS, the City Council will hold a Public Hearing on July 14, 2025 to accept public testimony and to consider such interim zoning ordinance and other interim official controls; and

WHEREAS, the City Council adopts the findings and conclusions outlined in Section 2; and

WHEREAS, the interim zoning ordinance and other interim official controls are necessary for the public health, safety, and welfare; and

WHEREAS, this is a public emergency ordinance necessary for the protection of public health and public safety, and should be effective upon adoption.

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

Section 1. The purpose of this interim zoning ordinance and other interim official controls is to allow the City adequate time to complete the activities described in the recitals, which are incorporated by this reference. These activities will be performed while an interim zoning ordinance and other interim official controls establishing interim Middle Housing regulations are in effect. The City Council finds that the adoption of an interim zoning ordinance and other interim official controls for a six-month period will best serve the public interest. Said interim regulations are set forth in attached Exhibits A through NNNNN.

Section 2. The City Council makes the following findings of fact and conclusions in support of the interim zoning ordinance and other interim official controls.

- (1) The City Council adopts and incorporates the recitals above as findings.
- (2) The interim zoning regulations set forth in Exhibits A through NNNNN will allow for Middle Housing that complies with RCW section 36.70A.635 and associated statutes, while establishing interim standards for Middle Housing that better align with the community's vision.
- (3) It is in the best interest of City of Marysville to adopt interim Middle Housing regulations at this time, pending further study and public engagement on the final development regulations.
- (4) The proposed interim zoning regulations will promote the public health, safety, moral, and general welfare, and are consistent with the goals and policies of the Comprehensive Plan.
- (5) This ordinance satisfies the procedural and substantive requirements of, and is consistent with, the GMA.

Section 3. The City Clerk is authorized and directed to provide the necessary public notice and schedule a Public Hearing on this interim zoning ordinance and other official interim controls to be held during the City Council's regular meeting on July 14, 2025, or within 60 days of the adoption of this Ordinance, as provided in RCW 35A.63.220 and RCW 36.70A.390. After the Public Hearing, the City Council may adopt additional legislative findings in support of this Ordinance and/or otherwise modify the provisions of this Interim Zoning Ordinance.

Section 4. Section 5.70.270 of the municipal code is amended as set forth in **Exhibit A.**

Section 5. Section 12.02A.090 of the municipal code is amended as set forth in **Exhibit B.**

Section 6. Section 14.01.050 of the municipal code is amended as set forth in **Exhibit C.**

Section 7. Section 14.01.055 of the municipal code is amended as set forth in **Exhibit D.**

Section 8. Section 14.03.040 of the municipal code is amended as set forth in **Exhibit E.**

Section 9. Section 14.03.090 of the municipal code is amended as set forth in **Exhibit F.**

Section 10. Section 14.07.010 of the municipal code is amended as set forth in **Exhibit G.**

Section 11. Section 14.07.060 of the municipal code is amended as set forth in **Exhibit H.**

Section 12. Section 14.07.070 of the municipal code is amended as set forth in **Exhibit I.**

Section 13. Section 14.15.020 of the municipal code is amended as set forth in **Exhibit J.**

Section 14. Section 14.18.080 of the municipal code is amended as set forth in **Exhibit K.**

Section 15. Section 14.19.030 of the municipal code is amended as set forth in **Exhibit L.**

Section 16. Section 14.19.050 of the municipal code is provided for reference purposes as set forth in **Exhibit M.**

Section 17. Section 14.32.050 of the municipal code is amended as set forth in **Exhibit N.**

Section 18. Section 22A.010.090 of the municipal code is amended as set forth in **Exhibit O.**

Section 19. Section 22A.020.020 of the municipal code is amended as set forth in **Exhibit P.** All other definitions in MMC Section 22A.020.020 are retained.

Section 20. Section 22A.020.020 of the municipal code is amended as set forth in **Exhibit Q**. All other definitions in MMC Section 22A.020.020 are retained.

Section 21. Section 22.020.040 of the municipal code is amended as set forth in **Exhibit R**. All other definitions in MMC Section 22A.020.040 are retained.

Section 22. Section 22A.020.040 of the municipal code is amended as set forth in **Exhibit S**. All other definitions in MMC Section 22A.020.040 are retained.

Section 23. Section 22A.020.050 of the municipal code is amended as set forth in **Exhibit T**. All other definitions in MMC Section 22A.020.050 are retained.

Section 24. Section 22A.020.050 of the municipal code is amended as set forth in **Exhibit U**. All other definitions in MMC Section 22A.020.050 are retained.

Section 25. Section 22A.020.050 of the municipal code is amended as set forth in **Exhibit V**. All other definitions in MMC Section 22A.020.050 are retained.

Section 26. Section 22A.020.050 of the municipal code is amended as set forth in **Exhibit W**. All other definitions in MMC Section 22A.020.050 are retained.

Section 27. Section 22A.020.090 of the municipal code is amended as set forth in **Exhibit X**. All other definitions in MMC Section 22A.020.090 are retained.

Section 28. Section 22A.020.130 of the municipal code is amended as set forth in **Exhibit Y**. All other definitions in MMC Section 22A.020.130 are retained.

Section 29. Section 22A.020.130 of the municipal code is amended as set forth in **Exhibit Z**. All other definitions in MMC Section 22A.020.130 are retained.

Section 30. Section 22A.020.140 of the municipal code is amended as set forth in **Exhibit AA**. All other definitions in MMC Section 22A.020.140 are retained.

Section 31. Section 22A.020.140 of the municipal code is amended as set forth in **Exhibit BB**. All other definitions in MMC Section 22A.020.140 are retained.

Section 32. Section 22A.020.140 of the municipal code is amended as set forth in **Exhibit CC**. All other definitions in MMC Section 22A.020.140 are retained.

Section 33. Section 22A.020.200 of the municipal code is amended as set forth in **Exhibit DD**. All other definitions in MMC Section 22A.020.200 are retained.

Section 34. Section 22A.020.200 of the municipal code is amended as set forth in **Exhibit EE**. All other definitions in MMC Section 22A.020.200 are retained.

Section 35. Section 22A.020.210 of the municipal code is amended as set forth in **Exhibit FF**. All other definitions in MMC Section 22A.020.210 are retained.

Section 36. Section 22A.020.210 of the municipal code is amended as set forth in **Exhibit GG**. All other definitions in MMC Section 22A.020.210 are retained.

Section 37. Section 22A.020.210 of the municipal code is amended as set forth in **Exhibit HH**. All other definitions in MMC Section 22A.020.210 are retained.

Section 38. Section 22A.020.220 of the municipal code is amended as set forth in **Exhibit II**. All other definitions in MMC Section 22A.020.220 are retained.

Section 39. Section 22A.020.220 of the municipal code is amended as set forth in **Exhibit JJ**. All other definitions in MMC Section 22A.020.220 are retained.

Section 40. Section 22A.030.020 of the municipal code is amended as set forth in **Exhibit KK**.

Section 41. Section 22A.030.050 of the municipal code is amended as set forth in **Exhibit LL**.

Section 42. Section 22C.010.030 of the municipal code is amended as set forth in **Exhibit MM**.

Section 43. Section 22C.010.060 of the municipal code is amended as set forth in **Exhibit NN**.

Section 44. Section 22C.010.070 of the municipal code is amended as set forth in **Exhibit OO**.

Section 45. Section 22C.010.075 of the municipal code is amended as set forth in **Exhibit PP**.

Section 46. Section 22C.010.080 of the municipal code is amended as set forth in **Exhibit QQ**.

Section 47. Section 22C.010.090 of the municipal code is amended as set forth in **Exhibit RR**.

Section 48. Section 22C.010.110 of the municipal code is amended as set forth in **Exhibit SS**.

Section 49. Section 22C.010.120 of the municipal code is amended as set forth in **Exhibit TT**.

Section 50. Section 22C.010.130 of the municipal code is amended as set forth in **Exhibit UU**.

Section 51. Section 22C.010.140 of the municipal code is amended as set forth in **Exhibit VV**.

Section 52. Section 22C.010.170 of the municipal code is amended as set forth in **Exhibit WW**.

Section 53. Section 22C.010.190 of the municipal code is amended as set forth in **Exhibit XX**.

Section 54. Section 22C.010.200 of the municipal code is amended as set forth in **Exhibit YY**.

Section 55. Section 22C.010.210 of the municipal code is amended as set forth in **Exhibit ZZ**.

Section 56. Section 22C.010.220 of the municipal code is amended as set forth in **Exhibit AAA**.

Section 57. Section 22C.010.255 of the municipal code is amended as set forth in **Exhibit BBB**.

Section 58. Section 22C.010.260 of the municipal code is amended as set forth in **Exhibit CCC**.

DDD.	<u>Section 59.</u>	Section 22C.010.270 of the municipal code is amended as set forth in Exhibit
EEE.	<u>Section 60.</u>	Section 22C.010.280 of the municipal code is amended as set forth in Exhibit
FFF.	<u>Section 61.</u>	Section 22C.010.300 of the municipal code is amended as set forth in Exhibit
GGG.	<u>Section 62.</u>	Section 22C.010.310 of the municipal code is amended as set forth in Exhibit
HHH.	<u>Section 63.</u>	Section 22C.010.330 of the municipal code is amended as set forth in Exhibit
III.	<u>Section 64.</u>	Section 22C.010.400 of the municipal code is amended as set forth in Exhibit
JJJ.	<u>Section 65.</u>	Section 22C.010.400 of the municipal code is amended as set forth in Exhibit
KKK.	<u>Section 66.</u>	Section 22C.050.010 of the municipal code is amended as set forth in Exhibit
LLL.	<u>Section 67.</u>	Section 22C.050.050 of the municipal code is amended as set forth in Exhibit
MMM.	<u>Section 68.</u>	Section 22C.065.060 of the municipal code is amended as set forth in Exhibit
NNN.	<u>Section 69.</u>	Section 22C.070.040 of the municipal code is amended as set forth in Exhibit
000.	<u>Section 70.</u>	Section 22A.070.100 of the municipal code is amended as set forth in Exhibit
PPP.	<u>Section 71.</u>	Section 22C.070.130 of the municipal code is amended as set forth in Exhibit
QQQ.	<u>Section 72.</u>	Section 22C.080.120 of the municipal code is amended as set forth in Exhibit
RRR.	<u>Section 73.</u>	Section 22C.080.230 of the municipal code is amended as set forth in Exhibit
SSS.	<u>Section 74.</u>	Section 22C.090.020 of the municipal code is amended as set forth in Exhibit
TTT.	<u>Section 75.</u>	Section 22C.090.030 of the municipal code is amended as set forth in Exhibit
UUU.	<u>Section 76.</u>	Section 22C.090.040 of the municipal code is amended as set forth in Exhibit
VVV.	<u>Section 77.</u>	Section 22C.090.050 of the municipal code is amended as set forth in Exhibit
WWW.	<u>Section 78.</u>	Section 22C.090.060 of the municipal code is amended as set forth in Exhibit

XXX.	<u>Section 79.</u>	Section 22C.090.070 of the municipal code is amended as set forth in Exhibit
YYY.	<u>Section 80.</u>	Section 22C.090.090 of the municipal code is amended as set forth in Exhibit
ZZZ.	<u>Section 81.</u>	Section 22C.100.030 of the municipal code is amended as set forth in Exhibit
AAAA.	<u>Section 82.</u>	Section 22C.100.040 of the municipal code is amended as set forth in Exhibit
BBBB.	<u>Section 83.</u>	Section 22C.120.050 of the municipal code is amended as set forth in Exhibit
CCCC.	<u>Section 84.</u>	Section 22C.120.120 of the municipal code is amended as set forth in Exhibit
DDDD.	<u>Section 85.</u>	Section 22C.130.020 of the municipal code is amended as set forth in Exhibit
EEEE	<u>Section 86.</u>	Section 22C.130.030 of the municipal code is amended as set forth in Exhibit
FFFF.	<u>Section 87.</u>	Section 22C.130.050 of the municipal code is amended as set forth in Exhibit
GGGG.	<u>Section 88.</u>	Section 22C.190.020 of the municipal code is amended as set forth in Exhibit
HHHH.	<u>Section 89.</u>	Section 22C.200.030 of the municipal code is amended as set forth in Exhibit
IIII.	<u>Section 90.</u>	Section 22C.220.090 of the municipal code is amended as set forth in Exhibit
JJJJ.	<u>Section 91.</u>	Section 22C.220.100 of the municipal code is amended as set forth in Exhibit
KKKK.	<u>Section 92.</u>	Section 22C.230.030 of the municipal code is amended as set forth in Exhibit
LLLL.	<u>Section 93.</u>	Section 22C.230.040 of the municipal code is amended as set forth in Exhibit
MMMM.	<u>Section 94.</u>	Section 22C.250.060 of the municipal code is amended as set forth in Exhibit
NNNN.	<u>Section 95.</u>	Section 22C.250.070 of the municipal code is amended as set forth in Exhibit
OOOO.	<u>Section 96.</u>	Section 22D.020.030 of the municipal code is amended as set forth in Exhibit
PPPP.	<u>Section 97.</u>	Section 22D.020.050 of the municipal code is amended as set forth in Exhibit

QQQQ. **Section 98.** Section 22D.020.130 of the municipal code is amended as set forth in **Exhibit**

RRRR. **Section 99.** Section 22D.030.040 of the municipal code is amended as set forth in **Exhibit**

SSSS. **Section 100.** Section 22D.030.070 of the municipal code is amended as set forth in **Exhibit**

TTTT. **Section 101.** Section 22D.040.020 of the municipal code is amended as set forth in **Exhibit**

UUUU. **Section 102.** Section 22D.040.060 of the municipal code is amended as set forth in **Exhibit**

VVVV. **Section 103.** Section 22E.010.360 of the municipal code is amended as set forth in **Exhibit**

WWWW. **Section 104.** Section 22E.030.090 of the municipal code is amended as set forth in **Exhibit**

XXXX. **Section 105.** Section 22G.010.160 of the municipal code is amended as set forth in **Exhibit**

YYYY. **Section 106.** Section 22G.010.250 of the municipal code is amended as set forth in **Exhibit**

ZZZZ. **Section 107.** Section 22G.010.260 of the municipal code is amended as set forth in **Exhibit**

AAAAA. **Section 108.** Section 22G.010.270 of the municipal code is amended as set forth in **Exhibit**

BBBBB. **Section 109.** Section 22G.030.020 of the municipal code is amended as set forth in **Exhibit**

CCCCC. **Section 110.** Section 22G.080.010 of the municipal code is amended as set forth in **Exhibit**

DDDDD. **Section 111.** Section 22G.080.040 of the municipal code is amended as set forth in **Exhibit**

EEEE. **Section 112.** Section 22G.080.050 of the municipal code is amended as set forth in **Exhibit**

FFFFF. **Section 113.** Section 22G.080.060 of the municipal code is amended as set forth in **Exhibit**

GGGGG. **Section 114.** Section 22G.080.070 of the municipal code is amended as set forth in **Exhibit**

HHHHH. **Section 115.** Section 22G.080.080 of the municipal code is amended as set forth in **Exhibit**

IIIII. **Section 116.** Section 22G.080.100 of the municipal code is amended as set forth in **Exhibit**

JJJJJ. **Section 117.** Section 22G.090.580 of the municipal code is amended as set forth in **Exhibit**

Section 118. Section 22G.100.040 of the municipal code is amended as set forth in **Exhibit KKKKK.**

Section 119. Section 22G.120.030 of the municipal code is amended as set forth in **Exhibit LLLLL.**

Section 120. The amendments to MMC Title 22, consisting of the above-described amendments to various sections of the MMC as set forth in Exhibits A through NNNNN, are consistent with the following required findings of MMC 22G.010.520:

- (1) The amendments are consistent with the purposes of the comprehensive plan;
- (2) The amendments are consistent with the purpose of MMC Title 22;
- (3) There have been significant changes in the circumstances to warrant a change;
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the action

Section 121. MMC Section 22A.010.160, entitled "Amendments," is hereby amended as follows by adding reference to this adopted ordinance to track amendments to the City's Unified Development Code (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
<u>3352</u>	Middle Housing Interim Regulations	<u>June 23</u> , 2025"

Section 122. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

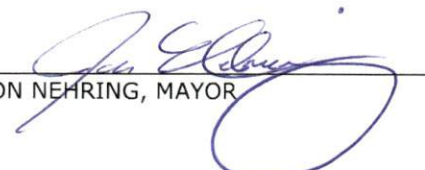
Section 123. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 124. This ordinance is necessary for the protection of public health and public safety, and is effective upon its passage by the City Council and approval by the Mayor.

PASSED by the City Council and APPROVED by the Mayor this 23 day of June, 2025.

CITY OF MARYSVILLE

By:


JON NEHRING, MAYOR

Attest:

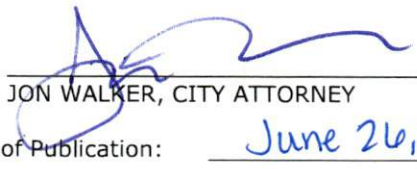
By:


~~TINA BROCK, CITY CLERK~~

Chari Taber, Deputy City Clerk

Approved as to form:

By:


JON WALKER, CITY ATTORNEY

Date of Publication:

June 26, 2025

Effective Date:

June 23, 2025

(Effective immediately upon passage)

Exhibit A

5.70.270 Discounts.

The city encourages franchisee to provide special rate discounts for certain senior subscribers and permanently disabled subscribers as follows:

(1) The eligibility for the special rate considerations set forth in this section shall be limited to those subscribers who qualify as a "senior" or as "permanently disabled" under the city's prevailing standards and procedures and who must also be eligible for utility discounts from the city. The subscriber must also be the owner-occupant of a single-family, Middle Housing, or multiple dwelling unit residence or the legally responsible lessee of a rental residential dwelling or unit.

(2) Franchisee is encouraged to waive the standard installation fee for those dwellings or units within 125 feet of franchisee's cable system for those subscribers who are eligible under subsection (1) of this section.

Exhibit B

12.02A.090 Frontage improvements required.

(1) The term "frontage improvements" as used in this section shall refer to the construction, reconstruction or repair of the following facilities along the full abutting public street frontage of property being developed:

- (a) Curbs, gutters and sidewalks;
- (b) Storm drainage facilities including LID facilities and/or underground facilities;
- (c) Patching the street from its preexisting edge to the new curb line;
- (d) Overlayment of the existing public street to its centerline;
- (e) Construction of new streets within dedicated, unopened right-of-way.

All such frontage improvements shall be constructed to city specifications.

(2) Property owners shall be required to construct frontage improvements along the full abutting public street frontage of property which is developed as provided in subsection (3) of this section; provided, that overlayment of an existing public street to its centerline shall not be required for single-family or Middle Housing duplex-development generating two PM peak hour trips or less for the project.

(3) Frontage improvements shall be constructed as follows:

- (a) Formal plats: frontage improvements shall be completed prior to recording the final plat, or may be bonded pursuant to the provisions of Chapter 22G.090 MMC;
- (b) Short plats: frontage improvements shall be completed prior to recording the final short plat, or may be bonded pursuant to the provisions of Chapter 22G.090 MMC;
- (c) Unit lot subdivisions: frontage improvements shall be completed prior to recording the final unit lot subdivision, or may be bonded pursuant to the provisions of Chapter 22G.090 MMC;
- ~~(e)~~ (d) Construction of a townhouse, multifamily dwelling unit, business, commercial or industrial building: frontage improvements shall be completed prior to occupancy of the building;
- ~~(d)~~ (e) Construction of a single-family residence, or duplex dwelling Middle Housing unit as defined in MMC 22A.020.140, or other residential unit that results in one or more PM peak hour trip(s), or alterations to a single-family residence, Middle Housing unit, or residential property to include additional unit(s) that result in one or more PM peak hour trips: frontage improvements shall be completed prior to occupancy of the structure, provided the following exceptions apply:
 - (i) An existing lot in an existing ~~single-family residential~~ subdivision, short plat, or binding site plan where the lots are fully developed and frontage improvements were constructed to the standard in effect at the time of final plat recording;
 - (ii) An existing lot (greater than one acre) where there are no frontage improvements meeting city standards constructed within 200 feet of the lot or identified through approved plats, and development potential exists for future development. At the discretion

of the public works director or designee, frontage improvements may be reduced or deferred until the entire parcel is developed; or

(iii) Replacement of an existing single-family residence or Middle Housing duplex unit, where there are no frontage improvements constructed within 200 feet of the lot. Frontage improvements may be waived, providing construction of the new dwelling unit is completed within 12 months of the demolition of the existing unit;

~~(e)-(iv)~~ The granting of an exception to construct frontage improvements as outlined in subsection (3)~~(d)(e)(i)-(iii)~~ of this section does not waive the property owner's requirement to dedicate right-of-way as established in MMC 12.02A.110;

~~(f)~~ Construction of any additions, alterations or repairs to a ~~residential building that result in an increase in the number of dwelling units as defined in Chapter 22A.020 MMC, or to a business, commercial or industrial building that result in an increase in pedestrian or vehicular traffic within any 12-month period: frontage improvements shall be completed prior to occupancy. Frontage improvements shall not be required for construction of an accessory dwelling unit; provided, that this exception shall not apply when an existing single family dwelling unit is converted to an accessory dwelling unit, and a new single family dwelling unit is constructed or placed that would otherwise require frontage improvements as outlined in subsection (3)(d)(e) of this section;~~

(g) Development of a project requiring a binding site plan: frontage improvements shall be completed prior to occupancy;

(h) Development of a new mobile/manufactured home park, or an enlargement or an increase in density to an existing mobile/manufactured home park: frontage improvements shall be completed prior to occupancy;

(i) Any change in the occupancy classification of an existing building or structure on the property that results in an increase in pedestrian and/or vehicular traffic within any 12-month period: frontage improvements shall be completed prior to occupancy.

(4) The public works director or designee shall have authority to grant administrative variances from any of the requirements of this section pursuant to MMC 12.02A.120. Such variances shall be conditioned upon the property owner signing a contract providing for the construction of the frontage improvements at a future time. Said contract shall include, but not be limited to, the making of a cash deposit with the city in an amount equal to the estimate of the city engineer of the cost of said improvements, including design cost, plus an administrative overhead fee of 15 percent. No other form of payment or security shall be authorized. In the event the frontage improvements are not constructed by the property owner within five years of the grant of a variance, the cash deposit shall be forfeited to the city. If said frontage improvements are constructed by the property owner at the request of the city within five years of the grant of a variance, said cash deposit shall be refunded to the property owner less the 15 percent overhead fee. Said contract shall be subject to the approval of the city attorney and shall contain such other provisions as are necessary to effectuate the future construction of such frontage improvements. The refusal of a property owner to enter into such agreement or to post a cash amount as specified herein shall be a basis to deny a variance request and shall require the construction of such frontage improvements in accordance with subsections (1) through (4) of this section.

The council authorizes the mayor to review, execute and sign contracts for deferred construction of curbs, gutters and sidewalks pursuant to this chapter.

Any party aggrieved by a decision of the public works director or designee may appeal the decision pursuant to MMC 12.02A.120(4).

Exhibit C

14.01.050 Sewer connection required.

(1) The owner of any property within the city limits which is not connected to city sewer service shall be required to extend the sewer utility line which is within 200 feet of the structure to be served, as measured along the usual or most feasible route of access, and to connect to the same for all occupied structures on the property under any of the following circumstances:

- (a) Upon construction of a building or structure which is designed for occupancy; or
- (b) Upon construction of any additions, alterations or repairs within any 12-month period which exceed 50 percent of the value of an existing building or structure which is designed for occupancy; or
- (c) Upon any change in the occupancy classification of an existing building or structure on the property; or
- (d) Upon the failure of the on-site sewage disposal system on the property; or
- (e) As a condition of approval for any new land division, including but not limited to subdivision, short subdivision, ~~and~~ binding site plan, and unit lot subdivision. In the case of new land divisions, the 200-foot threshold shall apply. Beyond the 200-foot threshold, the owner shall be required to extend the sewer utility line to all occupied structures regardless of distance unless one of the following exceptions applies:
 - (i) The proposed subdivision is within an unsewered urban enclave which is defined as an area within an urban growth area in which, in the opinion of the director, connection to public sewer is not economically or technically feasible due to manmade or natural barriers although public sewer may have been extended near such area, and for which the city has certified that it cannot reasonably provide sewer service because of such barriers.
 - (ii) The land division application proposes creation of no more than two lots and in addition meets each of the following conditions:
 - (A) The design for the land division includes specific provisions for future accommodation of public sewers in a manner which will allow for future development at appropriate urban densities. The director may require dry sewers and side sewer stub outs;
 - (B) The land division is configured in a manner which, in the opinion of the director, provides reasonable assurance that subsequent redevelopment will be at minimum or greater than minimum urban densities as outlined in the city's comprehensive plan when sewer becomes available;
 - (C) One of the proposed new lots is no larger than the minimum lot size necessary to accommodate an on-site sewage treatment system with the reserve area required by the Snohomish Health District; however, on a case-by-case basis, the director may approve lots larger than the minimum lot size necessary to accommodate an on-site sewage treatment system with the reserve area required by the Snohomish Health District, if in the determination of the director the applicant meets the intent of subsections (1)(e)(ii)(A) and (B) of this section; and

(D) The director includes as a condition of approval a prohibition of further subdivision or short subdivision of the property until public sewer becomes available.

(2) Approval of any land division application utilizing the exception in subsection (1) of this section is contingent upon submittal of a legally binding agreement with the city, which must be recorded with the property records of Snohomish County and in a form acceptable to the director, in which the property owner and successors in interest agree to participate without protest in any sewer local improvement district (LID) or utility local improvement district (ULID), including agreement to pay any connection fees and monthly charges assessed by the city, LID or ULID. Nothing in this section shall be construed to limit the ability of the applicant or any successor in interest to challenge the amount of any assessment.

(3) The owner of any property outside of the city limits, but within the utility service area, which is connected to public water service as required in MMC [14.01.040](#)(1) shall be required to extend the city's sanitary sewer and connect to the same for all occupied structures on the property only if such structures, or any of them, are within 200 feet of the existing sanitary sewer, as measured along the usual and most feasible route of access, and only under the following circumstances:

- (a) Upon construction of a building or structure which is designed for occupancy; or
- (b) Upon construction of any additions, alterations or repairs within any 12-month period which exceed 50 percent of the value of an existing building or structure which is designed for occupancy; or
- (c) Upon any change in the occupancy classification of an existing building or structure on the property; or
- (d) Upon the failure of the on-site sewage disposal system on the property; or
- (e) As a condition of approval for any new land division, including but not limited to subdivision, short subdivision, ~~and~~ binding site plan, ~~and~~ unit lot subdivision. In the case of new land divisions, the 200-foot threshold shall apply. Beyond the 200-foot threshold, the owner shall be required to extend the sewer utility line to all occupied structures regardless of distance unless one of the following exceptions applies:
 - (i) The proposed subdivision is within an unsewered urban enclave which is defined as an area within an urban growth area in which, in the opinion of the director, connection to public sewer is not economically or technically feasible due to manmade or natural barriers although public sewer may have been extended near such area, and for which the city has certified that it cannot reasonably provide sewer service because of such barriers.
 - (ii) The land division application proposes creation of no more than two lots and in addition meets each of the following conditions:
 - (A) The design for the land division includes specific provisions for future accommodation of public sewers in a manner which will allow for future development at appropriate urban densities. The director may require dry sewers and side sewer stub outs;
 - (B) The land division is configured in a manner which, in the opinion of the director, provides reasonable assurance that subsequent redevelopment will be at minimum or greater than minimum urban densities as outlined in the city's comprehensive plan when sewer becomes available;

(C) One of the proposed new lots is no larger than the minimum lot size necessary to accommodate an on-site sewage treatment system with the reserve area required by the Snohomish Health District; however, on a case-by-case basis, the director may approve lots larger than the minimum lot size necessary to accommodate an on-site sewage treatment system with the reserve area required by the Snohomish Health District, if in the determination of the director the applicant meets the intent of subsections (3)(e)(ii)(A) and (B) of this section; and

(D) The director includes as a condition of approval a prohibition of further subdivision or short subdivision of the property until public sewer becomes available.

(4) Approval of any building permit or land division application utilizing the exception in subsection (3) of this section is contingent upon submittal of a legally binding agreement with the city, which must be recorded with the property records of Snohomish County and in a form acceptable to the director, in which the property owner and successors in interest agree to participate without protest in any sewer local improvement district (LID) or utility local improvement district (ULID), including agreement to pay any connection fees and monthly charges assessed by the city, LID or ULID. Nothing in this section shall be construed to limit the ability of the applicant or any successor in interest to challenge the amount of any assessment.

(5) Approval of any building permit or land division approval utilizing the exception in subsection (3) of this section is contingent upon submittal of a legally binding annexation agreement as established in MMC [14.32.035](#). The annexation agreement must be recorded with the property records of Snohomish County and in a form acceptable to the director, in which the property owner and all successors in interest agree to annexation of the property to the city when proposed.

(6) The city land use hearing examiner shall have the authority to grant variances from subsections (1) and (3) of this section. Applications for such variances shall be filed, in writing with the director, together with a filing fee of \$200.00. The applicant shall be given 10 days' notice of the date on which the hearing examiner shall consider the variance. The hearing examiner is authorized to issue such variances only if it is found that a literal enforcement of this chapter would cause practical difficulties or unnecessary hardships. No such variance shall be authorized unless the examiner finds that all of the following facts and conditions exist:

(a) That there are exceptional or extraordinary circumstances or conditions applying to the subject property or as to the intended use thereof that do not apply generally to other properties in the same vicinity;

(b) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity;

(c) That the authorization of such variance will not be materially detrimental to the public interest, welfare or the environment;

(d) That the granting of such variance will not be inconsistent with the long-range plans of the city utility system, or jeopardize utility availability for properties within city limits;

(e) That the granting of such variances will not conflict with the city's annexation policies as adopted by resolution.

Exhibit D

14.01.055 Water connection required.

(1) The owner of any property within the city limits which is not connected to city water service shall be required to extend the water service, and to connect to the same for all occupied structures on the property under any of the following circumstances:

- (a) Upon construction of a building or structure which is designed for occupancy; or
- (b) Upon construction of any additions, alterations or repairs within any 12-month period which exceed 50 percent of the value of an existing building or structure which is designed for occupancy; or
- (c) Upon any change in the occupancy classification of an existing building or structure on the property; or
- (d) Upon the failure of the on-site sewage disposal system on the property; or
- (e) As a condition of approval for any new land division, including but not limited to subdivision, short subdivision, ~~and~~ binding site plan, and unit lot subdivision.

(2) The extension of water service is required as outlined in subsections (1)(a) through (e) of this section unless one of the following exceptions applies:

- (a) An alteration, expansion, or replacement of an existing structure which does not require the installation of additional plumbing fixtures;
- (b) The structure, consistent with the requirements of the International Building Code (IBC) as adopted by the city, lawfully incorporates no plumbing fixtures;
- (c) The structure is located in an area in which public water connection will not be available within the next six years, according to the city's adopted capital facilities plan.

(3) Approval of any building permit or land division application utilizing one of the exceptions in subsection (1) of this section is contingent upon submittal of a legally binding agreement with the city, which must be recorded with the property records of Snohomish County and in a form acceptable to the director, in which the property owner and successors in interest agree to participate without protest in any water local improvement district (LID) or utility local improvement district (ULID), including agreement to pay any connection fees and monthly charges assessed by the city, LID or ULID. Nothing in this section shall be construed to limit the ability of the applicant or any successor in interest to challenge the amount of any assessment.

(4) The owner of any property outside of the city limits, but within the utility service area, which is not connected to public water service shall be required to extend the public water service and connect to the same for all occupied structures on the property, under any of the following circumstances:

- (a) Upon construction of a building or structure which is designed for occupancy; or
- (b) Upon construction of any additions, alterations or repairs within any 12-month period which exceed 50 percent of the value of an existing building or structure which is designed for occupancy; or

(c) Upon any change in the occupancy classification of an existing building or structure on the property; or

(d) Upon the failure of the on-site sewage disposal system on the property; or

(e) As a condition of approval for any new land division, including but not limited to subdivision, short subdivision, and binding site plan, unless one of the following exceptions applies:

(i) An alteration, expansion, or replacement of an existing structure which does not require the installation of additional plumbing fixtures;

(ii) The structure, consistent with the requirements of the International Building Code (IBC) as adopted by the city, lawfully incorporates no plumbing fixtures;

(iii) The structure is located in an area in which public water connection will not be available within the next six years, according to the city's adopted capital facilities plan.

(5) Approval of any building permit or land division application utilizing one of the exceptions in subsection (3) of this section is contingent upon submittal of a legally binding agreement with the city, which must be recorded with the property records of Snohomish County and in a form acceptable to the director, in which the property owner and successors in interest agree to participate without protest in any water local improvement district (LID) or utility local improvement district (ULID), including agreement to pay any connection fees and monthly charges assessed by the city, LID or ULID. Nothing in this section shall be construed to limit the ability of the applicant or any successor in interest to challenge the amount of any assessment.

(6) Approval of any building permit or land division approval utilizing the exceptions in subsection (3) of this section is contingent upon submittal of a legally binding annexation agreement as established in MMC [14.32.040](#)(2). The annexation agreement must be recorded with the property records of Snohomish County and in a form acceptable to the director, in which the property owner and all successors in interest agree to annexation of the property to the city when proposed.

The city land use hearing examiner shall have the authority to grant variances from subsections (1) and (4) of this section. Applications for such variances shall be filed, in writing with the director, together with a filing fee of \$200.00. The applicant shall be given 10 days' notice of the date on which the hearing examiner shall consider the variance. The hearing examiner is authorized to issue such variances only if it is found that a literal enforcement of this chapter would cause practical difficulties or unnecessary hardships. No such variance shall be authorized unless the examiner finds that all of the following facts and conditions exist:

(a) That there are exceptional or extraordinary circumstances or conditions applying to the subject property or as to the intended use thereof that do not apply generally to other properties in the same vicinity;

(b) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity;

(c) That the authorization of such variance will not be materially detrimental to the public interest, welfare or the environment;

(d) That the granting of such variance will not be inconsistent with the long-range plans of the city utility system, or jeopardize utility availability for properties within city limits;

(e) That the granting of such variances will not conflict with the city's annexation policies as adopted by resolution.

Exhibit E

14.03.040 Water meters.

The consumption and use of all water taken from the city water system shall be metered at each individual connection. Water meters shall meet the specifications of the city and shall be the property of the city utility system. Individual water meters shall be required for each detached single-family residence, accessory dwelling unit, and Middle Housing unit. A master meter may be used for ~~duplexes, townhouses,~~ multiple-family dwellings, condominiums and mobile home parks where there is single ownership or centralized administration. Water meters shall be required for each commercial, industrial and public facility connection. All water meters shall be placed within public right-of-way, or within an easement granted to the city, and shall be directly accessible at all times by city employees.

Exception: separate utility connections shall not be required when a structure with existing plumbing throughout is converted to include additional dwelling unit(s) and it is determined by the Building Official to be impracticable to provide separate utility connections; provided that, if Unit Lot Subdivision is subsequently proposed, separation of utilities and separate utility connections will be required.

Exhibit F

14.03.090 Utility connections to unoccupied properties prohibited and/or forfeited.

(1) The city shall not sell utility connections, accept payment for capital improvement fees or allow the installation of water meters, for any unoccupied property or any property which is the subject of a pending development application until such time as all water and sewer utility infrastructure has been constructed and approved and either final plat approval, final binding site plan approval, final short plat, final unit lot subdivision, final commercial/multifamily site plan approval, conditional use permit approval, or a building permit for previously platted individual lots is or has been issued.

(2) Any property connected to city utilities with a two-inch water meter, or larger, which remains unoccupied for 12 consecutive months, or uses no utility services for 12 consecutive months, shall forfeit its vested right to a utility connection, and at such time as it seeks to reactivate its connection it shall be subject to then-prevailing rules and regulations regarding utility availability for new customers.

Exhibit G

14.07.010 Capital improvement charges.

(1) Capital improvement charges shall be assessed on all new connections to the water, sewer and storm water systems. Capital improvement charges shall also be assessed for a remodel or expansion of an existing building or use. For purposes of this section, an "existing building or use" shall mean all commercial or industrial buildings or uses, churches, schools or similar uses, and all residential buildings or uses where a remodel or expansion increases the number of dwelling units. The capital improvement charge constitutes an equity payment by new and existing customers for a portion of the previously existing capital assets of the system. Capital improvement charges also constitute a contribution to a long-term capital improvement program for the utility system which includes acquisition of new or larger water sources, construction of water storage and transmission facilities, and construction of sewer and storm water trunk lines and treatment facilities. Capital improvement charges shall be paid in full before a new connection or expansion or remodel to an existing building or use shall be approved. All payments shall be deposited in the utility construction fund and shall be made prior to building permit issuance for residential construction and prior to issuance of a certificate of final occupancy for commercial/industrial construction.

(2) The following capital improvement charges are established:

Residential Units

Connection Charges

Type of Connection		City Water	Outside Water	City Sewer	Outside Sewer	Storm Water
Residential*						
Effective Date	1/1/2005	\$3,675	\$4,305	\$3,120	\$3,495	
	1/1/2006	\$4,750	\$5,490	\$4,490	\$4,890	
	1/1/2011					\$95.00
Multifamily Residential**		-				-
Effective Date	8/1/2012 through 8/1/2015	\$3,000	\$5,490	\$3,000	\$4,890	-
Accessory Dwelling Unit**						
Effective Date	11/30/2021	\$1,662.50	<u>\$1,921.50</u>	\$1,571.50	<u>\$1,711.50</u>	

*Residential living units include single family, Middle Housing, townhouses, multi-family residential unit housing and mobile homes for the purpose of water and sewer charges. For the purpose of the storm connection charge, only single-family units will be charged a flat fee; all other land uses will be charged based on the equivalent residential unit (ERU), as described below.

~~**The connection charges for multifamily residential development shall be in effect for a three-year period from August 1, 2012, through August 1, 2015. Thereafter, the connection charges for multifamily residential development shall be the same as the connection charges for residential development.~~

**Connection charges shall apply to attached or detached accessory dwelling units that are a detached structure or expand the existing single-family dwelling or that convert nonresidential space, such as a garage or part of garage into an accessory dwelling unit. Connection charges shall not apply

to interior remodels that do not expand the existing single-family footprint of permitted residential space.

Water, sewer and storm water monthly utility billing charges for a single-family residential unit can also serve a single accessory dwelling unit as defined in MMC [22C.180.030](#). Each single-family residential unit with an accessory dwelling unit shall be charged a minimum of one base charge plus a charge based on the amount of water consumption. Existing Accessory dwelling units with a separate water meter and all accessory dwelling units approved after [insert date of adopting ordinance] shall pay separate monthly water, sewer and storm water utility billing charges unless the exemption in MMC 4.03.040 has been granted.

Commercial/Industrial

Connection Charges

Water

City	
Effective Date	1/1/2005
0 – 2,000 gpm	\$1.64/sf
2,001 – 4,000 gpm	\$2.40/sf
4,001+ gpm	\$3.16/sf

Outside City	
Effective Date	1/1/2005
0 – 2,000 gpm	\$1.99/sf
2,001 – 4,000 gpm	\$2.87/sf
4,001+ gpm	\$3.80/sf

Warehouses

City	
Effective Date	7/15/2016
Warehouses/Storage	\$0.48/sf

Outside	
Effective Date	7/15/2016
Warehouses/Storage	\$0.65/sf

25% rate reduction for automatic sprinkler system.

Sewer

City	
Effective Date	1/1/2005
Retail Sales/Manufacturing/ Churches/Schools/Day Care	\$1.03/sf
Offices/Medical/Dental/Nursing Homes and all other uses not listed	\$1.67/sf
Warehouses/Storage	\$0.49/sf
Restaurants/Taverns	\$2.38/sf

Outside City	
Effective Date	1/1/2005
Retail Sales/Manufacturing/ Churches/Schools/Day Care	\$1.24/sf
Offices/Medical/Dental/Nursing Homes and all other uses not listed	\$2.00/sf
Warehouses/Storage	\$0.65/sf
Restaurants/Taverns	\$2.86/sf

25% rate reduction for schools without kitchens.

Storm Water

Effective Date	1/1/2011
1 ERU*	\$95.00

*An equivalent residential unit (ERU) equals 3,200 square feet of impervious surface area. Nonresidential projects will be charged \$95.00 per ERU. See Chapter [14.19](#) MMC for definitions.

Water Service Installation Fee

Effective Date	11/1/2006
5/8" x 3/4"	\$1,050
3/4" x 3/4"	\$1,075
1"	\$1,200
1-1/2"	\$1,600
2"	Time and materials costs/ minimum of \$1,900

Drop-in Meter Fee

Effective Date	11/1/2006
5/8" x 3/4"	\$500.00
3/4" x 3/4"	\$525.00
1"	\$560.00
1-1/2"	\$750.00
2"	\$850.00
3" and over	Charge time and material/ \$3,500 minimum

When a single-family residential unit requires a meter larger than 5/8" x 3/4" in order to supply a residential sprinkler system, the drop-in meter fee shall be charged at the same rate as a 5/8" x 3/4" meter.

Hotel/Motel Connection Charges

		City Water	Outside Water	City Sewer	Outside Sewer
Effective Date	1/1/2005	\$1,405	\$1,646	\$1,193	\$1,336
	1/1/2006	\$1,816	\$2,099	\$1,717	\$1,870

(3) "Floor space" is defined as the net square footage measured from the interior walls, including interior partitions.

(4) The capital improvement charges for sewer connections shall be reduced by \$50.00 per unit or \$0.045 per square foot when the affected property participated in a utility local improvement for the construction of the sewer main.

(5) Capital improvement charges for sewer connections to commercial and industrial units shall be reduced by 50 percent for any floor space in the premises which is committed to being used as warehouse space for storage purposes only.

(6) If the use of any premises connected to city utilities is converted from a residential occupancy to a commercial or industrial occupancy (as defined in subsection (2) of this section), or from a warehouse use to an active commercial or industrial use, the owner of the premises shall immediately report such conversion to the city and shall pay the extra capital improvement charge which is then required for such an occupancy. Failure to report such a conversion, and pay the extra charge, within 90 days of the new occupancy shall result in the extra charge being doubled as a penalty.

(7) The capital improvement charge for utility connections in recreational vehicle parks shall be calculated as follows:

(a) For each connection to a recreational vehicle pad, the charge shall be 50 percent of the charge provided in subsection (2) of this section relating to residential living units.

(b) For every other connection in a recreational vehicle park, the charge shall be the same as provided in subsection (2) of this section for residential living units.

(8) If a building with a lawful water and/or sewer connection to the city utility system is demolished and replaced with a new building requiring utility connections, the capital improvement charges assessed for the new connections shall be discounted by the amount which would have been paid, under current schedules, for the connections which previously served the demolished building.

Exhibit H

14.07.060 Water rates.

(1) Definitions.

(a) "Water rates," as used herein, shall refer to the charge assessed by the city for all water consumed or used on property connected to the city water system. The rates shall be based upon the quantity of water passing through the water meter during each billing period.

(b) The normal "billing period" shall be a two-month cycle and shall be that period falling between two consecutive meter read dates. Charges for periods of less than two months shall be prorated both as to minimum charge and as to consumption; provided, however, the city may, at its discretion, elect to use a monthly billing period for selected accounts. If a monthly billing period is used, the consumption allowance and rate shall be one-half that set forth in the bimonthly rate schedule.

(c) Billing Increments. Charges for water shall be computed on the nearest 1,000 gallons of consumption.

(d) "City rates" are those which shall be charged to all properties connected to the water system which are located within the city limits of Marysville.

(e) "CWSP rates" are those which shall be charged to all properties connected to the water system which are located outside the city limits of Marysville but are within the coordinated water system planning boundary.

(f) "OCWSP rates" are those which shall be charged to all properties connected to the water system which are located outside the city's coordinated water system planning boundary.

(g) "Multiple residential units" shall be defined as attached dwelling units which share a common water meter, including ~~duplexes~~, townhouses, apartments and condominiums, and ~~shall be defined as including~~ mobile home parks.

(h) "Single-family residential unit" shall refer exclusively to detached single-family dwelling units.

(i) "Middle Housing" shall refer to housing as defined in MMC 22A.020.140.

(2) Bimonthly Minimum Water Rates. Minimum charges for each billing period, and consumption allowances for such minimums, are established as follows:

Effective January 1, 2025:

Meter Size	AWWA Meter Factor	City Rate	Rural Rate	Outside UGA Rate
Tier = factor * base rate				
Multiple Residential Units (Per Unit)	N/A	\$27.33	\$41.01	\$54.67
<u>5/8" (single family, Middle Housing unit, and accessory dwelling unit)</u>	1	\$27.33	\$41.01	\$54.67

Meter Size	AWWA Meter Factor	City Rate	Rural Rate	Outside UGA Rate
Tier = factor * base rate				
3/4"	1.5	\$41.01	\$61.50	\$81.99
1"	2.5	\$68.34	\$102.51	\$136.68
1-1/2"	5	\$136.68	\$205.02	\$273.37
2"	8	\$218.67	\$328.03	\$437.35
3"	16	\$437.35	\$656.04	\$874.72
4"	25	\$683.39	\$1,025.08	\$1,366.76
6"	50	\$1,366.76	\$2,050.13	\$2,733.49
8"	80	\$2,186.79	\$3,280.21	\$4,373.62
10"	115	\$3,143.53	\$4,715.30	\$6,287.06
12"	200	\$5,467.00	\$8,200.50	\$10,934.01

Residential & Multifamily	City Rate	Rural Rate	Outside UGA Rate
Volume Tiers (1,000 gal)			
0 to 6	\$1.47	\$2.21	\$2.94
7 to 20	\$5.15	\$7.72	\$10.30
21 to 30	\$5.88	\$8.81	\$11.78
31 and higher	\$6.62	\$9.93	\$13.24

Commercial	City Rate	Rural Rate	Outside UGA Rate
Volume Tiers (1,000 gal)			
0 to 6	\$1.47	\$2.21	\$2.94
7 and higher	\$3.68	\$5.52	\$7.34

Effective January 1, 2026:

Meter Size	AWWA Meter Factor	City Rate	Rural Rate	Outside UGA Rate
Tier = factor * base rate				
Multiple Residential Units (Per Unit)	N/A	\$28.70	\$43.06	\$57.40
5/8" (single family, Middle Housing, and accessory dwelling unit)	1	\$28.70	\$43.06	\$57.40
3/4"	1.5	\$43.06	\$64.58	\$86.09
1"	2.5	\$71.76	\$107.64	\$143.51
1-1/2"	5	\$143.51	\$215.27	\$287.04
2"	8	\$229.60	\$344.43	\$459.22
3"	16	\$459.22	\$688.84	\$918.46
4"	25	\$717.56	\$1,076.33	\$1,435.10
6"	50	\$1,435.10	\$2,152.64	\$2,870.16
8"	80	\$2,296.13	\$3,444.22	\$4,592.30
10"	115	\$3,300.71	\$4,951.07	\$6,601.41
12"	200	\$5,740.35	\$8,610.53	\$11,480.71

Residential & Multifamily	City Rate	Rural Rate	Outside UGA Rate
Volume Tiers (1,000 gal)			
0 to 6	\$1.54	\$2.32	\$3.09
7 to 20	\$5.41	\$8.11	\$10.82
21 to 30	\$6.17	\$9.25	\$12.37
31 and higher	\$6.95	\$10.43	\$13.90

Commercial	City Rate	Rural Rate	Outside UGA Rate
Volume Tiers (1,000 gal)			
0 to 6	\$1.54	\$2.32	\$3.09
7 and higher	\$3.86	\$5.80	\$7.71

(3) Calculation of Water Bill for Multiple Residential Units. In calculating the water bill for multiple residential units, the total number of dwelling units served by a water connection shall be divided into the water consumption for each billing period, expressed in gallons, to determine the average consumption per dwelling unit. The water rates shall be based upon the average consumption per unit during the billing period multiplied by the total number of units.

(4) Calculation of Water Bill for Mobile Home Parks. The total water bill for mobile home parks shall be calculated by applying the rate schedule to the total number of pads or mobile home sites on the premises which are in a condition ready for occupancy, regardless of whether the same are occupied during the billing period or not; provided, that for the first 24 months after a mobile home park, or a new addition thereto, is opened and connected to city utilities, its water bill shall be calculated by applying the rates only to such pads or mobile home sites as are actually occupied by mobile homes during each billing period; provided, however, for mobile home parks whose utility meter with the city was first activated less than three years preceding June 9, 1997, the effective date of Ordinance 2130, and for which billing on all pads or mobile home sites has occurred for less than two years preceding June 9, 1997, such mobile home parks shall be granted an additional 12 months from June 9, 1997, to pay only for such pads or mobile home sites which are actually occupied during each billing period; provided, further, that all fees, charges and rates paid by such mobile home parks to the city under prior provisions of this subsection and MMC [14.07.070\(4\)](#), as such subsections originally read or as subsequently amended, shall be nonrefundable notwithstanding the provisions of this subsection.

(5) Private Fire Protection Rates. Private fire protection rates for properties inside or outside of the corporate limits of the city shall be as follows:

Effective January 1, 2025:

- (a) Private hydrants, each: \$50.25 per year;
- (b) Wet standpipe systems: \$50.25 per year;
- (c) Dry standpipe systems: None;
- (d) Automatic sprinkler systems:
 - (i) Each owner of an automatic sprinkler system shall be charged a monthly rate based upon the size of the water service line that serves the system. The following are the bimonthly rates:

Size of Line	Bimonthly Charge
2-inch	\$57.37
3-inch	\$70.63
4-inch	\$86.77
6-inch	\$108.83
8-inch	\$142.71
10-inch	\$179.46
12-inch	\$207.29

Effective January 1, 2026:

Size of Line	Bimonthly Charge
2-inch	\$60.24
3-inch	\$74.16
4-inch	\$91.11
6-inch	\$114.27
8-inch	\$149.85

Size of Line	Bimonthly Charge
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10-inch	\$188.43
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12-inch	\$217.65
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(ii) As of January 1, 2010, automatic sprinkler systems without a separate meter and where the line is under two inches, will become part of the minimum water rate as a result of the rate restructuring.

(iii) As of January 1, 2023, residential lots constructed with automatic sprinkler systems shall be charged a bimonthly water rate equal to the rate for a 5/8" meter, regardless of the size of meter installed.

(6) Reduced Utility Charges in Special Cases. Upon application by a utility customer, the chief administrative officer or designee shall have the discretion to make reasonable and equitable reduction in utility accounts, on a case-by-case basis, in the following circumstances:

(a) If a private water line, valve, fixture, or other appurtenance is verified to be leaking as a result of accidental damage or natural deterioration of the same, and not as a result of abuse or willful neglect, the water bill for the subject property during the period of the leak may be reasonably and equitably reduced; provided, that a customer shall be required to pay the base rate plus at least 50 percent of the applicable overage rate for all water which was lost by reason of the leak. The sewer bill for the subject property during the period of the leak may also be reasonably and equitably reduced to an amount not less than the bill charged for the corresponding period the previous year.

(7) Calculation of Water Bill for School Facilities. The city rate for water as set forth in subsection (2) of this section shall apply to all school facilities, whether such facilities are within the city limits or not.

(8) Rate Relief. Low-income senior citizens and low-income disabled persons may be eligible for water and/or sewer rate relief pursuant to Chapter [3.63](#) MMC.

Exhibit I

14.07.070 Sewer rates.

(1) Definitions.

(a) The normal "billing period" shall be a two-month cycle and shall be that period falling between two consecutive water meter read dates. Charges for periods of less than two months shall be prorated; provided, however, the city may, at its discretion, elect to use a monthly billing period for selected accounts. If a monthly billing period is used, the rate shall be one-half that set forth in the bimonthly rate schedule.

(b) "City rates" are those which shall be charged to all properties connected to the sewer system which are located within the city limits of Marysville.

(c) "UGA rates" are those which shall be charged to all properties connected to the sewer system which are located outside of the city limits of Marysville but are within the urban growth area of the city of Marysville or that portion of the city of Arlington urban growth area which Marysville has agreed by interlocal agreement to provide service.

(d) "OUGA rates" are those which shall be charged to all properties connected to the sewer system which are located outside the Marysville city limits and outside the area where "UGA rates" apply.

(e) "Single-family residences" shall refer exclusively to detached single-family dwelling units.

(i) "Middle Housing" shall refer to housing defined in MMC 22A.020.140.

(f) "Multiple residential units" shall be defined as attached dwelling units which share a common water meter, including ~~duplexes, townhouses, apartments, and condominiums~~, and ~~shall be defined as including~~ mobile home parks.

(g) "Commercial/industrial" refers to all nonresidential land uses which are not specifically itemized or defined as being included within other classifications.

(h) "Satellite system rate" refers to that rate charged to the city by Lake Stevens Sewer District for the "overlap" area as described in the interlocal agreement between the parties dated April 22, 1999, plus an administrative overhead cost of 15 percent.

(2) Calculation of Commercial/Industrial Sewer Rates. Commercial/industrial sewer rates shall be based upon the quantity of water consumed or used on the premises during the billing period, as determined by the water meter reading and the strength of the discharge as measured by total suspended solids (TSS) and biochemical oxygen demand (BOD); provided, that a property owner may, at his own expense, arrange the plumbing on commercial premises so as to separate water which will be discharged into the sewer system from water which will not be so discharged, and a separate meter shall be installed to measure the amount of actual sewage discharged. In such a case the sewer rate shall be based only on the actual sewer use. The installation of such plumbing and meters must be inspected and approved by the city utility department.

Where a commercial property is connected to sewer service but not to water service, the city council shall determine the sewer rate to be charged on a case-by-case basis, using an estimated figure for water consumption.

(3) Sewer Rates. Bimonthly sewer rates are established as follows:

Effective January 1, 2025:

Classification	City Rate	Rural Rate	Outside UGA Rate
Single-family residential, <u>Middle Housing, or accessory dwelling unit</u>	\$101.90	\$152.87	\$203.83
Multiple residential units per unit	\$96.90	\$145.34	\$193.82
Hotels/motels per unit	\$71.38	\$107.08	\$142.76
Commercial minimum	\$101.90	\$152.87	\$203.83
Class 1 (31 to 100 mg/l) per 1,000 gallons	\$2.14	\$3.21	\$4.26
Class 2 (101 to 200 mg/l) per 1,000 gallons	\$2.94	\$4.41	\$5.88
Class 3 (201 to 300 mg/l) per 1,000 gallons	\$3.77	\$5.64	\$7.52
Class 4 (301 to 400 mg/l) per 1,000 gallons	\$4.57	\$6.85	\$9.14
Class 5 (401 to 500 mg/l) per 1,000 gallons	\$5.38	\$8.05	\$10.74
Class 6 (501 to 600 mg/l) per 1,000 gallons	\$7.81	\$11.72	\$15.60
Overnight camping	\$0.00	\$0.00	\$0.00
Individual connections per unit	\$71.38	\$107.08	\$142.76
Other connections each	\$96.90	\$145.34	\$193.81
Schools	\$0.00	\$0.00	\$0.00
Minimum	\$101.90	\$0.00	\$0.00
Per 1,000 gallons	\$5.80	\$0.00	\$0.00
Restaurants w/o grease trap surcharge	\$4.89	\$0.00	\$0.00

Effective January 1, 2026:

Classification	City Rate	Rural Rate	Outside UGA Rate
Single-family residential, <u>Middle Housing, and accessory dwelling unit</u>	\$107.00	\$160.51	\$214.02
Multiple residential units per unit	\$101.75	\$152.61	\$203.51
Hotels/motels per unit	\$74.95	\$112.43	\$149.90
Commercial minimum	\$107.00	\$160.51	\$214.02
Class 1 (31 to 100 mg/l) per 1,000 gallons	\$2.25	\$3.37	\$4.47

Classification	City Rate	Rural Rate	Outside UGA Rate
Class 2 (101 to 200 mg/l) per 1,000 gallons	\$3.09	\$4.63	\$6.17
Class 3 (201 to 300 mg/l) per 1,000 gallons	\$3.96	\$5.92	\$7.90
Class 4 (301 to 400 mg/l) per 1,000 gallons	\$4.80	\$7.19	\$9.60
Class 5 (401 to 500 mg/l) per 1,000 gallons	\$5.65	\$8.45	\$11.28
Class 6 (501 to 600 mg/l) per 1,000 gallons	\$8.20	\$12.31	\$16.38
Overnight camping	\$0.00	\$0.00	\$0.00
Individual connections per unit	\$74.95	\$112.43	\$149.90
Other connections each	\$101.75	\$152.61	\$203.50
Schools	\$0.00	\$0.00	\$0.00
Minimum	\$107.00	\$0.00	\$0.00
Per 1,000 gallons	\$6.09	\$0.00	\$0.00
Restaurants w/o grease trap surcharge	\$5.13	\$0.00	\$0.00

(4) Calculation of Sewer Rates for Mobile Home Parks. The total sewer bill for mobile home parks shall be calculated by applying the rate schedule above to the total number of pads or mobile home sites on the premises which are in a condition ready for occupancy, regardless of whether the same are occupied during the billing period; provided, that for the first 24 months after a mobile home park, or a new addition thereto, is opened and connected to city utilities, the sewer bill shall be calculated by applying the rates only to such pads or mobile home sites as are actually occupied by mobile homes during each billing period; provided, however, for mobile home parks whose utility meter with the city was first activated less than three years preceding June 9, 1997, the effective date of Ordinance 2130, and for which billing on all pads or mobile home sites has occurred for less than two years preceding June 9, 1997, such mobile home parks shall be granted an additional 12 months from June 9, 1997, to pay only for such pads or mobile home sites which are actually occupied during each billing period; provided further, that all fees, charges and rates paid by such mobile home parks to the city under prior provisions of this section and MMC [14.07.060](#), as such sections originally read or as subsequently amended, shall be nonrefundable notwithstanding the provisions of this subsection.

