



**CITY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 27, 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

- A. Proclamation Declaring November 2025 as Military Family Appreciation Month in Marysville
[Military Family Appreciation Month 2025.pdf](#)
- B. Proclamation Declaring Nov. 3-7, 2025, as Municipal Court Week in Marysville
[Municipal Court Week 2025.pdf](#)
- C. Proclamation Declaring November 2025 as Native American Indian Heritage Month in Marysville
[Native American Indian Heritage Month 2025.pdf](#)

Public Comment

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

- 1. October 6, 2025, City Council Work Session Minutes
[WS 10062025.docx](#)

2. October 13, 2025, City Council Meeting Minutes
[CC 10132025.docx](#)

Consent

3. October 8, 2025, Claims in the Amount of \$1,607,088.23 Paid by EFT Transaction
Check Numbers 180521 through 180523 and Check Numbers 180524 through
180651 with Check Number 180224 Voided
[100825.rtf](#)
4. October 10, 2025 Payroll in the Amount of 2,089,442.88 paid by EFT Transaction
Check Numbers 148745 through 149135 and Check Numbers 35891 through 35903
5. October 10, 2025, Misc Payroll in the Amount of \$3,492.25 paid by EFT Transaction
Check Numbers 149136 through 149137 and Check Numbers 35904 through 35905
6. October 15, 2025, Claims in the Amount of \$2,485,921.91 paid by EFT Transaction
Check Numbers 180652 through 180656 and Check Numbers 180657 through
180815 with Check Number 179616 Voided
[101525.rtf](#)
7. October 16, 2025, Claims in the Amount of \$53,800.00 Paid by Check Numbers
180816 through 180817
[101625.rtf](#)

Review Bids

Public Hearings

New Business

8. A **Resolution** Ratifying the Mayor's Declaration of Emergency and Emergency
Contract for the Lake Goodwin Well Pump Failure
Recommended Motion: I move to adopt Resolution No. _____.
[Emergency Resolution - Pump Failure Aug 2025.docx](#)
[Contract - Fully Executed.pdf](#)
[Declaration of Emergency Memo.pdf](#)
9. Purchase Order - 2026 Ford F-350 Utility Body
Recommendend Motion: I move to authorize the Mayor to sign and execute the
purchase order for three (3) 2026 Ford F-350 Utility Maintenance vehicles in the
amount of \$239,883.45.
[2026 F350 PO.pdf](#)
10. An **Ordinance** Relating to the NorthPoint MV2 UGA Expansion Comprehensive Plan
Map Amendment
Recommended Motion: I move to adopt Ordinance No. _____.
[Memo and Exhibits 1 - 4 NorthPoint MV2 UGA Expansion Comp. Plan Map Amend.](#)
[Exhibit 5 - Ord. NorthPoint MV2 UGA Expansion Map Amendment](#)

11. An **Ordinance** Relating to Middle Housing Comprehensive Plan Amendments
Recommended Motion: I move to adopt Ordinance No. _____.
[Memo and Exhibits 1 and 2 - Middle Housing](#)
[Exhibit 3 - Ordinance Middle Housing Comprehensive Plan Amendments \(see next agenda item for Exhibit 4\)](#)
[Exhibit 5 - MBA Middle Housing Letter](#)
[Exhibit 6 - Letter to MBA re. Middle Housing](#)
12. An **Ordinance** Relating to Middle Housing Final Municipal Code Regulations
Recommended Motion: I move to adopt Ordinance No. _____.
[Memo and Exhibits 1 and 2 - Middle Housing Amendments](#)
[Exhibit 4 - Ordinance Middle Housing regulations \(see prior agenda item for Exhibit 3\).pdf](#)
[Exhibit 5 - MBA Middle Housing Letter](#)
[Exhibit 6 - Letter to MBA re. Middle Housing regs.](#)
13. An **Ordinance** Relating to Accessory Dwelling Unit Final Regulations
Recommended Motion: I move to adopt Ordinance No. _____.
[Memo re. Accessory Structures and Accessory Dwelling Units](#)
[Exhibit 2 - Ordinance re. Accessory Structures and Accessory Dwelling Units](#)
14. An **Ordinance** Relating to Unit Lot Subdivision Final Regulations
Recommended Motion: I move to adopt Ordinance No. _____.
[Memo and Exhibits 1 and 2 re Unit Lot Subdivisions](#)
[Exhibit 3 - Ordinance re. Unit Lot Subdivisions.pdf](#)
[Exhibit 4 - MBA letter re. ULS Ordinance](#)
[Exhibit 5 - Letter to MBA re. ULS](#)
15. An **Ordinance** Relating to Tree Canopy Assessment
Recommended Motion: I move to adopt Ordinance No. _____.
[Memo re. Tree Canopy Assessment](#)
[Exhibit 1 - Tree Canopy Ordinance and Tree Canopy Assessment](#)
16. An **Ordinance** Amending Title 6 of the Municipal Code, Adopting State Criminal Offenses and Penalties Relating to Defrauding a Public Utility
Recommended Motion: I move to adopt Ordinance No. _____.
[Title 6 Amendment -- Defrauding a public utility.docx](#)
17. Navia Benefits Administrative Services Amendment
Recommended Motion: I move to authorize the Mayor to sign and execute the Navia Benefits Administrative Services Amendment.
[Proposed Contract.pdf](#)
[Original Contract for Reference.pdf](#)

Legal

Mayor's Business

18. 2026 Legislative Priorities

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: October 27, 2025

SUBMITTED BY: Communications Officer Connie Mennie, Executive

ITEM TYPE: Proclamation

AGENDA SECTION: **Presentations**

SUBJECT: Proclamation Declaring November 2025 as Military Family Appreciation Month in Marysville

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[Military Family Appreciation Month 2025.pdf](#)

PROCLAMATION

Declaring November 2025 as Military Family Appreciation Month in Marysville

- WHEREAS, Marysville has been a military community since Naval Station Everett opened in 1994 as part of a strategy to spread Navy facilities over a larger geographic area, and today about 6,000 sailors and civil service personnel are assigned to Naval Station Everett; and
- WHEREAS, the Naval Support Complex opened in Marysville in 1995, offering a variety of services and amenities used by more than 30,000 Puget Sound-area active duty personnel, veterans and their families; and
- WHEREAS, the Armed Forces Reserve Center in Marysville opened in 2012 to house more than 500 soldiers from the Army Reserve and Washington Army National Guard and was designed to support up to 1,200 military service members; and
- WHEREAS, more than 5,000 veterans who served in all branches of military service over past decades currently make their home in Marysville; and
- WHEREAS, former and current city leaders have long encouraged and supported military presence in Marysville and continue to work with our local military partners at every opportunity; and
- WHEREAS, military families have, along with all the responsibilities of civilian families, unique additional concerns including education and career support for spouses and dependents who move frequently and have to start over every time; and
- WHEREAS, we recognize and honor the hardships and sacrifices of countless Marysville military families, especially when their beloved service member is deployed while those left behind carry on with their daily lives at home;

NOW, THEREFORE I, JON NEHRING, MAYOR, on behalf of the City Council and our community, do hereby proclaim November 2025 as

MILITARY FAMILY APPRECIATION MONTH

in the City of Marysville in appreciation for the many valuable contributions of military families to our local community, schools, service organizations and social structure. I encourage Marysville residents to extend a message of friendship and gratitude to our military families.

Under my hand and seal this twenty-seventh day of October, 2025.

THE CITY OF MARYSVILLE

Jon Nehring, Mayor



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Communications Officer Connie Mennie, Executive

ITEM TYPE: Proclamation

AGENDA SECTION: **Presentations**

SUBJECT: Proclamation Declaring Nov. 3-7, 2025, as Municipal Court Week in Marysville

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[Municipal Court Week 2025.pdf](#)

PROCLAMATION

Declaring Nov. 3-7, 2025, as Municipal Court Week in Marysville

WHEREAS, municipal courts play a significant role in preserving public safety and promoting quality of life in Washington; and

WHEREAS, more people come in contact with municipal courts than all other courts combined and public impression of our state's judicial system is largely dependent upon the public's experience in municipal court; and

WHEREAS, the procedures for Marysville Municipal Court operations are set forth in the Washington Code of Criminal Procedure and other laws of the State of Washington; and

WHEREAS, the City of Marysville is committed to the premise that our legal system is based on the principle that an independent, fair and competent judiciary will interpret and apply the laws that govern us, and that judges and court personnel should comply with the law and act in a manner that promotes public confidence in the integrity and impartiality of the judiciary; and

WHEREAS, Marysville Municipal Court Judges are not policy makers for the City of Marysville but are bound by the law and the Canons of Judicial Conduct and are required to make decisions independent of the governing body of the City Council, city officials, and employees; and

WHEREAS, the City Council recognizes that the Constitution and laws of the State of Washington contain procedural safeguards in criminal cases for all persons, including indigent people, and supports the Marysville Municipal Court in complying with such legal requirements.

NOW, THEREFORE I, JON NEHRING, MAYOR, on behalf of the City Council and our community, do hereby proclaim Nov. 3-7, 2025, as

MUNICIPAL COURT WEEK

in the City of Marysville in recognition of the fair and impartial justice offered to our residents by the Marysville Municipal Court.

Under my hand and seal this twenty-seventh day of October, 2025.

THE CITY OF MARYSVILLE

Jon Nehring, Mayor



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Communications Officer Connie Mennie, Executive

ITEM TYPE: Proclamation

AGENDA SECTION: **Presentations**

SUBJECT: Proclamation Declaring November 2025 as Native American Indian Heritage Month in Marysville

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[Native American Indian Heritage Month 2025.pdf](#)

PROCLAMATION

Declaring November 2025 as Native American Indian Heritage Month in Marysville

- WHEREAS, Native American traditions and beliefs have long helped to shape our country's communities and shared values, and during National Native American Indian Heritage Month, we celebrate and honor the first Americans to call this land home; and
- WHEREAS, the greater Puget Sound is the ancestral home to many Coast Salish tribes whose people and customs are strongly interwoven into the fabric of our collective Pacific Northwest culture; and
- WHEREAS, Marysville's roots are in Indian Country, as the city was first established by founder James Comeford in 1872 as a trading post on the Tulalip Indian Reservation, and moved five years later to what is now the Marysville Ebey Waterfront area; and
- WHEREAS, through the generations the Tulalip Tribes and tribal members – direct descendants of and successors to the Snohomish, Snoqualmie, Skykomish and other allied bands recognized by the Treaty of Point Elliott -- have improved our community with valuable perspectives and contributions in art, history, environment, culture and economic development; and
- WHEREAS, the historic Qwuloolt Estuary Restoration Project was a remarkable effort led by the Tulalip Tribes in partnership with the city and many other local, state and federal entities that restored important salmon habitat and is now reconnecting residents and visitors with the waterfront through the city's development of the Ebey Waterfront Park and Trail; and
- WHEREAS, the City of Marysville and the Tulalip Tribes enjoy a collaborative and congenial relationship working together on issues of mutual community interest including transportation, environment and economy, and we greatly appreciate the traditions and contributions of Tulalip tribal members to the Marysville Tulalip community;

NOW, THEREFORE I, JON NEHRING, MAYOR, on behalf of the City Council and our community, do hereby proclaim November 2025 as

NATIVE AMERICAN INDIAN HERITAGE MONTH

in the City of Marysville and extend a message of gratitude and brotherhood to our Tulalip friends and neighbors.

Under my hand and seal this twenty-seventh day of October, 2025.

THE CITY OF MARYSVILLE

Jon Nehring, Mayor



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Chari Taber, City Clerk

ITEM TYPE: Minutes

AGENDA SECTION: **Approval of Minutes**

SUBJECT: October 6, 2025, City Council Work Session Minutes

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[WS 10062025.docx](#)

City Council



501 Delta Ave
Marysville, WA 98270

Work Session Minutes

October 6, 2025

Call to Order

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

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Councilmember Condyles, Councilmember James, Councilmember King, Councilmember Richards, Councilmember Muller, Councilmember Norton

Staff: City Administrator Jennifer Stapleton, Chief Scairpon, Communications Manager Connie Mennie, Engineering Services Director Jeff Laycock, IT Director Stephen Doherty, IT Services Supervisor Jeremiah Nyman, City Attorney Jon Walker, Planning Manager Angela Gemmer, Maintenance Services and Solid Waste Manager Skip Knutsen

Excused: Council President Stevens

Motion to excuse Council President Stevens moved by Councilmember Richards seconded by Councilmember Norton.

AYES: ALL

Approval of the Agenda

Motion to waive normal rules in order to take action on an item moved by Councilmember Richards seconded by Councilmember Muller.

AYES: ALL

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

AYES: ALL

Presentations

Public Comment

Discussion Items

1. Solid Waste Utility - Proposed Rate Revisions

Jon Greninger, Snohomish County Solid Waste Operations Manager, reviewed increased tonnage rates, discussed new rate implementation updates, legislative review items, and local project updates. He spoke about the value of city/county collaborations including SWAC (Solid Waste Advisory Committee) participation, education and outreach, and legislative support. Questions and answers followed regarding rate breakdowns, the waste export contract, and potential rate impacts from new and upcoming legislation.

Solid Waste Manager Skip Knutsen reviewed how Marysville will respond to increased expenditures and rates. Primary cost drivers include Snohomish County tipping fees, State B&O tax increase, and the recycling services contract with Waste Management. He discussed rate impact by service categories. Finally, the overall increase in revenues is 13.62%. The cumulative increase since the last rate adjustment is 8.12%. The rate revisions provide for full cost recovery of all new liabilities, including reserve for future capital outlay. There will be an adequate fund balance with an average reserve of 88 days. Questions and answers followed regarding specific rates for categories, food waste, and fees for bulky item pickups.

Snohomish County Presentation.pptx

City of Marysville - Proposed Rate Revisions.pptx

2. Northpoint MV2 UGA Expansion Comprehensive Plan Map Amendment

Memo and Exhibits 1 - 3 - NorthPoint MV2 UGA Expansion Comp. Plan Map Amendment

Exhibit 4 - Ordinance NorthPoint MV2 UGA Expansion Comp. Plan Map Amendment

Planner Manager Angela Gemmer made the presentation regarding the Northpointe MV2 UGA Expansion. The proposal is to update all impacted Comprehensive Plan maps. This would reflect the increased UGA, which was approved by Snohomish County Council, and update text in the Comprehensive Plan impacted by this change.

Councilmember Muller asked how it would become part of the CIC. Planning Manager Gemmer explained that the City would have to request expansion of the CIC boundaries by PSRC.

Councilmember King asked if everything south of that area and west of 67th Avenue would eventually be included. Planning Manager Gemmer thought eventually that would happen. Councilmember King asked about a specific neighborhood. Planning Manager Gemmer explained that the neighborhood did not want to be included.

Councilmember Condyles asked if it needs to be annexed before adding the area to the CIC. Planning Manager Gemmer will look into it.

3. Middle Housing Final Regulations and Associated Comprehensive Plan Amendments

Planning Manager Gemmer discussed Single Family Zone Consolidation, Middle Housing Exemption Areas, Preserving Land Capacity in Multi-Family Zones, Master Planned Senior Community Density, Height for Single Family, and Duplex Development in Multi-Family Zones. She highlighted development community concerns. Clarification questions and answers followed.

Council President Norton recommended exploring exemption of certain areas of the city because of parking issues. Planning Manager Gemmer explained they are exploring a parking study which would allow for more parking for middle housing than what the state says must be provided. The Planning Commission thought that would be a more appropriate mechanism. Staff will bring back more additional information on this.

Memo and Exhibit 1 re. Middle Housing Final Regulations

Exhibit 2 - Ordinance Middle Housing Comprehensive Plan Amendments

Exhibit 3 - Ordinance Middle Housing MMC Amendments

Exhibit 4 - MBA Middle Housing Letter

Exhibit 5 - City Middle Housing MBA Response Letter

4. Accessory Dwelling Unit Final Regulations

Planning Manager Gemmer reviewed this item regarding Accessory Dwelling Units (ADUs).

Councilmember King asked clarification questions related to administrative flexibility for the 1400 sf cap. Planning Manager Gemmer explained they could look at allowing something larger to accommodate industry standards for building standards or other factors.

Memo re. Accessory Dwelling Unit Final Regulations

Exhibit 1 - Ordinance Accessory Dwelling Unit Final Regulations

5. Unit Lot Subdivision Final Regulations

Planning Manager Gemmer reviewed Unit Lot Subdivisions recommendations from Planning Commission including a consolidated approach and development community concerns.

Councilmember Muller asked about the justification for the unit number cap. Planning Manager Gemmer explained it had to do with state law.

Councilmember Muller asked about lot coverage regulations related to ADUs. Planning Manager Gemmer explained state law would require that each ADU can be at least 1000 sf. She reviewed proposed ADU language.

Memo re. Unit Lot Subdivisions and Exhibit 2

Exhibit 1 - Ordinance Unit Lot Subdivisions

Exhibit 3 - MBA letter re. ULS Ordinance

Exhibit 4 - Letter from City to MBA re. ULS Ordinance

6. Tree Canopy Assessment

Planning Manager Gemmer reviewed the Tree Canopy Assessment, which is a new state requirement for the Parks Element of the Comprehensive Plan. Currently in 2025, 24% of the City is tree canopy. She reviewed this by neighborhood, by zone, and by parks. Given the rapid pace of development within the City, at this time a goal of maintaining tree canopy at 24% of the city overall is recommended, with a 2% increase in tree canopy to 26% recommended by 2045.

Council Richards asked if they have been promoting free trees that are available for planting from the County. Planning Manager Gemmer offered to look into it.

Councilmember James asked if there is a minimum requirement for tree canopy coverage. Planning Manager Gemmer did not think there was a minimum. She thought they were on par with other jurisdictions. Councilmember James thought it was good to know what the minimums are and where they come from. He wondered if there is anything the City can do to require new developments to replace trees that are lost. He also wondered about having a tree bank and encouraging trees through the community beautification grants. Planning Manager Gemmer explained that the tree canopy goal is up to each jurisdiction. Ms. Stapleton said they could look into changes with community beautification program grants to encourage tree planting. Planning Manager Gemmer

replied to other questions noting that replanting does occur, but it is hard to replace old growth.

Councilmember King asked about the white locate flags in the tree wells along State Avenue. Director Laycock replied that they will be replacing those trees.

Councilmember Muller acknowledged that trees are replaced to some degree with new development but asked how long it takes for trees to mature enough to be included in the canopy. Planning Manager Gemmer thought it would be a gradual process and take 10-15 years.

Councilmember Muller asked about income limitations for the free tree options.

Connie Mennie commented that the tree conservation program is still viable. It was promoted through city social channels and the newsletter. Her understanding is that the free trees are made available in neighborhoods where there is a deficit of trees, not necessarily by income. There is a big focus on the downtown area. She offered to look into the details with the Conservation District. Councilmember James recommended promoting this with signs and banners. Ms. Mennie indicated she would look into that. Councilmember James asked if the tree canopy was a snapshot in time. Planning Manager Gemmer replied that it is and captures whatever is going on the date the photo is taken.

Planning Manager Gemmer thanked GIS for all their support with this.

Memo re. Tree Canopy Assessment

Exhibit 1 - Tree Canopy Assessment Ordinance

Exhibit 2 - Tree Canopy Assessment

Approval of Minutes

Consent

Review Bids

Public Hearings

New Business

7. GMP Consulting Contract (Action Requested October 6, 2025)

Marysville CDD Consultant Contract.pdf

City Administrator Stapleton reviewed the contract with GMP consultants for community development consultant work for Jeff Wilson.

Councilmember Condyles asked about the timeline for hiring a new director. Ms. Stapleton said they are hopeful of having someone by the end of the year.

Motion to authorize the Mayor to sign and execute the consultant services agreement with GMP Consultants moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Legal

Mayor's Business

- Thanks to all departments, especially Police and Public Works, for following up on items brought up at the coffee klatch.
- The City is also looking into and prioritizing some areas where there is illegal trespassing occurring.
- He noted that Largo Tents received an award from Association of Washington Businesses.
- He attended the mayors' convention in Wenatchee. One topic discussed was that some cities are having positive results using robo calls for utility billing issues.
- Mayors and Business Leaders for Public Safety discussed legislative priorities and public safety issues.
- There has been a lot of positive feedback about the new interchange.

Staff Business

City Attorney Walker stated the need for an Executive Session for one item to review the performance of a public employee for five minutes with no action.

Call on Councilmembers and Committee Reports

Councilmember Condyles:

- The new interchange is open and working well. Congratulations to Mayor Nehring for his work on this.
- He gave an update on the Snohomish County Tomorrow where they got an update from Community Transit on the Gold Line, the hazard mitigation plan, and tourism.
- He also reported on the Economic Development Committee meeting where they had an update on the Farmers Market, downtown development, and business license issuance.
- Happy Birthday to Councilmember Richards.

Councilmember James:

- Happy Birthday to Councilmember Richards.
- He is pleased with the new interchange.

- He loves the new sign ordinance. It seems to be working very well. He asked if the city has been getting any feedback on this. Ms. Mennie replied that there were initially a lot of questions, but after that it was pretty quiet.

Councilmember King:

- He agreed that the new interchange is nice.
- Public Works Committee meeting included an update on right of way maintenance, private frontage maintenance, and roadside memorials,
- Strawberry Festival Float went over to Leavenworth last weekend for the Autumn Festival with great weather and great crowds.

Councilmember Richards wished luck to those running in the election.

Councilmember Muller:

- He attended the candidate forum and was impressed with everyone's participation.
- He reported on the Economic Development Committee meeting.
- He went to the ribbon cutting for Kendall's new facility and was extremely impressed.

Council President Norton:

- Thanks to Planning Manager Gemmer for all her work on the ordinances.
- She is excited about the new interchange.
- She noted that the area under the 4th Street bridge is looking rough lately. Chief Scairpon offered to look into that.
- Happy Birthday to Councilmember Richards.

Adjournment/Recess

The meeting recessed at 8:46 p.m. for five minutes.

Executive Session

Council entered Executive Session at 8:48 for five minutes to review performance of a public employee with no action expected. There was one two-minute extension.

- A. Litigation
- B. Personnel – 1 item, RCW 42.30.110(1)(g)
- C. Real Estate

Reconvene

The meeting reconvened at 8:55 p.m.

Adjournment

Motion to adjourn the meeting at 8:55 p.m. moved by Councilmember Muller seconded by Councilmember Richards.

AYES: ALL

Approved this _____ day of _____, 2025



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Chari Taber, City Clerk

ITEM TYPE: Minutes

AGENDA SECTION: **Approval of Minutes**

SUBJECT: October 13, 2025, City Council Meeting Minutes

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[CC 10132025.docx](#)

City Council



501 Delta Ave
Marysville, WA 98270

**Work Session
Meeting
Minutes**

October 6, 2025

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

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

Invocation

Pastor Meredith Gudger-Raines of Marysville United Methodist Church 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 Muller, Councilmember Norton

Staff: City Attorney Jon Walker, City Administrator Jennifer Stapleton, IT Director Stephen Doherty, IS Analyst Elliot Jacobson, Parks and Recreation Director Tara Mizell, Engineering Services Director Jeff Laycock, Police Chief Erik Scairpon, Communications Manager Connie Mennie, Project Engineer Valorie Cross

Approval of the Agenda

Motion to approve the agenda moved by Councilmember James seconded by Councilmember Norton

AYES: ALL

Presentations

A. Swearing-in of Custody Officer Sierra Simpson

[Oath Custody Officer Simpson.docx](#)

B. Proclamation Declaring Oct. 28, 2025, as National First Responders Day in Marysville

[National First Responders Day 2025.pdf](#)

Public Comment

Martha Centina, 98270, inquired about new traffic installations on 70th St NE and 64th Dr NE

Approval of Minutes

1. September 22, 2025, City Council Meeting Minutes

[CC 09222025.docx](#)

Motion to approve the September 22, 2025, City Council Meeting Minutes moved by Councilmember Richards seconded by Council President Stevens

AYES: ALL

Consent

2. September 17, 2025, Claims in the Amount of \$2,062,701.49 paid by EFT Transaction Check Numbers 180114 through 180120 and Check Numbers 180121 through 180241 with Check Number 179927 Voided

[091725.rtf](#)

3. September 24, 2025, Claims in the Amount of \$1,707,921.40 paid by EFT Transaction Check Numbers 180242 through 180243 and Check Numbers 180244 through 108385 with Check Number 180216 Voided

[092425.rtf](#)

4. September 25, 2025, Payroll in the Amount of \$2,578,515.37 Paid by EFT Transaction Check Numbers 148353 through 148744 and Check Numbers 35874 through 35889
5. October 01, 2025, Misc Payroll in the Amount of \$0 Paid by Check Number 35890 with Check Number 35315 Voided.
6. October 1, 2025, Claims in the Amount of \$1,012,993.93 paid by EFT Transaction Check Numbers 180386 through 180389 and Check Numbers 180390 through 180520 with Check Numbers 179664, 179954, and 179975 Voided

[100125.rtf](#)

Motion to approve consent items 2-6 moved by Councilmember Condyles seconded by Councilmember James

AYES: ALL

Review Bids

Public Hearings

New Business

7. Local Agency Agreement Supplement No. 1 and Project Prospectus with WSDOT for the Citywide Pedestrian Safety Improvement project.

[Citywide Pedestrian Safety Improvements Supplement1.pdf](#)

[Original Contract for Reference.pdf](#)

Project Engineer Valorie Cross reviewed this item

Motion to authorize the Mayor to sign and execute the Local Agency Agreement Supplement No. 1 and Local Federal Aid Project Prospectus with WSDOT for the Citywide Pedestrian Safety Improvement Project moved by Councilmember Norton seconded by Councilmember Muller

AYES: ALL

8. FY 25-26 Simple Possession Advocacy and Representation (SPAR) Grant

[Marysville, City of - SPAR Funding Agreement - GRT26021_encrypted_.pdf](#)

City Administrator Jennifer Stapleton reviewed this item

Motion to authorize the Mayor to sign and execute the SPAR funding agreement with the Washington State Office of Public Defense moved by Councilmember King seconded by Councilmember Condyles

AYES: ALL

9. MOU with LINC NW for Motel Voucher Program

[LINKNW HotelMotel MOU.pdf](#)

City Administrator Jennifer Stapleton reviewed this item and Ryan Brown with LINC NW answered questions regarding this agreement

Motion to authorize the Mayor to sign and execute the MOU with LINC NW for the Motel Voucher Program moved by Councilmember Richards seconded by Councilmember James

AYES: ALL

10. Interlocal Agreement Between The Washington Traffic Safety Commission and The Marysville Police Department

[WALKER ROLLER PARTNER INTERAGENCY AGREEMENT FFY26.pdf](#)

Police Chief Erik Scairpon reviewed this item.

Motion to authorize the Mayor to sign and execute the agreement with the Washington Traffic Safety Commission moved by Councilmember Norton seconded by Councilmember Richards

AYES: ALL

11. Interlocal Agreement Between the Washington Traffic Safety Commission and the Marysville Police Department

[HVE IAA Agreement_2025.pdf](#)

Police Chief Erik Scairpon reviewed this item.

Motion to authorize the Mayor to sign and execute the Interlocal Agreement between the Washington Traffic Safety Commission and the Marysville Police Department moved by Councilmember Condyles seconded by Councilmember King

AYES: ALL

12. Data Sharing Agreement Between the Washington State Patrol and the Marysville Police Department

[TraCS _DSA_Marysville_PD_100625.pdf](#)

Police Chief Erik Scairpon reviewed this item.

Motion to authorize the Mayor to sign and execute the agreement with the Washington State Patrol moved by Councilmember Muller seconded by Councilmember Richards

AYES: ALL

Legal

Mayor's Business

13. Re-Appointment of Ryan Brown, Rachel Ralson, and Ivonne Sepulveda to the Hotel/Motel Tourism Grant Committee

Hotel-Motel Tourism Grant Reappointments.pdf

Mayor Jon Nehring reviewed this item.

Motion to reappoint Ryan Brown to the Hotel/Motel Tourism Grant Committee moved by Councilmember Norton seconded by Councilmember Condyles

AYES: ALL

Motion to reappoint Rachel Ralson to the Hotel/Motel Tourism Grant Committee moved by Councilmember Richards seconded by Councilmember King

AYES: ALL

Motion to reappoint Ivonne Sepulveda to the Hotel/Motel Tourism Grant Committee moved by Councilmember James seconded by Council President Stevens

AYES: ALL

14. Appointments of Daniel Lucier, John Ray, and Otto Young; and Re-Appointments of Mark James and Tom King to the CDBG Advisory Board

CDBG Appointments & Reappointments.pdf

Mayor Jon Nehring reviewed this item.

Councilmember Richards recused himself from the discussion related to Daniel Lucier.

Motion to appoint Daniel Lucier to the CDBG Advisory Board moved by Councilmember Condyles seconded by Councilmember Muller

AYES: ALL

Councilmember Richards returned to the meeting.

Motion to appoint John Ray to the CDBG Advisory Board moved by Councilmember King seconded by Councilmember James

AYES: ALL

Motion to appoint Otto Young to the CDBG Advisory Board moved by Council President Stevens seconded by Councilmember Richards

AYES: ALL

Motion to re-appoint Mark James to the CDBG Advisory Board moved by Councilmember Condyles seconded by Councilmember King

AYES: ALL

Motion to re-appoint Tom King to the CDBG Advisory Board moved by Council President Stevens seconded by Councilmember Muller

AYES: ALL

Staff Business

- Councilmember Muller inquired about PUD rollout of interrupters.

Call on Councilmembers and Committee Reports

Councilmember Condyles:

- Food bank is currently collecting toys and coats for the toy store this year; encouraged public to donate what they can

Councilmember James:

- Family visited from Nebraska, took Light rail, went to Space Needle and said it's worth going to after the changes

Councilmember King:

- Congratulations to Custody Officer Simpson
- Expressed thanks to First Responders to include Police, Fire, and Public Works
- Thanked City for help and collaboration on Strawberry Festival building that broke ground

Council President Stevens:

- Nothing to report

Councilmember Richards:

- Hopeful for peace in middle east and that it will last
- Go Mariners, 6 games to go, let's win the whole thing
- Congratulations to Custody Officer Simpson
- Thanked first responders, believes they deserve more than one day of recognition

Councilmember Muller:

- Thanks to first responders globally; City of Marysville first responders set the bar high
- Go Mariners, can we change the water tower lights to Mariners colors?

Councilmember Norton:

- Thanks for first responders in our community, glad public works is included as well

Adjournment/Recess

Motion to adjourn at 7:56 p.m. moved by Councilmember Muller seconded by Councilmember Condyles

AYES: ALL

Approved this _____ day of _____, 2025



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Shauna Crane, Finance

ITEM TYPE: Claims

AGENDA SECTION: **Consent**

SUBJECT: October 8, 2025, Claims in the Amount of \$1,607,088.23 Paid by EFT Transaction Check Numbers 180521 through 180523 and Check Numbers 180524 through 180651 with Check Number 180224 Voided

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:

[100825.rtf](#)

DATE: 10/8/2025
TIME: 1:06:16PM

CITY OF MARYSVILLE
INVOICE LIST

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
	PCARD ONE TIME PAY	NW COMMAND COLLEGE	POLICE TRAINING-FIREARMS	-5,200.00
	PCARD ONE TIME PAY	LODGING REFUND	POLICE PATROL	-817.91
	PCARD ONE TIME PAY	TRAVEL REFUND	POLICE PATROL	-602.97
	PCARD ONE TIME PAY	LIGHTS FOR MERRYSVILLE	GENERAL FUND	-590.70
	PCARD ONE TIME PAY	TRAINING REGISTRATION REFUND	POLICE TRAINING-FIREARMS	-375.00
	PCARD ONE TIME PAY	TRAINING REFUND	POLICE TRAINING-FIREARMS	-350.00
	PCARD ONE TIME PAY	EMBEDDER RETURN	IS REPLACEMENT ACCOUNTS	-272.41
	PCARD ONE TIME PAY	CREDIT	POLICE PATROL	-210.80
	PCARD ONE TIME PAY	FRAUD ALERT	GENERAL FUND	-191.51
	PCARD ONE TIME PAY	FRAUD CHARGE CREDIT	BLDING MAINT	-187.58
	PCARD ONE TIME PAY	HOTEL REFUND	UTIL ADMIN	-180.73
	PCARD ONE TIME PAY	REFUND FOR HOTEL	UTIL ADMIN	-180.73
	PCARD ONE TIME PAY	CATCH BASIN SUPPLIES- REFUND	STORM DRAINAGE	-33.71
	PCARD ONE TIME PAY	TRAINING	GENERAL FUND	-9.31
	PCARD ONE TIME PAY	CATCH BASIN FOR EVENT	STORM DRAINAGE	1.60
	PCARD ONE TIME PAY	AWS	COMPUTER SERVICES	1.64
	PCARD ONE TIME PAY	CUSTODIAL SUPPLIES	CUSTODIAL SERVICES	3.04
	PCARD ONE TIME PAY	STARLINK INTERNET	COMPUTER SERVICES	3.20
	PCARD ONE TIME PAY	TOLL	POLICE PATROL	3.50
	PCARD ONE TIME PAY	TOLLS	POLICE PATROL	3.75
	PCARD ONE TIME PAY		POLICE PATROL	4.95
	PCARD ONE TIME PAY	WEIGHT ON CONTAINERS	SOLID WASTE OPERATIONS	5.00
	PCARD ONE TIME PAY	TOLLS	POLICE PATROL	6.00
	PCARD ONE TIME PAY	CABLE SUPPLIES	POLICE INVESTIGATION	6.22
	PCARD ONE TIME PAY	WEB CAM COVER	UTIL ADMIN	6.55
	PCARD ONE TIME PAY	CUSTODIAL SUPPLIES	CUSTODIAL SERVICES	6.56
	PCARD ONE TIME PAY	CERT BACKPACK	EXECUTIVE ADMIN	7.64
	PCARD ONE TIME PAY	EBEY REPAIR PROJECT	PARK & RECREATION FAC	7.65
	PCARD ONE TIME PAY	JAIL SUPPLIES	DETENTION & CORRECTION	7.98
	PCARD ONE TIME PAY	OFFICE SUPPLIES	COMPUTER SERVICES	8.30
	PCARD ONE TIME PAY	CATCH BASIN SUPPLIES	STORM DRAINAGE	8.86
	PCARD ONE TIME PAY	OFFICE SUPPLIES	PERSONNEL ADMINISTRATION	9.34
	PCARD ONE TIME PAY	SUPPLIES	POLICE ADMINISTRATION	9.84
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	EXECUTIVE ADMIN	10.02
	PCARD ONE TIME PAY		LEGAL - PROSECUTION	10.02
	PCARD ONE TIME PAY		UTILITY BILLING	10.02
	PCARD ONE TIME PAY	PICKLEBALL TOURNAMENT SUPPLIES	RECREATION SERVICES	10.12
	PCARD ONE TIME PAY	WORKBENCH EQUIPMENT	WATER CROSS CNTL	10.36
	PCARD ONE TIME PAY	SENIOR COFFEE SUPPLIES	RECREATION SERVICES	11.07
	PCARD ONE TIME PAY	FUEL	K9 PROGRAM	12.01
	PCARD ONE TIME PAY	7 11 MISC	POLICE PATROL	12.04
	PCARD ONE TIME PAY	DRY ERASE MARKERS	UTIL ADMIN	12.56
	PCARD ONE TIME PAY	MUSIC	RECREATION SERVICES	13.12
	PCARD ONE TIME PAY	POST ITS	POLICE INVESTIGATION	13.16
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	13.68
	PCARD ONE TIME PAY	PAINT	DETENTION & CORRECTION	13.88
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	14.19
	PCARD ONE TIME PAY	ADVERTISING	COMMUNITY	14.47
	PCARD ONE TIME PAY	NAMEPLATE-OFFICE SUPPLIES	UTIL ADMIN	14.54
	PCARD ONE TIME PAY	WEIGHT ON CONTAINERS	SOLID WASTE OPERATIONS	15.00
	PCARD ONE TIME PAY	WEIGHT ON CONTAINERS	SOLID WASTE OPERATIONS	15.00
	PCARD ONE TIME PAY	OFFICE SUPPLIES	LEGAL - PROSECUTION	15.24

**CITY OF MARYSVILLE
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	PCARD ONE TIME PAY	OFFICE SUPPLIES	LEGAL-GENL	15.25
	PCARD ONE TIME PAY	BATHROOM REPAIR	PARK & RECREATION FAC	15.31
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	EXECUTIVE ADMIN	15.90
	PCARD ONE TIME PAY		LEGAL - PROSECUTION	15.90
	PCARD ONE TIME PAY		UTILITY BILLING	15.90
	PCARD ONE TIME PAY	CAR WASHES	POLICE PATROL	16.00
	PCARD ONE TIME PAY	CATCH SUPPLIES	STORM DRAINAGE	16.07
	PCARD ONE TIME PAY	SUPPLIES	POLICE PATROL	16.40
	PCARD ONE TIME PAY	FOOD	K9 PROGRAM	17.36
	PCARD ONE TIME PAY	WORK BENCH EQUIPMENT	WATER CROSS CNTL	18.52
	PCARD ONE TIME PAY	SHOP SUPPLIES	FACILITY MAINTENANCE	19.16
	PCARD ONE TIME PAY	SEATTLE TIMES DIGITAL SUBSCRIPTION	EXECUTIVE ADMIN	19.96
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	FINANCE-GENL	20.03
	PCARD ONE TIME PAY		PERSONNEL ADMINISTRATION	20.03
	PCARD ONE TIME PAY	BOOK STORES	MUNICIPAL COURTS	20.36
	PCARD ONE TIME PAY	TABLECLOTH CLIPS	PERSONNEL ADMINISTRATION	20.76
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	EXECUTIVE ADMIN	20.93
	PCARD ONE TIME PAY		LEGAL - PROSECUTION	20.93
	PCARD ONE TIME PAY		UTILITY BILLING	20.93
	PCARD ONE TIME PAY	TOLLS	POLICE PATROL	21.00
	PCARD ONE TIME PAY	PURCHASE ON PCARD	BLDING MAINT	21.04
	PCARD ONE TIME PAY	CERT SNACKS	EXECUTIVE ADMIN	21.05
	PCARD ONE TIME PAY	TOUCH-A-TRUCK SUPPLIES	PARK & RECREATION FAC	21.08
	PCARD ONE TIME PAY	OFFICE SUPPLIES	UTILITY BILLING	21.31
	PCARD ONE TIME PAY	COURTYARD BY MARRIOTT	COMPUTER SERVICES	21.82
	PCARD ONE TIME PAY	ADOBE SUBSCRIPTION	POLICE INVESTIGATION	21.87
	PCARD ONE TIME PAY	SUPPLIES	DETENTION & CORRECTION	21.87
	PCARD ONE TIME PAY	OFFICE SUPPLIES	COMMUNITY	22.19
	PCARD ONE TIME PAY	BATHROOM REMODEL SUPPLIES	PARK & RECREATION FAC	22.41
	PCARD ONE TIME PAY	FIRST AID KIT FOR OFFICE STAFF	ENGR-GENL	22.65
	PCARD ONE TIME PAY	COMMUNITY CENTER BATHROOM REPAIR	PARK & RECREATION FAC	22.88
	PCARD ONE TIME PAY	CATCH BASIN SUPPLIES FOR EVENT	STORM DRAINAGE	23.84
	PCARD ONE TIME PAY	OFFICE SUPPLIES FOR WQ	SOURCE OF SUPPLY	24.05
	PCARD ONE TIME PAY	WIRE THEFT LIGHTING REPAIR	STREET LIGHTING	24.46
	PCARD ONE TIME PAY	MODEL CATCH BASIN MATERIALS	STORM DRAINAGE	25.15
	PCARD ONE TIME PAY	AMAZON SUPPLIES	POLICE PATROL	25.32
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	25.45
	PCARD ONE TIME PAY	BOOK STORES	MUNICIPAL COURTS	25.49
	PCARD ONE TIME PAY	TRAINING REGISTRATION	POLICE TRAINING-FIREARMS	25.50
	PCARD ONE TIME PAY		POLICE TRAINING-FIREARMS	25.50
	PCARD ONE TIME PAY		POLICE TRAINING-FIREARMS	25.50
	PCARD ONE TIME PAY	BLOCK AND BLEED SEPARATION	WATER FILTRATION PLANT	26.87
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	26.91
	PCARD ONE TIME PAY		K9 PROGRAM	26.95
	PCARD ONE TIME PAY	CARE TEAM	EMBEDDED SOCIAL WORKER	27.15
	PCARD ONE TIME PAY	OUTSIDE LIGHTS- OPERA HOUSE	PARK & RECREATION FAC	27.33
	PCARD ONE TIME PAY	OPENING SUPPLIES	PARK & RECREATION FAC	27.83
	PCARD ONE TIME PAY	CAKE- JEFF COBB RETIREMENT PARTY	UTIL ADMIN	27.99
	PCARD ONE TIME PAY	FABRIC SCISSORS	UTIL ADMIN	28.41
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	FINANCE-GENL	28.79
	PCARD ONE TIME PAY		PERSONNEL ADMINISTRATION	28.79
	PCARD ONE TIME PAY	MARKETING/META	HOTEL/MOTEL PARKS	29.38

**CITY OF MARYSVILLE
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	PCARD ONE TIME PAY	OFFICE & OPERATING	POLICE TRAINING-FIREARMS	29.47
	PCARD ONE TIME PAY	SUPPLIES	DETENTION & CORRECTION	29.49
	PCARD ONE TIME PAY	TARP LATCH	STORM DRAINAGE	29.52
	PCARD ONE TIME PAY	POSTAGE ESW	EMBEDDED SOCIAL WORKER	29.95
	PCARD ONE TIME PAY	AMAZON SUPPLIES	DETENTION & CORRECTION	30.61
	PCARD ONE TIME PAY	PLAYGROUND SUPPLIES	PARK & RECREATION FAC	32.33
	PCARD ONE TIME PAY	TRAVEL LODGING	COMMUNITY SERVICES UNIT	32.64
	PCARD ONE TIME PAY	RESPIRATOR	STREET LIGHTING	32.81
	PCARD ONE TIME PAY	CATCH BASIN SUPPLIES	STORM DRAINAGE	33.71
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	33.93
	PCARD ONE TIME PAY	ERROR WRONG CARD	POLICE ADMINISTRATION	34.31
	PCARD ONE TIME PAY	MEMORIAL SIGN SUPPLIES	PARK & RECREATION FAC	34.50
	PCARD ONE TIME PAY	BANNER TOTES	ROADSIDE VEGETATION	34.82
	PCARD ONE TIME PAY	GMTCC BBH REGISTRATION	CITY COUNCIL	35.00
	PCARD ONE TIME PAY	GMTCC BBH REGISTRATION	RECREATION SERVICES	35.00
	PCARD ONE TIME PAY	ENVELOPES	OFFICE OPERATIONS	35.20
	PCARD ONE TIME PAY	BOOK STORES	MUNICIPAL COURTS	35.27
	PCARD ONE TIME PAY	EBEY PROJECT	PARK & RECREATION FAC	36.09
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	ENGR-GENL	36.53
	PCARD ONE TIME PAY		UTIL ADMIN	36.60
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	POLICE TRAINING-FIREARMS	36.91
	PCARD ONE TIME PAY	TOLLS	POLICE PATROL	37.00
	PCARD ONE TIME PAY	DEBRIS DUMP KIWANIS	PARK & RECREATION FAC	37.05
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	37.17
	PCARD ONE TIME PAY	OFFICE SUPPLIES	TRANSPORTATION	37.19
	PCARD ONE TIME PAY	TOLLS	POLICE PATROL	37.25
	PCARD ONE TIME PAY	OFFICE SUPPLIES	UTILITY BILLING	37.93
	PCARD ONE TIME PAY	SUPPLIES FOR CCS	WATER CROSS CNTL	37.97
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	COMPUTER SERVICES	38.01
	PCARD ONE TIME PAY	CUSTODIAL SUPPLIES	CUSTODIAL SERVICES	38.24
	PCARD ONE TIME PAY	PARTS FOR RC MOWER WINCH	STORM DRAINAGE	38.28
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	FINANCE-GENL	38.30
	PCARD ONE TIME PAY		POLICE ADMINISTRATION	38.30
	PCARD ONE TIME PAY		PERSONNEL ADMINISTRATION	38.30
	PCARD ONE TIME PAY	EBEY REPAIR PROJECT	PARK & RECREATION FAC	38.59
	PCARD ONE TIME PAY	CANOPY REPLACEMENT PARTS	EXECUTIVE ADMIN	39.70
	PCARD ONE TIME PAY	CHECKERED PAPER FOR TABLECLOTHS	PERSONNEL ADMINISTRATION	39.92
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	COMPUTER SERVICES	40.00
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	POLICE ADMINISTRATION	40.06
	PCARD ONE TIME PAY		POLICE INVESTIGATION	40.06
	PCARD ONE TIME PAY		POLICE PATROL	40.06
	PCARD ONE TIME PAY		DETENTION & CORRECTION	40.06
	PCARD ONE TIME PAY		OFFICE OPERATIONS	40.06
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	40.16
	PCARD ONE TIME PAY	PHONE CASE AND PHONE CHARGER	WATER DIST MAINS	40.46
	PCARD ONE TIME PAY	TOLLS	POLICE PATROL	41.25
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	EXECUTIVE ADMIN	41.83
	PCARD ONE TIME PAY		LEGAL - PROSECUTION	41.83
	PCARD ONE TIME PAY		UTILITY BILLING	41.83
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	42.93
	PCARD ONE TIME PAY	WEEDEATER STRING	STORM DRAINAGE	42.93
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	42.96