(5) Restaurants, for the purpose of sewer rates, shall be classified as Class 3 strength as described in subsection (3) of this section. Restaurants without approved grease traps, including those restaurants where a variance has been granted eliminating the necessity of a grease trap, shall be surcharged, effective January 1, 2022, \$4.47 per 1,000. Effective January 1, 2023, \$4.56 per 1,000. Effective January 1, 2024, \$4.65 per 1,000.

(6) Satellite System Rate. Notwithstanding any other rate established by this section, for that area defined as the satellite system area, the city shall charge the same rate as charged by Lake Stevens Sewer District plus an administrative fee of 15 percent. This rate shall be in effect for such properties until such time as the city's sewer collection system is constructed and sewer flows are diverted from the Lake Stevens Sewer District system to the city's sewer collection system.

(7) Calculation for Sewer Rates for Schools. Schools' sewer rates shall be based upon the quantity of water consumed or used on the premises during the billing period, as determined by the water meter reading; provided, if the water service is supplied to a school by other than the City of Marysville water system, the school district shall notify the City billing department of the total consumption as billed by other such water purveyor. The city rate for sewer as set forth in subsection (3) of this section shall apply to all school facilities, whether such facilities are within the city limits or not and whether public or privately operated.

(8) Rate Relief. Low-income senior citizens and low-income disabled persons may be eligible for water and/or sewer rate relief pursuant to Chapter [3.63](#) MMC.

Exhibit J

14.15.020 Definitions.

For the purpose of this chapter and other provisions in this title related to storm water, certain terms, phrases, words and their derivatives shall be defined and construed as specified in the Stormwater Manual and in this title. Words used in the singular include the plural, and the plural the singular. The words "shall," "will" and "must" are mandatory; the words "should" and "may" are permissive. When any definition in this title conflicts with definitions in the Stormwater Manual or any other ordinance of the city, that which provides more environmental protection shall apply unless specifically provided otherwise in this title.

"Applicant" means any person who has applied for a development permit or approval.

"City planner" also means community development director or his/her designee.

"Department" means the public works or community development department of the city of Marysville, as appropriate for capital or private development projects.

"Developer" means the person(s) applying for permits or approvals, whether an individual(s) or corporation(s) or governmental agency(ies).

"Director of public works" or "director" means the director of the public works department or his/her designee.

"Discharge storm water directly or indirectly to the Marysville small municipal separate storm sewer system (MS4)" means that:

- (a) The drainage system installed is in right-of-way or an area that will become right-of-way after construction and final site approval;
- (b) The drainage system installed will become publicly owned after construction and final site approval;
- (c) The drainage system installed is intended to overflow to a portion of the existing MS4 or public right-of-way; or
- (d) The drainage system installed is intended to outfall into a portion of the existing MS4 or public right-of-way.

"Drainage system" or "storm drainage system" or "storm water system" means the same as the Stormwater Manual definition for "storm water drainage system."

"Engineer" means the city engineer or development services manager, as designated for enforcement of capital or private development activities, of Marysville.

"Existing grade" means the grade prior to grading.

"Finish grade" means the final grade of the site, which conforms to the approved plan.

"Grading" or "grading activity" means any excavating, filling, grubbing or grading or combination thereof.

"Municipal separate storm sewer system (MS4)" means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

- (a) Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States;
- (b) Designed or used for collecting or conveying storm water;
- (c) Which is not a combined sewer;
- (d) Which is not part of a publicly owned treatment works (POTW) as defined in the Code of Federal Regulations at [40 CFR 122.2](#); and
- (e) Which is defined as "large" or "medium" or "small" or otherwise designated by Ecology pursuant to [40 CFR 122.26](#).

"Parcel" means a tract or plot of land of any size, which may or may not be subdivided or improved.

"Planned residential developments" ~~refers to~~ means a residential developments which is are planned and/or developed in several stages but submitted together for approvals, and which typically consist of clusters of structures interspersed with areas of common open spaces (refer to designed and developed in accordance with Chapter 22G.080 MMC).

"Private drainage system" or "private storm water disposal systems" means drainage systems located on private property that may or may not discharge directly as through pipes, channels, etc., or indirectly as sheet flow, subsurface flow, etc., into the city's drainage system.

"Public storm drainage system" means that portion of the drainage system of the city located on public right-of-way, easements or other property owned by the city. Public storm drainage system does not include low impact development BMPs such as bioswales, infiltration ponds, pervious pavement, and other associated low impact development infrastructure located within easements held by the city of Marysville for inspection purposes only.

"Small municipal separate storm sewer system" or "small MS4" means an MS4 that is not defined as "large" or "medium" pursuant to [40 CFR 122.26\(b\)\(4\)](#) and (7) or designated under [40 CFR 122.26\(a\)\(1\)\(v\)](#).

Exhibit K

14.18.080 Payment of drainage assessments.

Drainage basin assessments in the amount specified in this chapter shall be paid by a property owner upon the first of the following events to occur:

- (1) As a condition of final approval of a subdivision;
- (2) As a condition of final approval of a short subdivision;
- (3) As a condition of final approval of a binding site plan for any mobile home park, condominium, planned ~~unit~~ residential development, industrial park or shopping center;
- (4) As a condition of final approval of a unit lot subdivision;
- ~~(4)~~ (5) As a condition of any building, grading, paving or other development approval which impacts drainage runoff.

If, after paying an assessment, a parcel of property is rezoned, replatted or otherwise more intensively developed, the assessment shall be recalculated, giving the owner credit for assessments previously paid.

Exhibit L

14.19.030 Definitions.

The following words, when used herein, shall have the following meanings unless the context clearly indicates otherwise:

(1) "City and county right-of-way" means any strip or parcel of land dedicated to the city or county for public uses including street, mass transit, bicycle and pedestrian uses as well as emergency access, utility, drainage, vegetation management, view corridor or other necessary public uses on a portion of which a street is built.

(2) "Director" means the director the Marysville department of public works or his or her designee.

(3) "Equivalent residential unit (ERU)" shall mean a unit of measurement in the amount of 3,200 square feet of impervious area on a parcel, which is estimated to contribute an amount of runoff to the city's storm water drainage system, which is approximately equal to the runoff created by an average single-family residential unit, and which is used to calculate the surface water utility fee established in this chapter.

(4) "Impervious surface" means a hard surface area that prevents or retards the entry of water into the soil mantle as under natural conditions prior to development and as a result causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, rooftops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials and oiled, macadam or other surfaces which similarly impede the natural infiltration of storm water. Open, uncovered surface water management facilities shall not be considered as impervious surfaces.

(5) "Low impact development" means a surface water management strategy that emphasizes conservation and the use of existing natural site features integrated with distributed small-scale surface water controls to more closely mimic natural hydrologic patterns in residential, commercial and industrial settings.

(6) "~~Nonresidential~~All other property types" means all parcels which are not included within the residential category, including, but not limited to, commercial, multifamily, condominiums and Middle Housing as defined in MMC 22A.020.140~~duplexes~~.

(7) "Parcel" means any area of land within the city of Marysville that is deemed a distinct property as identified by the Snohomish County assessor's office, whether or not the parcel is considered taxable.

(8) "Rainwater harvesting system" means a system for storing, collecting, and reusing rainwater from a rooftop, installed at a commercial-use building, that has been designed and constructed in accordance with the Washington State Building Code Council's Permissive Rainwater Harvesting System Guidelines for Nonresidential Occupancies (2002 or as amended), has a storage volume of at least 10 percent of the mean annual runoff volume generated from the contributing roof area, and for which design and construction has been approved by the director.

(9) "Single family ~~Residential~~" means a single-family residential parcel which has been developed and constructed to contain one dwelling unit and continues to be used solely for ~~each~~ such purpose.

(10) "State highway right-of-way" means the right-of-way of a state limited-access highway inside or outside a city or town.

(11) "Surface water management facility" means any facility, improvement, development, property or interest therein, made, constructed or acquired for the purpose of controlling or protecting life or property from storm, waste, flood or surplus waters, or for the purpose of protecting water quality. Such facilities shall include, but not be limited to, the improvements and authority described in Chapter [35.92](#) RCW.

(12) "Surface water management services" means the services provided by the department of public works to plan, design, establish, acquire, develop, construct, maintain and improve surface water management facilities within city limits for the benefit of the residents.

(13) "Surface water utility rate" means the dollar amount charged per parcel, as set forth in this chapter, based upon the amount of impervious surface coverage for the accommodation of storm and surface water runoff and other surface water management services.

**Exhibit M
(for reference only)**

14.19.050 Surface water utility rates.

Surface water utility rates shall be based on a commonly accepted rate unit for surface water utilities, the equivalent residential unit (ERU). The ERU is used to relate a base rate fee charged to a single-family residential parcel to that which is charged to a nonresidential parcel. The ERU is determined by using the current best available method, which may include analyzing digital photographs, utilizing satellite imagery, performing field checks for verification purposes of a representative sample of single-family residences within the city limits and/or utilizing civil design and construction plans or record drawings. Using this methodology, the director shall determine the amount of impervious area on each nonresidential parcel. The city's standard ERU amount is 3,200 square feet of impervious surface area. The specific ERU calculation for each parcel will be rounded to the nearest one hundredth, will be established for each such parcel as the impervious surface information becomes available for such parcel, and will be calculated in accordance with the following table:

Effective January 1, 2025:

Customer Class	Rate Calculation 1 ERU = 3,200 sq. ft. of impervious surface	2025 Bi-monthly Rate
Single-Family Residential	1 ERU	\$27.70
All Other Property Types	Total Impervious Surface/3,200 = Billable ERUs	\$27.70 per ERU

Effective January 1, 2026:

Customer Class	Rate Calculation 1 ERU = 3,200 sq. ft. of impervious surface	2026 Bi-monthly Rate
Single-Family Residential	1 ERU	\$29.08
All Other Property Types	Total Impervious Surface/3,200 = Billable ERUs	\$29.08 per ERU

Exhibit N

14.32.050 Administrative procedure.

(1) Applications for Utility Connections. Owners of property within the USA but outside the city limits who desire to connect to city utilities may file an application for the same with the city engineer, or his designee, on forms provided by the city. All such applications shall be accompanied by the application fee required in MMC [14.07.005](#) and payment in full of all assessments required by the city code and, where applicable, by a fully executed annexation petition. No letter of utility availability shall be issued until such time as the subject property has been annexed to the city. If annexation does not occur, all application fees and assessments shall be refunded.

The city engineer, or his designee, shall determine whether applications are complete, and may require the submittal of additional documentation, including an environmental/economic impact statement, if necessary. The decision of the city engineer, or his designee, concerning the recommendation to grant or deny utility connection following annexation or to grant or deny a letter of water or sewer availability shall be in writing and shall be mailed to the applicant at the address stated on the application form.

(2) Application Granted – Duration. Following annexation, if the connection is granted, the applicant shall have a period of 12 months to comply with all city utility codes and requirements and complete the utility connections to the property. If the same are not so completed, the applicant's right to a connection shall become void. If an availability letter relates to lots within a proposed formal plat, short plat, ~~or~~ binding site plan, and unit lot subdivision, the applicant shall have a period of two years to comply with all city codes and requirements and complete the utility connections to the property. If the same are not so completed, the applicant's utility application shall become void.

(3) Application Denied – Appeal. Following annexation, if the connection is denied, or the application letter rejected, or if an applicant is aggrieved by conditions imposed by the city engineer, an appeal may be filed within 14 days of the date of the city engineer's decision. Such appeal shall be filed with the city engineer and shall be processed in accordance with the procedures for administrative appeals outlined in MMC [22G.010.530](#). Appeals must be accompanied by the fee required in MMC [14.07.005](#).

(4) Variances. The city land use hearing examiner shall have authority to grant variances from any and all provisions of this chapter, and from the adopted USA plan. Applications for such variances shall be filed, in writing, with the city engineer, together with a filing fee of \$200.00. The applicant shall be given 10 days' notice of the date on which the hearing examiner shall consider the variance. The hearing examiner is authorized to issue such variances only if it is found that a literal enforcement of this chapter would cause practical difficulties or unnecessary hardships. No such variance shall be authorized unless the examiner finds that all of the following facts and conditions exist:

- (a) That there are exceptional or extraordinary circumstances such as a bona fide public health emergency or conditions applying to the subject property or as to the intended use thereof that do not apply generally to other properties in the same vicinity;
- (b) That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity;
- (c) That the authorization of such variance will not be materially detrimental to the public interest, welfare or the environment;
- (d) That the granting of such variance will not be inconsistent with the long-range plans of the city utility system;

(e) That the granting of such variance is consistent with the Growth Management Act, Chapter [36.70A](#) RCW;

(f) For purposes of this chapter the term “bona fide public health emergency” shall mean that service is necessary and that all of the following are present:

(i) The impact on public health potentially impacts the general public rather than solely the property owner making application;

(ii) The hardship is not the result of the applicant’s own action;

(iii) The hardship is not merely financial or pecuniary;

(iv) The city’s NPDES permit will not be affected by the extension (if applicable);

(v) The extension is consistent with the goals of the city’s water and sewer comprehensive plans and all other applicable law, including, but not limited to, the Public Water System Coordination Act (Chapter [70.116](#) RCW), the Growth Management Act, and the State Environmental Policy Act;

(vi) The city has adequate capacity and adequate infrastructure available to provide the required service, or the applicant voluntarily agrees to provide the necessary infrastructure upgrades to allow service consistent with city standards.

In authorizing a variance, the hearing examiner may attach thereto such conditions as deemed necessary to carry out the spirit and purposes of this chapter and to protect the long-range plans of the city utility system and the public interest. Each variance shall be considered on a case-by-case basis and shall not be construed as setting precedent for any subsequent application. A variance shall become void if the utility connection allowed has not been completed in accordance with the time schedule provided in subsection (2) of this section. The decision of the hearing examiner on a variance shall be final, and no similar application for the same property may be filed for a period of six months thereafter. Any party aggrieved by the decision of the hearing examiner on a variance shall have a right to file a petition under the Land Use Petition Act in the Snohomish County superior court; provided, that the application must be filed and served within the timeframes prescribed by Chapter [36.70C](#) RCW.

(5) Extended Time for Connections. In the event that a utility connection approved pursuant to subsection (2) or (4) of this section cannot be completed within the time period specified therein, the applicant may be granted one or more extensions by the city engineer; provided, that an extension must be requested while connection rights are still valid, and shall only be granted for good cause shown and for the minimum period necessary to complete the connection; provided further, that the city engineer may impose a condition on any extension so as to require the applicant to immediately pay all capital improvement charges reasonably projected for the subject property (which payment shall be nonrefundable), and so as to require the applicant to immediately commence paying minimum service charges reasonably projected for the subject property (which payments shall be nonrefundable). Extensions provided for herein are privileges and not rights, and shall be granted or denied in the discretion of the city engineer. The decision of the city engineer shall be final.

Exhibit O

22A.010.090 Administration and review authority.

(1) Roles and Responsibilities.

(a) The regulation of land development is a cooperative activity including many different elected and appointed boards and city staff. The specific responsibilities of these bodies are set forth in subsections (2) through (7) of this section.

(b) An applicant is expected to read and understand the city development code and be prepared to fulfill the obligations placed on the applicant by MMC Title 22.

(2) Community Development Director. The director or designee shall review and act on the following:

(a) Authority. The director is responsible for the administration of MMC Title 22;

(b) Administrative Interpretation. Upon request or as determined necessary, the director shall interpret the meaning or application of the provisions of said titles and issue a written administrative interpretation within 30 days of said request. Requests for interpretation shall be written and shall concisely identify the issue and desired interpretation;

(c) Administrative Approvals. Administrative approvals set forth in MMC ~~22G.010.140~~, 22G.010.150 and 22G.010.160;

~~(d) Short plats;~~

~~(e) Shoreline permits for substantial development;~~

~~(f)~~(d) SEPA (State Environmental Policy Act) determinations;

~~(g) Site plan with commercial, industrial, institutional (e.g., church, school) or multiple family building permit;~~

~~(h) Site plan with administrative conditional use permit;~~

~~(i) Master plan for properties under ownership or contract of applicant(s);~~

~~(j)~~(e) Temporary use permits, unless a public hearing is required as set forth in Chapter 22G.010 MMC, Article V, Code Compliance and Director Review Procedures, in which case this authority shall be exercised by the hearing examiner;

~~(k)~~(f) Conditional use permits, unless a public hearing is required as set forth in Chapter 22G.010 MMC, Article V, Code Compliance and Director Review Procedures, in which case this authority shall be exercised by the hearing examiner;

~~(l)~~(g) The community development director is hereby authorized after the date of the adoption of the ordinance codified in this title to incorporate drawings as necessary for the purpose of illustrating concepts and regulatory standards contained in this title; provided, that the adopted provisions of the code shall control.

(3) City Council. In addition to its legislative responsibility, the city council shall review and act on the following subjects:

- (a) Approval of final plats;
- (b) Approval of the comprehensive plan and comprehensive plan amendments;
- (c) Approval of area-wide rezones, and confirmation by ordinance of site-specific rezones approved by the hearing examiner.

(4) Planning Commission. The planning commission shall review and make recommendations on the following applications and subjects:

- (a) Amendments to the comprehensive plan.
- (b) Amendments to MMC Title 22C, Land Use Standards.
- (c) Amendments to MMC Title 22D, City-Wide Standards.
- (d) Amendments to MMC Title 22E, Environmental Standards.
- (e) Amendments to Chapter 22G.040 MMC, Security for Performance and Maintenance.
- (f) Amendments to Chapter 22G.070 MMC, Siting Process for Essential Public Facilities.
- (g) Amendments to Chapter 22G.080 MMC, Planned Residential Developments.
- (h) Amendments to Chapter 22G.090 MMC, Subdivisions and Short Subdivisions.
- (i) Amendments to Chapter 22G.100 MMC, Binding Site Plan.
- (j) Amendments to Chapter 22G.110 MMC, Boundary Line Adjustments.
- (k) Master plan, initiated by the city or other governmental agency, for a neighborhood or assembly of parcels under private ownership or contract.
- (l) Recommendations to the hearing examiner on master plans initiated by private property owners, which includes outside ownership or contract of the applicants.
- (m) Other actions requested or remanded by the city council.

(5) Hearing Examiner. The hearing examiner shall review and act on the following applications and subjects:

- (a) Applications for preliminary subdivisions;
- (b) Appeals of administrative decisions on preliminary short plats and unit lot subdivisions;
- (c) Site-specific rezones (with final approval by ordinance of the city council);
- (d) Binding site plan approvals subject to public hearing review;

- (e) Conditional use permits subject to public hearing review;
- (f) Nonadministrative variances to MMC Title [22](#);
- (g) Appeals of administrative decisions and interpretations relating to MMC Titles [4](#), [12](#) and [22](#);
- (h) Appeals of SEPA determinations;
- (i) Master plan, initiated by private property owners, including land outside ownership or contract of applicant(s);
- (j) Such other matters as are delegated by ordinance of the city council.

(6) Building Official. The building official shall have the authority to grant, condition or deny the following permits in accordance with the procedures set forth in Chapter [22G.010](#) MMC, Article V, Code Compliance and Director Review Procedures:

- (a) Commercial building permits.
- (b) Residential building permits.
- (c) Clearing and grading permits.

(7) Hearing Examiner. The hearing examiner shall review and act on the following subjects:

- (a) Appeals of decisions of the building official on the interpretation or application of the building or fire code;
- (b) Disapproval of a permit for failure to meet the International Building or Fire Code.

Exhibit P

22A.020.020 "A" definitions.

"Administrative design review" means a development permit process whereby an application is reviewed, approved, or denied by the community development director, or designee, based solely on objective design and development standards without a public pre-decision hearing, unless such review is otherwise required by state or federal law, or the structure is a designated landmark or historic district established under a local preservation ordinance. A city may utilize public meetings, hearings, or voluntary review boards to consider, recommend, or approve requests for variances from locally established design review standards.

Exhibit Q

22A.020.020 “A” definitions.

“All lots zoned predominantly for residential use” means all zoning districts in which residential dwellings are the predominant use. This excludes lands zoned primarily for commercial, industrial, and/or public uses, even if those zones allow for the development of detached single-family residences. This also excludes lands zoned primarily for mixed uses, even if those zones allow for the development of detached single-family residences, if the zones permit by-right multifamily use and a variety of commercial uses, including but not limited to retail, services, eating and drinking establishments, entertainment, recreation, and office uses.

Exhibit R

22A.020.040 "C" definitions.

"Cottage housing developments" means small, single family residential units on a property with a common open space area that is either: (a) owned in common; or (b) has units owned as a condominium units or fee simple units with property owned in common and a minimum of percent of the property as open space. a grouping of small, single family dwelling units, clustered around a common area and developed with a coherent plan for the site in Cottage housing must be developed in accordance with MMC [22C.010.280](#), Cottage housing developments.

Exhibit S

22A.020.040 "C" definitions.

"Courtyard apartments" means attached dwelling units arranged on two or three sides of a yard or court."

Exhibit T

22A.020.050 "D" definitions.

"Development" means any proposed land use, zoning, or rezoning, comprehensive plan amendment, annexation, subdivision, short subdivision, unit lot subdivision, planned residential development, binding site plan, conditional use permit, or any other property development action permitted or regulated by the Marysville Municipal Code.

Exhibit U

22A.020.050 "D" definitions.

"Development regulations" or "regulation" means the controls placed on development or land use activities by the city, including, but not limited to, ordinances relating to zoning, critical areas, shoreline master programs, official controls, planned residential developments, subdivisions, short subdivisions, unit lot subdivisions, and binding site plans together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

Exhibit V

22A.020.050 “D” definitions.

“Development standards” means controls placed by the city on building or site design and development including, but not limited to, parking, landscaping, density, building and impervious coverage, and other dimensional requirements.

Exhibit W

22A.020.050 "D" definitions.

"Duplex" means a building that contains two primary dwelling units. The units must share a common wall with the adjacent unit that extends from foundation to roof, or a common floor/ceiling. For side-by-side duplexes, the common wall between the units must be integral to the architecture of the building, not a nominal attachment such as a small storage area.

Exhibit X

22A.020.090 "H" definitions.

~~"Housing, missing middle" means townhomes, duplexes, cottage housing, and small apartments that are compatible in scale and form to detached single family homes.~~

Exhibit Y

22A.020.130 "L" definitions.

"Lot, parent" means a lot which is subdivided into unit lots through the Unit Lot Subdivision process.

Exhibit Z

22A.020.130 "L" definitions.

"Lot, unit" means a lot created through a parent lot and approved through the Unit Lot Subdivision process.

Exhibit AA

22A.020.140 "M" definitions.

"Major transit stop" means:

- (1) A stop on a high capacity transportation system funded or expanded under the provisions of Chapter [81.104](#) RCW;
- (2) Commuter rail stops;
- (3) Stops on rail or fixed guideway systems~~bus rapid transit routes or routes that run on high occupancy vehicle lanes~~; or
- (4) Stops ~~for a~~ on rapid transit routes, including those stops that are under construction ~~bus or other transit mode providing fixed route service at intervals of at least 15 minutes during the peak hours of operation.~~

Exhibit BB

22A.020.140 "M" definitions.

"Middle housing" means buildings that are compatible in scale, form, and character with single-family houses and contain two to four attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, townhouses, courtyard apartments, and cottage housing on a parent lot. Middle Housing is limited to four (4) units on a parent lot and subject to the following provisions:

- (1) Single family detached is not considered Middle Housing.
- (2) Stacked flats are not an allowed Middle Housing type.
- (3) All duplexes in residential zones are Middle Housing.
- (4) Structures containing three (3) or four (4) dwelling units shall only be considered Middle Housing when the structure is either located within:
 - (a) ¼ mile of a major transit stop, or
 - (b) when one dedicated affordable housing dwelling unit meeting the provisions in MMC 22C.010.400 is provided.

Exhibit CC

22A.020.140 “M” definitions.

“Multifamily dwelling unit” means a building containing three or more dwelling units, or units when above a ground floor commercial use. The term includes triplexes, fourplexes, apartments, condominiums and the like. It does not include Middle Housing, townhouses, boarding houses, motels or hotels.

Exhibit DD

22A.020.200 “S” definitions.

“Single-family zones” means those zones where single-family detached residences are the predominant land use.

Exhibit EE

22A.020.200 "S" definitions.

"Stacked flat" means dwelling units in a residential building of no more than three stories on a residential zoned lot in which each floor may be separately rented or owned.

Exhibit FF

MMC 22A.020.210 “T” definitions.

“Tier 1 city” means a city with a population of at least 75,000 based on 2020 Office of Financial Management population estimates.

Exhibit GG

MMC 22A.020.210 “T” definitions.

“Tier 2 city” means a city with a population of at least 25,000 but less than 75,000 based on 2020 Office of Financial Management population estimates.

Exhibit HH

MMC 22A.020.210 "T" definitions.

"Townhouse" means a single-family dwelling unit constructed in a row of at least three such units in which each unit: has a shared common wall with the adjacent unit that extends from foundation to roof; is separated from any other unit by one or more vertical common fire-resistant walls; has its own front and rear access to the outside; and has no unit located over another unit. Townhouses containing three (3) or four (4) dwelling units shall only be considered Middle Housing when said structure is either located within (a) ¼ mile of a major transit stop, or (b) when one dedicated affordable housing dwelling unit meeting the provisions in MMC 22C.010.400 is provided.

Exhibit II

22A.020.220 “U” definitions.

“Unit density” means the number of dwelling units allowed of a lot, regardless of lot size. This definition applies to Middle Housing.

Exhibit JJ

22A.020.220 "U" definitions.

"Unit Lot Subdivision" means the division of a parent lot into two or more unit lots within a development and approved through the Unit Lot Subdivision process.

Exhibit KK

22A.030.020 Zones and map designations established.

~~In order to~~ To accomplish the purposes of this title, the following zoning designations and zoning map symbols are established:

ZONING DESIGNATIONS	MAP SYMBOL
Residential	R (base density in <u>lots per acre or dwelling units per acre</u>)
Residential mobile home park	R-MHP
Neighborhood business	NB
Community business	CB
General commercial	GC
Downtown commercial	DTC
Mixed use	MU
Light industrial	LI
General industrial	GI
Recreation	REC
Public/institutional zone	P/I
Whiskey ridge	WR (suffix to zone's map symbol)
Small farms overlay	SF (suffix to zone's map symbol)
Adult facilities	AF (suffix to zone's map symbol)
Property-specific development standards	P (suffix to zone's map symbol)

Exhibit LL

22A.030.050 Residential zones.

(1) The purpose of the residential zones (R) is to implement comprehensive plan goals and policies for housing quality, diversity and affordability, and to efficiently use residential land, public services and energy. These purposes are accomplished by:

- (a) Providing, in the R-4.5, R-6.5, ~~and R-8~~, and WR-R-4-8 zones, for a mix of predominantly single detached dwelling units, Middle Housing, townhomes, and other development types, with a variety of densities and sizes in locations appropriate for urban densities;
- (b) Providing, in the R-12, R-18, ~~and R-28~~, and WR-R-6-18 zones, for a mix of predominantly apartment and townhomes ~~dwelling units~~, Middle Housing, and other development types, with a variety of densities and sizes in locations appropriate for urban densities;
- (c) Providing and preserving high density, affordable detached single-family and senior housing in the R-MHP zone. This zone is assigned to existing mobile home parks within residential zones which contain rental pads, as opposed to fee simple owned lots, and as such are more susceptible to future development;
- (d) Allowing only those accessory and complementary nonresidential uses that are compatible with residential communities; and
- (e) Establishing density designations to facilitate advanced area-wide planning for public facilities and services, and to protect environmentally sensitive sites from overdevelopment.

(2) Use of ~~this~~ these zones is appropriate in residential areas designated by the comprehensive plan as follows:

- (a) Urban lands that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services; and
- (b) The corresponding comprehensive plan designations are as follows:

R-4.5	=	Medium density single-family;
R-6.5	=	High density single-family;
R-8	=	High density single-family, small lot;
<u>WR-R-4-8</u>	=	<u>Whiskey Ridge, high density, single-family</u>
R-12	=	Low density multiple-family;
R-18	=	Medium density multiple-family;
R-28	=	High density multiple-family.
<u>WR-R-6-18</u>	=	<u>Whiskey Ridge, Medium Density Multiple Family</u>

Exhibit MM

22C.010.030 Characteristics of residential zones.

(1) Medium Density Single-Family (R-4.5). The R-4.5 zone is a medium-density single-family residential zone. It allows single-family residences, Middle Housing, and townhomes. ~~The base at a density is of 4.5 dwelling units or lots per acre. Duplexes are permitted as a conditional use with a maximum density of six dwelling units per acre.~~ The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted. ~~The R-4.5 zone is applied to areas that are designated medium density single family on the land use plan map of the comprehensive plan.~~

(2) High Density Single-Family (R-6.5). The R-6.5 zone is a high-density single-family residential zone. It allows single-family residences, Middle Housing, and townhomes. ~~The base at a density of 6.5 dwelling units or lots per acre. Duplexes are permitted outright on 7,200 square foot lots with a maximum density of eight dwelling units per acre.~~ The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted. ~~The R-6.5 zone is applied to areas that are designated high density single family on the land use plan map of the comprehensive plan.~~

(3) High Density Single-Family, Small Lot (R-8). The R-8 zone is a high-density single-family, small lot residential zone. It allows single-family residences, Middle Housing, and townhomes. ~~The base at a density of eight dwelling units or lots per acre. Duplexes are permitted outright on 7,200 square foot lots with a maximum density of eight dwelling units per acre.~~ The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted. ~~The R-8 zone is applied to areas that are designated high density single family small lot on the land use plan map of the comprehensive plan.~~

(4) Whiskey Ridge, High Density Single-Family (WR-R-4-8). The WR-R-4-8 zone is a high-density single-family residential zone. It allows single-family residences, Middle Housing, and townhomes. ~~at a The density range is of 4.5 to 8 dwelling units or lots per acre. Duplexes are permitted outright on 7,200 square foot lots with a maximum density of eight dwelling units per acre.~~ The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted. ~~The WR-R-4-8 zone is applied to areas that are designated Whiskey Ridge, high density single family on the land use plan map of the comprehensive plan.~~

(5) Low Density Multiple-Family (R-12). The R-12 zone is a low density multiple-family residential zone. The major types of new housing development will be ~~attached and detached single-family residential,~~ duplexes, Middle Housing, townhouses, apartments and condominiums. The density is 12 units per acre; the maximum is limited to 18 units per acre.

(6) Medium Density Multiple-Family (R-18). The R-18 zone is a medium density multiple-family residential zone. The major types of new housing development will be ~~attached and detached single-family residential,~~ duplexes, Middle Housing, townhouses, apartments and condominiums. The density is 18 units per acre; the maximum is limited to 27 units per acre.

(7) High Density Multiple-Family (R-28). The R-28 zone is a high density multiple-family residential zone. The major types of new housing development will be ~~attached and detached single-family residential,~~ duplexes, Middle Housing, townhouses, apartments and condominiums. The density is 28 units per acre; the maximum is limited to 36 units per acre.

(8) Whiskey Ridge, Medium Density Multiple-Family (WR-R-6-18). The WR-R-6-18 zone is a medium density multiple-family residential zone. The major types of new housing development will be attached and detached single-family residential, duplexes, Middle Housing, apartments and condominiums. The density is six units per acre for detached single-family and 10 units per acre for attached multiple-family; the maximum is limited to 18 units per acre.

(9) Residential Mobile Home Park (R-MHP). The R-MHP zone preserves high density, affordable detached single-family and senior housing. This zone is assigned to existing mobile home parks within residential zones which contain rental pads, as opposed to fee simple owned lots, and as such are more susceptible to future development.

Exhibit NN

22C.010.060 Permitted uses.

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Residential Land Uses									
Dwelling Units, Types:									
Single detached (14)	P11	P11	P11	P11	P11	P11	P11	P11	P43
Model home	P30	P30	P30	P30	P30	P30	P30	P30	P30
Cottage housing (14)	<u>P</u> €6	<u>P</u> €6	<u>P</u> €6	<u>P</u> €6	<u>P</u> €6	<u>P</u> €6	<u>P</u> €6	<u>P</u> €6	
Duplex (14)	P8	P8	P8	P8	P	P	P	P	
Townhouse	P38	P38	P38	P38	P	P	P	P	
Middle Housing (3)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Multiple-family					P	P	P	P	
Mobile home	P12	P12	P12	P12	P12	P12	P12	P12	P12
Mobile/manufactured home park	<u>P</u> €	<u>P</u> €	<u>P</u> €		€	P	P		P45
Senior citizen assisted	C2	C2	C2	C2	<u>P</u> €2	<u>P</u> €2	<u>P</u> €2	<u>P</u> €2	C2
Factory-built	P7	P7	P7	P7	P7	P7	P7	P7	P7, 43
Recreational vehicle (44)	P	P	P	P	P	P	P	P	P
Tiny house or tiny house with wheels (51)	P	P	P	P	P	P	P	P	P
Group Residences:									
Adult family home	P	P	P	P	P	P	P	P	P
Convalescent, nursing, retirement	C2	C2	C2	C2	<u>P</u> €2	<u>P</u> €2	<u>P</u> €2	<u>P</u> €2	
Residential care facility	P	P	P	P	P	P	P	P	
Master planned senior community (15)	C	C	C	C	<u>P</u> €	<u>P</u> €	<u>P</u> €	<u>P</u> €	C
Transitional housing facilities (53)	P	P	P	P	P	P	P	P	P
Permanent supportive housing (53)	P	P	P	P	P	P	P	P	P
Emergency housing (54)									
Emergency shelters – Indoor (54)									
Accessory Uses:									
Residential accessory uses (1), (9), (10), (14), (49), (50)	P	P	P	P	P	P	P	P	P
Home occupation (5)	P	P	P	P	P13	P13	P13	P13	P
Temporary Lodging:									
Hotel/motel									
Bed and breakfast guesthouse (4)		C	C	C	P	P	P	P	

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Bed and breakfast inn (4)					P	P	P	P	
Enhanced services facility (52)									
Recreation/Cultural Land Uses									
Park/Recreation:									
Park	P16	P16	P16	P16	P16	P16	P16	P16	P16
Community center	C	C	C	C	C	C	C	C	C
Amusement/Entertainment:									
Sports club					C	C	C	C	
Golf facility (17)	C	C	C	C	P	P	P	P	
Cultural:									
Library, museum and art gallery	C	C	C	C	C	C	C	C	C
Church, synagogue and temple	C	C	C	C	P	P	P	P	C
General Services Land Uses									
Personal Services:									
Funeral home/crematory	C18	C18	C18	C18	C18	C18	C18	C18	C18
Cemetery, columbarium or mausoleum	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19	P24 C19
Day care I	P20	P20	P20	P20	P20	P20	P20	P20	P20
Day care II	C25	C25	C25	C25	C	C	C	C	C25
Stable	C	C	C	C					
Kennel or cattery, hobby	C	C	C	C	C	C	C	C	
Electric vehicle (EV) charging station (38), (39)	P	P	P	P	P	P	P	P	
EV rapid charging station (40), (41), (42)					P	P	P	P	
Health Services:									
Medical/dental clinic					C	C	C	C	
Supervised drug consumption facility									
Education Services:									
Elementary, middle/junior high, and senior high (including public, private and parochial)	C	C	C	C	C	C	C	C	C
Commercial school	C21	C21	C21	C21	C21	C21	C21	C21	
School district support facility	C23	C23	C23	C23	C23	C23	C23	C23	
Interim recycling facility	P22	P22	P22	P22	P22	P22	P22	P22	
Vocational school									
Government/Business Service Land Uses									
Government Services:									

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Public safety facilities, including police and fire	C26	C26	C26	C26	C26	C26	C26	C26	C26
Utility facility	P	P	P	P	P	P	P	P	P
Private storm water management facility	P	P	P	P	P	P	P	P	P
Public storm water management facility	P	P	P	P	P	P	P	P	P
Business Services:									
Self-service storage (31)					C27	C27	C27	C27	
Professional office					C	C	C	C	
Automotive parking	P29	P29	P29	P29	P29	P29	P29	P29	
Model house sales office	P47	P47	P47	P47					
Wireless communication facility (28)	P C	P C	P C	P C	P C	P C	P C	P C	P C
State-Licensed Marijuana Facilities:									
Marijuana cooperative (48)									
Marijuana processing facility – Indoor only (48)									
Marijuana production facility – Indoor only (48)									
Marijuana retail facility (48)									
Retail/Wholesale Land Uses									
Forest products sales	P32	P32	P32	P32					
Agricultural crop sales	P32	P32	P32	P32					
Resource Land Uses									
Agriculture:									
Growing and harvesting crops	P34	P34	P34	P34					
Raising livestock and small animals	P35	P35	P35	P35					
Forestry:									
Growing and harvesting forest products	P34	P34	P34	P34					
Fish and Wildlife Management:									
Hatchery/fish preserve (33)	C	C	C	C					
Aquaculture (33)	C	C	C	C					
Regional Land Uses									
Regional storm water management facility	C	C	C	C	C	C	C	C	C
Nonhydroelectric generation facility	C	C	C	C	C	C	C	C	C
Transit park and pool lot	P	P	P	P	P	P	P	P	
Transit park and ride lot	C	C	C	C	C	C	C	C	
School bus base	C36	C36	C36	C36	C36	C36	C36	C36	

Specific Land Use	R-4.5	R-6.5	R-8	WR R-4-8	R-12	R-18	R-28	WR R-6-18	R-MHP
Racetrack	C37	C37	C37	C37	C37	C37	C37	C37	
College/university	C	C	C	C	C	C	C	C	

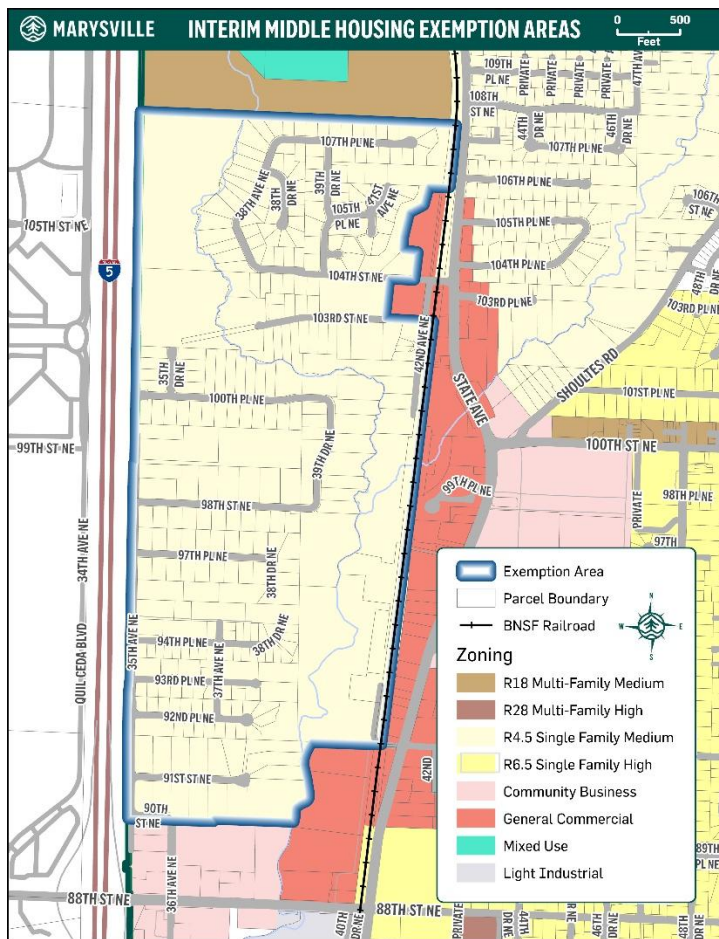
Exhibit OO

22C.010.070 Permitted uses – Development conditions.

- (1) Accessory dwelling units:
 - (a) ~~Must~~ comply with the development standards in Chapter ~~22C.180~~ 22C.185 MMC.
 - (b) Are only permitted accessory to a detached single-family residence or Middle Housing.
Note: accessory dwelling units accessory to Middle Housing apply to the total allowed unit density for the lot.
 - (c) ~~Accessory dwelling units~~ In the R-MHP zone are only allowed on single lots of record containing one single-family detached dwelling.
- (2) Limited to three residents per the equivalent of each minimum lot size or dwelling units per acre allowed in the zone in which it is located.
- (3) ~~Only as part of a planned residential development (PRD) proposal, and subject to the same density as the underlying zone.~~ Middle Housing is defined in MMC 22A.020.140 and contains two to four attached, stacked, or clustered homes including duplexes, triplexes, fourplexes, townhouses, courtyard apartments, and cottage housing on a parent lot. Single family detached is not considered Middle Housing. Middle Housing building types which contain more than two dwelling units (i.e. types other than duplexes) are allowed only when the lot is within ¼ miles of a major transit stop or when one affordable housing unit is provided. Townhouses shall only be considered Middle Housing when they have three (3) to four (4) dwelling units and are located within (a) ¼ mile of a major transit stop, or (b) when one dedicated affordable housing dwelling unit meeting the provisions in MMC 22C.010.400 is provided.

Middle Housing is not allowed in or on:

- (a) Portions of a lot, parcel, or tract designated with critical areas pursuant to RCW 36.70A.170 or their buffers as required by RCW 36.70A.170, except for critical aquifer recharge areas where a single-family detached house is an allowed use provided that any requirements to maintain aquifer recharge are met.
- (b) A watershed serving a reservoir for potable water if that watershed is or was listed, as of July 23, 2023, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).
- (c) Properties within Shoreline Jurisdiction.
- (d) Lots that have been designated urban separators by countywide planning policies as of July 23, 2023.
- (e) A lot that was created through the splitting of a single residential lot. Lot splitting is currently undefined in State law; however, lot splitting is not intended to refer to lots which have been or will be subdivided.
- (f) In the R-4.5 designated areas depicted in the map below entitled, "Interim Middle Housing Exemption Areas". Said areas are generally located south of 108th Street NE, west of the Burlington Northern Santa Fe railroad, north of 90th Street NE, and east of 35th Avenue NE.



[Click for high resolution map.](#)

(4) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter [22C.210](#) MMC.

(5) Home occupations are subject to the requirements and standards contained in Chapter [22C.190](#) MMC.

(6) Subject to cottage housing provisions set forth in MMC [22C.010.280](#).

(7) Factory-built dwelling units shall comply with the following standards:

(a) A factory-built house must be inspected at least two times at the factory by the State Building Inspector during the construction process, and must receive an approval certifying that it meets all requirements of the International Building Code. At the building site, the city building official will conduct foundation, plumbing and final inspections.

(b) A factory-built house cannot be attached to a metal frame allowing it to be mobile. All such structures must be placed on a permanent foundation at the building site.

~~(8) Permitted outright in the R-6.5, R-8, and WR-R-4-8 zones on minimum 7,200-square-foot lots. A conditional use permit is required for the R-4.5 zone, and the minimum lot size must be 12,500 square feet. Duplexes must comply with the comprehensive plan density requirements for the underlying land use designation.~~

(8) Townhouses are Only allowed as part of a planned residential development (PRD) proposal, or as allowed for Middle Housing, ~~and~~ Townhouses in PRDs are subject to the same density as the underlying zone; provided that, Middle Housing is exempt from the maximum dwelling units per net acre but is subject to the maximum number of lots per net acre. Townhouses are limited to four (4) dwelling units per building in single family zones. Townhouses shall only be considered Middle Housing when said structure contains three (3) or four (4) dwelling units and is located within (a) ¼ mile of a major transit stop, or (b) when one dedicated affordable housing dwelling unit meeting the provisions in MMC 22C.010.400 is provided.

(9) A garage sale shall comply with the following standards:

(a) Garage sales shall operate not more than three days in the same week and not more than twice in the same calendar year.

(b) Garage sale signs are subject to the standards in MMC 22C.160.260.

A garage sale complying with the above conditions is an allowed residential accessory use. A garage sale violating one or more of the above conditions is a commercial use and will be disallowed unless the use is permitted in the zone, and the use complies with all applicable code requirements.

(10) Residential accessory structures must comply with development standards in Chapter [22C.180](#) MMC.

(11) Manufactured homes must:

(a) Be set on a permanent foundation, as specified by the manufacturer, enclosed with an approved concrete product from the bottom of the home to the ground which may be either load-bearing or decorative;

(b) Meet all design standards applicable to all other single-family homes in the neighborhood in which the manufactured home is to be located;

(c) Be no more than five years old, as evidenced by the date of manufacture recorded on the HUD data plate. An administrative variance to the requirement that a manufactured home be no more than five years old may be granted by the community development director only if the applicant demonstrates all of the following:

(i) The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;

(ii) The proposed manufactured home is well maintained and does not present any health or safety hazards;

(iii) The variance is necessary or warranted because of the unique size, shape, topography, location, critical areas encumbrance, or other feature of the subject property;

(iv) The proposed manufactured home will be compatible with the neighborhood or area where it will be located;

(v) The subject property is otherwise deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and within an identical zone;

(vi) The need for the variance is not the result of deliberate actions of the applicant or property owner; and

(vii) The variance is the minimum necessary to grant relief to the applicant.

(12) Mobile homes are only allowed as a primary residence in existing mobile/manufactured home parks established prior to June 12, 2008, subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.

(13) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings; provided that, signage may be permitted for home occupations in Middle Housing units.

(14) No more than one single-family detached ~~or duplex~~ dwelling is allowed per lot except in cottage housing developments that are developed with all cottages located on a common lot, and accessory dwelling units through the provisions of Chapter [22C.180](#) MMC.

(15) Subject to Chapter [22C.220](#) MMC, Master Planned Senior Communities.

(16) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential ~~and mixed-use~~ zones when reviewed as part of a subdivision, mobile/manufactured home park, or multiple-family development proposal; otherwise, a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(17) Golf facilities shall comply with the following:

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(18) Only as an accessory to a cemetery.

(19) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(20) Only as an accessory to residential use and subject to the criteria set forth in Chapter [22C.200](#) MMC.

(21) Only as an accessory to residential use, provided:

(a) Students are limited to 12 per one-hour session;

(b) All instruction must be within an enclosed structure; and

(c) Structures used for the school shall maintain a distance of 25 feet from property lines adjoining residential zones.

(22) Limited to drop box facilities accessory to a public or community use such as a school, fire station or community center.

(23) Only when adjacent to an existing or proposed school.

(24) Limited to columbariums accessory to a church; provided, that existing required landscaping and parking are not reduced.

(25) Day care IIs must be located on sites larger than one-half acre and are subject to minimum standards identified in Chapter [22C.200](#) MMC for day care I facilities. Parking facilities and loading areas shall be located to the rear of buildings or be constructed in a manner consistent with the surrounding residential character. Evaluation of site suitability shall be reviewed through the conditional use permit process.

(26) Public safety facilities, including police and fire, shall comply with the following:

(a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.

(27) Accessory to an apartment development of at least 12 units, provided:

(a) The gross floor area in self-service storage shall not exceed 50 percent of the total gross floor area of the apartment dwellings on the site;

(b) All outdoor lights shall be deflected, shaded and focused away from all adjoining property;

(c) The use of the facility shall be limited to dead storage of household goods;

(d) No servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment;

(e) No outdoor storage or storage of flammable liquids, highly combustible or explosive materials or hazardous chemicals;

(f) No residential occupancy of the storage units;

(g) No business activity other than the rental of storage units to the apartment dwellings on the site; and

(h) A resident manager shall be required on the site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

(28) All WCFs and modifications to WCFs are subject to Chapter [22C.250](#) MMC including, but not limited to, the siting hierarchy, MMC [22C.250.060](#). WCFs may be a permitted use or a conditional use subject to MMC [22C.250.040](#).

(29) Limited to commuter parking facilities for users of transit, carpools or ride-share programs, provided:

(a) They are located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting hours; and

(b) The site is adjacent to a designated arterial that has been improved to a standard acceptable to the department.

(30) Model Homes.

(a) The community development director may approve construction of model homes subject to the following conditions:

(i) No model home shall be constructed without the issuance of a building permit;

(ii) In no event shall the total number of model homes in a preliminary subdivision be greater than nine;

(iii) A hard-surfaced roadway to and abutting all model homes shall be constructed to standards determined by the city engineer or designee;

(iv) Operational fire hydrant(s) must be available in accordance with the International Fire Code;

(v) Submittal of a site plan, stamped by a registered civil engineer or licensed surveyor, delineating the location of each structure relative to existing and proposed utilities, lot lines, easements, roadways, topography and critical areas;

(vi) Submittal of building permit applications for each of the proposed structures;

(vii) Approval of water, sewer and storm sewer extension plans to serve the proposed structures; and

(viii) Execution of an agreement with the city saving and holding it harmless from any damages, direct or indirect, as a result of the approval of the construction of model homes on the site.

(b) Prior to occupancy of any model home, the final plat of the subject subdivision shall be approved and recorded.

(31) Any outdoor storage areas are subject to the screening requirements of the landscape code.

(32) Subject to approval of a small farms overlay zone.

(33) May be further subject to the provisions of the Marysville shoreline master program.

(34) Only allowed in conjunction with the small farms overlay zone.

(35) Provided, that the property has received approval of a small farms overlay designation, or is larger than one acre in size.

- (36) Only in conjunction with an existing or proposed school.
- (37) Except racing of motorized vehicles.
- (38) Level 1 and Level 2 charging only.
- (39) Allowed only as an accessory use to a principal outright permitted use or permitted conditional use.
- (40) The term “rapid” is used interchangeably with “Level 3” and “fast charging.”
- (41) Only “electric vehicle charging stations – restricted” as defined in Chapter [22A.020](#) MMC.
- (42) Rapid (Level 3) charging stations are required to be placed within a parking garage.
- (43) One single-family detached dwelling per existing single lot of record. Manufactured homes on single lots must meet the criteria outlined in subsection (11) of this section.
- (44) Recreational vehicles (RVs) are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (45) MHPs shall fulfill the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (46) Reserved.
- (47) Model house sales offices are subject to the requirements of MMC [22C.110.030](#)(12).
- (48) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within residential zones in the city. Provided, activities in strict compliance with RCW [69.51A.210](#) and [69.51A.260](#) are not a violation of the Marysville Municipal Code.
- (49) Shipping/cargo and similar storage containers are prohibited on lots within a platted subdivision and properties under one acre in size. Shipping/cargo and similar storage containers may be located on properties over one acre in size if located behind the primary residence, observe all setbacks applicable to an accessory structure, and are screened from public view.
- (50) Accessory structures may not be utilized as, or converted to, a dwelling unless the structure complies with the accessory dwelling unit standards outlined in MMC [22C.180.030](#).
- (51) Tiny houses or tiny houses with wheels are allowed as a primary residence in an established mobile/manufactured home park (MHP) subject to the requirements of Chapter [22C.230](#) MMC, Mobile/Manufactured Home Parks.
- (52) Enhanced services facilities are prohibited in all residential zones as such are identified and adopted in this chapter.
- (53) An operations plan, to mitigate potential impacts on the surrounding community, must be provided by the sponsor and/or property owner at the time of application. The operations plan must address the following elements to the satisfaction of the city:

- (a) Name and contact information for key staff;
- (b) Roles and responsibilities of key staff;
- (c) Site/facility management, including a security and emergency plan;
- (d) Site/facility maintenance;
- (e) Occupancy policies, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;
- (f) Provision of human and social services, including staffing plan and outcome measures;
- (g) Outreach with surrounding property owners and residents and ongoing good neighbor policy;
- (h) Procedures for maintaining accurate and complete records; and
- (i) Additional information as requested by the community development director to ensure current best practices for permanent supportive housing and transitional housing facilities are used.

(54) Emergency housing and emergency shelters – indoor are prohibited in all residential zones as such are identified and adopted in this chapter.

Exhibit PP

22C.010.075 Adaptive reuse of nonresidential buildings in residential zones.

(1) Purpose. The purpose of this section is to allow for adaptive reuse of nonresidential buildings in residential zones that are functionally obsolete in order to improve the economic feasibility of a property by considering uses that are not otherwise permitted, but which, if properly designed and managed, would not create unacceptable impacts on surrounding properties or the immediate vicinity in general. This process differs from the unlisted use process listed in MMC [22A.010.070](#) in that uses that are not specifically authorized in the residential zone may be considered using the process described herein.

(2) Procedures. Any request for adaptive reuse of nonresidential buildings shall be reviewed as a conditional use.

(3) Circumstances. The city may allow a use in a residential zone that is not specifically allowed in that zone if it is necessary to encourage adaptive reuse of a building under the following circumstances:

- (a) It is unlikely that the primary building on the subject property could be preserved if only uses permitted in the underlying zone were allowed.
- (b) Allowing a different use would enhance the character of the building and immediate vicinity.
- (c) The use would not have a detrimental effect upon surrounding properties or the immediate vicinity.

(4) Uses That May Be Allowed. The following uses may be considered for adaptive reuse of an existing building in a residential zone; provided, that where a use listed below is allowed as either a permitted or conditional use in MMC [22C.010.060](#), it shall be reviewed in accordance with said section:

- (a) Dwelling units. Density based on underlying zoning ~~plus one additional dwelling unit~~;
- (b) Assisted living facilities;
- (c) Libraries;
- (d) Museums and art galleries;
- (e) Social service facilities;
- (f) Public services;
- (g) Artist studios;
- (h) Music venues;
- (i) Cafes and bistros;
- (j) Live-work units;
- (k) Bed and breakfast inn;

(l) Other uses not listed above if determined through the review process to be compatible with surrounding properties and the immediate vicinity.

(5) Review Criteria. The following criteria shall be used as the basis for determining compatibility with surrounding uses and approving, denying, or conditionally approving a request to allow the adaptive reuse of a nonresidential building in a residential zone:

(a) The adaptive reuse would promote or aid in the preservation or rehabilitation of the primary building.

(b) No significant impacts to public safety.

(c) Compliance with noise, building and fire codes.

(d) Hours of the day of proposed use or activity are compatible with surrounding uses.

(e) Proposed management and operational procedures to minimize and mitigate potential impacts.

(f) Other factors not specified herein that would create a conflict with the surrounding uses, or uses that are permitted in the zone.

(g) Expansions to the primary building shall not exceed 10 percent of the existing footprint or 500 square feet, whichever is greater, and will not detrimentally affect the outside character of the building. Expansions shall comply with the bulk and dimensional standards of the underlying zone.

(6) Actions Authorized.

(a) Approval. The city may approve a proposal that is found to be compatible with surrounding land uses.

(b) Denial. Any proposal that would be incompatible with or adversely affect properties in the immediate vicinity shall be denied.

(c) Revocation. The city shall retain the right to revoke an approval issued under this section that fails to comply with any conditions of said approval, or which operates in a manner inconsistent with representations made in the application.

Exhibit QQ

22C.010.080 Densities and dimensions.

(1) Interpretation of Table.

(a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC 22C.010.100 through 22C.010.250.

(b) The density and dimension table is arranged in a matrix format and is delineated into different dimensional ~~the residential use~~ categories.

(c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone set forth in MMC 22C.010.090. A blank box indicates that there are no specific requirements. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote following the standard.

(2) General Densities and Dimension Standards.