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	PCARD ONE TIME PAY	MEALS	K9 PROGRAM	43.63
	PCARD ONE TIME PAY	PHONE CASE	WATER DIST MAINS	43.65
	PCARD ONE TIME PAY	CABLES	POLICE PATROL	45.00
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	ENGR-GENL	45.06
	PCARD ONE TIME PAY		UTIL ADMIN	45.06
	PCARD ONE TIME PAY	ADVERTISING	COMMUNITY	45.42
	PCARD ONE TIME PAY	CHAINS FOR CHAINSAW	SOURCE OF SUPPLY	46.98
	PCARD ONE TIME PAY	PUMP REPAIR PARTS	PUMPING PLANT	47.53
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	POLICE INVESTIGATION	48.30
	PCARD ONE TIME PAY		POLICE PATROL	48.30
	PCARD ONE TIME PAY		DETENTION & CORRECTION	48.30
	PCARD ONE TIME PAY		OFFICE OPERATIONS	48.30
	PCARD ONE TIME PAY	MARKETING/ZOLA	HOTEL/MOTEL PARKS	49.10
	PCARD ONE TIME PAY	UNIFORMS & CLOTHING	POLICE TRAINING-FIREARMS	49.16
	PCARD ONE TIME PAY	EVENT REGISTRATION	EXECUTIVE ADMIN	50.00
	PCARD ONE TIME PAY	ORCA CARD	EMBEDDED SOCIAL WORKER	50.00
	PCARD ONE TIME PAY		EMBEDDED SOCIAL WORKER	50.00
	PCARD ONE TIME PAY		EMBEDDED SOCIAL WORKER	50.00
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	52.26
	PCARD ONE TIME PAY	BOOKS	POLICE ADMINISTRATION	52.54
	PCARD ONE TIME PAY	CAR RENTAL	K9 PROGRAM	53.60
	PCARD ONE TIME PAY	RECORDS	OFFICE OPERATIONS	53.96
	PCARD ONE TIME PAY	PICTURE FRAMES	PERSONNEL ADMINISTRATION	54.56
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	POLICE ADMINISTRATION	54.58
	PCARD ONE TIME PAY		POLICE INVESTIGATION	54.58
	PCARD ONE TIME PAY		POLICE PATROL	54.58
	PCARD ONE TIME PAY		DETENTION & CORRECTION	54.58
	PCARD ONE TIME PAY		OFFICE OPERATIONS	54.58
	PCARD ONE TIME PAY	STRAWBERRY GOAL SUPPLIES	PARK & RECREATION FAC	54.66
	PCARD ONE TIME PAY	SWEATPANTS	POLICE INVESTIGATION	54.69
	PCARD ONE TIME PAY	WORKING LUNCH - TEAMSTERS SESSION	EXECUTIVE ADMIN	55.18
	PCARD ONE TIME PAY	MODEL CATCH BASIN	STORM DRAINAGE	58.07
	PCARD ONE TIME PAY	KEY REPLACEMENTS	PARK & RECREATION FAC	58.88
	PCARD ONE TIME PAY	OFFICE SUPPLIES	PERSONNEL ADMINISTRATION	58.92
	PCARD ONE TIME PAY	AMAZON UNIFORMS	POLICE PATROL	59.50
	PCARD ONE TIME PAY	MISC	COMPUTER SERVICES	60.03
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	MUNICIPAL COURTS	60.09
	PCARD ONE TIME PAY	CUSTODIAL SUPPLIES FOR PARKS	CUSTODIAL SERVICES	62.20
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	62.78
	PCARD ONE TIME PAY	SITE SECURITY CABLES	SUNNYSIDE FILTRATION	63.47
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	64.43
	PCARD ONE TIME PAY	ENTRY WAY MAT	CUSTODIAL SERVICES	65.06
	PCARD ONE TIME PAY	UNIFORM- KEEFE	UTIL ADMIN	65.63
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	65.80
	PCARD ONE TIME PAY	UNIFORMS	POLICE PATROL	65.98
	PCARD ONE TIME PAY		POLICE PATROL	65.98
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	PERSONNEL ADMINISTRATION	65.98
	PCARD ONE TIME PAY		FINANCE-GENL	65.99
	PCARD ONE TIME PAY	ADVERTISING	COMMUNITY	67.19
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	67.41
	PCARD ONE TIME PAY	SUPPLIES	EMBEDDED SOCIAL WORKER	68.42
	PCARD ONE TIME PAY	REPLACEMENT BATTERY	WATER RESERVOIRS	69.77

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	PCARD ONE TIME PAY	REPLACEMENT BATTERY	SEWER LIFT STATION	69.77
	PCARD ONE TIME PAY	GMTCC BBH REGISTRATIONS	EXECUTIVE ADMIN	70.00
	PCARD ONE TIME PAY	IMSA CERT RENEWAL	TRANSPORTATION	70.00
	PCARD ONE TIME PAY	SAFETY STORAGE SUPPLIES	PARK & RECREATION FAC	70.81
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	71.05
	PCARD ONE TIME PAY	MEAL FOR PERFORMER	OPERA HOUSE	71.18
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	71.78
	PCARD ONE TIME PAY	AMAZON UNIFORMS	POLICE PATROL	73.01
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	74.00
	PCARD ONE TIME PAY	K9 TOYS	K9 PROGRAM	75.53
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	ENGR-GENL	76.06
	PCARD ONE TIME PAY		UTIL ADMIN	76.06
	PCARD ONE TIME PAY	OFFICE SUPPLIES	SOLID WASTE OPERATIONS	76.55
	PCARD ONE TIME PAY	WEED EATER HARNESS	STORM DRAINAGE	76.91
	PCARD ONE TIME PAY	EVIDENCE BUILDING EQUIPMENT	OFFICE OPERATIONS	77.69
	PCARD ONE TIME PAY	AMAZON WHITEBOARD	POLICE ADMINISTRATION	79.85
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	MUNICIPAL COURTS	80.36
	PCARD ONE TIME PAY	PICTURE FRAMES	EXECUTIVE ADMIN	80.89
	PCARD ONE TIME PAY	AUTOMATED FUEL DISPENSERS	K9 PROGRAM	81.87
	PCARD ONE TIME PAY	TOLLS	POLICE PATROL	82.75
	PCARD ONE TIME PAY	SUPPLIES, FILM	POLICE ADMINISTRATION	83.13
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	COMMUNITY	83.40
	PCARD ONE TIME PAY	MODEL CATCH BASIN	STORM DRAINAGE	84.21
	PCARD ONE TIME PAY	UPS	POLICE PATROL	84.21
	PCARD ONE TIME PAY	BINDERS FOR GRANT	EXECUTIVE ADMIN	84.56
	PCARD ONE TIME PAY	OFFICE SUPPLIES	TRANSPORTATION	85.19
	PCARD ONE TIME PAY	SOURCE OF SUPPLY	SOURCE OF SUPPLY	85.30
	PCARD ONE TIME PAY	EVIDENCE SUPPLIES	POLICE PATROL	85.82
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	POLICE ADMINISTRATION	85.99
	PCARD ONE TIME PAY		POLICE INVESTIGATION	85.99
	PCARD ONE TIME PAY		POLICE PATROL	85.99
	PCARD ONE TIME PAY		DETENTION & CORRECTION	85.99
	PCARD ONE TIME PAY		OFFICE OPERATIONS	85.99
	PCARD ONE TIME PAY	DONUTS FOR TOUCH A TRUCK	RECREATION SERVICES	89.94
	PCARD ONE TIME PAY	REGISTRATION	POLICE ADMINISTRATION	90.00
	PCARD ONE TIME PAY	UPS	POLICE PATROL	93.12
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	ENGR-GENL	94.55
	PCARD ONE TIME PAY		UTIL ADMIN	94.55
	PCARD ONE TIME PAY	WIRE THEFT STREET LIGHTING REPAIR	STREET LIGHTING	95.28
	PCARD ONE TIME PAY	ADVERTISING	COMMUNITY	95.56
	PCARD ONE TIME PAY	UPS	POLICE PATROL	96.47
	PCARD ONE TIME PAY	DEERING PROJECT	PARK & RECREATION FAC	96.84
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	97.30
	PCARD ONE TIME PAY	ZOOM	COMMUNITY	98.46
	PCARD ONE TIME PAY	WORKING LUNCH - TEAMSTERS SESSION	EXECUTIVE ADMIN	98.71
	PCARD ONE TIME PAY	HANGING BASKET DEBRIS	PARK & RECREATION FAC	98.80
	PCARD ONE TIME PAY	AWWA STANDARD	HYDRANTS	99.00
	PCARD ONE TIME PAY	DUES	POLICE ADMINISTRATION	100.00
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	COMMUNITY	100.06
	PCARD ONE TIME PAY	BUS TICKET ESW	EMBEDDED SOCIAL WORKER	100.99
	PCARD ONE TIME PAY		EMBEDDED SOCIAL WORKER	100.99
	PCARD ONE TIME PAY	ALASKA AIRLINES	POLICE ADMINISTRATION	101.98

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
	PCARD ONE TIME PAY	ALASKA AIRLINES	POLICE ADMINISTRATION	101.98
	PCARD ONE TIME PAY		POLICE ADMINISTRATION	101.98
	PCARD ONE TIME PAY	GMTCC BBH REGISTRATIONS	CITY COUNCIL	105.00
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	105.56
	PCARD ONE TIME PAY	K9 GROOMING	POLICE ADMINISTRATION	105.60
	PCARD ONE TIME PAY	K9 SUPPLIES	K9 PROGRAM	106.02
	PCARD ONE TIME PAY	SAFETY EQUIPMENT	PARK & RECREATION FAC	106.59
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	MUNICIPAL COURTS	107.77
	PCARD ONE TIME PAY	WORKBENCH EQUIPMENT	WATER CROSS CNTL	108.18
	PCARD ONE TIME PAY	TABATHA FERRARO PANTS	SOLID WASTE OPERATIONS	108.31
	PCARD ONE TIME PAY	TRAINING	COMMUNITY	108.31
	PCARD ONE TIME PAY	CARE TEAM	EMBEDDED SOCIAL WORKER	109.35
	PCARD ONE TIME PAY	WORKING LUNCH - BARGAINING	EXECUTIVE ADMIN	109.36
	PCARD ONE TIME PAY	YOGA PANTS	POLICE INVESTIGATION	109.38
	PCARD ONE TIME PAY	SENIOR LUNCH SUPPLIES	RECREATION SERVICES	112.54
	PCARD ONE TIME PAY	SPRAY	SOLID WASTE OPERATIONS	113.21
	PCARD ONE TIME PAY	AERIFICATION SUPPLIES	PARK & RECREATION FAC	118.03
	PCARD ONE TIME PAY	ELEC TOOL	SEWER PRETREATMENT	118.15
	PCARD ONE TIME PAY	SCREENHOUSE REPAIR SUPPLIES	SOURCE OF SUPPLY	119.74
	PCARD ONE TIME PAY	EDUCATION OUTREACH DISPLAY	STORM DRAINAGE	120.31
	PCARD ONE TIME PAY	FILE FOLDERS	POLICE PATROL	121.20
	PCARD ONE TIME PAY	HOSES FOR TRASH PUMP	SEWER MAIN COLLECTION	121.51
	PCARD ONE TIME PAY		STORM DRAINAGE	121.51
	PCARD ONE TIME PAY	PARTS	SEWER MAIN COLLECTION	123.34
	PCARD ONE TIME PAY	JOB POSTING	PERSONNEL ADMINISTRATION	125.00
	PCARD ONE TIME PAY	EBEY PROJECT DEBRIS	PARK & RECREATION FAC	126.00
	PCARD ONE TIME PAY	PICKLEBALL TOURNAMENT SUPPLIES	RECREATION SERVICES	126.53
	PCARD ONE TIME PAY	GARBAGE BAG LINERS	ROADSIDE VEGETATION	127.82
	PCARD ONE TIME PAY	SNOCO SPORTS	EXECUTIVE ADMIN	129.68
	PCARD ONE TIME PAY	HYPO INJECTION LINE REPAIR	WATER FILTRATION PLANT	130.85
	PCARD ONE TIME PAY	LODGING	K9 PROGRAM	131.53
	PCARD ONE TIME PAY		K9 PROGRAM	131.53
	PCARD ONE TIME PAY	COMMUNICATIONS - JACKET	EXECUTIVE ADMIN	133.91
	PCARD ONE TIME PAY	LODGING	K9 PROGRAM	135.40
	PCARD ONE TIME PAY	EBEY REPAIR PROJECT	PARK & RECREATION FAC	138.94
	PCARD ONE TIME PAY	K9 MEMBERSHIP	K9 PROGRAM	140.00
	PCARD ONE TIME PAY		K9 PROGRAM	140.00
	PCARD ONE TIME PAY	TOUCH-A-TRUCK SUPPLIES	UTIL ADMIN	141.08
	PCARD ONE TIME PAY	GREASE FOR BOOSTER PUMPS	PUMPING PLANT	146.65
	PCARD ONE TIME PAY	UPS	POLICE PATROL	148.96
	PCARD ONE TIME PAY	AWC MAYORS REGISTRATION	EXECUTIVE ADMIN	150.00
	PCARD ONE TIME PAY	GFOA MUNICIPAL BOND EDUCATION	FINANCE-GENL	150.00
	PCARD ONE TIME PAY	GFOA REGISTRATION	FINANCE-GENL	150.00
	PCARD ONE TIME PAY	SNOW AND ICE TRAINING- WETZEL	TRAINING	150.00
	PCARD ONE TIME PAY	TRAINING-BRENT POTTER	UTIL ADMIN	150.00
	PCARD ONE TIME PAY	PIZZA- RETIREMENT PARTY	UTIL ADMIN	152.17
	PCARD ONE TIME PAY	LODGING	K9 PROGRAM	154.74
	PCARD ONE TIME PAY	SUPPLIES - HALLOWEEN/WAYFAIR	RECREATION SERVICES	155.32
	PCARD ONE TIME PAY	CLEANING SUPPLIES	SPECIAL EVENTS & PROJECTS	157.40
	PCARD ONE TIME PAY	OPERATING SUPPLIES	WATER DIST MAINS	157.49
	PCARD ONE TIME PAY	WHOLESALE OFFICE SUP	MUNICIPAL COURTS	158.52
	PCARD ONE TIME PAY	MRSC PUBLIC RECORDS ACT	LEGAL-GENL	160.00

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/08/25 TO 10/08/25

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	162.00
	PCARD ONE TIME PAY	EBEY REPAIR PROJECT	PARK & RECREATION FAC	162.02
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	MUNICIPAL COURTS	162.66
	PCARD ONE TIME PAY	UNIFORMS & CLOTHING	POLICE TRAINING-FIREARMS	164.15
	PCARD ONE TIME PAY	RENTAL FOR AERIFICATION	PARK & RECREATION FAC	165.95
	PCARD ONE TIME PAY	SUPPLIES	POLICE PATROL	168.72
	PCARD ONE TIME PAY	OFFICE & SUPPLIES	POLICE PATROL	171.00
	PCARD ONE TIME PAY	SUPPLIES	OPERA HOUSE	171.19
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	172.80
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	COMMUNITY	173.06
	PCARD ONE TIME PAY	SUPPLIES FOR VOLUNTEER	RECREATION SERVICES	173.17
	PCARD ONE TIME PAY	TRAINING REGISTRATION	POLICE TRAINING-FIREARMS	175.00
	PCARD ONE TIME PAY	CONDIMENTS AND SUPPLIES	PERSONNEL ADMINISTRATION	178.59
	PCARD ONE TIME PAY	AMAZON CABLES	POLICE PATROL	180.00
	PCARD ONE TIME PAY	SHRED-IT DOCUMENT SERVICES	COMMUNITY	180.69
	PCARD ONE TIME PAY	EBEY PROJECT	PARK & RECREATION FAC	186.28
	PCARD ONE TIME PAY	FRAUD CHARGE	BLDING MAINT	187.58
	PCARD ONE TIME PAY	AERIFICATION SUPPLIES	PARK & RECREATION FAC	189.03
	PCARD ONE TIME PAY	K9 SUPPLIES	K9 PROGRAM	191.45
	PCARD ONE TIME PAY	FED EX FRAUD REVERSAL	GENERAL FUND	191.51
	PCARD ONE TIME PAY	VACUUM BATTERY	CUSTODIAL SERVICES	193.03
	PCARD ONE TIME PAY	WORKING DINNER	PLANNING & COMMUNITY DEV	193.41
	PCARD ONE TIME PAY	GAS CARDS	EMBEDDED SOCIAL WORKER	200.00
	PCARD ONE TIME PAY	ROADSIDE VEGETATION	SPECIAL EVENTS & PROJECTS	203.75
	PCARD ONE TIME PAY	MARKETING/META	HOTEL/MOTEL PARKS	213.00
	PCARD ONE TIME PAY	OFFICE & OPERATING	POLICE TRAINING-FIREARMS	214.31
	PCARD ONE TIME PAY	DEERING BRIDGE PROJECT	PARK & RECREATION FAC	215.23
	PCARD ONE TIME PAY	GREASE FOR BOOSTER PUMPS	PUMPING PLANT	215.23
	PCARD ONE TIME PAY	AERIFICATION SUPPLIES	PARK & RECREATION FAC	216.24
	PCARD ONE TIME PAY	IDENTIFIX	SMALL ENGINE SHOP	217.71
	PCARD ONE TIME PAY	TOTES FOR BANNERS	ROADSIDE VEGETATION	218.09
	PCARD ONE TIME PAY	SUPPLIES	POLICE PATROL	218.79
	PCARD ONE TIME PAY	WAPRO CONFERENCE TRAINING	CITY CLERK	220.00
	PCARD ONE TIME PAY	REPLACEMENT FILTERS	POLICE INVESTIGATION	223.16
	PCARD ONE TIME PAY	TRAINING- THOMAS	UTIL ADMIN	225.00
	PCARD ONE TIME PAY	CARE TEAM	EMBEDDED SOCIAL WORKER	225.20
	PCARD ONE TIME PAY	CONCRETE BIT	STORM DRAINAGE	225.64
	PCARD ONE TIME PAY	SUPPLIES	POLICE PATROL	231.50
	PCARD ONE TIME PAY	OFFICE & OPERATING	POLICE PATROL	236.28
	PCARD ONE TIME PAY	EBEY REPAIR PROJECT	PARK & RECREATION FAC	240.07
	PCARD ONE TIME PAY	BALLS FOR PICKLEBALL TOURNAMENT	RECREATION SERVICES	241.33
	PCARD ONE TIME PAY	REPLACEMENT BOOTS - CHAPARRO	UTIL ADMIN	242.51
	PCARD ONE TIME PAY	WSASC CONFERENCE LODGING	RECREATION SERVICES	243.32
	PCARD ONE TIME PAY	CARE TEAM	EMBEDDED SOCIAL WORKER	244.35
	PCARD ONE TIME PAY	ADVERTISING	POLICE ADMINISTRATION	250.00
	PCARD ONE TIME PAY	JOB POSTING AT FINANCE OFFICERS	PERSONNEL ADMINISTRATION	250.00
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	250.70
	PCARD ONE TIME PAY	TRAVEL LODGING	PRO ACT TEAM	254.06
	PCARD ONE TIME PAY		PRO ACT TEAM	254.06
	PCARD ONE TIME PAY		PRO ACT TEAM	254.06
	PCARD ONE TIME PAY	SUPPLIES	POLICE PATROL	255.68
	PCARD ONE TIME PAY		POLICE PATROL	256.85

**CITY OF MARYSVILLE
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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
	PCARD ONE TIME PAY	EMBEDDER REPLACEMENT	IS REPLACEMENT ACCOUNTS	259.99
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	260.68
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	262.56
	PCARD ONE TIME PAY	SUPPLIES	POLICE INVESTIGATION	273.49
	PCARD ONE TIME PAY	DUO MOBILE	COMPUTER SERVICES	275.00
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	278.99
	PCARD ONE TIME PAY	PARKING LOTS AND GARAGES	POLICE ADMINISTRATION	282.00
	PCARD ONE TIME PAY	TRAVEL PARKING	POLICE PATROL	282.00
	PCARD ONE TIME PAY		POLICE ADMINISTRATION	282.00
	PCARD ONE TIME PAY	UNIFORMS & EQUIPMENT	POLICE PATROL	286.61
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	292.03
	PCARD ONE TIME PAY	WINDOW BLINDS REPLACEMENT	PARK & RECREATION FAC	295.25
	PCARD ONE TIME PAY	BATTERIES	POLICE PATROL	295.91
	PCARD ONE TIME PAY	ADVERTISING	POLICE ADMINISTRATION	299.00
	PCARD ONE TIME PAY	PHONE CASES	COMPUTER SERVICES	299.00
	PCARD ONE TIME PAY	STORM WATER DRAINAGE REPAIR	SOURCE OF SUPPLY	299.48
	PCARD ONE TIME PAY	PARTS	SEWER MAIN COLLECTION	299.99
	PCARD ONE TIME PAY	TRAINING- PALITZ	UTIL ADMIN	300.00
	PCARD ONE TIME PAY	K9 SUPPLIES	K9 PROGRAM	305.48
	PCARD ONE TIME PAY	COLLECTOR REPAIR/ INSTALL SUPPLIES	SOURCE OF SUPPLY	310.60
	PCARD ONE TIME PAY	TRAINING REGISTRATION	POLICE TRAINING-FIREARMS	313.25
	PCARD ONE TIME PAY	ORCA CARDS	EMBEDDED SOCIAL WORKER	318.00
	PCARD ONE TIME PAY	TRAINING REGISTRATION	POLICE TRAINING-FIREARMS	319.00
	PCARD ONE TIME PAY		POLICE TRAINING-FIREARMS	319.00
	PCARD ONE TIME PAY	UNIFORMS	POLICE PATROL	333.18
	PCARD ONE TIME PAY	SCHOOLS/EDUCATIONAL SCHL	PROBATION	350.00
	PCARD ONE TIME PAY	TRAINING	POLICE TRAINING-FIREARMS	350.00
	PCARD ONE TIME PAY	HOSES FOR TRASH PUMP	SEWER MAIN COLLECTION	350.57
	PCARD ONE TIME PAY		STORM DRAINAGE	350.58
	PCARD ONE TIME PAY	DEERING PROJECT	PARK & RECREATION FAC	362.77
	PCARD ONE TIME PAY	MEMBERSHIP ORGANIZATIONS	LEGAL-GENL	364.00
	PCARD ONE TIME PAY	TRAVEL	POLICE PATROL	371.60
	PCARD ONE TIME PAY	PRV SUPPLIES	WATER DIST MAINS	381.75
	PCARD ONE TIME PAY	EBEY PROJECT	PARK & RECREATION FAC	382.85
	PCARD ONE TIME PAY	COMMS VAN	TRIBAL GAMING-GENL	385.68
	PCARD ONE TIME PAY	OFFICE & OPERATING	POLICE PATROL	386.88
	PCARD ONE TIME PAY	ALASKA AIRLINES	POLICE ADMINISTRATION	398.59
	PCARD ONE TIME PAY		POLICE ADMINISTRATION	398.59
	PCARD ONE TIME PAY		POLICE ADMINISTRATION	398.59
	PCARD ONE TIME PAY	RECRUITMENT/ADVERTISING	POLICE ADMINISTRATION	400.00
	PCARD ONE TIME PAY	TRAVEL LODGING	POLICE PATROL	404.40
	PCARD ONE TIME PAY		COMMUNITY SERVICES UNIT	406.94
	PCARD ONE TIME PAY		POLICE PATROL	408.24
	PCARD ONE TIME PAY		POLICE PATROL	408.24
	PCARD ONE TIME PAY	WHOLESALE OFFICE SUP	MUNICIPAL COURTS	427.01
	PCARD ONE TIME PAY	UNIFORMS	POLICE PATROL	433.66
	PCARD ONE TIME PAY	PHONE CASES FOR WQ	SOURCE OF SUPPLY	436.50
	PCARD ONE TIME PAY	TRAINING REGISTRATIONS	POLICE TRAINING-FIREARMS	440.00
	PCARD ONE TIME PAY	TRAVEL LODGING	POLICE PATROL	451.98
	PCARD ONE TIME PAY	HOLSTERS	POLICE PATROL	452.90
	PCARD ONE TIME PAY	BACKFLOW REPAIRS	PARK & RECREATION FAC	454.01
	PCARD ONE TIME PAY	TURF REPAIR STRAWBERRY	PARK & RECREATION FAC	469.98

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
	PCARD ONE TIME PAY	KEYCHAINS	EXECUTIVE ADMIN	470.42
	PCARD ONE TIME PAY	RECRUITMENT/ADVERTISING	POLICE ADMINISTRATION	480.00
	PCARD ONE TIME PAY	SURGE TANK PARTS	WATER FILTRATION PLANT	492.41
	PCARD ONE TIME PAY	HAMMER AND DRILL BITS	STORM DRAINAGE	498.55
	PCARD ONE TIME PAY	CUSTODIAL SUPPLIES	CUSTODIAL SERVICES	502.76
	PCARD ONE TIME PAY	WHOLESALE OFFICE SUP	MUNICIPAL COURTS	503.77
	PCARD ONE TIME PAY	ADVERTISING	POLICE ADMINISTRATION	512.00
	PCARD ONE TIME PAY	TRAVEL	POLICE INVESTIGATION	522.31
	PCARD ONE TIME PAY	WELDING SERVICE	STORM DRAINAGE	535.24
	PCARD ONE TIME PAY	IPAD MOUNTS	SOLID WASTE OPERATIONS	568.84
	PCARD ONE TIME PAY	TRAVEL	POLICE PATROL	596.61
	PCARD ONE TIME PAY	SITE SECURITY CAMERAS	SUNNYSIDE FILTRATION	603.00
	PCARD ONE TIME PAY	TRAVEL LODGING	POLICE INVESTIGATION	604.53
	PCARD ONE TIME PAY	BARCODE LABEL PRINTER	EQUIPMENT RENTAL	625.69
	PCARD ONE TIME PAY	K9 PROJECT SUPPLIES	K9 PROGRAM	629.84
	PCARD ONE TIME PAY	GREASE GUN	PUMPING PLANT	631.76
	PCARD ONE TIME PAY	TRAINING REGISTRATION	POLICE TRAINING-FIREARMS	650.00
	PCARD ONE TIME PAY	TRAVEL LODGING	K9 PROGRAM	650.80
	PCARD ONE TIME PAY		K9 PROGRAM	650.80
	PCARD ONE TIME PAY		K9 PROGRAM	650.80
	PCARD ONE TIME PAY	HYDRAULIC HOSE REPAIR	STORM DRAINAGE	667.66
	PCARD ONE TIME PAY	MISC	COMPUTER SERVICES	672.64
	PCARD ONE TIME PAY	CARE TEAM	EMBEDDED SOCIAL WORKER	687.95
	PCARD ONE TIME PAY	SUPPLIES GOODWIN PROJECT	SOURCE OF SUPPLY	690.43
	PCARD ONE TIME PAY	EQUIPMENT	POLICE PATROL	702.00
	PCARD ONE TIME PAY	ASSET TAG	POLICE PATROL	726.92
	PCARD ONE TIME PAY	CERT VESTS	EXECUTIVE ADMIN	773.46
	PCARD ONE TIME PAY	TRAINING TRAVEL LODGING	POLICE PATROL	817.91
	PCARD ONE TIME PAY	SITE SECURITY CAMERAS	SUNNYSIDE FILTRATION	850.82
	PCARD ONE TIME PAY	FALL CERT KITS	EXECUTIVE ADMIN	863.82
	PCARD ONE TIME PAY	FLOW METER	WATER FILTRATION PLANT	936.46
	PCARD ONE TIME PAY	SUPPLIES FOR CITY BBQ	PERSONNEL ADMINISTRATION	959.92
	PCARD ONE TIME PAY	PROFESSIONAL SERVICES	K9 PROGRAM	986.65
	PCARD ONE TIME PAY	IMSA TRAINING - BLAIR AND ROBERT	TRAINING	1,000.00
	PCARD ONE TIME PAY	PARTS FOR SEWER DROP REPAIR	SEWER MAIN COLLECTION	1,068.12
	PCARD ONE TIME PAY	CAR RENTAL	K9 PROGRAM	1,074.55
	PCARD ONE TIME PAY	REPLACEMENT AIR VAC	SOURCE OF SUPPLY	1,150.19
	PCARD ONE TIME PAY	DEF FOR TRUCKS	SOLID WASTE OPERATIONS	1,181.52
	PCARD ONE TIME PAY	BLEACH CONCENTRATION HANDHELD	SUNNYSIDE FILTRATION	1,427.35
	PCARD ONE TIME PAY	DRAINING/FLUSHING EQUIPMENT	WATER DIST MAINS	1,475.88
	PCARD ONE TIME PAY	TOUCH-A-TRUCK SUPPLIES	UTIL ADMIN	1,617.84
	PCARD ONE TIME PAY	OFFICE & OPERATING	POLICE PATROL	1,681.81
	PCARD ONE TIME PAY	EBEY PROJECT SUPPLIES	PARK & RECREATION FAC	1,752.59
	PCARD ONE TIME PAY	WQ SUPPLIES	WATER DIST MAINS	1,878.75
	PCARD ONE TIME PAY	FORD TRUCK DECK	POLICE PATROL	1,996.55
	PCARD ONE TIME PAY	TRIPGEN OFFICE BUNDLE-LICENSES	TRANSPORTATION	2,075.00
	PCARD ONE TIME PAY	WIRE THEFT LIGHTING REPAIR	STREET LIGHTING	2,130.36
	PCARD ONE TIME PAY	K9 STICKERS	K9 PROGRAM	2,252.95
	PCARD ONE TIME PAY	AERIFICATION SUPPLIES	PARK & RECREATION FAC	2,438.15
	PCARD ONE TIME PAY	CAMERA EQUIPMENT	OFFICE OPERATIONS	2,635.69
	PCARD ONE TIME PAY	K9 KENNEL	K9 PROGRAM	2,959.52
	PCARD ONE TIME PAY	HOTEL EXECUTIVE RETREAT	POLICE PATROL	2,961.25

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
	PCARD ONE TIME PAY	K9 PAYMENT	K9 PROGRAM	4,494.98
	PCARD ONE TIME PAY	POLICE MDC LTE FIRSTNET	POLICE PATROL	4,690.78
	PCARD ONE TIME PAY	K9 PURCHASE	K9 PROGRAM	5,207.80
	PCARD ONE TIME PAY		TRIBAL GAMING-GENL	5,820.00
	PCARD ONE TIME PAY	LIGHTS FOR MERRYSVILLE	HOTEL/MOTEL PARKS	6,874.70
	PCARD ONE TIME PAY	JAIL ELECTRONICS	DETENTION & CORRECTION	8,250.00
	PCARD ONE TIME PAY	TRASH CAN- STEEL DRUM	SOLID WASTE OPERATIONS	8,688.76
	PCARD ONE TIME PAY	TRAFFIC WRAP	NON-DEPARTMENTAL	28,215.91
180521	ACH US BANK	MARWAT14	ENTERPRISE D/S	165,675.00
180522	ACH PUBLIC FINANCE	LID 71 ADMIN 4TH QTR 2025	INTEREST & OTHER DEBT	948.00
180523	ACH BOYD, RAE	CONTRACT NURSE	DETENTION & CORRECTION	5,707.50
	ACH BOYD, RAE		DETENTION & CORRECTION	45,150.00
180524	AC ELECTRIC SERVICE	REFUND - CREDIT CARD FEE	NON-BUS LICENSES AND	3.88
180525	ALDRICH, KASSIDY	REIMBURSEMENT - MILEAGE	EXECUTIVE ADMIN	49.07
180526	ALEXANDER PRINTING	PRINT SERVICE	POLICE PATROL	62.65
180527	APPLIED CONCEPTS INC	CALIBRATIONS	POLICE PATROL	594.86
180528	ARAMSCO	THERMOPLASTIC TORCH DOWNS	TRAFFIC CONTROL DEVICES	2,300.03
180529	ARANYA HOME SOLUTION	REFUND - OVERPAYMENT	COMMUNITY DEVELOPMENT	287.50
180530	ARLINGTON, CITY OF	ACCT #700033.31	WATER FILTRATION PLANT	39.90
180531	ASTOUND BUSINESS	LEASE/MAINTENANCE/INTERNET	WATER QUAL TREATMENT	111.30
	ASTOUND BUSINESS		CENTRAL SERVICES	513.71
	ASTOUND BUSINESS		COMPUTER SERVICES	2,308.53
180532	AV CAPTURE ALL, INC.	SOFTWARE RENEWAL	COMPUTER SERVICES	5,907.60
180533	BENDER, JULIA	REFUND - UKULELE	PARKS-RECREATION	128.00
180534	BETHLEHEM LUTHERAN C	BEAUTIFICATION GRANT	PROTECTIVE INSPECTIONS	4,337.64
180535	BHC CONSULTANTS	PROFESSIONAL SERVICE	WASTE WATER TREATMENT	9,965.00
180536	BICKFORD FORD	TAILLIGHT ASSEMBLY - V052	EQUIPMENT RENTAL	323.05
180537	BOOT BARN	UNIFORM - GESSNER	UTIL ADMIN	130.13
180538	BURGESS, JIM & SHELL	UB REFUND	WATER/SEWER OPERATION	511.80
180539	CAMP FIRE USA	INSTRUCTOR PAYMENT	RECREATION SERVICES	1,512.00
180540	CARMAN, KELLEY	REIMBURSEMENT - MILEAGE	OFFICE OPERATIONS	415.67
180541	CARSON-BLAKESLEY,VET	LINE DANCING	OPERA HOUSE	300.00
	CARSON-BLAKESLEY,VET	INSTRUCTOR PAYMENT	RECREATION SERVICES	720.00
180542	CNR INC	MAINTENANCE CONTRACT	COMPUTER SERVICES	1,365.78
180543	COMCAST	ACCT #8498310021752089	COMPUTER SERVICES	598.67
180544	COMMERCIAL ALARM	ANNUAL ALARM SYSTEM TEST	GOLF ADMINISTRATION	170.00
180545	CORE & MAIN LP	SENSORS	WASTE WATER TREATMENT	7,305.47
180546	CORRECTIONS, DEPT OF	DOC WORK	ROADSIDE VEGETATION	309.07
	CORRECTIONS, DEPT OF		PARK & RECREATION FAC	470.73
180547	COUNTRY SUPPLIER	CREDIT FOR INV 6721/44	EQUIPMENT RENTAL	-870.39
	COUNTRY SUPPLIER	CREDIT FOR INV 002507/51	FACILITY MAINTENANCE	-118.14
	COUNTRY SUPPLIER	CREDIT FOR 2458/51	DEVELOPMENT SERVICES	-95.98
	COUNTRY SUPPLIER	UNIFORM - SMITH	DEVELOPMENT SERVICES	115.20
	COUNTRY SUPPLIER	WATER PUMP - M011	EQUIPMENT RENTAL	870.39
	COUNTRY SUPPLIER		EQUIPMENT RENTAL	870.39
180548	CRAWFORD, SHANON	INSTRUCTOR PAYMENT	RECREATION SERVICES	1,558.50
180549	CRYSTAL SPRINGS	WATER SERVICE	POLICE ADMINISTRATION	100.00
	CRYSTAL SPRINGS		OFFICE OPERATIONS	100.00
	CRYSTAL SPRINGS		POLICE INVESTIGATION	169.99
	CRYSTAL SPRINGS		POLICE PATROL	200.00
	CRYSTAL SPRINGS		DETENTION & CORRECTION	200.00
180550	DATA QUEST LLC	PRE-EMPLOYMENT	POLICE ADMINISTRATION	100.00

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180551	DICKS TOWING	TOWING 25-48569	POLICE PATROL	77.54
	DICKS TOWING	TOWING 25-51054	POLICE PATROL	77.54
	DICKS TOWING	TOWING DESTRUCTION INVOICE	POLICE PATROL	1,246.26
	DICKS TOWING		POLICE PATROL	1,288.93
180552	DIFFERENTIAL NETWORK	MILESTONE LICENSING RENEWAL	COMPUTER SERVICES	5,983.23
	DIFFERENTIAL NETWORK	BASE BID B	FACILITY MAINTENANCE	6,670.12
180553	E&E LUMBER	PLASTIC SPRAY BOTTLE	PARK & RECREATION FAC	3.74
	E&E LUMBER	HORNET KILLER	PARK & RECREATION FAC	12.01
	E&E LUMBER	FASTENERS	ROADWAY MAINTENANCE	14.71
	E&E LUMBER	PAINT, BRUSHES	PARK & RECREATION FAC	16.66
	E&E LUMBER	RUST STOP, CONTAINER, BRUSH	PARK & RECREATION FAC	17.68
	E&E LUMBER	TUBE	PARK & RECREATION FAC	18.75
	E&E LUMBER	PAINT TRAY, SUPER DOO-Z COVER	ROADSIDE VEGETATION	26.63
	E&E LUMBER	REBAR, METAL CUT OFF	TRAFFIC CONTROL DEVICES	27.62
	E&E LUMBER	ROPE, LINE, GREASE	WASTE WATER TREATMENT	43.62
	E&E LUMBER	CLAMPS	WASTE WATER TREATMENT	63.30
	E&E LUMBER	CONNECTORS, SPLICE, BLADES	TRANSPORTATION	72.63
	E&E LUMBER	PAINT	CODE ENFORCEMENT UNIT	89.95
	E&E LUMBER	BROOM, CABLE TIES,	WASTE WATER TREATMENT	135.02
	E&E LUMBER	FENCE MATERIALS	MAINT OF GENL PLANT	190.53
	E&E LUMBER	STAIN/ECOLOGY FEE	ROADSIDE VEGETATION	299.97
180554	EAGLE FENCE	FENCING	GMA-PARKS	888.88
180555	ELVING ELECTRIC	REFUND - WITHDRAWN	COMMUNITY DEVELOPMENT	161.00
180556	EVERETT TIRE & AUTO	TIRES - J055	EQUIPMENT RENTAL	331.70
180557	EVERETT, CITY OF	ANIMAL CARE AT THE SHELTER	POLICE COMMUNITY	120.00
	EVERETT, CITY OF		POLICE COMMUNITY	825.00
	EVERETT, CITY OF	LAB ANALYSIS	WASTE WATER TREATMENT	1,024.20
	EVERETT, CITY OF	ANIMAL CARE AT THE SHELTER	POLICE COMMUNITY	7,535.00
180558	FAMILY PET MEDICAL	VET CARE	K9 PROGRAM	2,070.78
180559	FAST WATER HEATER CO	REFUND - WRONG PERMIT TYPE	NON-BUS LICENSES AND	135.00
180560	FAY, CHRISSY	REFUND - OPERA HOUSE RENTAL	GENERAL FUND	250.00
180561	FCS, A BOWMAN COMPANY	PROFESSIONAL SERVICE	NON-DEPARTMENTAL	4,395.00
180562	FRANZEN, JEFF	WASPC ACCREDITATION	POLICE TRAINING-FIREARMS	261.00
180563	FULL SPECTRUM DESIGN	REFUND - CREDIT CARD FEE	COMMUNITY DEVELOPMENT	3.19
180564	GALLS, LLC	UNIFORMS	POLICE INVESTIGATION	9.39
	GALLS, LLC	OC SPRAY	POLICE TRAINING-FIREARMS	37.41
	GALLS, LLC	UNIFORMS	POLICE COMMUNITY	63.01
	GALLS, LLC		POLICE PATROL	71.63
	GALLS, LLC		POLICE PATROL	95.97
	GALLS, LLC		POLICE COMMUNITY	96.50
	GALLS, LLC		DETENTION & CORRECTION	151.77
	GALLS, LLC		DETENTION & CORRECTION	153.43
	GALLS, LLC		POLICE PATROL	190.45
	GALLS, LLC		POLICE PATROL	207.19
	GALLS, LLC		POLICE PATROL	237.12
	GALLS, LLC		POLICE PATROL	536.23
	GALLS, LLC		POLICE PATROL	552.97
	GALLS, LLC		DETENTION & CORRECTION	609.73
	GALLS, LLC		POLICE PATROL	656.40
	GALLS, LLC		POLICE PATROL	666.25
	GALLS, LLC		POLICE PATROL	736.88
	GALLS, LLC		POLICE PATROL	1,418.62

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/08/25 TO 10/08/25

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180564	GALLS, LLC	UNIFORMS	POLICE ADMINISTRATION	2,004.71
180565	GOVCONNECTION INC	IPAD/CASES	SOLID WASTE OPERATIONS	857.89
180566	GRANITE CONST	ASPHALT PATCHES	ROADWAY MAINTENANCE	177.25
180567	GRIFFEN LAW OFFICE	PUBLIC DEFENSE/CONFLICT COUNCIL	PUBLIC DEFENSE	75.00
	GRIFFEN LAW OFFICE		PUBLIC DEFENSE	75.00
	GRIFFEN LAW OFFICE		PUBLIC DEFENSE	450.00
	GRIFFEN LAW OFFICE		PUBLIC DEFENSE	450.00
	GRIFFEN LAW OFFICE		PUBLIC DEFENSE	450.00
	GRIFFEN LAW OFFICE		PUBLIC DEFENSE	450.00
	GRIFFEN LAW OFFICE		PUBLIC DEFENSE	450.00
180568	GUARDIAN ROOFING	REFUND - OVERPAID FEE	COMMUNITY DEVELOPMENT	115.00
180569	HAMBURG, DAN	REIMBURSEMENT - LODGING	POLICE PATROL	365.65
180570	HDR ENGINEERING	PROFESSIONAL SERVICE	GMA - STREET	31,130.75
180571	HENDERSON, MARK	UB REFUND	WATER/SEWER OPERATION	94.34
180572	HERNANDEZ, RUBEN	INSTRUCTOR PAYMENT	RECREATION SERVICES	315.00
180573	HOLADAY, PARKER	REIMBURSEMENT	UTIL ADMIN	193.00
180574	INGRAHAM, GERRIE P	INSTRUCTOR PAYMENT	RECREATION SERVICES	126.00
180575	INGRID SCHNEIDER EST	UB REFUND	WATER/SEWER OPERATION	157.39
180576	INVITATION HOMES	REFUND - ADDRESS OUTSIDE LIMITS	NON-BUS LICENSES AND	135.00
180577	J & B TOOLS, LLC	FLASHLIGHTS	EQUIPMENT RENTAL	853.29
180578	JOHNSON, AMBER MARIE	UB REFUND	WATER/SEWER OPERATION	102.07
180579	JULZ ANIMAL HOUZ	NEW K9 FOOD	K9 PROGRAM	43.50
	JULZ ANIMAL HOUZ	TREATS - MOLLY	POLICE ADMINISTRATION	47.90
180580	KHAN, MALIK	UB REFUND	WATER/SEWER OPERATION	36.90
180581	LAWLESS, JIM	TRAINING INTERNATIONAL ASSOC.	POLICE ADMINISTRATION	506.00
180582	LAWSON PRODUCTS, INC	CREDIT FOR INV 9312757435	TRANSPORTATION	-20.84
	LAWSON PRODUCTS, INC	BOLTS	TRANSPORTATION	41.32
180583	LES SCHWAB TIRE CTR	TIRES	ER&R	2,476.01
180584	MARCOS HAZIEL VILLEG	REFUND - DUPLICATE CHARGE	COMMUNITY DEVELOPMENT	233.14
180585	MARYSVILLE, CITY OF	4708 79TH AVE NE	PARK & RECREATION FAC	124.13
	MARYSVILLE, CITY OF	4202 59 DR NE	PARK & RECREATION FAC	201.14
	MARYSVILLE, CITY OF	7115 GROVE ST	GOLF ADMINISTRATION	326.45
	MARYSVILLE, CITY OF	3907 82ND AVE NE	PARK & RECREATION FAC	886.23
	MARYSVILLE, CITY OF	7007 GROVE ST	GOLF ADMINISTRATION	1,524.91
	MARYSVILLE, CITY OF	6810 84TH ST NE	GOLF ADMINISTRATION	21,473.17
180586	MILES SAND & GRAVEL	SAND	PARK & RECREATION FAC	996.35
	MILES SAND & GRAVEL	AERIFICATION SUPPLIES	PARK & RECREATION FAC	1,931.97
180587	MPAC	INSTRUCTOR PAYMENT	RECREATION SERVICES	842.40
180588	MSRCEDERHOMES29 LLC	UB REFUND	WATER/SEWER OPERATION	6.78
180589	NAPA AUTO PARTS	STEERING STABILIZER - J055	EQUIPMENT RENTAL	193.47
180590	NATIONAL BARRICADE	SIGNS	TRANSPORTATION	70.41
	NATIONAL BARRICADE		TRANSPORTATION	102.01
	NATIONAL BARRICADE	RIVET WITH NYLON WASHER	TRANSPORTATION	310.94
	NATIONAL BARRICADE	SIGNS	TRANSPORTATION	5,054.06
180591	NELSON-REISNER	ENGINE OIL, AFT FLUID	ER&R	1,825.76
180592	NGUYEN, TRAN	REFUND - ACRO FOUNDATION	PARKS-RECREATION	26.00
	NGUYEN, TRAN		PARKS-RECREATION	26.00
180593	NORTH CENTRAL	LAB SUPPLIES	WATER/SEWER OPERATION	-34.68
	NORTH CENTRAL		WASTE WATER TREATMENT	403.58
180594	NORTH SOUND MEDIA	MARKETING	HOTEL/MOTEL PARKS	300.00
180595	OLASON, MONICA	INSTRUCTOR PAYMENT	RECREATION SERVICES	1,287.60
180596	PACIFIC POWER BATTER	BATTERIES	WASTE WATER TREATMENT	23.41

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/08/25 TO 10/08/25

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180597	PACIFIC TOPSOIL	WOOD CHIP DUMP	ROADSIDE VEGETATION	49.40
180598	PACWEST MACHINERY	PROXIMITY SWITCH - H012	EQUIPMENT RENTAL	1,119.41
180599	PAPE MACHINERY	SENSORS - W028	EQUIPMENT RENTAL	534.58
180600	PEACE OF MIND	PROFESSIONAL SERVICE	COMMUNITY	152.00
	PEACE OF MIND	CITY COUNCIL MEETING/TRAVEL/EDITS	CITY CLERK	220.40
180601	PHELAN, PAUL	UB REFUND	WATER/SEWER OPERATION	169.54
180602	PLATT ELECTRIC	CABLE	WASTE WATER TREATMENT	287.69
	PLATT ELECTRIC	UV CORD CONNECTORS	WASTE WATER TREATMENT	1,016.34
180603	PLITMAN, VLADISLAV	INTERPRETER SERVICE	COURTS	28.14
180604	POTTERY NOOK, THE	INSTRUCTOR PAYMENT	RECREATION SERVICES	27.00
180605	PROFORCE LAW ENFORCE	SIG LE P365	POLICE TRAINING-FIREARMS	4,154.73
180606	PROKASH, DREW	REFUND - PULLED PERMIT	NON-BUS LICENSES AND	750.00
180607	PUD	ACCT #205283641	STREET LIGHTING	10.46
	PUD	ACCT #205026479	STREET LIGHTING	14.39
	PUD		STREET LIGHTING	22.53
	PUD	ACCT #204584361	STREET LIGHTING	22.66
	PUD		STREET LIGHTING	30.05
	PUD	ACCT #223919549	STREET LIGHTING	36.73
	PUD	ACCT #202177861	PUMPING PLANT	57.13
	PUD	ACCT #202220760	GOLF ADMINISTRATION	58.93
	PUD	ACCT #223286667	METER READING	62.98
	PUD	ACCT #224162602	PARK & RECREATION FAC	67.45
	PUD	ACCT #201380995	PUMPING PLANT	71.47
	PUD	ACCT #221303498	STREET LIGHTING	72.03
	PUD	ACCT #220153100	TRANSPORTATION	86.86
	PUD	ACCT #202183679	TRANSPORTATION	93.53
	PUD	ACCT #200800704	STREET LIGHTING	94.76
	PUD	ACCT #220339238	TRAFFIC CONTROL DEVICES	104.83
	PUD	ACCT #204879134	TRAFFIC CONTROL DEVICES	110.58
	PUD	ACCT #202576112	STREET LIGHTING	158.87
	PUD	ACCT #222592917	PARK & RECREATION FAC	221.64
	PUD	ACCT #203344585	STREET LIGHTING	252.66
	PUD	ACCT #202368197	PUMPING PLANT	309.34
	PUD	ACCT #200164598	SOURCE OF SUPPLY	391.81
	PUD	ACCT #201639630	GOLF ADMINISTRATION	565.09
	PUD	ACCT #201098969	PUMPING PLANT	2,182.93
	PUD	ACCT #202604203	STREET LIGHTING	2,228.37
	PUD	ACCT #202576112	STREET LIGHTING	3,018.69
	PUD	ACCT #202604203	STREET LIGHTING	3,342.56
	PUD	ACCT #201577921	PUMPING PLANT	8,043.95
	PUD	ACCT #202882098	STREET LIGHTING	13,340.48
	PUD		STREET LIGHTING	16,305.04
180608	REAPER CONSTRUCTION	SIDEWALK/LIGHTING PROJECT	GMA-STREET	-5,188.63
	REAPER CONSTRUCTION		GMA - STREET	103,772.60
180609	REECE TRUCKING	BRUSH DUMPING	ROADSIDE VEGETATION	32.40
180610	REECE TRUCKING	DUMP CONCRETE	SIDEWALK MAINTENANCE	76.96
180611	REECE TRUCKING	DUMP BRUSH	ROADSIDE VEGETATION	166.20
180612	SCCFOA	SCCFOA 2025 MEMBERSHIP FEE	FINANCE-GENL	30.00
180613	SHERWIN WILLIAMS	PAINT ROLLERS	TRAFFIC CONTROL DEVICES	88.80
180614	SNO CO AUDITOR	DNR AQUATIC EASEMENT RECORDING	WASTE WATER TREATMENT	332.50
180615	SNO CO PUBLIC WORKS	SOLID WASTE - AUG 2025 I000689692	ROADSIDE VEGETATION	303.00
	SNO CO PUBLIC WORKS		STORM DRAINAGE	8,501.00

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/08/25 TO 10/08/25

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180615	SNO CO PUBLIC WORKS	SOLID WASTE - AUG 2025	SOLID WASTE OPERATIONS	236,283.00
180616	SNO CO PUBLIC WORKS	K9 UNIT BUILD UP - P225	EQUIPMENT RENTAL	5,762.16
180617	SNO CO TREASURER	CRIME VICTIM/WITNESS FUNDS	CRIME VICTIM	1,004.60
180618	SOLID WASTE SYSTEMS	HYDRAULIC CYLINDER - J034	EQUIPMENT RENTAL	2,553.07
180619	SOUND PUBLISHING	ORDINANCE PUBLICATION	CITY CLERK	37.84
180620	SOUND SAFETY	UNIFORM - PAOLELLO	GENERAL	153.01
	SOUND SAFETY		GENERAL	168.31
	SOUND SAFETY		GENERAL	196.71
180621	SPRAGUE PEST SOLUTION	PEST CONTROL	PARK & RECREATION FAC	246.15
180622	STARK, JARRED	REIMBURSEMENT - EDUCATION	UTIL ADMIN	425.00
180623	SUPERIOR POWDER COAT	WAYFINDING SIGNPOSTS	TRANSPORTATION	655.80
180624	TACOMA SCREW PRODUCT	AIR FITTINGS, BOLTS, WASHERS	EQUIPMENT RENTAL	341.83
180625	TESSCO INC	MOUNTING BRACKETS	ER&R	126.19
	TESSCO INC	ANTENNAS, BRACKETS, CABLES	ER&R	1,148.27
180626	THOMSON REUTERS	ONLINE/SOFTWARE SUBSCRIPTION	LEGAL - PROSECUTION	858.89
	THOMSON REUTERS		LEGAL-GENL	858.90
	THOMSON REUTERS	EVIDENCE/COURT RULES HANDBOOKS	LEGAL - PROSECUTION	1,539.26
180627	THORESON, ASHLEY	REFUND - UKULELE	PARKS-RECREATION	128.00
180628	TULALIP CHAMBER	REFUND - OPERA HOUSE RENTAL	GENERAL FUND	500.00
180629	USA BLUEBOOK	PROTECTION SCREEN WEATHER COVER	WASTE WATER TREATMENT	1,113.25
180630	VAN DAM'S ABBEY	BATHROOM FLOORING	PARK & RECREATION FAC	1,292.59
	VAN DAM'S ABBEY		PARK & RECREATION FAC	2,113.09
	VAN DAM'S ABBEY		PARK & RECREATION FAC	2,113.09
	VAN DAM'S ABBEY		PARK & RECREATION FAC	7,917.59
180631	VECA ELECTRIC & TECH	REFUND - DUPLICATE PAYMENT	COMMUNITY DEVELOPMENT	236.21
180632	VEOLIA WATER TECH	UV MAINTENANCE	WASTE WATER TREATMENT	6,383.49
180633	VERIZON	AMR LINES	METER READING	462.37
	VERIZON	WIRELESS MODEMS	POLICE INVESTIGATION	957.74
180634	VERMEULEN, ADAM	CONTINUED EDUCATION	POLICE ADMINISTRATION	155.50
180635	VESTIS GROUP INC.	UNIFORM CLEANING, SHOP RENTALS	EQUIPMENT RENTAL	27.63
	VESTIS GROUP INC.		EQUIPMENT RENTAL	28.21
	VESTIS GROUP INC.		EQUIPMENT RENTAL	29.70
	VESTIS GROUP INC.		EQUIPMENT RENTAL	51.32
	VESTIS GROUP INC.		EQUIPMENT RENTAL	52.38
	VESTIS GROUP INC.		EQUIPMENT RENTAL	55.16
180636	VESTIS GROUP INC.	CUSTODIAL CLEANING/MCC RENTALS	CUSTODIAL SERVICES	45.01
	VESTIS GROUP INC.		CUSTODIAL SERVICES	45.01
	VESTIS GROUP INC.		CUSTODIAL SERVICES	45.01
	VESTIS GROUP INC.		CUSTODIAL SERVICES	64.78
	VESTIS GROUP INC.		CUSTODIAL SERVICES	180.00
	VESTIS GROUP INC.		CUSTODIAL SERVICES	180.00
	VESTIS GROUP INC.		CUSTODIAL SERVICES	180.00
	VESTIS GROUP INC.		CUSTODIAL SERVICES	259.13
180637	VESTIS GROUP INC.		OPERA HOUSE	241.30
	VESTIS GROUP INC.	LINEN SERVICE	OPERA HOUSE	241.30
180638	WA HOME SERVICES PLU	REFUND - PULLED PERMIT	NON-BUS LICENSES AND	236.50
180639	WA STATE TREASURER	PUBLIC SAFETY & BLDG REVENUE	INTERGOVERNMENTAL	708.50
	WA STATE TREASURER		GENERAL FUND	71,497.47
180640	WAHOYO	UB REFUND	WATER/SEWER OPERATION	399.94
180641	WASTE MANAGEMENT	RECYCLING SERVICE	RECYCLING OPERATION	537,711.14
180642	WEBER LLC	UB REFUND	WATER/SEWER OPERATION	497.79
180643	WEEKS, BRADLEY J	INSTRUCTOR PAYMENT	RECREATION SERVICES	90.00

DATE: 10/8/2025
TIME: 1:06:16PM

CITY OF MARYSVILLE
INVOICE LIST

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FOR INVOICES FROM 10/08/25 TO 10/08/25

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180644	WELCOME MAGAZINE	MARKETING	HOTEL/MOTEL PARKS	960.00
180645	WENZEL, JENNIFER	REFUND - UKULELE	PARKS-RECREATION	128.00
180646	WHITE CAP	FIBER EXPANSION BOARD	GMA-PARKS	57.82
	WHITE CAP		SIDEWALK MAINTENANCE	71.68
180647	WIERSMA, ALEX	PERDIEM-TRAINING	POLICE INVESTIGATION	301.00
180648	WIGGINS, JAKE	PERDIEM092025	POLICE INVESTIGATION	200.00
180649	WOODS, SHERALYN	REFUND - UKULELE	PARKS-RECREATION	128.00
180650	WRIGHT, ROSE	UB REFUND	WATER/SEWER OPERATION	10.28
180651	YURKAS, CALEB	UB REFUND	WATER/SEWER OPERATION	645.89

WARRANT TOTAL: 1,607,704.02

SKAGIT SHOOTING SPORTS, INC.	INITIATOR ERROR	180224	615.79
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REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

UNCLAIMED PROPERTY

WARRANT TOTAL: \$1,607,088.23



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Shannon Early, Finance

ITEM TYPE: Payroll

AGENDA SECTION: **Consent**

SUBJECT: October 10, 2025 Payroll in the Amount of 2,089,442.88 paid by EFT Transaction Check Numbers 148745 through 149135 and Check Numbers 35891 through 35903

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Shannon Early, Finance

ITEM TYPE: Payroll

AGENDA SECTION: **Consent**

SUBJECT: October 10, 2025, Misc Payroll in the Amount of \$3,492.25 paid by EFT Transaction Check Numbers 149136 through 149137 and Check Numbers 35904 through 35905

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Shauna Crane, Finance

ITEM TYPE: Claims

AGENDA SECTION: **Consent**

SUBJECT: October 15, 2025, Claims in the Amount of \$2,485,921.91 paid by EFT Transaction Check Numbers 180652 through 180656 and Check Numbers 180657 through 180815 with Check Number 179616 Voided

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:

[101525.rtf](#)

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/15/2025 TO 10/15/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180652	ACH COMMONSTREET	PROFESSIONAL SERVICE	GMA - STREET	27.39
180653	ACH REVENUE, DEPT OF	EXCISE TAXES SEPT 2025	RECREATION SERVICES	1.08
	ACH REVENUE, DEPT OF		CITY CLERK	8.12
	ACH REVENUE, DEPT OF		POLICE ADMINISTRATION	39.15
	ACH REVENUE, DEPT OF		GOLF ADMINISTRATION	1,280.04
	ACH REVENUE, DEPT OF		GENERAL FUND	2,034.99
	ACH REVENUE, DEPT OF		DRUG ENFORCEMENT	2,079.47
	ACH REVENUE, DEPT OF		INFORMATION SERVICES	2,278.11
	ACH REVENUE, DEPT OF		STORM DRAINAGE	7,926.11
	ACH REVENUE, DEPT OF		GOLF COURSE	25,472.25
	ACH REVENUE, DEPT OF		UTIL ADMIN	31,767.79
	ACH REVENUE, DEPT OF		SOLID WASTE OPERATIONS	42,678.06
	ACH REVENUE, DEPT OF		UTIL ADMIN	73,895.77
180654	ACH PREMIERA BLUE CROSS	CLAIMS PAID 9/21 TO 9/27/25	MEDICAL CLAIMS	46,901.90
180655	ACH PREMIERA BLUE CROSS	CLAIMS PAID 09/28 TO 9/30/25	MEDICAL CLAIMS	22,779.67
	ACH PREMIERA BLUE CROSS	CLAIMS PAID 10/1 TO 10/4/25	MEDICAL CLAIMS	57,044.18
180656	ACH REVENUE, DEPT OF	UNCLAIMED PROPERTY	GARBAGE-SERVICES	3.65
	ACH REVENUE, DEPT OF		COMMUNITY DEVELOPMENT	5.36
	ACH REVENUE, DEPT OF		RECREATION SERVICES	15.00
	ACH REVENUE, DEPT OF		MUNICIPAL COURTS	21.07
	ACH REVENUE, DEPT OF		W/S-OTHER MISC REV	54.05
	ACH REVENUE, DEPT OF		NON-DEPARTMENTAL	60.46
	ACH REVENUE, DEPT OF		PARKS-RECREATION	125.00
	ACH REVENUE, DEPT OF		GENL FUND BUS LIC &	130.00
	ACH REVENUE, DEPT OF		NON-BUS LICENSES AND	150.00
	ACH REVENUE, DEPT OF		COMMUNITY DEVELOPMENT	200.00
	ACH REVENUE, DEPT OF		GENERAL FUND	250.00
	ACH REVENUE, DEPT OF		PARKS-RECREATION	423.00
	ACH REVENUE, DEPT OF		WATER/SEWER OPERATION	2,177.49
180657	3M	SIGN FILM	TRANSPORTATION	869.83
180658	911 SUPPLY INC.	UNIFORM	POLICE PATROL	82.96
	911 SUPPLY INC.		POLICE PATROL	358.22
180659	A-1 MOBILE LOCK & KE	KEY BLANKS	PARK & RECREATION FAC	82.43
180660	ADAMS, NATHAN	BASIC HOMICIDE TRAINING	POLICE INVESTIGATION	249.00
180661	ALEXANDER PRINTING	BUSINESS CARDS	COMMUNITY	103.98
	ALEXANDER PRINTING	PRINT SERVICE	POLICE PATROL	173.13
	ALEXANDER PRINTING	POSTCARDS RECYCLE ERROR	UTILITY BILLING	1,715.33
180662	ALL BATTERY SALES &	WINDSHIELD WASHER FLUID	SOLID WASTE OPERATIONS	70.50
180663	AMIT CHOWDHARY	REFUND - BUSINESS LICENSE	GENL FUND BUS LIC &	65.00
180664	APOLLO CONCRETE	COVERS	GMA-PARKS	711.10
180665	BELLEME, JOSEPH	TRAINING - BASIC HOMICIDE	POLICE INVESTIGATION	249.00
180666	BHC CONSULTANTS	PROFESSIONAL SERVICE	SEWER CAPITAL PROJECTS	5,440.00
180667	BICKFORD FORD	CAM POSITION SENSOR - P186	EQUIPMENT RENTAL	70.52
	BICKFORD FORD	SPARK PLUGS, GASKET, IGNITION COILS	EQUIPMENT RENTAL	426.30
	BICKFORD FORD	TIRE PRESSURE SENSORS	EQUIPMENT RENTAL	442.76
	BICKFORD FORD	TPMS SENSORS	ER&R	442.76
	BICKFORD FORD	SPARK PLUGS, GASKET, IGNITION COILS	EQUIPMENT RENTAL	447.96
	BICKFORD FORD	DIAGNOSIS/REPAIR WIPER SYSTEM	EQUIPMENT RENTAL	524.54
	BICKFORD FORD	ENGINE PARTS - P186	EQUIPMENT RENTAL	1,668.91
180668	BIEBER, AUTUMN	REFUND - KINDERMUSIK	PARKS-RECREATION	139.00
180669	BILLING DOCUMENT SPE	PAYMENT PROCESSING	UTILITY BILLING	468.63
	BILLING DOCUMENT SPE	BILL PRINTING	UTILITY BILLING	3,643.74

CITY OF MARYSVILLE
INVOICE LIST

FOR INVOICES FROM 10/15/2025 TO 10/15/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180670	BIO CLEAN, INC	CELL DECON	POLICE PATROL	547.00
180671	BJS TOOLS LLC	PUNCH/CHISEL HOLDER	TRANSPORTATION	306.00
180672	BROOKS, DIANE E	INSTRUCTOR PAYMENT	RECREATION SERVICES	1,080.00
180673	CAMPBELL, SANDY	REFUND - OPERA HOUSE RENTAL	GENERAL FUND	250.00
180674	CASCADE NATURAL GAS	NATURAL GAS	WATER FILTRATION PLANT	51.83
180675	CENTRAL WELDING SUPP	SHOVELS	ER&R	207.09
	CENTRAL WELDING SUPP	HEADLAMPS	ER&R	258.18
	CENTRAL WELDING SUPP	GLOVES, SHIELDS, TAPE, EAR PLUGS	ER&R	315.95
	CENTRAL WELDING SUPP	HOODIES	ER&R	940.84
	CENTRAL WELDING SUPP	FLASHLIGHTS	ER&R	1,919.97
180676	CERTERRA NORTHWEST	PROFESSIONAL SERVICE	GMA-PARKS	1,070.50
180677	CHAMPION BOLT	RUBBER GROMMETS, PAINT MARKERS	TRANSPORTATION	115.50
180678	CJW MOBILITY	REFUND - BUSINESS LICENSE	GENL FUND BUS LIC &	65.00
180679	COOP SUPPLY	RAILROAD TIES	HYDRANTS	56.87
	COOP SUPPLY	BACKPACK SPRAYER	ROADWAY MAINTENANCE	130.19
	COOP SUPPLY	HERBICIDE	ROADSIDE VEGETATION	375.22
180680	COPIERS NORTHWEST	RECORDS PRINTER	OFFICE OPERATIONS	183.18
180681	COUNTRY SUPPLIER	REPLACEMENT GRINDER	WATER DIST MAINS	196.91
180682	CRIMINAL JUSTICE	TRAINING	POLICE TRAINING-FIREARMS	800.00
180683	CUEVAS CASTRO, MOLLY	REFUND - BARN RENTAL	PARKS-RECREATION	140.00
180684	DAY WIRELESS SYSTEMS	CALIBRATIONS	POLICE PATROL	142.22
180685	DICKEY, NATE	APWA TRAINING	STORM DRAINAGE	126.00
180686	DICKS TOWING	TOWING 25-52210	POLICE PATROL	77.54
	DICKS TOWING	TOWING 25-52688	POLICE PATROL	77.54
	DICKS TOWING	TOWING 25-54535	POLICE PATROL	77.54
	DICKS TOWING		POLICE PATROL	77.54
	DICKS TOWING	TOWING 64571D	POLICE PATROL	77.54
	DICKS TOWING	TOWING BSJ3066	POLICE PATROL	77.54
	DICKS TOWING	TOWING CTW2847	POLICE PATROL	77.54
	DICKS TOWING	TOWING 25-51364	POLICE PATROL	77.90
	DICKS TOWING	TOWING - P203	EQUIPMENT RENTAL	103.38
	DICKS TOWING	TOWING 25-53997	POLICE PATROL	103.38
	DICKS TOWING		POLICE PATROL	103.38
	DICKS TOWING		POLICE PATROL	103.38
	DICKS TOWING	TOWING 25-57740	POLICE PATROL	103.38
180687	DISPLAY COMPANY	ORNAMENT ARCH	HOTEL/MOTEL PARKS	9,439.04
180688	DOBBS PETERBILT	VALVE, FILTERS	ER&R	293.33
180689	DRIVE PAYMENTS, LLC	PAYMENT PROCESSING	UTILITY BILLING	1,052.65
180690	E&E LUMBER	BOLT FOR J035	EQUIPMENT RENTAL	7.60
	E&E LUMBER	PIPE SEALANT	ER&R	12.62
	E&E LUMBER	TOILET PAPER ROLLERS	PARK & RECREATION FAC	13.45
	E&E LUMBER	COUPLING, BUSHING, PVC	SOURCE OF SUPPLY	27.58
	E&E LUMBER	CLEAR POLY FILM, PVC GLOVE	SIDEWALK MAINTENANCE	82.52
	E&E LUMBER	EXTENSION CORD	ER&R	268.01
	E&E LUMBER	TREATED LUMBER	FACILITY MAINTENANCE	695.97
180691	EAGLE FENCE	FENCE	PARK & RECREATION FAC	1,641.00
180692	ENTERPRISE RENTAL	VEHICLE RENTAL	POLICE PATROL	334.97
180693	EUROFINS ENVIRONMENT	LAB ANALYSIS	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

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180693	EUROFINS ENVIRONMENT	LAB ANALYSIS	WATER QUAL TREATMENT	25.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	25.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	50.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	50.00
	EUROFINS ENVIRONMENT		WATER QUAL TREATMENT	440.00
180694	EVERETT STEEL INC.	STEEL PARTS - 218	EQUIPMENT RENTAL	231.13
180695	EVERETT TIRE & AUTO	EAGLE ENFORCER	ER&R	1,373.96
	EVERETT TIRE & AUTO	TIRES	ER&R	2,122.08
180696	EWING IRRIGATION	HERBICIDE	WATER RESERVOIRS	630.72
	EWING IRRIGATION	ROOT BARRIER	ROADSIDE VEGETATION	1,136.84
180697	FAMILY PET MEDICAL	STEELE VET CARE	K9 PROGRAM	600.00
	FAMILY PET MEDICAL		K9 PROGRAM	1,255.20
180698	FEDEX	POSTAGE	WASTE WATER TREATMENT	27.92
	FEDEX		WATER QUAL TREATMENT	50.85
180699	FERRELLGAS	PROPANE	ROADWAY MAINTENANCE	51.18
	FERRELLGAS		TRAFFIC CONTROL DEVICES	51.18
180700	GALLS, LLC	UNIFORM	POLICE PATROL	51.20
	GALLS, LLC		DETENTION & CORRECTION	88.34
	GALLS, LLC		POLICE COMMUNITY	94.30
	GALLS, LLC		POLICE PATROL	95.97
	GALLS, LLC		POLICE TRAINING-FIREARMS	98.44
	GALLS, LLC		POLICE PATROL	112.24
	GALLS, LLC		POLICE PATROL	332.60
	GALLS, LLC	PATCHES	POLICE PATROL	349.96
	GALLS, LLC	UNIFORM	POLICE PATROL	391.87
	GALLS, LLC		POLICE PATROL	1,468.04
	GALLS, LLC		POLICE PATROL	1,922.62
	GALLS, LLC		POLICE PATROL	2,004.71
	GALLS, LLC		POLICE PATROL	2,004.71
	GALLS, LLC	VEST	POLICE ADMINISTRATION	2,004.71
180701	GMP CONSULTANTS	CD INTERIM	COMMUNITY	8,805.65
180702	GRAINGER	CREDIT FOR INV 8960484695	ER&R	-32.82
	GRAINGER	FIRST AID REFILLS, PENS, CLEANER	ER&R	257.67
	GRAINGER	LAB SUPPLIES	WASTE WATER TREATMENT	702.18
	GRAINGER	BUFFER SOLUTION	SOURCE OF SUPPLY	993.58
180703	GRAY AND OSBORNE	PROFESSIONAL SERVICE	SURFACE WATER CAPITAL	5,765.41
180704	HD FOWLER COMPANY	CREDIT FOR INV	WATER/SEWER OPERATION	-683.64
	HD FOWLER COMPANY		ER&R	-517.91
	HD FOWLER COMPANY		WATER/SEWER OPERATION	-190.93
	HD FOWLER COMPANY	SUMP PUMP REPAIR PARTS	WATER SUPPLY MAINS	1.31
	HD FOWLER COMPANY	DRIVE HOSE CLAMP	SOURCE OF SUPPLY	12.88
	HD FOWLER COMPANY	LOCATE PAINT	ER&R	66.69
	HD FOWLER COMPANY	CATCH BASIN	GMA-PARKS	85.72
	HD FOWLER COMPANY	HYDRANT REPAIR KIT, FLANGED BOLT KITS	WATER DIST MAINS	148.02
	HD FOWLER COMPANY	FLANGE	WATER DIST MAINS	191.15
	HD FOWLER COMPANY	MECHANICAL PLUG	SOURCE OF SUPPLY	251.77
	HD FOWLER COMPANY	HYDRANT REPAIR KIT, FLANGED BOLT KITS	HYDRANTS	272.41
	HD FOWLER COMPANY	SUMP PUMP REPAIR PARTS	WATER SUPPLY MAINS	284.46
	HD FOWLER COMPANY	INSPECTION VALVE MARKERS	WATER SUPPLY MAINS	394.94
	HD FOWLER COMPANY	BRASS WATER PARTS	WATER/SEWER OPERATION	792.27
	HD FOWLER COMPANY	PVC, SPIGOT, CONCRETE CATCH BASIN	GMA-PARKS	1,317.60
	HD FOWLER COMPANY	STAINLESS REPAIR CLAMP	WATER DIST MAINS	1,823.46

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180704	HD FOWLER COMPANY	LOCATE PAINT	ER&R	2,000.71
	HD FOWLER COMPANY	PRV STRAINER & PARTS	WATER DIST MAINS	4,131.92
180705	HERC RENTALS INC	MINI-EXCAVATOR RENTAL	GMA-PARKS	273.50
180706	HERNANDEZ, CINDELE	REFUND - BABYSITTING BASICS	PARKS-RECREATION	40.00
180707	HEWLETT PACKARD	PRINTER	PARK & RECREATION FAC	0.92
	HEWLETT PACKARD		FINANCE-GENL	1.95
	HEWLETT PACKARD		FINANCE-GENL	12.87
	HEWLETT PACKARD		ENGR-GENL	26.59
	HEWLETT PACKARD		FINANCE-GENL	55.13
180708	HOME DEPOT PRO	CLEANING SUPPLIES	CUSTODIAL SERVICES	104.63
	HOME DEPOT PRO	DISINFECTANT CLEANER	CUSTODIAL SERVICES	134.50
	HOME DEPOT PRO	PAPER TOWELS	CUSTODIAL SERVICES	320.54
	HOME DEPOT PRO	TOILET PAPER, CLEANER	CUSTODIAL SERVICES	527.22
	HOME DEPOT PRO	TRASH LINERS, SOAP, TOILET PAPER	CUSTODIAL SERVICES	1,019.99
180709	HUTCHISON LAW, LLC	CONFLICT COUNSEL	PUBLIC DEFENSE	450.00
180710	ICONIX WATERWORKS	COPPER TUBING, BRASS REDUCERS	WATER/SEWER OPERATION	3,799.64
180711	INTERSTATE BATTERY	BATTERIES	ER&R	157.16
180712	IRON DIAMOND MEDIA	ADVERTISING	HOTEL/MOTEL PARKS	600.00
180713	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
180714	JANSSEN, STEPHANIE	REIMBURSEMENT - MILEAGE	FINANCE-GENL	94.08
180715	JONES, CHRIS	IACP CONFERENCE	POLICE INVESTIGATION	506.00
180716	JULZ ANIMAL HOUZ	K9 FOOD	K9 PROGRAM	52.88
180717	KAISER PERMANENTE	RESPIRATORY QUESTIONNAIRE	POLICE ADMINISTRATION	416.00
180718	KBHPNW LLC	UB REFUND	WATER/SEWER OPERATION	192.20
180719	KBHPNW LLC		WATER/SEWER OPERATION	125.40
180720	KENDALL CHEVROLET	BRAKE PEDAL ASSEMBLY - V001	EQUIPMENT RENTAL	116.70
180721	KENWORTH NORTHWEST	OIL PRESSURE SENSOR - J064	EQUIPMENT RENTAL	143.23
180722	KIM, JAMIE S.	PUBLIC DEFENSE/CONFLICT COUNSEL	PUBLIC DEFENSE	190.00
	KIM, JAMIE S.		PUBLIC DEFENSE	305.00
	KIM, JAMIE S.		PUBLIC DEFENSE	450.00
	KIM, JAMIE S.		PUBLIC DEFENSE	450.00

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180722	KIM, JAMIE S.	PUBLIC DEFENSE/CONFLICT COUNSEL	PUBLIC DEFENSE	450.00
180723	KPFF CONSULTING	PROFESSIONAL SERVICE	GMA - STREET	24,768.85
	KPFF CONSULTING		GMA - STREET	31,069.67
180724	LABOR & INDUSTRIES	3RD QTR L&I 2025	OPERA HOUSE	0.42
	LABOR & INDUSTRIES		RECREATION SERVICES	119.68
	LABOR & INDUSTRIES		MUNICIPAL COURTS	206.63
	LABOR & INDUSTRIES		POLICE PATROL	864.03
180725	LAKE STEVENS SCHOOL	MITIGATION FEES	SCHOOL MITIGATION FEES	54,920.00
180726	LASTING IMPRESSIONS	UNIFORM	POLICE COMMUNITY	32.82
	LASTING IMPRESSIONS	HOODIES	ER&R	34.92
	LASTING IMPRESSIONS		UTIL ADMIN	87.30
	LASTING IMPRESSIONS	UNIFORM	DETENTION & CORRECTION	214.92
	LASTING IMPRESSIONS		OFFICE OPERATIONS	234.14
180727	LAWSON PRODUCTS, INC	SCREWS	TRANSPORTATION	31.33
180728	LEIBY, TODD W	UB REFUND	WATER/SEWER OPERATION	239.80
180729	LES SCHWAB TIRE CTR	TIRES	ER&R	540.74
	LES SCHWAB TIRE CTR		ER&R	1,124.15
	LES SCHWAB TIRE CTR		ER&R	1,664.90
180730	LEWIS, KUHIO	REFUND - RENTAL DEPOSIT	GENERAL FUND	250.00
180731	LOOMIS	ARMORED CAR SERVICE	COMMUNITY	156.42
	LOOMIS		UTILITY BILLING	156.42
	LOOMIS		MUNICIPAL COURTS	156.42
	LOOMIS		POLICE ADMINISTRATION	156.43
	LOOMIS		GOLF ADMINISTRATION	346.40
180732	LOONEY, PATRICK	UB REFUND	WATER/SEWER OPERATION	205.28
180733	LYNN PEAVEY COMPANY	EVIDENCE SUPPLIES	POLICE PATROL	115.24
180734	MARYSVILLE, CITY OF	8224 67TH AVE NE	STORM DRAINAGE	60.36
	MARYSVILLE, CITY OF	16324 TWIN LAKES AVE	PARK & RECREATION FAC	254.76
	MARYSVILLE, CITY OF	6302 152 ST NE	PARK & RECREATION FAC	606.85
	MARYSVILLE, CITY OF	2323 172 ST NE IRRIGATION	ROADWAY MAINTENANCE	844.70
	MARYSVILLE, CITY OF	15524 SMOKEY POINT BLVD	PARK & RECREATION FAC	981.85
	MARYSVILLE, CITY OF	17906 43RD AVE NE	WATER FILTRATION PLANT	2,220.28
	MARYSVILLE, CITY OF	6302 152 ST NE IRRIGATION	PARK & RECREATION FAC	4,703.93
180735	MATIA CONTRACTORS	PE02/RETAINAGE02	GMA-PARKS	-20,522.96
	MATIA CONTRACTORS		GMA-PARKS	449,042.35
180736	MCLOUGHLIN & EARDLEY	LED RESPONDER LIGHTS	ER&R	2,292.67
180737	MIRIAM TECHNOLOGIES	WEBCHECK SERVICE	UTILITY BILLING	1,214.34
180738	MONTERO-HIGGINBOTHAM	REFUND - BABYSITTING BASICS	PARKS-RECREATION	40.00
180739	NAPA AUTO PARTS	AIR/OIL FILTERS	ER&R	60.32
	NAPA AUTO PARTS	AIR/OIL/FUEL FILTERS	ER&R	334.15
180740	NATIONAL BARRICADE	SIGNS	WATER RESERVOIRS	173.47
180741	NEAL, MICHAEL	REIMBURSEMENT CLAIM	RISK MANAGEMENT	3,712.00
180742	NELSON-REISNER	GREASE	ER&R	457.83
	NELSON-REISNER	OIL	WATER FILTRATION PLANT	557.99
180743	NORTH COAST ELECTRIC	AERATOR RACK PLC REPLACEMENT	WASTE WATER TREATMENT	1,448.85
	NORTH COAST ELECTRIC	VFD BACKWASH REPLACEMENT	SUNNYSIDE FILTRATION	2,998.34
	NORTH COAST ELECTRIC	STARTER FOR 460 BOOSTER STATION	PUMPING PLANT	4,355.45
180744	OREILLY AUTO PARTS	CREDIT FOR INV 2843-391455	EQUIPMENT RENTAL	-252.11
	OREILLY AUTO PARTS	BATTERY - 234	EQUIPMENT RENTAL	63.17
	OREILLY AUTO PARTS	SERPENTINE BELT TENSIONER	EQUIPMENT RENTAL	68.07
	OREILLY AUTO PARTS	SPARK PLUGS - 299	EQUIPMENT RENTAL	68.70
	OREILLY AUTO PARTS	U-JOINTS - J035	EQUIPMENT RENTAL	159.81

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180744	OREILLY AUTO PARTS	STARTER ASSEMBLY - J013	EQUIPMENT RENTAL	180.42
	OREILLY AUTO PARTS		EQUIPMENT RENTAL	252.11
180745	OTAK	PROFESSIONAL SERVICE	GMA - STREET	2,756.00
	OTAK		GMA - STREET	10,386.78
180746	OVERHEAD DOOR COMPANY	COMMERCIAL PREVAILING WAGE	MAINT OF GENL PLANT	449.91
180747	OWEN EQUIPMENT	SWEEPER TRAINING	TRAINING	988.50
	OWEN EQUIPMENT	REPLACEMENT MOWER PARTS	EQUIPMENT RENTAL	2,837.84
180748	PACIFIC PLUMBING	TOILET CLEANER	PARK & RECREATION FAC	60.61
	PACIFIC PLUMBING	TOILET/PARTS	NON-DEPARTMENTAL	143.82
180749	PACIFIC POWER BATTER	BATTERIES	COMMUNITY	32.43
180750	PAPE MACHINERY	CREDIT FOR INV 16063974	EQUIPMENT RENTAL	-160.17
	PAPE MACHINERY	FUEL PUMP/FILTERS - W020	EQUIPMENT RENTAL	160.17
	PAPE MACHINERY	PRESSURE SENSOR - W028	EQUIPMENT RENTAL	621.32
180751	PATHWAY VET ALLIANCE	ANIMAL TO VET	POLICE COMMUNITY	1,139.15
	PATHWAY VET ALLIANCE		POLICE COMMUNITY	1,287.45
	PATHWAY VET ALLIANCE		POLICE COMMUNITY	2,263.45
180752	PETAJA, HOLLY	REFUND - BABYSITTING BASICS	PARKS-RECREATION	40.00
180753	PGC INTERBAY LLC	REIMBURSEMENT - GOLF	MAINTENANCE	23.13
	PGC INTERBAY LLC		GOLF ADMINISTRATION	96.30
	PGC INTERBAY LLC		GOLF ADMINISTRATION	170.37
	PGC INTERBAY LLC		PRO-SHOP	546.11
	PGC INTERBAY LLC		MAINTENANCE	546.95
	PGC INTERBAY LLC		MAINTENANCE	773.24
	PGC INTERBAY LLC		GOLF COURSE	1,159.02
	PGC INTERBAY LLC		GOLF ADMINISTRATION	1,272.64
	PGC INTERBAY LLC		PRO-SHOP	1,393.07
	PGC INTERBAY LLC		GOLF ADMINISTRATION	1,472.71
	PGC INTERBAY LLC		MAINTENANCE	1,698.97
	PGC INTERBAY LLC		MAINTENANCE	3,349.11
	PGC INTERBAY LLC		MAINTENANCE	4,631.83
	PGC INTERBAY LLC	MAINTENANCE/PROSHOP - GOLF	PRO-SHOP	13,933.15
	PGC INTERBAY LLC		MAINTENANCE	19,844.83
180754	PLATT ELECTRIC	ELECTRICAL PARTS	FACILITY MAINTENANCE	742.89
	PLATT ELECTRIC	FLOODLIGHTS	FACILITY MAINTENANCE	2,628.09
180755	POLICE & SHERIFFS	UNIFORM	GENERAL FUND	-3.76
	POLICE & SHERIFFS		POLICE PATROL	43.76
180756	PROTOCOL PLUMBING	RESTROOM PLUMBING REPAIR	PARK & RECREATION FAC	1,476.90
180757	PUBLIC SAFETY PSYCHO	PRE-EMPLOYMENT	POLICE ADMINISTRATION	450.00
180758	PUD	ACCT #201346665	SEWER LIFT STATION	51.53
	PUD	ACCT #204259469	TRAFFIC CONTROL DEVICES	52.37
	PUD	ACCT #204260343	TRAFFIC CONTROL DEVICES	52.37
	PUD	ACCT #204262620	TRAFFIC CONTROL DEVICES	52.37
	PUD	ACCT #205481823	GOLF ADMINISTRATION	52.37
	PUD	ACCT #201142155	TRANSPORTATION	70.85
	PUD	ACCT #204829691	STREET LIGHTING	74.94
	PUD	ACCT #202294245	SEWER LIFT STATION	75.52
	PUD	ACCT #224411843	PARK & RECREATION FAC	76.88
	PUD	ACCT #200812808	PUMPING PLANT	82.92
	PUD	ACCT #200660439	STREET LIGHTING	94.33
	PUD	ACCT #203996343	STREET LIGHTING	100.85
	PUD	ACCT #221610405	STREET LIGHTING	105.41
	PUD	ACCT #203291216	GENERAL	144.90

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180758	PUD	ACCT #201909637	SEWER LIFT STATION	152.95
	PUD	ACCT #220020531	STREET LIGHTING	172.83
	PUD	ACCT #202461554	SEWER LIFT STATION	407.22
180759	PUGET SOUND ENERGY	ACCT #220002768939	NON-DEPARTMENTAL	14.73
	PUGET SOUND ENERGY	ACCT #220015485349	OPERA HOUSE	53.21
	PUGET SOUND ENERGY	ACCT #200007781657	GOLF ADMINISTRATION	54.71
	PUGET SOUND ENERGY	ACCT #200004804056	RECREATION SERVICES	57.72
	PUGET SOUND ENERGY	ACCT #220015485380	OPERA HOUSE	59.20
	PUGET SOUND ENERGY	ACCT #200007052364	MAINT OF GENL PLANT	63.69
	PUGET SOUND ENERGY	ACCT #220015485703	OPERA HOUSE	63.69
	PUGET SOUND ENERGY	ACCT #220009207345	OPERA HOUSE	71.18
	PUGET SOUND ENERGY	ACCT #200013812314	MAINT OF GENL PLANT	77.28
	PUGET SOUND ENERGY	ACCT #200023493808	ADMIN FACILITIES	81.80
	PUGET SOUND ENERGY	ACCT #220026412746	NON-DEPARTMENTAL	172.27
	PUGET SOUND ENERGY	ACCT #220026419946	NON-DEPARTMENTAL	290.69
180760	PYE-BARKER FIRE	SAFETY MONITORING - OCT 2025	EXECUTIVE ADMIN	70.62
	PYE-BARKER FIRE		COURTS	156.61
	PYE-BARKER FIRE		GOLF ADMINISTRATION	204.62
	PYE-BARKER FIRE		UTIL ADMIN	224.62
	PYE-BARKER FIRE		PARK & RECREATION FAC	228.85
	PYE-BARKER FIRE	SECURITY MONITORING	UTIL ADMIN	301.81
	PYE-BARKER FIRE	SAFETY MONITORING - OCT 2025	UTIL ADMIN	313.42
	PYE-BARKER FIRE		SUNNYSIDE FILTRATION	324.11
	PYE-BARKER FIRE		RECREATION SERVICES	357.42
	PYE-BARKER FIRE		OPERA HOUSE	366.01
	PYE-BARKER FIRE		MAINT OF GENL PLANT	417.63
	PYE-BARKER FIRE		WASTE WATER TREATMENT	422.62
	PYE-BARKER FIRE		POLICE ADMINISTRATION	491.62
	PYE-BARKER FIRE	ALARM TESTING	NON-DEPARTMENTAL	905.83
180761	QUADIENT FINANCE USA	USPS POSTAGE MACHINE	EXECUTIVE ADMIN	8.09
	QUADIENT FINANCE USA		PARK & RECREATION FAC	11.53
	QUADIENT FINANCE USA		PERSONNEL ADMINISTRATION	11.92
	QUADIENT FINANCE USA		LEGAL-GENL	68.16
	QUADIENT FINANCE USA		UTIL ADMIN	202.15
	QUADIENT FINANCE USA		UTILITY BILLING	234.96
	QUADIENT FINANCE USA		POLICE ADMINISTRATION	543.99
	QUADIENT FINANCE USA		FINANCE-GENL	550.39
	QUADIENT FINANCE USA		COMMUNITY	627.07
	QUADIENT FINANCE USA		MUNICIPAL COURTS	1,741.74
180762	RACO MANUFACTURING	ALARM MONITORING	SEWER LIFT STATION	450.00
180763	RECON POWER BIKES	POWER BIKES	TRIBAL GAMING FUND	-2,385.72
	RECON POWER BIKES		TRIBAL GAMING-GENL	27,765.72
180764	REECE TRUCKING	RETAINAGE RELEASE	GMA-STREET	33,401.61
	REECE TRUCKING		MARYSVILLE TBD	152,738.44
180765	REECE TRUCKING		UTILITY CONSTRUCTION	10,782.22
180766	REECE TRUCKING		GMA-STREET	8,373.13
180767	REECE TRUCKING	RETAINAGE PAVEMENT PRESERVATION	MARYSVILLE TBD	-7,549.18
	REECE TRUCKING		GENL GVRNMNT SERVICES	150,983.58
180768	REECE TRUCKING	ASPHALT DUMP	ROADWAY MAINTENANCE	404.40
180769	REECE TRUCKING	FILL PROJECT/RETAINAGE	UTILITY CONSTRUCTION	-13,012.22
	REECE TRUCKING		NON-DEPARTMENTAL	284,707.37
180770	REECE, BRIAN & AUDRE	UB REFUND	WATER/SEWER OPERATION	178.21

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/15/2025 TO 10/15/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180771	REICHHARDT & EBE ENG	PROFESSIONAL SERVICE	GMA - STREET	932.80
180772	RESTORICAL RESEARCH	INSURANCE RECOVERY PAYMENT	SURFACE WATER CAPITAL	2,419.50
180773	RESULTS GROUP, THE	TRAINING CADRE	POLICE TRAINING-FIREARMS	2,500.00
180774	RWC INTERNATIONAL	FUEL MODULE	ER&R	93.10
180775	SAFEWAY INC.	JAIL SUPPLIES	DETENTION & CORRECTION	21.87
	SAFEWAY INC.		DETENTION & CORRECTION	25.41
	SAFEWAY INC.		DETENTION & CORRECTION	72.21
180776	SAGW LLC - RENTAL	UB REFUND	WATER/SEWER OPERATION	5.46
180777	SAGW LLC - RENTAL		WATER/SEWER OPERATION	6.93
180778	SAUCEDA, RENE	REFUND - RENTAL DEPOSIT OPERA HOUSE	GENERAL FUND	500.00
180779	SCAIRPON, ERIK	IACP CONFERENCE	POLICE ADMINISTRATION	506.00
180780	SCORE	INMATE HOUSING	DETENTION & CORRECTION	8,896.80
180781	SECURUS TECHNOLOGIES	LAW LIBRARY	GENERAL FUND	-329.00
	SECURUS TECHNOLOGIES		DETENTION & CORRECTION	3,829.00
180782	SHERWIN WILLIAMS	PAINT	PARK & RECREATION FAC	21.87
180783	SHERWIN WILLIAMS	PAINT TRAY/LINERS	FACILITY MAINTENANCE	18.66
	SHERWIN WILLIAMS	PAINT SUPPLIES	PARK & RECREATION FAC	24.70
	SHERWIN WILLIAMS	PAINT	PARK & RECREATION FAC	216.57
180784	SISKUN POWER EQUIPMENT	LATE FEES	ER&R	12.37
180785	SKAGIT SHOOTING RANG	RANGE RENTAL	POLICE TRAINING-FIREARMS	17.94
	SKAGIT SHOOTING RANG		POLICE TRAINING-FIREARMS	35.87
	SKAGIT SHOOTING RANG		POLICE TRAINING-FIREARMS	597.85
180786	SMARSH INC	TEXT MESSAGE ARCHIVING	COMMUNITY	7.85
	SMARSH INC		YOUTH SERVICES	7.85
	SMARSH INC		CRIME PREVENTION	7.85
	SMARSH INC		PROPERTY TASK FORCE	7.85
	SMARSH INC		GENERAL	7.85
	SMARSH INC		EQUIPMENT RENTAL	7.85
	SMARSH INC		FACILITY MAINTENANCE	7.85
	SMARSH INC		ENGR-GENL	15.70
	SMARSH INC		CITY COUNCIL	15.70
	SMARSH INC		FINANCE-GENL	15.70
	SMARSH INC		RECREATION SERVICES	15.70
	SMARSH INC		UTILITY BILLING	15.70
	SMARSH INC		SEWER MAIN COLLECTION	15.70
	SMARSH INC		MUNICIPAL COURTS	23.55
	SMARSH INC		CITY CLERK	23.55
	SMARSH INC		PERSONNEL ADMINISTRATION	23.55
	SMARSH INC		POLICE COMMUNITY	31.40
	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	102.05
	SMARSH INC		POLICE INVESTIGATION	109.90
	SMARSH INC		DETENTION & CORRECTION	109.90
	SMARSH INC		EXECUTIVE ADMIN	117.75

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/15/2025 TO 10/15/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180786	SMARSH INC	TEXT MESSAGE ARCHIVING	POLICE ADMINISTRATION	117.75
	SMARSH INC		WASTE WATER TREATMENT	117.75
	SMARSH INC		SOLID WASTE CUSTOMER	133.45
	SMARSH INC		UTIL ADMIN	149.15
	SMARSH INC		COMPUTER SERVICES	174.43
	SMARSH INC		ENGR-GENL	188.40
	SMARSH INC		POLICE PATROL	541.65
180787	SMOKEY POINT CONCRETE	FILLER FOR CEMENT	SIDEWALK MAINTENANCE	1,457.21
180788	SNO CO TREASURER	COMPENSATION RESG	GMA - STREET	3,700.00
	SNO CO TREASURER	COMPENSATION ROMMEL	GMA - STREET	50,100.00
180789	SNOHOMISH CO 911	DISPATCH	COMMUNICATION CENTER	103,932.42
180790	SNYDER, CANON	DJ SERVICE	OPERA HOUSE	1,100.00
180791	SOUND PUBLISHING	ADVERTISING	COMMUNITY	80.84
	SOUND PUBLISHING	CITY ORDINANCES	UTILITY CONSTRUCTION	120.40
	SOUND PUBLISHING	CALL FOR BIDS	GENL GVRNMNT SERVICES	233.92
180792	SOUND PUBLISHING	AD PUBLICATION	EXECUTIVE ADMIN	575.00
180793	SOUND SAFETY	UNIFORM - GUNN	UTIL ADMIN	233.89
180794	SOWDER JR, LANCE J	UB REFUND	WATER/SEWER OPERATION	184.80
180795	STATE PATROL	FINGERPRINT ID SERVICE	COMMUNITY	63.00
	STATE PATROL		INTERGOVERNMENTAL	288.00
180796	STELMAKH, ALEXANDER	UB REFUND	WATER/SEWER OPERATION	6.50
180797	STRATEGIES 360	PROFESSIONAL SERVICE	GENERAL	1,050.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,050.00
	STRATEGIES 360		GENERAL	1,050.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,050.00
	STRATEGIES 360		UTIL ADMIN	1,400.00
	STRATEGIES 360		UTIL ADMIN	1,400.00
180798	SUNRISE ENVIRONMENT	GRAFFITI REMOVER	ER&R	1,314.79
180799	SUPERIOR RESTROOMS	PORTABLE RESTROOM CLEANING	WATER DIST MAINS	71.11
	SUPERIOR RESTROOMS	PORTABLE RESTROOM SERVICE	WATER DIST MAINS	71.11
	SUPERIOR RESTROOMS	PORTABLE RESTROOMS SERVICE	WATER DIST MAINS	71.11
	SUPERIOR RESTROOMS	CLEANING SERVICE	ROADSIDE VEGETATION	142.22
180800	UNIVAR SOLUTIONS USA	SOD HYPO LIQUICHLOR DELIVERY	WASTE WATER TREATMENT	6,181.98
180801	USA BLUEBOOK	SAMPLE CELLS, COLORIMETER	WASTE WATER TREATMENT	101.68
	USA BLUEBOOK	PH PROBE	SOURCE OF SUPPLY	786.46
	USA BLUEBOOK	NUT STANDARDS	SOURCE OF SUPPLY	2,295.21
180802	VALDEZ CONSTRUCTION	1049 ADDITION/RETAINAGE	UTILITY CONSTRUCTION	-24,551.20
	VALDEZ CONSTRUCTION		UTILITY CONSTRUCTION	537,179.99
180803	VERIZON	WIRELESS SERVICE	POLICE ADMINISTRATION	21.04
	VERIZON		PURCHASING/CENTRAL	30.75
	VERIZON		SEWER MAIN COLLECTION	40.01
	VERIZON		POLICE COMMUNITY	60.03
	VERIZON		FINANCE-GENL	78.14
	VERIZON		EXECUTIVE ADMIN	96.94
	VERIZON		EQUIPMENT RENTAL	99.18
	VERIZON		POLICE PATROL	100.04
	VERIZON		MUNICIPAL COURTS	195.35
	VERIZON		LEGAL - PROSECUTION	273.49
	VERIZON		FACILITY MAINTENANCE	372.67
	VERIZON		PARK & RECREATION FAC	383.36
	VERIZON		RECREATION SERVICES	383.36
	VERIZON		COMPUTER SERVICES	414.62

**CITY OF MARYSVILLE
INVOICE LIST**

FOR INVOICES FROM 10/15/2025 TO 10/15/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180803	VERIZON	WIRELESS SERVICE	COMMUNITY	435.41
	VERIZON		WATER SUPPLY MAINS	520.15
	VERIZON		SOLID WASTE CUSTOMER	602.42
	VERIZON		STORM DRAINAGE	820.07
	VERIZON		GENERAL	1,042.10
	VERIZON		WATER QUAL TREATMENT	1,078.11
	VERIZON		ENGR-GENL	1,621.86
	VERIZON		SEWER MAIN COLLECTION	2,598.25
	VERIZON		UTIL ADMIN	3,026.95
180804	VESTIS GROUP INC.	LINEN SERVICE	OPERA HOUSE	241.30
180805	WANG, SHUO	UB REFUND	WATER/SEWER OPERATION	286.31
180806	WATER QUALITY &	UTILITIES DIRECTOR SERVICE	EQUIPMENT RENTAL	752.00
	WATER QUALITY & TRAINING		FACILITY MAINTENANCE	752.00
	WATER QUALITY & TRAINING		OVERHEAD	1,504.00
	WATER QUALITY & TRAINING		STORM DRAINAGE	1,504.00
	WATER QUALITY & TRAINING		SOLID WASTE OPERATIONS	1,504.00
	WATER QUALITY & TRAINING		PARK & RECREATION FAC	1,504.02
	WATER QUALITY & TRAINING		UTIL ADMIN	7,519.98
180807	WESTERN GRAPHICS	GRAPHICS ON VEHICLES	POLICE PATROL	1,526.14
180808	WESTERN MECHANICAL &	HOT WATER HEATER REPAIR	NON-DEPARTMENTAL	492.30
180809	WET RABBIT EXPRESS	CAR WASHES - POLICE	POLICE PATROL	612.00
180810	WFG NATIONAL TITLE	PARTIAL RECONVEYANCE FEE	GMA - STREET	375.00
180811	WHITE CAP	BOTTLED WATER	MAINT OF GENL PLANT	891.39
180812	WIGGINS, JAKE	REIMBURSEMENT - LODGING	POLICE INVESTIGATION	694.04
180813	WILSON, JEFF	REIMBURSEMENT - TRAVEL/MILEAGE	COMMUNITY	1,138.62
180814	WOODLAND RESOURCE	AQUATIC SPRAY	WASTE WATER TREATMENT	2,581.84
180815	ZIELASKO, LYNN	REFUND - RENTAL DEPOSIT	GENERAL FUND	250.00

WARRANT TOTAL: 2,486,445.86

ELITE K-9, INC.	INITIATOR ERROR	179616	523.95
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REASON FOR VOIDS:

INITIATOR ERROR

WARRANT TOTAL: \$2,485,921.91

CHECK LOST/DAMAGED

UNCLAIMED PROPERTY



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Shauna Crane, Finance

ITEM TYPE: Claims

AGENDA SECTION: **Consent**

SUBJECT: October 16, 2025, Claims in the Amount of \$53,800.00 Paid by Check Numbers 180816 through 180817

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[101625.rtf](#)

DATE: 10/16/2025
TIME: 2:08:11PM

CITY OF MARYSVILLE
INVOICE LIST

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FOR INVOICES FROM 10/16/2025 TO 10/16/2025

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
180816	SNO CO TREASURER	CAUSE NO. 25-2-06830-31	GMA - STREET	50,100.00
180817	SNO CO TREASURER	CAUSE NO. 25-2-06833-31	GMA - STREET	3,700.00
WARRANT TOTAL:				<u>53,800.00</u>

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

UNCLAIMED PROPERTY

WARRANT TOTAL: \$53,800.00

DATE: 10/16/2025
TIME: 2:08:11PM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 10/16/2025 TO 10/16/2025

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
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DATE: 10/16/2025
TIME: 2:08:11PM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 10/16/2025 TO 10/16/2025

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
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DATE: 10/16/2025
TIME: 2:08:11PM

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 10/16/2025 TO 10/16/2025

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<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
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Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Kim Bryant, Utilities & Maintenance Services

ITEM TYPE: Resolution

AGENDA SECTION: **New Business**

SUBJECT: A **Resolution** Ratifying the Mayor's Declaration of Emergency and Emergency Contract for the Lake Goodwin Well Pump Failure

SUGGESTED ACTION: Recommended Motion: I move to adopt Resolution No._____.