	R-4.5	R-6.5	R-8	WR-R-4-8 (16)(17)	R-12 (13)	R-18 (13)	R-28 (13)	WR-R-6-18 (13)(16)(17)
Base Density: Dwelling unit or lot/acre (1)(3)(6)(7)	4.5 du or lot/ac	6.5 du or lot/ac	8 du or lot/ac	4.5 du or lot/ac	12 du or lot/ac	18 du or lot/ac	28 du or lot/ac	6 du or lot/ac (detached sf); 10 du or lot/ac (attached multifamily and townhouses)
Maximum density: Dwelling unit or lot/acre (1)(2)(3)	<u>5.4 du</u> or lot/ac	<u>7.8 du</u> or lot/ac	<u>9.6 du</u> or lot/ac	8 du or lot/ac	18 du or lot/ac	27 du or lot/ac	36 du or lot/ac	18 du or lot/ac
Minimum street setback (4)(3) (15)	20 ft (8)	20 ft (8)	20 ft (8)	20 ft (8)	20 ft	25 ft	25 ft	20 ft
Minimum side yard setback (4)(3)	5 ft (10)	5 ft (10)	5 ft (10)	5 ft (10, 11, 12)	10 ft (10, 11, 12)	10 ft (10, 11, 12)	10 ft (10)	10 ft (10, 11, 12)
Minimum rear yard setback (4)(3)	20 ft	20 ft	20 ft	20 ft	25 ft	25 ft	25 ft	25 ft
Base height	30 ft (18)	30 ft (18)	30 ft (18)	30 ft (18)	35 ft (5)(4)	45 ft (5) (4)	45 ft (5) (4)	35 ft (5) (4)
Maximum building coverage: Percentage (5)(6)	40%	40%	450%	450%	50%	50%	50%	40%
Maximum impervious	45%; 50%	45%; 50%	50%; 65%	50%; 65%	70%	70%	75%	70%

	R-4.5	R-6.5	R-8	WR-R-4-8 (16)(17)	R-12 (13)	R-18 (13)	R-28 (13)	WR-R-6-18 (13)(16)(17)
surface: Percentage (5) (6)			<u>45%;</u> <u>50%</u>	<u>45%;</u> <u>50%</u>				
Minimum lot area	5,000 sq ft	5,000 sq ft	4,000 <u>5,000</u> sq ft	5,000 sq ft	–	–	–	–
Minimum lot area for duplexes (2)	12,500 sq ft	7,200 sq ft	7,200 sq ft	7,200 sq ft	–	–	–	–
Minimum lot width (3) (4)	60 ft	50 ft	40 ft	40 ft	70 ft	70 ft	70 ft	70 ft
Minimum lot frontage on cul- de-sac, sharp curve, or panhandle (14)	20 ft	20 ft	20 ft	20 ft	–	–	–	–

Exhibit RR

22C.010.090 Densities and dimensions – Development conditions.

(1) Base Density. The base density is the standard density allowed in the zone and indicates the number of dwelling units or lots allowed per net acre.

(2) Maximum Density — Dwelling Unit/Acre. Maximum density. The maximum density for each zone indicates the maximum number of dwelling units or lots allowed per net acre.

(a) The maximum density for the R-12, R-18, R-28, WR-R-4-8 and WR-R-6-18 zones may only be achieved ~~only~~ through the application of residential density incentive provisions outlined in Chapter 22C.090 MMC.

~~(b) The maximum net density for the single family zones is the same as the base density; provided, that for PRD developments the maximum density may be increased by up to 20 percent through the application of residential density incentive provisions outlined in Chapter 22C.090 MMC.~~

(b) The maximum density for the R-4.5, R-6.5, and R-8 zones is limited to Planned Residential Developments developed pursuant to Chapter 22G.080 and requires the application of residential density incentive provisions outlined in Chapter 22C.090 MMC.

~~(2) The minimum lot sizes for duplexes apply to lots or parcels which existed on or before the effective date of the ordinance codified in this chapter. All new duplex lots created through the subdivision or short subdivision process shall be a minimum of 12,500 square feet in size in the R-4.5 zone, and 7,200 square feet in size in the R-6.5, R-8 and WR-R-4-8 zones. Additionally, all new duplex lots must include a “duplex disclosure” on the plat map, and must comply with the density requirements of the comprehensive plan (six units per acre for the R-4.5 zone and eight units per acre for the R-6.5, R-8, and WR-R-4-8 zones).~~

(3) Exceptions. The following exceptions to the base density and maximum density provisions apply:

(a) Accessory Dwelling Units.

(i) A maximum of two accessory dwelling units are allowed per lot accessory to a detached single-family residence pursuant to MMC 22C.185.020, Table 1.

(b) Middle Housing, as defined in MMC 22A.020.140, is allowed for all lots zoned predominantly for residential use as follows:

(i) Middle Housing is subject to the maximum number of lots allowed for the zone; however, is allowed a greater Unit Density as shown in the table below:

<u>Lot circumstances</u>	<u>Unit Density (as defined in MMC 22A.020.220)</u>	<u>Additional Provisions</u>
<u>Residentially zoned lot</u>	<u>Two (2)</u>	
<u>Residentially zoned lot located within ¼ mile walking distance to a major transit stop</u>	<u>Four (4)</u>	<u>Major transit stop is defined in MMC 22A.020.140.</u>

<u>Residentially zoned lot with one (1) dwelling unit of affordable housing</u>	<u>Four (4)</u>	<u>To qualify as affordable housing, the provisions in MMC 22C.010.400 must be met.</u>
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(ii) The unit density allowance applies to the parent lot prior to any unit lot subdivision.

(iii) Multiple Middle Housing structures may be allowed per lot up to the allowed Unit Density specified in the table above. For example, two duplexes (4 total dwelling units) may be allowed per lot that either is located within ¼ mile of a major transit stop or when one affordable housing unit is provided.

(iv) Accessory dwelling units apply to the total allowed Unit Density for the lot (i.e. are not allowed in addition to the specified units per lot).

(v) The unit density detailed in this table for proximity to transit and provision of affordable housing are discrete options. If a lot has both proximity to transit and provides affordable housing, the total unit density remains at four (4) unless otherwise allowed by code.

(vi) Unless zoning permitting higher densities or intensities applies.

(vii) Currently the City of Marysville is a Tier 2 City pursuant to RCW 36.70A.635(1)(a). The City will need to comply with the Tier 1 standards in RCW 36.70A.635(1)(b) one year after the City's Comprehensive Plan implementation progress report is due pursuant to RCW 36.70A.130(9)(a).

- c) The absence of water or sewer service may limit redevelopment or additional development until such time sewer infrastructure improvements are made.

~~(3)~~(4) These standards may be modified under the provisions for zero lot line and townhome developments.

~~(4)~~(5) Base Height.

(a) Height limits may be increased when portions of the structure which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit; provided, that the maximum height may not exceed 60 feet.

(b) Multiple-family developments, located outside of Planning Area 1, abutting or adjacent to areas zoned as single-family, or areas identified in the comprehensive plan as single-family, may have no more floors than the adjacent single-family dwellings, when single-family is the predominant adjacent land use.

~~(5)~~(6) Applies to Each Individual Lot.

(a) The ~~higher 50% percentages of~~ impervious surface coverage ~~apply~~ applies to complete land use applications for subdivisions submitted on or after the effective date of Ordinance 3057, adopted May 8, 2017; provided, however, in the case of approved development applications that have not yet started construction, an applicant may file for a minor revision to the approved land use application in accordance with MMC 22G.010.260.

(b) Building coverage and impervious surface area standards for:

(i) Regional uses shall be established at the time of permit review; or

(ii) Nonresidential uses in residential zones shall comply with MMC 22C.010.250.

~~(7)(6) Density—Dwelling Unit/Acre. Mobile home parks shall comply with the density and dimensional standards set forth in Chapter 22C.230.~~

~~(a) The densities listed for the single-family zones (R-4.5, R-6.5, R-8) and single-family development in the Whiskey Ridge zones (WR-R-4-8, WR-R-6-18) are maximum net densities.~~

~~(b) Mobile home parks shall be allowed a maximum density of eight dwelling units per acre, unless located in the R-4.5 or R-6.5 zones, in which case they are limited to the density of the underlying zone.~~

~~(7) The standards of the R-4.5 zone shall apply if a lot is less than 15,000 square feet in area.~~

(8) On a case-by-case basis, the street setback may be reduced to 10 feet; provided, that at least 20 linear feet of driveway are provided between any garage, carport, or other fenced parking area and the street property line, or the lot takes access from an alley. The linear distance shall be measured in a straight line from the nearest point of the garage, carport or fenced area to the access point at the street property line. In the case of platted lots, no more than two consecutive lots may be reduced to 10 feet.

(9) Residences shall have a setback of at least 50 feet from any property line if adjoining an agricultural zone either within or outside the city limits.

(10) For townhomes (non-Middle Housing) or apartment developments, the setback shall be the greater of:

(a) Twenty feet along any property line abutting R-4.5 through R-8, and WR-R-4-8 zones; or

(b) The average setback of the R-4.5 through R-8 zoned and platted single-family detached dwelling units from the common property line separating said dwelling units from the adjacent townhome or apartment development, provided the required setback applied to said development shall not exceed 60 feet. The setback shall be measured from said property line to the closest point of each single-family detached dwelling unit, excluding projections allowed per MMC 22C.010.210 and accessory structures existing at the time the townhome or apartment development receives approval by the city.

(11) Townhome setbacks are reduced to zero on an interior side yard setback where the units have a common wall for zero lot line developments.

(12) Townhome setbacks are reduced to five feet on side yard setbacks provided the buildings meet a 10-foot separation between structures.

(13) Single-family detached units on individual lots in the R-12 and WR-R-6-18 zones, and Middle Housing duplexes on individual lots within the R-12 through R-28, and WR-R-6-18 zones shall utilize the dimensional requirements of the R-8 zone, except the base density.

(14) Provided that the front yard setback shall be established as the point at which the lot meets the minimum width requirements. On a case-by-case basis, the street setback may be reduced to the minimum of 20 feet; provided, that the portion of the structure closest to the street is part of the "living area," to avoid having the garage become the predominant feature on the lot.

(15) Subject to MMC [22A.020.130](#), subsection (1)(a) of the definition of "lot lines."

(16) Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.

(17) Projects with split zoning (two or more distinct land use zones) may propose a master site plan to density average at the zone edge or modify the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition between land uses and zones. Approval is at the discretion of the community development director.

(18) In order to accommodate a daylight basement or tuck-under garage, the base height for the principal dwelling may be increased to 35 feet on lots with a 10 percent or greater slope within the building's footprint.

Exhibit SS

22C.010.110 Calculations – Allowable dwelling units.

Permitted number of dwelling units or lots shall be determined as follows:

~~(1) The maximum allowed number of dwelling units shall be computed by multiplying the net project area (in acres) by the applicable residential density.~~

(1) Dwelling Units/Lots or Units per Acre. The allowed dwelling units or lots per acre is calculated as follows:

- a. Step 1: Calculate the net acreage by using the “net project area” definition in MMC 22A.020.150 “N” definitions.
- b. Step 2: Multiply the net acreage by the units or lots per acre allowed by the zone as set forth in MMC 22C.010.080.
- c. Step 3: ~~(2)~~ When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 - i. ~~(a)~~ Fractions of 0.50 or above shall be rounded up; and
 - ii. ~~(b)~~ Fractions below 0.50 shall be rounded down.

(2) Middle Housing is subject to the maximum number of lots allowed for the zone set forth in MMC 22C.010.080; however, is allowed a greater Unit Density as specified in the table 22C.010.090(3)(b)(i).

(3) The provisions in subsection (1) above apply to lots which will be subdivided. Existing, legal lots under MMC 22C.010.140 and reasonable use lots under MMC 22E.010.410 are not subject to the calculation above.

Exhibit TT

22C.010.120 Calculations – Site area used for density calculations.

- (1) Critical areas and their buffers may be used for calculation of allowed residential density whenever two or more residential lots or dwelling units are created subject to the on-site density transfer provisions outlined in MMC 22E.010.360; provided that, critical areas and buffers must be placed in a tract or easement for permanent protection.
- (2) The net project area of a multiple-family or single-family site may be used in the calculation of allowed residential density.

Exhibit UU

22C.010.130 Lot area – Prohibited reduction.

Any portion of a lot that was required to calculate and ensure compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot except as allowed under the Unit Lot Subdivision provisions set forth in MMC Chapter 22G.095.

Exhibit VV

22C.010.140 Minimum lot area for construction.

Except as provided for in Chapter [22G.080](#) MMC:

(1) In ~~residential~~ ~~the R~~ zones, a single-family dwelling or Middle Housing may be established on an existing vacant lot, which cannot satisfy the minimum lot size or width ~~bulk or dimensional~~ requirements of this chapter, provided the following criteria are met:

(a) The lot was established by conveyance of record prior to August 10, 1969, and its dimensions have not been modified since said conveyance, or the lot was created by an approved plat and satisfied the bulk and dimensional requirements applicable at the time of its creation; and

(b) The lot is not less than 4,000 square feet in size, or such greater size as may be required by the Snohomish ~~H~~health ~~D~~istrict if an on-site sewage disposal system is involved; and

(c) Development of the lot will comply with all bulk and dimensional regulations in this chapter, with the exception of minimum lot size and width, ~~relating to setbacks, maximum lot coverage and along with off-street parking,~~ as such regulations exist on the date of application for development permits.

Exhibit WW

22C.010.170 Setbacks – From regional utility corridors.

- (1) In subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.
- (2) In other types of land development permits, easements shall be used to delineate such corridors.
- (3) All buildings and structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary for ~~to~~ the operation of the utility corridor.

Exhibit XX

22C.010.190 Setbacks – From alleys.

(1) Structures may be built to five feet of the property line abutting an alley, except as provided in subsection (2) of this section.

(2) Vehicle access points from garages, carports or fenced parking areas shall be set back a minimum of 10 feet from the lot line abutting an alley, except where the access point faces an alley with a right-of-way width of 10 feet, in which case the garage, carport, or fenced parking area shall not be located within 20 feet from the rear lot line. No portion of the garage or the door in motion may cross the property line.

(3) Rear setbacks for detached accessory structures located in ~~the Planning Area 1~~ Downtown Neighborhood may be reduced as set forth in MMC ~~22C.180.020~~(2).

Exhibit YY

22C.010.200 Setbacks – Adjoining half-street, ~~or~~ designated arterial, or temporary cul-de-sac.

- (1) In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial.
- (2) The front, side, or street setback abutting a temporary cul-de-sac shall be measured from the edge of the temporary cul-de-sac as constructed. When the temporary cul-de-sac is removed, the setbacks for the structure may be measured from the property line.

Exhibit ZZ

22C.010.210 Setbacks – Projections allowed.

Projections may extend into required setbacks as follows:

(1) Fireplace structures including eaves and factory-built garden or bay windows may project into any setback, provided such projections are:

- (a) Limited to two per facade;
- (b) Not wider than 10 feet; and
- (c) Not more than 24 inches into a side setback or 30 inches into a front or rear setback;

(2) Uncovered porches and decks, including stairs or ramps, which exceed 30 inches above the finished grade may project:

- (a) Eighteen inches into side setbacks; and
- (b) Five feet into the front or rear setback;

(3) Uncovered porches and decks not exceeding 30 inches above the finished grade, and uncovered accessory structures such as mechanical equipment, play structures, and tennis courts, may project to the property line; provided, that with the exception of uncovered porches and decks, the front property line setback for the zone shall be observed;

(4) Eaves may not project more than:

- (a) Twenty-four inches into a side setback;
- (b) Thirty-four inches into a front or rear setback; or
- (c) Eighteen inches across a lot line in a zero-lot line development.

(5) Accessory structures such as flagpoles and lampposts shall be set back a minimum of five feet from all property lines, provided:

- (a) They are not located within a utility or access easement; and
- (b) Flags are not displayed in a manner that would cause the flag to encroach onto a neighboring property.

Exhibit AAA

22C.010.220 Height – Exceptions to limits.

(1) Flagpoles may be up to 25 feet tall in all single-family zones, and up to 35 feet tall in all multifamily zones; provided, that flagpoles on multifamily zoned properties developed with single-family residences or Middle Housing duplexes shall be limited to 25 feet tall. Exception: flagpoles on single-family and multifamily zoned properties that are 40,000 square feet or greater in size and developed with single-family residences or Middle Housing duplexes may be up to 35 feet tall; provided, that setbacks that are equivalent to the height of the flagpole are maintained from all property lines.

(2) The following structures may be erected above the height limits of MMC [22C.010.080](#):

(a) Roof structures housing or screening elevators, stairways, tanks, ventilating fans or similar equipment required for building operation and maintenance; and

(b) Fire or parapet walls, skylights, chimneys, smokestacks, church steeples, and utility line towers and poles.

Exhibit BBB

22C.010.255 Residential design requirements – Purpose.

MMC 22C.010.255 through 22C.010.400 apply to new single family, Middle Housing, townhouse, and multifamily residential and high density (eight-plus-du/acre) single family development as applicable. The purpose of these sections is to:

- (1) Encourage the realization and creation of a desirable and aesthetic environment in the city of Marysville;
- (2) Encourage and promote development which features amenities and excellence in site planning, streetscape, building design and contribution to community charm;
- (3) Encourage creative approaches to the use of land and related physical developments;
- (4) Minimize incompatible and unsightly surroundings and visual blight which prevent orderly community development;
- (5) Reinforce streets as public places that encourage pedestrian and bicycle travel;
- (6) Reduce opportunities for crimes against persons and property;
- (7) Minimize land use conflicts and adverse impacts;
- (8) Provide roadway and pedestrian connections between residential and commercial areas;
- (9) Provide public places and open space networks to create gateways, gathering places, and recreational opportunities that enhance the natural and built environment;
- (10) Minimize the rate of crime associated with persons and property and provide for the highest standards of public safety through the implementation of crime prevention through environmental design (CPTED) principles in design review.

Exhibit CCC

22C.010.260 Residential design requirements – Applicability and interpretations.

(1) Applicability.

(a) These design standards apply to all new planned residential developments (PRD) in any zone, multifamily structures in any zone and residential development within the following zones: high density multiple-family (R-28), medium density multiple-family (R-18), low density multiple-family (R-12), and high density single-family, and small lot (R-8). Nonresidential development in residential zones (e.g., churches, schools, offices, etc.) shall be subject to the design standards set forth in MMC [22C.020.250](#).

(b) The standards specified in the following sections shall be applied by the city to individual building permits for single-family residences and Middle Housing, MMC ~~22C.010.310; duplexes, MMC 22C.010.400~~; and accessory uses, Chapter [22C.180](#) MMC; provided, that the applicable standards shall be those in effect on the date that the city approves the preliminary subdivision, short subdivision, or binding site plan, whichever is applicable, unless the applicant opts to have the city apply the standards that may have been revised by the city after such date.

(c) The following activities shall be exempt from these standards:

(i) Construction activities which do not require a building permit;

(ii) Interior remodels of existing structures;

(iii) Modifications or additions to existing multifamily and public properties when the modification or addition:

(A) Constitutes less than 10 percent of the existing horizontal square footage of the use or structure; and

(B) Constitutes less than 10 percent of the existing building's exterior facade.

(2) Interpreting and Applying the Design Standards.

(a) These standards capture the community visions and values as reflected in the comprehensive plan's neighborhood planning areas. The city's community development director (hereinafter referred to as director) retains full authority to determine whether a proposal meets these standards. The director is authorized to promulgate guidelines, graphic representations, and examples of designs and methods of construction that do or do not satisfy the intent of these standards.

(b) Within these standards, certain words are used to indicate the relative importance and priority the city places upon a particular standard.

(i) The words "shall," "must," and "is/are required" mean that the development proposal must comply with the standard unless the director finds that:

(A) The standard is not applicable in the particular instance; or

(B) The development proposal meets the intent of the standards in some other manner.

(ii) The word “should” means that the development proposal will comply with the standard unless the director finds that:

(A) The standard is not applicable in the particular instance;

(B) The development proposal meets the intent of the standards in some other manner; or

(C) There is convincing evidence that applying the standard would not be in the public interest.

(iii) The words “is/are encouraged,” “can,” “consider,” “help,” and “allow” mean that the action or characteristic is allowed and will usually be viewed as a positive element in the city’s review.

(c) The project proponent may submit proposals that he/she feels meet the intent of the standards but not necessarily the specifics of one or more standards. In this case, the director will determine if the intent of the standard has been met.

Exhibit DDD

22C.010.270 Zero lot line development.

In any PRD ~~overlay zone~~, interior setbacks may be modified during subdivision, ~~or short subdivision,~~ or binding site plan review as follows:

If a building is proposed to be located within a normally required interior setback:

- (1) An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;
- (2) The easement area shall be free of structures and other obstructions that would prevent normal repair and maintenance of the structure's exterior;
- (3) Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and
- (4) The final plat, ~~or short plat,~~ or binding site plan map shall show the approximate location of buildings proposed to be placed in a standard setback area.

Exhibit EEE

22C.010.280 Cottage housing developments.

(1) Purpose. The purpose of this section is to:

- (a) Provide a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single-person households);
- (b) Provide opportunities for ownership of small, detached units within a single-family neighborhood;
- (c) Encourage creation of more usable space for residents of the development through flexibility in density and lot standards;
- (d) Support the growth management goal of more efficient use of urban residential land; and
- (e) Provide guidelines to ensure compatibility with surrounding uses.

(2) Applicability. Cottage housing developments are allowed in residential zones, as follows:

- ~~(a) Within residentially-zoned properties in downtown planning area 1;~~
- ~~(b) Within single-family zones where properties are encumbered by at least 35 percent critical areas and associated buffers;~~
- ~~(c) On single-family-zoned parcels adjacent to multifamily, commercial and industrial-zoned parcels, as a transition to multifamily, commercial and industrial uses, including across the street on a case-by-case basis, if approved by the director;~~
- ~~(d) Within residentially-zoned properties in the Lakewood neighborhood planning area 11;~~
- ~~(e) Within single-family zones where two or more unique site circumstances exist. Unique site circumstances may include shared common boundary with a city-owned park or nature preserve; close proximity to multifamily, commercial or industrial-zoned properties as a complementary use; or other unique site circumstances as determined by the director; and~~
- ~~(f) Within multifamily-zoned properties.~~

(3) Review Process.

- (a) Cottage housing developments that are developed with all cottages located on a common lot shall be processed in accordance with Chapter [22G.120](#) MMC, Site Plan Review; and
- (b) Cottage housing developments that are developed with cottages on individual lots shall be processed in accordance with Chapter [22G.090](#) MMC, Subdivisions and Short Subdivisions or Chapter 22G.095, Unit Lot Subdivisions; provided that the provisions in Chapter 22G.095 may only be used for up to 20 unit lots.

(4) Accessory Uses. The following accessory uses are permitted within cottage housing developments:

(a) Community Buildings. Commonly owned community building(s) for the use of the residents of the cottage housing development are allowed but not required. Where provided, common buildings must be centrally located; clearly incidental in use and size to the rest of the development; and similar in design (i.e., roof pitch, architecture, materials and colors) to the cottage units. Common buildings may include meeting space, recreational facilities, a food preparation area, sinks, and toilets, but shall not include commercial uses, sleeping quarters, or bathing facilities (unless the bathing facility is clearly incidental to a recreational facility located within the common building).

(b) Garages or carports as outlined in subsection (11) of this section.

(c) Community gardens, play structures, and similar amenities for use of the occupants of the cottage housing development.

(5) Accessory Dwelling Units. Accessory dwelling units and/or extended-family dwelling units are not allowed in cottage housing developments.

(6) Density and Dimensions.

Density (dwelling unit <u>or lot</u> / acre)	2 times the base density of the underlying zone (a)
<u>Minimum lot size, or minimum land area allocation per cottage</u>	<u>2,000 SF (b)</u>
Development size	Minimum 4 cottage units. Maximum 12 cottage unit per grouping. Development may contain multiple groupings.
Minimum lot size	Beyond density and dimensional restrictions, there is no required minimum lot size for subdivided cottage lots.
Minimum front setback or yard	10 feet ^{(b)(c)}
Minimum side setback or yard	5 feet ^{(e), (d), (e)}
Minimum rear setback or yard	10 feet ^{(b), (c)(d)}
Minimum setback from critical area buffers, or critical areas, if no buffer is required	15 feet
Maximum building coverage: percentage	40 percent^(e)
Maximum impervious coverage: percentage	60 percent ^{(e)(f)}

(a) Density shall be calculated pursuant to MMC 22C.010.110 Net Project Area.

(b) Existing detached single-family residences, which may be nonconforming with respect to the standards of this section, shall be permitted to remain; provided, that the extent of the nonconformity may not be increased. Said residences shall be included in the maximum permitted cottage density, and must meet the applicable density and dimensional requirements of the underlying zone.

~~(b)~~ (c) The front and rear yard setbacks for cottages and two-story accessory structures shall be increased to 20 feet along the perimeter of cottage housing developments that abut existing single-family residential development or single-family zoned properties; provided, that this requirement shall not apply along perimeter boundaries abutting public right-of-way, or for infill lots located within the Downtown Neighborhood~~downtown~~ ~~planning area 1.~~

~~(e)~~(d) The side or rear yard setback adjacent to a public street or private drive aisle shall be 10 feet except when the side or rear yard abuts a designated arterial, in which case the setback shall be increased to 15 feet.

~~(d)~~(e) There shall be a minimum separation of six feet between principal structures; provided, that:

(i) Where cottages will be subdivided onto individual lots, a five-foot side yard setback from the property line and 10 feet of structure separation shall be provided;

(ii) When there is a principal entrance on an interior facade of either or both of the facing facades, the minimum separation shall be 10 feet; and

(iii) When there is a principal entrance along a side facade, the side yard shall be no less than 10 feet.

~~(e)~~(f) The ~~building and~~ impervious surface coverage allowances apply to the overall development site (when subdivision is not proposed), or to the individual lots.

(7) Cottage Size, Height, and Porch Dimensional Standards.

Maximum cottage main floor area	800 square feet ^(a)
Maximum cottage total floor area	1 1/2 times the area of the main floor or 1,200 square feet, whichever is less.
Height	18 feet 23 feet (to ridge of pitched roof with minimum slope of 4:12) 28 feet (to ridge of pitched roof with minimum slope of 6:12) All parts of roof above 18 feet must be pitched.
Porch (primary)	Primary entry: 60 square feet Minimum dimension: 6 feet
Porch (secondary)	Secondary entry: 36 square feet Minimum dimension: 6 feet

(a) Cottage floor area shall be subject to the following standards:

(i) Floor area shall be the sum of the gross horizontal areas of the floors of the cottage, measured from the exterior faces of exterior walls and from the centerline of division walls. Enclosed space in a cottage located either above the main floor and more than 12 feet above finished grade, or below the main floor, shall be limited to no more than 50 percent of the enclosed space of the main floor, or 400 square feet, whichever is less. This restriction applies regardless of whether a floor is proposed in the enclosed space, but shall not apply to attic or crawl spaces (less than six feet in height).

(ii) Attached garages shall be included in the calculation of total floor area.

(iii) Areas that do not count as total floor area are:

(A) Unheated storage space located under the main floor of the cottage.

(B) Attached roofed porches and uncovered attached porches, decks, and balconies.

(C) Detached garages or carports.

(D) Spaces with ceiling height of six feet or less measured to the exterior walls, such as a second floor area under the slope of a roof.

(iv) The total square foot area of a cottage dwelling unit may not be increased. A note shall be placed on the title to the property for the purpose of notifying future property owners that any increase in the total square footage of a cottage is prohibited for the life of the cottage or the duration of city cottage regulations.

(8) Cottage Orientation and Open Space Standards. Cottages shall meet the following orientation and open space standards:

(a) Open space shall be provided equal to a minimum of 20 percent of the development site. This may include common open space, private open space, setbacks, critical areas, and other open space.

~~(a)~~ (b) Cottages shall be oriented around and have their main entry from the common open space.

~~(b)~~(c) Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two sides.

~~(c)~~(d) Four hundred square feet of open space shall be provided (200 square feet of private open space and 200 square feet of common open space).

(i) Private and common open space must be calculated separately (i.e., private open space does not count towards common open space, and common open space does not count towards private open space);

(ii) All open space must be usable and located at ground level. Critical areas and buffers shall not count towards open space;

(iii) Setbacks shall not be counted as either private or common open space unless the setback abuts a designated common open space area, in which case the setback area may meet both setback and private open space requirements.

~~(d)~~(e) Private open space shall:

(i) Be located in a contiguous area and abut the cottage it serves;

(ii) Be oriented towards the common open space as much as possible;

(iii) Have no horizontal dimension less than 10 feet; and

(iv) A fence or hedge not to exceed three and one-half feet high may separate private open space from common open space.

~~(e)~~(f) Common open space shall:

- (i) Be provided in a contiguous area to the extent feasible;
- (ii) Be allocated so that at least 50 percent of the common open space for a grouping of cottages is located centrally among the grouping of cottages; and
- (iii) Have no horizontal dimension less than 15 feet.

(9) Building Design Standards – Including Garages/Parking Structures. The purpose of the design standards is to: encourage variety and visual interest in new residential development in a manner that is compatible with the neighborhood character; ensure the scale of the cottages is proportional to their lot and parcel size, provide landscaping between new and existing development to buffer and provide a transition, enhance the building and site appearance, and maintain the quality of the neighborhood.

(a) Inviting Facade. Each cottage unit shall have an inviting facade for any facades abutting common open space areas, public rights-of-way, and private roads or accesses serving the cottage housing development. If a cottage unit abuts more than one public right-of-way or private road or access, the director shall determine which access the inviting facade shall be oriented towards.

(b) Building Character Proportionality and Massing. Size and height reductions of cottage housing, design techniques and perimeter buffer landscaping shall be used to promote compatibility with the surrounding neighborhood and proportionality and massing of new cottage development adjacent to existing single-family neighborhoods.

(c) Variety in Buildings and Visual Interest With Consistency in Architectural Style. The building designs and layout shall prevent the repetitive use of the same combination of building features, building layout, and site design elements within any cottage development, grouping of cottages, and adjacent dwellings.

(i) Varied and Interesting Rooflines. Varied and interesting rooflines must be provided which include use of varied pitched roof styles, gables, or dormers. Roof breaks or step-downs are encouraged and can be used to reduce required setbacks adjacent to parcel boundaries.

(ii) Separation of Identical Buildings and Elevations. Units of identical elevation types must be separated by at least two different elevations. This will result in at least three different building elevation plans per cluster. No two adjacent structures shall be built with the same building elevation (reverse elevations do not count as a different building elevation), facade materials, or colors.

(iii) Different Roof, Window Design and Entries. Provide differing roof forms, gables or dormers. Roof overhangs a minimum of six inches are required. Different window design, entry treatments and base treatments shall be utilized to help achieve variety.

(iv) Corner Lot Cottages. Cottages on corner lots shall be architecturally designed to provide modulation and detail on both frontages. Examples of modulation include use of bay windows, wrapped porches, and dormers.

(v) Open and Closed Cottages Along Private Side Yards. Private side yards are an important element in cottage development. The side yard is typically designated to a particular cottage (like zero lot line homes) and this cottage should be open to the side yard using doors, windows or a wrapped porch. The adjacent cottage having a closed side and window placement is an essential part of the design to achieve this relationship.

(d) Variety in Building Design. Provide variety and visual interest by using a combination of building elements, features and treatments in cottages as well as garages. Structures must include building articulation, change in materials or textures, windows, or other architectural features. A minimum of at least one side articulation or roof break shall occur for side elevations facing public streets or common open spaces or walkways to the common open spaces. No blank walls are allowed. The following building elements, features, and treatments that provide variety and visual interest shall be used in combination to create variety in building design, but are not limited to:

(i) Variation in building type and plans.

(ii) Variation in layout and orientation.

(iii) Variation in building materials, mixture and texture.

(A) Vertical Changes. Changes in materials in a vertical wall shall occur at an internal corner or a logical transition such as aligning with a window edge or chimney.

(B) Horizontal Changes. Transition in materials on a wall surface, such as shingle or lap siding, shall be required to have a material separation, such as a trim band board.

(C) Acceptable Exterior Wall Material. Wood, cement fiberboard, stucco, standard sized brick and stone may be used. Simulated stone, wood, ~~stone~~ or brick may be used to detail homes.

(D) Trim. Trim may be wood, cement fiberboard, stucco, or stone materials. Trim is required around all doors and windows. The trim must be three and one-half inches minimum and be used on all elevations.

(iv) Building modulation.

(v) Building intervals and articulation.

(vi) Varying roof shapes, pitches and gables.

(vii) Varied roof heights and roof breaks or roof extensions.

(viii) Dormers.

(ix) Window trim and mullions.

(x) Bay windows or bump outs.

(xi) Entry enhancement.

(xii) Porches and patios. (Porches with railings preferred.)

(xiii) Use of varied siding, trim and base colors.

(xiv) At a minimum, use bottom and top material treatment and if recommended use tripartite architecture.

(xv) Chimney or tower.

(xvi) Trellis.

(xvii) Belly bands, brackets/braces.

(xviii) Other building elements and the combined use of the above shall be approved by the planning director.

(10) Site Access Standards. Access to the cottage housing development shall be provided as follows:

(a) Access to parking shall be from the alley when the cottage housing development abuts a platted alley improved to the city's engineering design and development standards, or when the director determines that alley access is feasible and desirable to mitigate parking access impacts.

(b) For cottage housing developments where all of the cottages are located on a common lot and alley access is not available, the private drive aisle standards outlined in MMC [22C.130.050](#), Table 2, shall apply.

(c) For cottage housing developments where the cottages will be subdivided onto individual lots, the city's PRD and cottage housing street standards as set forth in the engineering development and design standards ("EDDS") shall apply. The "PRD and Cottage Housing Access Street" standard shall apply where fewer than 20 dwelling units are proposed, and the "PRD and Cottage Housing Access Street with Parking" standard shall apply where 20 or more dwelling units are proposed. Modifications to the "PRD and Cottage Housing Access Street" and the "PRD and Cottage Housing Access Street with Parking" standards may be requested for sidewalks, planter strips, and on-street parking. The burden to clearly demonstrate the proposed modification meets the requirements of this section is the applicant's. (Note: it is not likely multiple reductions will be allowed along a single section of road.) If requesting a modification, the applicant shall submit an integrated pedestrian travel, landscape and parking plan as well as other information to demonstrate:

(i) Safe, aesthetically pleasing pedestrian travel is provided throughout the development.

(ii) Pedestrian travel within the development shall be tied to pedestrian travel routes outside the development, actual and/or planned.

(iii) Reduction of planter strips shall require additional equivalent or greater landscaping to benefit the development.

(iv) Any proposed modifications shall allow for efficient flow and movement of automobiles and pedestrians without negatively altering or constraining their movement.

(d) Five-foot-wide pedestrian pathways (sidewalks) must be included to provide for movement of residents and guests from parking areas to homes and other amenities.

(11) Parking Standards. Parking shall meet the following standards:

(a) ~~The number of off~~Off-street parking spaces shall be provided as follows: ~~set forth in MMC 22C.130.030, Table 1 and shall meet the dimensions set forth in MMC 22C.130.050, Table 2.~~

~~(i) One space for cottages 700 square feet or less;~~

~~(ii) One and one half spaces for cottages 701 to 1,000 square feet; and~~

~~(iii) Two spaces for cottages 1,001 to 1,200 square feet.~~

(b) Parking stalls, garages and carports must be screened from public streets or abutting residential properties.

(c) Parking stalls, garages and carports shall be located in the following preferential order:

(i) To the rear of the units accessed off an alley;

(ii) To the side of the units accessed by a private driveway; or

(iii) A garage, landscaping, and/or fencing shall screen parking next to a side street.

(d) Parking stalls, garages and carports must meet the front yard setback requirements outlined in subsection (6) of this section.

(e) Parking areas must be located in clusters of not more than six adjoining spaces. Landscaping or other architectural features shall separate clusters of parking, and clusters of parking from common areas.

(f) The parking area should not be the major view from the public right-of-way or street. Landscaping, cottages, or the common area should provide the view into the cottage development.

(g) Garages and carports shall be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces.

(h) The architectural design of all garages and carports must be similar and compatible to that of the cottage dwelling units within the development.

(i) Garage and carport rear and side elevations facing the public street or adjacent existing development shall have architectural details to minimize the impact of the facade.

(j) A six-single-vehicle-stall garage or carport is the maximum number allowed in any garage or carport.

(k) Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which precludes the use of the parking spaces for vehicles is prohibited.

(12) Screening Standards.

(a) Boundaries between cottage dwellings and neighboring properties shall be screened with landscaping to reduce the appearance of bulk or intrusion onto adjacent properties, or

otherwise treated (i.e., through setbacks or architectural techniques) to meet the intent of this section.

(b) Yard and open space fencing within the cottage housing development shall not exceed three and one-half feet tall.

(c) Trash and Recycling Container Enclosure and Landscape Screening. All dumpster containers, individual refuse containers, and trash compactors shall be enclosed per the following standards:

(i) All loading, trash, recycling and storage areas shall be located so they are not visible from streets and will be concealed.

(ii) An architectural screen shall surround all sides except the access entry. Building walls of adjacent structures may be used to partially satisfy this requirement. Screen walls shall be a solid visual screen constructed out of metal, concrete, and/or masonry units; or other materials similar to the cottages and garage structures. Required gates and trellises, and other architectural screening elements, shall be designed so that they complement the surrounding buildings unless there is some overriding fire access issue.

(iii) A concrete slab shall be installed as the base material within the enclosure.

(13) Homeowners' Association. A homeowners' association and covenants are required for the maintenance of the common areas and buildings.

(14) Requests for Modifications to Standards. The community development director may approve minor modifications to the general parameters and design standards set forth in this chapter, provided the site is constrained due to unusual shape, topography, easements or sensitive areas.

(a) The modification is consistent with the objectives of this chapter.

(b) The modification will not result in a development that is less compatible with neighboring land uses.

Exhibit FFF

22C.010.300 ~~Commercial, multiple family, townhome, and group residences~~— Vehicular access and parking location for uses abutting an alley.

- (1) On sites abutting an alley, ~~commercial, apartment, townhome and all group residence~~ developments shall have parking areas placed to the rear of buildings with primary vehicular access via the alley, except when waived by the planning director due to physical site limitations.
- (2) When alley access is available, and provides adequate access for the site, its use will be required unless determined to be infeasible or undesirable as determined by the community development director.
- (3) When common parking facilities for ~~attached dwellings and group~~ residences exceed 30 spaces, no more than 50 percent of the required parking shall be permitted between the street property line and any building, except when authorized by the planning director due to physical site limitations.
- (4) Direct parking space access to an alley may be used for parking lots with five or fewer spaces.

Exhibit GGG

22C.010.310 ~~Small lot s~~Single-family dwelling and Middle Housing development standards.

The provisions of this section apply to building permits for single-family dwellings and Middle Housing ~~on lots having an area less than 5,000 square feet and single-family dwellings when multiple single-family dwellings are on a single lot~~, excluding accessory dwelling units and cottage housing; review will be done through the building permit process.

(1) It is the intent of these development standards that single-family dwellings and Middle Housing ~~on small lots~~ be compatible with neighboring properties, friendly to the streetscape, and in scale with the lots upon which they are to be constructed. The director is authorized to promulgate guidelines, graphic representations, and examples of housing designs and methods of construction that do or do not satisfy the intent of these standards.

(2) Entry. Where lots front on a public street, the house shall have doors and windows which face the street. Houses should have a distinct entry feature such as a porch or weather-covered entryway with an entry feature that is at least 60 square feet with no dimension less than six feet.

The director may approve a street orientation or entryway with dimensions different than specified herein; provided, the entry visually articulates the front facade of the dwelling ~~so as~~ to create a distinct entryway, meets setback requirements, provides weather cover, has a minimum dimension of four feet, and is attached to the home.

(3) Alleys.

(a) If the lot abuts an alley, the garage or off-street parking area shall take access from the alley, unless precluded by steep topography. No curb cuts shall be permitted unless access from the alley is precluded by steep topography.

(b) The minimum driveway length may be reduced to between six and zero feet for garages when the following conditions are met:

(i) An alley is provided for access;

(ii) At least one off-street parking space, in addition to any provided in the garage, is provided to serve that dwelling unit and the stall(s) is conveniently located for that particular dwelling; and

(iii) The applicable total parking stall requirement is met.

(c) The rear yard setback may be reduced to zero feet to accommodate the garage.

(d) If the garage does not extend to the property line or alley, the dwelling unit above the garage may be extended to the property line or alley.

(e) Dwellings with a wall facing an alley must provide at least one window facing the alley to allow observation of the alley.

(4) Auto Courts. Autocourts shall comply with the standards set forth in the City's Engineering Design and Development Standards. Where a consolidated road results in superior site design, circulation, safety or access management, autocourts may be required to be minimized and a consolidated public road provided.

~~(a) Auto courts are only allowed in a PRD.~~

~~(b) Auto courts provide ingress and egress to a cluster of no more than six dwellings and access from a nonarterial street. Auto court design must be consistent with the city's design guidelines for auto courts.~~

~~(c) Auto courts shall be no less than 20 feet in width; provided, that if emergency services access is required, the driving surface dimensions will comply with emergency vehicle access requirements.~~

~~(d) Auto courts shall be no greater than 150 feet in length, unless acceptable emergency vehicle turnaround is provided and designed so vehicles will not back onto public streets.~~

~~(e) Driveway length may be reduced to between three feet and six feet for garages when at least two parking spaces are provided for the unit in addition to the garage. The additional parking must be conveniently located to the dwelling.~~

(5) Facade and Driveway Cuts. If there is no alley access and the lot fronts on a public or private street, living space equal to at least 50 percent of the garage ~~façade~~ shall be flush with or projected forward of the garage, and the dwelling shall have entry, window and/or roofline design treatment which emphasizes the house more than the garage. Where materials and/or methods such as modulation, articulation, or other architectural elements such as porches, dormers, gables, or varied roofline heights are utilized, the director or designee may waive or reduce the 50 percent standard. Driveway cuts shall be no more than 80 percent of the lot frontage; provided, that the director or designee may waive the 80 percent maximum if materials and/or methods to de-emphasize the driveway, such as ribbon driveways, grasscrete surface, or accent paving, are utilized.

(6) Privacy. Dwellings built on lots without direct frontage on the public street should be situated to respect the privacy of abutting homes and to create usable yard space for the dwelling(s). The review authority shall have the discretion to establish setback requirements that are different than may otherwise be required in order to accomplish these objectives.

(7) Individual Identity. Home individuality will be achieved by the following:

(a) Avoiding the appearance of a long row of homes by means such as angling houses, varied street setbacks, and varied architectural design features.

(b) Each dwelling unit shall have horizontal or vertical variation within each unit's front building face and between the front building faces of all adjacent units/structures to provide visual diversity and individual identity to each unit. Upon building permit application, a plot plan of the entire structure shall be provided by the builder to show compliance with this requirement. The director or designee shall review and approve or deny the building design, which may incorporate variations in rooflines, setbacks between adjacent buildings, and other structural variations.

(c) The same building plans cannot be utilized on consecutive lots. "Flip-flopping" of plans is not permitted; provided, that upon demonstration to the director that the alteration of building facades would provide comparable visual diversity and individual identity to the dwelling units as different building plans, this provision shall not apply. Materials and/or methods which may be utilized to achieve visual diversity include, but are not limited to, use of differing siding material, building modulations and roofline variations.

(d) Side facades visible from streets or shared accesses shall have siding similar to the front façade and windows on a minimum of five (5) percent of the side façade; provided

that, the director may allow a reduction in windows where the side façade incorporates other features that provide comparable visual interest.

(8) Landscaping. Landscaping of a size and type consistent with the development will be provided to enhance the streetscape. Landscaping will enhance privacy for dwellings on abutting lots and provide separation and buffering on easement access drives.

(9) Duplexes and Middle Housing. Duplexes and Middle Housing must be designed to architecturally blend with the surrounding single-family dwellings and not be readily discernible as a duplex or Middle Housing but appear to be a single-family dwelling, or must comply with the individual identity provisions in subsection (7) where distinct units are proposed (e.g. side-by-side duplex or townhouse units).

Exhibit HHH

22C.010.330 Townhouse open space.

Townhouses, Middle Housing, single family, and other ground based multifamily residential units with individual exterior entries must provide at least 200 square feet of private open space per dwelling unit adjacent to, and directly accessible from, each dwelling unit. This may include private balconies, individual rear yards, landscaped front yards, and covered front porch areas.

Exception: Common open space designed in accordance with MMC [22C.010.320](#)(1) may substitute for up to 50 percent of each unit's required private or semiprivate open space on a square foot per square foot basis.



Figure 18 – Common open space for a townhouse development.



Figure 19 – These townhouses provide balconies and semi-private yard space.



Figure 20 – Example townhouse configuration with a combination of private open spaces adjacent to units and larger common open space accessible to all units.

Exhibit III

~~22C.010.400 Duplex performance and design standards:~~

All new duplexes located within any residential zone shall meet the following standards and regulations:

~~(1) Bulk and Setback Variation. Each duplex structure shall have horizontal or vertical variation within each dwelling unit's front building face and between the front building faces of all adjacent units/structures to provide visual diversity to the duplex structures and individual identity to duplex units. Upon building permit or conditional use permit (if required) application, a plot plan of the entire structure in which each unit is located shall be provided by the builder to show compliance with this requirement. The planning director shall review and approve or deny the building design which may incorporate variations in rooflines, setbacks between adjacent buildings or lots, and other structural variations. Where the applicant and the community development director are not able to reach agreement on the provisions of the final building design, the dispute shall be submitted to the hearing examiner in accordance with the procedures established in Chapter 22G.010 MMC, Land Use Application Procedures.~~

~~(2) Building Plans. The same building plan cannot be utilized on consecutive lots. "Flip flopping" of plans is not permitted; provided, that upon demonstration to the planning director that the alteration of building facades would provide comparable visual diversity and individual identity to the duplexes as different building plans, this provision shall not apply. Materials and/or methods which may be utilized to achieve visual diversity include, but are not limited to, use of differing siding material, building modulations and roofline variations.~~

~~(3) Landscaping. At the time of application for a building permit or conditional use permit (if required), the developer shall submit landscaping plans for, at a minimum, all front and side setbacks and common open space areas associated with the building for which permit application is made. Landscaping shall consist of two native trees per unit, planted in the front yard, which are at least one and one half inches in caliper for deciduous or six feet in height for evergreen trees, plus a mixture of trees, shrubs and ground cover as appropriate to the site. All required landscaping shall be installed in accordance with the plans prior to issuance of an occupancy permit. Where applicable, street frontage landscaping shall comply with the city's streetscape plan.~~

~~(4) Orientation. Building orientation should be utilized as a method to provide visual diversity and individual identity to the duplex structures; provided, that where physical or economic considerations make such orientation impractical, this provision shall not apply.~~

Exhibit JJJ

22C.010.400 Middle Housing – Affordable Housing Provisions.

- (1) To qualify for additional units under the affordable housing provisions of 22C.015.050(1)(c), an applicant shall commit to renting or selling the required number of units as affordable housing and meeting the standards of subsections (2) through (6) below.
- (2) Dwelling units that qualify as affordable housing shall have costs, including utilities other than telephone, that do not exceed 30 percent of the monthly income of a household whose income does not exceed the following percentages of median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development:
 - (a) Rental housing: 60 percent.
 - (b) Owner-occupied housing: 80 percent.
- (3) The units shall be maintained as affordable for a term of at least 50 years, and the property shall satisfy that commitment and all required affordability and income eligibility conditions.
- (4) The applicant shall record a covenant or deed restriction that ensures the continuing rental or ownership of units subject to these affordability requirements consistent with the conditions in chapter 84.14 RCW for a period of no less than 50 years.
- (5) The covenant or deed restriction shall address criteria and policies to maintain public benefit if the property is converted to a use other than that which continues to provide for permanently affordable housing.
- (6) The units dedicated as affordable housing shall:
 - (a) Be provided in a range of sizes comparable to other units in the development.
 - (b) The number of bedrooms in affordable units shall be in the same proportion as the number of bedrooms in units within the entire development.
 - (c) Generally, be distributed throughout the development and have substantially the same functionality as the other units in the development.

Exhibit KKK

22C.050.010 Purpose.

The purpose of the small farms overlay is to provide a process for registering small farms, thereby applying the small farms overlay zone and recording official recognition of the existence of the small farm, and to provide some encouragement for the preservation of such farms, as well as encouraging good neighbor relations between ~~single-family~~ small farms and adjacent residential and other development. This chapter provides alternative development standards to address unique site characteristics and addresses development opportunities which can exceed the quality of standard developments, by:

- (1) Establishing authority to adopt property-specific development standards for increasing minimum requirements of this code on individual sites; and
- (2) Establishing the small farms overlay zone with alternative standards for special areas designated by the comprehensive plan or neighborhood plans.

Exhibit LLL

22C.050.050 Permitted uses in small farms overlay zone.

The following uses are permitted in the small farms overlay zone:

- (1) Horticulture.
- (2) Floriculture.
- (3) Viticulture.
- (4) Animal husbandry.
- (5) Production of seed, hay and silage.
- (6) Christmas tree farming.
- (7) Aquaculture.
- (8) Roadside stands, subject to the following standards:
 - (a) Roadside stands not exceeding 300 square feet in area.
 - (b) Roadside stands shall be exclusively for the sale of products produced on the premises, from the above listed uses.
 - (c) Space adequate for the parking of a minimum of three vehicles shall be provided adjacent to any stand and not less than 20 feet from any street right-of-way.
- (9) One single-family residence or Middle Housing building~~dwellings~~ per lot shall be allowed pursuant to MMC 22C.010.060 and 22C.010.080, together with accessory structures and uses.

Exhibit MMM

22C.065.060 Single-family and ~~duplex~~ Middle Housing dwelling development standards.

The provisions of this section apply to building permits for single-family dwellings and Middle Housing ~~single-family dwellings when multiple single-family dwellings are on a single lot~~, excluding accessory dwelling units and cottage housing; review will be done through the building permit process.

(1) It is the intent of these development standards that single-family dwellings and Middle Housing be compatible with neighboring properties, friendly to the streetscape, and in scale with the lots upon which they are to be constructed. The director is authorized to promulgate guidelines, graphic representations, and examples of housing designs and methods of construction that do or do not satisfy the intent of these standards.

(2) All residential development shall be designed to front onto streets. Configurations where dwelling units and/or residential lots back up to any street are prohibited. For example, new subdivisions along a street could be configured so that lots fronting on the street feature alley access in the rear or other shared driveway access as approved by the city on the side of the lots. Lot configurations where side yards face the street are acceptable.

(3) Entry. Where lots front on a public street, the house shall have doors and windows which face the street. Houses must have a distinct entry feature such as a porch or weather-covered entryway with an entry feature that is at least 60 square feet with no dimension less than six feet. Where lots front on a common open space or pathway, the requirements for orientation are the same as for a public street.

The director may approve a street orientation or entryway with dimensions different than specified herein; provided, the entry visually articulates the front facade of the dwelling so as to create a distinct entryway, meets setback requirements, provides weather cover, has a minimum dimension of four feet, and is attached to the home.

(4) Alleys.

(a) If the lot abuts an alley, the garage or off-street parking area shall take access from the alley, unless precluded by steep topography. No curb cuts shall be permitted unless access from the alley is precluded by steep topography.

(b) The minimum driveway length may be reduced to between six and zero feet for garages when the following conditions are met:

(i) An alley is provided for access;

(ii) At least one off-street parking space, in addition to any provided in the garage, is provided to serve that dwelling unit and the stall(s) is conveniently located for that particular dwelling; and

(iii) The applicable total parking stall requirement is met.

(c) The rear yard setback may be reduced to zero feet to accommodate the garage.

(d) If the garage does not extend to the property line or alley, the dwelling unit above the garage may be extended to the property line or alley.

(e) Dwellings with a wall facing an alley must provide at least one window facing the alley to allow observation of the alley.

(5) Auto Courts. Autocourts shall comply with the standards set forth in the City's Engineering Design and Development Standards. Where a consolidated road results in superior site design, circulation, safety or access management, autocourts may be required to be minimized and a consolidated public road provided.

~~(a) Auto courts are only allowed in a PRD.~~

~~(b) Auto courts provide ingress and egress to a cluster of no more than six dwellings and access from a nonarterial street. Auto court design must be consistent with the city's design guidelines for auto courts.~~

~~(c) Auto courts shall be no less than 20 feet in width; provided, that if emergency services access is required, the driving surface dimensions will comply with emergency vehicle access requirements.~~

~~(d) Auto courts shall be no greater than 150 feet in length, unless acceptable emergency vehicle turnaround is provided and designed so vehicles will not back onto public streets.~~

~~(e) Driveway length may be reduced to between three feet and six feet for garages when at least two parking spaces are provided for the unit in addition to the garage. The additional parking must be conveniently located to the dwelling.~~

(6) Facade and Driveway Cuts. If there is no alley access and the lot fronts on a public or private street, living space equal to at least 50 percent of the garage facade shall be flush with or projected forward of the garage, and the dwelling shall have entry, window and/or roofline design treatment which emphasizes the house more than the garage. Where materials and/or methods such as modulation, articulation, or other architectural elements such as porches, dormers, gables, or varied roofline heights are utilized, the director or designee may waive or reduce the 50 percent standard. Driveway cuts shall be no more than 80 percent of the lot frontage; provided, that the director or designee may waive the 80 percent maximum if materials and/or methods to deemphasize the driveway, such as ribbon driveways, grasscrete surface, or accent paving, are utilized.

(7) Privacy. Dwellings should be situated to respect the privacy of abutting homes and to create usable yard space for the dwelling(s). Windows should be placed to protect privacy. The review authority shall have the discretion to establish setback requirements that are different than may otherwise be required in order to accomplish these objectives.

(8) Individual Identity. Home individuality shall be achieved by the following:

(a) Avoiding the appearance of a long row of homes by means such as angling houses, varied street setbacks, and varied architectural design features.

(b) Each dwelling unit shall have horizontal or vertical variation within each unit's front building face and between the front building faces of all adjacent units/structures to provide visual diversity and individual identity to each unit. Upon building permit application, a plot plan of the entire structure shall be provided by the builder to show compliance with this requirement. The director or designee shall review and approve or deny the building design, which may incorporate variations in rooflines, setbacks between adjacent buildings, and other structural variations.

(c) The same building plans cannot be utilized on consecutive lots. "Flip-flopping" of plans is not permitted; provided, that upon demonstration to the director that the alteration of building facades would provide comparable visual diversity and individual identity to the dwelling units as different building plans, this provision shall not apply. Materials and/or methods which may be utilized to achieve visual diversity include, but are not limited to, use of differing siding material, building modulations and roofline variations.

(d) Side facades visible from streets or shared accesses shall have siding variation similar to the front façade and windows on a minimum of five (5) percent of the side façade; provided that, the director may allow a reduction in windows where the side façade incorporates other features that provide comparable visual interest.

(9) Landscaping. Landscaping of a size and type consistent with the development must be provided to enhance the streetscape. Landscaping will enhance privacy for dwellings on abutting lots and provide separation and buffering on easement access drives. Landscaping shall consist of two native trees per unit, planted in the front yard, which are at least one and one-half inches in caliper for deciduous or six feet in height for evergreen trees, plus a mixture of trees, shrubs and ground cover as appropriate to the site. All required landscaping shall be installed in accordance with the plans prior to issuance of an occupancy permit. Where applicable, street frontage landscaping shall comply with the city's streetscape plan.

(10) Duplexes and Middle Housing. Duplexes and Middle Housing must be designed to architecturally blend with the surrounding single-family dwellings and not be readily discernible as a duplex or Middle Housing but appear to be a single-family dwelling, or must comply with the individual identity provisions in subsection (8) where distinct units are proposed (e.g. side-by-side duplex or townhouse units).

Exhibit NNN

22C.070.040 East Sunnyside – Whiskey Ridge subarea plan zoning classifications.

The Easy Sunnyside – Whiskey Ridge subarea regulations in this chapter comprise zoning classifications and regulations which are unique to the subarea, except where other regulations in this title are adopted by reference.

Name of East Sunnyside – Whiskey Ridge Subarea Plan Zoning Districts	Symbol
Community Business	CB-WR
Mixed Use	MU-WR
Multifamily-Medium Density Multiple-Family	R-18-WR
Whiskey Ridge, Multifamily Medium Density Multiple-Family WR-R-6-18	WR-R-6-18-WR
Whiskey Ridge, High DensitySingle-Family 4.5-- 8	WR-R-4-8-WR
Single-Family High	R-6.5-WR
Recreation	REC-WR

Exhibit 000

22C.070.100 Open space.

(1) Intent.

- (a) To provide a variety of accessible and inviting pedestrian-oriented areas to attract shoppers to commercial areas and enrich the pedestrian environment.
- (b) To create usable, accessible, and inviting open spaces for residents.
- (c) To create open spaces that enhance the residential setting.



Figure 4-10. Pedestrian-oriented spaces are a critical element of successful commercial and mixed use developments.

(2) Standards and Guidelines.