SUMMARY: On August 25, 2025 the Lake Goodwin Well pump failed, halting production from the City's sole water supply source for the 460 and 327 pressure zones. This failure necessitated reliance on an emergency-use-only supplemental source, thereby eliminating system redundancy for these zones. In response to this critical situation, the Mayor declared an emergency on September 5, 2025. To address the emergency, City staff engaged Holt Services Inc. to perform the necessary work to pull the failed pump, evaluate the well and install a replacement pump. Staff recommends ratification of both the Mayor's emergency declaration and the emergency contract with Holt Services Inc.

ATTACHMENTS:

[Emergency Resolution - Pump Failure Aug 2025.docx](#)
[Contract - Fully Executed.pdf](#)
[Declaration of Emergency Memo.pdf](#)

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

A RESOLUTION RATIFYING THE MAYOR'S DECLARATION OF AN EMERGENCY, WAIVING COMPLIANCE WITH THE CITY'S NORMAL BIDDING AND PROCUREMENT PROCESS, AND RATIFYING ASSESSMENT AND WORK NECESSARY FOR REPAIRS TO A CITY WELL PUMP LOCATED AT LAKE GOODWIN.

WHEREAS, on August 25, 2025, a City well pump located at Lake Goodwin Well Site suffered a pump failure; and

WHEREAS, the pump failure prohibits drinking water production for the 460 and 327 pressure zones (serving 40-50 residents and one elementary school); and

WHEREAS, the reduction in water supply forces the use of a supplemental water source and removes all redundancy for the 460 and 327 pressure zones, jeopardizing the effective operation of the City's water system; and

WHEREAS, this condition is not sustainable and presents a real, immediate threat to the proper performance of essential municipal functions, resulting in an emergency situation as defined in RCW 39.04.280(3); and

WHEREAS, under the circumstances, the City was not able to comply with its normal bidding and procurement process to complete the repair in a timely manner; and

WHEREAS, the Mayor declared an emergency situation on September 5, 2025, with regards to the pump failure at Lake Goodwin; and

WHEREAS, City staff contracted with Holt Services Inc., which was able to respond to the emergency situation and is capable of performing emergency repairs and/or replacement of the well pump located at the Lake Goodwin Well Site, in order to restore proper performance of the City's water system.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE AS FOLLOWS:

Section 1. The City Council adopts, as its findings of fact, the recitals above.

Section 2. Pursuant to RCW 39.04.280, the City Council declares that an emergency existed on September 5, 2025 and waives the competitive bidding requirements for repairs to the Lake Goodwin Well site.

Section 3. Pursuant to RCW 39.04.280, the City Council ratifies and approves the actions of staff and the Mayor to purchase materials and to contract with Holt Services Inc. to perform emergency repairs and/or replacement of the well pump located at the Lake Goodwin Well site, in order to restore proper performance of the City's water system.

ADOPTED by the City Council at an open public meeting this 27th day of October, 2025.

CITY OF MARYSVILLE

By _____
JON NEHRING, Mayor

ATTEST:

By _____
CHERI TABER, Deputy City Clerk

Approved as to form:

By _____
JON WALKER, City Attorney

EMERGENCY PUBLIC WORKS CONTRACT

THIS EMERGENCY PUBLIC WORKS CONTRACT (the “Contract”) is made and entered into as of the date of the last signature, by and between the City of Marysville, a Washington State municipal corporation (the “City”), and Holt Services INC, (the “Contractor”).

Whereas, on August 25, 2025 a City well pump located at Lake Goodwin well site suffered a pump failure and possible well casing failure; and

Whereas, the resultant prohibits drinking water production for 460 and 327 pressure zones serving 40-50 residents and one elementary school; and

Whereas, the reduction in water supply forces the use of a supplemental water source and removes all redundancy for the 460 and 327 pressure zones. Jeopardizing the effective operation of the City’s water system and presents a real and immediate threat to the proper performance of essential municipal functions, and the Mayor has declared an emergency to exist; and

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 City and Contractor agree as follows:

1. Scope of Work—the Project.

The Contractor shall perform, carry, and complete work at the direction of the City’s Contract Representative to remove existing well motor, pump, inspect motor, pump, pump column, and well casing, replace or repair well pump, and associated failed or aged equipment as needed located at Lake Goodwin and associated work (the “Project”) in accordance with this Contract and the incorporated Contract Documents specified in Section 2. The City’s Contract Representative shall have primary responsibility for the City under this Contract and shall oversee and approve all emergency work to be performed, coordinate communications, and review and approve all invoices under this Contract. As the work proceeds, the City may change the work within the general scope of this Contract to successfully complete the repair, including deleting work that is not necessary, increasing or decreasing quantities, revising the way the work is to be done, adding additional work necessary to successfully complete the Project, and ordering the Contractor to speed up or delay the work. Other changes may be made, if necessary, in accordance with Section 1-04.4 of the Standard Specifications.

2. Contract Documents.

The following documents incorporated into the Contract by this reference:

- a. Project Specifications (if attached).
- b. Payment and Performance Bond (attached).
- c. Retainage Bond (attached).
- d. 2024 Standard Specifications for Road, Bridge, and Municipal Construction (WSDOT/APWA) (“Standard Specifications”) (referenced but not attached).
- e. 2024 APWA Supplement General Special Provisions (referenced but not attached).
- f. AWWA 4A.1-1946: Standard Specifications for Deep Wells (“Standard Specifications”) (referenced but not attached).
- g. B58.1-1961(A101-60): American Standard for Vertical Turbine Pumps Part A - Line Shaft Vertical Turbine (“Standard Specifications”) (referenced but not attached).
- h. AWWA C654-21 Disinfection of Wells (“Standard Specifications”) (referenced but not attached).
- i. AWWA A100-20 Water Wells (“Standard Specifications”) (referenced but not attached).

In the event of any inconsistencies or conflicts between the language of this Contract and these incorporated documents, the language of the Contract shall prevail over the language of the documents.

3. Commencement of Work.

The Contractor shall proceed with the work under this Contract as soon as possible and in so doing warrants that the Contractor will meet the following conditions within a reasonable time:

- a. Contract will be signed and fully executed by the parties.
- b. The Contractor has or will provide the City with the certificates of insurance required under Section 22.
- c. The Contractor has or will obtain a City of Marysville Business Licenses and UBI number.
- d. The Contractor has or will provide the City with satisfactory documentation that Contractor is licensed and bonded as a contractor in Washington State.
- e. The Contractor has provided the City with satisfactory documentation that it has industrial insurance coverage as required by Title 51 RCW; an employment security department number as required in Title 50 RCW; and a state excise tax registration number as required in Title 82 RCW.
- f. The Contractor has provided the City with satisfactory documentation that it is not disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065(3).

These conditions shall be satisfied within ten (10) calendar days of the City requesting the Contractor to proceed with work under this Contract.

4. Time is of the Essence

Time is of the essence in the performance of this Contract. The Contractor shall diligently pursue the Project work to physical completion. If the City determines that the Contractor is failing to pursue the work to completion within an acceptable time the City may terminate the Contract as provided in Section 8.

5. Payment for Project.

a. Total Contract Sum for Project. The Contractor shall do all work and furnish all tools, materials, and equipment for the work and services contemplated in this Contract and shall be compensated on by the City based on time and materials in accordance with Section 1-09.6 of the Standard Specifications. No payment shall be issued until a Statement of Intent to Pay Prevailing Wages form, for the Contractor and each and every Subcontractor has been approved by the State Department of Labor and Industries and is received by the City.

b. Statement of Intent to Pay Prevailing Wages. The Contractor must provide the City with a copy of Contractor's Intent to Pay Prevailing Wages prior to any payment by the City.

c. Payments shall be for Performance of Project Work. Payments for work provided hereunder shall be made following the performance of such work, unless otherwise permitted by law and approved in writing by the City. No payment shall be made for any work rendered by the Contractor except as identified and set forth in this Contract.

d. Progress Payments. Progress payments shall be based on the timely submittal by the Contractor of the City's standard Payment Request form. Applications for Payment not signed and/or completed shall be considered incomplete and ineligible for payment consideration. The City shall initiate authorization for payment after receipt of a satisfactorily completed payment request form and shall make payment to the Contractor within approximately thirty (30) calendar days thereafter.

e. Payments for Alterations and/or Additions. Payments for any alterations in or additions to the work provided under this Contract shall be in accordance with the Change Order process as set forth in Section 1-04.4 of the Standard Specifications.

f. Withholding for Defective or Unauthorized Work. The City reserves the right to withhold payment from the Contractor for any defective or unauthorized work. Defective or unauthorized work includes, without limitation: work and materials that do not conform to the directions of the City's Contract Representative; and extra work and materials furnished without the City's written approval. If, during the course of the Contract, the work rendered does not meet the requirements of the City's Contract Representative, the Contractor shall correct or modify the work to comply. The City shall have the right to withhold payment for such work until it meets the requirements of the City's Contract Representative. The City's decision not to, or failure to, withhold payment shall not constitute a waiver of the City's right to final inspection and acceptance of the Project.

g. Final Acceptance of the Project. Final Acceptance is determined when the Project is accepted by the City Council as being one hundred percent (100%) complete.

h. Maintenance and Inspection of Financial Records. The Contractor and its subcontractors shall maintain reasonable books, accounts, records, documents and other evidence pertaining to the costs and expenses allowable, and the consideration paid under this Contract, in accordance with reasonable and customary accepted accounting practices. All such books of account and records required to be maintained by this Contract shall be subject to inspection and audit by representatives of City and/or of the Washington State Auditor at all reasonable times, and the Contractor shall afford the proper facilities for such inspection and audit to the extent such books and records are under control of the City, and all Project Contracts shall similarly provide for such inspection and audit rights. Such books of account and records may be copied by representatives of City and/or of the Washington State Auditor where necessary to conduct or document an audit. The Contractor shall preserve and make available all such books of account and records in its control for a period of three (3) years after final payment under this Contract, and any subcontracts shall impose similar duties on the subcontractors.

6. **Bonding and Retainage.**

a. Payment and Performance Bond. Pursuant to Chapter 39.08 RCW, the Contractor shall provide the City a payment and performance bond for the Total Contract Sum to be in effect until the later of: sixty (60) days after the date of Final Acceptance, receipt of all necessary releases from applicable state agencies, or until settlement of any liens filed under Chapter 60.28 RCW.

b. Retainage. The City shall withhold retainage in the amount of five percent (5%) of any and all payments made to the Contractor until the later of: sixty (60) days after the date of Final Acceptance, receipt of all necessary releases from applicable state agencies, or until settlement of any liens filed under Chapter 60.28 RCW. The amount retained shall be placed in a fund by the City pursuant to RCW 60.28.011(4)(a), unless otherwise instructed by the Contractor within fourteen (14) calendar days of Contractor’s execution of this Contract.

c. Optional Withholding. If the Total Contract Sum is less than seventy five thousand dollars (\$75,000) and the Contractor requests, by initialing below, that the City not withhold retainage or require a payment and performance bond, the City shall, in lieu thereof, withhold ten percent (10%) of the Total Contract Sum until the later of: forty-five (45) days after the date of Final Acceptance or until the City receives an Affidavit of Wages Paid (or a Combined Intent/Affidavit, if approved by the City).

OPTIONAL: I, the undersigned Contractor, request that the City withhold 10% of the Total Contract Sum and waive bonding and retainage in lieu thereof: X Yes
(initial). DMA No

7. **Term of Contract.**

The term of this Contract shall commence upon full execution of this Contract by the City and Contractor and shall continue until the City’s Contract Representative, in his sole discretion, determines that the emergency conditions necessitating this Contract have been adequately

addressed and final payment by the City to the Contractor, unless sooner terminated by either party for default under Section 8 below.

8. Termination for Default.

a. Termination. The City may terminate this Contract and take possession of the premises and all materials thereon and finish the Project by whatever methods it may deem expedient, by giving five (5) business days written notice to the Contractor, upon the occurrence of any one or more of the following: (1) The Contractor makes a general assignment for the benefit of its creditors, has a receiver appointed as a result of insolvency, or files for bankruptcy; (2) The Contractor persistently or repeatedly refuses or fails to complete the work herein necessary to complete the Project; (3) The Contractor fails to make prompt payment to a subcontractor for material or labor; (4) The Contractor persistently disregards instructions of the City's Contract Representative or otherwise substantially violates the terms of this Contract; or (5) The Contractor persistently disregards federal, state, or local laws, ordinances, regulations, or codes. Additionally, the City may terminate the Contract in whole or in part if the City determines that termination is in the best interests of the public and may also terminate this Contract in accordance with the provisions of Section 1-08.10 of the Standard Specifications.

b. Payment in the Event of Termination. In the event this Contract is terminated by either party, the Contractor shall not be entitled to receive any payment for work undertaken after a written notice of termination is provided to either party unless otherwise directed in writing by the City's Contract Representative.

9. Status of Contractor.

The Contractor is a licensed, bonded and insured contractor as required and in accordance with the laws of the State of Washington. Contractor is acting as an independent contractor in the performance of each and every part of this Contract. No officer, employee, volunteer, and/or agent of either party shall act on behalf of or represent him or herself as an agent or representative of the City. Contractor and its officers, employees, volunteers, agents, contractors and/or subcontractors shall make no claim of City employment nor shall claim against the City any related employment benefits, social security, and/or retirement benefits. Nothing contained herein shall be interpreted as creating a relationship of servant, employee, partnership or agency between Contractor and the City.

10. Permits.

The Contractor will apply for, pay for and obtain any and all City, State and Federal permits necessary to commence, construct and complete the Project.

11. Business License Required.

The Contractor shall obtain a City of Marysville Business License within ten (10) business days of commencing work under this Contract.

12. Work Ethic.

The Contractor shall perform all work and services under and pursuant to this Contract in timely, professional and workmanlike manner.

13. City Ownership of Work Products.

All work products (reports, maps, designs, specifications, etc.) prepared by or at the request of Contractor regarding the planning, design and construction of the Project shall be the property of the City. Contractor shall provide the City with paper and electronic copies of all work products in possession or control of Contractor upon written request from the City.

14. Trench Safety Systems.

The Contractor shall ensure that all trenches are provided with adequate safety systems as required by RCW Chapter 49.17 and WAC 296-155-650 and -655. The Contractor is responsible for providing the competent person and registered professional engineer required by WAC 296-155-650 and -655.

15. Prevailing Wages.

This Contract is subject to the requirement of Chapter 39.12 RCW and no worker, laborer, or mechanic employed in the performance of any part of this Contract shall be paid less than the prevailing rate of wage as determined by the Industrial Statistician of the Department of Labor and Industries for the State of Washington. The Contractor shall assure that it and any subcontractors fully comply with the requirements of Chapter 39.12 RCW, Chapter 49.28 RCW, and any further laws or regulations applicable because of federal funding.

The State of Washington prevailing wage rates for Snohomish County apply to work performed under this Contract. The applicable prevailing wage rates may be found at the following website address of the Department of Labor and Industries: <https://fortress.wa.gov/lni/wagelookup/prvWagelookup.aspx>
A copy of the applicable prevailing wage rates are available for viewing at the City and upon request, the City will mail a hard copy of the applicable prevailing wages.

16. Taxes and Assessments.

The Contractor shall be solely responsible for compensating its employees, agents, and/or subcontractors and for paying all related taxes, deductions, and assessments, including, but not limited to, applicable use and sales taxes, federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Contract.

17. Nondiscrimination Provision.

During the performance of this Contract, the Contractor shall comply with all applicable equal opportunity laws and/or regulations and shall not discriminate on the basis of race, age, color, sex, sexual orientation, religion, national origin, creed, veteran status, marital status, political

affiliation, or the presence of any sensory, mental or physical handicap. This provision shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, selection for training, and the provision of work and services under this Contract. The Contractor further agrees to maintain notices, posted in conspicuous places, setting forth the provisions of this nondiscrimination clause. The Contractor understands that violation of this provision shall be cause for immediate termination of this Contract and the Contractor may be barred from performing any services or work for the City in the future unless the Contractor demonstrate to the satisfaction of the City that discriminatory practices have been eliminated and that recurrence of such discriminatory practices is unlikely.

18. The Americans with Disabilities Act.

The Contractor shall comply, and shall require its subcontractors to comply, with the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq. (ADA), and its implementing regulations, and Washington State's anti-discrimination law as contained in RCW Chapter 49.60 and its implementing regulations, with regard to the work and services provided pursuant to this Contract. The ADA provides comprehensive civil rights to individuals with disabilities in the area of employment, public accommodations, public transportation, state and local government services, and telecommunications.

19. Compliance With Law.

The Contractors shall perform all work and services under and pursuant to this Contract in full compliance with any and all applicable laws, rules, and regulations adopted or promulgated by any governmental agency or regulatory body, whether federal, state, local, or otherwise.

20. Guarantee of Work.

The Contractor guarantees and warrants all its work, materials, and equipment provided and utilized for the Project to be free from defects, damage, or failure which the City may, in its sole discretion, determine is the responsibility of the Contractor, for a period of one (1) year from the date of Final Acceptance of the Project. The Contractor is liable for any costs, losses, expenses, additional damages including consequential damages suffered by the City resulting from defects in, damage, or failure of the Contractor's work, materials, or equipment including, but not limited to, cost of materials and labor expended by the City in making repairs and the cost of engineering, inspection, and supervision by the City.

a. The Contractor is responsible for correcting all defects in workmanship, materials, or equipment discovered within one (1) year after Final Acceptance.

b. Within seven (7) days of receiving notice of a defect, the Contractor shall start work to correct such defects and shall complete the work within a reasonable time. After performing corrections, the Contractor is responsible for defects in workmanship, materials, and equipment for one (1) year after the City's acceptance of those corrections.

c. If damage may result from delay or where loss of service may result, the City may choose to complete such corrections by contract or any other means, in which case the costs associated with correcting the defects and any damages resulting from the defects shall be borne by the Contractor.

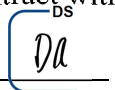
d. If the Contractor fails to correct a defect after receiving notice of the defect from the City or fails to bear the costs associated with correcting a defect, the Contractor will thereafter be considered non-responsible with regards to all City projects for one year following the notice of the defect.

21. Indemnification and Hold Harmless.

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.

 (initials)  (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.

22. Insurance.

a. Insurance Term. The Contractor shall procure and maintain insurance, as required in this Section, without interruption from commencement of the Contractor's work through the term on the contract and for thirty (30) days after the Physical Completion date, unless otherwise indicated herein.

b. No Limitation. Contractor's maintenance of insurance, its scope of coverage and limits as required herein shall not be construed to limit the liability of the Contractor to the

coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

c. Minimum Scope of Insurance. Contractors required insurance shall be of the types and coverage as stated below:

- i. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be at least as broad as Insurance Services Office (ISO) form CA 00 01.
- ii. Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop gap liability, independent contractors, products-completed operations, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide a per project general aggregate limit, using ISO form CG 25 03 05 09 or an equivalent endorsement. There shall be no exclusion for liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance policy with respect to the work performed for the City using ISO Additional Insured endorsement CG 20 10 10 01 or substitute endorsement providing at least as broad coverage.
- iii. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

d. Minimum Amounts of Insurance. Contractor shall maintain the following insurance limits:

- i. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
- ii. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate and a \$2,000,000 products- completed operations aggregate limit.

e. City Full Availability of Contractor Limits. If the Contractor maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Contractor, irrespective of whether such limits maintained by the Contractor are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Contractor.

f. Other Insurance Provisions. The Contractor's Automobile Liability, Commercial General Liability and Builders Risk insurance policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any Insurance, self-insurance, or self-

insured pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.

g. Contractor's Insurance for Other Losses. The Contractor shall assume full responsibility for all loss or damage from any cause whatsoever to any tools, Contractor's employee owned tools, machinery, equipment, or motor vehicles owned or rented by the Contractor, or the Contractor's agents, suppliers, contractors or subcontractors as well as to any temporary structures, scaffolding and protective fences.

h. Waiver of Subrogation. The Contractor and the City waive all rights against each other, any of their Subcontractors, Sub-subcontractors, agents and employees, each of the other, for damages caused by fire or other perils to the extent covered by Builders Risk insurance or other property insurance obtained pursuant to the Insurance Requirements Section of this Contract or other property insurance applicable to the work. The policies shall provide such waivers by endorsement or otherwise.

i. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

j. Verification of Coverage. Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsements, evidencing the Automobile Liability and Commercial General Liability insurance of the Contractor before commencement of the work. Upon request by the City, the Contractor shall furnish certified copies of all required insurance policies, including endorsements, required in this contract and evidence of all subcontractors' coverage.

k. Subcontractors. The Contractor shall cause each and every Subcontractor to provide insurance coverage that complies with all applicable requirements of the Contractor-provided insurance as set forth herein, except the Contractor shall have sole responsibility for determining the limits of coverage required to be obtained by Subcontractors. The Contractor shall ensure that the City is an additional insured on each and every Subcontractor's Commercial General liability insurance policy using an endorsement at least as broad as ISO Additional Insured endorsement CG 20 38 04 13.

l. Notice of Cancellation. The Contractor shall provide the City and all Additional Insureds for this work with written notice of any policy cancellation within two business days of their receipt of such notice.

m. Failure to Maintain Insurance. Failure on the part of the Contractor to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five business days notice to the Contractor to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Contractor from the City.

23. Assignment and Subcontractors.

a. The Contractor shall not assign this Contract or any interest herein, nor any money due to or to become due hereunder, without first obtaining the written consent of the City.

b. The Contractor shall not subcontract any part of the services to be performed hereunder without first obtaining the consent of the City and complying with the provisions of this section.

c. In the event the Contractor does assign this contract or employ any subcontractor, the Contractor agrees to bind in writing every assignee and subcontractor to the applicable terms and conditions of the Contract documents.

d. The Contractor shall, before commencing any work, notify the City in writing of the names of any proposed subcontractors. The Contractor shall not employ any subcontractor or other person or organization (including those who are to furnish the principal items or materials or equipment), whether initially or as a substitute, against whom the City may have reasonable objection. Each subcontractor or other person or organization shall be identified in writing to the City by the Contractor prior to the date this Contract is signed by the Contractor. Acceptance of any subcontractor or assignee by the City shall not constitute a waiver of any right of the City to reject defective work or work not in conformance with the Contract Documents. If the City, at any time, has reasonable objection to a subcontractor or assignee, the Contractor shall submit an acceptable substitute.

e. The Contractor shall be fully responsible for all acts and omissions of its assignees, subcontractors and of persons and organization directly or indirectly employed by it and of persons and organizations for whose acts any of them may be liable to the same extent that it is responsible for the acts and omissions of person directly employed by it.

f. The divisions and sections of the Specifications and the identifications of any drawings shall not control the Contractor in dividing the work among subcontractors or delineating the work to be performed by any specific trade.

g. The Contract does not and shall not create or be construed to create any relationship, contractual or otherwise, between the City and any subcontractor or assignee. Nothing in the Contract shall create any obligation on the part of the City to pay or to assure payment of any monies due any subcontractor or assignee.

h. The Contractor hereby assigns to the City any and all claims for overcharges resulting from antitrust violations as to goods and materials purchased in connection with this Contract, except as to overcharges resulting from antitrust violations commencing after the date of the bid or other event establishing the price of this Contract. In addition, the Contractor warrants and represents that each of its suppliers and subcontractors shall assign any and all such claims for overcharges to the City in accordance with the terms of this provision. The Contractor further agrees to give the City immediate notice of the existence of any such claim.

24. Severability.

a. If a court of competent jurisdiction holds any part, term or provision of this Contract to be illegal or invalid, in whole or in part, the validity of the remaining provisions shall not be affected, and the parties' rights and obligations shall be construed and enforced as if the Contract did not contain the particular provision held to be invalid.

b. If any provision of this Contract is in direct conflict with any statutory provision of the State of Washington, that provision which may conflict shall be deemed inoperative and null and void insofar as it may conflict, and shall be deemed modified to conform to such statutory provision.

25. Integration and Supersession.

This Contract, together with the Contract Documents, exhibits, and attachments represents the entire and integrated Contract between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Contract may be amended, modified, or added to only by a written amendment properly executed by both parties.

26. Non-Waiver.

A waiver by either party hereto of a breach of the other party hereto of any covenant or condition of this Contract shall not impair the right of the party not in default to avail itself of any subsequent breach thereof. Leniency, delay or failure of either party to insist upon strict performance of any Contract, covenant or condition of this Contract, or to exercise any right herein given in any one or more instances, shall not be construed as a waiver or relinquishment of any such Contract, covenant, condition or right.

27. Survival.

Any provision of this Contract which imposes an obligation after termination or expiration of this Contract shall survive the term or expiration of this Contract and shall be binding on the parties to this Contract.

28. Contract Representatives and Notices.

All notices under this Contract shall be sent by registered or certified mail, postage prepaid, or hand-delivered to the addresses for each Contract Representative listed below. When hand delivered, notices are deemed effective on the date of receipt. When mailed, notices are deemed effective three (3) business days after deposit in the U.S. mail.

This Contract shall be administered for the City by the City's Contract Representative, Billy Gilbert, and shall be administered for the Contractor by the Contractor's Contract Representative, Dale Abernathy. The parties may designate different Contract Representatives by sending written notice to the other party.

To the City: City of Marysville
Department of Public Works
Attn:
80 Columbia Avenue
Marysville, WA 98270

To Contractor: Holt Services INC
10621 Todd Road East
Edgewood, WA 98372

29. Third Parties.

The City and Contractor are the only parties to this Contract and are the only parties entitled to enforce its terms. Nothing in this Contract gives, is intended to give, or shall be construed to give or provide, any right or benefit, whether directly or indirectly or otherwise, to third persons.

30. Governing Law.

This Contract shall be governed by and construed in accordance with the laws of the State of Washington.

31. Venue.

The venue for any action to enforce or interpret this Contract shall lie in the Superior Court of Washington for Snohomish County, Washington.

32. 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.

33. Authority.

The person executing this Agreement on behalf of Contractor represents and warrants that he or she has been fully authorized by Contractor to execute this Agreement on its behalf and to legally bind Contractor to all the terms, performances and provisions of this Agreement. The person executing this Contractor on behalf of the City represents and warrants that he or she has been fully authorized by the City to execute this Contractor on its behalf and to legally bind the City to all the terms, performances and provisions of this Contractor.

34. Counterparts.

This Contract may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Contract.

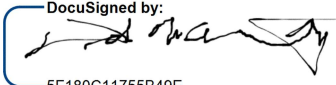
IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed the day and year first hereinabove written.

DATED: 9/15/2025

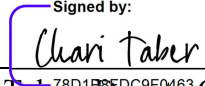
CITY OF MARYSVILLE

By: 
Jon Nehring, Mayor

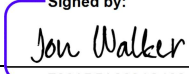
Holt Services INC

By: 
Dale Abernathy

Attest:


Chari Taber, Deputy City Clerk

Approved as to form:


Jon Walker, City Attorney

ATTACHMENTS:

- a. Specifications (if any)
- b. Payment and Performance Bond.
- c. Retainage Bond (at the option of the Contractor)

CONTRACT PAYMENT AND PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That whereas CITY OF MARYSVILLE has awarded to

(Contractor)

hereinafter designated as the "Principal," a Contract for the construction of the Project designated the [INSERT PROJECT NAME], all as hereto attached and made a part hereof, and whereas said principal is required under the terms of said Contract to furnish a bond for the faithful performance of said Contract:

NOW, THEREFORE, we the principal and

(Surety)

a corporation, organized and existing under and by virtue of the laws of the State of Washington, duly authorized to do business in the State of Washington, as Surety, are held and firmly bound unto CITY OF MARYSVILLE, a municipal corporation of the State of Washington in the sum of:

Enter Written Contract Amount

(Total Amount of Contract Sum)

Dollars (\$**Contract Amount**), lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by those presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that if the above-bonded principal, his or its heirs, executors, administrators, successors, or assigns shall in all things stand to and abide by and well and truly keep and perform the covenants, conditions, and agreements in the said Contract and shall faithfully perform all the provisions of such Contract and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said Contract that may hereafter be made, at the time and in the manner therein specified, and shall pay all laborers, mechanics, subcontractors, and material men and all persons who shall supply such person or persons or subcontractors with provisions and supplies for the carrying on of such work on his or their part and shall indemnify and save harmless CITY OF MARYSVILLE, their officers, employees and agents and shall further save harmless and indemnify said CITY OF MARYSVILLE from any defect or defects in any of the workmanship entering into any part of the work or designated equipment covered by said Contract which shall develop or be discovered within one (1) year after the final acceptance of such work, then this obligation shall become null and void; otherwise, it shall remain in full force and effect, provided that the liability hereunder for defects in materials and workmanship for a period of one (1) year after the acceptance of the work shall not be less than the sum of:

100% of the Contract Sum

And the said Surety, for the value received, hereby further stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligation on the bond, and it does hereby waive notice of any change, extension of time, alterations, or additions to the terms of the Contract or the work or to the specifications.

IN WITNESS WHEREOF, the said principal and the said Surety have caused this bond and three (3) counterparts thereof to be signed and sealed by their duly authorized officers this _____ day of _____, 20____.

TWO WITNESSES: (If sole proprietor or Partnership)

_____ Principal
By _____

ATTEST: (If Corporation)

Corporate Seal
By _____ Surety

Title _____ By _____
Its _____

Address of local office and agent of Surety Company is:

APPROVED AS TO FORM

By _____
Jon Walker, City Attorney

RETAINAGE BOND FORM

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS, that _____ (Contractor), a corporation organized under the laws of the State of Washington, and registered to do business in the State of Washington as a contractor, as Principal, and _____ (Surety), a corporation organized under the laws of the State of Washington and registered to transact business in the in the State of Washington as surety, as Surety, their heirs, executors, administrators, successors and assigns, are jointly and severally held and bound to the City of Marysville, Washington, hereinafter called "City", and are similarly held and bound unto the beneficiaries of the trust fund created by RCW Chapter 60.28, in the sum of _____ and ____/100's Dollars (\$ _____), the payment of which, well and truly to be paid, we bind ourselves, our heirs, executors and successors, jointly and severally, formally by these presents.

THE CONDITIONS OF THE ABOVE OBLIGATION ARE THAT:

WHEREAS, on _____, 20____, the Principal executed a contract (the "Contract") with the City known as:

Project Name:

Contract Number:

And,

WHEREAS, said Contract and RCW Chapter 60.28 require the City to withhold from monies earned by the Principal during the progress of the construction, hereinafter referred to as "earned retained funds"; and

WHEREAS, the Principal requested that the City release _____ and ____/100's Dollars (\$ _____) of the earned retained funds, as allowed under RCW Chapter 60.28.

NOW, THEREFORE, the condition of this obligation is such that the Surety is held and bound to the City to indemnify, defend and hold the City harmless from any and all loss, costs or damages that the City may sustain by reason of release of said earned retained funds to Principal.

PROVIDED, HOWEVER, it is expressly understood and agreed that:

1. Any suit or action under this bond must be instituted within the time period provided by applicable law. The bond shall be subject to all claims and liens provided for by law or Contract against the earned retained funds and in the same manner and priority as set forth for retained percentages in RCW Ch. 60.28 and the Contract.

2. The Surety hereby consents to and waives notice of any extension in the time for performance of the Contract, assignment of obligations under the Contract, or Contract alteration, termination, amendment or change order.
3. Until written release of this obligation by the City, this bond may not be terminated or canceled by the Principal or Surety for any reason. Any extension of time for the Principal's performance on the Contract, assignment of obligations under the Contract, or Contract alteration, amendment or change order shall not release the Surety from its obligation under this bond.
4. RCW Ch. 60.28 authorizes the City to substitute a retainage bond in lieu of earned retained funds and the Surety hereby waives any defense that this bond is void or otherwise not authorized by law.
5. Any claim or suit against the City to foreclose the liens provided for by RCW Ch. 60.28 shall be effective against the Principal and Surety and any judgment under RCW Ch. 60.28 against the City shall be conclusive against the Principal and the Surety.
6. The laws of the State of Washington shall apply to the determination of the rights and obligations of the parties hereunder. Venue for any dispute or claim hereunder shall be the state courts of Washington in Snohomish County, Washington.

The City Attorney may, in his or her discretion, waive conditions of the bond as appropriate.

The bond must be duly executed by the contractor and a surety that is (1) authorized to do business as a surety in the State of Washington and (2) rated at least "A" or better and with a numerical rating of no less than seven (7) by A.M. Best Company. The bond must be accompanied by a fully executed Power of Attorney appointing the signer for the Surety as the Surety's attorney-in-fact.

ACCEPTED
CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

Date _____

CONTRACTOR

By _____
Name: _____, Title: _____

Date _____

SURETY:

By _____
Signature on behalf of Surety

NOTE: THIS QUESTIONNAIRE MUST BE COMPLETED AND ATTACHED TO CERTIFICATE OF INSURANCE.

INSURANCE COVERAGE QUESTIONNAIRE

For: _____(Contractor)
Project Title:
Project Owner: City of Marysville

Are the following coverages and/or conditions in effect?

	Yes	No
The Policy form is ISO Commercial General Liability form GC-00 001 or GC 00 02 (circle ONE). If no, attach a copy of the policy with required coverages clearly identified.		
The City, its officials, officers, employees and volunteers are additional insureds as Respects (a) activities performed for the Owner by or on behalf of the Named Insured, (b) products and completed operations of the Named Insured, or (c) premises, owned, leased, or used by the Named Insured.		
Products Completed operation coverage.		
Cross Liability clause (or equivalent wording).		
Personal Injury Liability Coverage (with employee exclusion deleted)		
Broad Form Damage with X, C U Hazards included.		
Blanket Contractual Liability coverage applying to this contract or Contractual Liability Coverage applying to this contract		
Employers Liability – Stop Gap		
45 days written notice of cancellation to the City		

Deductibles Or SIRS GL _____ AL _____ Excess _____
Insurer’s Best Rating GL _____ AL _____ Excess _____

This questionnaire is issued as a matter of information. This questionnaire is not an insurance policy and does not amend, extend, or alter the coverage afforded by the policies indicated on the attached Certificate of Insurance.

_____ Agency/Broker	_____ Completed by (signature)
_____ Address	_____ Completed by (type or print)
_____ Name of person to contact	_____ Telephone Number



10621 Todd Road East
Edgewood, WA 98372
253 604-4878

ESTIMATE Date: 8/29/2025

Client: City of Marysville
Contact: Billy Gilbert
Email: bgilbert@marysvillewa.gov
Tel: 425-327-8681 C/360-363-8143 O

Project: PumpPull / New Install

Drill Type: Pump Rig

Item	Description	Unit	Quantity	Price	Total
1	Mob/Demob	LS	1	\$ 4,000.00	\$ 4,000.00
2	New Pump Berkeley 10VT400-7 ST / WL 6" 375 gpm@400'TH	LS	1	\$ 19,744.00	\$ 19,744.00
3	6" WL DI 1.18 SSA 10/16.5 BD 250# Discharge Head	LS	1	\$ 4,242.00	\$ 4,242.00
4	Column Pipe and Shaft, including head shaft	LS	1	\$ 51,460.00	\$ 51,460.00
5	Bushings	LS	1	\$ 7,800.00	\$ 7,800.00
6	Sounding Tubes Qty 2 @ 1.5" X 400'	LS	1	\$ 5,500.00	\$ 5,500.00
7	Pull Old Pump	HRS	10	\$ 750.00	\$ 7,500.00
8	Install New Pump	HRS	30	\$ 750.00	\$ 22,500.00
9	Brush, Bail, Swab	HRS	10	\$ 750.00	\$ 7,500.00
10	Well Video	EA	1	\$ 3,500.00	\$ 3,500.00
11		LF	0	\$ -	\$ -
12		LF	0	\$ -	\$ -
13		LF	0	\$ -	\$ -
14		LF	0	\$ -	\$ -
15		HRS	0	\$ -	\$ -
16		LS	1	\$ -	\$ -
17		HR	0	\$ -	\$ -
18		LS	1	\$ -	\$ -
19		HR	0	\$ -	\$ -
20		LS	1	\$ -	\$ -
21		LS	1	\$ -	\$ -
22		LS	1	\$ -	\$ -
Subtotal				\$	133,746.00
Sales Tax				0.0%	\$ -

Rig Rates for Additional Work:

1	Rig Operating Rate for Additional Work (Non Drilling)	Per Hour	\$700.00
2	Rig and Crew Standby Delays	Per Hour	\$700.00

Scope of Work:

Pull old pump, cut with torch, perform brushing and bailing, video well, install new line shaft pump w/column, shafts, bearings, etc. Water will be needed on site to run in well before well video.

Equipment and Approach:

Schedule and Crew:

Exclusions:

- 1 Access road to drilling location.
- 2 Potable drilling water supply
- 3 Any additional work not explicitly included in bid proposal
- 4 Sales tax or use taxes. (All applicable taxes will be added at time of invoicing)

Assumptions:

- 1 Work has been bid based upon the information provided to Holt with the following exclusions listed above. Work will be billed based upon the **actual quantities performed** in accordance with the above provided unit rates.
- 2 Level pad with access, adequate for 2WD rubber tired equipment accompanied by nearby staging area for deliveries and material storage, to be provided by client.
- 3 Drilling spoils and all fluids generated will be discharged to ground or containers provided by others.
- 4 An adequate water supply will be provided at or near the drill site by the client at no expense to Holt.
- 5 This proposal is subject to rig and crew availability. Neither party shall be bound by the terms of this proposal until a separate project specific agreement is executed.

Thank you for requesting this proposal from Holt Services. We look forward to the opportunity to work with you on this project.

Sincerely,

Christopher Dean

Holt Services, Inc.
MBL: 253-219-0482
cdean@holtservicesinc.com



MARYSVILLE
MAYOR JON NEHRING

MEMORADUM

Date: September 5, 2025

DECLARATION OF EMERGENCY SITUATION

WHEREAS, on August 25, 2025, a City well pump located at Lake Goodwin Well Site suffered a pump failure and possible well causing failure; and

WHEREAS, the resultant prohibits drinking water production for 460 and 327 pressure zones serving 40-50 residents and one elementary school; and

WHEREAS, the reduction in water supply forces the use of a supplemental water source and removes all redundancy for the 460 and 327 pressure zones jeopardizing the effective operation of the City's water system; and

WHEREAS, this condition is not sustainable and presents a real, immediate threat to the proper performance of essential municipal functions; and

WHEREAS, competitive bidding for a permanent replacement of the failed pump could take weeks or even months, and such a delay is unacceptable for the proper functioning of the City's water system; and

NOW, THEREFORE, I, Jon Nehring, Mayor of the City of Marysville, as a result of the above-noted situation, and under RCW 39.04.280(2)(b), have found that an emergency situation exists and therefore have waived competitive bidding requirements for emergency repairs and/or replacement of the well pump located at Lake Goodwin Well Site in order to restore a proper performance of the City's water system, and have authorized City staff to solicit and award the contracts necessary to effectuate such repairs.

DATED: 9/5/2025

DocuSigned by:

A8AE51528DE9478...

Jon Nehring, Mayor
City of Marysville

(360) 363-8000

Civic Center
501 Delta Ave
Marysville, WA 98270



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Skip Knutsen, Utilities & Maintenance Services

ITEM TYPE: Purchase Order

AGENDA SECTION: **New Business**

SUBJECT: Purchase Order - 2026 Ford F-350 Utility Body

SUGGESTED ACTION: Recommendend Motion: I move to authorize the Mayor to sign and execute the purchase order for three (3) 2026 Ford F-350 Utility Maintenance vehicles in the amount of \$239,883.45.

SUMMARY: The Fleet Division was appropriated funds in the 2025/2026 biennial budget to procure a total of three (3) Ford F-350 Water Utility Maintenance vehicles. This procurement will provide for the necessary equipment to complete maintenance activities related to the Water Utility.