- (a) Developments are subject to Chapter [22D.020](#) MMC, Parks, Recreation, Open Space and Trail Impact Fees and Mitigation, until otherwise noted.
- (b) Open Space for Nonresidential Uses. Nonresidential uses shall provide pedestrian-oriented space, defined in subsection (2)(c) of this section, in conjunction with new development according to the formula below.
 - (i) Requirement. Two percent of the applicable site plus one percent of the nonresidential building floor area (excluding structured parking areas).
 - (ii) Applicable site refers to that portion of a property or properties that is proposed for development.
 - (iii) For the purposes of this section, all required sidewalks and walkways shall not count as pedestrian-oriented space. However, the director may allow those portions of sidewalks or walkways widened beyond minimum requirements to count towards the required pedestrian-oriented space as long as such space meets the definition of pedestrian-oriented space.

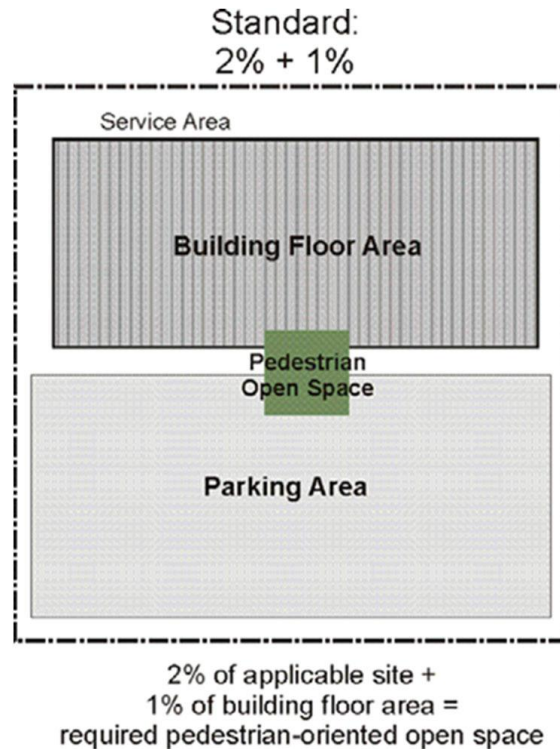


Figure 4-11. An illustration of how much pedestrian-oriented space would be required for a typical grocery store served by surface parking.

(c) Pedestrian-Oriented Spaces. These are predominantly hard-surfaced plaza- or courtyard-type spaces provided with commercial and mixed use buildings.

(i) To qualify as a pedestrian-oriented space, an area shall have:

(A) Pedestrian access to the abutting structures from the street, private drive, or a nonvehicular courtyard.

(B) Paved walking surfaces of either concrete or approved unit paving.

(C) Pedestrian-scaled lighting (no more than 15 feet in height) at a level averaging at least two foot-candles throughout the space. Lighting may be on-site or building-mounted lighting.

(D) At least two linear feet of seating area (bench, ledge, etc.) or one individual seat per 60 square feet of plaza area or open space (up to 50 percent of seats may be movable).

(E) Be sited in areas with significant pedestrian traffic to provide interest and security, such as adjacent to a building entry.

(F) Landscaping components that add seasonal interest to the space. The following features are encouraged in pedestrian-oriented space and may be required by the director for a space to meet the intent of the standards and guidelines.



Figure 4-12. Pedestrian-oriented space in front of a grocery store.



Figure 4-13. Pedestrian-oriented space in a shopping.

(ii) The following features are encouraged in pedestrian-oriented space and may be required by the director for a space to meet the intent of the standards and guidelines:

(A) Pedestrian amenities, such as a water feature, drinking fountain, tables, and/or distinctive paving or artwork.

(B) A pedestrian-oriented building facade on some or all buildings facing the space.

(C) Consideration of the sun angle at noon and the wind pattern in the design of the open space.

(D) Transitional zones along building edges to allow for outdoor eating areas and a planted buffer.



Figure 4-14. Examples of pedestrian-oriented spaces.

(iii) The following features are prohibited within pedestrian-oriented space:

- (A) Asphalt or gravel pavement.
- (B) Adjacent unscreened parking lots.
- (C) Adjacent chain link fences.
- (D) Adjacent blank walls.
- (E) Adjacent unscreened dumpsters or service areas.
- (F) Outdoor storage or retail sales that do not contribute to the pedestrian.

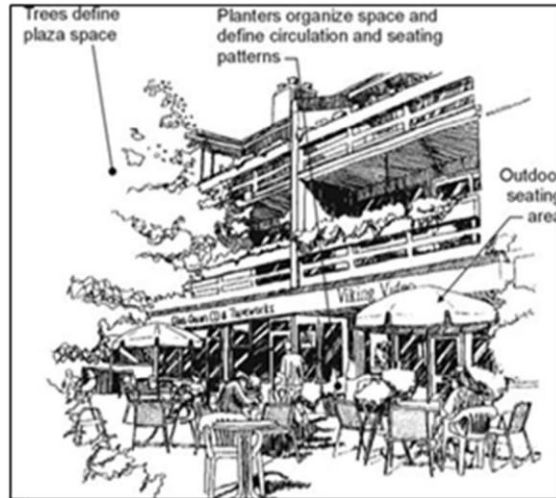


Figure 4-15. Pedestrian-oriented space example.

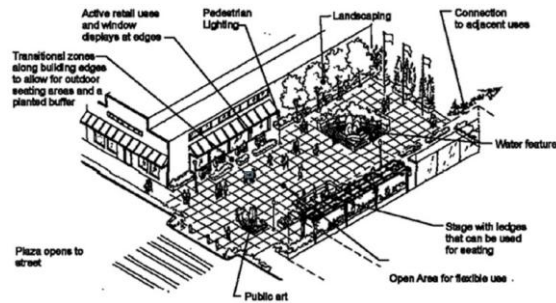


Figure 4-16. Large example of pedestrian-oriented space.

(d) Multifamily Open Space. Multifamily residential uses shall provide open space equivalent to at least 20 percent of the building's livable floor area. The required area may be satisfied with one or more of the elements listed below:

(i) Common open space accessible to all residents shall count for up to 100 percent of the required open space. This includes landscaped courtyards or decks, gardens with pathways, children's play areas, or other multipurpose recreational and/or green spaces. Special requirements and recommendations for common spaces include the following:

(A) Space shall be large enough to provide functional leisure or recreational activity per the director. For example, long narrow spaces (less than 20 feet wide) rarely, if ever, can function as usable common space.

(B) Consider space as a focal point of development.

(C) Space (particularly children's play areas) shall be visible from dwelling units and positioned near pedestrian activity.

(D) Space shall feature paths, plantings, seating, lighting and other pedestrian amenities to make the area more functional and enjoyable.

(E) Individual entries shall be provided onto common open space from adjacent ground floor residential units. Small, semi-private open spaces for adjacent ground floor units that maintain visual access to the common area are strongly encouraged to enliven the space.

Figure 4-17. A residential courtyard providing semi-private patio spaces adjacent to individual units.



(F) Separate common space from ground floor windows, streets, service areas and parking lots with landscaping and/or



low-level fencing, where desirable.

Figure 4-18. Common open space for a townhouse development.

(G) Space should be oriented to receive sunlight, facing east, west, or (preferably) south, when possible.

(H) Required setbacks, landscaping, driveways, parking, or other vehicular use areas shall not be counted toward the common space requirement.

(I) Rooftop decks shall not be considered as common open space for the purpose of calculating.



Figure 4-19. A courtyard for a mixed use development providing an amenity to residents and the adjacent coffee shop.

(ii) Individual balconies may be used to meet up to 50 percent of the required open space. To qualify as open space, balconies shall be at least 35 square feet, with no dimension less than four feet, to provide a space usable for human activity.



Figure 4-20. Balconies provide private, usable open space for residents.

(iii) Natural areas that function as an amenity to the development may count for up to 50 percent of the required open space, subject to the following requirements and recommendations:

(A) The natural area shall be accessible to all residents. For example, safe and attractive trails provided along or through the natural area where they could serve as a major amenity to the development.

(B) Steep slopes, wetlands, or similar unbuildable areas shall not be counted in the calculations for required open space unless they provide a visual amenity for all units, as determined by the director.

(iv) Stormwater retention areas may be counted for up to 50 percent of the required open space if the facility has natural looking edges, natural vegetation, and no fencing except along the property line. The design of such areas shall go well beyond functional stormwater requirements per the director in terms of the area involved and the quality of landscaping and resident amenities. The side slope of the stormwater facilities shall not exceed a grade of 1:3 (one vertical to three horizontal) unless slopes are existing, natural, and covered with vegetation.

(v) Children's play equipment and recreational activity space for children and/or teens and parent seating areas are encouraged in residential complexes with 20 or more units. Exceptions: age-restricted senior citizen housing, developments located within one-quarter mile of a public park that features a play area, mixed use developments, and



developments reserved for student housing.

Figure 4-21. Children's play area incorporated into a multifamily development.

(e) Townhouse, Middle Housing, and Ground-based Multifamily Open Space. Townhouses, Middle Housing, and ~~other~~ ground based multifamily residential units with individual exterior entries must provide at least 200 square feet of private open space per dwelling unit adjacent to, and directly accessible from each dwelling unit. This may include private balconies, individual rear yards, landscaped front yards, and covered front porch areas. Exception: Common open space designed per subsection (2)(d)(i) of this section may substitute for up to 50 percent of each unit's required private or semi-private open space on a square foot per square foot basis.



Figure 4-22. These townhouses provide balconies and semi-private yard space.

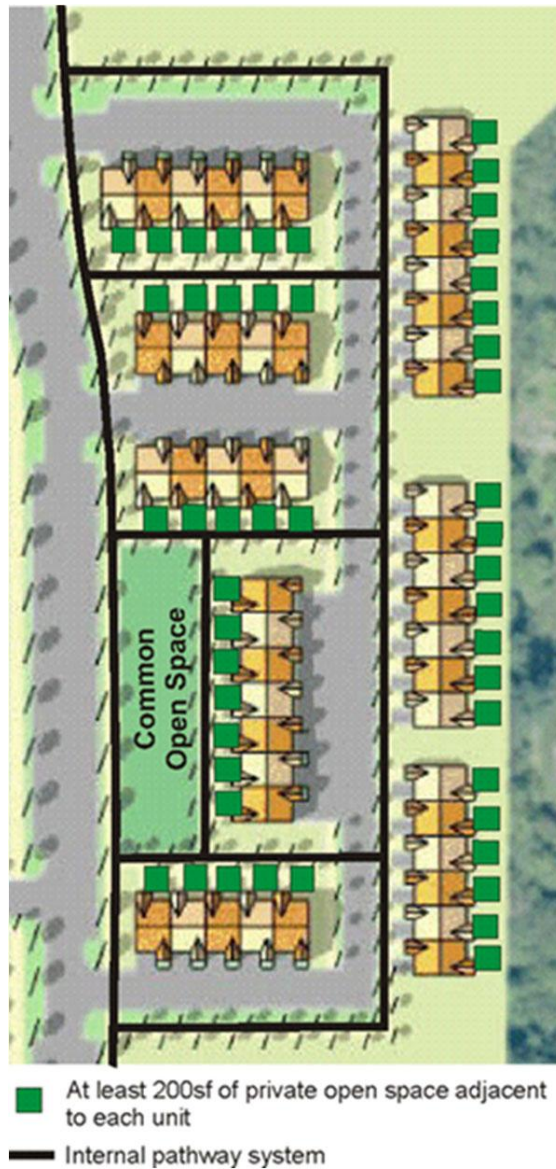


Figure 4-23. Example townhouse configuration with a combination of private open spaces adjacent to units and larger common open space accessible to all units.

Exhibit PPP

22C.070.130 Parking.

(1) Intent.

- (a) To provide flexibility in how developments accommodate parking.
- (b) To maintain active pedestrian environments along streets by placing parking lots primarily in back of buildings.
- (c) To ensure safety of users of parking areas, increase convenience to businesses, and reduce the impact of parking lots wherever possible.
- (d) To physically and visually integrate parking garages with other uses.
- (e) To reduce the overall impact of parking garages when they are located in proximity to the designated pedestrian environment.

(2) Standards and Guidelines.

(a) The standards pertaining to the required number of auto parking spaces, bicycle parking spaces, parking lot placement, parking lot setbacks and internal parking lot pedestrian connections are stated in Chapter [22C.130](#) MMC, Parking and Loading.

(b) ~~(a)~~ On-Street Parking Spaces. On-street parking spaces adjacent to commercial uses shall count towards off-street parking requirements.

~~(b)~~(c) Shared Parking. Shared parking between and among uses is encouraged and shall be permitted in accordance with Chapter [22C.130](#) MMC. Coordination between different uses and property owners to provide for shared structured parking facilities is encouraged.

~~(c)~~(d) Parking Lots at Intersections. Parking lots shall not be located adjacent to intersections. Exceptions may be granted by the director where alternative design treatments, such as special landscaping and architectural components adjacent to the street corner, enhance the visual character of the street and the pedestrian environment and where the project meets all other applicable design standards and guidelines.

~~(d)~~(e) Parking Structure Standards.

(i) Parking structures adjacent to 87th ~~Street~~ Avenue shall provide space for ground-floor commercial uses along street frontages for a minimum of 75 percent of the frontage width.

(ii) Parking structures adjacent to streets and not featuring a pedestrian-oriented facade shall be set back at least 10 feet from the sidewalk and feature landscaping between the sidewalk and the structure. This shall include a combination of evergreen and deciduous trees, shrubs, and groundcover. Alternative measures shall be considered, provided the treatment meets the intent of the standards and guidelines.

(iii) Parking garage entries shall be designed and sited to complement, not subordinate, the pedestrian entry. If possible, locate the parking entry away from the primary street, to either the side or rear of the building.

(iv) Parking within the building should be enclosed or screened through any combination of landscaping berms, walls, decorative grilles, or trellis work with landscaping. Facade openings that resemble windows can be attractive and are permitted at the ground and upper levels.

(v) Parking garages visible from a street shall be designed to be complementary with adjacent buildings on site. This can be accomplished by using similar building forms, materials, fenestration patterns, and/or details to enhance garages.

(vi) An unbroken series of garage doors is not permitted on any street frontage.



Figure 5-2. A good example of a parking garage entrance for a mixed use development.

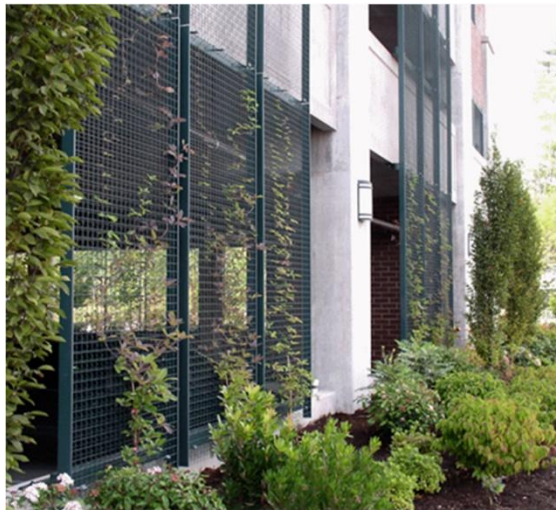


Figure 5-3. A good parking garage example with landscaping elements to screen cars and provide visual interest.

Exhibit QQQ

22C.080.120 Uses permitted in downtown Marysville zones.

(1) Interpretation of Permitted Use Table. The permitted use table in this section determines whether a use is allowed in a zone. The name of the zone is located on the vertical column and the use is located on the horizontal row of these tables.

(a) Permitted Use (P). If the letter "P" appears in the box at the intersection of the column and the row, the use is permitted in the zone. These uses are allowed if they comply with the development standards and other standards of this chapter.

(b) Conditional Use (C). If the letter "C" appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review process and approval criteria as stated in Chapter [22G.010](#) MMC, conditional use approval criteria for that use, the development standards and other standards of this chapter.

(c) Use Not Permitted (). Where no symbol appears in the box at the intersection of the column and the row, the use is not permitted in that zone, except for certain temporary uses.

(d) For uses containing a superscript letter (X), refer to the applicable condition in the "Additional Provisions" column to the right.

(e) Additional Provisions. The references, notes, and/or standards in the "Additional Provisions" column apply to all such permitted uses, except for those that apply to particular zones as noted in subsection (1)(d) of this section.

(f) For uses containing a superscript letter (Y) or (Z), refer to the "Notes" that are at the top of the "Nonresidential Uses" section.

(g) Unclassified Uses. See MMC [22A.010.070](#).

(2) Permitted Use Table. Table 22C.080.120 provides the list of permitted uses in downtown Marysville zones.

Table 22C.080.120

Permitted Use Table for Downtown Marysville Zones

Table legend: P = Permitted use C = Conditional use No letter = Use not permitted								
Use Categories	DC	MS	F	FR	MMF^Y	MH1	MH2^Z	Additional Provisions
Residential Uses								
Dwelling Units, Types								
<i>Note: Residential uses are not allowed on the ground floor facing a designated active ground floor block frontage (see MMC 22C.080.320). Lobbies for multifamily uses and live-work dwelling units are an exception, provided the units meet the standards in MMC 22C.080.320.</i>								

Table 22C.080.120

Permitted Use Table for Downtown Marysville Zones

Table legend: P = Permitted use C = Conditional use No letter = Use not permitted								
Use Categories	DC	MS	F	FR	MMF^Y	MH1	MH2^Z	Additional Provisions
Single detached								Single detached dwellings are limited to those established on or prior to September 27, 2021, and are subject to the provisions of Chapter 22C.100 MMC, Nonconforming Situations.
Duplex				P	P	P	P	
<u>Middle Housing</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Townhouse	P	P		P	P	P	P	
Multifamily	P	P ^X	P ^X	P	P		P	^X Multifamily must be above a ground-floor commercial use in the MS and F zones. In the F zone, the director may reduce the ground-floor commercial requirement to 20 percent of the ground-floor square footage to enable first-floor parking structures; provided, that commercial uses shall be along the designated block frontage or frontages, or on the highest priority roadway, as determined by the director based on a review of existing and proposed land uses and structure orientations.
Senior citizen assisted	P			C	P	C	C	
Group Residences								
Adult family home	P	P	P	P	P	P	P	Permitted within a single detached dwelling in existence as of September 27, 2021 Use is subject to obtaining a state license in accordance with Chapter 70.128 RCW
Home, rest, convalescent, or for the aged	P				P			
Residential care facilities	P	P	P	P	P	P	P	
Enhanced services facilities	P		P	P				Enhanced services facilities are limited to the areas depicted in MMC 22C.280.050 , Figure 1 In the DC zone, enhanced services facilities shall be located above a permitted ground floor commercial use See Chapter 22C.280 MMC for enhanced services facility regulations
Transitional housing facilities	P	P	P	P	P	P	P	Provide an operations plan as outlined in MMC 22C.010.070 (53) and 22C.020.070 (79)

Table 22C.080.120

Permitted Use Table for Downtown Marysville Zones

Table legend: P = Permitted use C = Conditional use No letter = Use not permitted								
Use Categories	DC	MS	F	FR	MMF^Y	MH1	MH2^Z	Additional Provisions
Permanent supportive housing	P	P	P	P	P	P	P	Provide an operations plan as outlined in MMC 22C.010.070 (53) and 22C.020.070 (79)
Emergency housing	P, C	P, C	P, C	P, C				All facilities are subject to the regulations set forth in Chapter 22C.290 MMC, Emergency Housing and Shelters. Facilities with 30 or more residents require a conditional use permit
Emergency shelters – indoor	P, C	P, C	P, C	P, C				All facilities are subject to the regulations set forth in Chapter 22C.290 MMC, Emergency Housing and Shelters. Facilities with 30 or more residents require a conditional use permit
Residential Accessory Uses								
Dwelling units, accessory						P	P	MMC 22C.180.030
Home occupations	P	P	P	P	P	P	P	Chapter 22C.190 MMC No signage is permitted in townhouse or multifamily buildings
Other residential accessory uses	P	P	P	P	P	P	P	Uses accessory to permitted principal uses may be pursued as authorized by the director
Nonresidential Uses								
Notes: ^Y In the midrise multifamily (MMF) zone, commercial is allowed for properties abutting Third and Fourth Streets, but is limited to a ground floor element of a mixed use building for other properties within this zone. ^Z In the middle housing 2 (MH2) zone, commercial is not allowed except as a ground floor element of a mixed use building located along an arterial street, and is limited to uses that serve the immediate needs of the neighborhood.								
Amusement and entertainment	P	P ^X	P	P				Operations shall be conducted entirely indoors ^X Excludes shooting ranges
Cultural, as listed below based on gross floor area (GFA):								
<10,000 sf GFA	P	P	P	P	C	C	C	
10,000 – 20,000 sf GFA	P	C	P	P	C		C	
>20,000 sf GFA	P		P	P	C			

Table 22C.080.120

Permitted Use Table for Downtown Marysville Zones

Table legend: P = Permitted use C = Conditional use No letter = Use not permitted								
Use Categories	DC	MS	F	FR	MMF^Y	MH1	MH2^Z	Additional Provisions
Dancing, music and art center	P	C ^X	P	P				^X Use conditionally permitted with 10,000 – 20,000 sf GFA and prohibited over 20,000 sf GFA
Day care, as listed below:								Day cares are defined in MMC 22A.020.050 and are subject to all state licensing requirements. ^X Only as an accessory to residential use and subject to the criteria set forth in Chapter 22C.200 MMC
Day care I	P ^X	P ^X	P ^X	P ^X	P ^X	P ^X	P ^X	
Day care II	P	P	P	C	C		C	
Drive-through, principal or accessory								Drive-through is defined in MMC 22A.020.050
Education services	P	P	P	P	C	C	C	
Electric vehicular charging station	P	P	P	P	P	P	P	
Electric vehicular battery exchange			P	P				
Essential public facilities	C	C	C	C	C	C	C	See Chapter 22G.070 MMC for the siting process for essential public facilities
General service uses, except those listed below:	P	P	P	P				Operations shall be conducted entirely indoors
Small boat sales, rental and repair, equipment rentals, vehicle repair, commercial vehicle repair, car wash, self-storage								
Government services, except as listed below:	P	P	P	P	P	P	P	
Public safety facilities, including police and fire	C	C	C	C	C	C	C	All buildings shall maintain a 20-foot setback from adjoining residential zones Any buildings from which firefighting equipment emerges onto a street shall maintain a distance of 35 feet from such street
Health services, except as listed below:	P	P	P	P	P			
Hospital	C		C	C				Pick-up and drop-off areas are permitted if determined by the director to be needed for

Table 22C.080.120

Permitted Use Table for Downtown Marysville Zones

Table legend: P = Permitted use C = Conditional use No letter = Use not permitted								
Use Categories	DC	MS	F	FR	MMF^Y	MH1	MH2^Z	Additional Provisions
								safe and efficient hospital operations and may be subject to a screening plan.
Heavy service uses, except those listed below:			C					
Commercial vehicle storage, automotive rental and leasing								
Light industrial/manufacturing	P		P					Operations shall be conducted entirely indoors
Artisan manufacturing	P	P	P	P				Operations shall be conducted entirely indoors
Nursery	p ^x		P	P				^x Retail only
Park, community center	P	P	P	P	P	P	P	
Parking lot	P		P					Stand-alone parking lots are only allowed in the listed zones. Parking lots accessory to a residential or nonresidential use are permitted in all zones.
Personal services use	P	P	P	P				Operations shall be conducted entirely indoors
Professional office	P	P	P	P	P			
Marina, dock and boathouse – private and noncommercial, boat launch	P		P	P				
Retail uses, as listed below and based on gross floor area (GFA)/individual use:								Excludes retail uses with exterior sales and/or storage areas. Drive-throughs are prohibited
<2,500 sf GFA	P	P	P	P	P		C	
2,500 – 20,000 sf GFA	P	P	P	P				
20,001 – 50,000 sf GFA	P	C	P	P				
>50,000 sf GFA	P	C	P	P				
Special retail sales uses:								
Eating and drinking places	P	P	P	P	C			Drive-throughs are prohibited

Table 22C.080.120

Permitted Use Table for Downtown Marysville Zones

Permitted Use Table for Downtown Maryland Zones								
Table legend: P = Permitted use C = Conditional use No letter = Use not permitted								
Use Categories	DC	MS	F	FR	MMF ^Y	MH1	MH2 ^Z	Additional Provisions
Gas station	P		P	P				
Heavy retail, except as listed below			C					
Motor vehicle and boat dealer, and heavy equipment sales								
State-licensed marijuana facilities								
Temporary lodging	P	P	P	P				
Temporary uses	See Chapter 22C.110 MMC							
Regional Uses								
Regional uses, except as listed below:								
College	P		P	P	C		C	
Transit park and pool lot	P		P	P	P		P	
Opiate substitution treatment program facilities	P		P	P				MMC 22C.080.150
Jail	C		C	C				
Regional storm water facility	C		C	C	C	C	C	
Public agency training facility	C		C	C				Except weapons armories and outdoor shooting ranges
Nonhydroelectric generation facility	C		C	C	C	C	C	
Wireless communication facility	P, C	P, C	P, C	P, C	P, C	P, C	P, C	Subject to Chapter 22C.250 MMC and the small cell wireless design district provisions in MMC 22C.250.120 .
Nonresidential Accessory Uses								
Nonresidential accessory uses	P	P	P	P	P	P	P	Uses accessory to permitted principal uses may be pursued as authorized by the director.

Exhibit RRR

22C.080.230 Parking and loading.

The provisions herein supplement the off-street parking provisions in Chapter [22C.130](#) MMC, Parking and Loading. Where there is a conflict, the provisions herein apply.

(1) Tandem Parking. Tandem parking is allowed for individual dwelling units, and may be used to meet minimum parking standards.

(2) Minimum Number of Parking Spaces Required. The minimum number of parking spaces for all zones and use categories is stated in Table 22C.080.230.

(a) The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required parking for the site is the sum of the required parking for the individual uses. If the parking calculation used to determine parking requirements results in a fraction greater than or equal to one-half, parking shall be provided equal to the next highest whole number.

(b) Special cases are indicated by the term "director decision," in which case parking requirements shall be established by the director. For determination by the director, the applicant shall supply one of the following:

(i) Documentation regarding actual parking demand for the proposed use.

(ii) Technical studies prepared by a qualified professional relating to the parking need for the proposed use.

(iii) Documentation of parking requirements for the proposed use from other comparable jurisdictions.

(iv) For unclassified uses, refer to MMC [22C.130.030](#)(2)(i).

(c) Parking may be waived by the director for expansion of existing commercial uses requiring less than 10 spaces.

(d) For commercial uses requiring more than 10 spaces, the director may approve a 50 percent parking reduction if the applicant can demonstrate that adequate on-street parking facilities exist within 400 feet of the proposed use. In approving a parking reduction, the director may require improvement of existing, or dedicated, right-of-way to meet the intent of the downtown master plan by providing improved parking, walkways and access.

(e) Some developments within one-quarter mile of frequent transit may be eligible for a parking minimum exception or reduction per House Bill 1923, modified by House Bill 2343.

Table 22C.080.230

Minimum Required Off-Street Parking Spaces		
Use Categories	Minimum number of off-street parking spaces	Additional Provisions
NONRESIDENTIAL (spaces per square foot of gross floor area, unless otherwise noted)		

Table 22C.080.230

Minimum Required Off-Street Parking Spaces

Use Categories	Minimum number of off-street parking spaces	Additional Provisions
Education services	5 plus 1 per staff (elementary and junior high); 1 per 10 students plus 1 per staff (high school); and 1 per staff plus 1 per each 2 students (commercial/vocational schools)	
Eating and drinking establishments	1/400 sf	No parking is required for uses in a new building with less than 10,000 sf gross floor area in the Main Street (MS) zone
Government services, general		
Health and social services		
Recreation, culture and entertainment, indoor		
Banks and professional office	1/500 sf	No parking is required for uses in a new building with less than 10,000 sf gross floor area in the Main Street (MS) zone
Personal services use		
Retail uses		
Hotels and motels	1/unit or suite	
General services, heavy services and heavy retail	1/600 sf	
Artisan manufacturing	1/750 sf	
Manufacturing, except artisan manufacturing	1/1,000 sf	Office areas are subject to the professional office space parking requirement
Uses not otherwise categorized	Director’s decision.	
RESIDENTIAL (spaces per dwelling unit)		
Single-family, duplex and townhome (excluding Middle Housing)	2.0	
Middle Housing	See MMC 22C.130, Table 1	<u>This parking standard applies to housing meeting the definition of Middle Housing in MMC 22A.020.140</u>
Accessory dwelling unit	1.0	No parking is required within one-quarter mile of a major transit stop
Multifamily dwelling unit		
Studio	1.0	
1 bedroom	1.25	
2 bedrooms or more	1.5	

Exhibit SSS

MMC 22C.090.020 Permitted locations of residential density incentives.

Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:

(1) In R-4.5 through R-8 zones when a Planned Residential Development is proposed;

~~(1)(2) In R-12 through R-28 zones;~~

~~(2) Planned residential developments;~~

(3) In MU, CB and GC zones; and

(4) In single family, multi-family, SF, MF, and MU zones within the Whiskey Ridge master plan; ~~and~~

~~(5) DC, MS, F, FR, MMF, MH1, MH2 zones within the downtown master plan.~~

Exhibit TTT

22C.090.030 Public benefits and density incentives.

(1) The public benefits eligible to earn increased densities, and the maximum incentive to be earned by each benefit, are set forth in subsection (4) of this section. The density incentive is expressed as additional bonus dwelling units or lots (or fractions of dwelling units or lots) earned per amount of public benefit provided. Where a range is specified, the earned credit will be determined by the community development director during project review.

(2) Bonus dwelling units or lots may be earned through any combination of the listed public benefits. Substantially similar benefits cannot be applied to the same area or improvement type within a development, unless approved by the director.

(3) Residential developments with property-specific development standards requiring any public benefit enumerated in this chapter shall be eligible to earn bonus dwelling units or lots as set forth in subsection (4) of this section when the public benefits provided exceed the basic development standards of this title. When a development is located in a special overlay district, bonus units or lots may be earned if the development provides public benefits exceeding corresponding standards of the special district.

(4) In single family zones, bonus lots can be earned. Bonus lots may only be earned for the benefits where lots are specifically referenced.

(5) In multi-family zones, bonus lots can be earned when single family or Middle Housing are proposed, and bonus units can be earned when multi-family or townhouse developments are proposed.

~~(4)~~(6) The following are the public benefits eligible to earn density incentives through RDI review:

Benefit	Density Incentive
1. Affordable Housing a. Benefit units consisting of rental housing permanently priced to serve nonelderly low-income households (i.e., no greater than 30 percent of gross income for household at or below 50 percent of Snohomish County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the city shall be recorded at final approval.	1.5 bonus units per benefit, up to a maximum of 30 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 30 low-income units.
b. Benefit units consisting of rental housing designed and permanently priced to serve low-income senior citizens (i.e., no greater than 30 percent of gross income for one- or two-person households, one member of which is 62 years of age or older, with incomes at or below 50 percent of Snohomish County median income, adjusted for household size). A covenant on the site that specifies the income level being served, rent levels and requirements for reporting to the city of Marysville shall be recorded at final approval.	1.5 bonus units per benefit, up to a maximum of 60 low-income units per five acres of site area; projects on sites of less than five acres shall be limited to 60 low-income units.

Benefit	Density Incentive
c. Benefit units consisting of mobile home park space or pad reserved for the relocation of an insignia or noninsignia mobile home that has been or will be displaced due to closure of a mobile home park located in the city of Marysville.	1.0 bonus unit per benefit unit.
2. Public Facilities (Schools, Public Buildings or Offices, Trails and Active Parks)	
a. Dedication of public facilities site or trail right-of-way meeting city of Marysville or agency location and size standards for the proposed facility type.	10 bonus units <u>or lots</u> per usable acre of public facility land or one-quarter mile of trail exceeding the minimum requirements outlined in other sections of this title.
b. Improvement of dedicated public facility site to city of Marysville standards for the proposed facility type.	2 – 10 (range dependent on facility improvements) bonus units <u>or lots</u> per acre of improvement. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
c. Improvement of dedicated trail segment to city of Marysville standards.	1.8 bonus units <u>or lots</u> per one-quarter mile of trail constructed to city standard for pedestrian trails; or 2.5 bonus units <u>or lots</u> per one-quarter mile of trail constructed to city standard for multipurpose trails (pedestrian/bicycle/equestrian). Shorter segments shall be awarded bonus units on a pro rata basis. If the applicant is dedicating the site of the improvements, the bonus units earned by improvements shall be added to the bonus units earned by the dedication.
d. Dedication of open space, meeting city of Marysville acquisition standards, to the city, county or a qualified public or private organization such as a nature conservancy.	2 bonus units <u>or lots</u> per acre of open space.
3. Community Image and Identity	
a. Contribution towards an identified capital improvement project, including, but not limited to, parks, roadways, bicycle facilities, pedestrian facilities, multi-use trails, gateway sign, etc.	\$25,000 per bonus unit <u>or lot</u> . Bonus units <u>or lots</u> may only be claimed in whole numbers or 0.5 bonus unit <u>or lot</u> increments.
4. Historic Preservation	
a. Dedication of a site containing an historic landmark to the city of Marysville or a qualifying nonprofit organization capable of restoring and/or maintaining the premises to standards set by Washington State Office of Archaeology and Historic Preservation.	0.5 bonus unit <u>or lot</u> per acre of historic site.
b. Restoration of a site or structure designated as an historic landmark.	0.5 bonus unit <u>or lot</u> per acre of site or 1,000 square feet of floor area of building restored.
5. Locational/Mixed Use	
a. Developments located within one-quarter mile of transit routes, and within one mile of	5 percent increase above the base density of the zone.

Benefit	Density Incentive
fire and police stations, medical, shopping, and other community services.	
b. Mixed use developments over one acre in size having a combination of commercial and residential uses.	10 percent increase above the base density of the zone.
6. Storm Drainage Facilities Dual use retention/detention facilities.	
a. Developments that incorporate active recreation facilities that utilize the storm water facility tract.	5 bonus units <u>or lots</u> per acre of the storm water facility tract used for active recreation.
b. Developments that incorporate passive recreation facilities that utilize the storm water facility tract.	2 bonus units <u>or lots</u> per acre of the storm water facility tract used for passive recreation.
7. Project Design	
a. Preservation of substantial overstory vegetation (not included within a required NGPA). No increase in permitted density shall be permitted for sites that have been cleared of evergreen trees within two years prior to the date of application for land use approval. Density increases granted which were based upon preservation of existing trees shall be forfeited if such trees are removed between the time of preliminary and final approval and issuance of building permits.	5 percent increase above the base density of the zone.
b. Retention or creation of a perimeter buffer, composed of existing trees and vegetation, or additional plantings, in order to improve design or compatibility between neighboring land uses.	1 bonus unit <u>or lot</u> per 500 lineal feet of perimeter buffer retained, enhanced or created (when not otherwise required by city code).
c. Installation of perimeter fencing and landscaping, at least six feet in width, in order to improve design or compatibility between neighboring land uses. - This benefit shall not be pursued when any of the following circumstances apply: (i) fencing or landscaping is otherwise required by code, or (ii) landscaping is voluntarily provided in order to deviate from other code requirements.	1 bonus unit per 500 lineal feet of perimeter fencing or landscaping installed (when not otherwise required by code).
d.c. Project area assembly involving 20 acres or more, incorporating a mixture of housing types (detached/attached) and densities.	10 percent increase above the base density of the zone.
ed. Private park and open space facilities integrated into project design.	5 bonus units <u>or lots</u> per improved acre of park and open space area. Ongoing facility maintenance provisions are required as part of RDI approval.
fe. Enhanced entry landscaping.	1 bonus unit <u>or lot</u> per 2,500 square feet of additional enhanced entry landscaped area (when not otherwise required by code). A minimum of 1,000 square feet of entry landscaping of exceptional, outstanding or

Benefit	Density Incentive
	unique design, as determined by the director, must be provided in order to qualify for this benefit.
8. Green Building a. Construction of a certified Leader in Energy and Environmental Design (LEED) Gold or better rating, Evergreen Sustainable Development Standard (ESDS), Built Green 4-Star or better rating, or other equivalent certified energy efficient unit as approved by the director. Certification due 120 days after final building inspections granted, or a certificate of occupancy is issued.	0.20 bonus unit <u>or lot</u> for each certified unit constructed.

~~(5)~~ (6) All benefits shall be completed prior to final subdivision, short subdivision, or binding site plan being recorded, or prior to granting a certificate of occupancy, unless otherwise specified in subsection (4) of this section.

Exhibit UUU

22C.090.040 Rules for calculating bonus units for open space and recreational areas.

To qualify as bonus units or lots, the recreational area (i.e., acreage or square feet) or amenities listed in this section must be provided in excess of the recreational area or amenities otherwise required for the development.

(1) The applicant must clearly delineate and identify on the site and/or landscape plans which areas or amenities are proposed to satisfy the standard code requirements for the development, and which areas or amenities are proposed in excess of the standard code requirements to earn bonus units or lots.

(a) Area. If additional land area (i.e., acreage or square feet) is provided for open space in excess of the standard code requirements, the applicant shall earn bonus units or lots for the area (i.e., acreage or square feet) provided in excess of the standard code requirements for the project type. Passive and active open space shall be credited at the rates outlined in MMC [22C.090.030](#)(4).

(b) Amenities. If an open space area provides additional amenities in excess of the standard code requirements, the applicant shall earn bonus units or lots for the area or areas where additional amenities are provided. The applicant shall first calculate the amenities that are required for the project type. Additional amenities must be provided as described in subsections (2) and (3) of this section.

(2) Active recreation features qualifying for a density bonus shall include:

(a) One or more of the following per half acre of open space:

- (i) Multipurpose, basketball, tennis, pickleball, or similar courts or half-courts;
- (ii) Skateboard facilities;
- (iii) Baseball, football, soccer, or similar fields;
- (iv) Large tot lot with play equipment (soft surface); or
- (v) Any other active recreation use approved by the director.

(b) Two or more of the following per half acre of open space:

- (i) ~~Disc golf~~, gGolf, or mini golf course;
- (ii) ~~Horseshoes~~, bBocce, or similar lawn games;
- (iii) Volleyball or similar net sports;
- (iv) Small tot lot with play equipment (soft surface); or
- (v) Any other active recreation use approved by the director.

(3) Passive recreation qualifying for a density bonus shall include one or more of the following per half acre of open space:

- (a) Open play areas when active amenities are not provided;
- (b) Pedestrian or bicycle paths;
- (c) Picnic areas with tables and benches;
- (d) Gazebos, benches and other resident gathering areas;
- (e) Community gardens or areas with enhanced landscaping;
- (f) Nature interpretive areas;
- (g) Waterfalls, fountains, or other water features; or
- (h) Any other passive recreation use approved by the director.

(4) Dual use storm water retention/detention and recreation facilities shall meet the following design criteria:

- (a) The facility shall be designed with emphasis as a recreation area, not a storm water control structure, and shall be designed as usable open recreation area.
- (b) Control structures shall not be prominently placed. Care should be taken to blend them into the perimeter of the recreation area.
- (c) The number of accesses shall be minimized, and the accesses shall be designed to serve as both an access and an amenity to qualify as open space. The following are examples of access treatments that would qualify as open space:
 - (i) Grasscrete or equivalent;
 - (ii) Decorative pavers; or
 - (iii) Concrete or asphalt with a dual use including, but not limited to, sport court, hopscotch, meandering paved trails, etc.

Exhibit VVV

22C.090.050 Rules for calculating total permitted dwelling units.

The total dwelling units or lots permitted through RDI review shall be calculated using the following steps:

- (1) Calculate the number of dwellings or lots permitted by the base density of the site in accordance with Chapters [22C.010](#) and [22C.020](#) MMC;
- (2) Calculate the total number of bonus dwelling units or lots earned by providing the public benefits listed in MMC [22C.090.030](#);
- (3) Add the number of bonus dwelling units or lots earned to the number of dwelling units or lots permitted by the base density;
- (4) Round fractional dwelling units or lots down to the nearest whole number; and
- (5) On sites with more than one zone or zone density, the maximum density shall be calculated for the site area of each zone. Bonus units or lots may be reallocated within the zone in the same manner set forth for base units or lots in MMC [22C.010.230](#) and [22C.020.200](#).

Exhibit WWW

22C.090.060 Review process.

(1) All RDI proposals shall be reviewed concurrently with the underlying land use project as follows:

(a) For the purpose of this section, the underlying land use project is defined as a proposed subdivision or short subdivision, binding site plan, site plan, or conditional use permit review;

(b) When the underlying land use project requires a public hearing, the hearing examiner shall consider and make a consolidated decision on the proposed project and use of RDI;

(c) When the underlying land use project does not require a public hearing, the community development director shall consider and make a consolidated decision on the proposed project and use of RDI;

(d) The community development director may approve revisions to the RDI proposal approved under subsections (1)(b) and (c) of this section, as necessary, consistent with MMC [22G.010.260](#);

(e) The notice for the underlying land use project shall include a description of the proposed RDI public benefit(s), the project's density, and the number of bonus units or lots to be earned.

(2) RDI applications that propose to earn bonus units or lots by dedicating real property or public facilities shall include a letter from the applicable receiving agency certifying that the proposed dedication qualifies for the density incentive and will be accepted by the agency or other qualifying organization. The city of Marysville shall also approve all proposals prior to granting density incentives to the project. The proposal must meet the intent of the RDI chapter and be consistent with the city of Marysville comprehensive plan.

(3) The following are required for RDI applications that propose to earn bonus units or lots using green building techniques:

(a) At the time of preliminary land use (subdivision, short subdivision, binding site plan or site plan) application, the applicant shall:

(i) Identify the green building program being used, and the name of the third-party reviewer, if applicable;

(ii) Identify the lots that will use the green building techniques; and

(iii) Provide a completed draft green building program (e.g., Built Green) checklist identifying the green building techniques to be used.

(b) At the time of building permit application, the applicant shall:

(i) Check the "green building" box on the combined building permit application;

(ii) Provide the name of the green building program being used, and the name of the third-party reviewer, if applicable; and

- (iii) Provide a completed green building program checklist identifying the green building techniques to be used with each house model.
- (d) Within 120 days of final building inspections being granted, or a certificate of occupancy being issued, the applicant shall provide the city with a copy of the green building certification.

Exhibit XXX

22C.090.070 Minor adjustments in final site plans.

When issuing building permits in an approved RDI development, the department may allow minor adjustments in the approved site plan involving the location or dimensions of buildings or landscaping, provided such adjustments shall not:

- (1) Increase the number of dwelling units or lots;
- (2) Decrease the amount of perimeter landscaping (if any);
- (3) Decrease residential parking facilities (unless the number of dwelling units or lots is decreased);
- (4) Locate structures closer to any site boundary line; or
- (5) Change the locations of any points of ingress and egress to the site.

Exhibit YYY

22C.090.090 Enforcement.

In the event the approved residential density option is no longer feasible or cannot be achieved prior to final subdivision, short subdivision, ~~or~~ binding site plan, or unit lot subdivision being recorded, or prior to issuance of a certificate of occupancy, the project proponent shall be required to choose a new benefit from the benefit options outlined in MMC [22C.090.030](#)(4) in order to achieve the density bonus lot or unit, or the bonus lot or unit shall be forfeited.

Exhibit ZZZ

22C.100.030 Nonconforming structures.

A nonconforming structure is one which was in compliance with all land use codes and regulations at the time it was constructed, but which violates the bulk or dimensional requirements of the current land use codes and regulations of the city.

(1) Nonconforming structures may be repaired and maintained. The interior of said structures may be restored, remodeled and improved to the extent of not more than 25 percent of the assessed value of the structure in any consecutive period of 12 months.

(2) The exterior dimensions of a nonconforming structure may be enlarged by up to 100 percent of the floor area existing at the effective date of the nonconformance; provided, that the degree of nonconformance shall not be increased, and the then-current bulk and dimensional requirements of the zone in which it is located shall be observed with respect to the new portion of the building.

(3) A nonconforming structure which is voluntarily or accidentally destroyed, demolished or damaged, or allowed to deteriorate, to the extent where restoration costs would exceed 75 percent of the assessed value of the structure, may be restored and rebuilt only if the structure, in its entirety, is brought into conformity with the then-current bulk and dimensional requirements of the zone in which it is located; provided, that a single-family residence or Middle Housing with nonconforming status in a residential zone may be restored and rebuilt to any extent as long as it does not increase the pre-existing degree of nonconformance; provided, a single-family residence or Middle Housing with nonconforming status in zones other than residential may be restored and rebuilt to any extent on the original footprint of the structure's foundation so long as it does not increase the pre-existing degree of nonconformance.

(4) When a structure or a portion thereof is moved to a new location, it must be made to conform to all then-current land use restrictions applicable to the new location.

(5) Nonconforming structures shall not be exempt from compliance with all current codes and regulations relating to storm drainage, landscaping, off-site traffic mitigation and frontage improvements including curbs, gutters and sidewalks.

Exhibit AAAA

22C.100.040 Nonconforming uses.

A nonconforming use is any use of land or of a structure which was legal at the time of its establishment but which violates the land use provisions of the current codes and regulations of the city, including those relating to zoning districts, density, access and off-street parking.

(1) A nonconforming use loses its status, and must be discontinued, if the structure in which it is located is voluntarily or accidentally destroyed, demolished or damaged, or is allowed to deteriorate, to the extent where restoration costs would exceed 75 percent of the assessed value of the structure. Provided, all nonconforming residential structures which are allowed to be restored and rebuilt, as described in MMC 22C.100.030(3), shall be allowed to continue the residential use thereof.

(2) A nonconforming use cannot be changed to a fundamentally different use unless it is brought into complete conformity with the current codes and regulations. An increase in volume or intensity of a nonconforming use is permissible, however, where the nature and character of the use are unchanged and substantially the same facilities are used. The test is whether the intensified use is different in kind from the nonconforming use in existence at the effective date of the nonconformance.

(3) A nonconforming use may be expanded upon the granting of a conditional use permit as provided in this chapter; provided, that such expansion of a nonconforming use shall not increase the land area devoted to the nonconforming use by more than 150 percent of that in use at the effective date of the nonconformance; provided also, that a conditional use permit shall not be required for enlargement of a single-family residence or Middle Housing in nonresidential zones subject to the limitations set forth in MMC 22C.100.030(2), or for construction of an accessory structure such as a garage or shed; provided, that the expansion or new structure is sited on the property so as not to preclude conversion of the property to a future, nonresidential use.

(4) A use established in part but not all of a building at the effective date of the nonconformance may expand within said building by up to 100 percent of the pre-existing floor area dedicated to said use upon obtaining a conditional use permit as provided in this chapter. Unlimited expansion within the building shall be permissible upon obtaining a conditional use permit if the original design of the building indicates that it was intended to be ultimately dedicated, in its entirety, to the use in question.

Exhibit CCCC

22C.120.050 Water conservation standards.

(1) Water Conservation Standards.

(a) Applicability. In order to ensure efficient water use in landscaped areas, the following standards shall be applied to all landscaping associated with office, commercial, industrial, institutional, parks and greenways, multiple-family residential projects, and commonly owned and/or maintained areas of single-family residential or Middle Housing projects.

(b) Exemptions. These standards do not apply to landscaping in private areas of single-family or Middle Housing projects. Parks, playgrounds, sports fields, golf courses, schools, and cemeteries are exempt from specified turf area limitations where a functional need for turf is established. All other requirements are applicable.

(c) Plant Selection and Use Limitation.

(i) Turf, high-water-use plantings (e.g., annuals, container plants) and water features (e.g., fountains, pools) shall be considered high-water uses and shall be limited to not more than 40 percent of the project's landscaped area if nondrought resistant grass is used, and no more than 50 percent of the landscaped area if drought resistant grass is used.

(ii) Plants selected in all areas not identified for turf or high-water-use plantings shall be well suited to the climate, soils, and topographic conditions of the site, and shall be low-water-use plants once established.

(iii) Plants having similar water use shall be grouped together in distinct hydrozones and shall be irrigated with separate irrigation circuits.

(iv) No turf or high-water-use plants shall be allowed on slopes exceeding 25 percent, except where other project water saving techniques can compensate for the increased runoff, and where the need for such slope planting is demonstrated.

(v) No turf or high-water-use plants shall be allowed in areas five feet wide or less except public right-of-way planter strips.

(d) Newly landscaped areas should have soils amended with either four inches of appropriate organic material with the first two-inch layer tilled into existing soils, or as called for in a soil amendment plan for the landscape.

(e) Newly landscaped areas, except turf, should be covered and maintained with at least two inches of organic mulch to minimize evaporation.

(f) Irrigated turf on slopes with finished grades in excess of 33 percent is discouraged.

(g) Retention of existing trees and associated understory vegetation is encouraged to reduce impacts to the storm water system and to reduce water use.

(2) Water Efficient Landscape (Xeriscape) Standards.

(a) As an alternative to traditional landscaping, the city encourages the use of xeriscape practices, which minimize the need for watering or irrigation. Xeriscape principles can be summarized as follows:

- (i) Using plants with low moisture requirements;
- (ii) Selecting plants for specific site microclimates that vary according to slope, aspect, soil, and exposure to sun and moisture;
- (iii) Using native, noninvasive, adapted plant species;
- (iv) Minimizing the amount of irrigated turf;
- (v) Planting and designing slopes to minimize storm water runoff;
- (vi) Use of separate irrigation zones adjusted to plant water requirements and use of drip or trickle irrigation systems;
- (vii) Using mulch in planted areas to control weeds, cool the soil and reduce evaporation; and
- (viii) Emphasizing soil improvement, such as deep tilling, adding organic matter and other amendments based on soil tests.

(b) Appropriate Plant Species. Trees and plants used in xeriscape plantings pursuant to this section shall:

- (i) Be appropriate for the ecological setting in which they are to be planted;
- (ii) Have noninvasive growth habits;
- (iii) Encourage low maintenance and sustainable landscape design;
- (iv) Be commercially available;
- (v) Not be plant material that was collected in the wild; and
- (vi) Be consistent with the purpose and intent of this section.

(c) Native Vegetation. Within xeriscape areas, a minimum of 50 percent native plants shall be used.

(d) Prohibited Species. The city shall maintain a list of prohibited species, which are invasive or noxious. Where such species already exist, their removal shall be a condition of development approval.

(e) Additional Planting Standards.

- (i) For xeriscape areas, soil samples shall be analyzed to determine what soil conditioning or soil amendments should be used at the time of planting. Soil conditioning measures shall be adequate for the plant species selected.

(ii) Trees, shrubs, perennials, perennial grasses and ground covers shall be located and spaced to accommodate their mature size on the site.

(f) Plant Replacement. The developer shall maintain xeriscape plantings for a two-year period from the date of planting. Within the two-year period, the developer shall replace or otherwise guarantee any failed plantings:

(i) Dead or dying trees or shrubs shall be replaced; and

(ii) Plantings or perennials, perennial grasses or ground covers shall be replanted to maintain a maximum 20 percent mortality rate from the date of planting.

(3) Storm Water. Applicants are encouraged to incorporate landscaping into the on-site storm water treatment system to the greatest extent practicable.

Exhibit CCCC

22C.120.120 Required landscape buffers.

Table 1

Proposed Use	Adjacent Use	Width of Buffer	Type of Buffer
Commercial	Property designated single family by the Marysville comprehensive plan	20 feet	L1 (1)
Commercial	Property designated multiple-family by the Marysville comprehensive plan	10 feet	L2 (1)
Commercial, industrial, multifamily and business park parking areas and drive aisles	Public right-of-way and private access roads 30 feet wide or greater	10 feet	L3
Commercial, industrial, multifamily and business park parking areas and drive aisles	Public arterial right-of-way	15 feet	L3
Residential	SR 9	See MMC 22C.120.150	
Industrial and business parks	Property designated residential by the Marysville comprehensive plan	25 feet	L1
Industrial, commercial and business park building and parking areas	I-5 or SR 9 right-of-way	15 feet	L2
Apartment, townhouse, or group residence (excluding Middle Housing)	Property designated single family by the Marysville comprehensive plan	10 feet	L1 (1)
Storm water management facility		5 feet	L5 (3)
Outside storage or waste area or above ground utility boxes		5 feet	L1 (2)
WCF and/or base station not in ROW	Property designated residential by the Marysville comprehensive plan or on property designated residential by the comprehensive plan	10 feet	L1 (1)

- (1) Plus a six-foot sight-obscuring fence or wall.
- (2) Screening and impact abatement shall be provided in accordance with MMC [22C.120.160](#).
- (3) Screening of storm water facilities shall comply with the following design standards:
 - (a) All sides visible from a public right-of-way shall be screened;
 - (b) All sides located adjacent to a residentially zoned property shall be screened, unless it can be demonstrated that adequate screening exists;
 - (c) Screening shall be consistent with the Marysville administrative landscaping guidelines; and

- (d) Dual use retention/detention facilities designed with emphasis as a recreation area, not a storm water control structure, are exempt from the screening requirements.

Exhibit DDDD

22C.130.020 General standards.

(1) Where the Standards Apply. Every building hereafter constructed, reconstructed, expanded or occupied, or use of property hereafter established or modified, shall be provided with off-street parking as provided in this chapter, and such parking areas shall be made permanently available and maintained for parking purposes. No building permit shall be issued until plans showing provisions for the required off-street parking have been submitted and approved as conforming to the standards of this chapter.

(2) Occupancy. All required parking areas must be completed and landscaped prior to occupancy of any structure.

(3) Calculations of Amounts of Required and Allowed Parking.

(a) When computing parking spaces based on floor area, floor area dedicated for parking is not counted.

(b) The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. Parking for shopping centers shall be calculated in accordance with MMC [22C.130.030](#), Table 1: Minimum Required Parking Spaces. For joint parking, see MMC [22C.130.030\(2\)\(d\)](#).

(4) Use of Required Parking Spaces. Required parking spaces must be available for the use of residents, customers or employees for the use. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. Required parking spaces must be made available to employees; they cannot be restricted only to customers. Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

(5) Proximity of Parking to Use.

(a) Parking for ~~single family, Middle Housing, and townhouses~~~~one- and two-family dwellings~~ shall be provided on the same lot as the dwelling unit it is required to serve; provided that, parking in Unit Lot Subdivisions may be provided on a different unit lot than the dwelling units if the right to use the parking is formalized by an easement recorded with the county.

(b) Parking for multiple-family dwellings shall be not over 100 feet from the building it serves.

(c) Parking for uses not specified above shall not be over 500 feet from the building it serves.

(d) All off-street parking spaces for nonresidential uses shall be located on land zoned in a manner which would allow the particular use the parking will serve.

(e) If the parking for a building or use is located on a lot other than the lot upon which the use for which the parking is required is located, the owner of the lot containing the parking shall execute a covenant in a form acceptable to the city attorney, stating that the lot is devoted in whole or in part to required parking for the use on another lot. The owner of the property upon which the main use is located shall record this covenant with the Snohomish County auditor's office to run with the properties on which both the principal use and the

off-street parking are located. The owner shall provide a copy of the recorded covenant to the community development department.

(6) Stacked Parking. Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the city ensuring that an attendant will always be present when the lot is in operation. All parking and loading area development standards continue to apply for stacked parking.

(7) Ingress and Egress Provisions. Curb cuts and access restrictions are regulated by the Marysville engineering design and development standards (EDDS). Access driveways for parking areas shall be located so as to cause the least possible conflict with vehicular and pedestrian traffic on public rights-of-way. The public works director shall have authority to fix the location, width and manner of approach of vehicular ingress or egress from a building or parking area to a public street and to alter existing ingress and egress as may be required to control traffic in the interest of public safety and general welfare. The city engineer may require joint use of driveways by more than one property.

Exhibit EEEE

22C.130.030 Minimum required parking spaces.

(1) Purpose. The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. As provided in subsection (2)(e) of this section, bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to specific land use categories. Provision of carpool parking, and locating it closest to the building entrance, will encourage carpool use.

(2) Minimum Number of Parking Spaces Required.

(a) The minimum number of parking spaces for all zones and use categories is stated in Table 1.

(b) If the parking formula used to determine parking requirements results in a fractional number greater than or equal to one-half, the proponent shall provide parking equal to the next highest whole number.

(c) Changes in Occupancy. Whenever the occupancy classification of a building is changed, the minimum standards for off-street parking for the new occupancy classification shall be applicable; provided, that if the existing occupancy had established a legal nonconforming status with respect to off-street parking requirements, no additional off-street parking shall be required for the new occupancy unless said new occupancy is in a classification requiring more parking than that which would have been required for the existing occupancy if it had been subject to the provisions of this chapter. If strict application of this section is not feasible due to existing site conditions such as building or parcel size, shape or layout, a variance may be granted by the community development director.

(d) Joint Use Parking. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the community development department as part of a building or land use permit application, and approved by the community development director:

(i) The names and addresses of the uses and of the owners or tenants that are sharing the parking;

(ii) The location and number of parking spaces that are being shared;

(iii) An analysis showing that the peak parking times for the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and

(iv) A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 500 feet of such parking facilities.

(e) Bicycle parking may substitute for up to 10 percent of required parking. For every five nonrequired bicycle parking spaces that meet the bicycle parking standards in

MMC [22C.130.060](#), the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

(f) The off-street parking and loading requirements of this chapter do not apply retroactively to established uses; however:

(i) The site to which a building is relocated must provide the required spaces; and

(ii) A person increasing the floor area, or other measure of off-street parking and loading requirements, by addition or alteration, must provide spaces as required for the increase, unless the requirement under this subsection is five spaces or fewer.

(g) Reduction of Required Spaces When Effective Alternatives to Automobile Access Are Proposed. Upon demonstration to the hearing examiner that effective alternatives to automobile access are proposed to be implemented, the examiner may reduce by not more than 40 percent the parking requirements otherwise prescribed for any use or combination of uses on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand achieved by such alternative programs. Alternative programs which may be considered by the examiner under this provision include, but are not limited to, the following:

(i) Private vanpool operation;

(ii) Transit/vanpool fare subsidy;

(iii) Imposition of a charge for parking;

(iv) Provision of subscription bus services;

(v) Flexible work-hour schedule;

(vi) Capital improvement for transit services;

(vii) Preferential parking for carpools/vanpools;

(viii) Participation in the ride-matching program;

(ix) Reduction of parking fees for carpools and vanpools;

(x) Establishment of a transportation coordinator position to implement carpool, vanpool, and transit programs; or

(xi) Bicycle parking facilities.

(h) Uses Not Mentioned. In the case of a use not specifically mentioned in Table 1: Minimum Required Parking Spaces, the requirements for off-street parking shall be determined by the community development director. If there are comparable uses, the community development director's determination shall be based on the requirements for the most comparable use(s). Where, in the judgment of the community development director, none of the uses in Table 1: Minimum Required Parking Spaces are comparable, the community development director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant.

The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.

(3) Carpool Parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards must be met:

(a) Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before 9:00 a.m. on weekdays. More spaces may be reserved, but they are not required.

(b) The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.

(c) Signs must be posted indicating these spaces are reserved for carpool use before 9:00 a.m. on weekdays.

(4) Electric Vehicle Parking. Electric vehicle charging capability is required for all new buildings that provide on-site parking in accordance with RCW [19.27.540](#).

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
RESIDENTIAL USES	
Single-family dwellings, duplexes , townhouses (<u>excluding Middle Housing</u>), and mobile homes	2 per dwelling unit for residents plus 1 additional guest parking space per dwelling unit. <u>Exception: parking for mobile home in mobile/manufactured home parks is subject to MMC 22C.230.070(7)</u>
<u>Middle Housing and accessory dwelling units within 1/2 mile walking distance of a major transit stop</u>	0 per dwelling unit (before any zero lot line subdivisions or lot splits)
<u>Middle Housing and accessory dwelling units on lots equal to or under 6,000 square feet</u>	1 per dwelling unit (before any zero lot line subdivisions or lot splits). Easements or deed restrictions must be provided, as necessary, to ensure continued use of the parking space(s) for the respective unit after any lot splits.
<u>Middle Housing (excluding accessory dwelling units) on lots over 6,000 square feet</u>	2 per dwelling unit (before any zero lot line subdivisions or lot splits). Easements or deed restrictions must be provided, as necessary, to ensure continued use of the parking space(s) for the respective unit after any lot splits.
Accessory dwelling units	No additional parking required if located within 1/4 mile of a major transit stop; otherwise, 1 per accessory dwelling unit
Studio apartments	1.25 per dwelling unit
Multiple-family dwellings, 1 bedroom (does not apply to Middle Housing)	1.5 per dwelling unit
Multiple-family dwellings, 2 or more bedrooms (does not apply to Middle Housing)	1.75 per dwelling unit
Retirement housing and apartments	1 per dwelling
Mobile home parks	2 per unit, plus guest parking at 1 per 4 lots

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
Rooming houses, similar uses	1 per dwelling
Bed and breakfast accommodations	1 space for each room for rent, plus 2 spaces for the principal residential use
Emergency housing, emergency shelters – indoor, transitional housing facilities and permanent supportive housing	As determined by the community development director with no less than a minimum of 1 per 2 employees plus 1 per 5 residents (3 spaces minimum)
Housing located within 1/4 mile of a transit stop	As specified in RCW <u>36.70A.620</u> ; provided that, Middle Housing is subject to the alternate standards noted above.
RECREATIONAL/CULTURAL USES	
Movie theaters	1 per 4 seats
Stadiums, sports arenas and similar open assemblies	1 per 8 seats or 1 per 100 SF of assembly space without fixed seats
Dance halls and places of assembly without fixed seats	1 per 75 SF of gross floor area
Bowling alleys	5 per lane
Skating rinks	1 per 75 SF of gross floor area
Tennis courts, racquet clubs, handball courts and other similar commercial recreation	1 space per 40 SF of gross floor area used for assembly, plus 2 per court
Swimming pools (indoor and outdoor)	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health
Golf courses	4 spaces for each green, plus 50% of spaces otherwise required for any accessory uses (e.g., bars, restaurants)
Gymnasiums, health clubs	1 space per each 200 SF of gross floor area
Churches, auditoriums and similar enclosed places of assembly	1 per 4 seats or 60 lineal inches of pew or 40 SF gross floor area used for assembly
Art galleries and museums	1 per 250 SF of gross floor area
COMMERCIAL/OFFICE USES	
Banks, business and professional offices (other than medical and dental) with on-site customer service	1 per 400 SF gross floor area
Retail stores and personal service shops unless otherwise provided herein	If < 5,000 SF floor area, 1 per 600 SF gross floor area; if > 5,000 SF floor area, 8 plus 1 per each 300 SF gross floor area over 5,000 SF
Grocery stores	1 space per 200 SF of customer service area
Barber and beauty shops	1 space per 200 SF
Motor vehicle sales and service	2 per service bay plus 1 per 1,000 SF of outdoor display
Motor vehicle or machinery repair, without sales	2 plus 2 per service bay

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
Mobile home and recreational vehicle sales	1 per 3,000 SF of outdoor display area
Motels and hotels	1 per unit or room
Restaurants, taverns, bars with on-premises consumption	If < 4,000 SF, 1 per 200 SF gross floor area; if > 4,000 SF, 20 plus 1 per 100 SF gross floor area over 4,000 SF
Drive-in restaurants and similar establishments, primarily for autoborne customers	1 per 75 SF of gross floor area. Stacking spaces shall be provided in accordance with Chapter 22C.140 MMC, Drive-Through Facilities.
Shopping centers	If < 15,000 SF, 1 per 200 SF of gross floor area; if > 15,000 SF, 1 per 250 SF of gross floor area
Day care centers	1 space per staff member and 1 space per 10 clients. A paved unobstructed pick-up area shall be set aside for dropping off and picking up children in a safe manner that will not cause the children to cross the parking area or lines of traffic.
Funeral parlors, mortuaries or cemeteries	1 per 4 seats or 8 feet of bench or pew or 1 per 40 SF of assembly room used for services if no fixed seating is provided
Gasoline/service stations with grocery	1 per employee plus 1 per 200 SF gross floor area
Adult facilities as defined by MMC 22A.020.020	1 per 75 SF of gross floor area or, in the case of an adult drive-in theater, 1 per viewing space
HEALTH SERVICES USES	
Nursing homes, convalescent homes for the aged	1 per 5 beds plus 1 space per employee and medical staff
Medical and dental clinics	1 per 200 SF gross floor area
Hospitals	1 per 2 beds, excluding bassinets
EDUCATIONAL USES	
Elementary, junior high schools (public and private)	5 plus 1 per each employee and faculty member
Senior high schools (public and private)	1 per each 10 students plus 1 per each employee or faculty member
Commercial/vocational schools	1 per each employee plus 1 per each 2 students
PUBLIC/GOVERNMENT USES	
Public utility and governmental buildings	1 per 400 SF of gross floor area
Libraries	1 per 250 SF of gross floor area
MANUFACTURING/WAREHOUSE USES	
Manufacturing and industrial uses of all types, except a building used exclusively for warehouse purposes	1 per 750 SF of gross floor area plus office space requirements
Warehouses, storage and wholesale businesses	1 per 2,000 SF of gross floor area plus office space requirements

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
Mini self-storage	1 per each 50 storage cubicles equally distributed and proximate to storage buildings. In addition, 1 space for each 50 storage cubicles to be located at the project office

Exhibit FFFF

22C.130.050 Development standards.

(1) Purpose. The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.

(2) Where These Standards Apply. The standards of this section apply to all vehicle areas whether required or excess parking.

(3) Improvements.

(a) Paving.

(i) In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface, including grass block pavers, may be provided, subject to approval by the city engineer. Gravel surfacing is not considered an all-weather surface; however, legal nonconforming gravel surfacing in existing designated parking areas is allowed to remain for a maximum of six parking spaces.

(ii) The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the city determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.

(iii) Parks, agricultural and similar uses, and developments providing surplus parking are exempt from the all-weather surface requirement, provided, all surfacing must provide for the following minimum standards of approval:

(A) Gravel parking facilities shall be surfaced with no less than three inches of crushed gravel.

(B) Dust is controlled.

(C) Storm water is treated to city standards.

(D) Rock and other debris is not tracked off site.

(E) Driveway and approaches shall be paved with an all-weather surface, specified by the city engineer, from at least 20 feet back from the property line to the street.

(iv) Houses, Attached Houses and Duplexes. All driveways and parking areas must be covered in a minimum all-weather surface, specified by the city engineer. Gravel surfacing is not considered an all-weather surface.

(b) Striping. All parking spaces, except for stacked parking, must be striped in conformance with the minimum parking and aisle dimensions outlined in Table 2, except parking for single-family residences, Middle Housing duplexes and accessory dwelling units.

(c) Protective Curbs Around Landscaping. All perimeter and interior landscaped areas must have cast in place or extruded protective curbs along the edges. Curbs separating

landscaped areas from parking areas may allow storm water runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to single-family residences, duplexes and accessory dwelling units.

(d) Illumination. Parking lot illumination shall be provided for all parking lots containing 15 or more parking spaces, and shall comply with the following design standards:

(i) Parking lot lighting fixtures shall be full cut-off, dark sky rated and mounted no more than 25 feet above the ground, with lower fixtures preferable so as to maintain a human scale;

(ii) All fixtures over 15 feet in height shall be fitted with a full cut-off shield;

(iii) Pedestrian scale lighting (light fixtures no taller than 15 feet) is encouraged in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety;

(iv) Parking lot lighting shall be designed to provide security lighting to all parking spaces;

(v) Lighting shall be shielded in a manner that does not disturb residential uses or pose a hazard to passing traffic. Lighting should not be permitted to trespass onto adjacent private parcels nor shall light source (luminaire) be visible at the property line.

(4) Storm Water Management. Storm water runoff from parking lots is regulated by MMC Title [14](#), Water and Sewers.

(5) Parking Area Layout.

(a) Access to Parking Spaces.

(i) All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

(ii) Parking shall be designed so that automobiles do not back out into public streets.

(b) Parking Space and Aisle Dimensions.

(i) Parking spaces and aisles must meet the minimum dimensions contained in Table 2: Minimum Parking Space and Aisle Dimensions. Parking at any angle other than those shown is permitted, providing the width of the stalls and aisle are adjusted by interpolation between the specified standards.

(ii) Turning Radii. The minimum allowable inside vehicle turning radius in parking and driveway areas shall be 20 feet unless fire or solid waste apparatus access is necessary, in which case the minimum inside radius shall be 30.5 feet and the outside radius shall be 46 feet or as required by the fire district or solid waste division. Turning radii are not necessarily the radii or curbs around islands and other improvements.

(iii) On dead-end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

(iv) The community development director may grant a deviation from the parking space and aisle dimensions outlined in Table 2: Minimum Parking Space and Aisle Dimensions, whenever (A) there exists a lot with one or more structures on it constructed before the effective date of this title, and (B) a change in use that does not involve any enlargement of a structure is proposed for such lot, and (C) the parking space and aisle dimensions that would be applicable as a result of the proposed change cannot be satisfied on such lot because there is not sufficient area available on the lot that can practicably be used for parking dimensional standards. To grant a deviation, the community development director must make the following findings:

(A) That the granting of the deviation will not create a safety hazard or loading of vehicles on public streets in such a manner as to interfere with the free flow of vehicular and pedestrian traffic within the public right-of-way.

(B) That the granting of the deviation will not create a safety hazard or any other condition inconsistent with the objectives of this title.

Table 2: Minimum Parking Space and Aisle Dimensions

Angle	Width	Curb Length	1-Way Aisle Width	2-Way Aisle Width	Stall Depth
0 degrees (parallel)	8 feet	21 feet	12 feet	22 feet	8 feet
30 degrees	8 feet, 6 inches	17 feet	12 feet	22 feet	15 feet
45 degrees	8 feet, 6 inches	12 feet	12 feet	22 feet	17 feet
60 degrees	8 feet, 6 inches	9 feet, 9 inches	16 feet	22 feet	18 feet
90 degrees (commercial and industrial)	8 feet, 6 inches	8 feet, 6 inches	22 feet	22 feet	18 feet
90 degrees (multifamily)	8 feet	8 feet	22 feet	22 feet	18 feet
90 degrees (attached and detached single-family, townhouses, and Middle Housing)	8 feet	8 feet	22 feet	22 feet	20 feet
Tandem (residential)	8 feet	N/A	N/A	N/A	20 feet

Notes: 1) In garage parking spaces must meet the applicable dimensional standards noted in the table above. In garage parking spaces must be completely usable for parking and free of any obstructions (e.g. bollards, water heaters, electrical equipment, etc.). 2) Dimensions of parking spaces for the disabled are regulated by the building code. See MMC 22C.130.050(5)(e).

~~Note: Dimensions of parking spaces for the disabled are regulated by the building code. See MMC 22C.130.050(5)(e).~~

(c) Pedestrian Access and Circulation. Developments must provide specially marked or paved walkways through parking lots, as depicted in Figures 1 through 4. Parking lot walkways shall allow for access so pedestrians and wheelchairs can easily gain access from public sidewalks and bus stops to building entrances through the use of raised concrete, stamped concrete, colored concrete, or pervious pavement sidewalks, or pedestrian paths

which are physically separated from vehicle traffic and maneuvering areas. The director may allow pedestrian pathways to be striped if it can be demonstrated that the pathways are not used by, or accessible to, the public (e.g., pathways located behind a commercial or industrial building where the general public does not have access). Generally, walkways should be provided every four rows and a maximum distance of 180 feet shall be maintained between paths. Where possible, align the pathways to connect with major building entries or other sidewalks, pathways, and destinations. The pathways must be a minimum of five feet wide, universally accessible and ADA compliant. On narrow infill lots, the director may authorize a pathway that is less than five feet wide; provided, that the minimum ADA width is met.

Figure 1 Figure 2

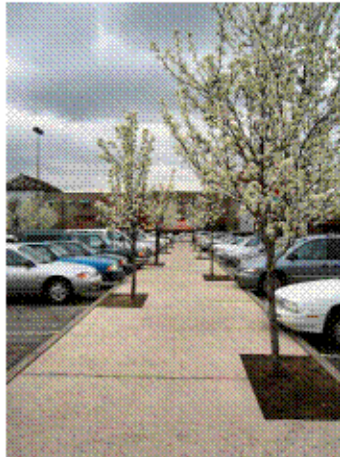
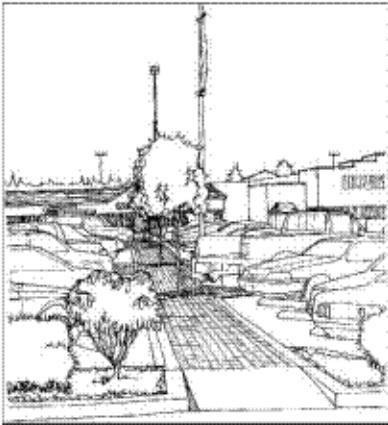
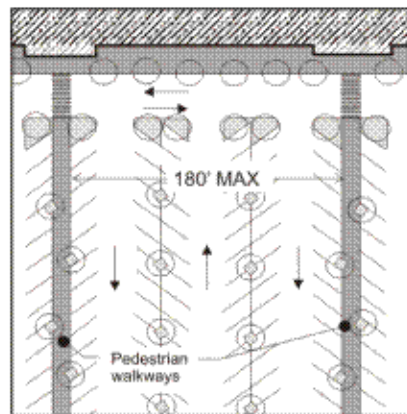


Figure 3 Figure 4



(d) Location. Parking areas should be located and designed to consider impacts to the streetscape. Except for adult facilities as defined by MMC [22A.020.020](#), on-site parking shall be located at the sides and rear of buildings or complexes. For adult facilities, on-site parking shall be located where most visible from both the streetscape and the public access to the adult facility.

(e) Parking for Disabled Persons. The building official regulates the following disabled person parking standards and access standards through the building code and the latest ICC/ANSI A117.1 standards for accessible and usable buildings and facilities:

- (i) Dimensions of disabled person parking spaces and access aisles;
- (ii) The minimum number of disabled person parking spaces and circulation routes;
- (iii) Location of disabled person parking spaces and circulation routes;
- (iv) Curb cuts and ramps including slope, width and location; and
- (v) Signage and pavement markings.

(f) A portion of a standard parking space may be landscaped instead of paved, as follows:

- (i) The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements;
- (ii) Landscaping must be ground cover plants; and
- (iii) The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.

(g) Ingress and Egress Provisions. The layouts of parking areas are reviewed for compliance with the curb cut and access restrictions outlined in the Marysville engineering design and development standards (EDDS).

(6) Parking Area Landscaping and Screening. All landscaping must comply with the standards of Chapter [22C.120](#) MMC. In addition, screening in the form of a solid masonry wall, architectural fences or dense coniferous hedges shall be erected or planted and maintained to a height of not less than five feet where a parking lot has a common boundary line with any residentially zoned property.

(7) Maintenance. Maintenance of all areas provided for off-street parking shall include removal and replacement of dead and dying trees, grass and shrubs, removal of trash and weeds, repair of traffic-control devices, signs, light standards, fences, walls, surfacing materials, curbs and railings, and inspection, cleaning and repair of pervious surfacing materials and drainage facilities when applicable.

Exhibit GGGG

22C.190.020 Home occupation standards.

(1) Home occupations are permitted as an accessory use to the residential use of a property only when all of the following conditions are met:

(a) The total area devoted to all home occupation(s) shall not exceed 25 percent of the floor area of the dwelling unit or 600 square feet, whichever is less. When Middle Housing is constructed on the lot, one home occupation is permitted per dwelling unit;

(b) The home occupation may be located in the principal dwelling or in an accessory structure. If located in an accessory structure, the area devoted to the occupation, as described in subsection (1)(a) of this section, shall be based upon the floor area of the dwelling only; provided that, the cumulative square footage devoted for all home occupations in detached structures shall not exceed 600 square feet per lot or parent lot;

(c) Not more than one person outside of the family shall be employed on the premises per home occupation;

(d) The home occupation shall in no way alter the normal residential character of the premises;

(e) The home occupation(s) shall not use electrical or mechanical equipment that results in:

(i) A change to the fire rating of the structure(s) used for the home occupation(s);

(ii) Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or

(iii) Fluctuations in line voltage off-premises;

(f) No equipment or material may be stored, altered or repaired on any exterior portion of the premises;

(g) Sales shall be limited to merchandise which is produced on the premises and/or mail order, Internet and telephone sales with off-site delivery;

(h) Services to patrons shall be arranged by appointment or provided off-site;

(i) The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:

(i) No more than one such vehicle shall be allowed;

(ii) Such vehicle shall not park within any required setback areas of the lot or on adjacent streets; and

(iii) Such vehicle shall not exceed a manufacturer's gross vehicle weight in excess of 16,000 pounds, a length in excess of 20 feet, or a width in excess of eight feet;

(j) Signs in connection with the home occupation shall comply with the restrictions of MMC [22C.160.150](#)(9);

(k) No sales or services will be conducted on the premises which will generate more than 10 average daily round trips per day by customers.

(2) A home occupation permit issued to one person shall not be transferable to any other person, nor shall a home occupation permit be valid at any other address than the one listed on the permit.

(3) In granting approval for a home occupation, the reviewing official may attach additional conditions to ensure the home occupation will be in harmony with, and not detrimental to, the character of the residential neighborhood.

(4) Any home occupation authorized under the provisions of this chapter shall be open to inspection and review at all reasonable times by enforcement officials for purposes of verifying compliance with the conditions of approval and other provisions of this title.

(5) The community development director shall have authority to administratively grant a minor modification to the standards listed in subsections (1)(a) and/or (c) of this section, provided the use is consistent with the purposes of this chapter and will be operated in harmony with the character of a residential neighborhood. Minor modifications shall be limited to the home occupations standards in subsections (1)(a) and (c) of this section, provided they create no significant impacts to the residential neighborhood. The community development director is authorized to approve minor modifications only in cases of unique circumstances such as large property acreage, remote site access or site location, or small scale of use, when these circumstances ensure the commercial operation remains incidental to the dwelling and in no way alters the normal residential character of the premises. No variance shall be granted which would be detrimental to public health, welfare or environment.

Exhibit HHHH

22C.200.030 Permit required.

A day care I ~~home-occupation~~ permit is required, subject to the following conditions:

- (1) A day care I ~~home-occupation~~ permit issued to one person shall not be transferable to any other person; nor shall a day care I ~~home-occupation~~ permit be valid at any other address than the one listed on the permit.
- (2) In granting approval for a day care I ~~home-occupation~~, the community development director, or designee, may attach additional conditions to ensure the use~~home-occupation~~ will be in harmony with, and not detrimental to, the character of the residential neighborhood.
- (3) Any day care I ~~home-occupation~~ authorized under the provisions of this chapter shall be open to inspection and review at all reasonable times by enforcement officials for purposes of verifying compliance with the conditions of approval and other provisions of this title.

Exhibit IIII

22C.220.090 Development regulations.

(1) Existing amenities (e.g., views, mature trees, etc.) that are unique to the site should be preserved and incorporated into the project's design whenever possible.

(2) When an MPSC project adjoining residential and commercial uses can mutually benefit from connection rather than separation, appropriate connective elements (e.g., walkways) should be provided.

(3) The site shall be designed and developed utilizing crime prevention through environmental design (CPTED) principles as set forth in MMC [22C.010.290](#) and [22C.020.250](#).

(4) Building Design and Layout.

(a) Development of the site is subject to compliance with development standards outlined in Chapters [22C.010](#) and [22C.020](#) MMC.

(b) When a master planned senior community is located within, or adjacent to, single-family residential zones and is, or may be, surrounded by traditional single-family development, the community shall be designed and developed ~~so as~~ to be consistent with a single-family residential environment. Larger scale (i.e., multi-unit buildings, nursing care facilities) buildings shall be located on the site ~~so as~~ to least impact surrounding single-family uses and to create a consistent streetscape that is in the desired character for a residential area.

(c) When a master planned senior community is located within, or adjacent to, commercial or multifamily zones and is or may be surrounded by traditional commercial or multifamily development, any multi-unit buildings and nursing care facilities on the site shall be placed to consider the visual continuity between the proposed and existing adjacent development with respect to building setbacks and placement of structures to create a consistent streetscape.

(d) Multiple buildings in a single project should provide a functional relationship with one another to achieve a sense of place by use of the following techniques:

(i) Cluster buildings around open space areas or courtyards, not parking lots.

(ii) Provide open space areas and courtyards with landscaping and other pedestrian amenities.

(iii) Provide convenient pedestrian circulation between buildings, open space, and parking areas.

(iv) Link buildings together visually, using such elements as trellis structures, arcades, and/or enhanced paving.

(v) Where feasible and desirable, locate buildings near public streets, thus creating a strong presence thereon.

(5) Building and Unit Design. Universal design (also known as "aging in place") is a method of design that seeks to create development that can be used by everyone, regardless of age or physical condition. All projects shall implement, at minimum, the following universal design principles:

- (a) No-step entries.
 - (b) One-story living such that an eating area, bathroom, and sleeping area are available on the same floor.
 - (c) ADA accessible doors, hallways and bathrooms.
 - (d) Room thresholds that are flush.
 - (e) Adequate lighting throughout the dwelling unit.
- (6) Architectural Style and Design Guidelines. Multifamily and nursing/assisted living facilities shall comply with MMC [22C.010.290](#) and MMC [22C.020.250](#). ~~Attached/Detached single-family residences and Middle Housing dwelling units~~ shall comply with MMC [22C.010.310](#).
- (7) Utility and Mechanical Equipment.
- (a) All mechanical equipment shall be architecturally screened from view.
 - (b) Utility equipment (e.g., electric and gas meters, electrical panels, and junction boxes) should be located in utility rooms within the structure or utility cabinets with exterior access.
- (8) Solid Waste and Recycling. Developments shall provide storage space and collection points for solid waste and recyclables in accordance with Chapter [7.08](#) MMC, MMC [22C.010.370](#) and [22C.020.320](#).
- (9) Parking and Circulation.
- (a) Project entries should provide the resident and visitor with an overview of the project through either an easy visual assessment (in smaller projects) or by providing signage or placards that illustrate the circulation, parking, building, and amenity layout of the project.
 - (b) The principal vehicular access should be through an entry drive rather than a parking aisle, when possible. Colored, textured paving treatment at entry drives together with lush landscaping is strongly encouraged.
 - (c) The number of required off-street parking stalls shall be in accordance with MMC [22C.130.030](#). The community development director may approve alternative parking requirements upon satisfactory demonstration by the applicant that the site will have adequate parking to serve all proposed uses and/or that the community is located within walking distance of a neighborhood center that offers a variety of services and a safe walking route is provided.
 - (d) If parking is not attached to the residential structures, covered carports and dispersed parking courts are the desired alternative.
 - (e) A parking court should not consist of more than two double-loaded parking aisles (bays) adjacent to each other.
 - (f) Carports should provide no more than five parking spaces within each structure. The structures should be constructed with material consistent with those used in building construction.

(g) All parking standards identified in Chapter [22C.130](#) MMC, Parking and Loading, shall apply, except as may be specified herein.

(10) Pedestrian Access.

(a) Drop-off points should be provided at major building entries and plaza areas.

(b) The project should be designed to minimize the need for pedestrians to cross parking aisles and landscape islands to reach building entries.

(c) Stamped or painted concrete walkways should be provided in areas where it is necessary for pedestrians to cross drive or parking aisles.

(d) All projects shall provide a clear connection between the on-site pedestrian circulation system and the off-site public sidewalk.

(11) Landscaping. Landscaping shall comply with Chapter [22C.120](#) MMC, Landscaping and Screening, except as may be specified herein.

(12) Public Transportation Amenities.

(a) A sheltered bus stop with a canopy provided with architecture consistent with the project shall be provided, if required in coordination with local transit agencies.

(b) In cases when a public bus stop is, or may be in the future, located within the frontage of a proposed site, a bus stop or cover shall be provided.

(13) On-Site Common Recreational Facilities.

(a) Recreational amenities shall be appropriately distributed throughout the community. Such facilities shall consist of open or enclosed areas for residents of the community to congregate for recreation and leisure. Structures with multiple-family style dwelling units (i.e., independent senior housing apartment units, assisted living dwelling units, etc.) shall provide open space or active or indoor recreation space consistent with the following chart:

Type of Dwelling Unit	Outdoor Open Space	Active Outdoor or Indoor Recreation Facility
(a) Studio and one bedroom	90 square feet per unit	45 square feet per unit
(b) Two bedroom	130 square feet per unit	65 square feet per unit
(c) Three or more bedroom	170 square feet per unit	85 square feet per unit

(b) The following standards shall be utilized for outdoor recreational facilities:

(i) The design and orientation of these areas should take advantage of available sunlight and should be sheltered from the noise and traffic of adjacent street or other incompatible uses.

(ii) Each outdoor open space area should have a focal point. The focal point may consist of, but need not be limited to, water fountains, landscape planters, monuments, waterways, view points, artwork, trellises or gazebos. The focal point of all open space areas shall complement one another by maintaining a common theme, consistent furnishing, and signage.

(iii) On-site outdoor recreation space shall:

- (A) Be of a grade and surface suitable for recreation;
- (B) Be one continuous parcel if less than 3,000 square feet in size;
- (C) Have no dimension less than 30 feet (except trail segments);
- (D) Be situated and designed to be visible from adjacent buildings and uses on site;
and
- (E) Be accessible and convenient to all residents within the development.

(iv) The required amount of on-site common recreation space may be reduced by the community development director, if it is demonstrated that the facilities provided on site will offer residents with exceptional opportunities to participate in active aging (i.e., physical activity programs, trails, tennis courts, swimming pools, or other amenities deemed appropriate), and/or if it is demonstrated that the community is located within walking distance of a pedestrian-friendly neighborhood center and a safe walking route is provided.

(14) Private Open Space. Each single-family ~~attached or detached~~, townhouse, or Middle Housing dwelling unit shall be provided a private open space area, free and clear of any attached or detached accessory structures, as follows:

- (a) Each unit shall be provided 100 square feet of private yard with a minimum interior dimension of 10 feet.
- (b) The required amount of private open space may be reduced by the community development director as provided in subsection (13)(b)(iv) of this section.

(15) Covenant and Duration. An agreement in a form approved by the city must be recorded on the property requiring that the provisions of this chapter, including age restrictions and site plan approval, be maintained for the life of the project. The agreement shall be recorded prior to building permit issuance. This agreement shall be a covenant running with the land, binding on the assigns, heirs and successors of the applicant.

Exhibit JJJJ

22C.220.100 Modification of development regulations.

The city's standard development regulations shall be modified for a master planned senior community as provided in this section.

(1) Density and Dimensions. The standard dimensional regulations shall apply to all lots and development in a master planned senior community, except as specifically modified below and as provided in the design review standards in Chapters [22C.010](#), [22C.020](#) and/or [22G.080](#) MMC. The density permitted is modified as follows:

(a) Modified Density Standards:

	Residential Zones	Commercial Zones
Maximum Density: Dwelling Unit/Acre	As per the underlying zone plus 20%; <u>provided that, single family zones are capped at 8 units/acre</u>	None

(b) When projects are proposed on sites that encompass multiple zones, the density built on each zone will be limited to that of the underlying allowed density for each zone.

(2) Maximum Building Height. Outside of ~~the Downtown Neighborhood Planning Area 1~~, buildings or portions of buildings located within 50 feet of a property that is zoned single-family, or where the predominant adjacent use is single-family, shall be limited to a maximum height of 30 feet.

(3) Street Standards. When multiple detached single-family or ~~Middle Housing duplex~~ units are proposed, the project shall meet residential right-of-way and access standards as set forth in the Marysville Municipal Code and engineering development and design standards (EDDS). An applicant may request to utilize the city's PRD access street standards, which may be allowed at the discretion of the community development director.

(4) Open Space. Open space requirements may be modified consistent with this chapter.

(5) Additional Modifications. An applicant may request additional dimensional, open space, street, and design standard modifications beyond those provided in this section. Granting of the requested modification(s) will be based on innovative and exceptional architectural design features and/or innovative and exceptional site design and layout that contribute to achieving the purpose of this chapter.

Exhibit KKKK

22C.230.030 Mobile/manufactured home park zone.

There is created a mobile/manufactured home park zone (MHP) which shall be construed as an overlay classification which may be enacted for any area within the city zoned single family (R-4.5 through R-8) and in the multiple-family residential classification (R-12 through R-28), or planned residential development classification (PRD 4.5 through PRD 8).

(1) Purpose. The purposes of the MHP classification are:

- (a) To provide a suitable living environment within a park-like atmosphere for persons residing in mobile/manufactured homes;
- (b) To encourage variety in housing styles within areas designated for other residential development;
- (c) To permit flexibility in the placement of mobile/manufactured homes on a site in order to minimize costs associated with development of roads, utilities, walkways and parking facilities, while providing adequate common and private open space.

(2) Permitted Uses. In the MHP zone the following uses are permitted:

- (a) Mobile/manufactured home parks, subject to the requirements of this chapter;
- (b) Mobile/manufactured homes, located only within an approved mobile/manufactured home park;
- (c) Accessory uses and structures as provided in MMC [22C.010.060](#) and [22C.020.060](#);
- (d) Recreational facilities located within and primarily for the use of residents of an approved mobile/manufactured home park;
- (e) Recreational vehicle and boat storage facilities located within and limited to use by residents of an approved mobile/manufactured home park.

Exhibit LLLL

22C.230.040 Procedures for review and approval.

(1) Rezone. For an MHP overlay zoning classification to be enacted, all procedural requirements, including filing fees specified in MMC Title [22G](#), shall be complied with in full.

(2) Conditional Use Permit. A mobile home park shall be allowed in a single-family residential zone only upon conditional use permit approval ~~of a PRD rezone and the issuance of a conditional use permit by the city~~. The owner, operator and occupants of a mobile home park shall develop and use the park in strict compliance with the conditions imposed by the permit. The agency issuing the permit shall maintain continuing jurisdiction for the review and enforcement of said conditions.

(3) Preliminary Site Plan. A preliminary site plan meeting the requirements of MMC [22C.230.060](#)(1) shall be submitted with all applications for MHP rezones. Said site plan shall be subject to review, modification, approval or denial by the city council as an integral part of the MHP rezone process. There shall be no clearing, grading, construction or other development activities commenced on an approved mobile/manufactured home park until a preliminary site plan is upgraded to a binding site plan, and the same is approved and filed.

(4) Final Site Plan. Following final approval by the city council of an MHP rezone, but before development activities commence on the property, the owner shall submit a final site plan meeting the requirements of MMC [22C.230.060](#)(2). The city staff shall review the final site plan to determine whether it conforms to the approved preliminary site plan, the MHP rezone, and applicable state laws and city ordinances which were in effect at the time of the rezone approval. Upon such conformity being found the final site plan shall be signed by the community development director. An approved final site plan shall constitute an integral part of an MHP zoning overlay, and shall be binding upon the owner of the property, its successors and assigns. All development within a mobile/manufactured home park shall be consistent with the final site plan.

(5) Subdivision Exemption. If a mobile/manufactured home park remains completely under single ownership or control, including ownership by a condominium association, compliance with an approved MHP rezone and final site plan shall preclude the necessity to plat the park or comply with any subdivision laws or ordinances.

(6) Amendment of Final Site Plan. An approved final site plan may be modified or amended at the request of the applicant upon receiving administrative approval by the community development director; provided, that if said modification or amendment affects the external impacts of the mobile/manufactured home park, or is determined by the community development director to be substantial in nature, then such modification or amendment shall be resubmitted to the hearing examiner and city council as a rezone application pursuant to Chapter [22G.010](#) MMC, Article VI, Land Use Application – Decision Criteria.

(7) Duration of Approval. An MHP rezone and the final site plan which is an integral part thereof shall be effective for three years from the date of approval of the rezone by the city council. An applicant who files a written request with the city council at least 30 days before the expiration of said approval period shall be granted a one-year extension upon a showing that the applicant has attempted in good faith to progress with the development of the park. During the approval period all improvements required by the final site plan shall be completed or bonded. Bonding shall conform to the bonding requirements for plats specified in Chapter [22G.040](#) MMC.

(8) Completion Prior to Occupancy. All required improvements and other conditions of the MHP rezone and final site plan approval shall be met prior to occupancy of any site by a mobile/manufactured home; provided, that completion may be accomplished by phases if approved by the community development director and security for performance in accordance with the provisions of

Chapter [22G.040](#) MMC and acceptable to the community development director is received by the city. The community development director may also require security for maintenance for a period of up to five years in accordance with the provisions of Chapter [22G.040](#) MMC.

(9) Compliance. Any use of land which requires an MHP rezone and final site plan approval, as provided in this chapter, and for which such review and approval are not obtained, or which fails to conform to an approved MHP rezone and final site plan, constitutes a violation of this title.

(10) Health District Approval. Prior to occupancy of a mobile/manufactured home park, the owner shall obtain a permit from the Snohomish health district and comply with all rules, regulations and requirements of said district. Said permit must be kept current at all times, subject to the park being closed. The rules, regulations and requirements of the health district shall be construed as being supplements to the provisions of this chapter.

Exhibit MMMM

22C.250.060 Wireless communication facilities – Siting hierarchy.

Siting of antenna or support structures shall adhere to the siting hierarchy of this section. The order of ranking for antenna or antenna support structures, from highest to lowest, shall be 1, 2, 3, 4. Where letters (a, b) are present, a is preferable to b. Where a lower ranking alternative is proposed, the applicant must submit relevant information including but not limited to an affidavit by a licensed radio frequency engineer demonstrating that despite diligent efforts to adhere to the established hierarchy within the geographic search area, higher ranking options are not technically feasible or justified given the location of the proposed wireless communications facility and network need.

Example: A new facility meeting the definition of a concealed consolidated WCF is proposed; the applicant demonstrates that the new facility cannot be sited under hierarchy (1)(a) through (1)(b). The applicant then demonstrates the new facility cannot be sited under hierarchy 2. The applicant then moves to hierarchy 3 and is able to propose a site.

1	Co-location with existing antenna support structure: a. That requires no increase in pole or structure height. b. That requires an increase in pole or structure height, which shall comply with MMC 22C.250.080 (3).
2	New concealed antenna support structure or concealed consolidation: • On developed, improved sites in nonresidential zoning districts; or • On publicly owned land. Concealed attached WCF: • Within public parks, public open spaces, and on other publicly owned land; or • Within public rights-of-way; or • Within nonresidential zoning districts or residential zoning districts on lots not used for single-family residential <u>or Middle Housing</u> purposes.
3	Concealed consolidations: a. In nonresidential zoning districts. b. In residential zoning districts on lots not used for single-family residential <u>or Middle Housing</u> purposes.
4	New concealed antenna support structure: a. In nonresidential zoning districts. b. In residential zoning districts on lots not used for single-family residential <u>or Middle Housing</u> purposes.

The community development director may allow the siting of a facility in a location at a lower position in the hierarchy without demonstration that higher ranking options are not technically feasible or justified, provided the applicant demonstrates that the proposed facility location would result in a lesser visual/aesthetic impact and better meets the purposes of this chapter.

Exhibit NNNN

22C.250.070 Wireless communication facilities – General requirements.

(1) Co-located or combined facilities shall comply with the following requirements:

(a) Co-location of antennas onto existing antenna support structures meeting the dimensional standards of this chapter are permitted outright. Antenna mounts shall be flush-mounted onto existing antenna support structure, unless it is demonstrated through RF propagation analysis that flush-mounted antennas will not meet the network objectives of the desired coverage area. Furthermore, an antenna shall only extend vertically above the uppermost portion of the structure to which it is mounted or attached as follows:

(i) Not more than 20 feet on a nonresidential structure; and

(ii) Not more than 15 feet on a multifamily structure.

(b) Co-location of antennas onto a new antenna support structure constructed after May 1, 2006, shall be concealed.

(c) At the time of installation, the WCF base station and ancillary structures shall be brought into compliance with any applicable landscaping requirements.

(d) A co-located or combined WCF, its new base station, and any new ancillary structures shall be subject to the setbacks of the underlying zoning district.

(e) When a co-located or combined WCF is to be located on a nonconforming building or structure, then it shall be subject to the nonconformance provisions of Chapter 22C.100 MMC.

(2) Concealed attached WCFs outside of the public ROW shall comply with the following requirements:

(a) Concealed antennas shall reflect the visual characteristics of the structure to which they are attached and shall be designed to architecturally match the facade, roof, wall, or structure on which they are affixed so that they blend with the existing structural design, color, and texture. This shall include the use of colors and materials, as appropriate. When located on structures such as buildings or water towers, the placement of the antenna on the structure shall reflect the following order of priority in order to minimize visual impact:

(i) A location as close as possible to the center of the structure; and

(ii) Along the outer edges or side-mounted; provided, that in this instance, additional means such as screens should be considered and may be required by the department on a case-by-case basis; and

(iii) When located on the outer edge or side-mounted, be placed on the portion of the structure less likely to be seen from adjacent lands containing, in descending order of priority, existing residences, public parks and open spaces, and public roadways.

(b) The top of the concealed attached WCF shall not be more than 40 feet above the existing or proposed nonresidential building or structure, or more than 15 feet above a residential building. Maximum height must be consistent with MMC 22C.250.080(3).

(c) Feed lines shall be contained within a principal building or encased and the encasement painted to blend and match the design, color, and texture of the facade, roof, wall, or structure to which they are affixed.

(3) Concealed attached WCFs proposed within the public right-of-way shall comply with the following requirements:

(a) An existing pole may be extended or replaced with a new pole, provided the original pole height may be increased by no more than the sum of the height of the wireless antenna(s) and necessary equipment, plus the minimum vertical separation distance as required by the utility agency.

(b) The pole must serve the original purpose and, if replaced, must be of similar appearance and composition as adjacent utility poles. The community development director may authorize the utilization of a composition material other than that of adjacent poles if it can be demonstrated that the utility's engineering requirements necessitate that the different material be utilized.

(c) Antennas shall be flush-mounted.

(d) Field changes necessary in order to meet other utility agency requirements shall be reviewed and approved by the city prior to structure installation.

(4) Concealed antenna support structures shall comply with the following requirements:

(a) Upon application for a new concealed antenna support structure, the applicant shall provide a map showing all existing antenna support structures or other suitable nonresidential structures located within one-quarter mile of the proposed structure with consideration given to engineering and structural requirements.

(b) No new antenna support structure shall be permitted if an existing structure suitable for attachment of an antenna or co-location is located within one-quarter mile, unless the applicant demonstrates that the existing structure is physically or technologically unfeasible, or is not made available for sale or lease by the owner, or is not made available at a market rate cost, or would result in greater visual impact. The burden of proof shall be on the applicant to show that a suitable structure for mounting of antenna or co-location cannot be reasonably or economically used in accordance with these criteria.

(c) In residential districts, new concealed antenna support structures shall only be permitted on lots whose principal use is not single-family residential or Middle Housing, including but not limited to schools, churches, synagogues, fire stations, parks, and other public property.

(d) To the extent that there is no conflict with the color and lighting requirements of the Federal Communications Commission and the Federal Aviation Administration for aircraft safety purposes, new antenna support structures shall be concealed as defined by this title and shall be configured and located in a manner to have the least visually obtrusive profile on the landscape and adjacent properties.

New concealed antenna support structures shall be designed to complement or match adjacent structures and landscapes with specific design considerations such as architectural designs, height, scale, color, and texture and designed to blend with existing surroundings to the extent feasible. This shall be achieved through the use of compatible colors and materials, and alternative site placement to allow the use of topography, existing vegetation or other structures to screen the proposed concealed antenna support structure from adjacent lands containing, in descending order of priority: existing residences, public parks and open spaces, and public roadways.

(e) At time of application the applicant shall file a letter with the department, agreeing to allow co-location on the tower. The agreement shall commit the applicant to provide, either at a market rate cost or at another cost basis agreeable to the affected parties, the opportunity to co-locate the antenna of other service providers on the applicant's proposed tower to the extent that such co- location is technically and structurally feasible for the affected parties.

(f) All new concealed antenna support structures up to 60 feet in height shall be engineered and constructed to accommodate no less than two antenna arrays. All concealed antenna support structures between 61 feet and 100 feet shall be engineered and constructed to accommodate no less than three antenna arrays. All concealed antenna support structures between 101 and 140 feet shall be engineered and constructed to accommodate no less than four antenna arrays.

(g) Those providing for co-location shall also submit a plan for placement of base station equipment for potential future providers and/or services provided by additional antenna arrays.

(h) Grading shall be minimized and limited only to the area necessary for the new WCF.

(5) Consolidation of WCFs shall comply with the following requirements; consolidation of two or more existing WCFs may be permitted pursuant to the provisions of this chapter, including a CUP and consideration of the following:

(a) WCF consolidation shall reduce the number of WCFs.

(b) If a consolidation involves the removal of WCFs from two or more different sites and if a consolidated WCF is to be erected on one of those sites, it shall be erected on the site that provides for the greatest compliance with the standards of this chapter.

(c) Consolidated WCFs shall be concealed.

(d) All existing base stations and ancillary equipment shall be brought into compliance with this chapter.

(e) New WCFs approved for consolidation of an existing WCF shall not be required to meet new setback standards so long as the new WCF and its base station and ancillary structures are no closer to any property lines or dwelling units than the WCF and base station and ancillary structures being consolidated. For example, if a new WCF is replacing an old one, the new one is allowed to have the same setbacks as the WCF being removed, even if the old one had nonconforming setbacks.

(f) If the consolidated WCF cannot meet the setback requirements, it shall be located on the portion of the parcel on which it is situated which, giving consideration to the following, provides the optimum practical setback from adjacent properties:

(i) Topography and dimensions of the site;

(ii) Location of any existing structures to be retained.

Exhibit OOOO

22D.020.030 Payment of impact fees required.

(1) Payment of Impact Fees Required. Any person who applies for a building permit for any development activity or who undertakes any development activity shall pay the impact fees set in MMC [22D.020.050](#) or [22D.020.060](#) to the city of Marysville finance department or its designee. Except as otherwise provided in this section and MMC Title [22](#), no new building permit shall be issued until the required impact fees have been paid to the city of Marysville finance department or its designee or successor. Where a building permit is not required for a development activity, the impact fees shall be paid to the city of Marysville finance department or its designee before undertaking the development activity.

(2) Deferral of Impact Fee Payments Allowed.

(a) Required impact fee payments may be deferred to final inspection for single-family detached, townhouses, or Middle Housing ~~attached residential~~ dwellings.

(b) The community development department shall allow an applicant to defer payment of the impact fees when, prior to submission of a building permit application for deferment under subsection (2)(a) of this section, the applicant:

(i) Submits a signed and notarized deferred impact fee application and acknowledgement form for the development for which the property owner wishes to defer payment of the impact fees.

(c) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the impact fees.

Exhibit PPPP

22D.020.050 Computing required impact fees using adopted impact fee schedules.

At the option of the person applying for a building permit or undertaking development activity, the amount of the impact fees shall be determined by the fee schedules in this section.

(1) When using the impact fee schedules, the impact fees shall be calculated by using the following formula:

Number of units of each use	x	Impact fee amount for a facility type	=	Amount of impact fee that shall be paid for that facility type for that use
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(a) The number of units of each use shall be determined as follows:

(i) For residential uses it is the number of housing units for which a building permit application has been made; and

(ii) For office, retail, or manufacturing uses it is the gross floor area of building(s) to be used for each use expressed in square feet divided by 1,000 square feet. If uses other than parking vehicles which does not constitute a stock in trade and uses accessory to residences will take place outside of buildings, the calculations shall include the land area on which these uses will take place.

(b) Using the formula in subsection (1) of this section, impact fees shall be calculated separately for each use and each facility type. The impact fees that shall be paid are the sum of these calculations.

(c) If a development activity will include more than one use in a building or on a site, then the fee shall be determined using the above schedule by apportioning the space committed to the various uses specified on the schedule.

(d) If the type of use or development activity is not specified on the impact fee schedules in this section, the planning director shall use the impact fee applicable to the most comparable type of land use on the fee schedules. The planning director shall be guided in the selection of a comparable type by the most recent Standard Industrial Code Manual and the Marysville development code. If the planning director determines that there is no comparable type of land use on the above fee schedule then the planning director shall determine the proper fee by considering demographic or other documentation which is available from state, local, and regional authorities.

(e) In the case of a change in use, development activity, redevelopment, or expansion or modification of an existing use, the impact fee shall be based upon the net positive increase in the impact fee based on either the number of dwelling units or square feet of commercial or industrial area for the new development activity as compared to the previous development activity. The planning director shall be guided in this determination by the sources and agencies listed above.

(2) Park, Recreation, Open Space or Trail Facility-Type Impact Fee Schedule.

Land Use	Units	Impact Fee That Shall Be Paid per Unit or S.F.
Single-family residences, (including mobile/ manufactured homes, Middle Housing (excluding <u>accessory dwelling units</u>), duplexes and townhouses attached single-family homes)	1 housing unit	\$1,251.00
Multifamily residences	1 housing unit	\$884.00

Note: Land uses are defined in Chapter [22A.020](#) MMC.

Exhibit QQQQ

22D.020.130 Formula for determining park, recreation, open space or trail impact fees.

(1) The park, recreation, open space or trail impact fees for MMC [22D.020.050](#)(2) shall be the developer fee obligation (F) calculated using the formula and table in this section.

(2) The impact fee service area for park, recreation, open space or trail impact fees shall be the entire city of Marysville.

(3) Separate fees shall be calculated for single-family residences, mobile/manufactured homes, Middle Housing, townhouses, multifamily residences, offices, retail trade, manufacturing, and other uses. For the purposes of this chapter, ~~mobile/homes or manufactured homes, duplexes-Middle Housing, and townhouses~~ single-family attached dwellings shall be charged ~~treated as the~~ single-family residences rate.

(4) The schedule of fees set forth in MMC [22D.020.050](#)(2) shall be adjusted annually beginning January 1, 2001, based upon the change in the Consumer Price Index (CPI-U) for the Seattle-Everett area for the preceding 12 months for which such CPI data is available.

Formulas for Determining Park, Recreation, Open Space or Trail Impact Fees:

For assessing impacts of residential properties, the capital facility plan is used as the basis for the fee calculation.

IF:

A = Parks, recreation, open space or trails capital facility program.

B = City of Marysville contribution.

C = Percent of total park use demanded by land use category.

D = Projected growth by number of units per land use category.

F = Developer fee obligation.

THEN:

$F = [(A - B) \times C]/D$

Exhibit RRRR

22D.030.040 Definitions.

- (1) "Approving authority" means the city employee, agency or official having authority to issue the approval or permit for the development involved.
- (2) "Arterial unit" means a road, segment of a road, or portion of a road or a system of roads, or intersection, consistent with the level of service methodology adopted in the city transportation element of the comprehensive plan and consistent with the criteria established by the director, for the purpose of making level of service concurrency determinations.
- (3) "Arterial unit in arrears" means any arterial unit operating below the adopted level of service standard adopted in the transportation element of the comprehensive plan, except where improvements to such a unit have been programmed in the city six-year transportation improvement program adopted pursuant to RCW 36.81.121 with funding identified that would remedy the deficiency within six years.
- (4) "Capacity improvements" means any improvements that increase the vehicle and/or people moving capacity of the road system.
- (5) "Capital facilities plan" means all documents comprising the capital facilities element of the comprehensive plan that, for capital facilities, consists of an inventory of facilities owned by public entities, forecasts of future needs, new and expanded facilities, and a multi-year financing plan, adopted pursuant to Chapter 36.70A RCW.
- (6) "Comprehensive plan" means the generalized, coordinated land use policy statement of the city council adopted pursuant to Chapter 36.70A RCW, which may include a land use plan, a capital facilities plan, a transportation element, subarea plans and any such other documents or portions of documents identified as constituting part of the comprehensive plan under Chapter 36.70A RCW.
- (7) "Dedication" means conveyance of land to the city for road purposes by deed or some other instrument of conveyance or by dedication on a duly filed and recorded plat or short plat.
- (8) "Department" means either the city of Marysville public works or community development department, whichever department is relevant to the city action being referred to in this title.
- (9) "Developer" means the person applying for or receiving a permit or approval for a development as defined in subsection (10) of this section.
- (10) "Development" means all the subdivisions, short subdivisions, industrial or commercial building permits, conditional use permits, binding site plans (including those associated with rezone applications), or building permits (including building permits for single-family detached, Middle Housing, townhouses, multifamily and duplex residential structures, and all similar uses), changes in occupancy and other applications pertaining to land uses that:
- (a) Require land use permits or approval by the city of Marysville; or
 - (b) Which are located in areas of the county or other cities and which will impact the city of Marysville's public road system.

"Development" does not include building permits for single-family ~~detached residential dwellings, attached or detached accessory apartments dwelling units~~, or duplex conversions, on existing tax lots.

(11) "Direct traffic impact" means any new vehicular trip added by new development to its road system as defined in subsection (20) of this section.

(12) "Director" means the director of the city of Marysville department of either public works or community development or his/her authorized designee, whichever director is relevant to the city action being referred to in this title.

(13) "Frontage improvements" means improvements on roadways abutting a development and tapers thereto required as a result of a development. Generally, frontage improvements shall consist of appropriate base materials; curb, gutter, and sidewalk; storm drainage improvements; bus pullouts and waiting areas where necessary; bicycle lanes and bicycle paths where applicable; and lane improvements.

(14) "Highway capacity manual" means the current Highway Capacity Manual, Transportation Research Board, National Research Council, 2101 Constitution Avenue, Washington, D.C.; amendments thereto; and any supplemental editions or documents published by the Transportation Research Board adopted by the U.S. Department of Transportation, Federal Highway Administration.

(15) "Inadequate road condition" means any road condition, whether existing on the road system or created by a new development's access or impact on the road system, which jeopardizes the safety of road users, including nonautomotive users, as determined by the city engineer in accordance with the department policy and procedure for the determination of inadequate road conditions.

(16) "Level of service (LOS)" means a qualitative measure describing operational conditions within a traffic stream, and the perception thereof by road users. Level of service standards may be evaluated in terms such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, convenience, geographic accessibility, and safety. The highway capacity manual defines six levels of service for each type of facility for which analysis procedures are available. They are given letter designations, from A to F, with level-of-service A representing the best operating condition, and level-of-service F the worst. For the purposes of this title, level of service will be measured only on arterial units.

(17) "Off-site road improvement" means improvement, except a frontage improvement, to an existing or proposed city or county road outside the boundaries of a development, which improvement is required or recommended in accordance with this title.

(18) "Public agency" means any school district, public water, sewer or utility district; fire district; airport district; public transportation benefit area; or local government agency seeking a land use permit or approval reviewed under this title.

(19) "Road" means an open, public way for the passage of vehicles that, where appropriate, may include pedestrian, equestrian and bicycle facilities. Limits include the outside edge of sidewalks, or curbs and gutters, paths, walkways, or side ditches, including the appertaining shoulder and all slopes, ditches, channels, waterways, and other features necessary for proper drainage and structural stability within the right-of-way or access easement.

(20) "Road system" means those existing or proposed public roads, whether state, county or city (including freeway interchanges with county roads or city streets and the ramps for those interchanges but excluding freeway mainlines), within the transportation service area.

(21) "Transportation element" means the element of the city comprehensive plan that for transportation consists of goals and policies, an inventory of facilities and services, adopted level of service standards, an analysis of deficiencies and needs, system improvements and management strategies and a multi-year financial plan, adopted pursuant to Chapter 36.70A RCW.

(22) "Transportation service area" means a geographic area of the city, as defined in the transportation element, identified for the purpose of evaluating the transportation impacts of development, determining proportionate shares of needed transportation improvements and allocating revenue to transportation improvement projects.

(23) "WSDOT" means the Washington State Department of Transportation.

Exhibit SSSS

22D.030.070 Determination and fulfillment of road system obligations.

(1) Determination of Developer Obligations.

(a) Applications which have a prior SEPA threshold determination establishing developer obligation for the transportation impacts at time of enactment of the ordinance codified in this section shall be vested under the development obligation identified under SEPA.

(b) A determination of developer obligation shall be made by the city before approval of preliminary plats, short subdivisions, and conditional use permits. For binding site plans (including those associated with rezone applications) and commercial permits, the determination of developer obligation shall be made prior to issuance of a building permit.

(c) Mitigation measures imposed as conditions of approval of conditional use permits or binding site plans shall remain valid until the expiration date of the concurrency determination for a development. Any building permit application submitted after the expiration date shall be subject to full reinvestigation of traffic impacts under this title before the building permit can be issued. Determination of new or additional impact mitigation measures shall take into consideration, and may allow credit for, mitigation measures fully accomplished in connection with approval of the conditional use permit, the binding site plan, or prior building permits pursuant to a binding site plan, only where those mitigation measures addressed impacts of the current building permit application.

(d) The director, following review of any required traffic study and any other pertinent data, shall inform the developer in writing what the development's impacts and mitigation obligations are under this title. The developer shall make a written proposal for mitigation of the development's traffic impact, except when such mitigation is by payment of any impact fee under the authority provided to the city under RCW [82.02.050](#)(2). When the developer's written proposal has been reviewed for accuracy and completeness by the director, the director shall make a recommendation to the community development department as to the concurrency determination and conditions of approval or reasons for recommending denial of the land use application, citing the requirements of this title.

(e) For developments which require a public hearing, a developer must submit a written proposal to the director for mitigation of the development's traffic impact, except where such mitigation is by payment of any impact fee under the authority provided to the city under RCW [82.02.050](#)(2). The written proposal must be submitted after any required traffic study has been reviewed and the director has stated the mitigation requirements pursuant to this chapter.

(f) Any request to amend a proposed development, following the determination of developer obligations and approval of the development, which causes an increase in the traffic generated by the development, or a change in points of access, shall be processed in the same manner as an original application and determined to be a substantial project revision, except where written concurrence is provided by the community development director that such request may be administratively approved.

(2) Road System Capacity Requirements.