ATTACHMENTS:
[2026 F350 PO.pdf](#)



80 Columbia Ave
Marysville, WA 98270
Phone: (360) 363-8250
Fax: (360) 651-5524
www.marysvillewa.gov/

DATE	9/29/2025
PO #	F00021

ORDER DETAILS	
Requested By:	Mark Cardon
Date Expected:	3/1/2026
F.O.B. Point:	Marysville WA
Ship Via:	Driver
Equipment/Vehicle NO:	J082, J083, J084

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

SUBTOTAL	\$ 239,883.45
TAX	\$ -
SHIPPING	
OTHER	
TOTAL	\$ 239,883.45

Purchase order includes applicable state and local taxes

Received By



Allied Body Works, Inc.
625 South 96th Street
(800) 733-7450
www.alliedbody.com

Estimate

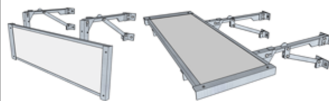
Date	Estimate No.
9/11/2025	63326

Name/Address	
PIERRE FORD LYNNWOOD 20020 HWY 99 LYNNWOOD, WA 98036	
Contact	GIL FRET
Contact Phone #	206-854-6611

Estimate is Provided by:	Roger Neal	
Vehicle #		
VIN #		
P.O. No.		
Terms	REP	Project
Net 30	RRN	City of Marysville

ITEM	DESCRIPTION	QTY	U/M	WEIGHT
	ESTIMATE TO FURNISH & INSTALL THE FOLLOWING:			
	- Knapheide 9'L 600-series SRW service body with standard features including Knaplined galva grip bumper, LED light kit, all painted white			
	- Knapheide modular cab protector, painted white			
	- Line-X cargo area, floor, walls, bulkhead and tailgate			
	- Line-X tops of compartments			
	- (2) FRC WorkPro LED work lights, mounted to cab protector (corners), wired to illuminated LED switch on dash			
	*** NOTE: Installer to determine best location for switch installation			
	*** NOTE: Always utilize factory upfitter switches ILO installing new switch if available			
	- Whelen amber LED mini lightbar mounted to cab protector (centered), wired to illuminated LED switch on dash			
	*** NOTE: Installer to determine best location for switch installation			
	*** NOTE: Always utilize factory upfitter switches ILO installing new switch if available			
	- Buyers Products surface mounted amber LED corner strobes, 2/front (in grill, wide as possible) and 2/rear (near S/T/T - installer to determine best placement), wired to illuminated LED switch on dash (same switch as Whelen lightbr)			
	*** NOTE: Installer to determine best location for switch installation			
	*** NOTE: Always utilize factory upfitter switches ILO installing new switch if available			
	- Hitch assembly, 2-1/2" receiver with 2" reducer sleeve and 7-way flat RV style plug			

Allied Body Works is the Manufacturer of Walker Blocker which are side guards designed to keep pedestrians and cyclists from being run over by a large truck's rear wheels in a side-impact collision.



Any order canceled after 48 hours will be subject to a 20% restocking fee.

Pick-up and delivery charges of \$300 will be added if Allied is to pick up or deliver a vehicle for work under \$3,500 or between 50-150 miles from our facility at 625 South 96th Street, Seattle, WA. Pickup and Delivery over 150 miles will require a quote. As a typical rule Allied Body does not pickup and deliver the same day. If fuel is needed to drive the vehicle to and from location, a fuel surcharge will be added.

Subtotal

Sales Tax (0.00)

TOTAL

SIGN & DATE TO ACCEPT ESTIMATE



Allied Body Works, Inc.
625 South 96th Street
(800) 733-7450
www.alliedbody.com

Estimate

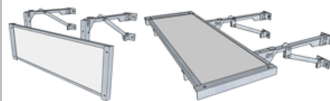
Date	Estimate No.
9/11/2025	63326

Name/Address	
PIERRE FORD LYNNWOOD 20020 HWY 99 LYNNWOOD, WA 98036	
Contact	GIL FRET
Contact Phone #	206-854-6611

Estimate is Provided by:	Roger Neal	
Vehicle #		
VIN #		
P.O. No.		
Terms	REP	Project
Net 30	RRN	City of Marysville

ITEM	DESCRIPTION	QTY	U/M	WEIGHT
	- Installation of factory supplied OEM backup camera - WeatherTech floor mats, front and rear - Weight slip			
	TO BE INSTALLED ONTO CUSTOEMR SUPPLIED 2025 FORD F-350 4X4 SUPER CAB SRW GAS CHASSIS WITH 60" C.A.			
KNP 6108-2	9' KNAPHEIDE 600 SERIES SERVICE BODY FOR 60" CA SRW CHASSIS, PAINTED WHITE 107.25" OVERALL LENGTH 40" BODY HEIGHT 14.5" DEEP COMPARTMENTS 49" WIDE CARGO AREA Prices include the following standard features: Two (2) adjustable divider shelves & dividers, street & curb side front vertical compartment One (1) adjustable divider shelf & dividers, street and curb side full height rear vertical compartment One (1) adjustable divider shelf & dividers, curb side horizontal compartment Automotive quality rotary latches & double spring over center door retainers on all vertical doors, one (1) 12" slam tailgate Light mounting holes and Knapheide lights Stock Model Terminology 2 = Painted Knapheide White complete with all lights wired and installed	1	ea	1150
KNP 20103280	78" Wide KnapLined Galva-Grip Straight Bumper	1	ea	
KNP 20094550	Installation Kit for Steel Service Body 2017 & Newer Ford 60" or 84" CA, 2022 & Newer F550 & F600 with 76X Aerial Prep Package Option	1	ea	

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Subtotal

Sales Tax (0.00)

TOTAL

SIGN & DATE TO ACCEPT ESTIMATE



Allied Body Works, Inc.
625 South 96th Street
(800) 733-7450
www.alliedbody.com

Estimate

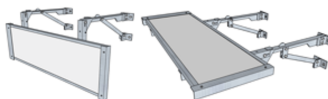
Date	Estimate No.
9/11/2025	63326

Name/Address	
PIERRE FORD LYNNWOOD 20020 HWY 99 LYNNWOOD, WA 98036	
Contact	GIL FRET
Contact Phone #	206-854-6611

Estimate is Provided by:	Roger Neal	
Vehicle #		
VIN #		
P.O. No.		
Terms	RRP	Project
Net 30	RRN	City of Marysville

ITEM	DESCRIPTION	QTY	U/M	WEIGHT
KNP 12256319	KIT, power hookup no switch for use to power rear strobes or compartment lights on chassis with factory upfitter switch. ***Must be used with stocking model KNP service body or with 20039480 lights***	1		
KNP 34360468	Universal Fuel Fill Cup Kit, Ford F250-F550/GM 2500-6500/Ram 2500-5500	1		
RAM TRACK-EXA-...	UNPKD 5" EXTRUDED ALUM TRACK W/ END CAPS	1		
RAM TRACK-H6U	UNPKD RAM 6" HAND-TRACK W END CAPS	2		
RAM RAP-HOL-UN...	UNPK RAM X-GRIP UNIVERSAL HOLDER TRACK BASE	1		
KNP 26265983	54" CENTER SECTION OF MODULAR CAB GUARD FOR J AND FJ40 BODIES	1	ea	
KNP 26265918	LEFT WING SECTION OF MODULAR CAB GUARD FOR J SERIES BODIES	1	ea	
KNP 26266098	RIGHT WING SECTION OF MODULAR CAB GUARD FOR J SERIES BODIES	1	ea	
KNP 26266163	KIT, TURBO BEAM MOUNTING	1	ea	
KNP 26266148	SPOT LIGHT MOUNTING BRACKET FOR MODULAR CAB GUARD	2	ea	
SUBLET	LINE-X 9FT SERVICE BODY FLOOR, WALLS, BULKHEAD, TAILGATE	1		
SUBLET	LINE-X TOP OF SERVICE BODY COMPARTMENTS	1		
FRC LED340-B07-W	7200 LUMEN FRC WORKPRO LED340 WHITE ROUND RESPONDER LP SUPER-LED MINI LIGHTBAR, ALUM BASE, PERM MOUNT, AMBER COLOR, CLEAR DOME, 3-1/4"H x 6-5/16"W x 17"L	2	ea	
WHE R2LPHPCA		1	ea	
BUY 8890310	Ultra Thin Wide Angle 5 Inch Amber/Green LED Strobe Light	4		
ABW SWITCH RD ...	ROCKER TOGGLE SWITCH ROUND 16A 12V, RED LED SPST	2	ea	
BUY 1801052	Class 5 44 Inch Service Body Hitch Receiver with 2-1/2 Inch Receiver Tube and 9 Inch Mounting Plates Rated up to 20,000 lb MGTW.	1	ea	

Allied Body Works is the Manufacturer of Walker Blocker which are side guards designed to keep pedestrians and cyclists from being run over by a large truck's rear wheels in a side-impact collision.



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Pick-up and delivery charges of \$300 will be added if Allied is to pick up or deliver a vehicle for work under \$3,500 or between 50-150 miles from our facility at 625 South 96th Street, Seattle, WA. Pickup and Delivery over 150 miles will require a quote. As a typical rule Allied Body does not pickup and deliver the same day. If fuel is needed to drive the vehicle to and from location, a fuel surcharge will be added.

Subtotal

Sales Tax (0.00)

TOTAL

SIGN & DATE TO ACCEPT ESTIMATE



Allied Body Works, Inc.
625 South 96th Street
(800) 733-7450
www.alliedbody.com

Estimate

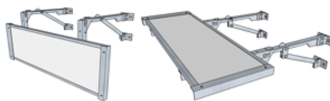
Date	Estimate No.
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Name/Address	
PIERRE FORD LYNNWOOD 20020 HWY 99 LYNNWOOD, WA 98036	
Contact	GIL FRET
Contact Phone #	206-854-6611

Estimate is Provided by:	Roger Neal	
Vehicle #		
VIN #		
P.O. No.		
Terms	REP	Project
Net 30	RRN	City of Marysville

ITEM	DESCRIPTION	QTY	U/M	WEIGHT
BUY RTA252	2-1/2" TO 2" RECEIVER TUBE ADAPTER **note - sell also	1	ea	
BUY HP6253WC	BUY HP6253WC pin/clip	1		
BUY TC1775P	5/8" HITCH PIN W/H.P. COTTER PIN	1		
	7-WAY RV BLADE OUTPUT TRAILER CONNECTOR - connects to truck oem trailer plug	1	ea	
MATERIALS	WTECH W408 FRONT SEAT MATS, FORD F-250/350/450, SUPER CAB	1		
MATERIALS	WTECH W358 REAR SEAT MATS, FORD F-250/350/450, SUPER CAB	1		
MATERIALS	MISC SHOP MATERIALS	1		
LABOR	HOURS OF SHOP LABOR	32	hr	
ABW WEIGHT SLIP	WEIGHT SLIP AFTER COMPLETION OF TRUCK	1	ea	
	SUBTOTAL			

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Pick-up and delivery charges of \$300 will be added if Allied is to pick up or deliver a vehicle for work under \$3,500 or between 50-150 miles from our facility at 625 South 96th Street, Seattle, WA. Pickup and Delivery over 150 miles will require a quote. As a typical rule Allied Body does not pickup and deliver the same day. If fuel is needed to drive the vehicle to and from location, a fuel surcharge will be added.

Subtotal \$20,572.00

Sales Tax (0.00) \$0.00

TOTAL \$20,572.00

SIGN & DATE TO ACCEPT ESTIMATE

ESTIMATE VALID FOR 90 DAYS FROM DATE ABOVE



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: **New Business**

SUBJECT: An **Ordinance** Relating to the NorthPoint MV2 UGA Expansion Comprehensive Plan Map Amendment

SUGGESTED ACTION: Recommended Motion: I move to adopt Ordinance No. _____.

SUMMARY:

As part of the Snohomish County 2024 Comprehensive Plan update, a 39-acre expansion to the City of Marysville's Urban Growth Area (UGA) was approved. The UGA expansion area is located west of 67th Avenue, north of 162nd Street NE, and east of the Burlington Northern Santa Fe railway right-of-way, and is identified by Assessor's Parcel Numbers 31052700100400, 31052700100500, and 31052700400200. With the UGA expansion, the property was redesignated from Agriculture-10 Acre (A-10) to Urban Industrial (UI).

Since the NorthPoint MV2 docket request was approved around the same time as the overall Marysville Comprehensive Plan, the Northpointe MV2 UGA expansion is not reflected on the various maps in the 2024 Comprehensive Plan or on the standalone Comprehensive Plan maps. The proposed amendment is to update all applicable Comprehensive Plan maps to reflect the UGA expansion and designate the property Light Industrial (LI). A minor associated text change, which entails omitting footnote 18 on page 28 of the Land Use Element and associated minor changes to UGA acreage figures as necessary, are proposed. Nearly all of the maps within the Comprehensive Plan will be amended to reflect this change. To avoid redundancy, some of these maps are only included with the next agenda item pertaining to the Middle Housing Comprehensive Plan Amendments.

At the August 12th Planning Commission Public Hearing, staff and public testimony was provided. The Planning Commission recommended approval of the Comprehensive Plan Map Amendments and associated land use designation change to reflect the NorthPoint MV2 UGA Expansion to City Council for adoption by Ordinance. At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the NorthPoint MV2 UGA Expansion Comprehensive Plan Map Amendments and associated land use designation change by Ordinance.

ATTACHMENTS:

[Memo and Exhibits 1 - 4 NorthPoint MV2 UGA Expansion Comp. Plan Map Amend.](#)
[Exhibit 5 - Ord. NorthPoint MV2 UGA Expansion Map Amendment](#)

MEMORANDUM

DATE: October 27, 2025

TO: City Council

FROM: Angela Gemmer, Planning Manager

RE: NorthPoint MV2 UGA Expansion

CC: Jennifer Stapleton, City Administrator
Jeff Wilson, Interim Community Development Director

EXHIBIT 1: Original NorthPoint MV2 UGA Expansion request

EXHIBIT 2: Amended NorthPoint MV2 UGA Expansion request

EXHIBIT 3: [Snohomish County Amended Ordinance No. 24-031](#)

EXHIBIT 4: [Planning Commission minutes July 8th and August 12th](#)

EXHIBIT 5: Proposed Ordinance NorthPoint MV2 UGA Expansion Comprehensive Plan Map Amendment

Background

As part of Snohomish County’s major docket cycle amendments, Snohomish County Planning and Development Services received various requests to amend the Snohomish County Comprehensive Plan. Among the docket requests received was the NorthPoint Development Marysville UGA expansion request (County ID MV2). The initial NorthPoint MV2 UGA expansion request was for approximately 183 acres located just east of the northeast corner of the Marysville UGA, west of 67th Avenue NE, north of 152nd Street NE, and east of the Burlington Northern Santa Fe (BNSF) railway right-of-way (see **Exhibit 1**). The full UGA expansion was not supported by Snohomish County and was ultimately modified by the Snohomish County Council to comprise 39-acres located west of 67th Avenue, north of 162nd Street NE, and east of the BNSF railway right-of-way (see **Exhibit 2**). The 39-acre assemblage is identified by Assessor’s Parcel Numbers 31052700100400, 31052700100500, and 31052700400200. The reduced 39-acre UGA expansion was approved by the Snohomish County Council on December 4, 2024 (see **Exhibit 3** at the link above). With the UGA expansion, the property was redesignated from Agriculture-10 Acre (A-10) to Urban Industrial (UI).

Summary of Amendments

Since the NorthPoint MV2 docket request was approved around the same time as the overall Marysville Comprehensive Plan, the NorthPoint MV2 UGA expansion is not reflected on the various maps in the 2024 Comprehensive Plan or on the standalone Comprehensive Plan maps. The proposed amendment is to update all applicable Comprehensive Plan maps to reflect the UGA expansion and designate the property Light Industrial (LI). The following minor associated text change, which entails omitting footnote 18 on page 28 of the [Land Use Element](#) of the Comprehensive Plan (see text below) and making associated minor changes to UGA acreage figures as necessary. To prevent any numbering issues for this footnote, it will be amended to read ‘Reserved’.

18. With Snohomish County's 2024 Comprehensive Plan update, a docket request was filed by NorthPoint Development for an expansion of the City of Marysville's UGA by 183 acres. The proposed UGA expansion area is located at the northeast corner of the intersection of 152nd Street NE and 67th Avenue NE. If adopted, this UGA expansion would redesignate this land from a rural designation to industrial. In March 2024, the Snohomish County Planning Commission recommended approval of the docket request; however, the docket request was not included in the Executive Recommendation provided to the Snohomish County Council. The docket request is still pending as of this writing.

Various maps will be updated to reflect the NorthPoint MV2 UGA Expansion Map Amendment. The attached Ordinance to adopt this map amendment shows the NorthPoint expansion area and includes the following Comprehensive Plan changes: an amended Figure 2.2 and the omission of associated text on page 28; amended acreage figures and percentages on pages 24 and 30; and amended Figures 2.1, 2.11 – 2.13, 2.25, 2.26, 4.20, 4.21, 5.3, 5.5, 5.6, 6.1, 6.2, 6.7, 7.1 – 7.3, 7.5 – 7.9, 8.1 – 8.11, 8.13, 8.15, 8.16, 8.18, 8.19, 9.1 – 9.4, and 9.8. To avoid redundancy and potential errors, maps showing both the NorthPoint UGA Expansion and residential zoning changes are only provided in the proposed Middle Housing Comprehensive Plan Ordinance, which is the next agenda item.

At the August 12th Public Hearing, the Planning Commission recommended approval of the amendments to the Comprehensive Plan to reflect the NorthPoint MV2 UGA Expansion. At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the NorthPoint MV2 UGA Expansion Comprehensive Plan Map Amendments and associated land use designation change by Ordinance.

Exhibit 1

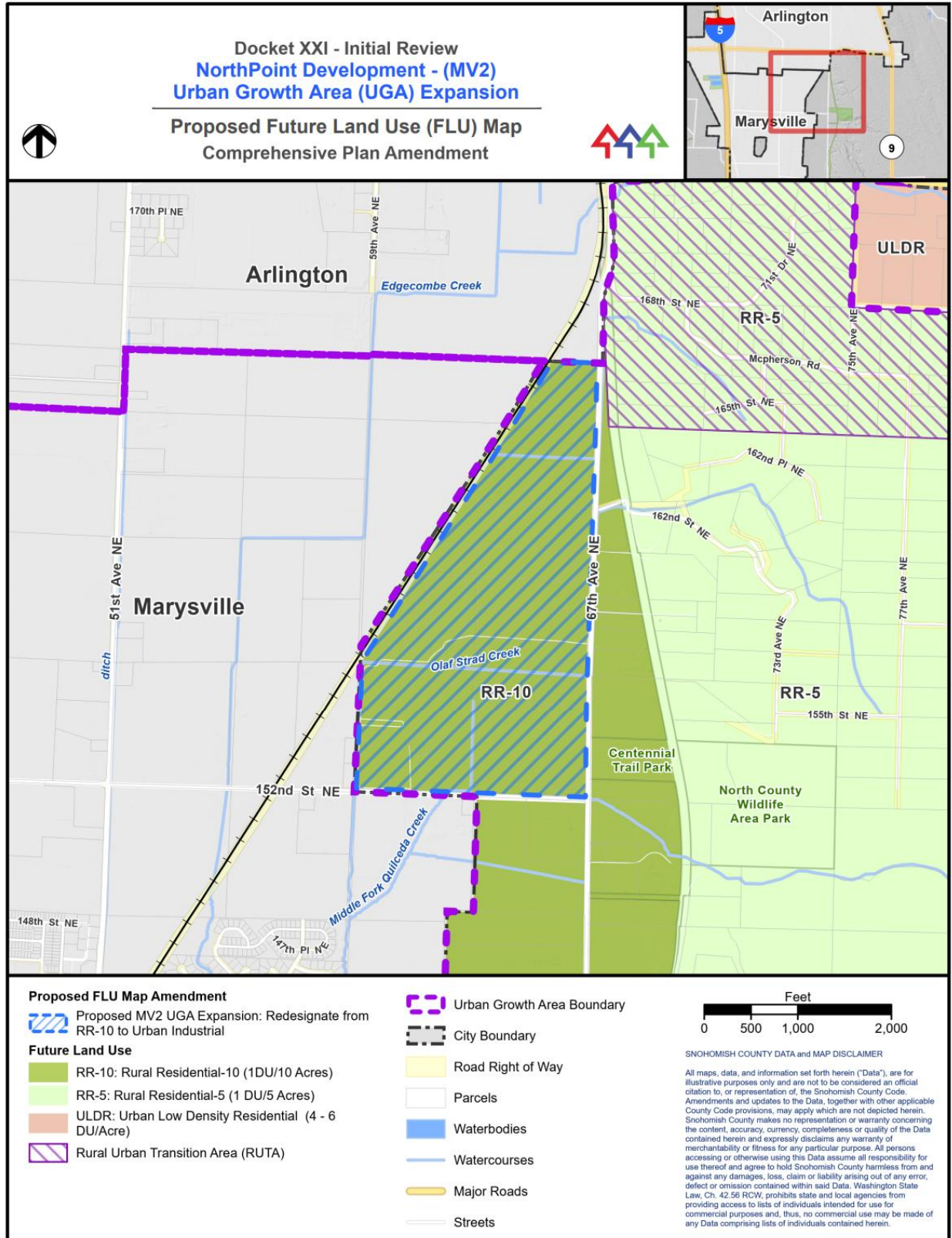
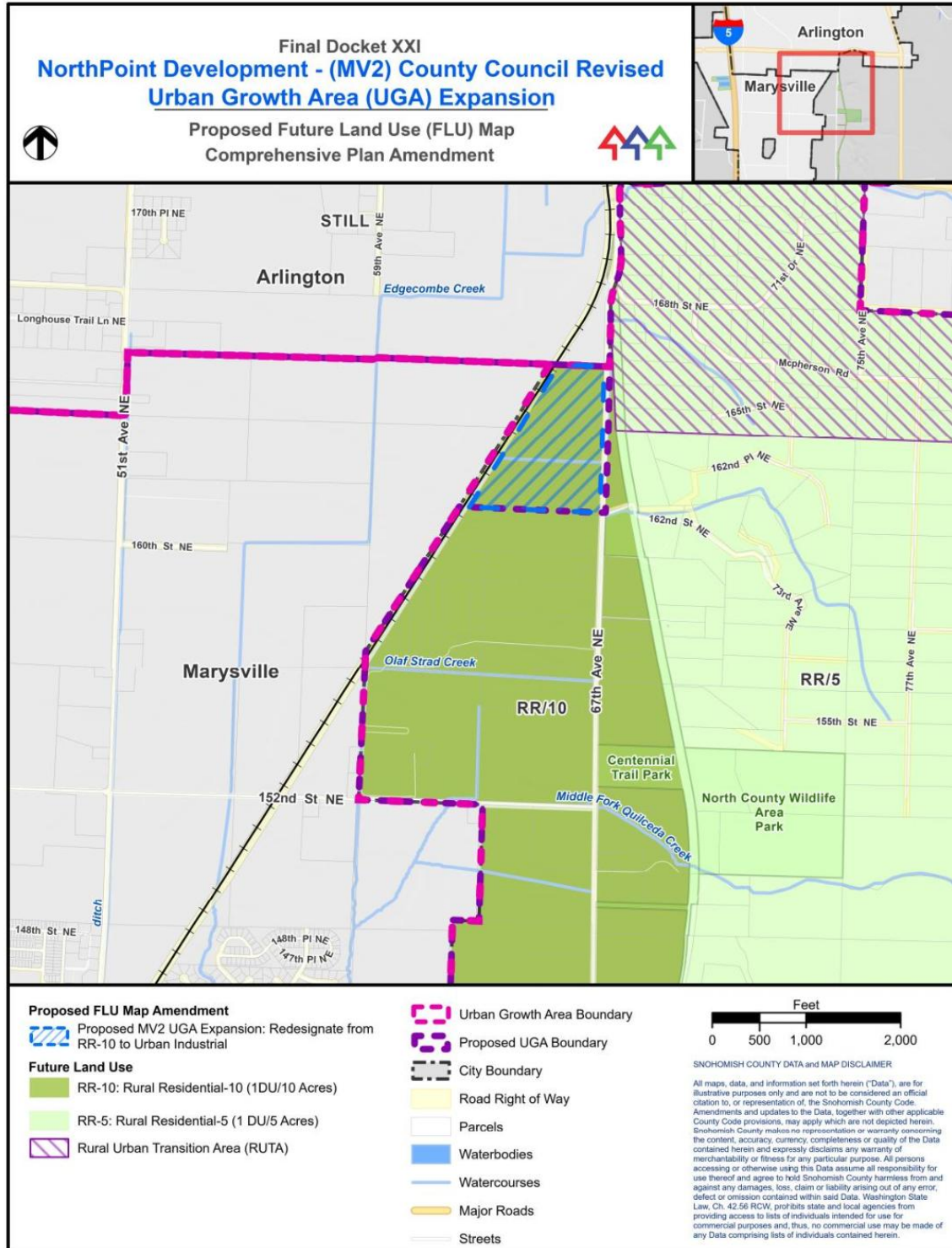


Exhibit 2

Exhibit C: Future Land Use Map Changes



CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO THE MARYSVILLE GROWTH MANAGEMENT COMPREHENSIVE PLAN, ORDINANCE NO. 3330, AND THE CITY'S COMPREHENSIVE PLAN MAP, AS PREVIOUSLY AMENDED, AND APPROVING THE NORTHPOINT MV2 URBAN GROWTH AREA (UGA) EXPANSION MAP AMENDMENT, WHICH AMENDS THE COMPREHENSIVE PLAN'S LAND USE MAP TO REFLECT THE UGA EXPANSION APPROVED BY SNOHOMISH COUNTY AND TO APPLY A LAND USE DESIGNATION OF LIGHT INDUSTRIAL (LI) TO THE PROPERTY ASSEMBLAGE LOCATED NORTH OF 162ND STREET NE ON THE WEST SIDE OF 67TH AVENUE NE.

WHEREAS, on December 9, 2024, the Marysville City Council enacted Ordinance No. 3211 adopting an updated Growth Management Comprehensive Plan ("Comprehensive Plan") for the City of Marysville; and

WHEREAS, the Growth Management Act allows jurisdictions to amend comprehensive plans once a year, except in those situations enumerated in RCW 36.70A.130(2)(a); and

WHEREAS, on January 27, 1997, the Marysville City Council adopted Resolution No. 1839, providing for procedures for annual amendment and update of the City's Comprehensive Plan; and

WHEREAS, on February 14, 2011, the Marysville City Council adopted Ordinance No. 2852, adding Chapter 22G.020 to the Marysville Municipal Code (MMC) entitled "Procedures for Legislative Actions" which establishes procedures for processing and review of legislative actions relating to amendments or revision to the Comprehensive Plan and Development Regulations; and

WHEREAS, as part of Snohomish County's major docket cycle amendments, Snohomish County Planning and Development Services received various requests to amend the Snohomish County Comprehensive Plan, including the docket request for the NorthPoint MV2 UGA Expansion; and

WHEREAS, as part of Snohomish County's major docket cycle amendments, Snohomish County Planning and Development Services received various requests to amend the Snohomish County Comprehensive Plan, including the docket request for the NorthPoint MV2 UGA Expansion; and

WHEREAS, the initial NorthPoint MV2 UGA Expansion request was for approximately 183 acres located just east of the northeast corner of the Marysville UGA, west of 67th Avenue NE, north of 152nd Street NE, and east of the Burlington Northern Santa Fe (BNSF) railway right-of-way; and

WHEREAS, the full NorthPoint UGA Expansion was not supported and was ultimately modified by the Snohomish County Council to comprise 39-acres located west of 67th Avenue NE, north of 162nd Street NE, and east of the BNSF railway right-of-way, which is identified by Assessor's Parcel Numbers 31052700100400, 31052700100500, and 31052700400200 and depicted in the attached **Exhibit A** and the parcels legally described in **Exhibit B**; and

WHEREAS, the 39-acres NorthPoint UGA Expansion Area (hereafter referred to as the “UGA Expansion Area” was approved by the Snohomish County Council on December 4, 2024, and was redesignated from Agriculture-10 Acre (A-10) to Urban Industrial (UI); and

WHEREAS, the City’s Comprehensive Plan needs to be amended to reflect this change and to apply a future land use designation for UGA Expansion Area; and

WHEREAS, the UGA Expansion Area is contiguous to the City’s Smokey Point Master Plan, the Marysville portion of the Cascade Industrial Center (CIC), and Light Industrial (LI) land use designation and zoning; and

WHEREAS, the UGA Expansion Area is most practically suited to having a Light Industrial (LI) land use designation; and

WHEREAS, on July 15, 2025, the City issued a State Environmental Policy Act Determination of Non-significance (DNS), which addresses the environmental impacts of the proposed UGA Expansion Area Comprehensive Plan map amendment and land use designation, a non-project action proposal; and

WHEREAS, the City submitted the proposed Comprehensive Plan Land Use Map amendments to Washington State Department of Commerce for 60-day review in accordance with RCW 36.70A.106, which was assigned Submittal ID 2025-S-8280; and

WHEREAS, the Marysville Planning Commission, discussed the proposed UGA Expansion Area map amendment and land use designation at a public workshop on July 8, 2025; and

WHEREAS, the Marysville Planning Commission held a duly-advertised public hearing on August 12, 2025, and received testimony from property owners, staff, and other interested parties; and

WHEREAS, the Marysville Planning Commission provided a written recommendation that the proposed UGA Expansion Area Comprehensive Plan Map amendment be approved by the Marysville City Council; and

WHEREAS, at a public meeting on October 27, 2025, the Marysville City Council reviewed and concurred with the Planning Commission’s written recommendation related to the UGA Expansion Area; and

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

Section 1. City Council Findings. The City Council hereby finds the amendment to the Comprehensive Plan's Land Use Map to reflect the UGA Expansion Area and assignment of a Light Industrial land use designation to said properties is:

1. Consistent with the City's Comprehensive Plan and Zoning Code;
2. Consistent with the State Growth Management Act and the State Environmental Policy Act;
3. Warranted by significant changes in circumstances; and
4. Warranted by sufficient benefit or cost to the public health, safety, and welfare.

Section 2. Amendment of Comprehensive Plan and Comprehensive Plan Map. The City Council amends the Marysville Growth Management Comprehensive Plan and Ordinance No. 3330, as previously amended, by adopting the NorthPoint MV2 UGA Map Expansion, which amends the Comprehensive Plan map to depict the UGA expansion area, which is located west of 67th Avenue NE, north of 162nd Street NE, and east of the BNSF railway right-of-way, and applies a land use designation of Light Industrial, as depicted in the attached **Exhibit A** to the parcels legally described in **Exhibit B**, and directs staff to amend Figure 2.2 of the Comprehensive Plan and supporting text on page 28 as shown in **Exhibit C**; text on pages 24 and 30 as shown in **Exhibit D** and **Exhibit E** respectively; and Figures 2.1, 2.11 – 2.13, 2.25, 2.26, 4.20, 4.21, 5.3, 5.5, 5.6, 6.1, 6.2, 6.7, 7.1 – 7.3, 7.5 – 7.9, 8.1 – 8.11, 8.13, 8.15, 8.16, 8.18, 8.19, 9.1 – 9.4, and 9.8 as shown in **Exhibit F**. This change will also be reflected on various maps within the Comprehensive Plan that are part of the Middle Housing Comprehensive Plan Ordinance. This amendment shall be included with the Comprehensive Plan file in the office of the City Clerk and shall be available for public inspection; and

Section 3. 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 4. 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 5. 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: _____
TINA BROCK, CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

EXHIBIT A

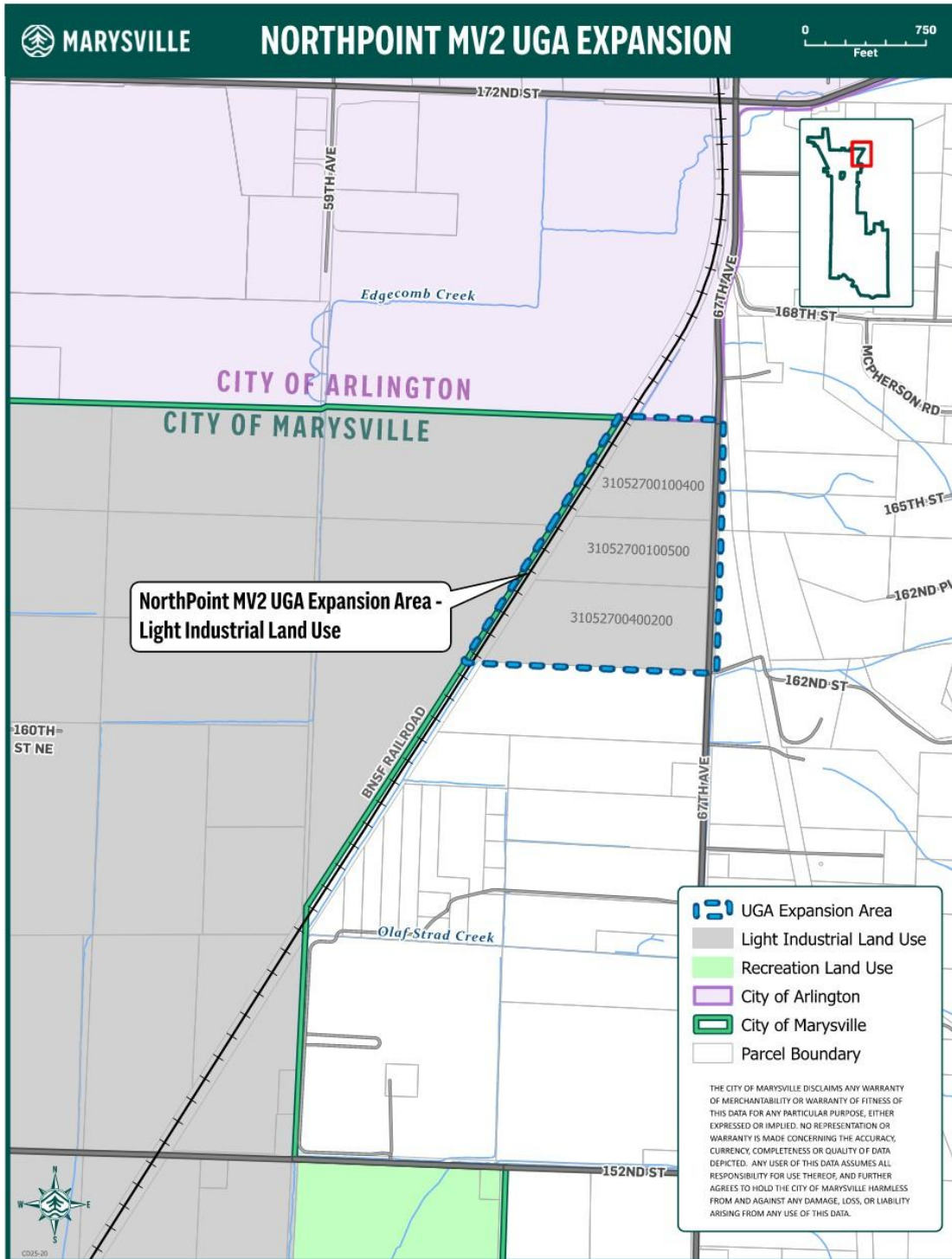


EXHIBIT B

APN 31052700100400

SEC 27 TWP 31 RGE 05RT-6A) COM AT A PT ON E LN OF SEC 27- 31-5 1993.2FT S OF NE COR OF SD SEC TH CONT S ON SD E LN 616.4FT TH W 838.4FT TAP ON ELY MGN OF NP R/W TH NELY ALG SD NP R/W 706.1FT TAP W OF POB TH E 472.7FTTO POB EXC E 20FT THOF FOR RD

APN 31052700100500

SEC 27 TWP 31 RGE 05 RT-6A-1 & 24) BAAP ON E LN SEC 2609. 6FT S OF NE COR SEC 27 TH W 838.4FT M/L TO ELY LN NP R/W TH SLY ALG R/W 479.7FT M/L TH E TO E LN SEC TH N TO POB OSG-AG CONSER-75

APN 31052700400200

SEC 27 TWP 31 RGE 05 RT-24B) N 525FT OF S 974.6FT OF N1/2 SE1/4 LY ELY OF NP R/W LESS CO RD (14.00 OF 15.00 ACRES) OSG-AG CONSER-75

EXHIBIT C

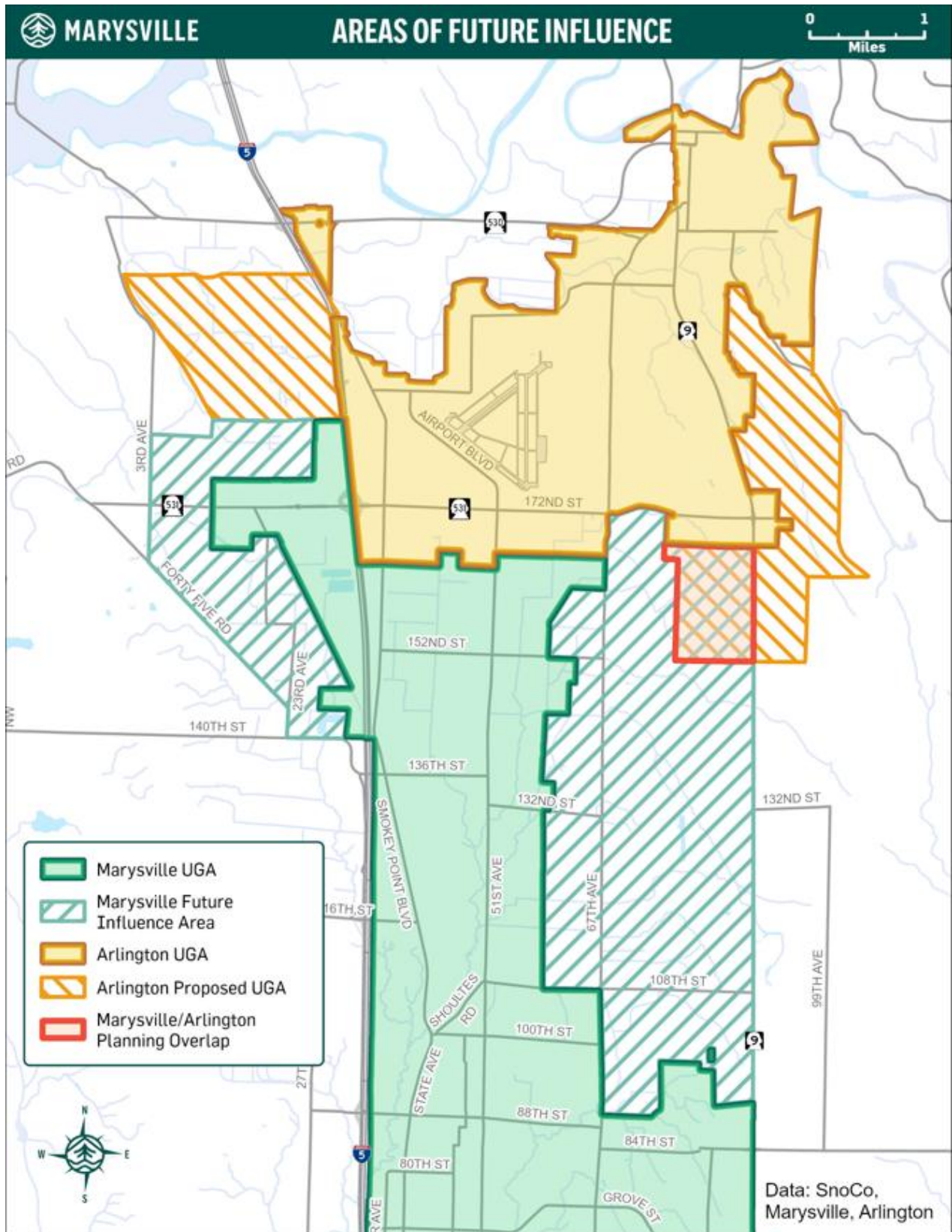


Figure 2.2

Annexation

Cities are ultimately expected to annex areas within their respective UGAs and, therefore, must plan for effective service delivery for transitioning these areas into the city limits. Marysville has actively sought annexation of its UGA, negotiated interlocal agreements with Snohomish County for annexation of and urban development within its UGA, and adopted policies to encourage transition of unincorporated areas into the City limits. These policies and agreements ensure a smooth transition from County to City jurisdiction when annexation occurs and have helped facilitate annexation of virtually all of the City's UGA.¹⁸

This Comprehensive Plan establishes policies and conditions to address public services, infrastructure and utility extension and compatibility issues within Marysville's UGA and potential future annexation areas. These policies are intended to provide the City with guidance when undertaking decisions about future annexation. They encourage the City to carefully identify, evaluate and conduct annexations that will enhance the quality of life, improve the efficiency of services, protect the environment, and promote land use goals.

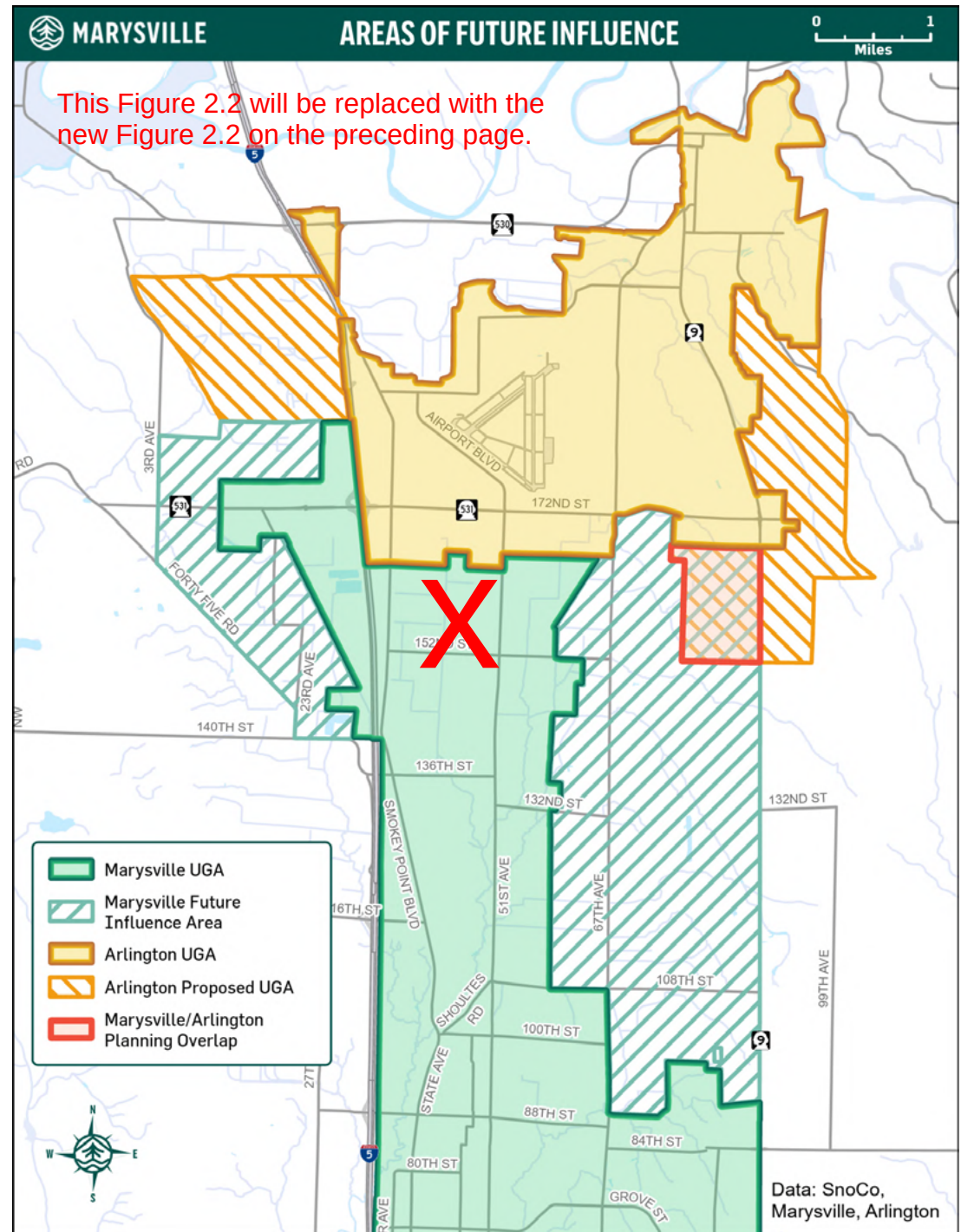
Areas of Future Influence

Washington State's GMA and Puget Sound Regional Council (PSRC) require planning efforts that increase density within UGAs, and consideration of reasonable measures (see [Appendix 1](#)), prior to pursuing UGA expansions.¹⁹ While the City anticipates meeting the 2044 population, housing and employment targets allocated by Snohomish County within its current UGA, it is anticipated that over time future UGA expansions will be needed. Figure 2.2 depicts Areas of Future Influence that are likely future expansion areas. One area to the east of the City is designated as a potential expansion area in the Comprehensive Plans of both Marysville and Arlington, which will require ongoing coordination with Arlington and Snohomish County to finalize where each jurisdiction may expand in the future.

Reserved.

18. With Snohomish County's 2024 Comprehensive Plan update, a docket request was filed by NorthPoint Development for an expansion of the City of Marysville's UGA by 103 acres. The proposed UGA expansion area is located at the northeast corner of the intersection of 162nd Street NE and 67th Avenue NE. If adopted, this UGA expansion would redesignate this land from a rural designation to industrial. In March 2024, the Snohomish County Planning Commission recommended approval of the docket request; however, the docket request was not included in the Executive Recommendation provided to the Snohomish County Council. The docket request is still pending as of this writing.

19. Reasonable measures are strategies that jurisdictions can implement to meet growth management goals without expanding Urban Growth Areas (UGAs).



Land Use Snapshot



Adequate Land to Accommodate Growth

Over the past twenty years, the City of Marysville has grown tremendously in all sectors - commercial, industrial, and residential. The Land Use Element and companion land use regulations largely shape the City's pattern of growth, quality of development, and desired character by determining what may be built and where. The overarching goal of the Land Use Element is to ensure an adequate supply of commercial, industrial, institutional, and residential land to accommodate future growth, while simultaneously ensuring there are sufficient facilities, services, and environmental protections to support this growth and a good quality of life.



The UGA, Annexation, and Areas of Future Influence

In Washington State, the Urban Growth Area (UGA) determines where urban growth can occur. A City's UGA must have capacity for commercial, industrial, and residential growth for a 20-year planning period. Cities are ultimately expected to annex their UGAs. Marysville has proactively pursued annexation. Consequently, over 99 percent of the City's UGA has been annexed. Before future UGA expansions, the City must pursue planning efforts to increase density within the current UGA. While the City has adequate capacity in the UGA for its 2044 growth targets, Areas of Future Influence have been mapped to identify where expansion could occur.



Land Use Inventory

The City's land use inventory evaluates the City's total and developable acres by land use designation, zoning to determine whether there is adequate land capacity to accommodate the City's growth targets. The land capacity estimates are derived from Snohomish County's 2021 Buildable Lands Report. Of the City's 11,663 acres, 2,784 or 23.5 percent of land is still buildable. While 56 percent of land in the City is designated for single family, only 39 percent of buildable land has a single family designation. Industrial, commercial, multi-family, institutional/recreation, and open designations account for 44 percent of land in the city.

11,702

2,743

23.5



2044 Growth Targets and Capacity

The Growth Management Act requires jurisdictions to plan for growth over a 20-year time span using the Office of Financial Management's population forecasts. Snohomish County's Countywide Planning Policies provide direction on how to allocate the State's growth to the cities. Of Snohomish County's growth, the City is anticipated to receive 9.4 percent of population, 8.5 percent of housing, and 10.3 percent of job growth over the next 20 years. This growth forecast predicts that the City will have 99,822 residents, 39,976 housing units, and 32,926 jobs by 2044.