(a) All developments must mitigate their impact upon the future capacity of the road system either by constructing off-site road improvements which offset the traffic impact of the development or by paying the development's proportionate share cost of the future capacity improvements as set forth in subsection (3) of this section.

(b) Construction Option – Requirements.

(i) If a developer chooses to mitigate the development's impact to the road system capacity by constructing off-site road improvements, the developer must investigate the impact, identify improvements, and offer a construction plan to the director for construction of the off-site improvements.

(ii) In cases where two or more developers have agreed to fully fund a certain improvement, the proportionate sharing of the costs shall be on any basis that the developers agree among themselves would be equitable. Under such an arrangement, the terms of the agreement shall be binding on each development as conditions of approval.

(iii) Any developer who volunteers to construct more than the development's share of the cost of off-site improvements may apply for a reimbursement contract.

(c) Payment Option – Requirements.

(i) If a developer chooses to mitigate the development's impact by making a proportionate share mitigating payment, the development's share of the cost of future capacity improvements will be equal to the development's peak-hour traffic (PHT) times the per-trip amount as identified in the transportation element of the comprehensive plan, as codified below.

(ii) If a developer chooses to mitigate the development's impact by making a proportionate share mitigating payment, the payment is required prior to building permit issuance unless the development is a subdivision or short subdivision, wherein the payment is required prior to the recording of the subdivision or short subdivision.

(iii) Any developer who volunteers to pay more than the development's share of the cost of off-site improvements may apply for a reimbursement contract.

(3) Traffic Impact Fee.

(a) The proportionate share fee amount shall be calculated in accordance with the formula established in Table I:

Table I:

A. Formula	
Step 1.	Calculate total transportation plan costs (20-year).
Step 2.	Subtract costs assigned to other agencies = total city of Marysville costs.
Step 3.	Subtract city-funded noncapacity projects from total city of Marysville costs.

Step 4.	Subtract LID or other separate developer funding sources = capacity added projects.
Step 5.	Subtract city share for external capacity added traffic.
Step 6.	Calculate applied discount.

The fee amount resulting from Step 5 is the required traffic impact fee payment.

(b) Data needed for calculation of the fee amount shall be provided in the adopted transportation element and street capital facility plan contained within the adopted city comprehensive plan, which data shall be updated at least annually.

(4) Temporary Enhanced Discount. For a period of three years from the effective date of the ordinance codified in this section, the discount referenced in step 6 of Table I (and which is based on data contained in Appendix A, Traffic Impact Fee Methodology, of the city's Transportation Element) shall be adjusted from seven percent to 22 percent. From and after three years of the effective date of the ordinance codified in this section the subject discount shall automatically revert to seven percent without further action of the Marysville city council.

(5) Traffic Impact Fee Exemption.

(a) Traffic Impact Fee Exemption Established. Pursuant to RCW [82.02.060](#)(2) and (4), there is hereby established an exemption from the traffic impact fee set forth in subsection (3) of this section for development activity which meets the criteria of subsection (5)(c) of this section.

(b) Application for Traffic Impact Fee Exemption. Any developer applying for or receiving a building permit which meets the criteria set forth in subsection (5)(c) of this section may apply to the director of public works or designee for an exemption from the traffic impact fee established pursuant to subsection (3) of this section. Said application shall be on forms provided by the city and shall be accompanied by all information and data the city deems necessary to process the application. To the extent it is authorized by law the city shall endeavor to keep all proprietary information submitted with said application confidential; provided, however, this section shall not create or establish a special duty to do so.

(c) Exemption Criteria. To be eligible for the traffic impact fee exemption established by this section, the applicant shall meet each of the following criteria:

(i) The applicant must be a new commercial retail business in the Marysville city limits. For purposes of this section, "new commercial retail business" shall mean any business which sells retail goods and services which are subject to the retail sales tax provisions of Chapter [3.84](#) MMC and which applies for a building permit and which is subject to payment of traffic impact fees pursuant to this title.

(ii) Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Marysville average annual city of Marysville portion sales and use tax revenue of at least \$200,000 based upon the three-year period commencing from date of certificate of occupancy.

(iii) The applicant must be a new retail business located within one of the following prescribed land use zones: light industrial (LI), general commercial (GC), community business (CB), mixed use (MU), downtown core (DC), downtown commercial (DTC), main street (MS), or flex (F).

(d) Administration of Traffic Impact Fee Exemption.

(i) Upon acceptance of an application for exemption from traffic impact fees pursuant to subsection (5)(b) of this section, the applicant shall pay to the city the full amount of the traffic impact fees required pursuant to subsection (3) of this section. Following receipt of the traffic impact fees the city shall deposit and manage the fees as set forth in subsection (5)(e) of this section. At the expiration of a three-year period commencing from the date of issuance of a certificate of occupancy the public works director, with the assistance of the city finance director, shall determine if the average annual city of Marysville portion sales and use tax revenue received by the city meets the minimum amount stated in subsection (5)(c)(ii) of this section. The determination shall be based upon the sales tax reporting requirements of Chapter [3.84](#) MMC as it now reads or is hereafter amended.

(ii) In the event the three-year average annual city of Marysville portion sales and use tax revenue criterion of subsection (5)(c)(ii) of this section has been met as determined by the director of public works, there shall be an exemption of 50 percent from the traffic impact fees otherwise due pursuant to subsection (3) of this section. In such case, 50 percent of the amount paid to the city pursuant to subsection (5)(d)(i) of this section shall be refunded to the applicant, plus any accrued interest. The remainder of the funds deposited pursuant to subsection (5)(d) of this section shall belong to the city and shall be released to the city.

(iii) In the event the three-year average annual city of Marysville portion sales and use tax revenue criterion of subsection (5)(c)(ii) of this section has not been met, the traffic impact fee required under subsection (3) of this section shall immediately belong to and shall be released to the city; provided, however, in cases where the applicant has met at least 75 percent of the amount set forth in subsection (5)(c)(ii) of this section, the applicant shall receive a partial exemption which shall result in a refund of 25 percent of the amount paid to the city pursuant to subsection (5)(d) of this section plus any accrued interest. The remainder of the funds deposited pursuant to subsection (5)(d) of this section shall belong to the city and shall be released to the city.

(iv) In cases where the applicant has not met either the three-year annual sales and use tax revenue criterion of subsection (5)(c)(ii) of this section or 75 percent thereof, all traffic impact fees paid pursuant to subsection (3) of this section shall belong to the city.

(v) By mutual agreement of the city and the applicant, any refund due under this section may be applied to an obligation or assessment owed by the applicant for city street improvement purposes, including, but not limited to, any obligation or assessment under a local improvement district for streets.

(e) Deposit and Management of Traffic Impact Fees. Traffic impact fees paid by an applicant pursuant to this section and the provisions of subsection (3) of this section shall be deposited by the city into a separate interest bearing account with any qualified public depository for local government as determined by the city. The account holder shall be the city of Marysville. The city may at its option withdraw up to 50 percent of said funds at any time for uses authorized by this title. All other funds deposited in that account shall be used exclusively for payment of refunds to eligible applicants pursuant to subsection (5)(d) of this section and balances, if any, to which the city is entitled. All refunds and interest to which an applicant is entitled shall be paid by the city within 120 days following the three-year period following the issuance of a certificate of occupancy.

(f) Appeals. Any applicant aggrieved by the determination of the director of public works as to whether the criteria of subsection (5)(c) of this section have been met or the eligibility for an exemption from subsection (3) of this section or the amount of refund to which an applicant is entitled pursuant to subsection (5)(d) of this section may file a written appeal to the city's land

use hearing examiner as established by Chapter [22G.060](#) MMC. The city examiner is hereby specifically authorized to hear and decide such appeals and the decision of the hearing examiner shall be final action of the city and subject to appeal pursuant to MMC [22G.010.540](#).

(g) Application of Sales and Use Tax Revenue From Businesses Which Receive an Exemption or Partial Exemption.

(i) All sales and use tax received by the city from applicants who receive an exemption or partial exemption from the requirements of this title shall be deposited in a special account to be administered by the city. Said account shall be established to pay traffic impact fees that otherwise would have been paid had an exemption or partial exemption not been granted. Said amounts shall be expended for purposes authorized by and in accordance with the provisions of this title and the provisions of the city's capital improvement plan for streets. All sales and use tax revenues in excess of the amount paid as traffic impact fees received by the city from the applicant may be deposited in the city's general fund and may be expended for any lawful purpose as directed by the city council.

(ii) Special Sales Tax Account. The city shall establish by separate ordinance a special sales tax account for the purposes set forth in subsection (5)(g)(i) of this section.

(6) Level of Service Requirements – Concurrency Determinations.

(a) The department shall make a concurrency determination for each development application. The concurrency determination will establish whether the development will impact an arterial unit where the level of service is below the adopted level of service standard, or cause the level of service on an arterial unit to fall below the adopted level of service standard, unless improvements are programmed and funding identified which would remedy the deficiency within six years. In either case, the development will be deemed not concurrent. The approving authority shall not approve any development that is not deemed concurrent under this section. Building permit applications for development within an approved rezone with binding site plan, nonresidential subdivision or short subdivision, for which a concurrency determination has been made in accordance with this section, shall be deemed concurrent; provided, that the building permit will not cause the approved traffic generation of the prior approval to be exceeded, there is no change in points of access, and mitigation required pursuant to the rezone with binding site plan, subdivision or short subdivision approval is performed as a condition of building permit issuance.

(i) The department shall make a concurrency determination upon receipt of a development's application submittal. The determination may change based upon revisions in the application. Any change in the development after approval will be resubmitted to the director, and the development will be reevaluated for concurrency purposes.

(ii) Concurrency shall expire six years after the date of the concurrency determination, or, in the case of approved residential subdivisions, when the approval expires or when the application is withdrawn or allowed to lapse.

(iii) Building permits for a development must be issued prior to expiration of concurrency for the development. No additional concurrency determination shall apply to residential dwellings within a subdivision or short subdivisions recorded in compliance with this section.

(iv) If concurrency expires prior to building permit issuance, the director shall at the request of the developer consider evidence that conditions have not significantly changed and make a new concurrency determination in accordance with subsection (6)(a)(i) of this section.

(b) In determining whether or not to deem a proposed development as concurrent, the department shall analyze likely road system impacts on arterial units based on the size and location of the development. A development shall be deemed concurrent for the period prior to the expiration date of concurrency for the development.

(i) A development's forecast trip generation at full occupancy shall be the basis for determining the impacts of the development on the road system. The city will accept valid data from a traffic study prepared under MMC [22D.030.060](#).

(c) A concurrency determination made for a proposed development under this section will evaluate the development's impacts on any arterial units in arrears.

(i) If a development which generates 10 or more p.m. peak-hour trips, or a nonresidential development which generates five or more p.m. peak-hour trips, is proposed to affect an arterial unit in arrears, then the development may only be deemed concurrent based on a trip distribution analysis to determine the impacts of the development. Impacts shall be determined based on each of the following:

(A) If the trip distribution analysis indicates that the development will not place three or more p.m. peak-hour trips on any arterial units in arrears, then the development shall be deemed concurrent.

(B) If the trip distribution analysis indicates that the development will place three or more p.m. peak-hour trips on any arterial unit in arrears, then the development shall not be deemed concurrent except where the development is deemed concurrent in accordance with the options under subsection (6)(e) of this section.

(d) Any residential development that generates less than 10 p.m. peak-hour trips, or any nonresidential development that generates less than 10 p.m. peak-hour trips, shall be considered to have only minor impact on city arterials for purposes of a concurrency determination on impacts to level of service on arterial units and shall be deemed concurrent.

(e) Any development not deemed concurrent shall have options available to enable the development to be deemed concurrent as follows:

(i) A development which meets the department's criteria for transit compatibility, in accordance with the director's policy and procedure for transit compatibility under MMC [22D.030.050](#)(12), shall be deemed concurrent if the impacted arterial unit in arrears meets the criteria for transit supportive design in accordance with the director's policy and procedure for transit compatibility, and if the level of service on the impacted arterial unit in arrears meets the LOS standards adopted within the comprehensive plan; and provided, that the development can be deemed concurrent in accordance with all other provisions of subsection (6)(c) of this section.

(ii) A development may modify its proposal to lessen its impacts on the road system in such a way as to allow the city to deem the development concurrent under this section.

(iii) The city may deem such development concurrent based upon a written proposal signed by the proponent of the development and attached to the director's recommendation under MMC [22D.030.050](#)(2), and referenced in the concurrency determination, as a condition of approval.

(A) Such proposal may include conditions which would defer construction of all or identified subsequent phases of a development until such time as the city has made

or programmed capacity improvements which would remedy any arterial units in arrears.

(B) Such proposals may include conditions which would defer construction of all or identified subsequent phases of a development until such time as the developer constructs capacity improvements which would remedy any arterial units in arrears.

1. If a developer chooses to mitigate the development's impact by constructing off-site road improvements, the developer must investigate the impact, identify improvements, and offer a construction plan to the director for construction of the off-site improvements. Construction of improvements shall be in accordance with the engineering design and development standards.

2. In cases where two or more developers have agreed to fully fund a certain improvement, the proportionate sharing of the cost shall be on any basis that the developers agree among themselves would be equitable. Under such an arrangement, the terms of the agreement shall be binding on each development as conditions of approval.

3. Any developer who volunteers to construct off-site improvements of greater value than any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of city roads may apply for a reimbursement contract.

4. Any developer who chooses to mitigate a development's impact by constructing off-site improvements may propose to the council that a joint public/private partnership be established to jointly fund and/or construct the proposed improvements. The director will determine whether or not such a partnership is to be established.

5. Construction of capacity improvements under this section must be complete or under contract prior to the issuance of any building permits and must be complete prior to approval for occupancy or final inspection; provided, that where no building permit will be associated with a change in occupancy, then construction of improvements is required as a precondition to approval.

(f) Adopted Level of Service. The level of service for principal, minor, and collector arterials at signalized intersections shall be at a LOS consistent with the transportation element of the comprehensive plan using the operational method as a standard of review.

(7) Inadequate Road Condition Requirements.

(a) Regardless of the existing level of service, development which adds three or more p.m. peak-hour trips to an inadequate road condition existing on the road system, at the time of determination in accordance with subsection (1) of this section, or development whose traffic will cause an inadequate road condition at the time of full occupancy of the development will only be approved for occupancy or final inspection when provisions are made in accordance with this chapter for elimination of the inadequate road condition. The improvements removing the inadequate road condition must be complete or under contract before a building permit on the development will be issued and the road improvement must be complete before any certificate of occupancy or final inspection will be issued; provided, that where no building permit will be associated with a conditional use permit, then the improvements removing the inadequate road condition must be complete as a precondition to approval.

(b) The director shall determine whether or not a location constitutes an inadequate road condition. Any known inadequate road condition to which the development adds three or more p.m. peak-hour trips shall be identified as part of the director's recommendation under subsection (6) of this section.

(c) A development's access onto a public road shall be designed so as not to create an inadequate road condition. Developments shall be designed so that inadequate road conditions are not created.

(d) Construction Option – Requirements.

(i) If a developer chooses to eliminate an inadequate road condition by constructing off-site road improvements, the developer must investigate the impact, identify improvements, and offer a construction plan to the director for construction of the off-site improvements.

(ii) In cases where two or more developers have agreed to fully fund a certain improvement, the proportionate sharing of the costs shall be on any basis that the developers agree among themselves would be equitable. Under such an arrangement, the terms of the agreement shall be binding on each development as conditions of approval.

(iii) Any developer who volunteers to construct off-site improvements of greater value than any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of city roads, which are contained within the cost basis, contained within the transportation element, or which are not part of the cost basis of any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of city roads, and therefore not credited against any proportionate share mitigating payment, may apply for a reimbursement contract.

(8) Special Circumstances. Where the only remedy to an arterial unit in arrears is the installation of a traffic signal, but signalization warrants contained in the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) are not met at present, developments impacting the arterial unit will be allowed to proceed without the installation of the traffic signal; provided, that all other warranted level of service and transit-related improvements are made on the arterial unit within the deficient level of service. Developments impacting such arterial units will not be issued building permits or occupancies (whichever comes first) until the improvements (not including the traffic signal) to the level of service deficient arterial unit are under contract or being performed. Such developments will be subject to all other obligations as specified in this title.

(9) Administration of Traffic Impact Fees.

(a) Any traffic impact fees made pursuant to this title shall be subject to the following provisions:

(i) Except as otherwise provided in this section and MMC Title [22](#), the traffic impact fee payment is required prior to building permit issuance unless the development is a subdivision or short subdivision, in which case the payment shall be made prior to the recording of the subdivision or short subdivision; provided, that where no building permit will be associated with a change in occupancy or conditional use permit then payment is required prior to approval of occupancy.

(ii) The traffic impact fees shall be held in a reserve account and shall be expended to fund improvements on the road system.

(iii) An appropriate and reasonable portion of traffic impact fees collected may be used for administration of this title.

(iv) The fee payer may receive a refund of such fees if the city fails to expend or encumber the impact fees within six years of when the fees were paid, or other such period of time established pursuant to RCW [82.02.070](#)(3), on transportation facilities intended to benefit the development for which the traffic impact fees were paid, unless the city council finds that there exists an extraordinary and compelling reason for fees to be held longer than six years. These findings shall be set forth in writing and approved by the city council. In determining whether traffic impact fees have been encumbered, impact fees shall be considered encumbered on a first-in first-out basis. The city shall notify potential claimants by first class mail deposited with the United States Postal Service at the last known address of claimants.

(v) The request for a refund must be submitted by the applicant to the city in writing within 90 days of the date the right to claim the refund arises, or the date that notice is given, whichever is later. Any traffic impact fees that are not expended within these time limitations, and for which no application for a refund has been made within this 90-day period, shall be retained and expended on projects identified in the adopted transportation element. Refunds of traffic impact fees under this subsection shall include interest earned on the impact fees.

(b) Off-site improvements include construction of improvements to mitigate an arterial unit in arrears and/or specific inadequate road condition locations. If a developer chooses to construct improvements to mitigate an arterial unit in arrears or inadequate road condition problem, and the improvements constructed are part of the cost basis of any traffic impact fees imposed under this title to mitigate the development's impact on the future capacity of city roads, the cost of these improvements will be credited against the traffic impact fee amount; provided, that the amount of the cost to be credited shall be the estimate of the public works director as to what the city's cost would be to construct the improvement. Any developer who volunteers to pay for and/or construct off-site improvements of greater value than any traffic impact fees imposed under this title, to mitigate the development's impact on the future capacity of city roads, based on the cost basis contained within the transportation element, or which are not part of the cost basis of any traffic impact fees imposed under this title to mitigate the development's impact on the future capacity of city roads, and therefore not credited against the traffic impact fees, may apply for a reimbursement contract.

(c) Deferral of Impact Fees Allowed.

(i) Required payment of impact fees may be deferred to final inspection for single-family detached, Middle Housing, or townhouses ~~or attached residential dwelling~~.

(ii) Payment of required impact fees for a commercial building, or industrial building, may be deferred from the time of building permit issuance in accordance with following:

(A) Fifty percent of the impact fees shall be paid prior to approved occupancy of the structure; and

(B) The remaining 50 percent of the impact fees shall be paid within 18 months from the date of building occupancy, or when ownership of the property is transferred, whichever is earlier.

(iii) The community development department shall allow an applicant to defer payment of the impact fees when, prior to submission of a building permit application for deferment

under subsection (9)(c)(i) of this section or prior to final inspection for deferment under subsection (9)(c)(ii) of this section, the applicant:

(A) Submits a signed and notarized deferred impact fee application and acknowledgment form for the development for which the property owner wishes to defer payment of the impact fees; and

(B) With regard to deferred payment under subsection (9)(c)(ii) of this section, records a lien for impact fees against the property in favor of the city in the total amount of all deferred impact fees for the development. The lien for impact fees shall:

1. Be in a form approved by the city attorney;
2. Include the legal description, tax account number and address of the property;
3. Be signed by all owners of the property, with all signatures as required for a deed, and recorded in the county in which the property is located;
4. Be binding on all successors in title after the recordation; and
5. Be junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

(iv) In the event that the impact fees are not paid in accordance with subsection (9)(c)(ii) of this section, the city shall institute foreclosure proceedings under the process set forth in Chapter [61.12](#) RCW, except as revised herein. In addition to any unpaid impact fees, the city shall be entitled to interest on the unpaid impact fees at the rate provided for in RCW [19.52.020](#) and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing, prior to commencement of foreclosure, the city shall give not less than 30 days' written notice to the person or entity whose name appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the impact fees are paid in full to the city within the 30-day notice period, no attorney fees, costs and interest will be owed.

(v) In the event that the deferred impact fees are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (9)(c)(iv) of this section, the city may initiate any other action(s) legally available to collect such impact fees.

(vi) Upon receipt of final payment of all deferred impact fees for the development, the department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

(vii) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the impact fees.

Exhibit TTTT

22D.040.020 Definitions.

(1) Words Defined by RCW 82.02.090. Words used in this chapter and defined in RCW 82.02.090 shall have the same meaning assigned in RCW 82.02.090 unless a more specific definition is contained in subsection (2) of this section.

(2) Other Definitions.

(a) "Average assessed value" means the district's average assessed value for each dwelling unit type.

(b) "Boeckh index" means the current construction trade index of construction costs for each school type.

(c) "Capital facilities" means school facilities identified in a school district's capital facilities plan and are "system improvements" as defined by the GMA as opposed to localized "project improvements."

(d) "Capital facilities plan" means a district's facilities plan adopted by its school board consisting of those elements required by MMC 22D.040.030 and meeting the requirements of the GMA.

(e) "Council" means the Marysville city council.

(f) "County" means Snohomish County.

(g) "Department" means the city of Marysville planning and building department.

(h) "Developer" means the proponent of a development activity, such as any person or entity who owns or holds purchase options or other development control over property for which development activity is proposed.

(i) "Development" means all subdivisions, short subdivisions, conditional or special use permits, binding site plan approvals, rezones accompanied by an official site plan, or building permits (including building permits for single family detached, Middle Housing, townhouses, and multifamily and duplex residential structures, and all similar uses) and other applications requiring land use permits or approval by the city of Marysville.

(j) "Development activity" means any residential construction or expansion of a building, structure or use of land, or any other change in use of a building, structure, or land that creates additional demand and need for school facilities, but excluding building permits for remodeling or renovation permits which do not result in additional dwelling units. Also excluded from this definition is "housing for older persons" as defined by 46 U.S.C. Section 3607, when guaranteed by a restrictive covenant, and new single-family detached units constructed on legal lots created prior to the effective date of the ordinance codified in this chapter.

(k) "Development approval" means any written authorization from the city which authorizes the commencement of a development activity.

(l) "Director" means the city planner or the city planner's designee.

(m) "District" means a school district whose geographic boundaries include areas within the city of Marysville.

(n) "District property tax levy rate" means the district's current capital property tax rate per \$1,000 of assessed value.

(o) "Dwelling unit type" means:

(i) Single-family residences;

(ii) Middle Housing units as defined in MMC 22A.020.140 (excluding accessory dwelling units);

~~(iii)~~ (iii) Multifamily studio or one-bedroom apartment or condominium units; and

~~(iii)~~ (iv) Multifamily multiple-bedroom apartment or condominium units.

(v) Townhouse units as defined in MMC 22A.020.210.

(p) "Encumbered" means school impact fees identified by the district to be committed as part of the funding for capital facilities for which the publicly funded share has been assured, development approvals have been sought or construction contracts have been let.

(q) "Estimated facility construction cost" means the planned costs of new schools or the actual construction costs of schools of the same grade span recently constructed by the district, including on-site and off-site improvement costs. If the district does not have this cost information available, construction costs of school facilities of the same or similar grade span within another district are acceptable.

(r) "Facility design capacity" means the number of students each school type is designed to accommodate, based on the district's standard of service as determined by the district.

(s) "Grade span" means a category into which a district groups its grades of students (e.g., elementary, middle or junior high, and high school).

(t) "Growth Management Act/GMA" means the Growth Management Act, Chapter 17, Laws of the State of Washington of 1990, First Executive Session, as now in existence or as hereafter amended.

(u) "Interest rate" means the current interest rate as stated in the Bond Buyer Twenty Bond General Obligation Bond Index.

(v) "Land cost per acre" means the estimated average land acquisition cost per acre (in current dollars) based on recent site acquisition costs, comparisons of comparable site acquisition costs in other districts, or the average assessed value per acre of properties comparable to school sites located within the district.

(w) "Middle Housing unit" means any residential dwelling unit meeting the definition of Middle Housing in MMC 22A.020.140, excluding accessory dwelling units.

~~(w)~~(x) "Multifamily unit" means any residential dwelling unit meeting the definition of multifamily dwelling unit in MMC 22A.020.140~~that is not a single-family unit as defined by this chapter.~~

~~(x)~~(y) "Permanent facilities" means school facilities of the district with a fixed foundation.

~~(y)~~(z) "Relocatable facilities" means factory-built structures, transportable in one or more sections, that are designed to be used as education spaces and are needed to prevent the overbuilding of school facilities, to meet the needs of service areas within a district, or to cover the gap between the time that families move into new residential developments and the date that construction is completed on permanent school facilities.

~~(z)~~(aa) "Relocatable facilities cost" means the total cost, based on actual costs incurred by the district, for purchasing and installing portable classrooms.

~~(aa)~~(bb) "Relocatable facilities student capacity" means the rated capacity for a typical portable classroom used for a specified grade span.

~~(bb)~~(cc) "School impact fee" means a payment of money imposed upon development as a condition of development approval to pay for school facilities needed to serve new growth and development. The school impact fee does not include a reasonable permit fee, an application fee, the administrative fee for collecting and handling impact fees, or the cost of reviewing independent fee calculations.

~~(cc)~~(dd) "Single-family unit" means any detached residential dwelling unit designed for occupancy by a single family or household.

~~(dd)~~(ee) "Standard of service" means the standard adopted by each district which identifies the program year, the class size by grade span and taking into account the requirements of students with special needs, the number of classrooms, the types of facilities the district believes will best serve its student population, and other factors as identified in the district's capital facilities plan. The district's standard of service shall not be adjusted for any portion of the classrooms housed in relocatable facilities which are used as transitional facilities or from any specialized facilities housed in relocatable facilities.

~~(ee)~~(ff) "State match percentage" means the proportion of funds that are provided to the district for specific capital projects from the state's common school construction fund. These funds are disbursed based on a formula which calculates district assessed valuation per pupil relative to the whole state assessed valuation per pupil to establish the maximum percentage of the total project eligible to be paid by the state.

~~(ff)~~(gg) "Student factor (student generation rate)" means the number of students of each grade span (elementary, middle/junior high, high school) that a district determines are typically generated by different dwelling unit types within the district. Each school district will use a survey or statistically valid methodology to derive the specific student generation rate; provided, that the survey or methodology is approved by the Marysville city council as part of the adopted capital facilities plan for each school district.

(hh) "Townhouse unit" means any residential dwelling unit meeting the definition of townhouses as defined in MMC 22A.020.210.

Exhibit UUUU

22D.040.060 Impact fee accounting.

(1) Collection and Transfer of Fees, Fund Authorized and Created.

(a) Except as otherwise provided in this section and MMC Title [22](#), school impact fees shall be due and payable to the city by the developer at or before the time of issuance of residential building permits for all development activities.

(b) In conjunction with the adoption of the city budget, there is hereby authorized the creation and establishment of a fund to be designated the "school impact fee fund." The city shall temporarily deposit all impact fees collected on behalf of a district pursuant to this chapter and any interest earned thereon in the school impact fee fund with specific organizational identity for a district until the transfer of the fees to the school district's school impact fee account pursuant to the interlocal agreement between the city and the district.

(c) Districts eligible to receive school impact fees collected by the city shall establish an interest-bearing account separate from all other district accounts. The city shall deposit school impact fees in the appropriate district account within 10 days after receipt, and shall contemporaneously provide the receiving district with a notice of deposit.

(d) Each district shall institute a procedure for the disposition of impact fees and providing for annual reporting to the city that demonstrates compliance with the requirements of RCW [82.02.070](#), and other applicable laws.

(2) Use of Funds.

(a) School impact fees may be used by the district only for capital facilities that are reasonably related to the development for which they were assessed and may be expended only in conformance with the district's adopted capital facilities plan.

(b) In the event that bonds or similar debt instruments are issued for the advance provision of capital facilities for which school impact fees may be expended, and where consistent with the provisions of the bond covenants and state law, school impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the capital facilities provided are consistent with the requirements of this title.

(c) The responsibility for assuring that school impact fees are used for authorized purposes rests with the district receiving the school impact fees. All interest earned on a school impact fee account must be retained in the account and expended for the purpose or purposes for which the school impact fees were imposed, subject to the provisions of subsection (3) of this section.

(d) Each district shall provide the city an annual report showing the source and the amount of school impact fees received by the district and the capital facilities financed in whole or in part with those school impact fees.

(3) Deferral of School Impact Fee Payments Allowed.

(a) Required school impact fee payments may be deferred to final inspection for a single-family detached, ~~or attached residential~~ Middle Housing, or townhouse dwelling.

(b) The community development department shall allow an applicant to defer payment of the impact fees when, prior to submission of a building permit application for deferment or prior to final inspection for deferment under subsection (3)(a) of this section, the applicant:

(i) Submits a signed and notarized deferred impact fee application and acknowledgement form for the development for which the property owner wishes to defer payment of the impact fees.

(c) The city may initiate any other action(s) legally available to collect such school impact fees.

(d) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the impact fees.

(4) Refunds.

(a) School impact fees not spent or encumbered within six years after they were collected shall, upon receipt of a proper and accurate claim, be refunded, together with interest, to the then current owner of the property. In determining whether school impact fees have been encumbered, impact fees shall be considered encumbered on a first-in, first-out basis. At least annually, the city, based on the annual report received from each district pursuant to subsection (2)(d) of this section, shall give notice to the last known address of potential claimants of any funds, if any, that it has collected that have not been spent or encumbered. The notice will state that any persons entitled to such refunds may make claims.

(b) Refunds provided for under this section shall be paid only upon submission of a proper claim pursuant to city claim procedures. Such claims must be submitted to the director within one year of the date the right to claim the refund arises, or the date of notification provided for above, where applicable, whichever is later.

(5) Reimbursement for City Administrative Costs, Legal Expenses, and Refund Payments. Each participating school district shall enter into an agreement with the city of Marysville providing for such matters as the collection, distribution and expenditure of fees and for reimbursement of any legal expenses and staff time associated with defense of this chapter as more specifically set forth in an interlocal agreement between the city and a school district, and payment of any refunds provided under subsection (3) of this section. The city's costs of administering the impact fee program shall be paid by the applicant to the city as part of the development application fee. Said fee shall be as set forth in Chapter [22G.030](#) MMC and shall be an amount that approximates, as nearly as possible, the actual administrative costs of administering the school impact fee program.

Exhibit VVVV

22E.010.360 On-site density transfer for critical areas.

(1) An owner of a residential site or property containing critical areas may be permitted to transfer the density attributable to the critical area and associated buffer area or setback to another noncritical portion of the same site or property, subject to the limitations of this section and other applicable regulations. In the case of streams, only the density attributable to the buffer may be transferred.

(2) Up to 100 percent of the density that could be achieved on the critical area and buffer portion of the site, excluding stream channels, can be transferred to the noncritical area portion, subject to:

(a) The density limitations of the underlying zone must be applied;

(b) The ~~bulk and dimensional lot size, building coverage, and impervious coverage~~ standards of the next higher zoning classification may be utilized to accommodate the transfers in density;

(c) The noncritical, nonbuffer portion of the site is not constrained by another environmentally critical area regulated by this code.

(3) An on-site density transfer shall meet the requirements and follow the procedures of Chapter 22G.090 MMC, Subdivisions and Short Subdivisions.

Exhibit WWWW

22E.030.090 Categorical exemptions, threshold determinations, and enforcement of mitigating measures.

The city of Marysville adopts WAC [197-11-300](#) through [197-11-390](#), [197-11-800](#) through [197-11-890](#), and [197-11-908](#) as now existing or hereinafter amended, by reference, subject to the following:

(1) Establishment of Flexible Thresholds for Categorically Exempt Actions. The following exempt threshold levels are hereby established pursuant to WAC [197-11-800](#)(1)(d):

- (a) The construction or location of any single-family residential or Middle Housing structures of less than or equal to 30 dwelling units;
- (b) The construction or location of any multifamily residential structures of less than or equal to 60 dwelling units;
- (c) The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering less than or equal to 40,000 square feet, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots;
- (d) The construction of an office, school, commercial recreational, service or storage building with less than or equal to 30,000 square feet of gross floor area, and with associated parking facilities and/or independent parking facilities designed for less than or equal to 90 automobiles;
- (e) Any landfill or excavation of less than or equal to 1,000 cubic yards throughout the total lifetime of the fill or excavation; and any fill or excavation classified as a Class I, II, or III forest practice under RCW [76.09.050](#) or regulations thereunder.

(2) The exemptions in this subsection apply except when the project:

- (a) Is undertaken wholly or partly on lands covered by water and this remains true whether lands covered by water are mapped;
- (b) Requires a license governing discharges to water that is not exempt under RCW [43.21C.0383](#);
- (c) Requires a license governing emissions to air that is not exempt under RCW [43.21C.0381](#) or WAC [197-11-800](#)(7) or (8); or
- (d) Requires a land use decision that is not exempt under WAC [197-11-800](#)(6).
- (e) A series of exempt actions that are physically or functionally related to each other, and that together may have a probable significant adverse environmental impact in the judgment of the director/agency with jurisdiction may be subject to SEPA.

(3) Categorical Exemptions without Flexible Thresholds. The following proposed actions that do not have flexible thresholds are categorically exempt from threshold determination and EIS requirements, subject to the rules and limitations on categorical exemptions contained in WAC [197-11-305](#):

- (a) Actions listed in WAC [197-11-800](#)(2) through (26).

(4) Environmentally Critical Areas. The Marysville shoreline environments map and the critical areas maps adopted pursuant to this title designate the location of environmentally sensitive areas within the city and are adopted by reference. For each environmentally sensitive area, the exemptions within WAC [197-11-800](#) that are inapplicable for the area are (1), (2)(d), (2)(e), (6)(a) and (24)(a) through (g). Unidentified exemptions shall continue to apply within environmentally sensitive areas of the city.

(a) Lands Covered by Water. Certain exemptions do not apply on lands covered by water, and this remains true regardless of whether or not lands covered by water are mapped.

(b) Treatment. The city shall treat proposals located wholly or partially within an environmentally critical area no differently than other proposals under this chapter, making a threshold determination for all such proposals. The city shall not automatically require an EIS for a proposal merely because it is proposed for location in an environmentally critical area.

(5) Responsibility for Determination of Categorical Exempt Status. The determination of whether a proposal is categorically exempt shall be made by the responsible official.

(6) Mitigation Measures. Modifications to a SEPA checklist or other environmental documentation that result in substantive mitigating measures shall follow one of the following processes:

(a) The responsible official may notify the applicant of the requested modifications to the proposal and identify the concerns regarding unmitigated impacts. The applicant may elect to revise or modify the environmental checklist, application, or supporting documentation. The modifications may include different mitigation measures than those requested by the responsible official; however, acceptance of the proposed measures is subject to subsequent review and approval by the responsible official.

(b) The responsible official may make a mitigated determination of nonsignificance (MDNS), identifying mitigating measures. The MDNS may be appealed by the applicant pursuant to MMC [22E.030.180](#).

(c) The responsible official may identify mitigating measures in a letter and mail that letter to the applicant. In writing, the applicant may acknowledge acceptance of these measures as mitigating conditions. The acknowledgement shall be incorporated into the application packet as supporting environmental documentation or as an addendum to the environmental checklist.

(7) Enforcing Mitigation Measures. Pursuant to WAC [197-11-350](#)(7), the city hereby adopts the following procedures for the enforcement of mitigation measures:

(a) Incorporation of Representations Made by Applicant into MDNS or DNS and Approval. Representations made in the environmental checklist and supporting documentation shall be considered as the foundation of any decision or recommendation of approval of the action. As such, the responsible official relies on this documentation in making a decision on a proposal. Unless specifically revised by the responsible official or applicant, those statements, representations, and mitigating measures contained in the environmental checklist, application, and supporting documentation shall be considered material conditions of any approval. Mitigating measures shall only be included on a DNS under the following circumstances:

(i) When the UDC does not provide adequate regulations to mitigate for an identified impact, and when any one of the following circumstances or combination of circumstances exists:

(A) When such conditions are not specifically written in the environmental checklist, application, or supporting information; or

(B) When the responsible official determines that the proposed conditions or representations contained within that information do not adequately address impacts from a proposal.

(b) Modifications to a Proposal – Responsible Official May Withdraw Threshold Determination. If, at any time, the proposal or proposed mitigation measures are substantially changed, or if proposed mitigation measures are withdrawn, then the responsible official shall review the threshold determination and, if necessary, may withdraw the threshold determination and issue a revised determination, including a determination of significance (DS), as deemed appropriate.

(c) Enforcement of Mitigation Measures. Mitigation measures that are identified in an environmental checklist, development application, supporting documentation, an EIS or an MDNS shall be considered material conditions of the permit or approval that is issued by the reviewing department. As such, failure to comply with these measures may be enforceable through the enforcement provisions that regulate the proposal.

Exhibit XXXX

22G.010.160 Administrative approvals subject to notice.

(1) The director may grant preliminary approval or approval with conditions, or may deny the following actions subject to the notice provisions in MMC [22G.010.100](#) and appeal requirements of this section:

- (a) Binding site plans;
- (b) Conditional use permits;
- (c) Major revisions to approved developments or permits in accordance with MMC [22G.010.270](#);
- (d) Master plans for properties under ownership or contract of applicant(s);
- (e) Shoreline permits for substantial developments;
- (f) Short subdivisions; ~~and~~
- (g) Site plans with commercial, industrial, institutional (e.g., church, school), multifamily, or townhouse-; and
- (h) Unit lot subdivisions.

(2) Final Administrative Approvals. Preliminary approvals under this section shall become final subject to the following:

- (a) If no appeal is submitted, the preliminary approval becomes final at the expiration of the 14-day notice period.
- (b) If a written notice of appeal is received within the specified appeal periods, the matter will be referred to the hearing examiner for an open record public hearing.

Exhibit YYYY

22G.010.250 Vesting.

(1) Purpose. The purpose of this section is to implement plan policies and state laws that provide for vesting. This section is intended to provide property owners, permit applicants, and the general public assurance that regulations for project development will remain consistent during the lifetime of the application. The section also establishes time limitations on vesting for permit approvals and clarifies that once those time limitations expire, all current development regulations and current land use controls apply.

(2) Applicability. This section applies to complete applications and permit approvals required by the city of Marysville pursuant to MMC Title [22](#), including and limited to land use permits, preliminary subdivisions, final subdivisions, short subdivisions, unit lot subdivisions, binding site plans, conditional use permits, shoreline development permits and any other land use permit application that is determined by Washington State law to be subject to the Vested Rights Doctrine. Vesting of building permit applications is governed by the rules of RCW [19.27.095](#) and MMC Title [16](#).

(3) Vesting of Applications.

(a) An application described in subsection (2) of this section shall be reviewed for consistency with the applicable development regulations in effect on the date the application is deemed complete.

(b) An application described in subsection (2) of this section shall be reviewed for consistency with the construction and utility standards in effect on the date the separate application for a construction or utility permit is deemed complete. An applicant may submit a separate construction or utility permit application simultaneously with any application described in subsection (2) of this section to vest for a construction or utility standard. The application or approval of a construction or utility permit or the payment of connection charges or administrative fees to a public utility does not constitute a binding agreement for service and shall not establish a vesting date for development regulations used in the review of applications described in subsection (2) of this section.

(c) An application described in subsection (2) of this section utilizing vested rights shall be subject to all development regulations in effect on the vesting date.

(d) An application described in subsection (2) of this section that is deemed complete is vested for the specific use, density, and physical development that is identified in the application submittal.

(e) Applications submitted pursuant to MMC Title [22](#) that are not listed in subsection (2) of this section shall be governed by those standards which apply to said application. These applications shall not vest for any additional development regulations.

(f) The property owner is responsible for monitoring the time limitations and review deadlines for the application. The city shall not be responsible for maintaining a valid application. If the application expires, a new application may be filed with the community development department, but shall be subject to the development regulations in effect on the date of the new application.

(4) Duration of Vesting.

(a) Land Use Permits. The development of an approved land use permit shall be governed by the terms of approval of the permit unless the legislative body finds that a change in conditions creates a serious threat to the public health, safety or welfare.

(b) Preliminary Subdivision. Development of an approved preliminary subdivision shall be based on the controls contained in the hearing examiner's decision. A final subdivision meeting all of the requirements of the preliminary subdivision approval shall be submitted within the time period specified in MMC [22G.090.170](#) and RCW [58.17.140](#). Any extension of time beyond the time period specified in MMC [22G.090.170](#) and RCW [58.17.140](#) may contain additional or altered conditions and requirements based on current development regulations and other land use controls.

(c) Land Use Permits Associated with a Preliminary Subdivision. Land use permit applications, such as planned residential development applications that are approved as a companion to a preliminary subdivision application shall remain valid for the duration of the preliminary and final subdivision as provided in subsections (4)(b) and (d) of this section.

(d) Final Subdivision. The lots in a final subdivision may be developed by the terms of approval of the final subdivision, and the development regulations in effect at the time the preliminary subdivision application was deemed complete for a period as specified in RCW [58.17.170](#) unless the legislative body finds that a change in conditions creates a serious threat to the public health, safety or welfare.

(e) Short Subdivision or Unit Lot Subdivision. The lots in a short subdivision or unit lot subdivision may be developed by the terms and conditions of approval, and the development regulations in effect at the time the application was deemed complete for a period specified in RCW [58.17.170](#) unless the legislative body finds that a change in conditions creates a serious threat to the public health, safety or welfare.

(f) Binding Site Plan. The lots in a binding site plan may be developed by the terms of approval of the binding site plan, and the development regulations in effect at the time the application was deemed complete unless the legislative body finds that a change in conditions creates a serious threat to the public health, safety or welfare.

(g) All approvals described in this section shall be vested for the specific use, density, and physical development that is identified in the permit approval.

(h) Sign Permit. A sign permit shall expire if the permit is not exercised within one year of its issuance. No extensions of the expiration date shall be permitted.

(i) Stormwater Design Requirements. See MMC [14.15.015](#) for stormwater design vesting time frames.

(5) Waiver of Vesting. A property owner may voluntarily waive vested rights at any time during the processing of an application by delivering a written and signed waiver to the director stating that the property owner agrees to comply with all development regulations in effect on the date of delivery of the waiver. Any change to the application is subject to the modification criteria described in MMC [22G.010.260](#) and [22G.010.270](#) and may require revised public notice and/or additional review fees.

Exhibit ZZZZ

22G.010.260 Minor revisions to approved development applications.

The purpose and intent of this section is to provide an administrative process for minor revisions to approved development applications. For the purposes of this section, approved development applications shall include preliminary approval for subdivisions, ~~and short subdivisions, and unit lot subdivisions,~~ and final approval prior to construction for all other development applications.

(1) A minor revision to an approved residential development application is limited to the following when compared to the original development application; provided, that there shall be no change in the proposed type of development or use:

(a) Short subdivisions shall be limited to no more than one additional lot, provided the maximum number of lots allowed in a short subdivision is not exceeded.

(b) Subdivisions, Planned Residential Developments, ~~single-family detached unit developments, Middle Housing,~~ cottage housing, townhomes and multiple-family developments shall be limited to the lesser of:

(i) A 10 percent increase in the number of lots or units; or

(ii) An additional 10 lots or units, provided the additional/lots units will not cause the project to exceed the maximum categorical exemption threshold level established in MMC 22E.030.090.

(c) A reduction in the number of lots or units.

(d) A change in access points may be allowed when combined with subsection (1)(a) or (b) of this section or as a standalone minor revision; provided, that it does not change the trip distribution. No change in access points that changes the trip distribution can be approved as a minor revision.

(e) A change to the project boundaries required to address surveying errors or other issues with the boundaries of the approved development application; provided, that the number of lots or units cannot be increased above the number that could be approved as a minor revision to the original approved development application on the original project site before any boundary changes.

(f) A change to the internal lot lines that does not increase lot or unit count beyond the amount allowed for a minor revision.

(g) A change in the aggregate area of designated open space that does not decrease the amount of designated open space by more than 10 percent. Under no circumstances shall the quality or amount of designated open space be decreased to an amount that is less than that required by code.

(h) A change not addressed by the criteria in subsections (1)(a) through (g) of this section which does not substantially alter the character of the approved development application or site plan and prior approval.

(2) A minor revision to an approved unit lot subdivision application is limited to the following when compared to the original development application; provided, that there shall be no change in the proposed type of development or use:

(a) The outer boundaries of the fee simple unit lot subdivision (other than for survey discrepancies).

(b) The dimension of lot lines within the fee simple unit lot subdivision by more than two percent.

(c) The conditions of preliminary fee simple unit lot subdivision approval.

(d) Road alignments or connections and/or do not increase the number of lots.

~~(2)~~(3) A minor revision to an approved nonresidential development application is limited to the following when compared to the original development application; provided, that there is no change in the proposed type of development or use or no more than a 10 percent increase in trip generation:

(a) A utility structure shall be limited to no more than a 400-square-foot increase in the gross floor area.

(b) All other structures shall be limited to no more than a 10 percent increase in the gross floor area.

(c) A change in access points when combined with subsection (2)(a) or (b) of this section or as a standalone minor revision.

(d) A change which does not substantially alter the character of the approved development application or site plan and prior approval.

~~(3)~~(4) A minor revision may be approved subject to the following:

(a) An application for a minor revision shall be submitted on forms approved by the community development department. An application for a minor revision shall not be accepted if a variance is required to accomplish the change to the approved development.

(b) An application for a minor revision shall be accompanied by any fees specified in Chapter 22G.030 MMC.

(c) An application for a minor revision shall require notification of the relevant city departments and agencies.

(d) An application for a minor revision shall be subject to the development regulations in effect as of the date the original development application was determined to be complete.

(e) The director shall grant approval of the request for a minor revision if it is determined that the minor revision does not substantially alter:

(i) The previous approval of the development application;

(ii) The final conditions of approval; or

(iii) The public health, safety and welfare.

(f) A minor revision shall be properly documented as a part of the records for the approved development application.

(g) A minor revision does not extend the life or term of the development application approval and concurrency determination, which shall run from the original date of:

(i) Preliminary approval for subdivisions, ~~or~~ short subdivisions, or unit lot subdivisions; or

(ii) Approval for all other development applications.

~~(4)~~(5) The final determination of what constitutes a minor revision shall be made by the community development director.

~~(2)~~(6) A minor revision to an approved nonresidential development application is limited to the following when compared to the original development application; provided, that there is no change in the proposed type of development or use or no more than a 10 percent increase in trip generation:

(a) A utility structure shall be limited to no more than a 400-square-foot increase in the gross floor area.

(b) All other structures shall be limited to no more than a 10 percent increase in the gross floor area.

(c) A change in access points when combined with subsection (2)(a) or (b) of this section or as a standalone minor revision.

(d) A change which does not substantially alter the character of the approved development application or site plan and prior approval.

~~(3)~~(7) A minor revision may be approved subject to the following:

(a) An application for a minor revision shall be submitted on forms approved by the community development department. An application for a minor revision shall not be accepted if a variance is required to accomplish the change to the approved development.

(b) An application for a minor revision shall be accompanied by any fees specified in Chapter 22G.030 MMC.

(c) An application for a minor revision shall require notification of the relevant city departments and agencies.

(d) An application for a minor revision shall be subject to the development regulations in effect as of the date the original development application was determined to be complete.

(e) The director shall grant approval of the request for a minor revision if it is determined that the minor revision does not substantially alter:

(i) The previous approval of the development application;

(ii) The final conditions of approval; or

(iii) The public health, safety and welfare.

(f) A minor revision shall be properly documented as a part of the records for the approved development application.

(g) A minor revision does not extend the life or term of the development application approval and concurrency determination, which shall run from the original date of:

(i) Preliminary approval for subdivisions, ~~or~~ short subdivisions, or unit lot subdivisions; or

(ii) Approval for all other development applications.

~~(4)~~(8) The final determination of what constitutes a minor revision shall be made by the community development director.

Exhibit AAAAA

22G.010.270 Major revisions to approved residential development applications.

The purpose and intent of this section is to provide a process for major revisions to approved residential development applications. Residential development applications shall include short subdivisions, subdivisions, single-family detached unit developments, Middle Housing, cottage housing, townhomes and multiple-family developments. For the purposes of this section, approved residential development applications shall include preliminary approval for subdivisions and short subdivisions and final approval prior to construction for all other residential development applications.

(1) A major revision to an approved residential development application is limited to the following when compared to the original development application, provided there is no change in the proposed type of development or use:

(a) Subdivisions, single-family detached unit developments, Middle Housing, cottage housing, townhomes and multiple-family developments shall be limited to the lesser of:

(i) A 20 percent increase in the number of lots or units; or

(ii) An additional 20 lots or units.

(b) A change in access points, when combined with subsection (1)(a) of this section.

(c) A change to the project boundaries required to address surveying errors or other issues with the boundaries of the approved development application; provided, that the number of lots or units cannot be increased above the number that could be approved as a minor revision to the original approved development application on the original project site before any boundary changes.

(d) A change to the internal lot lines when combined with another criteria in subsection (1) of this section that does not increase lot or unit count beyond the amount allowed for a major revision.

(e) A change in the aggregate area of designated open space beyond that allowed as a minor revision; provided, that the decrease will not result in an amount that is less than that required by code.

(f) A change not addressed by the criteria in subsections (1)(a) through (e) of this section which does not substantially alter the character of the approved development application or site plan and prior approval.

(2) A major revision shall require processing through the same process as a new development application subject to the following:

(a) An application for a major revision shall be submitted on forms approved by the department. An application for a major revision shall not be accepted if a variance is required to accomplish the change to the approved development.

(b) An application for a major revision shall be accompanied by any fees specified in Chapter 22G.030 MMC.

(c) An application for a major revision shall require public notice pursuant to MMC 22G.010.090.

(d) An application for a major revision shall be subject to the development regulations in effect as of the date the original development application was determined to be complete.

(e) The community development director or the hearing examiner shall grant approval of the major revision if it is determined that the major revision does not substantially alter:

(i) The previous approval of the development application;

(ii) The final conditions of approval; or

(iii) The public health, safety and welfare.

(f) A major revision shall be properly documented as a part of the records for the approved development application.

(g) A major revision does not extend the life or term of the development application approval and concurrency determination, which shall run from the original date of:

(i) Preliminary approval for subdivisions or short subdivisions; or

(ii) Approval for all other residential development applications.

(3) The final determination of what constitutes a major revision shall be made by the community development director.

Exhibit BBBBB

22G.030.020 General fee structure.

(1) The city shall review and adjust fees as necessary every five years based on the cost of fee service.

(2) The community development department is authorized to charge and collect the following fees:

Type of Activity	2023/2024 Fees	2025 Fees	2026 Fees	2027 Fees	2028 Fees
Land Use Review Fees					
Administrative approval (bed and breakfast, zoning verification letter, or similar request)	\$251	\$259	\$267	\$275	\$283
Annexation:					
Under 10 acres	\$7,524	\$7,750	\$7,983	\$8,222	\$8,469
Over 10 acres	\$10,031	\$10,332	\$10,642	\$10,961	\$11,290
Appeal (quasi-judicial):					
All appeal fees include the hearing examiner fee.					
For residential properties with 1 – 9 lots and/or units; or commercial properties that are 0 – 1 acres in size.	\$1,000	\$1,030	\$1,061	\$1,092	\$1,125
For residential properties with 10 – 20 lots and/or units; or commercial properties that are 1.01 – 3 acres in size.	\$1,750	\$1,803	\$1,857	\$1,912	\$1,970
For residential properties more than 20 lots and/or units; or commercial properties greater than 3 acres in size.	\$2,500	\$2,575	\$2,652	\$2,731	\$2,814
Appeals (administrative)	\$500	\$515	\$530	\$546	\$563
Boundary line adjustment	\$1,003 for two lots plus \$250 each additional lot	\$1,033 for two lots plus \$258 each additional lot	\$1,064 for two lots plus \$266 each additional lot	\$1,096 for two lots plus \$274 each additional lot	\$1,129 for two lots plus \$282 each additional lot
Comprehensive plan amendment:					
Map amendment with rezone (under 5 acres)	\$3,261	\$3,359	\$3,460	\$3,564	\$3,671
Map amendment with rezone (over 5 acres)	\$4,012	\$4,132	\$4,256	\$4,384	\$4,516

Type of Activity	2023/2024 Fees	2025 Fees	2026 Fees	2027 Fees	2028 Fees
Text amendment	\$2,445	\$2,518	\$2,594	\$2,672	\$2,752
Conditional use permit (administrative):					
Residential, group residence or communication facility	\$2,006	\$2,066	\$2,128	\$2,192	\$2,258
Commercial (including RV park, churches)	\$2,759	\$2,842	\$2,927	\$3,015	\$3,105
Conditional use permit (public hearing)	\$2,508 plus the hearing examiner	\$2,583 plus the hearing examiner	\$2,660 plus the hearing examiner	\$2,740 plus the hearing examiner	\$2,822 plus the hearing examiner
Critical areas review:					
Under 0.50 acre	\$534*	\$550*	\$567*	\$584*	\$602*
0.51 – 2 acres	\$784*	\$808*	\$832*	\$857*	\$883*
2.01 – 10 acres	\$1,034*	\$1,065*	\$1,097*	\$1,130*	\$1,164*
10.01 – 20 acres	\$1,284*	\$1,323*	\$1,363*	\$1,404*	\$1,446*
20.01 – 50 acres	\$1,536*	\$1,582*	\$1,629*	\$1,678*	\$1,728*
50.01+ acres	\$1,913*	\$1,970*	\$2,029*	\$2,090*	\$2,153*
*Peer review costs for all critical areas reviews will also be charged in addition to the fees noted above, if applicable.					
EIS preparation and review	\$10,031	\$10,332	\$10,642	\$10,961	\$11,290
Public hearing/hearing examiner cost: Hearing examiner costs typically range from \$800 – \$2,800 depending on the complexity of the project.	Cost as billed by the hearing examiner				
Lot status determination:					
Readily verifiable with documents submitted by applicant	\$282	\$290	\$299	\$308	\$317
Requires research and detailed document evaluation and confirmation	\$534	\$550	\$567	\$584	\$602
Modifications:					
Minor	\$2,540	\$2,616	\$2,694	\$2,775	\$2,858
Major	The minor modification fees, or 80 percent of the original land use review fee, whichever is greater.				
Miscellaneous reviews not otherwise listed	\$125/hour	\$129/hour	\$133/hour	\$137/hour	\$141/hour
Preapplication review fee	\$900	\$927	\$955	\$983	\$1,043

Type of Activity	2023/2024 Fees	2025 Fees	2026 Fees	2027 Fees	2028 Fees
Public notice fee: Per notice (includes land use sign, posting, mailings, publishing and staff time)	\$200	\$206	\$212	\$225	\$232
Rezone	\$2,508	\$2,583	\$2,660	\$2,740	\$2,822
SEPA checklist	\$753	\$776	\$799	\$823	\$848
Shoreline permit (administrative review)	\$2,508	\$2,583	\$2,660	\$2,740	\$2,822
Shoreline permit, shoreline conditional use permit, or shoreline variance permit with public hearing	\$2,508 plus the hearing examiner fee	\$2,583 plus the hearing examiner fee	\$2,660 plus the hearing examiner fee	\$2,740 plus the hearing examiner fee	\$2,822 plus the hearing examiner fee
Site plan review (commercial, multifamily, PRD, master plan); this rate does not apply to subdivisions:					
Under 0.50 acre	\$1,756 plus \$50/unit	\$1,809 plus \$50/unit	\$1,863 plus \$50/unit	\$1,919 plus \$50/unit	\$1,977 plus \$50/unit
0.51 – 2 acres	\$2,258 plus \$50/unit	\$2,326 plus \$50/unit	\$2,396 plus \$50/unit	\$2,468 plus \$50/unit	\$2,542 plus \$50/unit
2.01 – 10 acres	\$3,010 plus \$50/unit	\$3,100 plus \$50/unit	\$3,193 plus \$50/unit	\$3,289 plus \$50/unit	\$3,388 plus \$50/unit
10.01+ acres	\$3,762 plus \$50/unit	\$3,875 plus \$50/unit	\$3,991 plus \$50/unit	\$4,111 plus \$50/unit	\$4,234 plus \$50/unit
Site/subdivision plan review (with utility availability for county projects):					
Under 0.50 acre	\$1,505	\$1,550	\$1,597	\$1,645	\$1,694
0.51 – 2 acres	\$2,006	\$2,066	\$2,128	\$2,192	\$2,258
2.01 – 10 acres	\$3,010	\$3,100	\$3,193	\$3,289	\$3,388
10.01+ acres	\$4,012	\$4,132	\$4,256	\$4,384	\$4,516
Subdivisions:					
Preliminary binding site plan (commercial, industrial)	\$4,012 plus \$100/lot or unit	\$4,132 plus \$100/lot or unit	\$4,256 plus \$100/lot or unit	\$4,384 plus \$100/lot or unit	\$4,516 plus \$100/lot or unit
Preliminary plat	\$4,012 plus \$100/lot or unit	\$4,132 plus \$100/lot or unit	\$4,256 plus \$100/lot or unit	\$4,384 plus \$100/lot or unit	\$4,516 plus \$100/lot or unit
Preliminary short plat <u>or</u> <u>unit lot subdivision</u>	\$3,010 plus \$100/lot or unit	\$3,100 plus \$100/lot or unit	\$3,193 plus \$100/lot or unit	\$3,289 plus \$100/lot or unit	\$3,388 plus \$100/lot or unit

Type of Activity	2023/2024 Fees	2025 Fees	2026 Fees	2027 Fees	2028 Fees
Final binding site plan, plat, or short plat, <u>or unit lot subdivision</u>	\$1,254 plus \$100/lot or unit	\$1,292 plus \$100/lot or unit	\$1,331 plus \$100/lot or unit	\$1,371 plus \$100/lot or unit	\$1,412 plus \$100/lot or unit
Subdivision time extension requests	\$187	\$193	\$199	\$205	\$211
Temporary use permit	\$627	\$646	\$665	\$685	\$706
Transitory accommodations permit	\$5,016	\$5,166	\$5,321	\$5,481	\$5,645
Variance (quasi-judicial decision – zoning, utility)	\$1,034	\$1,065	\$1,097	\$1,130	\$1,164
Zoning code text amendment	\$1,034	\$1,065	\$1,097	\$1,130	\$1,164
Engineering Review Fees and Grading Fees					
Engineering construction plan review:					
Early grade (EG) – site grading only. No utility plans.	\$600 plus \$130/hour with a \$500 deposit*	\$618 plus \$134/hour with a \$500 deposit*	\$636 plus \$138/hour with a \$500 deposit*	\$655 plus \$142/hour with a \$500 deposit*	\$675 plus \$146/hour with a \$500 deposit*
Land disturbing activity (LDA) – Residential/multiple residential/commercial/industrial (applies to all engineering reviews including: full/partial plan sets, roads, drainage, utilities and associated grading)	\$976 plus \$130/hour with a \$2,000 deposit*	\$1,005 plus \$134/hour with a \$2,000 deposit*	\$1,035 plus \$138/hour with a \$2,000 deposit*	\$1,066 plus \$142/hour with a \$2,000 deposit*	\$1,098 plus \$146/hour with a \$2,000 deposit*
*The average review time for engineering construction plan review ranges from 10 to 30 hours depending on the nature of the project and the quality of the submittal. The deposit is required at time of submittal. Remaining balance owed prior to issuance.					
Engineering, design and development standards modifications/variances (administrative)	\$714	\$735	\$757	\$780	\$803
Miscellaneous reviews not otherwise listed	\$130/hour	\$134/hour	\$138/hour	\$142/hour	\$146/hour
Construction Inspection Fees					
Inspection for security release	\$260/lot or unit, with a minimum amount being \$260	\$268/lot or unit, with a minimum amount being \$268	\$276/lot or unit, with a minimum amount being \$276	\$284/lot or unit, with a minimum amount being \$284	\$292/lot or unit, with a minimum amount being \$292
Inspection for water, sewer, storm, street improvements associated	\$260/lot or unit (for <u>Middle</u>)	\$268/lot or unit (for <u>Middle</u>)	\$276/lot or unit (for <u>Middle</u>)	\$284/lot or unit (for <u>Middle</u>)	\$292/lot or unit (for <u>Middle</u>)

Type of Activity	2023/2024 Fees	2025 Fees	2026 Fees	2027 Fees	2028 Fees
with approved residential construction plans	<u>Housing</u> * or condominium projects), \$2,000 minimum	<u>Housing</u> * or condominium projects), \$2,000 minimum	<u>Housing</u> * or condominium projects), \$2,000 minimum	<u>Housing</u> * or condominium projects), \$2,000 minimum	<u>Housing</u> * or condominium projects), \$2,000 minimum
Inspection for utilities only (residential)	\$520 plus \$260/lot or unit for inspections that exceed four hours (for <u>Middle Housing</u> * or condominium projects)	\$536 plus \$268/lot or unit for inspections that exceed four hours (for <u>Middle Housing</u> * or condominium projects)	\$552 plus \$276/lot or unit for inspections that exceed four hours (for <u>Middle Housing</u> * or condominium projects)	\$568 plus \$284/lot or unit for inspections that exceed four hours (for <u>Middle Housing</u> * or condominium projects)	\$584 plus \$292/lot or unit for inspections that exceed four hours (for <u>Middle Housing</u> * or condominium projects)
Multiple residential/commercial/industrial	\$130/hour with a \$2,500 deposit*	\$134/hour with a \$2,500 deposit*	\$138/hour with a \$2,500 deposit*	\$142/hour with a \$2,500 deposit*	\$146/hour with a \$2,500 deposit*
*The deposit is required prior to issuance of construction permit. The remaining balance for inspection hours (based on time spent) is due prior to project acceptance.					
Right-of-way permit	\$648	\$667	\$687	\$708	\$729
Miscellaneous reviews and inspections not otherwise listed	\$130/hour	\$134/hour	\$138/hour	\$142/hour	\$146/hour
Impact Fee Administration Charge					
School impact fee administrative charge	\$63/single-family or <u>Middle Housing</u> *, or \$125/apartment building	\$65/single-family or <u>Middle Housing</u> *, or \$129/apartment building	\$67/single-family or <u>Middle Housing</u> *, or \$133/apartment building	\$69/single-family or <u>Middle Housing</u> *, or \$137/apartment building	\$71/single-family or <u>Middle Housing</u> *, or \$141/apartment building

(3) If final decisions are issued after the review time frame set forth in MMC 22G.010.010(3), then the following fee refunds shall apply:

(a) Ten percent refund if the final decision was issued after the applicable deadline and the additional time did not exceed 20 percent of the review time frame.

(b) Twenty percent refund if the final decision was issued after the applicable deadline and the additional time exceeded 20 percent of the review time frame.

Exhibit CCCCC

22G.080.010 Purpose.

The purpose of this chapter is to permit design flexibility and provide performance criteria which can result in planned residential developments which produce:

- (1) A choice in the types of environment and living units available to the public;
- (2) Open space and recreation areas;
- (3) A pattern of development which preserves trees, outstanding natural topography and geologic features, and prevents soil erosion;
- (4) A creative approach to the use of land and related physical development;
- (5) An efficient use of land resulting in smaller networks of utilities and streets and thereby lower housing costs;
- (6) An environment of stable character in harmony with surrounding development;
- (7) A more desirable environment than would be possible through the strict application of other sections of this title.

This chapter is designed to provide for small- and large-scale developments incorporating a single type or a variety of housing types and related uses which are planned and developed as a cohesive project-unit. Developments may consist of individual lots or may have common building sites. Commonly owned land must be related to and preserve the long-term value of the residential development.

Exhibit DDDDD

22G.080.040 Permitted/~~conditional~~ uses —~~Ratio of housing types.~~

The following uses are permitted within a PRD: single-family dwellings, Middle Housing~~duplexes, townhouses, attached single-family dwellings or~~ multifamily dwellings, and recreational facilities; provided, that ~~in single-family-zoned for PRDs in single family residential zones~~, no more than ~~six~~ four units may ~~be attached as one allowed per building; and provided further, that the mix of housing types shall be restricted so that not more than 30 percent of all structures, or potential structures, in the single-family-zoned PRD and the surrounding single-family residential-zoned property within a 300-foot radius, as a whole, are multiple-family dwellings.~~

Exhibit EEEEE

22G.080.050 Procedures for review and approval.

The PRD review and approval process shall occur concurrently with the underlying land use action. PRDs shall be processed using the underlying land use actions set forth in Chapter [22G.090](#), Subdivisions or Short Subdivisions; 22G.100, Binding Site Plan; or 22G.120 MMC, Site Plan Review. The decision-making authority for the underlying land use action shall also be the decision-making authority for the PRD.

The director is authorized to promulgate guidelines, graphic representations, and examples of designs and methods of construction that do or do not satisfy the intent of this chapter. The following resources can be used in interpreting the guidelines: Residential Development Handbook for Snohomish County Communities (prepared for Snohomish County Tomorrow by Makers, Inc.), Site Planning and Community Design for Great Neighborhoods (Frederick D. Jarvis, 1993), and City Comforts (David Sucher, 1996).

(1) Site Plan. A site plan meeting the requirements of this chapter, and Chapters [22C.010](#), [22C.020](#), [22G.090](#) and [22G.100](#) MMC as applicable shall be submitted with all applications for a PRD. The site plan may be approved, approved with conditions, or denied by the city. Specific development regulations may be modified in accordance with this chapter and special requirements may be applied to the property within the PRD. Modifications and special requirements shall be specified in the approval and shown on the approved site plan.

(2) Decision Criteria. It is the responsibility of the applicant to demonstrate the criteria have been met. The city may place conditions on the PRD approval ~~in order~~ to fulfill the requirements and intent of the city's development regulations, comprehensive plan, and subarea plan(s). The following criteria must be met for approval of a PRD to be granted:

(a) Consistency with Applicable Plans and Laws. The development will comply with all applicable provisions of state law, the Marysville Municipal Code, comprehensive plan, Engineering Design and Development Standards, and any applicable subarea plan(s).

(b) Quality Design. The development shall include high quality architectural design and well-conceived placement of development elements including the relationship or orientation of structures.

(c) Design Criteria. Design of the proposed development shall achieve two or more of the following results above the minimum requirements of this title and Chapters [22G.090](#) and [22G.100](#) MMC; provided, that such design elements may also be used to qualify for residential density incentives as provided in Chapter [22C.090](#) MMC:

- (i) Improving circulation patterns or the screening of parking facilities;
- (ii) Minimizing the use of impervious surfacing materials;
- (iii) Increasing open space or recreational facilities on site;
- (iv) Landscaping, buffering, or screening in or around the proposed PRD;
- (v) Providing public facilities;
- (vi) Preserving, enhancing, or rehabilitating natural features of the subject property such as significant woodlands, wildlife habitats or streams;

(vii) Incorporating energy-efficient site design or building features;

(viii) Incorporating a historic structure(s) or a historic landmark in such a manner as preserves its historic integrity and encourages adaptive reuse.

(d) Public Facilities. The PRD shall be served by adequate public facilities including streets, bicycle and pedestrian facilities, fire protection, water, storm water control, sanitary sewer, and parks and recreation facilities.

(e) When PRDs are located within or adjacent to single-family residential zones and are, or may be, surrounded by traditional development with detached dwelling units, PRDs shall be designed and developed ~~so as to~~ with a form and scale be consistent with a single-family residential environment. It is encouraged that if attached dwellings, townhouses, Middle Housing, and multiple-family dwellings are part of the PRD they will be dispersed throughout the project to create an integrated mix of housing types.

(f) Orientation and Perimeter Design. The orientation of structures and perimeter of the PRD shall be compatible in design, character, and appearance with the existing or intended character of development adjacent to the subject property and with the physical characteristics of the subject property. Structures shall be oriented towards the higher volume roadway unless the director determines that an alternate orientation will result in a better site design. Landscape tracts or buffers shall not be installed to avoid these orientation requirements but may be required to be provided when orientation towards the higher volume street is not provided.

(g) Open Space and Recreation. Open space and recreation facilities shall be provided and effectively integrated into the overall development of a PRD and surrounding uses.

(h) Streets, Sidewalks and Parking. Existing and proposed streets and sidewalks within a PRD shall be suitable and adequate to carry anticipated motorized and pedestrian traffic within the proposed project and in the vicinity of the subject property. A safe walking path to schools shall be provided if the development is within one-quarter mile of a school (measured via existing or proposed streets or pedestrian corridors) or if circumstances otherwise warrant. Adequate parking shall be provided to meet or exceed the requirements of the MMC.

(i) Landscaping. Landscaping shall be provided for public and semi-public spaces and shall integrate them with private spaces. Landscaping shall create a pleasant streetscape and provide connectivity between homes and common areas, using trees, shrubs, and groundcover throughout the development and providing for shade and visual relief while maintaining a clear line of sight throughout the public and semi-public spaces.

(j) Maintenance Provisions. A means of maintaining all common areas, such as a homeowners' association, shall be established, and legal instruments shall be executed to provide maintenance funds and enforcement provisions.

(3) Amendments. An approved PRD may be amended through the provisions of Chapters [22G.090](#) and [22G.100](#) MMC and Chapter [58.17](#) RCW.

(4) Duration of Approval. The duration of approval for a PRD shall be the same as the underlying land use action set forth in Chapter [22G.090](#), Subdivisions or Short Subdivisions; [22G.100](#), Binding Site Plan; or [22G.120](#) MMC, Site Plan Review.

(5) Compliance. Any use of land which requires PRD approval, as provided in this chapter, and for which approval is not obtained, or which fails to conform to an approved PRD and final site plan, constitutes a violation of this title.

Exhibit FFFFF

22G.080.060 Required elements of PRD site plans.

All PRDs shall be subject to site plan approval as provided in MMC [22G.080.050](#). The following are minimum requirements for the site plan and supplemental material:

- (1) The title and location of the proposed PRD, together with the names, ~~and~~ addresses and telephone numbers of the owners of record of the land and, if applicable, the names, addresses and telephone numbers of any architect, planner, designer or engineer responsible for the preparation of the plan, and of any authorized representative of the applicant;
- (2) Where there is multiple ownership, a document satisfactorily assuring unified control through final approval and construction phases;
- (3) Statement of intention to formally subdivide the property, if applicable;
- (4) The total number of proposed dwelling units and a description of the housing type for each such unit;
- (5) Probable building materials and treatment of exterior surfaces on all proposed multiple-family structures;
- (6) Conceptual drainage plans demonstrating feasibility of the proposed facilities;
- (7) Project staging or phases, if any;
- (8) Provision for phasing out nonconforming uses;
- ~~(9) The calculation of the housing mix ratio within a 300-foot radius of the project, as required by MMC [22G.080.040](#);~~
- ~~(9)(10)~~ Restrictive covenants as required by MMC [22G.080.120](#) and including provisions to address parking enforcement, together with a statement from a private attorney as to the adequacy of the same to fulfill the requirements of this chapter;
- ~~(10)(11) Calculation of total project land area, gross site area and a density calculation per MMC [22C.010.110](#); project area, and net project density;~~
- ~~(11)(12)~~ A vicinity map at a minimum scale of two inches for each mile, showing sufficient area and detail to clearly locate the project in relation to arterial streets, natural features, landmarks and municipal boundaries;
- ~~(12)(13)~~ A site plan drawing, showing street layout and identification, size and shape of all building sites and lots, and location of all building pads and open space areas with any specific open space activity areas indicated;
- ~~(13)(14)~~ The existing edge and width of pavement of any adjacent roadways and all proposed internal streets, off-street parking facilities, driveway approaches, curbing, sidewalks or walkways, street channelization, and type of surfaces;

~~(14)~~~~(15)~~ Landscaping plan, including plant locations and species size at planting, together with location and typical side view of perimeter fencing or berms, if any;

~~(15)~~~~(16)~~ Plans for all proposed dwellings and structures~~attached dwellings and multiple-family dwellings~~ and related improvements, to a scale of not less than one inch to 50 feet, showing typical plot plans for each such building, including location of building entrance, driveway, parking, fencing and site screening, and typical elevations of each type of building, including identification of exterior building materials and roof treatment;

~~(16)~~~~(17)~~ Plans for open space improvements, if any;

~~(17)~~~~(18)~~ Plans for signing and lighting, including typical side view of entrance treatment and entrance signs;

~~(18)~~~~(19)~~ The location of all solid waste collection points, proposed meter locations, water mains, valves, fire hydrants, sewer mains, laterals, manholes, pump stations and other appurtenances;

~~(19)~~~~(20)~~ Itemization of the specific development regulations which are to be modified and special requirements which are to be applied to the property; and

~~(20)~~~~(21)~~ Such additional information as the city may deem necessary.

Exhibit GGGGG

22G.080.070 Development standards.

~~All PRDs which have lot(s) less than 5,000 square feet in any zone and multiple detached single-family dwellings on a single lot in any zone shall meet the requirements of this section:~~

~~(1) Accessory dwelling units shall not be permitted for single-family detached dwellings unless approved as part of the PRD site plan.~~

~~(2) (1)~~ Each single-family detached unit shall have at least 200 square feet of private open space set aside as private space for that dwelling unit. No dimension of such open space shall be less than 10 feet. The open space does not need to be fenced or otherwise segregated from other dwellings or open space in the development unless so conditioned through the approval process.

~~(3) (2)~~ Common open space is required pursuant to MMC 22C.010.320, 22C.020.270 or 22G.080.100, whichever provides the greater open space. The common open space must be arranged to maximize usability.

~~(4) (3)~~ At least 205 percent of the dwellings ~~on lots less than 5,000 square feet~~ must have vehicle access points via any combination of the following, unless steep slopes or site-specific constraints preclude meeting this requirement:

(a) Shared or single-car-width driveway.

(b) Alley, auto court, or other method of accessing dwellings other than direct street access.

(c) Where a consolidated road results in superior site design, circulation, safety or access management, autocourts may be required to be minimized and a consolidated public road provided.

Exhibit HHHHH

22G.080.080 Modification of development regulations.

The city's standard development regulations shall be modified for a PRD as provided in this section:

(1) Density, Dimension, and Parking. The standard development regulations shall apply to all lots and development in a PRD except as specifically modified below and as provided in the design review standards in Chapters [22C.010](#) and [22C.020](#) MMC.

**Modified Density, Dimension and Parking
Table**

	PRD
Density: Dwelling unit/acre or <u>dwelling unit/lot, as applicable</u>	As allowed per the underlying zone. <u>See MMC 22C.010.080 or 22C.020.080 as applicable.</u>
Maximum density: ¹	As allowed per the underlying zone or modified through the residential density incentives in Chapter 22C.090 MMC
Minimum street setback: ²	10 feet
Minimum side yard setback:	5 feet (if no lot line between homes, 10 feet separation required)
Minimum rear yard setback: ³	10 feet (if no lot line between homes, 20 feet separation required)
Base height:	As allowed per the underlying zone
Maximum building coverage:	No maximum building coverage
Maximum impervious surface:	70 percent
Minimum lot area: ⁴	3,500 square feet
Minimum lot width: ⁵	30 feet
Minimum driveway length: ⁶	20 feet

**Modified Density, Dimension and Parking
Table**

	PRD
Minimum parking: ⁷	3 stalls per detached single-family dwelling See MMC 22C.130.030, Table 1.

Development Conditions:

1. Density may be increased consistent with density incentives, Chapter [22C.090](#) MMC.
 2. Porches may extend as close as seven feet from the street, sidewalk, right-of-way, or public/community improvement.
 3. Consistent with MMC [22C.010.310](#)(3), rear yard setbacks may be reduced to zero feet for garages if an alley is provided. Living space is allowed up to the rear property line or alley when above a garage. If the garage does not extend to the property line, the dwelling unit above the garage may be extended to the property line.
 4. No minimum lot area for mixed use and multifamily zoned properties. In single family zones, the minimum lot area/dwelling unit area may be reduced to 2,000 square feet for a townhouse unit~~attached single family dwellings, and duplexes require 5,250 feet per two dwelling duplex.~~ Middle Housing is exempted from the townhouse minimum lot size.
 5. Minimum lot width may be reduced to 25 feet for zero lot line townhouses~~attached single family dwellings.~~
 6. Minimum driveway length may be reduced in accordance with MMC [22C.010.310](#).
 - ~~7. Parking for multifamily and attached single family will be computed pursuant to Chapter 22C.130 MMC, Parking and Loading. Detached single family dwellings, will provide three stalls per dwelling unit. Two of the stalls must be on the site and readily available to the dwelling unit. The third stall may be on street parking or provided nearby to the dwelling.~~
- (2) Street Standards. The city's PRD street standards, as set forth in the engineering development and design standards (EDDS), apply to PRD subdivisions and binding site plans~~small lot developments and~~ may be modified as provided below.

The "PRD Access Street with Parking" and "PRD Access Street" road sections may be used in a PRD and modified as follows:

- (a) "PRD Access Street with Parking" standard is required for developments containing 20 or more dwellings units. For developments containing less than 20 dwelling units the "PRD Access Street" standard may be used, provided parking requirements are met and community parking is provided at a ratio of at least one parking space for each four single family residences~~dwellings units.~~
- (b) Modifications to the "PRD Access Street with Parking" and "PRD Access Street" standards may be requested for sidewalks, planter strips, and on-street parking. The burden to clearly demonstrate the proposed modification meets the requirements of this section is the applicant's. (Note: it is not likely multiple reductions will be allowed along a single section of road.) If requesting a modification, the applicant shall submit an integrated pedestrian travel, landscape and parking plan as well as other information to demonstrate:

(i) Safe, aesthetically pleasing pedestrian travel is provided throughout the development.

(ii) Pedestrian travel within the development shall be tied to pedestrian travel routes outside the development, actual and/or planned.

(iii) Reduction of planter strips shall require additional equivalent or greater landscaping to benefit the development.

(iv) Reduction of on-street parking shall generally require alley access and community parking be provided, such as bump-out parking on the street at a ratio in excess of one parking spot for each four dwelling units.

(v) Any proposed modifications shall allow for efficient flow and movement of automobiles and pedestrians without negatively altering or constraining their movement.

(3) Open Space. Open space requirements may be modified consistent with this chapter.

(4) Additional Modifications. An applicant may request additional dimensional, open space, street, and design standard modifications beyond those provided in this section. Granting of the requested modification(s) will be based on innovative and exceptional architectural design features and/or innovative and exceptional site design and layout that contribute to achieving the purpose of this chapter. (Street modifications may include the elimination of sidewalks on one or both sides, when alternate safe pedestrian connections are provided, and/or the movement of planter strips behind the sidewalk or the elimination of planter strips altogether, when the streetscape is enhanced to provide for a significantly more pleasing appearance.)

(5) Other Development Code Modifications. Modification of development code requirements beyond those provided for in this section may be requested through the variance process set forth in the MMC.

Exhibit IIIII

22G.080.100 Open spaces.

(1) A minimum of 15 percent of the net project area shall be established as open space. The same net project area calculation used for determining the project's density shall be used for calculating required open space. Passive open space areas, as defined in MMC [22A.020.160](#), and critical areas and buffers, may be used to satisfy a maximum of 65 percent of the required open space. Thirty-five percent of the required open space shall be active open space, as defined in MMC [22A.020.160](#), and as outlined in subsection (2) of this section.

(a) Required yards, parking areas, driveways, streets, and other accesses shall not qualify as open space except as provided in subsection (3)(c) of this section;

(b) Fencing and/or landscaping shall separate, while maintaining visual observability of, recreation areas from adjacent lots, parking areas, driveways, streets, and other accesses;

(c) Up to five feet of the perimeter landscaping around the active open space area may contribute to the active open space area requirement; provided, that the perimeter landscaping:

(i) Includes trees, shrubs, and groundcover that feature variation in texture and color and a succession of blooms; and

(ii) Is of the same grade as the overall active open space area;

(d) The active open space areas shall be calculated by drawing a boundary around the area(s) meeting the standards set forth in this subsection and subsection (2) of this section, and deducting the ineligible areas outlined in subsections (1)(a) and (c) and (2) of this section.

(2) Active open space areas shall:

(a) Be of a grade and surface suitable for recreation;

(b) Be on the site of the proposed development;

(c) Be one continuous parcel if less than 3,000 square feet in size, not to be located in the front yard setback;

(d) Be situated and designed to be observable by the neighborhood residents, be centrally located within the project, and abut a neighborhood street unless determined to be infeasible or undesirable by the director. Fences on individual lots abutting the open space area may be up to six feet tall only if the top two feet are constructed as an open-work fence;

(e) Be accessible and convenient to all residents within the development;

(f) Have no dimensions less than 30 feet (except trail segments);

(g) Trail segments shall:

(i) Be a minimum of five feet in width;

(ii) Meet Americans with Disabilities Act (ADA) standards; and

(iii) Be improved with an appropriate all-weather surface (gravel surfacing is not considered an all-weather surface); provided, that an all-weather surface shall not be required where terrain precludes ADA access, or where an alternate surface is determined by the director to be preferable. Where an alternate surface is used, appropriate materials, edging, and compaction shall be provided; and

(iv) Trail segments that are being dedicated to the public, or connecting to a regional or city parks system trail, may be required to be increased in width or construction standard as determined by the parks, culture, and recreation director;

(h) Include a minimum of one large recreational amenity or two small recreational amenities per one-quarter acre of active recreation space. The calculation of amenities shall be rounded up to the nearest one-quarter acre.

(i) Small recreational amenities include: ~~disc golf, horseshoes,~~ bocce, or similar lawn games; volleyball or similar net sports; commercial-grade benches; picnic tables; tot lot with small playground equipment (soft surface); and similar amenities; provided, that one bench equals one-half small recreational amenity.

(ii) Large recreational amenities include commercial-grade multipurpose, basketball, tennis, pickleball, or similar courts or half-courts; baseball, football, soccer, or similar fields; tot lot with large playground equipment (soft surface); gazebos; and similar amenities. A half sport court qualifies as one recreational amenity, and a full sport court qualifies as two recreational amenities.

(iii) Where recreational amenities are provided that involve ball, discs/frisbees, or similar recreational equipment and are near roads or neighboring yards, fencing or panels of an adequate height to prevent the ball, disc/frisbee, or similar recreational equipment from entering the adjacent street, access or yard shall be provided.

~~(iiiiv)~~ A project must provide at least one amenity that promotes physical activity, and cannot provide only benches, picnic tables, or a gazebo.

(iv) When a tot lot is provided, at least one bench must be provided for each tot lot; however, the bench and tot lot shall qualify as separate amenities.

(vi) When a tot lot or other park catering to young children is provided, the recreational area shall have fencing around the area.

(vii) Where benches or picnic tables are provided, at least one shade tree must be planted near the amenity to provide for shade for the amenity.

(viii) The community development director is specifically authorized to determine what qualifies as a recreational amenity, and whether the recreational amenity should be considered a small or large recreational amenity;

(i) The community development director is authorized to allow deviations to the standards outlined in this subsection (2) when the applicant has clearly demonstrated that the intent of these standards has been met.

(3) Dual use storm water retention/detention and/or recreation facilities shall meet the following design criteria:

(a) The facility shall be designed with emphasis as a recreation area, not a storm water control structure, and shall be designed as usable open recreation area. Bioswales, infiltration galleries, and ponds shall not be used for recreation facilities.

(b) Control structures shall not be prominently placed. Care should be taken to blend them into the perimeter of the recreation area.

(c) The number of accesses shall be minimized, and the accesses shall be designed to serve as both an access and an amenity to qualify as open space. The following are examples of access treatments that would qualify as open space:

(i) Grasscrete or equivalent as determined by the public works director or designee;

(ii) Decorative pavers; or

(iii) Concrete or asphalt with a dual use including, but not limited to, sport court, hopscotch, meandering paved trails, etc.

(4) The open space requirements outlined in subsection (1) of this section may be reduced if substantial and appropriate recreational facilities (such as recreational buildings, swimming pools or tennis courts) are provided. If an open space reduction is proposed, detailed plans showing the proposed recreational facilities must be submitted with the preliminary site plan.

(5) Open space and recreational facilities shall be owned, operated and maintained in common by the PRD property owners; provided, that by agreement with the city council, open space may be dedicated in fee to the public.

Exhibit JJJJ

22G.090.580 Fence requirements.

Prior to preliminary plat or short plat approval, it shall be determined whether a six-foot-high, sight-obscuring fence shall be required along the affected perimeter of new formal residential ~~single-family~~ subdivisions or short subdivisions. A fence shall be

required when one or more of the following criteria have been met (unless waived by adjacent property owner):

(1) If it is determined during grading plan review that the existing grade will be increased by a two-foot or greater vertical grade change and the grade increase causes the newly created lots to be at a higher elevation than the abutting property. The grade change shall be measured from the affected property line to the foundation wall of the newly constructed dwelling. In the case of formal subdivisions, the fencing issue shall be determined by the hearing examiner at the public hearing for the preliminary plat. The community development director shall be responsible for determining the fencing requirements for short subdivisions. The community development director's decision may be appealed to the hearing examiner, in accordance with Chapter 22G.010 MMC, Article VIII, Appeals.

(2) If a newly created lot contains a front yard that directly abuts the rear yard of an adjacent property, and the existing lot contains a dwelling unit that is located within 20 feet of the newly created lot.

(3) If a newly constructed plat road (public or private) directly abuts either the side or rear yard of a residentially developed property, and the existing dwelling unit is located within 20 feet of the newly constructed road.

All required fencing shall be constructed prior to final plat and/or short plat approval. Where existing trees and associated vegetation or existing fencing serve the same or similar function on either the subject property or the abutting property, they shall have priority over and may be substituted for the required fencing, provided the following conditions are met:

(a) Supplemental landscaping is provided within or adjacent to these areas, as necessary, to accomplish the specific intent of this section.

All required screening shall be reviewed to ensure that access and connectivity between ~~single-family~~ residential developments are not being precluded as a result of these requirements.

Exhibit KKKKK

22G.100.040 Jurisdiction.

These regulations shall apply to all properties which are exempt from the city's subdivision code pursuant to RCW 58.17.040(4) or (7) and which are being divided through the binding site plan process in:

- (1) Commercial, industrial, recreation, and public institutional zones;
- (2) Multifamily and townhome development in the mixed use zone; or
- (3) Single-family, multifamily, Middle Housing, and townhome development in residential zones.

Divisions involving single-family, multifamily, and townhome developments must comply with the planned residential development provisions of Chapter 22G.080 MMC. Exception: this limitation does not apply to unit lot subdivisions.

Exhibit LLLLL

22G.120.030 Scope.

Review and approval is required for all new construction, redevelopment, and exterior expansion of multiple-family, commercial, industrial, utility, shoreline development, public-initiated land use proposals, parking, and landscaping site plan reviews; or as otherwise specified in MMC Title 22, Unified Development Code. All of the above projects require the review and approval of a site plan except for:

- (1) Construction activities which do not require a building permit;
- (2) Construction of a single-family residence or one Middle Housing building not located within shoreline jurisdiction or a regulated critical area or buffer;
- (3) Construction or expansion of a residential accessory structure;
- (4) Interior remodels of existing structures when not a change of occupancy (such as converting from a residential use to a commercial use); and
- (5) Tenant improvements when the modification or addition does not necessitate an expansion to the parking area.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Jim Lawless, Police

ITEM TYPE: Agreement

AGENDA SECTION: **New Business**

SUBJECT: Region 1 SWAT Interlocal Agreement

SUGGESTED ACTION: Recommended Motion: I move to authorize the Mayor to sign and execute the interlocal agreement with Region 1 SWAT.

SUMMARY: This agreement addendum was approved on April 14, 2025. Upon signature and return to Snohomish County, they discover that there had been several scrivener's errors in the agreement they had originally provided. This addendum correctly refers to Marysville as a Municipal Corporation, this version corrects that and reads as it should. I have consulted with Mayor Nehring and he has approve placing this on the consent agenda for action and the change does not substantively change the agreement.

ATTACHMENTS:

[2025 Region 1 SWAT ILA_CompiledSignaturePages.pdf](#)
[Region 1 SWAT addendum 2_Add Marysville PD.pdf](#)
[SWAT Update ILA Exhibit B with Signature Page.pdf](#)
[SWAT Update Exhibit B.pdf](#)

INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (REGION 1 SWAT) COOPERATION

This INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (“SWAT”) COOPERATION (this “Agreement”) is made and entered into by and between SNOHOMISH COUNTY, a political subdivision of the State of Washington, the CITY OF EVERETT, a municipal corporation of the State of Washington, and the CITY OF LAKE STEVENS, a municipal corporation of the State of Washington (collectively referred to as “Participating Agencies”).

RECITALS

- A. The Participating Agencies are public agencies as defined by chapter 39.34 RCW and chapter 10.93 RCW, and are authorized to enter into interlocal agreements to provide for joint or cooperative actions to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and
- B. Incidents of a serious criminal nature occur which require a specially trained and equipped law enforcement response to effectively respond to the situation. These incidents create demand on the Participating Agencies respective to each party’s resources. The parties believe these resources are economically served by forming a regional Special Weapons And Tactics Team (hereinafter “SWAT”).
- C. Through this Agreement the Participating Agencies intend to combine their respective SWAT resources to form a single regional SWAT Team. The regional SWAT team (hereinafter “Region 1 SWAT”) shall be specially structured, trained and equipped to respond to and resolve high risk criminal activity occurring within each Participating Agency’s jurisdiction.
- D. The Participating Agencies desire to achieve increased operational efficiencies and economies of scale by providing a mechanism for the sharing of material, personnel, knowledge, equipment, and training, all as more fully described by, and pursuant to the terms and conditions contained in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the respective agreements set forth below and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Participating Agencies agree as follows:

1. TERM

1.1 Initial Term

The initial term of this Agreement shall govern the parties performance beginning on January 16, 2025, (“Effective Date”) and continuing for two (2) years from the Effective Date of this Agreement, provided however that the parties’ obligations after December 31, 2025, are contingent upon local legislative appropriation of the necessary funds for this specific purpose in accordance with each parties’ Charter and applicable law. As provided by RCW 39.34.040, this Agreement shall not take effect unless and until it has (i) been duly executed by the parties, and (ii) either filed with the Snohomish County Auditor or posted on one of the party’s Interlocal Agreements webpages or other electronically retrievable public source.

1.2 Extensions

The term of this Agreement may be extended for up to two (2) additional terms of one (1) year each (respectively, the “First Additional Term” and “Second Additional Term”). Extension of the Agreement shall be automatic unless one of the parties provides written notice of withdrawal/termination as more fully described in Section 15 of this Agreement.

2. ESTABLISHMENT AND PURPOSE OF THE REGION 1 SWAT TEAM

The ability to safely control, contain, and resolve high risk criminal incidents that require the application of specialized equipment, training and tactics, including but not limited to barricaded subjects, hostage situations, high risk felony arrests, high risk search warrants, dignitary protection, as well as other incidents identified by the Urban Area Security Initiative (“UASI”) grant program, has strained the resources of the Participating Agencies. Law enforcement efforts directed at these high-risk criminal incidents have, for the most part, been conducted by law enforcement agencies working independently. A multi-jurisdictional effort to respond to and resolve specific high risk criminal incidents is anticipated to result in more effective pooling of personnel, improved utilization of Participating Agencies funds, reduced duplication of equipment, improved training, development of specialized expertise, and increased utilization/application of a combined special response team. This cooperation results in improved services for the citizens of all participating jurisdictions, increased safety for team members and the community, and improved cost effectiveness. Therefore, the Participating Agencies hereby establish a Region 1 SWAT Team to effectively address the concerns described above.

3. REGION 1 SWAT TEAM BOARD

The parties hereby create the Region 1 SWAT Team Board (hereinafter referred to as the “Board”) to direct the SWAT Team. The Board shall be comprised of the Snohomish County Sheriff and Police Chiefs of Participating Agencies. The Board shall have decision-making

authority and will approve changes to standard operating procedures (“SOP”) and appointments of personnel to Region 1 SWAT. The Board shall also evaluate the performance of the Team and review the annual SWAT budget.

All Board decisions, except those related to the SWAT SOP, shall be made by a majority of voting members of the Board, provided a quorum of three (3) voting Board members are present. The Board will meet at least once annually.

The Snohomish County Sheriff, or their designee, shall have one (1) vote. The Everett Police Chief, or their designee, shall have one (1) vote. The “At Large” agency’s Police Chief, or their designee, shall have one (1) vote. The “At Large” agency is the Participating Agency, other than the Snohomish County Sheriff or Everett Police Department, that has the most personnel actively assigned to the SWAT Team at the time a vote is taken. In the event that two or more Participating Agencies, other than the Snohomish County Sheriff or Everett Police Department, have the same number of personnel actively assigned to SWAT at the time a vote is taken, the At Large agency shall be the agency that became a Participating Agency first. The At Large agency shall seek input from Participating Agencies that do not have a vote, if any exist, before casting its vote.

Nothing in this designation limits the Participating Agencies from independently approving or disapproving any proposed budget or other obligation not resolved in this agreement.

4. REGION 1 SWAT TEAM STRUCTURE

4.1 Region 1 SWAT Team has an operational goal of having a minimum of thirty-six (“36”) total personnel made up of tactical operators, crisis negotiators and support personnel. The SWAT Commander will determine the composition of the team, as delineated in the SWAT SOPs.

4.2 The Board will select a SWAT Team Commander from Participating Agency personnel. The SWAT Commander shall have the following responsibilities:

- 4.2.1 Providing oversight of all SWAT tactical operations and shall be responsible for validating and approving tactical plans and actions.
- 4.2.2 No later than the end of the second quarter of each year, submitting a proposed operational budget for approval to the Board, including anticipated team training and equipment purchase requests for the following year.
- 4.2.3 No later than the end of the first quarter of each year, presenting an annual report to the Board outlining the prior year’s training, missions, personnel changes, and major equipment acquisitions.
- 4.2.4 Recommending appointments for the positions of Deputy SWAT Team Commander and SWAT Team Leader(s) to the Board, which shall have the authority for final appointment approval.

4.3 Participating Agencies agree that personnel selection processes, training standards and requirements will minimally meet the standards outlined in the SOP. Nothing in this Agreement shall prohibit any Participating Agency from requiring additional agency specific qualification standards and/or training requirements beyond those required by the SOP.

4.4 All Participating Agency personnel assigned to SWAT remain employees of their respective agencies when activated as members of the SWAT Team. Each Participating Agency shall be solely and exclusively responsible for the compensation, benefits, and training expenses their personnel. All rights, duties, and obligations of the employer and the employee shall remain with that Participating Agency. Each Participating Agency shall be responsible for ensuring compliance with all applicable laws regarding employees and with any applicable collective bargaining agreements, civil service rules and regulations.

5. TEAM COMMAND: ACTIVATION AND DEPLOYMENTS

5.1 SWAT Commander

5.1.1 The SWAT Commander has overall operational responsibility and tactical command during deployments. The SWAT Commander shall keep the Incident Commander, when such is designated, informed of the status of the incident.

5.2 Deputy SWAT Commander(s)

5.2.1 The Deputy SWAT Commander(s) will report to the SWAT Commander.

5.2.2 The Deputy SWAT Commander will be responsible for developing tactical plans.

5.2.3 In the absence of the SWAT Commander, the Deputy SWAT Commander shall assume the functions/responsibilities of the SWAT Commander.

5.3 Team Leader

5.3.1 The Team Leader is responsible for the deployment of the Team and directing what Team personnel and assets will be required.

5.3.2 The Team Leader is responsible for execution of the tactical plan in the field.

5.3.3 In the absence of the Team Leader, a qualified Squad Leader shall be designated by the SWAT Commander to perform as the Team Leader.

5.4 Nothing in the section shall prohibit or otherwise prevent the parties from sending designated supervisory personnel to any deployment for the purpose of monitoring and/or evaluating their agency's personnel, training, and or equipment. During a deployment, operational command will follow the Standard Operating Procedures (See section 6 following) developed for the SWAT Team.

6. DEVELOPMENT AND REVIEW OF STANDARD OPERATING PROCEDURES

The parties will cooperatively develop Standard Operating Procedures (“SOP”) for the Region 1 SWAT Team. The SOP will be annually reviewed and approved by the Board. At a minimum, the SOP shall address: Selection criteria, appointment to the team, team composition, command structure, and team activation.

7. COST SHARING/BUDGET AND FINANCE

It is the intent of the parties that operational, training, and equipment costs of Region 1 SWAT be shared equitably among the parties. Notwithstanding any contrary provisions of this Agreement between parties, the parties agree to budget and finance provisions for costs incurred by or in connection with the operations of the Team as follows:

7.1 For purposes of general administration, the City of Everett is designated as the Host police department. The City of Everett will coordinate budgetary expenditures with all Participating Agencies.

7.2 The City of Everett will establish a single Region 1 SWAT budget. All direct Region 1 SWAT costs determined by the Board will be expensed from the Region 1 SWAT budget. See Appendix A.

7.3 By the end of the first quarter of each year, the Participating Agencies will provide an amount of money determined by the Board and approved through the budget processes of each Participating Agency’s legislative body, for necessary purchases per calendar year for approved operational expenditures.

7.4 The City of Everett shall maintain a tracking of all SWAT related costs and expenditures made during a calendar year. For purpose of this Agreement, salary and benefits shall not be tracked or considered part of the Region 1 SWAT budget.

7.5 The Participating Agencies agree that any monies remaining in the Region 1 SWAT fund at the end of the year will be held by the City of Everett for the benefit of the Participating Jurisdictions and used to support Region 1 SWAT operations with the approval of the Board.

7.6 During unusual occurrences emergency expenses outside the parameters of the approved SWAT Team operational budget can be approved and by agreement of the Board. These expenses will be incurred only out of operational necessity (i.e., supplies related to a Region 1 SWAT operation).

8. GRANT FUNDING

The Participating Agencies recognize the need to seek financial assistance through various grant programs. The administration and management of the grant, and related equipment obtained from grant funds, shall be the responsibility of the agency which applies for the grant. Grant management includes any matching funds, distribution agreements, audit, and reporting requirements as the recipient or sub-recipient.

9. EQUIPMENT REQUIREMENTS, MAINTENANCE AND OPERATION

For purposes of this Agreement, the term “Equipment” shall refer to any materials, tools, machinery, equipment, supplies, facilities, or other personal property used in performing one or more Region 1 SWAT activities.

9.1 Participating Agency Equipment Requirements

All costs associated with the initial and continued outfitting of a SWAT Team member, including but not limited to, clothing and weapons, shall be the responsibility of the team member’s employing agency. This equipment shall remain the property of the purchasing Participating Agency. The maintenance and replacement of individual team member’s equipment shall be the responsibility of the employing Participating Agency.

The parties do not intend to restrict personnel operating under this Agreement from utilizing any equipment, gear or weapons owned by another Participating Agency as may be directed by the SWAT Commander consistent with the guidelines of the SOP.

9.2 Care and Maintenance of Other Participating Agency Equipment

A party receiving another party’s Equipment shall be responsible for the proper care, use, maintenance, and security of the Equipment from the time the receiving party receives the Equipment until the Equipment is returned to the providing party. Should any Equipment be returned to a providing party in a damaged or deteriorated condition (not attributable to normal wear and tear during proper use), the party that returned the Equipment in a damaged or deteriorated condition shall pay the party that provided the Equipment the costs of repairing or replacing the Equipment at issue.

9.3 Use and Operation

The parties agree that equipment provided under this agreement shall only be used by personnel qualified in its use through appropriate training and/or supervision.

9.4 Equipment Disposition Upon Withdrawal/Termination

In the event a Participating Agency withdraws from this Agreement in accordance with Section 15, Equipment that was paid for and/or provided by that Participating Agency pursuant to this Agreement, including but not limited to vehicles, equipment, firearms, ammunition, and Class C low explosives, shall belong to and shall be returned to the withdrawing Participating Agency. Equipment that was jointly purchased by Participating Agencies will remain with and be available for use by the SWAT Team until such time that the Agreement is terminated in its entirety.

Upon termination of the Agreement, Equipment used and/or in the possession of the SWAT Team pursuant to this Agreement, including but not limited to vehicles, equipment, firearms, ammunition, and Class C low explosives, shall belong to and shall be returned to the Participating Agency that provided or paid for such items. Items that were jointly purchased by the Participating Agencies will be distributed by the Board.

10. COVENANT TO COOPERATE

The Participating Agencies covenant to the other parties to this Agreement that it shall use good-faith efforts to cooperate with the other parties in implementing the intent and furthering the goals of this Agreement.

11. COMPLIANCE WITH LAWS

The Participating Agencies shall at all times exercise their rights and perform their respective obligations under this Agreement in full compliance with all applicable laws, ordinances, rules and regulations of any public authority having jurisdiction.

12. INTERLOCAL COOPERATION ACT (Chapter 39.34 RCW)

The purpose of this Agreement is to establish and maintain a multi-jurisdictional cooperative SWAT Team to effectively respond to high-risk criminal incidents. The parties agree that no separate legal or administrative entities are necessary to carry out this Agreement. Except as expressly provided to the contrary in this Agreement, any real or personal property used or acquired by any party in connection with the performance of this Agreement will remain the sole property of such party, and the other parties shall have no interest therein.

13. INDEMNIFICATION

Each party to this Agreement shall indemnify, defend and hold every other party and its agents, employees harmless from and against any and all costs, liabilities, suits, losses, damages, claims, expenses, penalties or charges, including, without limitation, reasonable attorneys' fees and disbursements, that other parties may incur or pay out by reason of any accidents, damages or injuries to persons or property occurring during the term of this Agreement, but only to the extent the same are caused by any negligent or wrongful act of the indemnifying party. The provisions of this Section 13 shall survive the expiration or earlier termination of this Agreement.

Industrial Insurance. For purposes of indemnification only, the parties, by mutual negotiation, hereby waive, as respects the other parties, any immunity that would otherwise be available against such claims under the industrial insurance provisions of Title 51 RCW.

14. NOTIFICATION OF CLAIMS AND LAWSUITS

In the event that a lawsuit is brought against a Participating Agency, its officers or employees for actions arising out of their conduct in support of SWAT Team operations, it shall be the duty of each said party to notify the other parties that said claims or lawsuit has been initiated.

15. WITHDRAWAL/TERMINATION

Any party may withdraw from and terminate participation in this Agreement for any reason by providing written notice to the other parties sixty (60) days prior to the effective date of withdrawal/termination. Withdrawal during any calendar year shall not entitle the withdrawing party to a reduction or refund with respect to funds budgeted for or otherwise committed with respect to the withdrawing party for any calendar year. Termination of this Agreement and/or withdrawal of party shall not terminate Sections 13 and 14 with respect to the withdrawing party's obligations as to any incident arising prior to the withdrawal of the party.

The Board may terminate this Agreement at any time. Such termination shall be set forth in writing signed by a majority of the Board. Termination of this Agreement shall be effective on the date of the vote, except as provided in this section of the Agreement.

16. RECORDS

16.1 All records relating to the performance of this Agreement shall be available for full inspection and copying by any Participating Agency. Records maintenance and retention shall be in accordance with the Standard Operating Procedures.

16.2 Public Records Requests

Each Participating Agency shall be responsible for retaining and producing the records it creates, owns, or uses, in accordance with applicable public records access and retention laws and regulations. Nothing in this section is intended to require a party to collect or produce records that are not prepared, owned, used, or retained by that agency as defined by the Public Records Act (Chapter 42.56 RCW).

17. NOTICES/ADMINISTRATOR

Each notice, demand, request, consent, approval, disapproval, designation or other communication that is permitted or required to be given by one party to another party under this Agreement shall be in writing and shall be given or made or communicated by (i) United States registered or certified mail, postage prepaid, return receipt requested, (ii) any nationally recognized overnight carrier or express mail service (such as FedEx or DHL) that provides receipts to indicate delivery, (iii) by personal delivery. All such communications shall be addressed to the appropriate Administrator of this Agreement, who are designated as follows:

To the County:	The City of Lake Stevens:	To Everett:
Snohomish County Sheriff's Office 3000 Rockefeller Avenue, M/S 606 Everett, WA 98201 Attention Special Operations Bureau Chief Telephone: (425) 388-3467 Email: contact.sheriff@snoco.org	The City of Lake Stevens 1825 S. Lake Stevens Rd Lake Stevens, WA 98258 Attention Chief of Police Telephone: 425-622-9378 Email: lspd@lakestevenswa.gov	The City of Everett 3002 Wetmore Ave. Everett, WA 98201 Attention Special Operations Lieutenant Telephone: (425) 257-8460 Email: police@everettwa.gov

Any party hereto may, by reasonable notice to the other parties, designate such other address, or telephone number for the giving of notices as deemed necessary. All notices shall be deemed given on the day each such notice is personally delivered, transmitted by facsimile (with evidence of receipt), or delivered by overnight courier service, or on the third business day following the day such notice is mailed if mailed in accordance with this Section.

18. ADDITIONAL PARTIES

Additional governmental entities, including but not limited to, other municipal corporations and/or counties, may, in the future, elect to participate in the Region 1 SWAT Team established by this Agreement by executing an addendum to this

Agreement, substantially in the form attached hereto as Appendix B. In order to become effective, each such addendum must be executed by the party desiring to begin participation in the Region 1 SWAT Team and all current parties to this Agreement. The additional party must file the addendum with the Snohomish County Auditor or post it on the additional party's Interlocal Agreements webpage or other electronically retrievable public source.

19. MISCELLANEOUS

19.1 Entire Agreement

This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof and supersedes any and all prior oral or written agreements between the parties regarding the subject matter contained herein. This Agreement may not be modified or amended in any manner except by a written document signed by the party against whom such modification is sought to be enforced.

19.2 Governing Law and Venue

This Agreement shall be governed by and enforced in accordance with the laws of the State of Washington. The venue of any action arising out of this Agreement shall be in the Superior Court of the State of Washington, in and for Snohomish County.

19.3 Interpretation

This Agreement and each of the terms and provisions of it are deemed to have been explicitly negotiated by the parties, and the language in all parts of this Agreement shall, in all cases, be construed according to its fair meaning and not strictly for or against any of the parties hereto. The captions and headings in this Agreement are used only for convenience and are not intended to affect the interpretation of the provisions of this Agreement. This Agreement shall be construed so that wherever applicable the use of the singular number shall include the plural number, and vice versa, and the use of any gender shall be applicable to all genders.

19.4 Severability

If any provision of this Agreement or the application thereof to any person or circumstance shall, for any reason and to any extent, be found invalid or unenforceable, the remainder of this Agreement and the application of that provision to other persons or circumstances shall not be affected thereby, but shall instead continue in full force and effect, to the extent permitted by law.

19.5 No Waiver

A party's forbearance or delay in exercising any right or remedy with respect to a Default by another party under this Agreement shall not constitute a waiver of the Default at issue. Nor shall a waiver by any party of any particular Default constitute a waiver of any other Default or any similar future Default.

19.6 Assignment

This Agreement shall not be assigned, either in whole or in part, by any party without the express written consent of the other parties, which may be granted or withheld in such party's sole discretion. Any attempt to assign this Agreement in violation of the preceding sentence shall be null and void and shall constitute a Default under this Agreement.

19.7 Warranty of Authority

Each of the signatories hereto warrants and represents that he or she is competent and authorized to enter into this Agreement on behalf of the party for whom he or she purports to sign this Agreement.

19.8 Appendices

The following Appendices, which are attached to this Agreement, are incorporate herein and by this reference made a part of this Agreement:

Appendix A – Identifying Region 1 SWAT Costs

Appendix B – Addendum Adding an Additional Party

19.9 Execution in Counterparts

This Agreement may be executed in two or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same agreement.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first above written.

THE COUNTY:

Snohomish County, a political subdivision
of the State of Washington

By
Name: Klein, Ken Digitally signed by
Klein, Ken
Date: 2025.02.04
16:52:44 -08'00'
Executive Ken Klein
Executive Director

Recommended for approval:

By
Name: Susanna K Johnson
Sheriff

Name: Barker,
Sheila Digitally signed by
Barker, Sheila
Date: 2025.02.03
12:02:52 -08'00'
Risk Management

Approved as to Form:

Downs, Lyndsey Digitally signed by Downs,
Lyndsey
Date: 2025.01.31 08:46:53 -08'00'
Deputy Prosecuting Attorney

Address for Notice:
Snohomish County Sheriff's Office
3000 Rockefeller Avenue M/S 606
Everett, WA 98201

CITY OF EVERETT:

The City of Everett, a Washington
municipal corporation

By  _____

02/13/2025

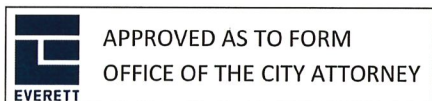
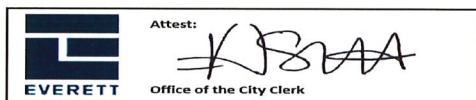
Name: Cassie Franklin

Title: Mayor

Recommended for approval:

John DeRousse

John DeRousse, Chief of Police



Address for Notice:

Chief of Police
Everett Police Department
3002 Wetmore Avenue
Everett, WA 98201

2025 Region 1 SWAT ILA_2-12-2025_SD

Final Audit Report

2025-02-13

Created:	2025-02-13
By:	Ashleigh Scott (AScott@everettwa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA7CgW9ec5mSjXe5a_QwOBhsJDO1DLeFVI

"2025 Region 1 SWAT ILA_2-12-2025_SD" History

-  Document created by Ashleigh Scott (AScott@everettwa.gov)
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-  Signer jderousse@everettwa.gov entered name at signing as John DeRousse
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-  Document e-signed by John DeRousse (jderousse@everettwa.gov)
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Approval Date: 2025-02-13 - 10:00:06 PM GMT - Time Source: server

 Agreement completed.

2025-02-13 - 10:00:06 PM GMT

CITY OF LAKE STEVENS:

The City of Lake Stevens, a Washington municipal corporation

By 
Brett Gailey (Feb 18, 2025 15:17 PST)

Name: Brett Gailey

Title: Mayor

Recommended for approval:

By 
Name: Jeffrey Beazizo

Chief of Police

Name: _____

Title: _____

Approved as to Form:


Greg Anstello (Feb 18, 2025 14:32 PST)

City Attorney

Address for Notice:

Chief of Police
Lake Stevens Police Department
1825 S. Lake Stevens Road
Lake Stevens, WA 98258

Signature Page from 2025 Region 1 SWAT ILA

Final Audit Report

2025-02-18

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By:	Kelly Chelin (kchelin@lakestevenswa.gov)
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Appendix A

For the purpose of developing an annual agency contribution toward Region 1 SWAT, the total current non-labor related costs that include ammunition, specialty munitions, and other range related costs will be apportioned to each participating agency. On an annual basis, the Board will convene to discuss and determine agency contribution rates. Generally, an agency with more than 100 sworn personnel will contribute the highest amount, not to exceed 50% of the fund balance. Agencies with less than 100 sworn personnel will contribute an amount determined by the Board, but not less than 5% of the fund balance.

By the end of the 1st quarter of each year, Participating Agencies will contribute the amount of funds determined by the Board to be deposited into the Region 1 SWAT Fund.

Participating Agencies agree to leave any monies left over from that year in the Region 1 SWAT Fund balance set up by the host agency, which will be held in the account to supplement/augment Region 1 SWAT organizational operations with the approval of the Board.

During the first year of the Agreement, the Board has determined the following contribution rates:

Agency Contribution Rate	
SCSO	47.50%
EPD	47.50%
LSPD	5.00%
	0.00%
	0.00%

Annual SWAT Fund	\$82,500
-------------------------	-----------------

Agency Contribution Rates	
SCSO	\$39,188
EPD	\$39,188
LSPD	\$4,125
	.

SWAT Commander budget request:

By the end of the 2nd quarter of each calendar year, the SWAT Commander will submit a proposed operational budget request for approval to the Board, itemizing anticipated team/specialty training and team equipment purchase requests for the following budget cycle. The list should include items approved by the Board (i.e., specialty munitions, general operating supplies, paper targets, training)

All communications relating to the Region 1 SWAT Fund shall be addressed to the appropriate Administrator or host agency as follow:

Everett Police Department
3002 Wetmore Avenue
Everett, WA 98201
Attention: Accounts Receivable (425) 262-2144
police@everettwa.gov

Appendix B

ADDENDUM TO INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (REGION 1 SWAT) COOPERATION

THIS ADDENDUM TO INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (“SWAT”) COOPERATION (this “Agreement”) is made and entered into as of this ____ day of _____, 20__ (the “Effective Date”), by and between SNOHOMISH COUNTY, a political subdivision of the State of Washington, the CITY OF EVERETT, a municipal corporation of the State of Washington, and the CITY OF LAKE STEVENS, a municipal corporation of the State of Washington, and *[INSERT NAME]*, a municipal corporation of the State of Washington (collectively referred to as “Participating Agencies”).