Land Use Designations

The City's Future Land Use or Comprehensive Plan Map sets forth the City's vision for where land uses should occur. Land use designations within the City generally fall into four broad categories: commercial, industrial, residential, and institutional/recreation/open. There are several different land use designations under these broad categories that guide where specific uses are permitted, their scale or intensity, and, for residential uses, allowed densities. Most land use designations and zones apply City-wide; however, the Downtown Master Plan Area and portions of the East Sunnyside - Whiskey Ridge Master Plan Area contain unique designations.



Neighborhoods, Master Plan Areas, and Center

The vision, character, and development pattern of the City is further shaped by its 11 designated Neighborhoods, five Master Plan Areas, and one regional Center. Within certain Neighborhoods, Master Plans or Subarea Plans provide further vision and standards to direct growth. The Cascade Industrial Center (CIC), which comprises nearly all of the Smokey Point Neighborhood, was designated as a regional center by the Puget Sound Regional Council (PSRC).

EXHIBIT E

Properties with existing structures, on or before April 1, 2019, were deemed developed and population and employment were allocated to them. Properties where projects are proposed, built or occupied after April 1, 2019 were allocated future capacity. Land on developable parcels that are not buildable were removed from the buildable lands inventory.²¹

An analysis of actual past residential, commercial, and industrial development by City land use designation was conducted to approximate development densities (i.e. housing units or jobs per buildable acre) as detailed in [Appendix 2](#). These development densities were applied to buildable parcels in order to estimate additional housing unit and employment capacity. The capacity estimates were then adjusted to reflect development uncertainties.²² The parcel level capacity estimates were then aggregated and applied to each respective City, UGA and Municipal UGA within Snohomish County.

Land Use Inventory

The City of Marysville includes ~~11,683~~ ^{11,702} acres of which ~~2,704~~ ^{2,743} acres, or about ~~23.2~~ ^{23.5} percent of land, is buildable as shown in Figure 2.4 below.²³ Fifty-six (56) percent of land within the City is designated as single family; however, this designation accounts for only ~~39~~ ³⁸ percent of the buildable land as depicted in Figure 2.5 and Figure 2.6. Industrial, commercial, multi-family, and institutional/recreation and open space land account for the remaining 44 percent of land in the City, but ~~61~~ ⁶² percent of the buildable land.

Figure 2.4

Land Use Inventory by General Land Use Category²⁴

ACREAGE	Single family	Industrial	Commercial	Multi-family	Institutional, Recreation & Open
TOTAL	6,413	1,630 ^{1,591}	1,382	1,165	958
BUILDABLE	1,047	649 ⁶⁸⁸	615	348	41

Source: 2021 Buildable Lands Reports and City of Marysville Land Capacity Analysis

21. Unbuildable lands include critical areas and buffers (i.e. steep slopes, wetlands, streams, lakes, and floodplains); major utility easements; future arterial rights-of-way; and land needed for other capital facilities (i.e. schools, parks, water/sewer/storm, etc.).

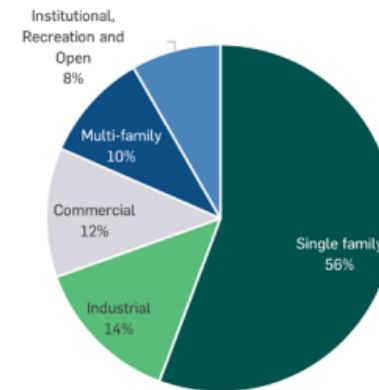
22. Development uncertainties include: the ability to obtain capital facilities and services (e.g. water and sewer) to support urban development, and market availability (i.e. property that is withheld from development) over the next 20 years. Due to the rapid pace of development in various neighborhoods throughout the City, particularly the East Sunnyside-Whiskey Ridge, Smokey Point, and Lakewood Neighborhoods, and to ensure adequate capacity, the market availability reduction factor was removed from properties where projects were constructed, obtained land use approval, or had a formal land use application filed between April 2019 and October 2024.

23. A complete land capacity analysis and table are provided in [Appendix 2](#) of the Land Use Element.

24. The City of Marysville has 27 different land use designations. These designations are consolidated into the five general categories shown above for ease of interpreting the data. Most land use designations fall neatly into a category with the exception of the following three which are included in the general categories above as follows: Mixed Use is with Commercial, Flex Residential is with Residential, and Light Industrial with General Commercial Overlay is with Industrial. Approximately 155 acres are unannexed and, therefore, not included in this table.

Figure 2.5

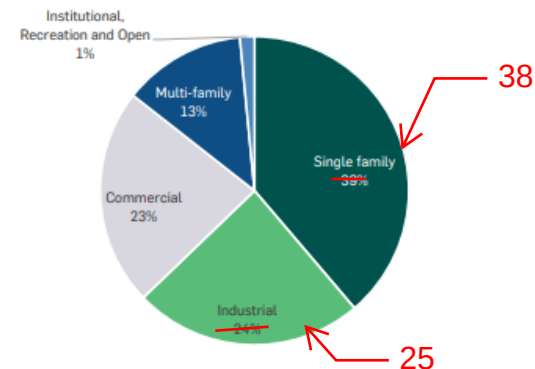
Total Acreage by General Land Use Designation



Source: 2021 Buildable Lands Reports and City of Marysville Capacity Analysis

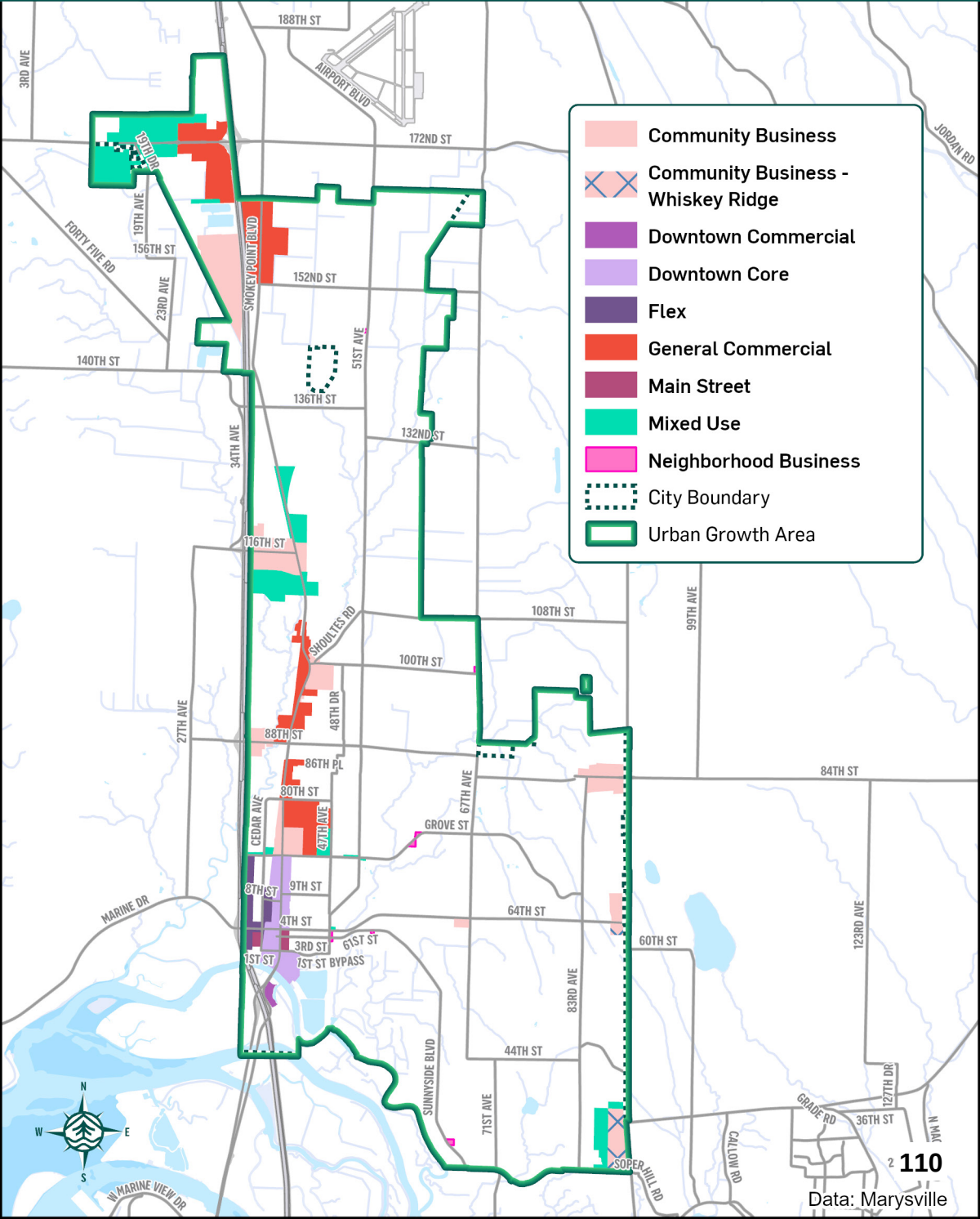
Figure 2.6

Buildable Acreage by General Land Use Designation



Source: 2021 Buildable Lands Reports and City of Marysville Capacity Analysis





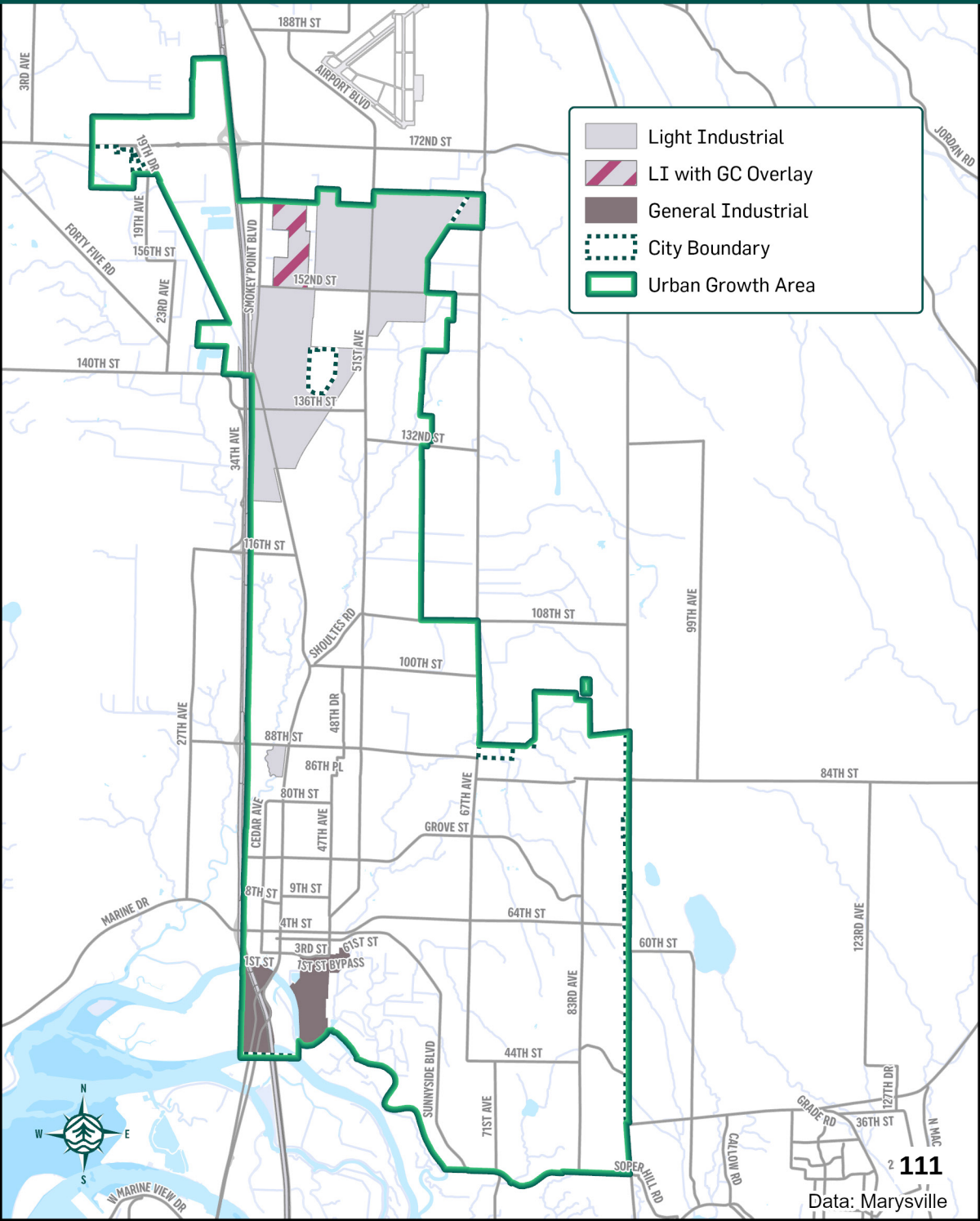




Figure 2.13

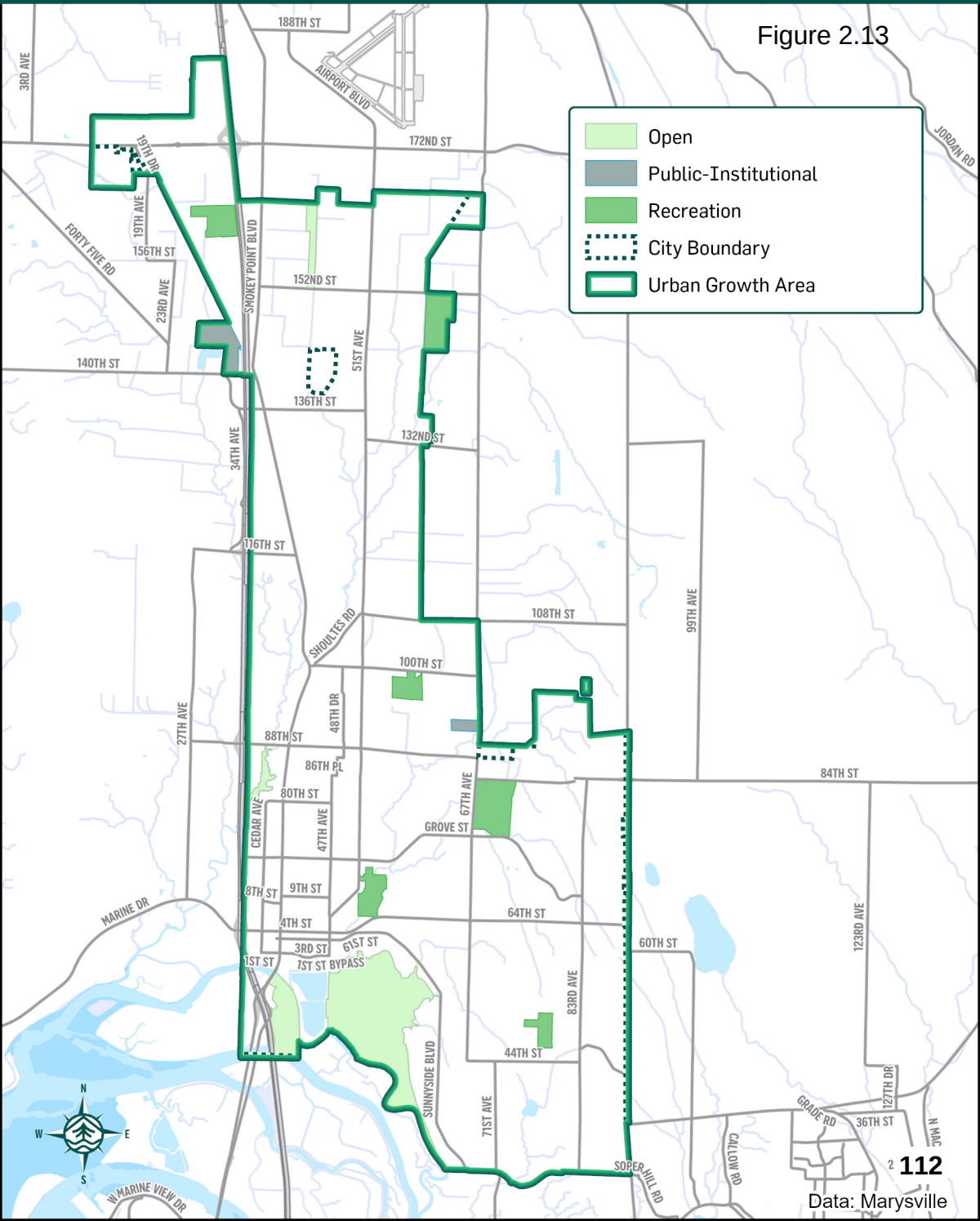
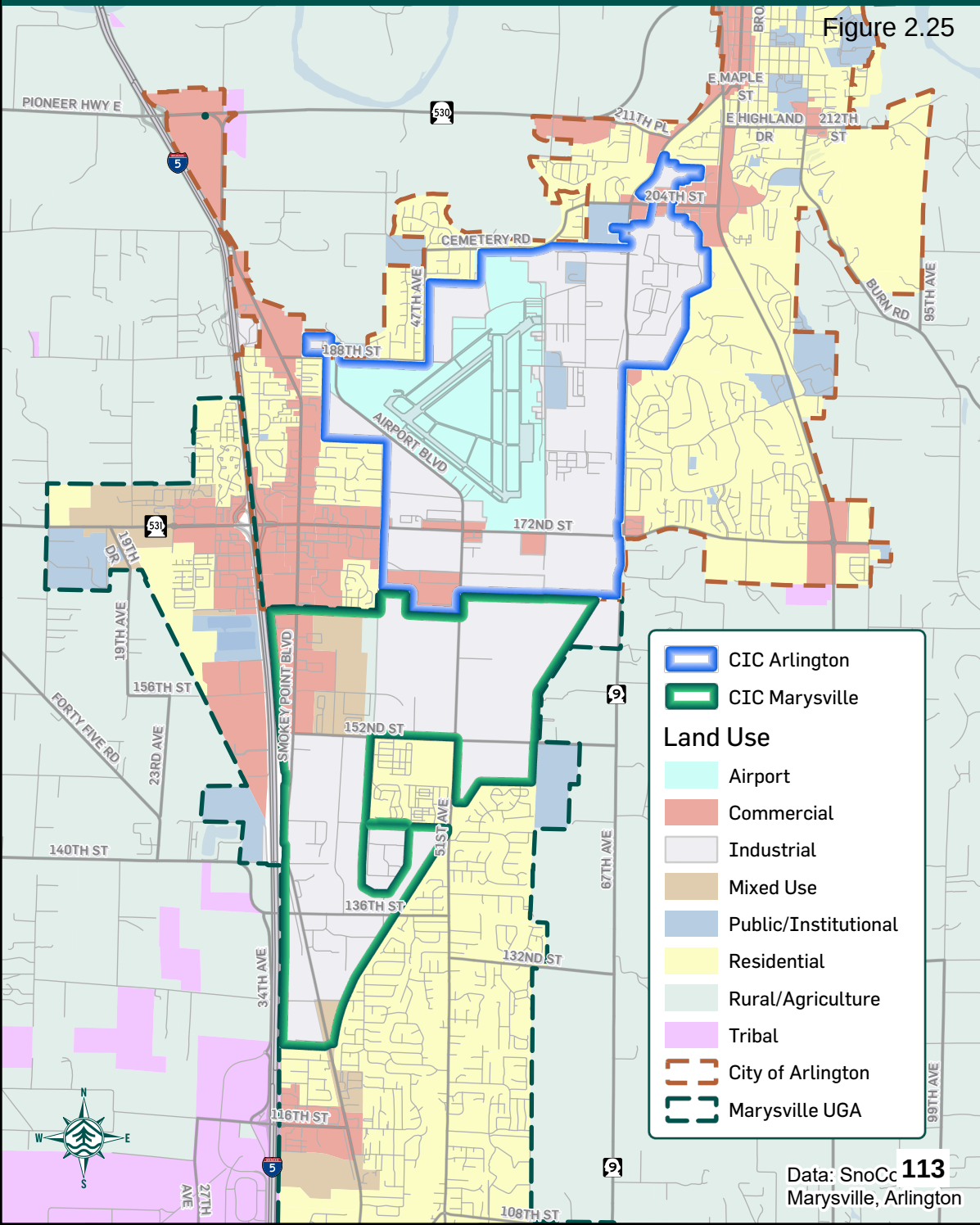




Figure 2.25



1 Figure 2.26

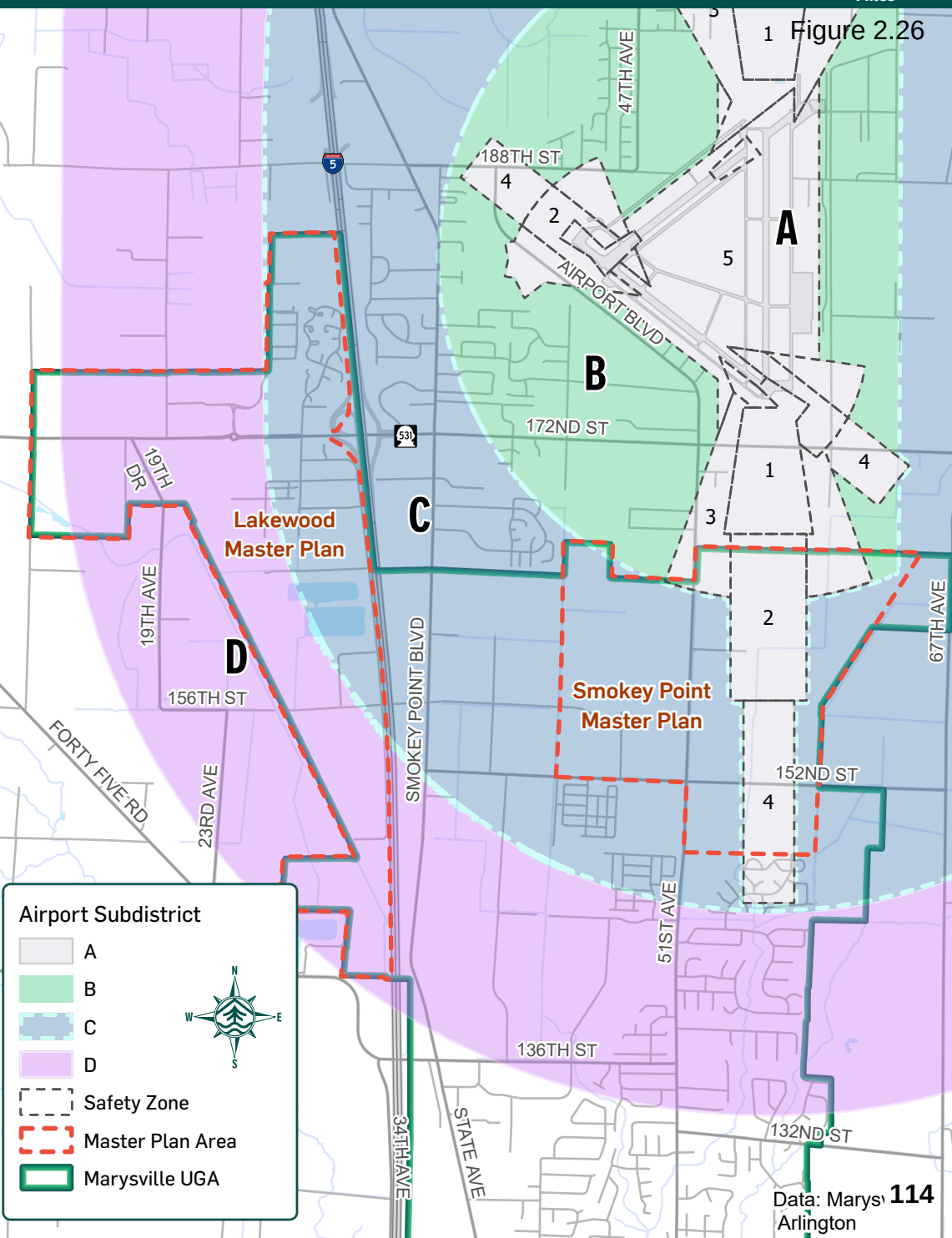




Figure 4.20

-  North Marysville Opportunity Zone
-  Urban Growth Area
-  City Boundary

Population	6,245
Area (square miles)	5.44
Population Density (People per square mile)	1,148

Data Source: 2020 US Census

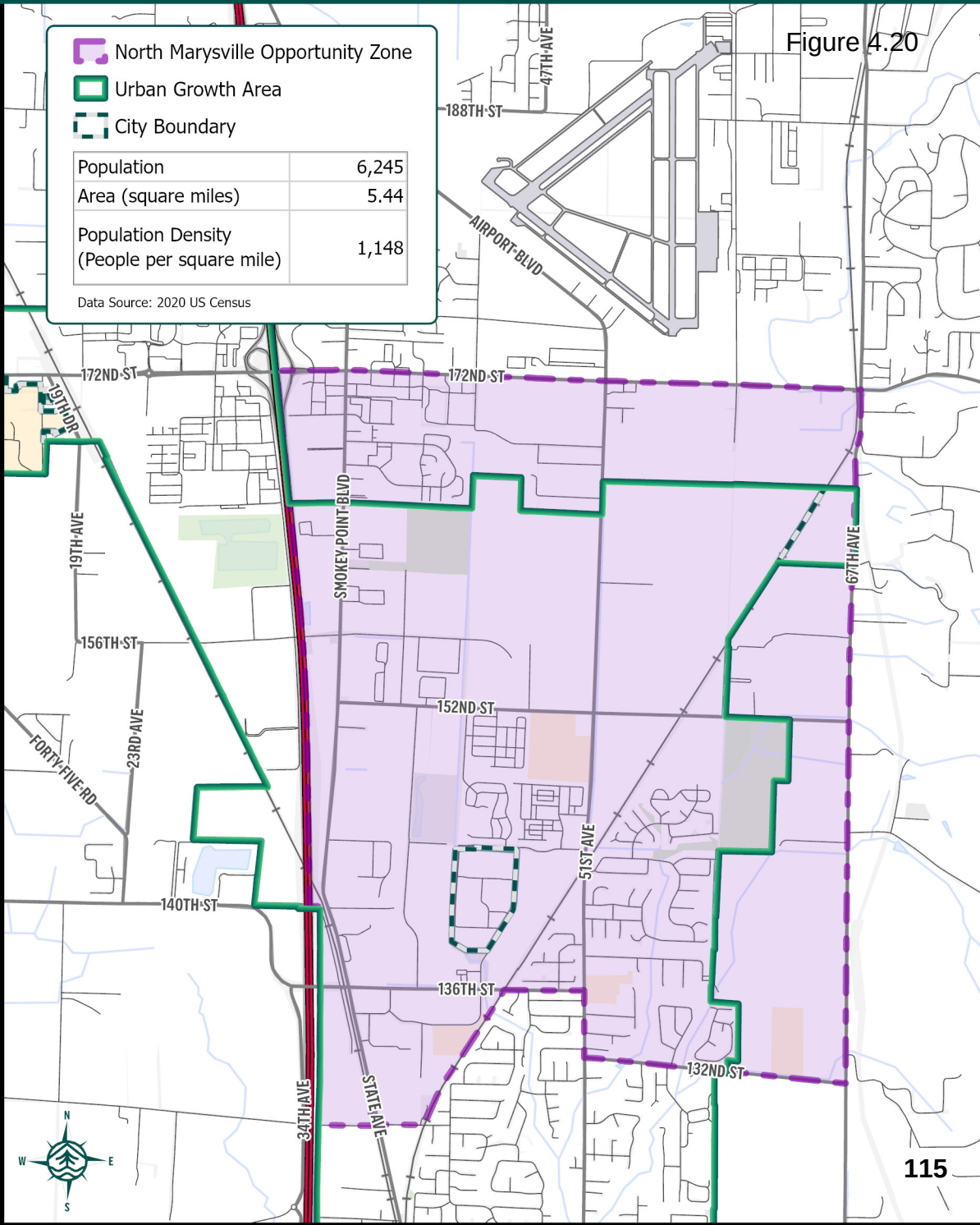


Figure 4.21

Land Status	Total Acres	Total Percent	Project Acres
Church	1.36	0.09	0
Constant	261.36	16.81	19.9
Partially-Used	186.11	11.97	87.6
Pending	404.74	26.02	395.53
Redevelopable	204.29	13.14	48.67
Special	11.63	0.74	0
Vacant	485.68	31.23	296.52
Total	1555.17	100	848.22

116

Land Status	Total Acres	Total Percent	Project Acres
Church	1.36	0.09	0
Constant	261.36	16.81	19.9
Partially-Used	186.11	11.97	87.6
Pending	404.74	26.02	395.53
Redevelopable	204.29	13.14	48.67
Special	11.63	0.74	0
Vacant	485.68	31.23	296.52
Total	1555.17	100	848.22



Figure 5.3

North County
Regional District

District 19

Marysville
Station 65

NCRFA Fire
Station 48
Arlington

Arlington

District
21

Marysville
Fire District

District 15

Marysville
Station 62

District
22

Snohomish County
Fire District
22 - Getchell

Marysville
Station 61
Marysville
Fire Admin

Marysville
Station 66

City of Everett
Fire Department

Everett

District
8

117
Stevens

Marysville Fire District



Fire Station



City Boundary



Urban Growth Area





Figure 5.5

Arlington (District 16)

Granite Falls (District 332)

Lakewood (District 306)

Marysville (District 25)

Lake Stevens (District 4)

Everett (District 2)

School District

- ARLINGTON NO 16
- EVERETT NO 2
- GRANITE FALLS NO 332
- LAKE STEVENS NO 4
- LAKEWOOD NO 306
- MARYSVILLE NO 25
- City Boundary
- Urban Growth Area

Map labels include: 3RD AVE, 531, FORTY FIVE RD, 140TH ST, 23RD AVE, 152ND ST, 136TH ST, 132ND ST, 51ST AVE, 67TH AVE, 108TH ST, 99TH AVE, 100TH ST, 88TH ST, 84TH ST, 80TH ST, 4TH ST, 64TH ST, 60TH ST, 123RD AVE, 99TH AVE, 83RD AVE, 44TH ST, 71ST AVE, SOPER HILL RD, MARINE DR, CEDAR AVE, SMOKEY POINT BLVD, SHOULTES RD, GROVE ST, SUNNYSIDE BLVD, 529, 52, 92, 118, Data: SnoCo

118

Data: SnoCo

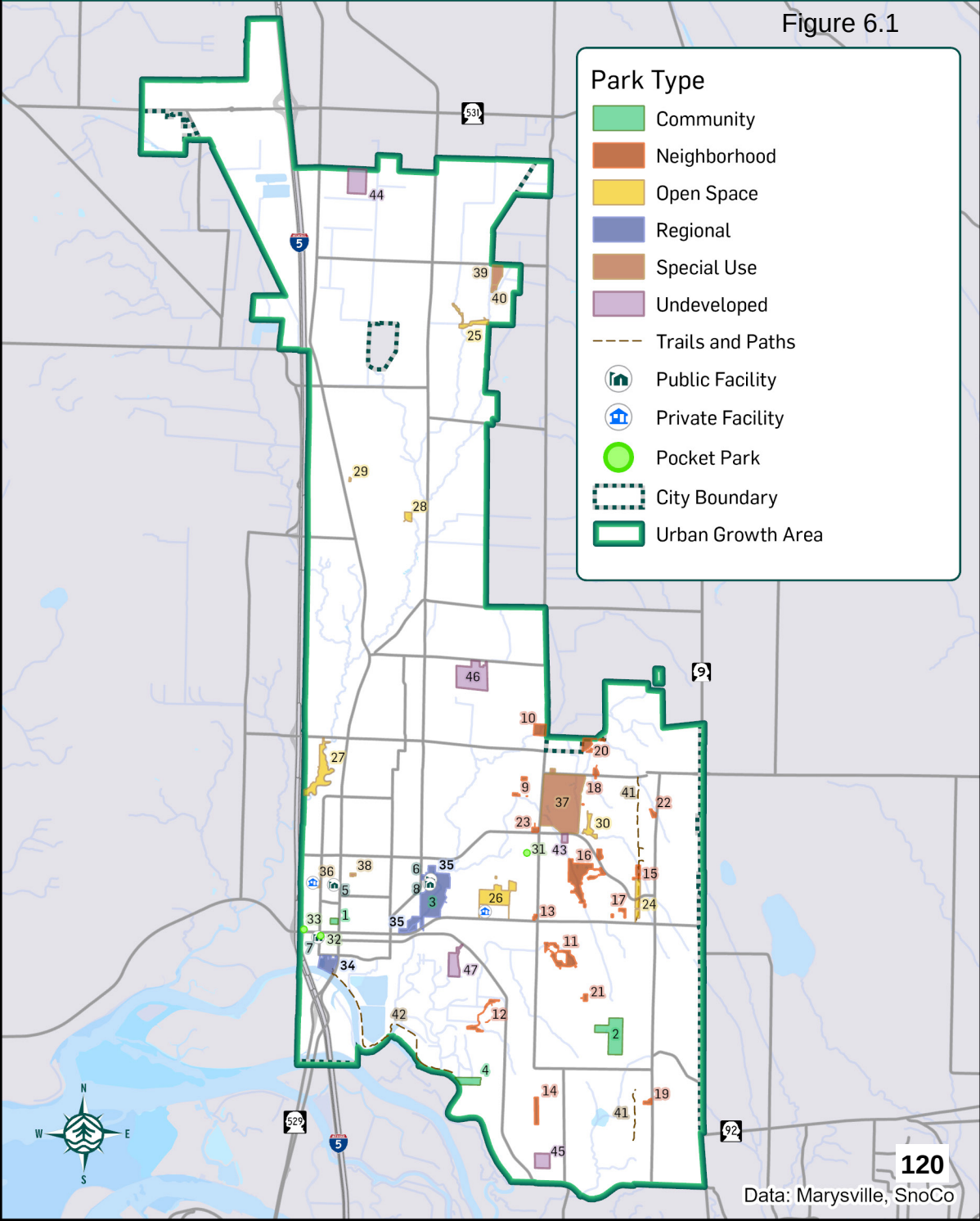




Figure 6.1

Park Type

- Community
- Neighborhood
- Open Space
- Regional
- Special Use
- Undeveloped
- Trails and Paths
- Public Facility
- Private Facility
- Pocket Park
- City Boundary
- Urban Growth Area



-  Parks and Recreation Areas
-  School District Properties
-  Public School
-  Public Facility
-  Private Facility
-  Trails and Paths
-  City Boundary
-  Urban Growth Area

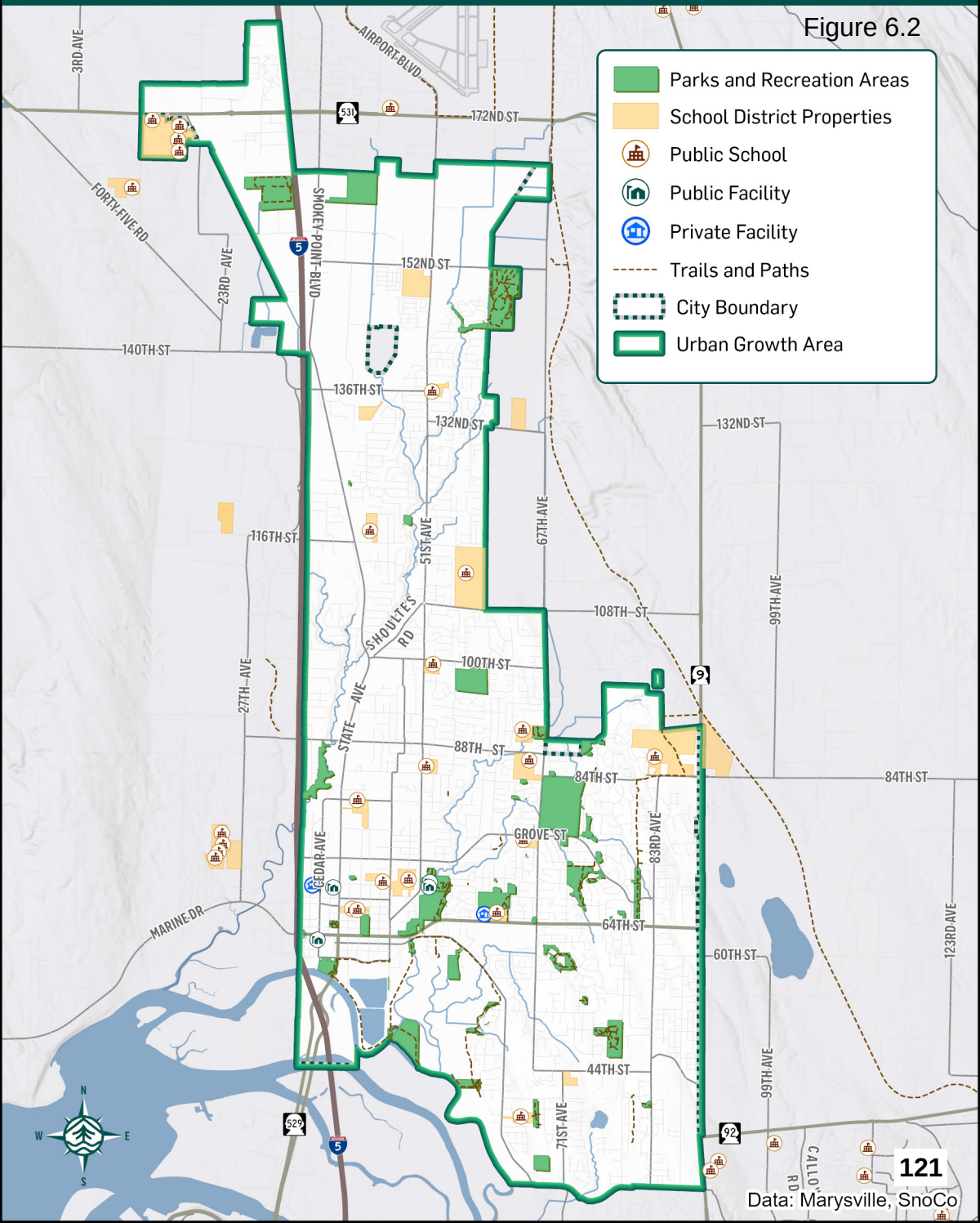
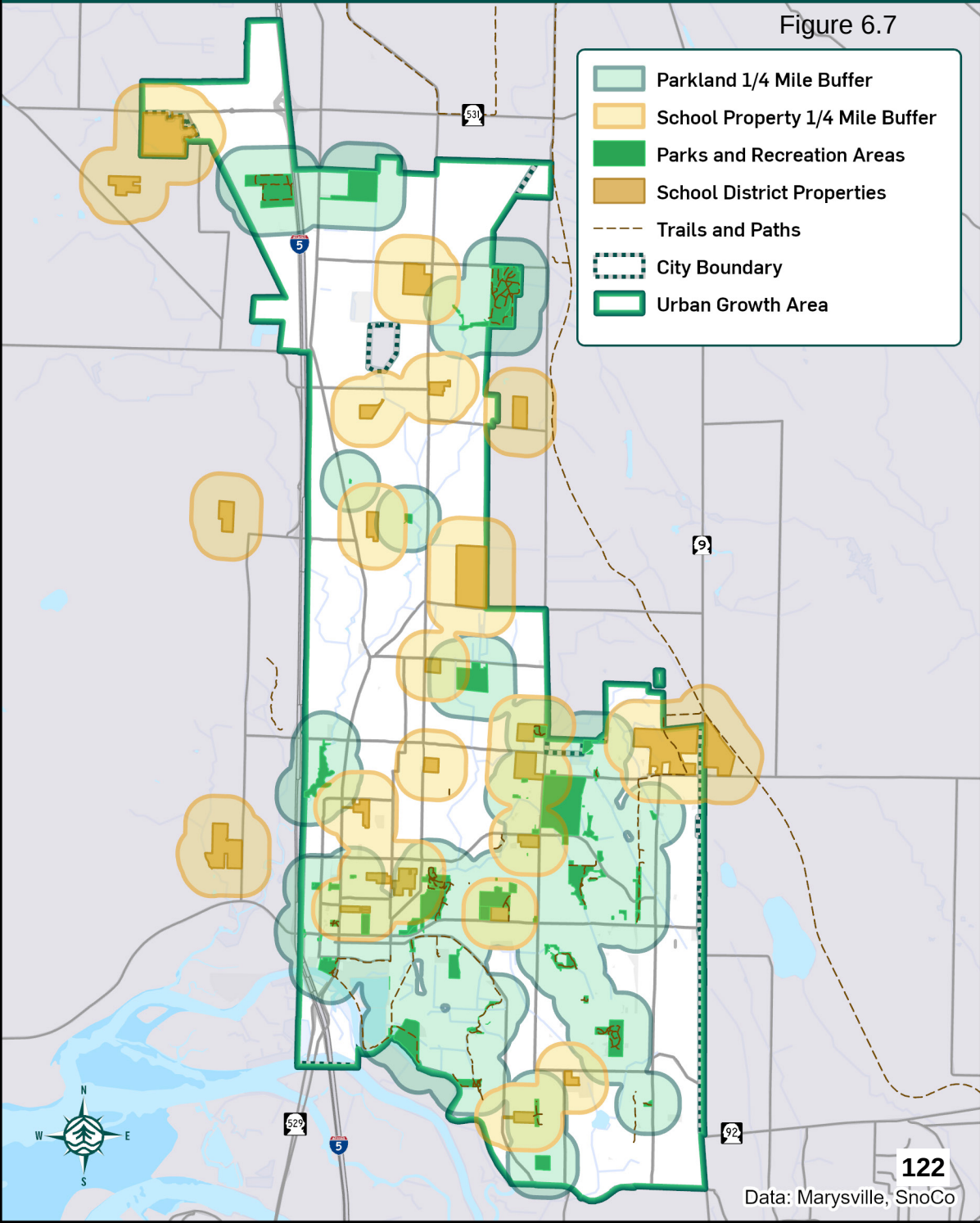
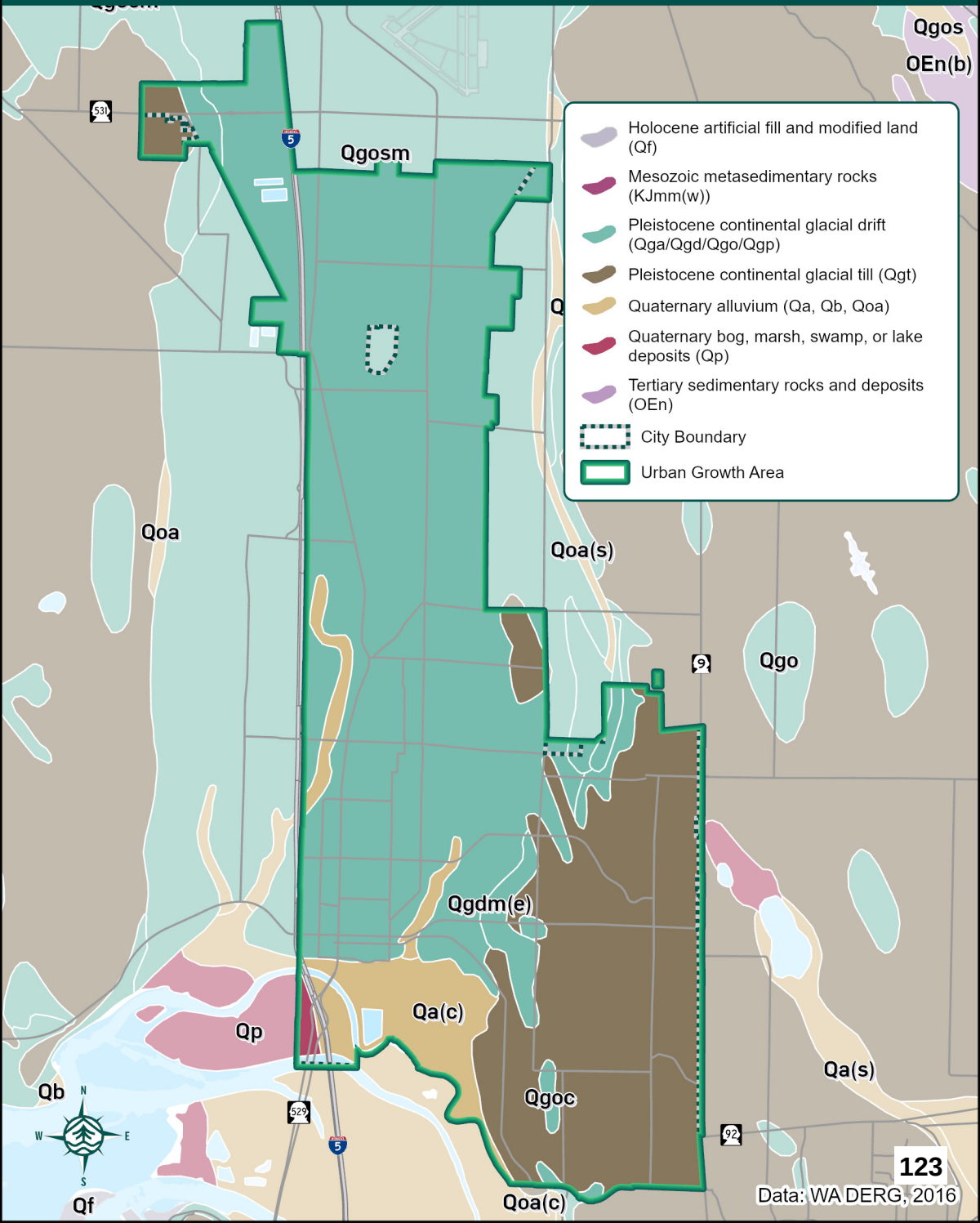
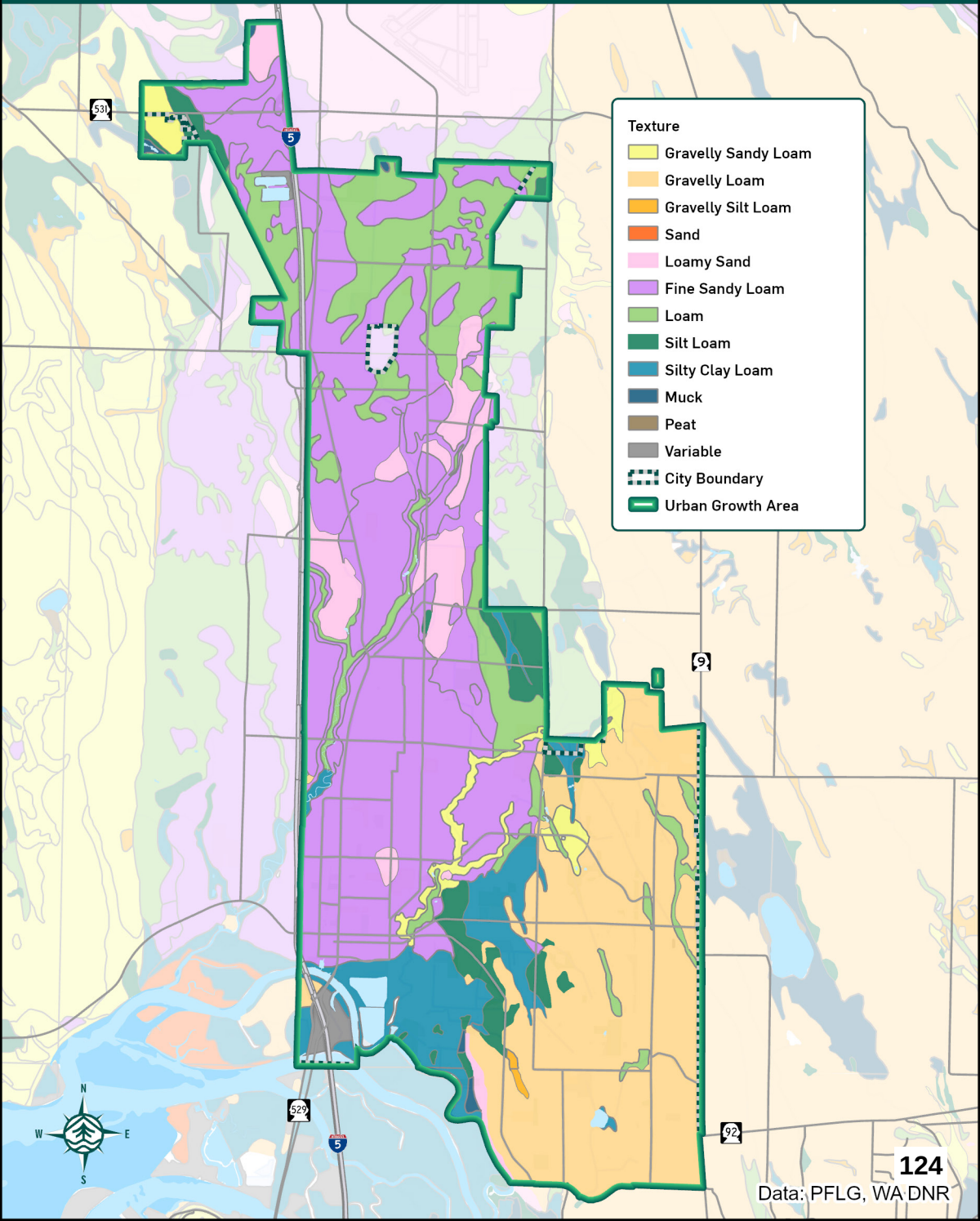
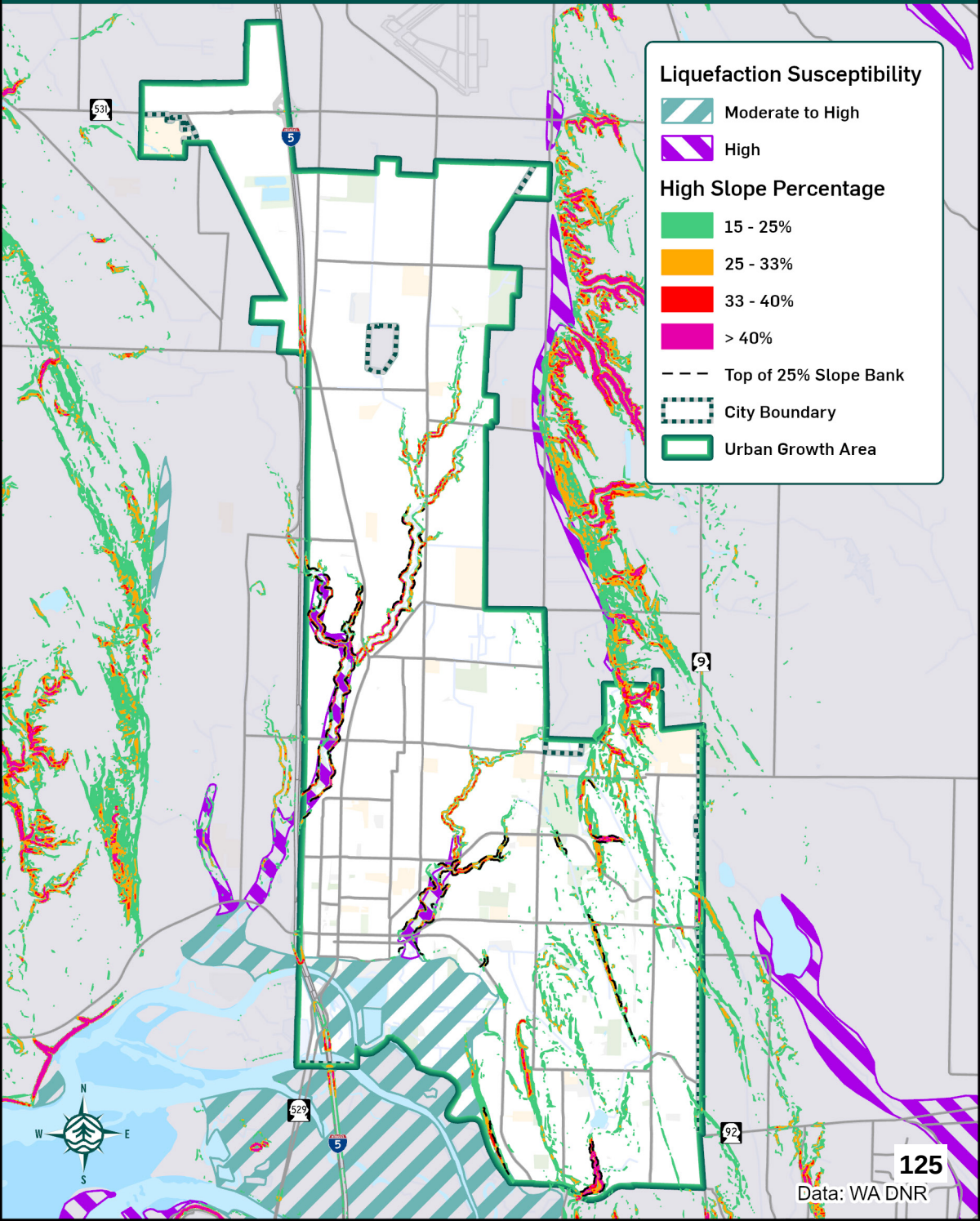


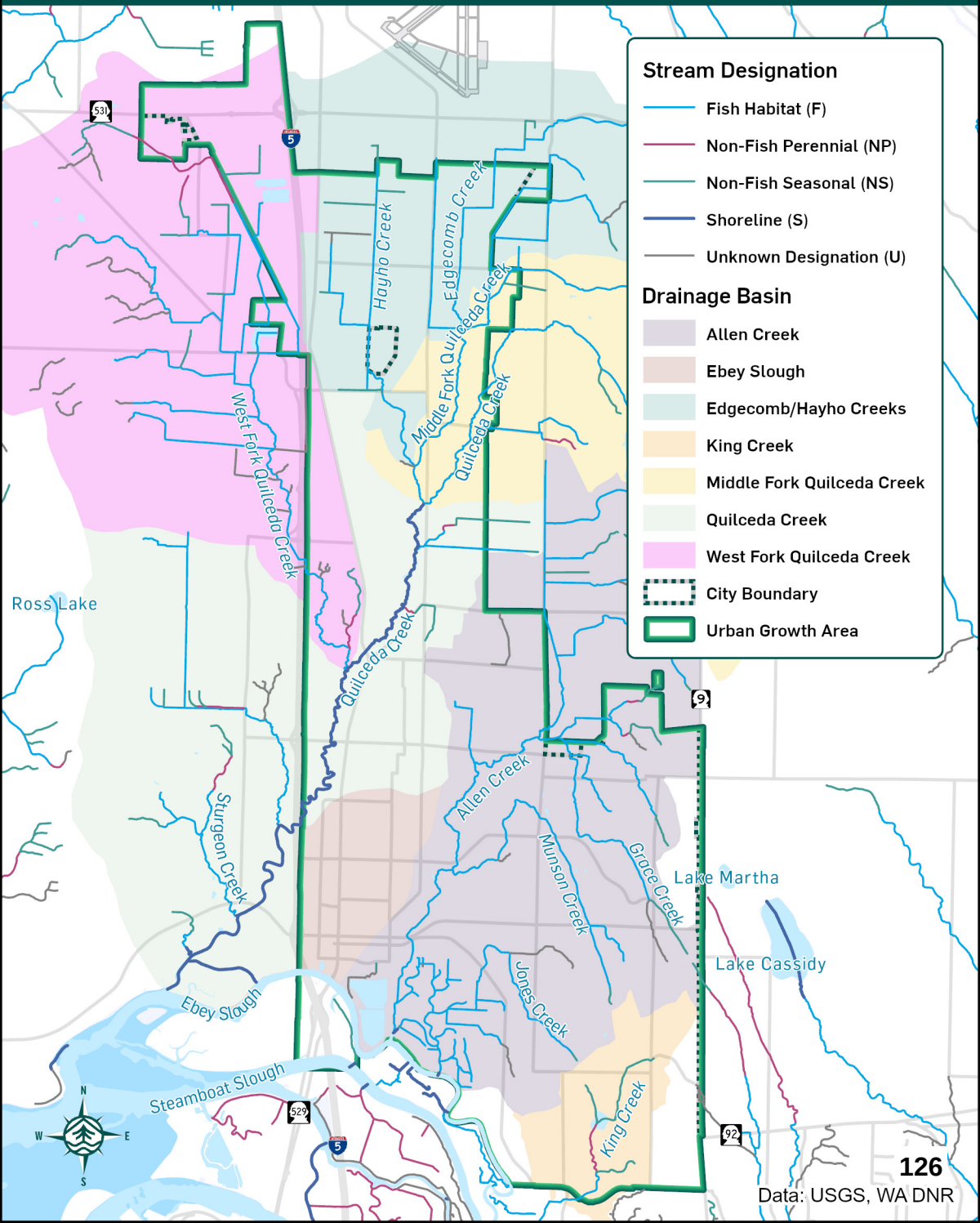
Figure 6.7


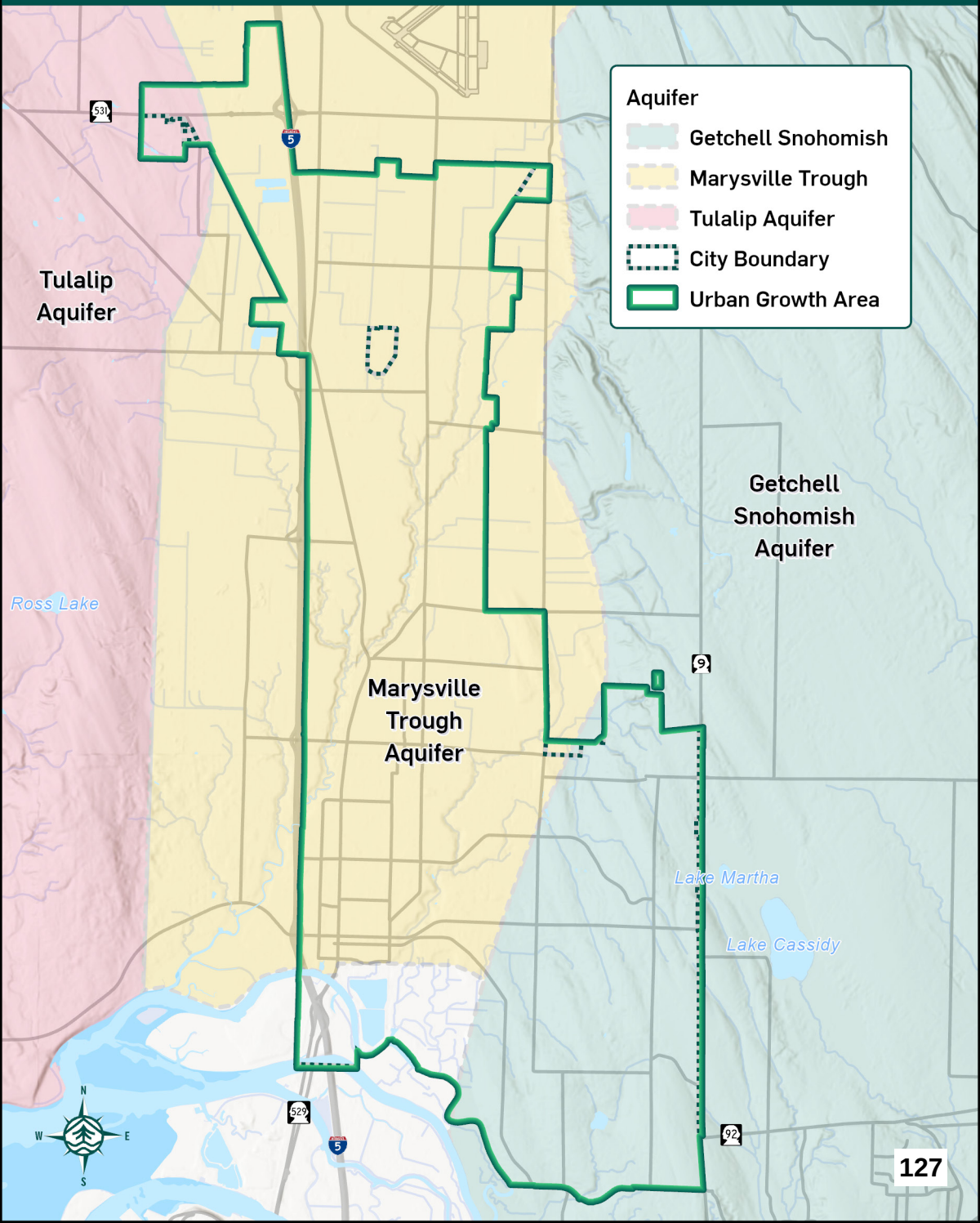


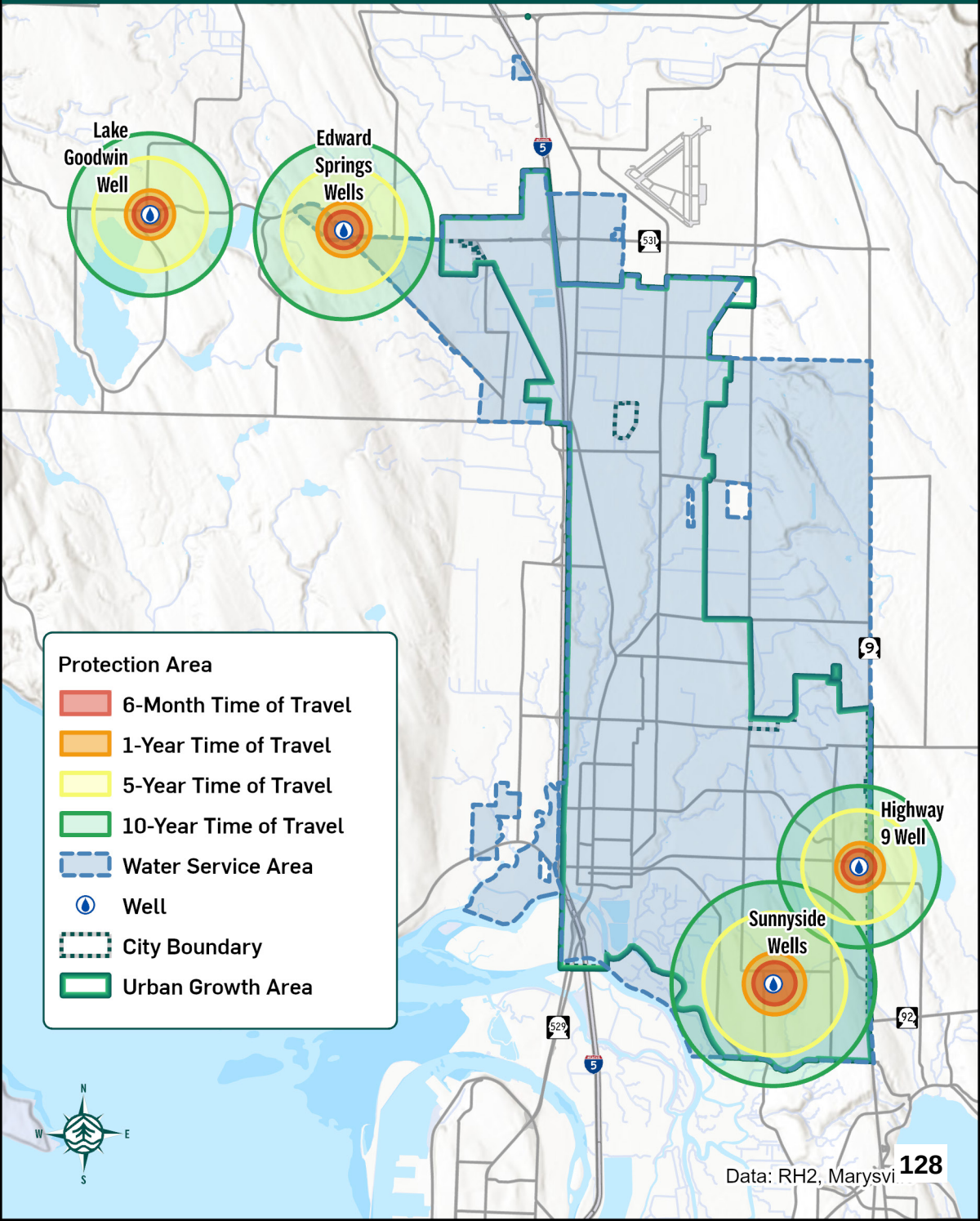


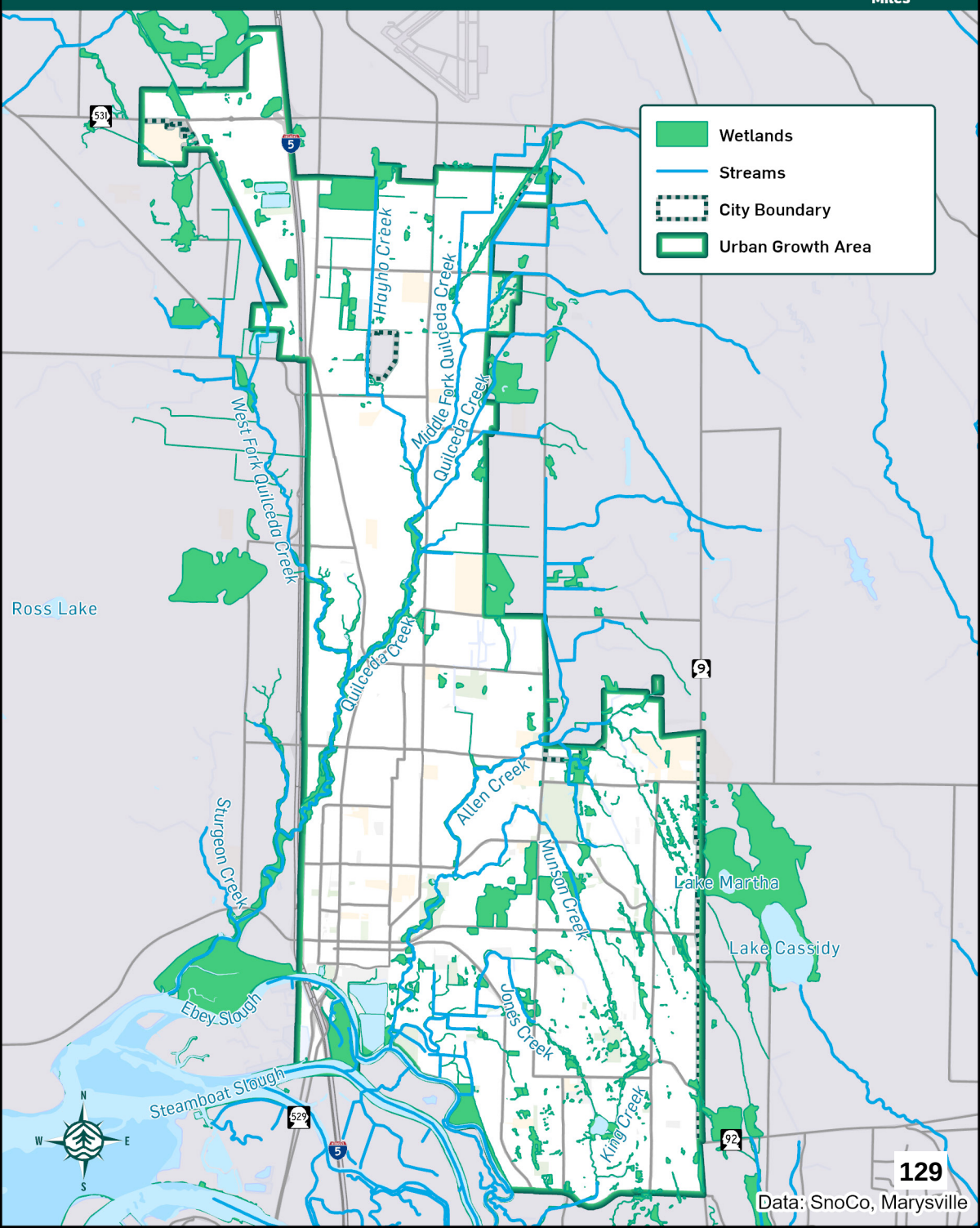
- Texture
- Gravelly Sandy Loam
 - Gravelly Loam
 - Gravelly Silt Loam
 - Sand
 - Loamy Sand
 - Fine Sandy Loam
 - Loam
 - Silt Loam
 - Silty Clay Loam
 - Muck
 - Peat
 - Variable
 - City Boundary
 - Urban Growth Area

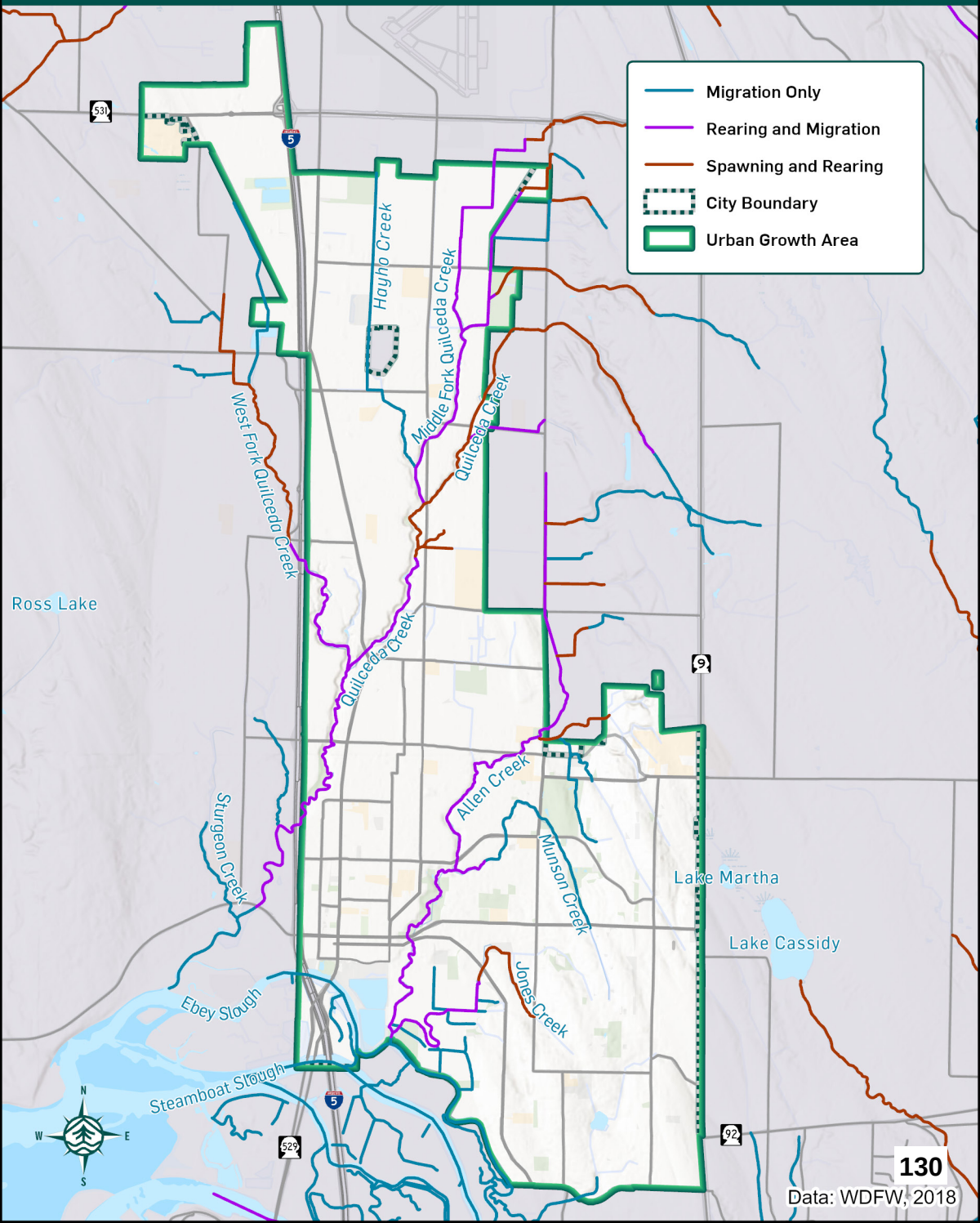




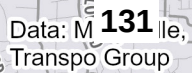








- Migration Only
- Rearing and Migration
- Spawning and Rearing
- City Boundary
- Urban Growth Area



BURN RD



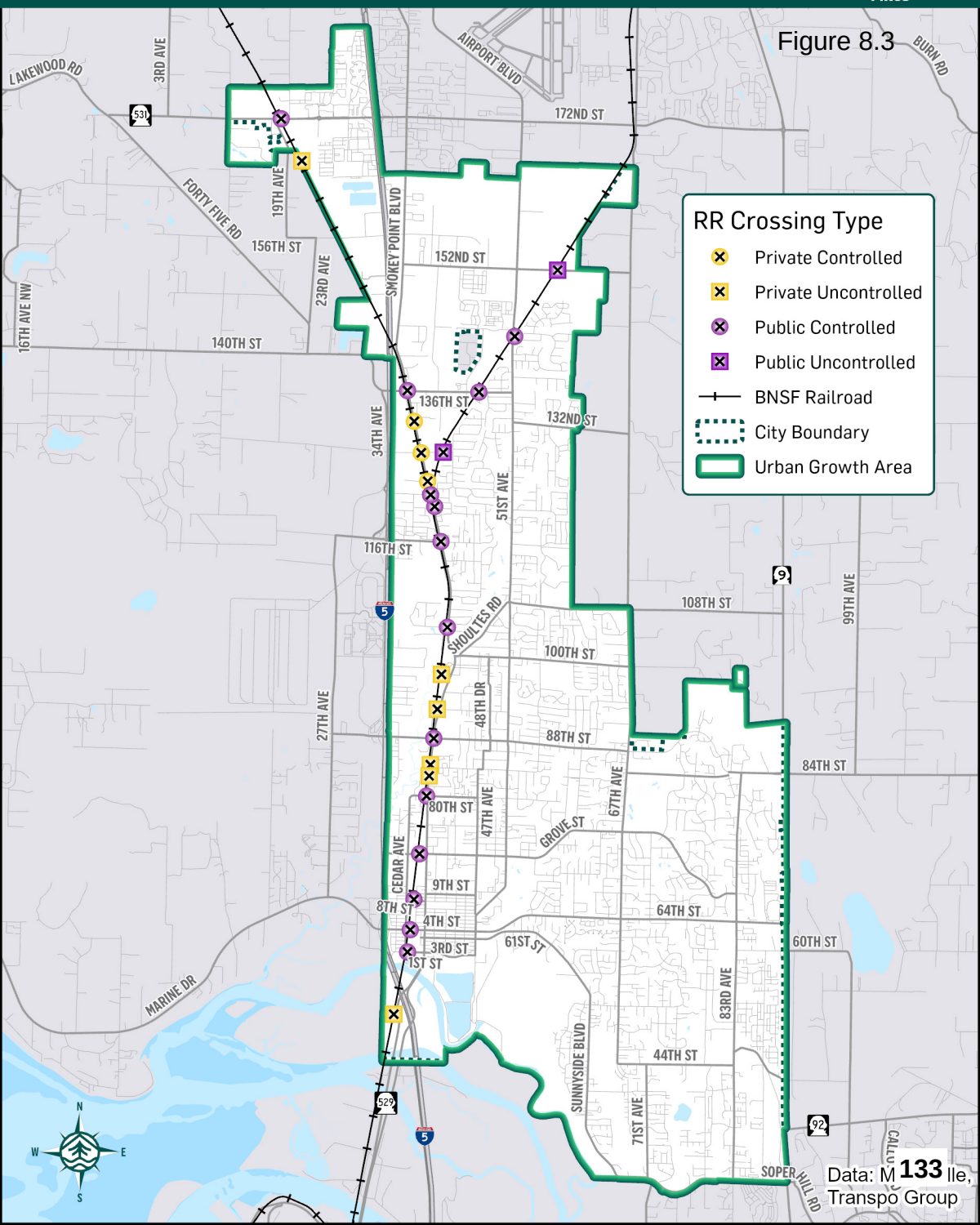
Figure 8.3




Figure 8.4

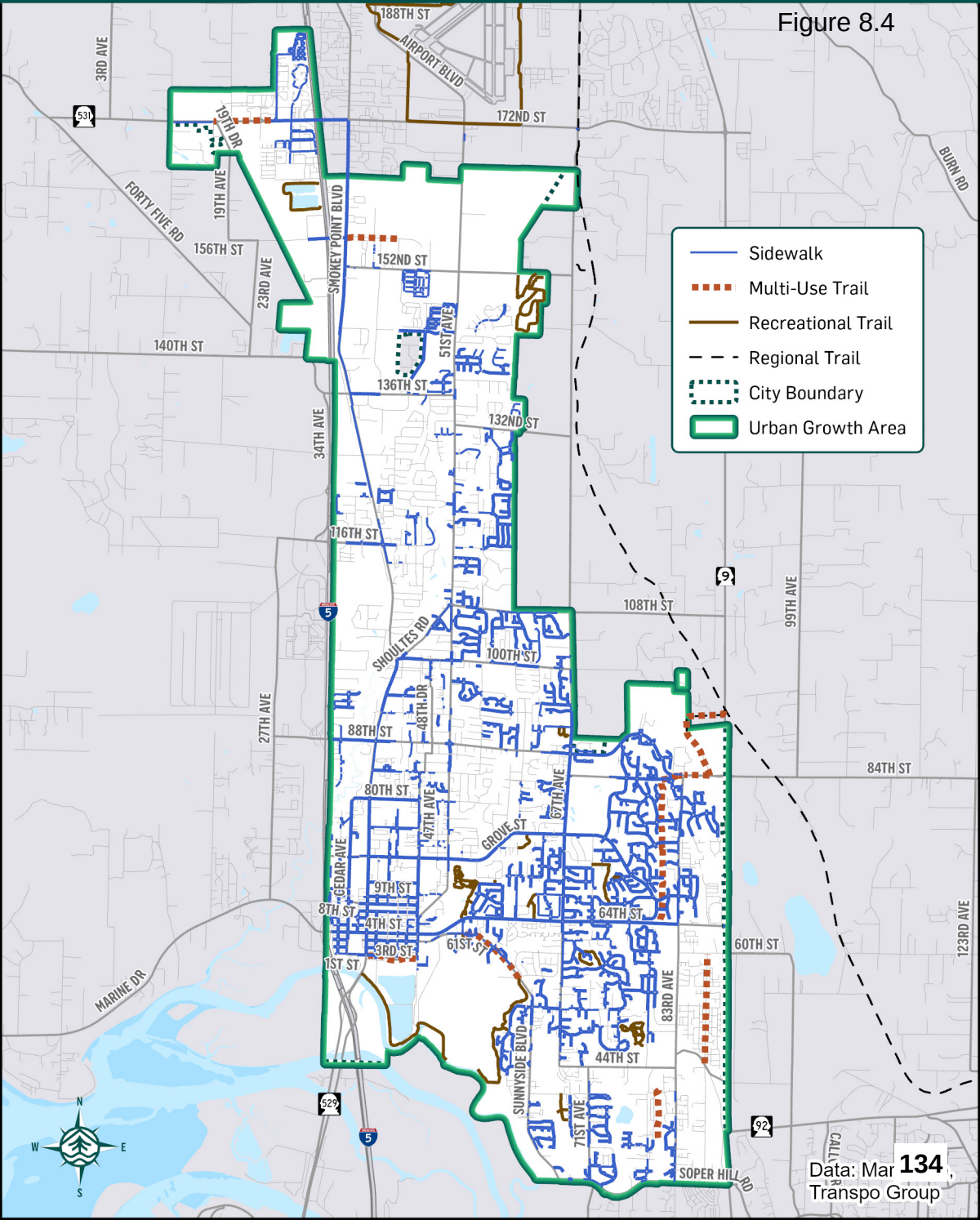


Figure 8.5

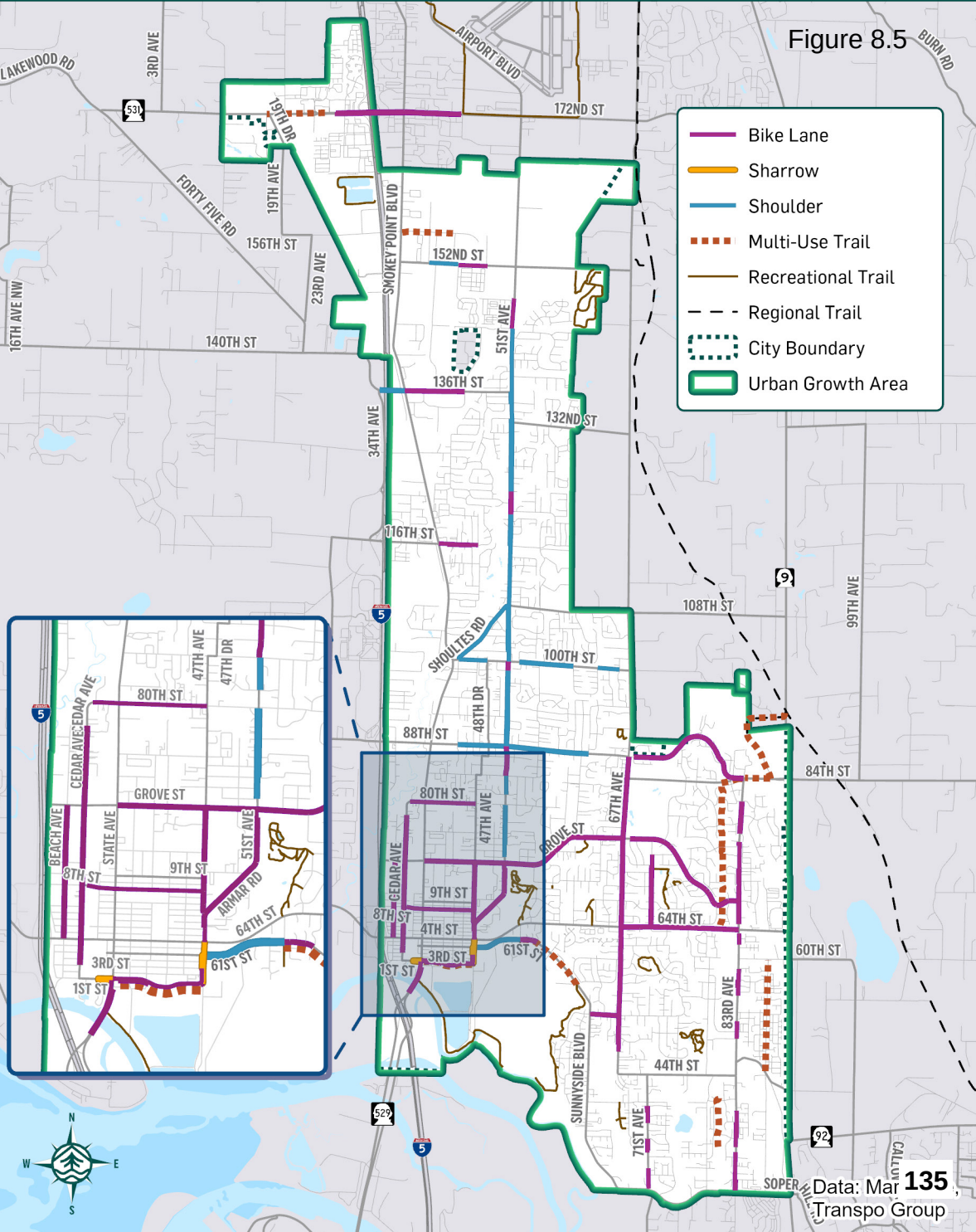


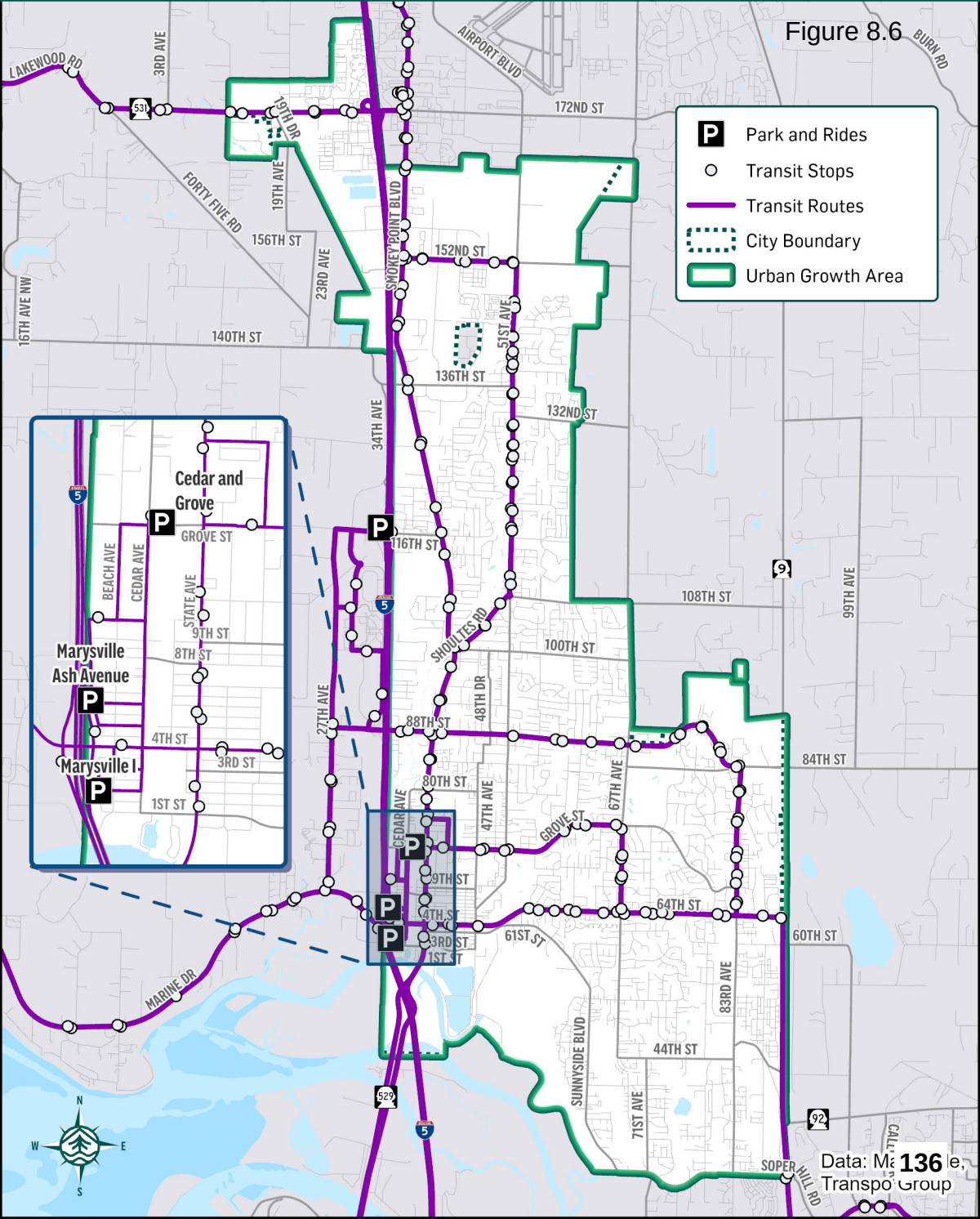
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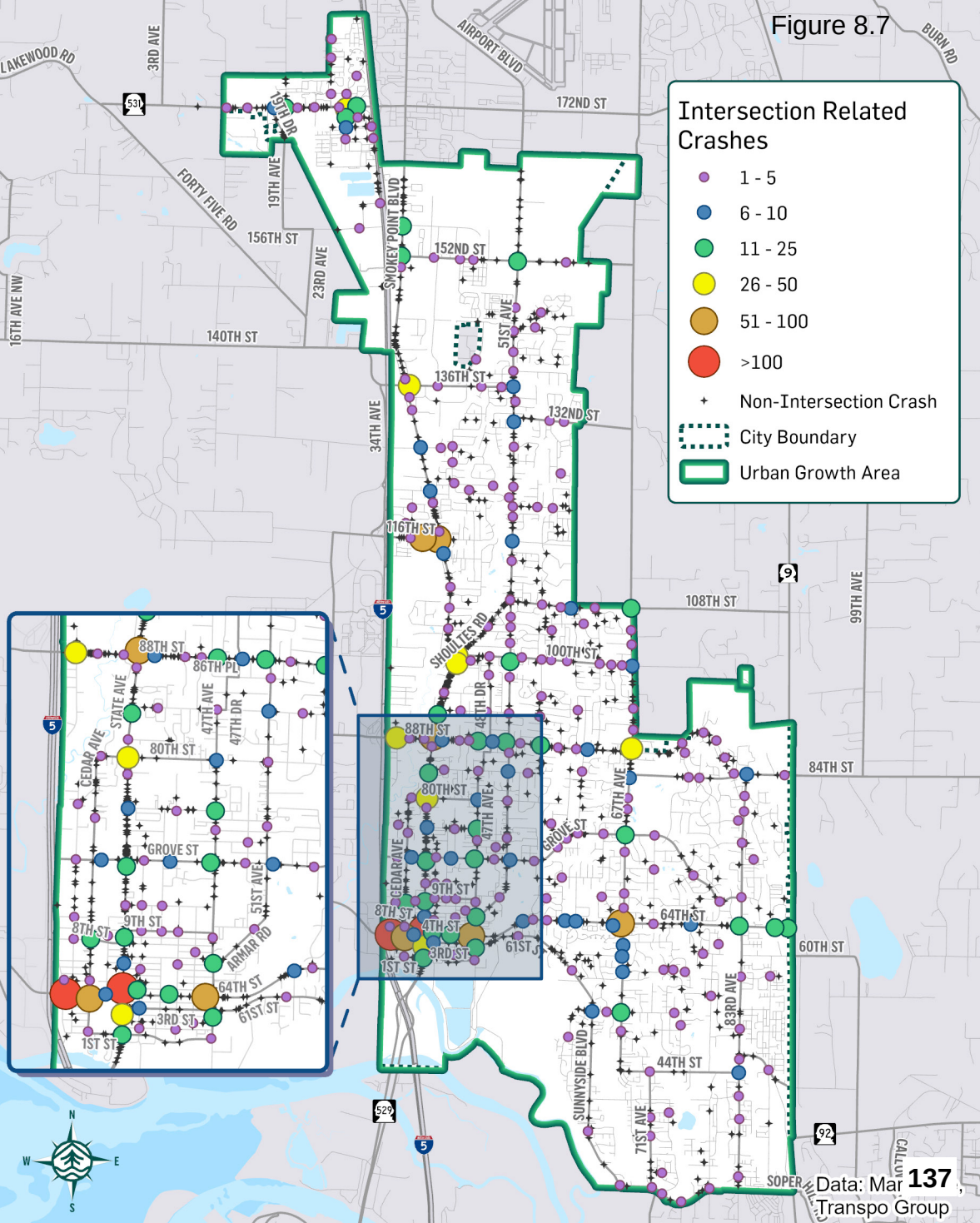
Figure 8.7