RECITALS

- A. The Participating Agencies are public agencies as defined by chapter 39.34 RCW and chapter 10.93 RCW, and are authorized to enter into interlocal agreements to provide for joint or cooperative actions to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and
- B. Incidents of a serious criminal nature occur which require a specially trained and equipped law enforcement response to effectively respond to the situation. These incidents create demand on each party’s resources. The parties believe these resources are economically served by combining resources to form a cooperative Special Weapons and Tactics Team (hereinafter “SWAT”).
- C. The regional SWAT team (hereinafter “Region 1 SWAT”) shall be specially trained and equipped to respond to and resolve high risk criminal activity occurring within each Participating Agency’s jurisdiction.
- D. The parties now desire to achieve increased operational efficiencies and economies of scale by providing a mechanism for the sharing of material, personnel, knowledge, equipment, and training, all as more fully described by, and pursuant to the terms and conditions contained in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the respective agreements set forth below and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Appendix B

1. ADDITION OF PARTY TO THE AGREEMENT

[INSERT NAME] is hereby added as a party to the Agreement, effective as of the date of this Addendum. All references in the Agreement to the term “Participating Agency” shall henceforth be deemed to include *[INSERT NAME]*. All terms and conditions of the Agreement applicable to the Participating Agency shall now also apply to *[INSERT NAME]*.

2. RATIFICATION

Except as expressly modified by this Addendum, the Agreement shall remain in force and effect in accordance with its terms and is hereby ratified and affirmed.

3. EXECUTION IN COUNTERPARTS

This Addendum may be executed in counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument.

IN WITNESS WHEREOF the parties hereto have executed this Addendum as of the date first above written.

SECOND ADDENDUM TO INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (REGION 1 SWAT) COOPERATION

THIS SECOND ADDENDUM TO INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (REGION 1 SWAT) COOPERATION (this "Addendum") is entered into as of this ____ day of _____, 20__ (the "Effective Date"), by and among SNOHOMISH COUNTY, a political subdivision of the State of Washington (the "County"), the CITY OF EVERETT, a Washington municipal corporation (the "City"), the CITY OF LAKE STEVENS, a Washington municipal corporation, and the CITY OF MARYSVILLE, a Washington municipal corporation.

RECITALS

- A. The parties are public agencies as defined by chapter 39.34 RCW and chapter 10.93 RCW, and are authorized to entered into interlocal agreements to provide for joint or cooperative actions to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and
- B. The parties recognize that incidents of a serious criminal nature do occur which require a specially trained and equipped law enforcement response to effectively respond to the situation. These incidents create demand on each party's resources. The parties believe these resources are economically served by combining resources to form a cooperative Special Weapons and Tactics Team (hereinafter "Region 1 SWAT").
- C. The goal of this Agreement is to establish and maintain a multi-jurisdictional Cooperative SWAT Team to effectively respond to high risk criminal occurrences as described below.
- D. The SWAT Team shall be specially trained and equipped to provide a cooperative and joint effort between the municipal entities to respond to and resolve criminal activity of a high risk nature.
- E. The parties now desire to create a collaborative SWAT Team that will facilitate increased operational efficiencies and economies of scale by providing a mechanism for the sharing of material, personnel, knowledge and equipment, and training, all as more fully described by, and pursuant to the terms and conditions contained in, this Agreement.

AGREEMENT

In consideration of the mutual promises of the parties and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. ADDITION OF PARTY TO THE AGREEMENT

The City of Marysville is hereby added as a party to the Agreement, effective as of the date of this Addendum. All references in the Agreement to the term "City" shall henceforth be deemed to include the City of Marysville. All terms and conditions of the Agreement applicable to the City shall now also apply to the City of Marysville.

2. RATIFICATION

Except as expressly modified by this Addendum, the Agreement shall remain in force and effect in accordance with its terms and is hereby ratified and affirmed.

3. EXECUTION IN COUNTERPARTS

This Addendum may be executed in counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument.

IN WITNESS WHEREOF the parties hereto have executed this Addendum as of the date first above written.

CITY OF LAKE STEVENS:

The City of Lake Stevens, a
Washington municipal corporation

By _____

Name: _____

Title: _____

Approved as to Form:

City Attorney

THE COUNTY:

Snohomish County, a political subdivision of
the State of Washington

By _____

Name: _____

Title: _____

Approved as to Form:

(name and title)

CITY OF EVERETT

The City of Everett, a Washington
municipal corporation

By _____

Name: _____

Title: _____

Approved as to Form:

CITY OF MARYSVILLE

The City of Marysville, a Washington municipal
corporation

By _____

Name: _____

Title: _____

Approved as to Form:

City Attorney

City Attorney

Exhibit B

ADDENDUM TO INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (REGION 1 SWAT) COOPERATION

THIS ADDENDUM TO INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM ("SWAT") COOPERATION (this "Agreement") is made and entered into as of this ____ day of _____, 20__ (the "Effective Date"), by and between SNOHOMISH COUNTY, a political subdivision of the State of Washington, the CITY OF EVERETT, a municipal corporation of the State of Washington, and the CITY OF LAKE STEVENS, a municipal corporation of the State of Washington, and the CITY OF MARYSVILLE, a municipal corporation of the State of Washington (collectively referred to as "Participating Agencies").

RECITALS

- A. The Participating Agencies are public agencies as defined by chapter 39.34 RCW and chapter 10.93 RCW, and are authorized to enter into interlocal agreements to provide for joint or cooperative actions to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and
- B. Incidents of a serious criminal nature occur which require a specially trained and equipped law enforcement response to effectively respond to the situation. These incidents create demand on each party's resources. The parties believe these resources are economically served by combining resources to form a cooperative Special Weapons and Tactics Team (hereinafter "SWAT").
- C. The regional SWAT team (hereinafter "Region 1 SWAT") shall be specially trained and equipped to respond to and resolve high risk criminal activity occurring within each Participating Agency's jurisdiction.
- D. The parties now desire to achieve increased operational efficiencies and economies of scale by providing a mechanism for the sharing of material, personnel, knowledge, equipment, and training, all as more fully described by, and pursuant to the terms and conditions contained in this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the respective agreements set forth below and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Exhibit B

1. ADDITION OF PARTY TO THE AGREEMENT

The CITY OF MARYSVILLE is hereby added as a party to the Agreement, effective as of the date of this Addendum. All references in the Agreement to the term "Participating Agency" shall henceforth be deemed to include CITY OF MARYSVILLE. All terms and conditions of the Agreement applicable to the Participating Agency shall now also apply to CITY OF MARYSVILLE.

2. RATIFICATION

Except as expressly modified by this Addendum, the Agreement shall remain in force and effect in accordance with its terms and is hereby ratified and affirmed.

3. EXECUTION IN COUNTERPARTS

This Addendum may be executed in counterparts, each of which shall be an original and all of which shall together constitute one and the same instrument.

IN WITNESS WHEREOF the parties hereto have executed this Addendum as of the date first above written.

Exhibit B

CITY OF MARYSVILLE

The City of Marysville, Washington
municipal corporation

By

Name: _____
Title: _____

Approved as to Form:

City Attorney

CITY OF EVERETT

The City of Everett, a Washington municipal
corporation

By

Name: _____
Title: _____

Approved as to Form:

City Attorney

THE COUNTY

Snohomish County, a political
subdivision of the State of
Washington

By

Name: _____
Title: _____

Approved as to Form:

Deputy Prosecuting Attorney

CITY OF LAKE STEVENS

The City of Lake Stevens, a Washington
municipal corporation

By

Name: _____
Title: _____

Approved as to Form:

City Attorney

EXECUTED on the day and year first written below

THE COUNTY:

Snohomish County, a political subdivision
of the State of Washington

By

Name: _____
Executive

Recommended for approval:

By

Name: _____
Sheriff

Name: _____
Risk Management

Approved as to Form:

Deputy Prosecuting Attorney

Address for Notice:

Snohomish County Sheriff's Office
3000 Rockefeller Avenue M/S 606
Everett, WA 98201

INTERLOCAL AGREEMENT FOR SPECIAL
WEAPONS AND TACTICS TEAM COOPERATION
IN LAW ENFORCEMENT ACTIVITIES

EXECUTED on the day and year first written below

CITY OF EVERETT:

The City of Everett, a Washington municipal
corporation

By

Name: _____

Title: _____

Recommended for approval:

By

Name: _____

Chief of Police

Name: _____

Title: _____

Approved as to Form:

City Attorney

Address for Notice:

Chief of Police
Everett Police Department
3002 Wetmore Avenue
Everett, WA 98201

INTERLOCAL AGREEMENT FOR SPECIAL
WEAPONS AND TACTICS TEAM COOPERATION
IN LAW ENFORCEMENT ACTIVITIES

EXECUTED on the day and year first written below

CITY OF LAKE STEVENS:

The City of Lake Stevens, a Washington municipal
corporation

By

Name: _____

Title: _____

Recommended for approval:

By

Name: _____

Chief of Police

Name: _____

Title: _____

Approved as to Form:

City Attorney

Address for Notice:

Chief of Police

Lake Stevens Police Department

1825 S. Lake Stevens Road

Lake Stevens, WA 98258

INTERLOCAL AGREEMENT FOR SPECIAL
WEAPONS AND TACTICS TEAM COOPERATION
IN LAW ENFORCEMENT ACTIVITIES

EXECUTED on the day and year first written below

CITY OF MARYSVILLE:

The City of Marysville a Washington municipal
corporation

By

Name: _____

Title: _____

Recommended for approval:

By

Name: _____

Chief of Police

Name: _____

Title: _____

Approved as to Form:

City Attorney

Address for Notice:

City of Marysville

501 Delta Avenue

Marysville, WA 98275

INTERLOCAL AGREEMENT FOR SPECIAL
WEAPONS AND TACTICS TEAM COOPERATION
IN LAW ENFORCEMENT ACTIVITIES

Exhibit B

ADDENDUM TO INTERLOCAL AGREEMENT FOR SPECIAL WEAPONS AND TACTICS TEAM (REGION 1 SWAT) COOPERATION

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RECITALS

- A. The Participating Agencies are public agencies as defined by chapter 39.34 RCW and chapter 10.93 RCW, and are authorized to enter into interlocal agreements to provide for joint or cooperative actions to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and
- B. Incidents of a serious criminal nature occur which require a specially trained and equipped law enforcement response to effectively respond to the situation. These incidents create demand on each party’s resources. The parties believe these resources are economically served by combining resources to form a cooperative Special Weapons and Tactics Team (hereinafter “SWAT”).
- C. The regional SWAT team (hereinafter “Region 1 SWAT”) shall be specially trained and equipped to respond to and resolve high risk criminal activity occurring within each Participating Agency’s jurisdiction.
- D. The parties now desire to achieve increased operational efficiencies and economies of scale by providing a mechanism for the sharing of material, personnel, knowledge, equipment, and training, all as more fully described by, and pursuant to the terms and conditions contained in this Agreement.

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2. RATIFICATION

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3. EXECUTION IN COUNTERPARTS

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IN WITNESS WHEREOF the parties hereto have executed this Addendum as of the date first above written.

Exhibit B

CITY OF MARYSVILLE

The City of Marysville, Washington
municipal corporation

By

Name: _____
Title: _____

Approved as to Form:

City Attorney

THE COUNTY

Snohomish County, a political
subdivision of the State of
Washington

By

Name: _____
Title: _____

Approved as to Form:

Deputy Prosecuting Attorney

CITY OF EVERETT

The City of Everett, a Washington municipal
corporation

By

Name: _____
Title: _____

Approved as to Form:

City Attorney

CITY OF LAKE STEVENS

The City of Lake Stevens, a Washington
municipal corporation

By

Name: _____
Title: _____

Approved as to Form:

City Attorney



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Chris Holland, Community Development

ITEM TYPE: Special Event Permit

AGENDA SECTION: **New Business**

SUBJECT: Freedom Run Women's Health and Wellness Family 5K Run

SUGGESTED ACTION: Recommended Motion: I move to approve the Special Event Permit for Freedom Run 5K, to be held exclusively in the grassy area of Ebey Waterfront Park and Ebey Waterfront Trail, subject to the conditions outlined in the Staff Recommendation.

SUMMARY:

Event: Freedom Run Women's Health and Wellness Family 5K run.

Date: October 4, 2025

Time: 7AM (assembly) – 2PM (disbanding) – 5K race and activities 9AM – 1PM

Location: Ebey Waterfront Park and Trail

Description: The FREEDOM RUN for Women's Health and Wellness Family 5k is a collaborative community development and engagement event designed to enhance and strengthen heart health awareness by providing health and wellness vendors, and increasing access to wellness centered activities that improve a sense of participatory health, wellness, and belonging while bringing forth solutions to community wellbeing and the cardiovascular challenges specifically impacting the health outcomes of women and girls.

Participants: 100+ people including race participants and family members.

City Facilities Utilized: *Closure of the north grass area (only)* of Ebey Waterfront Park; closure of Ebey Waterfront Trail; and Utilization of the Ebey Waterfront Restroom.

No road closures are proposed.

Onsite Activities: Family photo station, Health and Wellness vendors, 2 or 3 food vendors, women's screening info station, women's wellness activity tables.

ATTACHMENTS:

[E006 - Staff Recommendation - SEP25-0001.pdf](#)

MEMORANDUM

DATE: July 14, 2025
TO: City Council
FROM: Chris Holland, Planning Manager
RE: Freedom Run 5K – Special Event Permit
SEP25-001
ATTACHED: Special Event Permit Application
Project Narrative
TR1 Response Memo

Pursuant to [MMC 5.46.040](#)(2), special events involving street closures or impact to city services requires City Council Approval. The applicant is proposing to utilize the grassy area located on the northeast side of Ebey Waterfront Park and utilize Ebey Waterfront Trail for the event, as further described below:

Event: Freedom Run Women’s Health and Wellness Family 5K run.
Date: October 4, 2025
Time: 7AM (assembly) – 2PM (disbanding) – 5K race and activities 9AM – 1PM
Location: Ebey Waterfront Park and Trail

Description: The FREEDOM RUN for Women’s Health and Wellness Family 5k is a collaborative community development and engagement event designed to enhance and strengthen heart health awareness by providing health and wellness vendors, and increasing access to wellness centered activities that improve a sense of participatory health, wellness, and belonging while bringing forth solutions to community wellbeing and the cardiovascular challenges specifically impacting the health outcomes of women and girls.

Participants: 100+ people including race participants and family members.

City Facilities Utilized: ***Closure of the north grass area (only)*** of Ebey Waterfront Park; closure of Ebey Waterfront Trail; and Utilization of the Ebey Waterfront Restroom.

No road closures are proposed.

Onsite Activities: Family photo station, Health and Wellness vendors, 2 or 3 food vendors, women’s screening info station, women’s wellness activity tables.

Staff Recommendation

The application materials were routed to affected departments for review in accordance with [MMC 5.46.060](#)(1). Based on a review of the application materials, staff recommends ***approval*** of the Special Event Permit, subject to the following conditions:

Jon Walker, City Attorney
360.363.8087
jwalker@marysvillewa.gov

- You must have the Certificate of Liability Insurance and the Endorsement that changes the policy. This is because, as you will see highlighted in the Certificate of Liability Insurance snip below, a statement “on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).” In other words, this certificate alone does not name the City as an additional insured.

	CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY)
			03/09/2023
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.			
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION is WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).			

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s)
The City Marysville
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

- A.** In the performance of your ongoing operations; or
- B.** In connection with your premises owned by or rented to you.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – STATE OR POLITICAL SUBDIVISIONS – PERMITS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Political Subdivision:

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

Section II – Who Is An Insured is amended to include as an insured any state or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.

2. This insurance does not apply to:

- a. "Bodily injury," "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality; or
- b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

City of Marysville – Parks, Culture & Recreation

Dave Hall, Assistant Director
360.363.8403
dhall@marysvillewa.gov

2. The trail shall be posted at least three (3) days in advance of the proposed special event. Please contact Jeramie Roth, Parks Maintenance Supervisor, at 360.363.8175 jroth@marysvillewa.gov, regarding sign placement. The event sponsor shall work with Marysville Parks, Recreation and Culture staff on the sign content.
3. The proposed special event does not mean the sponsor has exclusive use of Ebey Waterfront Park and Ebey Waterfront Trail during the event.
4. Parking within Ebey Waterfront Park is paid parking and is a maximum of two (2) hours. Attendees shall be required to utilize street parking in the area.
5. No parking shall be allowed within the stalls designed for truck and boat trailer parking.



City of Marysville – Public Works Sanitation

Kristy Beedle, Solid Waste Supervisor
360.363.8152
kbeedle@mldrfa.org

6. The event coordinator has not proposed extra garbage service with the Sanitation Department. All food vendors will need to have their own receptacles and take garbage out with them.

Marysville Fire District

Brian Merkley, Assistant Fire Marshal
360.363.8541
bmerkley@mldrfa.org

Plans are recommended for APPROVAL subject to the following conditions and provisions:

7. All applicable activities shall comply with adopted fire code (2021 IFC), city design standards, and applicable NFPA standards. Please see fire code excerpts provided on pages 2 and 3 and use as a checklist.
8. **Food Trucks / Mobile Food Vendors:** Any mobile food vendor operating in Marysville that produces grease laden vapors shall possess a valid city of Marysville business license as well as an approved WSAFM food truck inspection form from any participating agency in WA State. https://wsafm.com/Food_Trucks
 - a. Food trucks based in the city of Marysville may request a fire inspection at no charge by calling 360-363-8525 and leave a voicemail. An inspector will contact you to make arrangements. 48 hours advance notice required.
 - b. Food trucks based outside of the city of Marysville are subject to additional fees for inspection requests.
 - c. Event will be subject to random fire inspections. Any food truck found without proper documentation will be restricted from operation.
9. **An approved access route for fire apparatus shall be provided for at all times.** Minimum 20' unobstructed width required at all times for emergency access.
10. Tents or temporary membrane structures shall comply with the 2021 IFC Chapter 21 and be permitted per adopted fire code.
11. Portable fire extinguishers shall be provided and comply with IFC 906. A minimum of one 2A:10BC extinguisher shall be placed within 75' of any location within the event site.
12. Fire hydrants shall be clear and unobstructed at all times.
13. Hazardous materials shall comply with IFC Chapter 50 and other specific chapters. A separate fire permit and fire marshal approval is required for hazardous materials exceeding permit amounts (IFC 105).
14. Compressed gases shall comply with IFC Chapter 53.
15. Flammable and combustible liquids shall comply with IFC Chapter 57.
16. LP gas equipment installation and dispensing shall comply with IFC Chapter 61 requirements, and requires a separate fire permit and fire marshal approval. Tank installation requires approved clearances to roadways, drive aisle and parking areas. Vehicle protection and fire extinguisher will be required- to be reviewed during tank permitting.

SECTION 3106 OUTDOOR ASSEMBLY EVENTS

3106.1 Scope.

Outdoor assembly events shall comply with this section.

3106.2 General.

Outdoor assembly events shall be in accordance with this section and [Section 403.11](#). Temporary structures erected for outdoor assembly events shall comply with this chapter.

3106.2.1 Approval required.

Outdoor assembly events shall be *approved* by the *fire code official*.

3106.2.2 Permits.

An operational permit shall be required as set forth in [Section 105.5](#).

3106.2.3 Access.

An *approved* means of fire apparatus access shall be provided.

3106.2.3.1 Fire service features.

Unobstructed access to fire hydrants, drafting sources and other fire protection features shall be maintained at all times.

3106.3 Occupancy and means of egress.

The number and location of emergency egress and escape routes shall be *approved* by the *fire code official*.

3106.3.1 Occupant load.

The *fire code official* shall establish an *occupant load* for the event site.

3106.3.2 Maintenance of emergency egress and escape routes.

Emergency egress and escape routes shall be maintained at all times.

3106.4 Public safety for events.

Outdoor assembly events shall comply with [Sections 3106.4.1](#) through [3106.4.7](#).

3106.4.1 Public safety plan for gatherings.

A public safety plan shall be prepared where required by [Section 403.11.2](#). The public safety plan shall be submitted to the *fire code official* with the application for an operational permit as required by [Section 3106.2.2](#).

3106.4.2 Weather monitoring person.

Where required by the *fire code official*, the event operator or agent shall designate one qualified individual to continuously monitor local weather reports, forecasts and conditions. Said person shall be responsible for initiating weather-related event mitigation activities, ordering the suspension or cancellation of the outdoor assembly event and issuing the evacuation signal in accordance with the *approved* public safety plan.

3106.4.3 Crowd managers.

Where events involve a gathering of more than 1,000 people, trained crowd managers shall be provided in accordance with [Section 403.11.3](#).

3106.4.4 Portable fire extinguishers.

Approved portable fire extinguishers complying with [Section 906](#) shall be provided and placed in locations *approved* by the *fire code official*.

3106.4.5 Smoking.

Smoking shall be permitted only in designated areas. Other areas shall have *approved* "No Smoking" signs conspicuously posted and maintained in accordance with [Section 310](#).

3106.4.6 Combustible vegetation.

Combustible vegetation that could create a fire hazard shall be removed from the outdoor assembly event area.

3106.4.7 Combustible refuse.

Combustible refuse shall be kept in noncombustible containers with tight-fitting or self-closing lids. Combustible refuse shall be removed from the event site at regular intervals to prevent an unsafe accumulation within the event site.

3106.5 Cooking appliances or devices.

Outdoor assembly events with concession stands or booths using cooking appliances or devices shall comply with [Sections 3106.5.1](#) through [3106.5.3](#).

3106.5.1 Separation from tents or structures.

Cooking appliances or devices that produce sparks or grease-laden vapors or flying embers (firebrands) shall not be used within 20 feet (6096 mm) of a *tent* or temporary structure.

Exceptions:

1. Designated cooking *tents* not occupied by the public when *approved* by the *fire code official*.
2. *Tents* or structures where cooking appliances are protected with an automatic fire-extinguishing system in accordance with [Section 904.13](#).

3106.5.2 Protection.

Cooking equipment using combustible oils or solids shall meet the following:

1. A noncombustible lid shall be immediately available. The lid shall be of sufficient size to cover the cooking well completely.
2. The equipment shall be placed on a noncombustible surface.
3. An *approved* portable fire extinguisher for protection from cooking grease fires shall be provided at a location *approved* by the *fire code official*.

3106.5.3 Liquefied petroleum gas (LP-gas).

The use of liquefied petroleum gas (LP-gas) shall be in accordance with [Chapter 61](#).

3106.6 Electrical equipment and wiring.

Outdoor assembly events with concession stands or booths using electrical equipment and temporary wiring for electrical power or lighting shall comply with the applicable provisions of [NFPA 70](#) and [Sections 3106.6.1](#) through [3106.6.3](#).

3106.6.1 Outdoor use.

Electrical equipment and wiring shall be *listed* and *labeled* for outdoor use.

3106.6.2 Generators.

Generators shall be installed not less than 10 feet (3048 mm) from combustible materials, and shall be isolated from the public by physical guard, fence or enclosure installed not less than 3 feet (914 mm) away from the internal combustion power source.

3106.6.3 Portable fire extinguishers.

17. Each generator shall be provided with an *approved* portable fire extinguisher complying with [Section 906](#).
-

SPECIAL EVENT PERMIT APPLICATION

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Monday - Friday 7:30 AM - 4:00 PM

FOR AGENCY USE	Date:	File:	Fee: \$
	NAME OF EVENT		PROPOSED DATES
	Freedom Run Womens Health and Wellness 5k		October 4th 2025
	APPLICANT	SPONSORING NON-PROFIT	EVENT ORGANIZER
Name	BRE INNOVATIVE SOLUTIONS		AUTRINA MARTINDALE
Mailing Address	4913 67TH ST NE		PO BOX 3372
City, State, ZIP	MARYSVILLE WA 98270		RENTON WA 98056
Phone (home/office)	253-234-7055		253-234-7055
Phone (cell)	253-234-7055		
E-mail	BRERVPTEAM@GMAIL.COM		brervpteam@gmail.com
SITE INFORMATION			
Set-up date/time	7am	Dismantling Date/time	2pm
		Hours of operation	9 am - 1 pm
Estimated number of participants	75	Will admission fee be charged? (please note amount)	\$35 pp
Will alcohol be served at event? (if yes please explain)	NA NO ALCHOHOL WILL BE OFFERED AT THIS EVENT		
Type of activity planned (Describe event)	This Women's Health and Wellness Family 5k is a collaborative community engagement event designed to enhance and strengthen community heart health awareness by providing health and wellness vendors and increased opportunities to access local family activities centered around improving the health and wellbeing outcomes of women and girls. (see pdf)		
Location to be used (Describe area to be used, attach map/route plan)	Ebey Waterfront Park and Trail: THE TRAIL IS PROPOSED TO BE USED FOR THE 5K AND DESIGNATED GREEN SECTIONS WILL BE USED FOR REGISTRATION , HOSPITALITY, ACTIVITIES AND SECURITY STATIONS . (see pdf)		
Detailed Description of Proposed Activities	Grounds Activities include: 5k REGISTRATION 5k race, Photo station UP TO THREE HOPSITALITY STATIONS AT LEAST ONE SECURITY STATION Youth activities for kiddos and parents include Hoola Hoop, Jump rope activities, health and wellness vendors and womens screening station.		
Does event involve political or religious activity intended primarily for the communication or expression of ideas?	NA		

City of Marysville – Special Event Permit Application

Indemnification – Hold Harmless

Applicant shall defend, indemnify and hold harmless the City, its officers, officials, employees and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of the Event or from any activity, work or thing done, permitted, or suffered by Applicant during the Event, except only such injury or damage as shall have been occasioned by the sole negligence of the City.

Insurance

The applicant shall procure and maintain for the duration of the Event, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the Event. The policy shall be written on an occurrence basis, shall be written for a period of not less than 24 hours prior to the event and extending for a period not less than 24 hours following completion of the event, and shall contain a provision prohibiting cancellation of the policy, except upon 30 days written notice to the City of Marysville. The insurance policy shall contain, or be endorsed to contain, that the Applicant's insurance coverage shall be primary insurance as respects to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be excess of the Applicant's insurance and shall not contribute with it. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII and authorized to do business in the State of Washington.

Applicant shall provide a certificate of insurance evidencing:

1. General Liability insurance covering the Event, participants, products-completed operations and contractual liability with limits of no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
2. The city as an additional insured.

Certificate of Insurance will be provided prior to permit issuance. A copy of the endorsement naming the city as an additional insured shall be attached to the Certificate of Insurance.

Applicant shall include all subcontractors and concessionaires as additional insured under its policies and provide the City with the certificates of insurance and endorsements evidencing such insurance or shall furnish the separate certificates of insurance and endorsements issued under each subcontractor's and concessionaire's insurance policy. All coverage for subcontractors shall be subject to all of the same insurance requirements as stated herein for Applicant.

If the event is approved for the consumption of alcohol, whether sold or not, Applicant shall procure and maintain for the duration of the Event, Liquor Liability insurance in the amount of \$1,000,000 each occurrence. The City is to be named as an additional insured on Liquor Liability insurance. Host Liquor Liability coverage may be substituted when alcohol is consumed and not sold during the Event with the prior written approval of the City.

Applicant specifically acknowledges that the route it has chosen for the event may include portions of the roadway which may be currently under construction. Applicant accepts the condition of the route as it currently exists. Applicant acknowledges that there are various conditions commonly associated with road construction including but not limited to plates in the roadway, construction machinery and loose asphalt and gravel. Applicant agrees to defend, indemnify and save harmless the City of Marysville, its officers and employees, for any accidents or injuries arising out of the event including but not limited to accidents associated with roadway construction.

This permit may be summarily revoked by the City at any time when by reason of disaster, public calamity, riot or other emergency the City determines that the safety of the public or property requires such revocation. Notice of such action will be delivered in writing by personal service or certified mail.

City of Marysville – Special Event Permit Application

Applicant Signature

I hereby agree to abide by the conditions listed on Page 2 of the Special Event Permit Application:

AUTRINA MARTINDALE
Applicant Signature

Dated this 10th day of APRIL, 202025

City of Marysville Approval

City Clerk or Designee

Dated this _____ day of _____, 20_____

(For Official Use Only)

Approved By: _____	Parks & Recreation Dept.	_____	Sanitation Division
_____	Planning Division	_____	Surface Water Division
_____	Building Division	_____	Finance Dept.
_____	Streets Division	_____	Fire District
_____	Police Dept.	_____	Mayor/Designee

Permit detained for the following reasons:
Recommended approval under the following conditions:
Number of monitors/staff required: Proof of Insurance? (Please circle) Yes No
Bond required? (Please circle) Yes No
Recommended approval to proceed with liquor licensing:
Pre-event walk through scheduled for:
Post-event walk through scheduled for:

Attachments:

Estimate of Expenses

Sample advertising materials

EXHIBIT A –E ADDITIONAL DOCUMENTS

Proposed Event: FREEDOM RUN Women's Health and Wellness Family 5k
Proposed Location Ebey Waterfront Park and Trail
Potential Proposed Saturday Activity Event Dates include;
October 04Th 2025 (Preferred Date)
Proposed time: 7 am-2 pm (including set up through clean up)

Statement of Purpose: This Women's Health and Wellness Family 5k is a collaborative community engagement event designed to enhance and strengthen community heart health awareness by providing health and wellness vendors and increased opportunities to access local family activities centered around improving the health and wellbeing outcomes of women and girls.

Grounds Use Narrative:

5k REGISTRATION tables, 5k race for approx. 50-75 participants, (see aerial map)

UP TO THREE SAFETY AND HOSPITALITY (first-Aid) STATIONS

AT LEAST ONE SECURITY STATION

6 Designated EVENT Monitors and 6 ON Location AREA Monitors

Onsite Activities for kids and parents:

includes Family Photo Station, Health and Wellness vendors, 2 or 3 food vendors
Women's Screening info station, Women's Wellness activity tables.

No city street traffic will be disrupted due to this event.

See Exhibit A

EXHIBIT A –E ADDITIONAL DOCUMENTS

Emergency Contact and Designated Monitors include but not limited to

Passion Johnson (206) 468-6704

Krista McClimans 425-418-3777

Delon Lewis 206-437-4630

Kendra Montgomery 425-280-5498

Autrina Martindale (Event Organizer and Partnering Organization) 253-234-7055

Darnesha Weary (Partnering Organization Black Coffee NW) 206-334-8475

Additional documents in separate pdf's

EXHIBIT A

EVACUATION ROUTE

EBEY WATERFRONT

GREEN MARKER 5K PARTICIPANT

PARK

PARK BYK

PARK
PARK

PARK

PARK BYK

5K FLOW

HOSPITALITY SAFETY

SAFETY

ACTIVITIES

HOSPITALITY

5K START

ACTIVITIES

REGISTRATION

VENDORS

5K FLOW

5K FLOW

HOSPITALITY SAFETY

RESTROOMS

NO STREET TRAFFIC OR PARKING LOT TRAFFIC WILL BE DISRUPTED FOR THIS EVENT

EVACUATION



EXHIBIT A



All Documents A-E included in separate pdf documents

City of Marysville 5k Event Proposal

Ebey Outline Special Event Narrative and 5K route map (Exhibit A)

Proof of Liability Insurance (Exhibit B),

Fiscal Sponsor (Exhibit C)

Fiscal Liability Sponsorship Support ACH Award (Exhibit D)

City of Marysville Special Event Permit Application (Exhibit E)

EVENT FLYER (Exhibit F)

City Council Review Notes

Planning and Coordination for the October Freedom Run 5K Event

Event Preparation and Updates

Our planning team is committed to ensuring the upcoming October 5K is a successful and healthy event. Below are updates and notes regarding the key areas of preparation and coordination:

Insurance Policy and Legal Requirements

- An updated insurance certificate is being issued and will be presented a minimum of two weeks prior to the event.
- Follow-up is required with the Insurance company to confirm compliance with the lawyer's requirements regarding insurance.

Contact: Rochelle Barker, Legal Services Manager

Phone: 360.363.8720

Email: rbarker@marysvillewa.gov

Event Posting on the Trail

- Notices for the event will be coordinated with Dave Hall or Jeremy Roth and posted on the trail three (3) days prior to the event.
- A trail map will also be posted in advance for public information.

Contacts:

- Dave Hall, Assistant Director

Phone: 360.363.8403

Email: dhall@marysvillewa.gov

- Jeramie Roth

Phone: [Contact information not provided]

Garbage Services

- Additional garbage services will not be requested. The team will perform thorough cleanup after the event and implement alternative disposal measures.

Contact: Kristy Beedle, Solid Waste Supervisor

Phone: 360.363.8152

Email: kbeedle@mfdrra.org

Fire Safety Coordination

- No food trucks, cooking materials, or hazardous/compressed gases will be present at the event.

- The fire hydrants will remain unobstructed at all times.

- A confirmation with the Fire District is required to ensure there are no issues regarding fire safety.

Contact: Brian Merkley, Assistant Fire Marshal

Phone: 360.363.8541

Email: bmerkley@mfdrra.org

Attendance and Safety Measures

- The expected attendance will not exceed 100 people.

- A small generator will be available for microphone usage during the event.

- A fire extinguisher will be provided on site for safety purposes.

Weather Monitoring and Compliance

- A weather monitoring person will be designated.

- Our attendance is anticipated to be approximately 100, within compliance regulations and safety and first aid kits will be onsite.

Summary of Action Items

- Confirmations and documentation regarding insurance requirements.
- Coordinate trail notices and map posting three (3) days in advance.

- Confirm no additional garbage services will be required.
- Ensure unobstructed access to fire hydrants and compliance with fire safety regulations.
- Verify attendance will not exceed 100 and ensure proper safety measures are in place.

Autrina Martindale

Freedom Run Planning Team

Host and Coordinator



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: **New Business**

SUBJECT: An **Ordinance** Affirming the Recommendation of the Hearing Examiner and Rezoning Approximately 0.34 Acres of the Josephine Caring Community Property Located at 16704 25th Ave NE from General Commercial (GC) to R-12 Multi-Family, Low Density (R-12) and Amending the Official Zoning Map of the City.

SUGGESTED ACTION: Recommended Motion: I move to adopt Ordinance _____.

SUMMARY:

On September 25, 2022, Josephine Caring Community received Conditional Use Permit (CUP) Approval with a Recommendation of Approval of a concurrent Rezone to construct an 80-unit Master Planned Senior Community (MPSC) for those ages 62 and up at 16704 25th Avenue NE. A MPSC provides a continuum of housing and care options for seniors to enable them to “age in place”. The rezone was for 2.15 acres to be rezoned from General Commercial (GC) to R-12 Multi-family, Low Density (R-12). The rezone was affirmed by City Council on December 5, 2022, via Ordinance 3246.

On April 8, 2025, an application was filed to revise the CUP to reduce the number of units from 80 to 63 units, expand the project boundaries north by 22 feet to accommodate additional parking, and to rezone the 0.34 acres comprising the northern expansion area from GC to R-12, which is consistent with the rest of the project site.

A duly advertised public hearing before the Hearing Examiner (HE) was held on May 28, 2025, to review the minor revision to the CUP and the rezone of the 0.34 acres from GC to R-12.

The HE received testimony from staff, the applicant, and the applicant’s representatives. Following the public hearing, at which no public testimony was received, the HE granted approval of the minor revision to the CUP and made a recommendation to the Marysville City Council for approval of the concurrent Rezone by Ordinance. Staff respectfully requests that the City Council affirm the Hearing Examiner's Recommendation of Approval and adopt the Rezone by Ordinance.

ATTACHMENTS:

[Ord. Josephine Caring Community second rezone](#)

[Exhibit C - Hearing Examiner Decision Josephine Caring Community Rezone and Minor CUP Revision](#)

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AFFIRMING THE RECOMMENDATION OF THE HEARING EXAMINER AND REZONING APPROXIMATELY 0.34 ACRES OF THE JOSEPHINE CARING COMMUNITY PROPERTY LOCATED AT 16704 25TH AVENUE NE FROM GENERAL COMMERCIAL (GC) TO R-12 MULTI-FAMILY, LOW DENISTY (R-12), AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY.

WHEREAS, Josephine Caring Community owns approximately 7.46 acres of property within the City of Marysville generally located at 16704 25th Avenue NE, said property being legally described in attached **Exhibit A**; and

WHEREAS, Josephine Caring Community submitted an application to the City of Marysville requesting a site specific NON-PROJECT Action Rezone requesting a rezone classification of the northern approximately 0.34 acres of their property described in **Exhibit A** and depicted in **Exhibit B** from General Commercial to R-12 Multi-family, Low Density so that, if approved, the entire property would be zoned R-12 Multi-family, Low Density; and

WHEREAS, following notice as required by law, the City of Marysville Hearing Examiner held a hearing on the proposed rezone on May 28, 2025, and adopted Findings, Conclusions, and Recommendations recommending approval of the rezone request along with a Minor Revision to the Conditional Use Permit Approval for the Master Planned Senior Community subject to three conditions, which Findings, Conclusions, and Recommendations is attached hereto as **Exhibit C**; and

WHEREAS, on July 14, 2025 at a public meeting the Marysville City Council reviewed and concurred with the Hearing Examiner's Findings, Conclusions, and Recommendation related to Josephine Caring Community Rezone;

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

Section 1. City Council Approval of Hearing Examiner Decision. The Findings, Conclusions, and Recommendations of the Hearing Examiner with respect to the above-referenced rezone are approved, and the property described in **Exhibit A** and depicted in **Exhibit B** is rezoned from General Commercial (GC) to R-12 Multi-family, Low Density (R-12).

Section 2. Zoning Classification Conditioned Upon Compliance with Hearing Examiner Decision. The zoning classification for the property described in **Exhibit A** and depicted in **Exhibit B** shall be perpetually conditioned upon strict compliance with the conditions set forth in the Findings, Conclusions and Recommendations of the Hearing Examiner, attached hereto as **Exhibit C**. Violation of the conditions of said decision may result in reversion of the property to the previous zoning classification and/or may result in enforcement action being brought by the City of Marysville.

Section 3. Amendment of Official Zoning Map. The City Council amends the City's Official Zoning Map, Ordinance No. 3331, as previously amended, and the City's Unified Development Code MMC Title 22, by adopting the Josephine Caring Community Rezone which

rezones the property described in **Exhibit A** and depicted in **Exhibit B** from General Commercial (GC) to R-12 Multi-family, Low Density (R-12). This amendment shall be attested by the signature of the Mayor and City Clerk, with the seal of the municipality affixed, shall be include with the Official Zoning Map on file in the office of the City Clerk, and shall be available for public inspection.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 5. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 6. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2025.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

EXHIBIT A

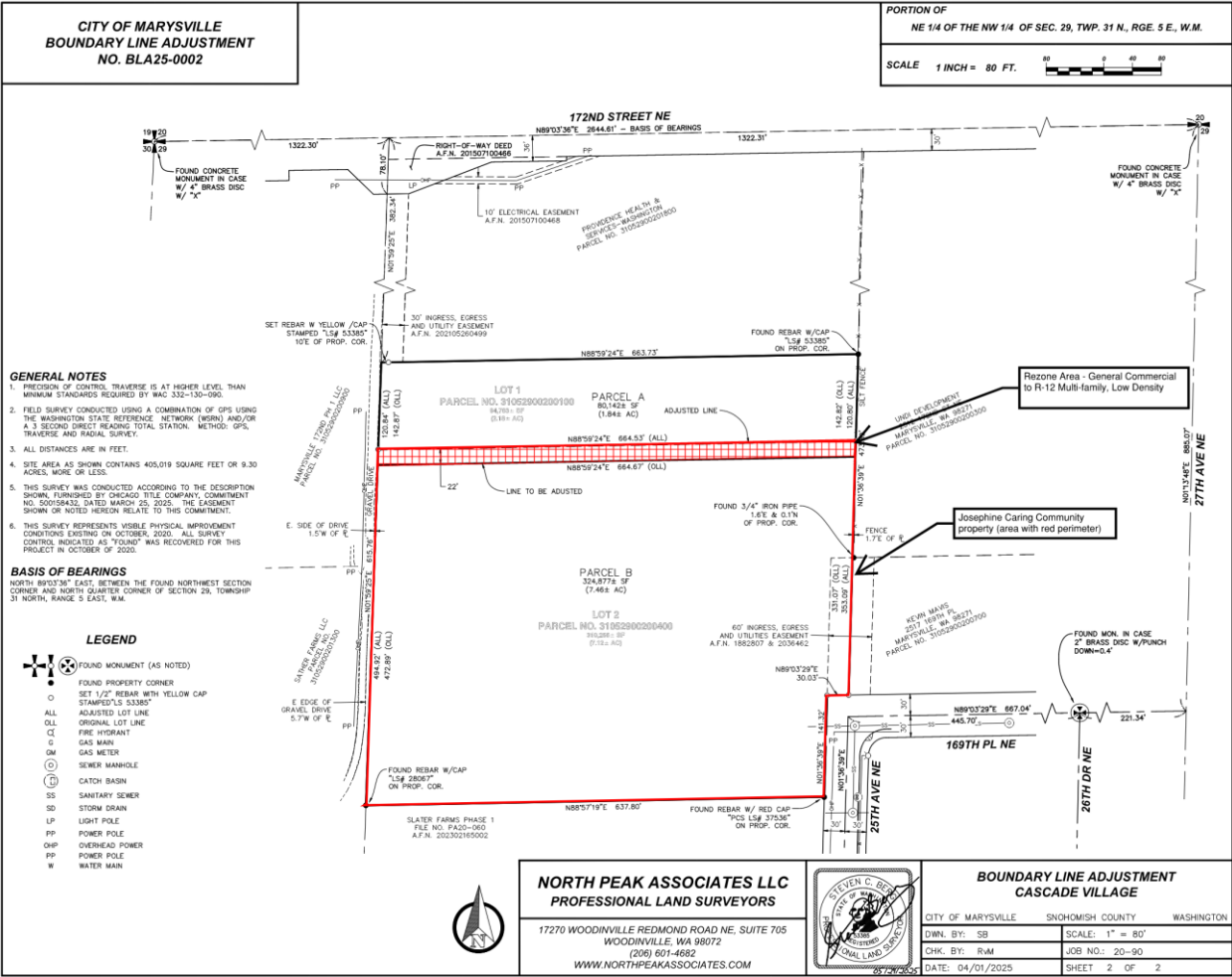
The north half of the southwest quarter of the northeast quarter of the northwest quarter of Section 29, Township 31 North, Range 5 East, W.M.;

Together with the south 140.00 feet of the northwest quarter of the northeast quarter of the northwest quarter of Section 29, Township 31 North, Range 5 East, W.M.;

Except that portion dedicated to the Plat of Lakewood Meadow according to the plat thereof recorded under Snohomish County Auditor's File No. 200110175002, records of Snohomish County, Washington;

Situate in the City of Marysville, County of Snohomish, State of Washington.

EXHIBIT B



CITY OF MARYSVILLE
Hearing Examiner
Findings, Conclusions and Decision

APPLICANT: Josephine Caring Community Master Planned Senior Community

CASE NO.: PA 21-054

LOCATION: 16704 25th Avenue NE, Marysville, WA

APPLICATION: Minor Revision to the approved Conditional Use Permit (CUP) for a Master Planned Senior Community (MPSC) to reduce the number of dwelling units for the project from 80 to 63 units and to expand the project boundaries by approximately 0.34 acres, and to receive the Hearing Examiner's Recommendation of Approval of the concurrent Rezone of those 0.34 acres from General Commercial (GC) to Multi-family, Low Density (R-12) to City Council for affirmation and adoption by Ordinance. The MPSC originally received CUP Approval and a concurrent Recommendation of Approval from the Hearing Examiner on the initial Rezone request on September 25, 2022. The rezone was subsequently adopted by Ordinance 3246.

SUMMARY OF RECOMMENDATION:

Staff Recommendation: Approve the Minor Revision to the Conditional Use Permit for the Master Planned Senior Community and receive the Hearing Examiner's Recommendation of Approval of the concurrent Rezone of 0.34 acres of the site from General Commercial to R-12 Multifamily, Low Density to City Council for affirmation and adoption by Ordinance.

Hearing Examiner Decision: Approve the Minor Revision to the Conditional Use Permit for the Master Planned Senior Community and recommend approval of the concurrent Rezone of 0.34 acres of the site from General Commercial to R-12 Multifamily, Low Density to City Council for affirmation and adoption by Ordinance.

PUBLIC HEARING

After reviewing the exhibits in the official file, which included the Marysville Community Development Department Staff Recommendation dated May 22, 2025; the Hearing Examiner conducted a public hearing on the request from the Josephine Caring Community for a Conditional Use permit and a concurrent rezone for a portion of the subject site. The hearing was opened at 6:00 p.m., May 28, 2025, and closed at 6:12 p.m.. The public hearing took place in hybrid format, both in-person and by Zoom teleconference. The Hearing Examiner, City staff, and the applicant attended. These persons are listed below together with a summary of their

testimony, and are documented in the minutes of the hearing. A link to the exhibits offered and entered into the record at the hearing is linked here. [PA21-054 Exhibit List](#).

HEARING COMMENTS AND TESTIMONY

The Hearing Examiner noted for the record that the issues under consideration are the request to approve a minor revision to the Conditional Use Permit for the Master Planned Senior Community to reduce the number of dwelling units for the project from 80 to 63 units and to expand the project boundaries by approximately 0.34 acres, and to receive a recommendation of approval of the concurrent rezone of those 0.34 acres of the site from General Commercial to R-12 Multifamily, Low Density which would go to the City Council for affirmation and adoption by Ordinance. It was noted that the request revises the Hearing Examiner decision and recommendation from September 25, 2022 ([Exhibit 61](#)) which was a request for a Conditional Use Permit and a concurrent Rezone to construct an 80-unit Master Planned Senior Community on a 7.12-acre site.



MMC 22G.010.170 (3) (a-e) provides the 5 factors the Hearing Examiner must consider and find to be consistent, in order to approve the proposal. These are addressed in the Staff Recommendations ([Exhibit 59 dated September 7, 2022](#) and [Exhibit 74 dated May 22, 2025](#)) and are adopted by reference in the Hearing Examiner findings.

Testimony was provided by city of Marysville Community Development Department staff and a representative of the applicant. A summary of the testimony is as follows:

City of Marysville, Community Development Department

Angela Gemmer, Principal Planner reviewed the proposal for a Conditional Use permit and a Rezone and provided a brief description of the site and the changes requested for the proposed Master Planned Senior Community. Ms. Gemmer noted that all of the Marysville Municipal Code requirements are met, for both the Conditional Use Permit and for the Rezone. Regarding a comment from the Fire Department, the location of the entry gates is specified and documented as Condition #1 in the Staff Recommendation dated May 22, 2025 ([Exhibit 74](#)).

Applicant: Josephine Caring Community

Tyler Foster, Land Technologies, Inc. expressed that the applicant concurs with the staff recommendation and the conditions for approval.

WRITTEN COMMENTS

None entered into the record at the hearing.

FINDINGS, CONCLUSIONS AND RECOMMENDATION

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

A. FINDINGS

1. The information contained in the Marysville Community Development Department Staff Recommendations ([Exhibit 59 and Exhibit 74](#)) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and is by this reference adopted as portion of the Hearing Examiner's findings and conclusions.
2. The Hearing Examiner's prior approval of the Conditional Use Permit and recommendation for approval of the rezone from September 25, 2022 ([Exhibit 61](#)) remain valid and by this reference are incorporated into these findings.
3. The City Council adopted the rezone by [Ordinance 3246](#).
4. The minutes of the hearing are an accurate summary of the testimony offered at the hearing and are by this reference entered into the official record.
5. The applicant has provided evidence and has demonstrated that the request meets all of the criteria for a Conditional Use Permit in accordance with MMC Section 22G.010.430.
6. The applicant has provided evidence and has demonstrated that the Rezone request meets all the criteria for a Comprehensive Plan Rezone in accordance with MMC Section 22G.010.440(1)(a-d).
7. The applicant has provided evidence and has demonstrated that the proposed Rezone request meets all the criteria for a Rezone at the Edge of a Land Use District in accordance with MMC Section 22G.010.440(2)(a-c).
6. MMC 22G.010.170(3)(a-e) requires that the Hearing Examiner not approve a proposed development without first making the following findings and conclusions, which were documented in the Hearing Examiner's September 25, 2022 decision ([Exhibit 61](#)) and by this reference are incorporated herein as applicable to the current request.

B. CONCLUSIONS

The Hearing Examiner concludes that the applicant has demonstrated that the request is consistent with the provisions for a Conditional Use Permit and Rezone. Responses to each of the Conditional Use Permit criteria in MMC 22E.050.060(2)(a)(i-v) and the Rezone criteria in MMC Section 22G.010.440(1)(a-d) and MMC Section 22G.010.440(2)(a-c) are deemed to be satisfactory with respect to their intent. The proposal also complies with the MMC 22G.010.170(3)(a-e) which is necessary for the Hearing Examiner to approve a proposed development.

C. DECISION

Based upon the foregoing findings of fact and conclusions, the Hearing Examiner approves the request for a minor revision to the Conditional Use Permit for a Master Planned Senior Community (MPSC) to reduce the dwelling units for the project from 80 units to 63 units and to expand the project boundaries by approximately 0.34 acres with the following 3 conditions, and recommends the City Council approve the Rezone request of those 0.34 acres from General Commercial (GC) to Multi-family, Low Density (R-12):

1. Prior to Land Disturbing Activity (LDA) permit approval, the applicant shall submit plans for the proposed gate locations that demonstrate adequate queueing storage for a minimum of one (1) vehicle to not obstruct roadway travel, including sidewalks, and
2. The project is subject to the fifteen (15) conditions of approval outlined in the Hearing Conditional Use Permit Approval issued on September 25, 2022 ([Exhibit 061](#)); provided that, Condition 6 is amended to reference BLA25-0002 instead of BLA 22-004, which expired.
3. The project is subject to the eight (8) mitigation measures outlined in the SEPA Mitigated Determination of Non-Significance issued on August 5, 2022 ([Exhibit 053](#)).

Dated this 2nd day of June, 2025.



Kevin D. McDonald, AICP
Hearing Examiner

EXHIBITS

The following exhibits were offered and entered into the record: [PA21-054 Exhibit List](#).

PARTICIPANTS at the PUBLIC HEARING

Angela Gemmer Marysville Community Development Department 80 Columbia Avenue Marysville, WA 98270	Tyler Foster, Land Technologies, Inc. 18820 3rd Ave NE Arlington, WA 98223
--	--

RECONSIDERATION - MMC 22G.010.190.

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the director within fourteen (14) days of the final written decision. The request shall comply with MMC 22.010.530(3). The hearing examiner shall consider the request within seven (7) days of filing the same. The request may be decided without public comment or argument by the party filing the request. If the request is denied, the previous action shall become final. If the request is granted, the hearing examiner may immediately revise and reissue the decision. Reconsideration should be granted only when a legal error has occurred, or a material factual issue has been overlooked that would change the previous decision.

JUDICIAL APPEAL - MMC 22G.010.560.

- (1) Appeals from the final decision of the hearing examiner, or other city board or body involving MMC Title 22 and for which all other appeals specifically authorized have been timely exhausted, shall be made to Snohomish County superior court pursuant to the Land Use Petition Act, Chapter 36.70C RCW, within 21 days of the date the decision or action

became final, unless another applicable appeal process or time period is established by state law or local ordinance.

- (2) Notice of the appeal and any other pleadings required to be filed with the court shall be served as required by law within the applicable time period. This requirement is jurisdictional.
- (3) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The record of the proceedings shall be prepared by the City or such qualified person as it selects. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE:	July 14, 2025
SUBMITTED BY:	Steven Miller, Engineering
ITEM TYPE:	Agreement
AGENDA SECTION:	New Business
SUBJECT:	Supplemental Agreement No. 7 to the Professional Services Agreement with HDR Engineering, Inc. for the 88 th ST NE Corridor Improvement Project.
SUGGESTED ACTION:	<u>Recommended Motion:</u> I move to authorize the Mayor to sign and execute Supplemental Agreement No. 7 to the Professional Services Agreement with HDR, Inc. for the 88th St NE Corridor Improvement Project.
SUMMARY:	The Department of Ecology has required that contract language be included in the Professional Services Agreement with HDR Engineering, Inc., as a condition for the stormwater grant for the 88 th ST NE Corridor Improvement project that was approved by Council on March 24, 2025. The purpose of the insert is to limit the risk of litigation for the Department of Ecology and the State of Washington. While most applicable to construction contracts, this language is now also being required to be added to services contracts.

ATTACHMENTS:
[Supplemental No. 7 HDR Engineering.pdf](#)



**Washington State
Department of Transportation**

Supplemental Agreement Number #7		Organization and Address 929 108th Ave. NE, Suite 1300 Bellevue, WA 98205	
Original Agreement Number		Phone: (941)342-2711	
Project Number R1101	Execution Date 05/18/2018	Completion Date 06/30/2026	
Project Title 88th ST NE Corridor Improvement Project	New Maximum Amount Payable No change.		
Description of Work Design, permitting, and engineering support services for Phase 1 of the 88th ST NE project.			

The Local Agency of Marysville, WA
desires to supplement the agreement entered in to with HDR Engineering, Inc.
and executed on 05/18/2018 and identified as Agreement No. _____
All provisions in the basic agreement remain in effect except as expressly modified by this supplement.
The changes to the agreement are described as follows:

I

Section 1, SCOPE OF WORK, is hereby changed to read:
See attached Department of Ecology insert to be included in the requirements of this contract.

II

Section IV, TIME FOR BEGINNING AND COMPLETION, is amended to change the number of calendar days for completion of the work to read: No change.

III

Section V, PAYMENT, shall be amended as follows:

No change.

as set forth in the attached Exhibit A, and by this reference made a part of this supplement.
If you concur with this supplement and agree to the changes as stated above, please sign in the Appropriate spaces below and return to this office for final action.

By: _____ By: _____

Consultant Signature

Approving Authority Signature

Date



WASHINGTON STATE DEPARTMENT OF ECOLOGY

WATER QUALITY COMBINED FUNDING

INSERT FOR ALL SERVICES FOR

STATE-FUNDED PROJECTS

The following clauses are suggested to be incorporated into contracts for all services receiving state financial assistance from the Washington State Department of Ecology's Water Quality Combined Funding Program.

Compliance with State and Local Laws

The services provider (CONTRACTOR) shall assure compliance with all applicable federal, state, and local laws, requirements, and ordinances as they pertain to the project.

State Interest Exclusion

Partial funding of this project is being provided through the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party to this contract or any subcontract.

Third Party Beneficiary

Partial funding of this project is being provided through the Washington State Department of Ecology. All parties agree that the State of Washington shall be, and is hereby, named as an express third-party beneficiary of this contract, with full rights as such.

Cost Basis of Contract

No contract may be written for "cost-plus-a-percentage-of-cost" or "percentage of construction cost." The cost basis for this contract must be cost-reimbursement, unit price, fixed-price, time and materials, or any combination of these four methods.

Funding Recognition

Documents produced under this agreement shall inform the public that the project received financial assistance from the Washington State Department of Ecology. The Washington State Department of Ecology's logo must be on all signs and documents. Logos will be provided as needed.

Accessibility

Public-facing documents produced under this agreement shall be accessible to the RECIPIENT's best ability. This recommendation applies to all products supplied under the Agreement, providing equal access to information technology by individuals with disabilities, including and not limited to web sites/pages, web-based applications, software systems, video and audio content, and electronic documents intended for publishing on Ecology's public web site.

Access To the Work Site and To Records

The CONTRACTOR shall provide for access to their records by Washington State Department of Ecology personnel.

The CONTRACTOR shall maintain accurate records and accounts to facilitate the Owner's audit requirements and shall ensure that all subcontractors maintain auditable records. These records shall be separate and distinct from the CONTRACTOR's other records and accounts.

All such records shall be available to the Owner and to Washington State Department of Ecology for examination. All records pertinent to this project shall be retained by the CONTRACTOR for a period of three years after the final audit.

Funding Provision

Partial funding of this project is being provided through the Washington State Department of Ecology. In the event that Ecology's funding from state, federal, or other sources is withdrawn, reduced, or limited in any way, the contract may be amended.

Copyright to Documents

The Department of Ecology retains a copyright to any documents produced and data collected under this agreement. The Department retains a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use the data or documents. The Department can authorize others to use the data or documents for federal, state, or local government purposes.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: July 14, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Appointment

AGENDA SECTION: **Mayor's Business**

SUBJECT: Re-Appointment of Steve Leifer to the Planning Commission

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[Re-Appointment to Planning Commission - Leifer.doc](#)



Office of the Mayor
Jon Nehring
501 Delta Avenue
Marysville, WA 98270
Phone: 360-363-8000

APPOINTMENT

I, JON NEHRING, Mayor of the City of Marysville, do hereby re-appoint STEVE LEIFER as a member of the PLANNING COMMISSION of the City of Marysville, pursuant to the Marysville Municipal Code 22G.050.020; dated this 14th day of JULY, 2025.

M A Y O R

I do swear and affirm I will perform the duties assigned to me as a member of the PLANNING COMMISSION of the City of Marysville in the manner required by law.

Dated this 14th day of JULY, 2025.

STEVE LEIFER

This term of appointment expires on SATURDAY, AUGUST, 2, 2031.