Figure 8.8

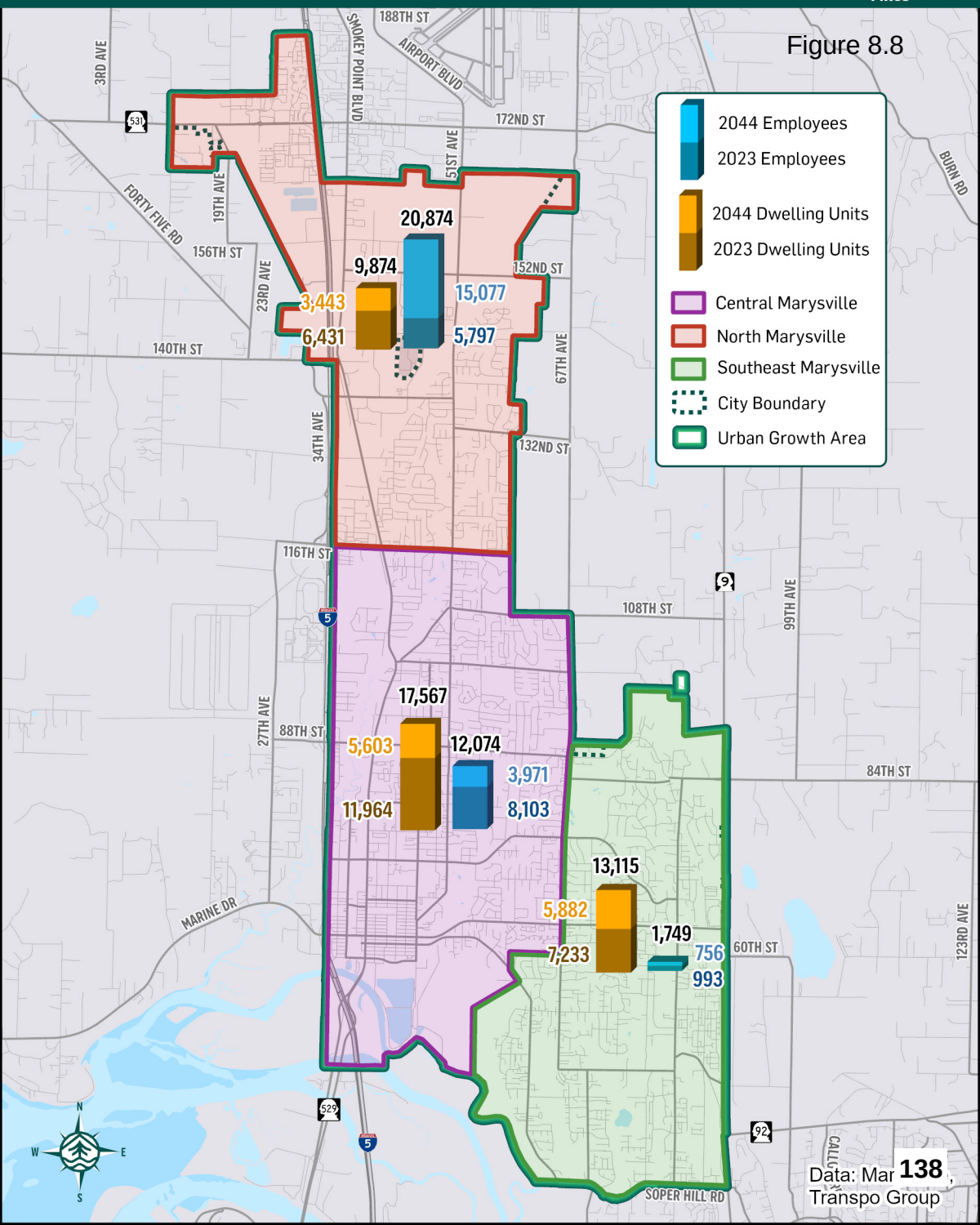




Figure 8.10

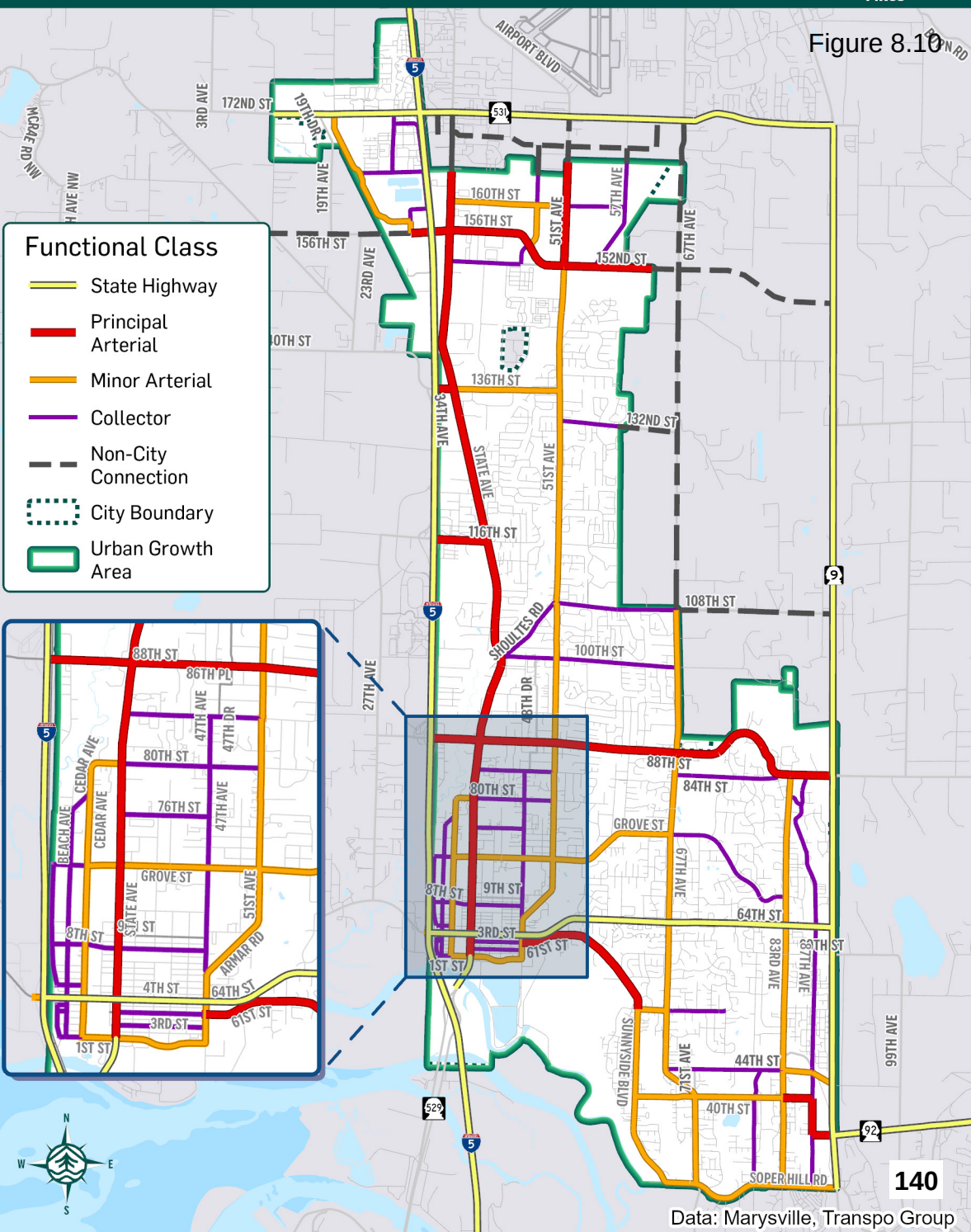
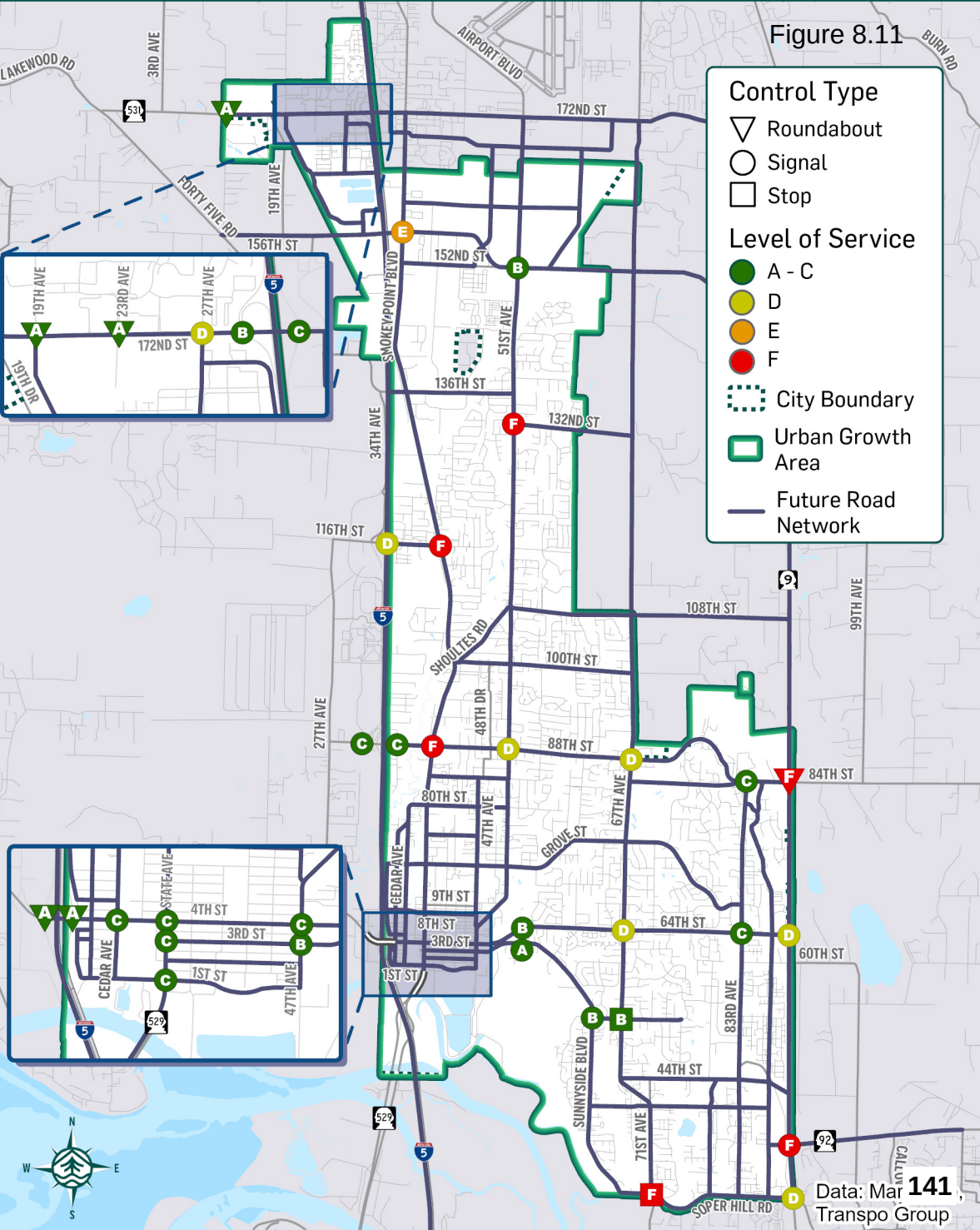
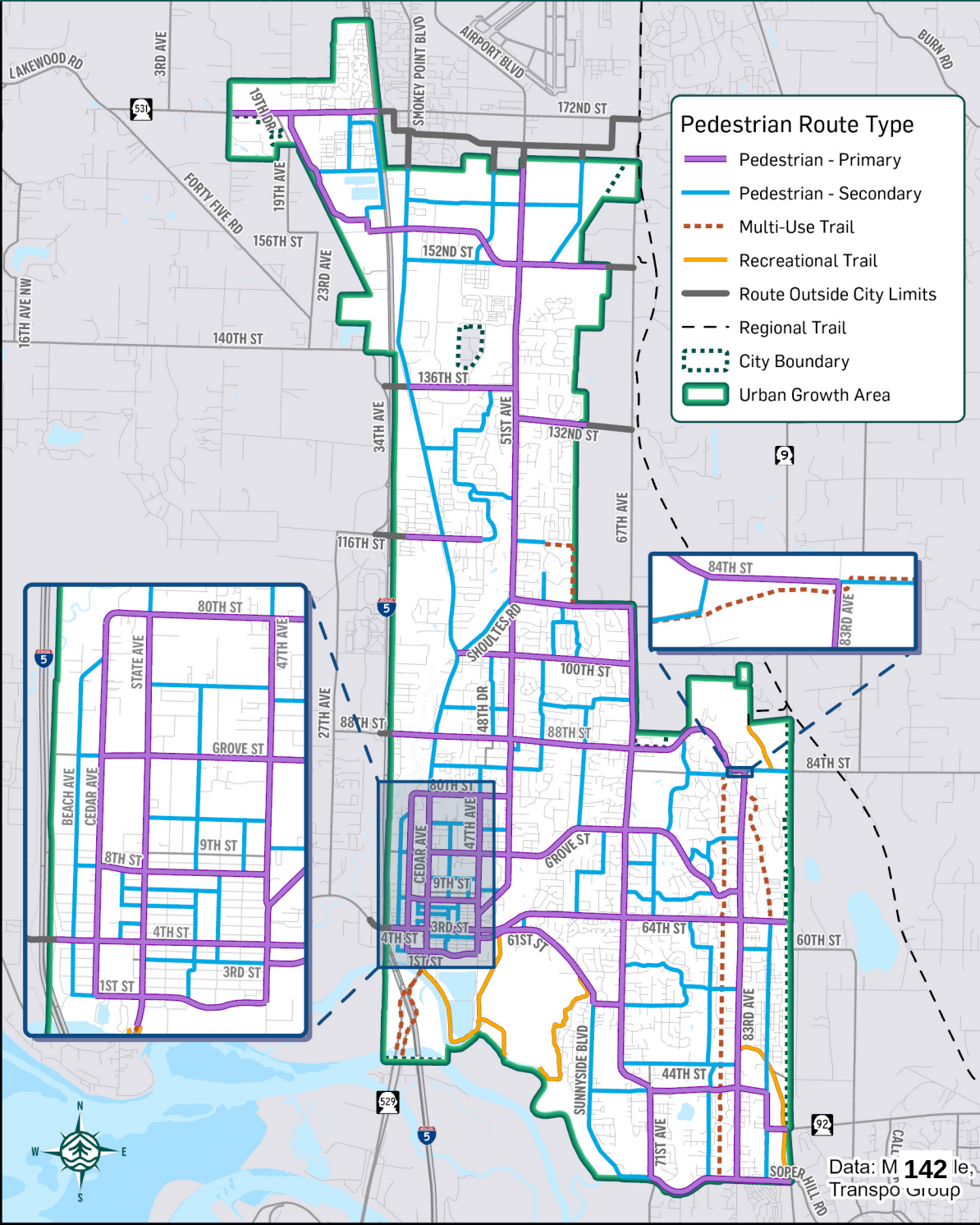
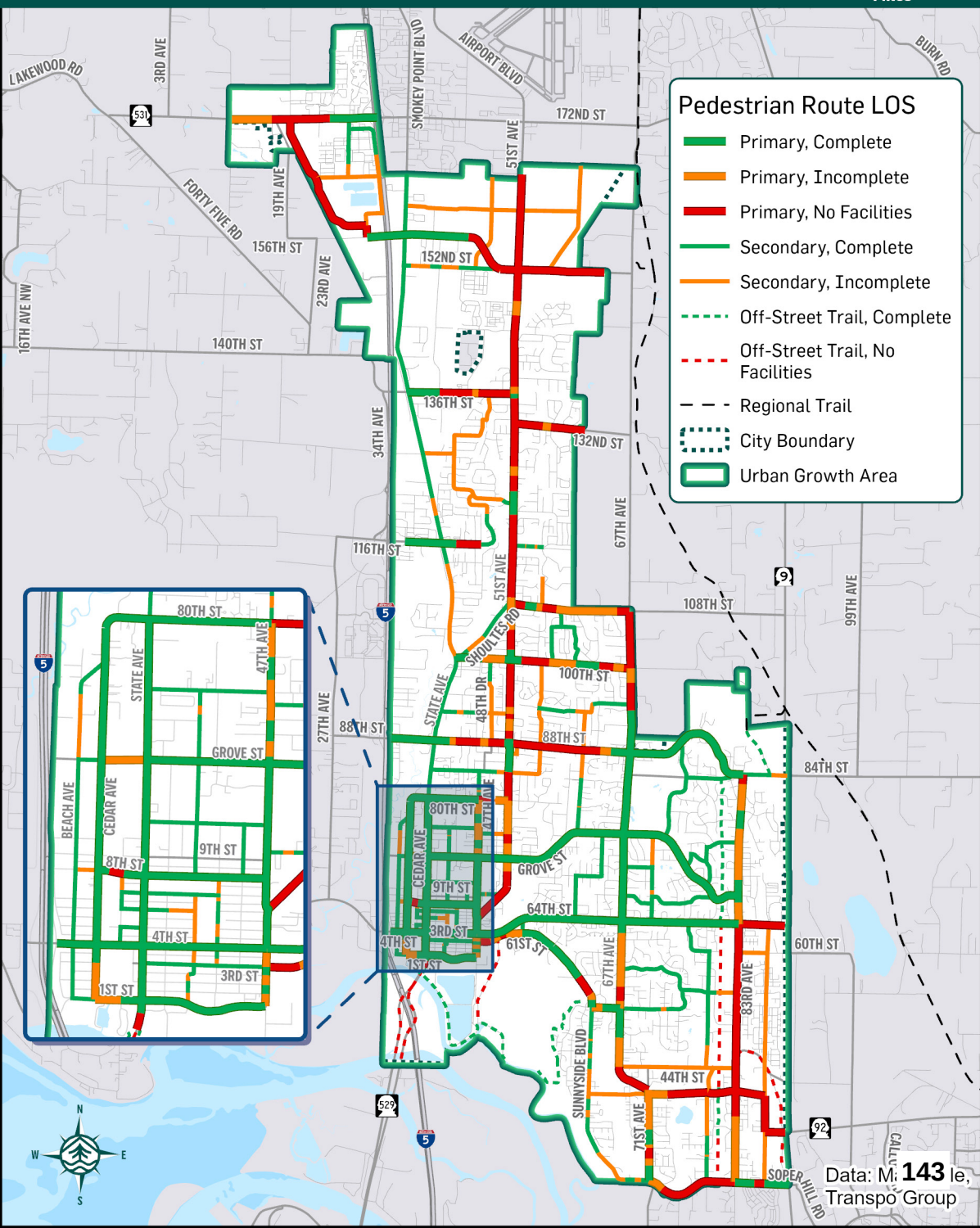
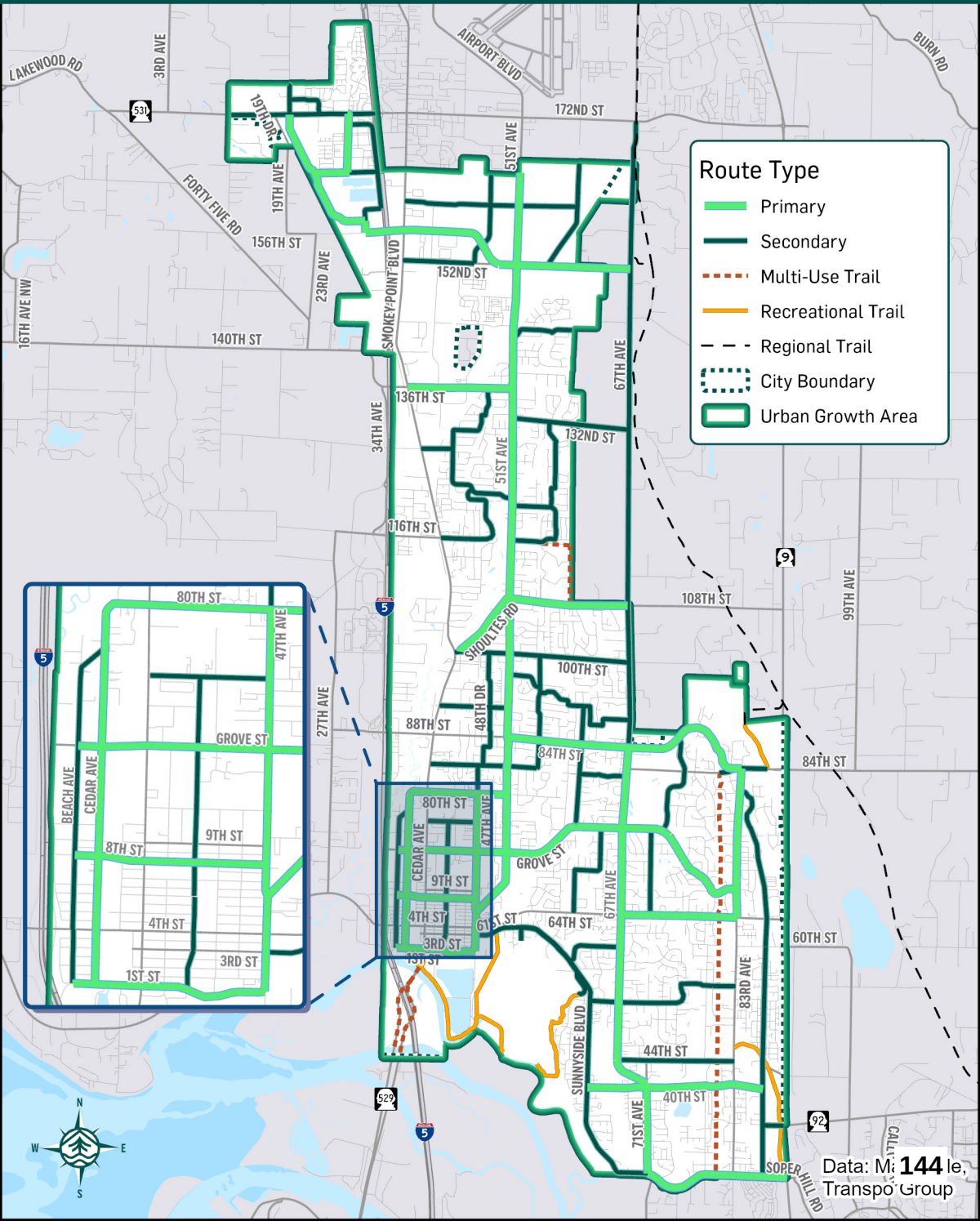


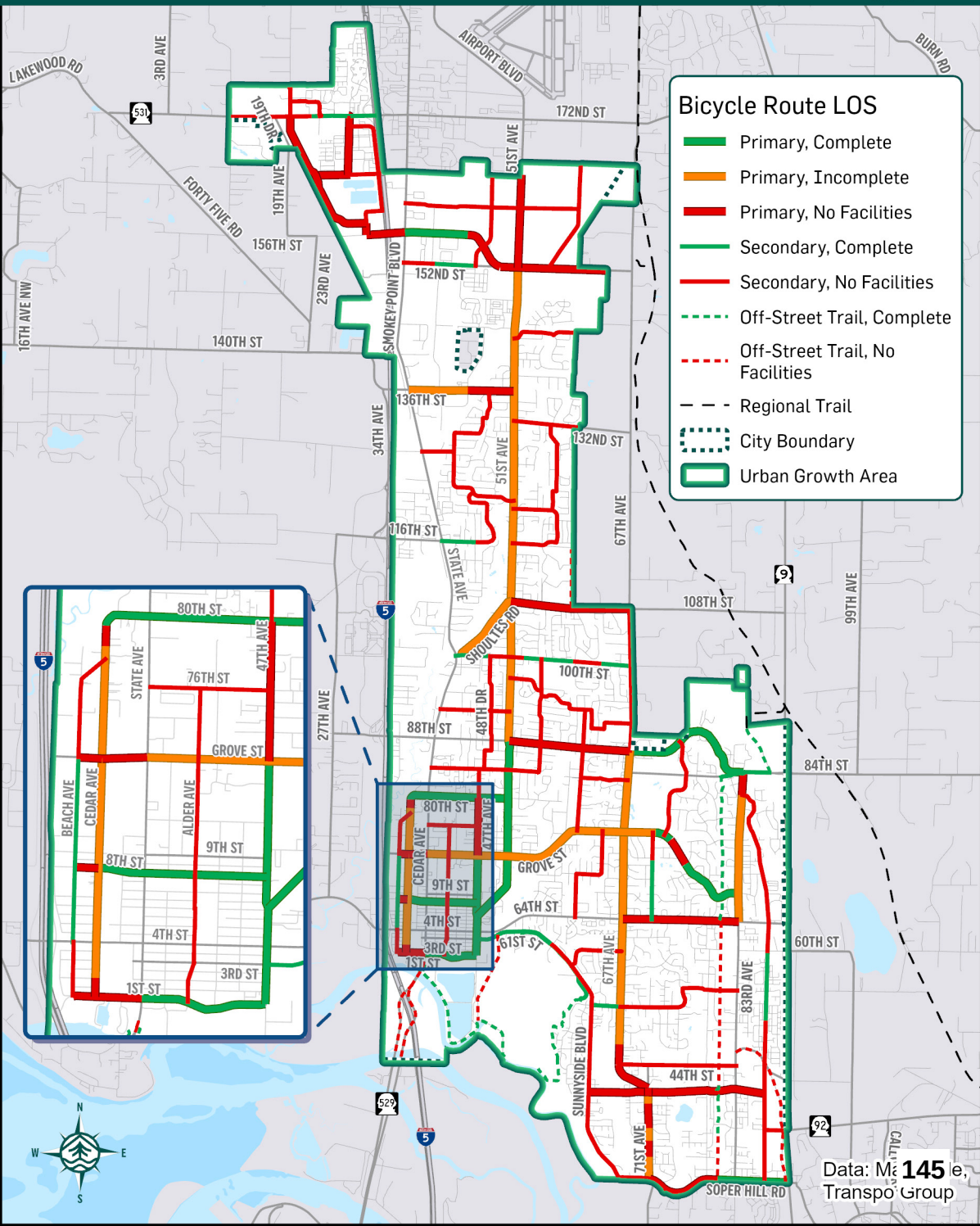
Figure 8.11

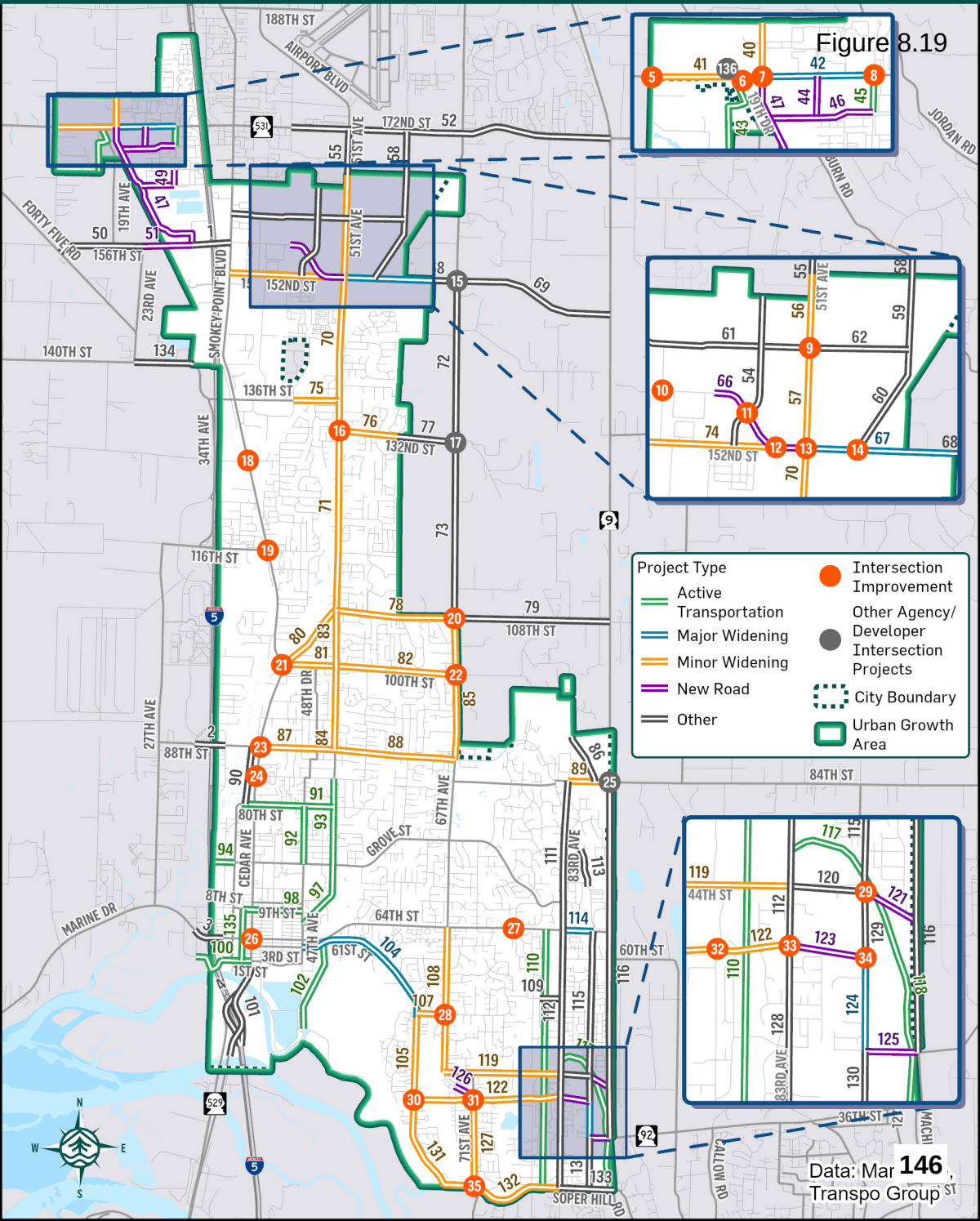


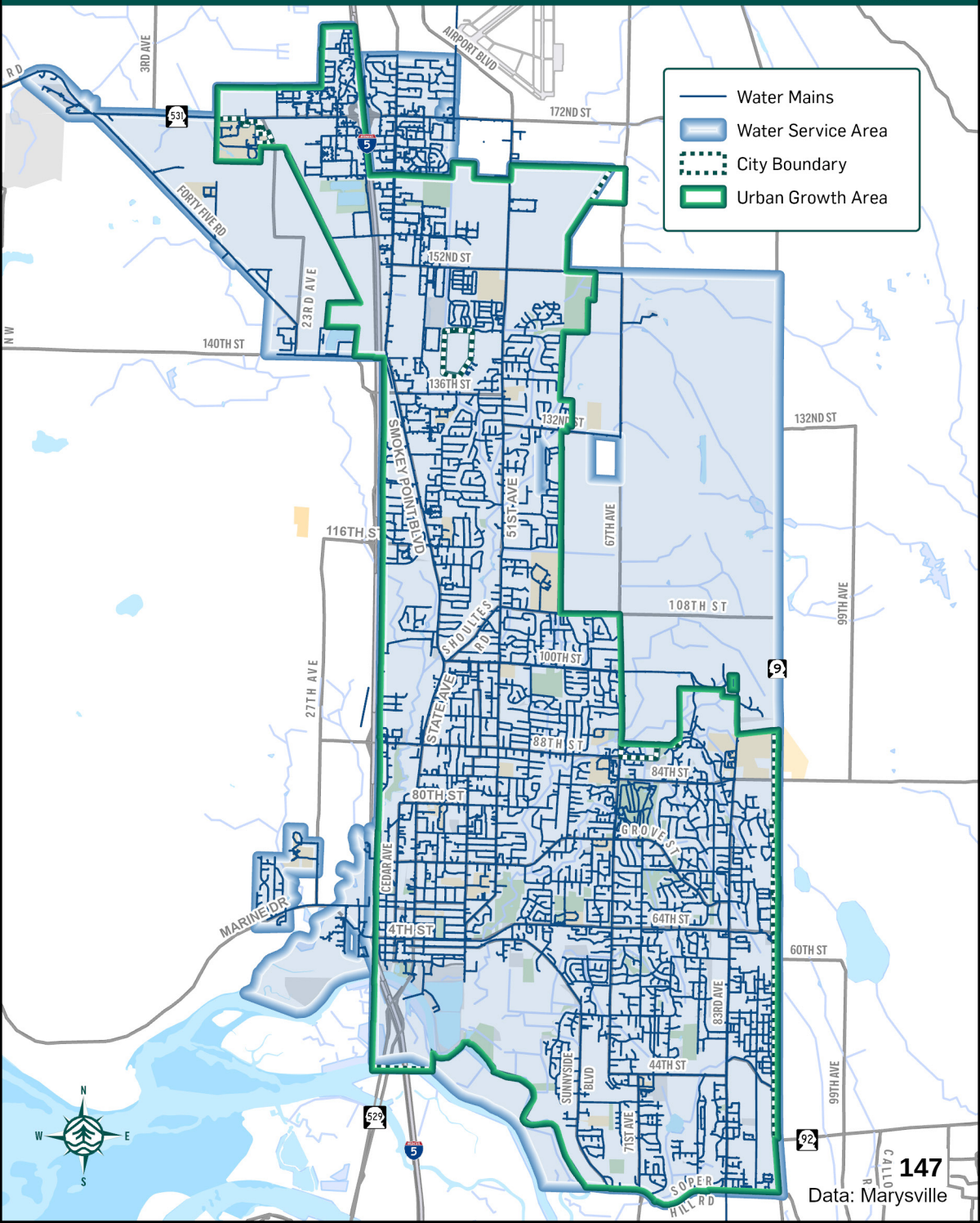


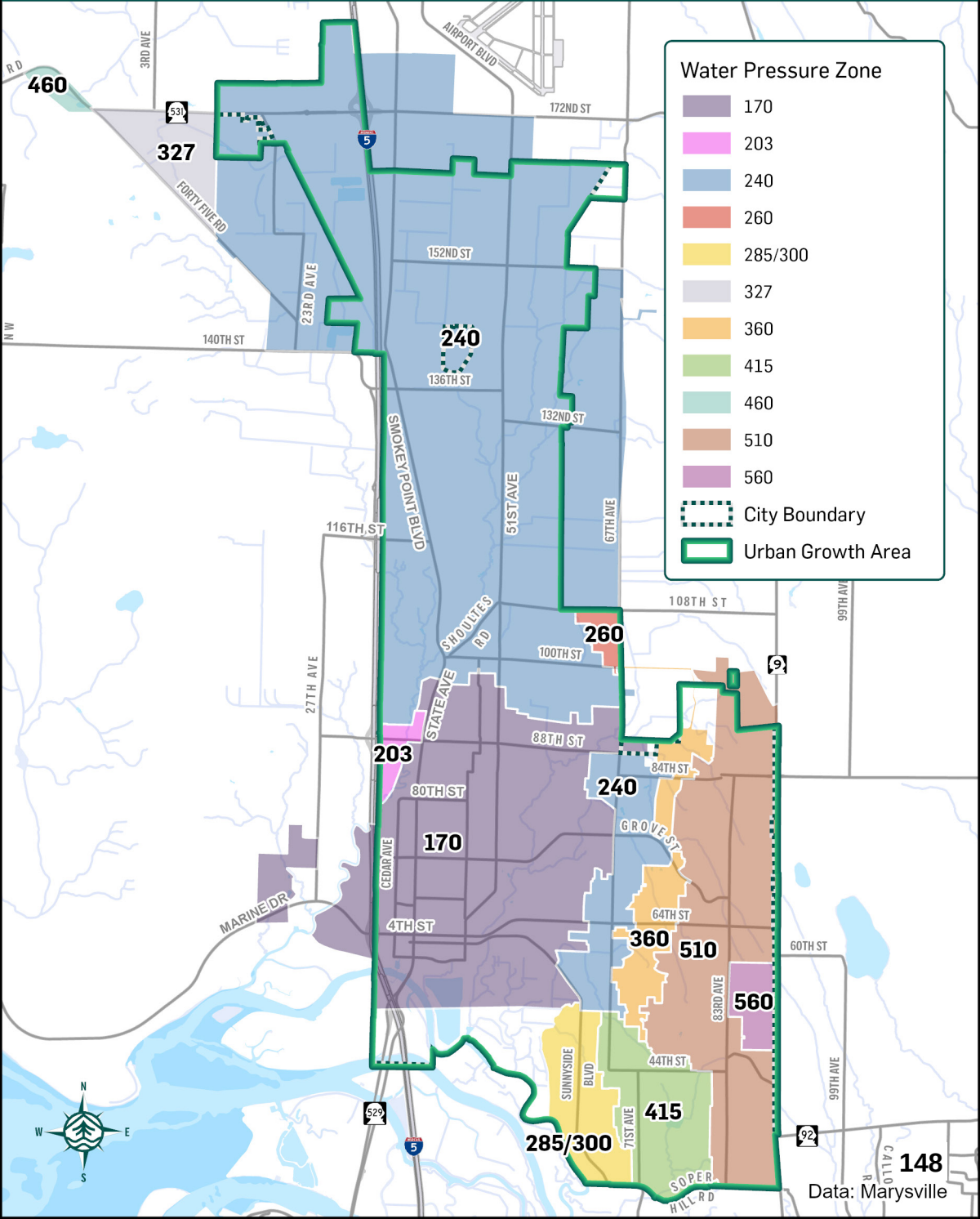




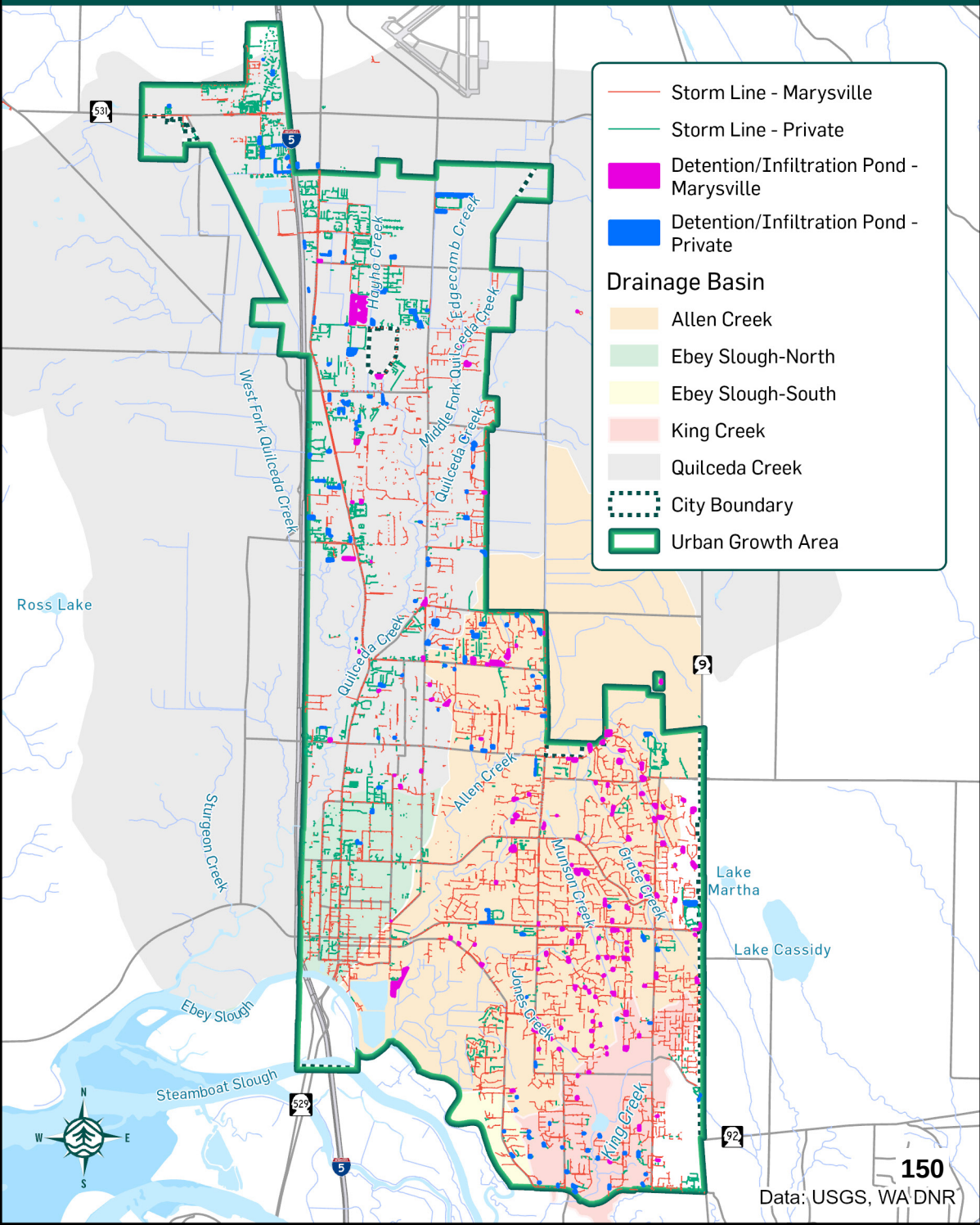
















Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Discussion Item

AGENDA SECTION: **New Business**

SUBJECT: An **Ordinance** Relating to Middle Housing Comprehensive Plan Amendments

SUGGESTED ACTION: Recommended Motion: I move to adopt Ordinance No. _____.

SUMMARY: Washington State's [House Bill \(HB\) 1110](#), which was adopted in July 2023, requires that cities allow Middle Housing in areas traditionally dedicated to single family detached housing. HB 1110 requires that cities allow six of the nine Middle Housing types provided in State law, and two Middle Housing dwelling units on all lots primarily designated for residential and up to four Middle Housing dwelling units on lots when one dedicated affordable housing unit is provided or there is proximity to a major transit stop (i.e. future Community Transit SWIFT stations).

City Council adopted [Ordinance 3352](#) on June 23, 2025, to establish interim regulations, allow for public participation, and avoid defaulting to the State's Middle Housing Model Ordinance. **With the final Middle Housing regulations two ordinances are proposed: the first is included with this agenda bill and addresses amendments to the Comprehensive Plan which were not addressed in the interim ordinance. The second is part of the next agenda bill and addresses Marysville Municipal Code amendments which are substantially similar to the interim ordinance, with changes noted with redlines.**

The final regulations address the following additional policy matters:

- **Single Family Zone Consolidation.** The City's four single family residential zones (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8) are proposed to be consolidated into two zones: the Neighborhood Residential 4.5 (NR-4.5 formerly R-4.5) and Neighborhood Residential 6.5 (NR-6.5 formerly R-6.5). With this proposal, the R-8 and WR-R-4-8 zones would be consolidated with the NR-6.5 zone. The objective is to streamline the code and provide clarity, with minimal impacts to land capacity. It should also be noted that amendments to the Comprehensive Plan map is also proposed to be amended to have mobile home parks with the Residential Mobile Home Park (R-MHP) designation on the Zoning Map have the same R-MHP land use designation on the Comprehensive Plan Map. Accompanying this change, amendments are proposed to MMC 22C.010.080-090 and 22E.010.360 to retain some of the flexibility the R-8 zone afforded.
- **Middle Housing Exemption Areas.** The following area with significant access and/or rail constraints is proposed to be exempted from Middle Housing: south of 108th Street NE, west of the Burlington Northern Santa Fe Railroad, north of 90th Street NE, and east of 35th Avenue NE. Duplexes (a Middle Housing type) and Planned Residential Development are also proposed to be limited in this area until access/rail constraints are remedied. Language was crafted indicating that the Middle Housing exemption and duplex/PRD prohibition will be lifted when adequate secondary access is provided.
- **Preserving Land Capacity in the Multi-family Zones.** Minimum densities of 8 dwelling units (du)/acre in the R-12 and WR-R-6-18 zones, and 10 du/acre in the R-18 and R-28 zones are proposed to encourage the preservation of land capacity.
- **Density for Master Planned Senior Communities.** Master Planned Senior Communities will have moderately incentivized density with 10 units per acre allowed in the NR-4.5 zone and 12 units per acre allowed in the NR-6.5 zone. The Conditional Use Permit requirement was also removed for MPSC in the multi-family zones.
- **Height for Single Family and Duplex Development in Multi-family Zones.** The height allowance for single family and duplexes in multi-family zones is proposed to be increased from 30 to 35 feet with provisions requiring that either an increased setback or a step-down in height be provided along single-family residential property lines.

Various supporting Comprehensive Plan Amendments (see **Exhibit 3**) are proposed to support the development regulation

amendments. These amendments primarily consist of:

- Updating maps and text to reflect the consolidation of the single family residential zones;
- Updating maps to show the Residential Mobile Home Park (R-MHP) zone on the Comprehensive Plan maps; and
- Updating the various appendices to reflect the consolidation of the single-family residential zones.

At the Public Hearing on August 12th, Planning Commission recommended approval of the proposed Middle Housing regulations and associated Comprehensive Plan amendments for adoption by Ordinance. Again, since the Middle Housing code amendments are substantially similar to the interim ordinance while the Middle Housing Comprehensive Plan amendments were not part of the interim regulations, two separate ordinances are proposed for clarity. The first ordinance pertaining to Comprehensive Plan amendments is part of this agenda bill, and the second ordinance pertaining to development regulations is part of the following agenda bill.

At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the Middle Housing regulations via Ordinance.

ATTACHMENTS:

[Memo and Exhibits 1 and 2 - Middle Housing](#)

[Exhibit 3 - Ordinance Middle Housing Comprehensive Plan Amendments \(see next agenda item for Exhibit 4\)](#)

[Exhibit 5 - MBA Middle Housing Letter](#)

[Exhibit 6 - Letter to MBA re. Middle Housing](#)

MEMORANDUM

DATE: October 27, 2025

TO: City Council

FROM: Angela Gemmer, Planning Manager

SUBJECT: Middle Housing Final Regulations

ECC: Jennifer Stapleton, City Administrator/Interim CD Director

Exhibit 1 Summary of amendments

Exhibit 2 [Planning Commission minutes](#) – March 25th, April 8th, June 24th, July 8th, and August 12th

Exhibit 3 Ordinance – Middle Housing Comprehensive Plan Amendments (*included with first Middle Housing agenda item*)

Exhibit 4 Ordinance – Middle Housing Marysville Municipal Code Amendments (*included with second Middle Housing agenda item*)

Exhibit 5 Letter from MBA re Middle Housing concerns

Exhibit 6 Letter from City to MBA re Middle Housing concerns

Introduction

Throughout much of 2025, Planning Commission has been working with staff on regulations to address Washington State’s [House Bill \(HB\) 1110](#), which was adopted in July 2023 and is commonly referred to as the Middle Housing bill. This State law requires that cities allow Middle Housing¹ in areas traditionally dedicated to single family detached housing. HB 1110 requires that cities allow six of the nine Middle Housing types provided in the State law. The community and Planning Commission’s selected Middle Housing types include duplexes, triplexes, fourplexes, townhouses, cottage housing, and courtyard apartments. The City must also allow densities as detailed in the table below along with reduced parking requirements.

Lot circumstances	Unit Density
Residentially zoned lot	Two (2)
Residentially zoned lot located within ¼ mile walking distance to a major transit stop OR when one (1) dwelling unit is dedicated affordable housing	Four (4)

HB 1110 established a deadline of June 30, 2025 to adopt Middle Housing standards, or jurisdictions would default to the State’s Model Ordinance, which contained provisions that would not have aligned

¹ [Middle housing](#) is a range of housing types that include two or more attached, stacked, or clustered homes that are compatible in scale and form with detached single-family homes and neighborhoods. Middle Housing consists of a variety of housing types that are in between the size and number of dwelling units for single-family residences and apartments as shown in the image below.

with the community's vision. Consequently, City Council adopted [Ordinance 3352](#) to establish interim regulations to allow for more opportunities for public participation and for the Planning Commission to more closely consider the final regulations.

With the final Middle Housing regulations, two ordinances are proposed. The first is included with the first Middle Housing agenda item and addresses amendments to the Comprehensive Plan which were not addressed in the interim ordinance. The second is included with the second Middle Housing agenda item and includes Marysville Municipal Code amendments which are substantially similar to the interim ordinance, with changes noted with redlines.

The final regulations address the following additional policy matters:

- **Single Family Zone Consolidation.** The City's four single family residential zones (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8) are proposed to be consolidated into two zones: the Neighborhood Residential 4.5 (NR-4.5 formerly R-4.5) and Neighborhood Residential 6.5 (NR-6.5 formerly R-6.5).² With this proposal, the R-8 and WR-R-4-8 zones would be consolidated with the NR-6.5 zone. The objective is to streamline the code and provide clarity, with minimal impacts to land capacity.

These proposed land use and zoning designation changes are reflected in the proposed Comprehensive Plan and Zoning Maps which are included with **Exhibit 3**. It should also be noted that amendments to the Comprehensive Plan map are also proposed to reflect the Northpointe MV2 UGA Expansion (as described in the prior agenda item) and to have mobile home parks with the Residential Mobile Home Park (R-MHP) designation on the Zoning Map have the same R-MHP land use designation on the Comprehensive Plan Map.

Accompanying this change, language is proposed to be added to both MMC 22C.010.080-090 and 22E.010.360 to retain some of the functions the R-8 zone affords. Specifically, when single family and duplexes are constructed in the multi-family zones, the building coverage, impervious coverage, and setback allowances for the R-8 zone are used; the ability to use the R-8 standards was inadvertently removed in the Interim Ordinance and is built back into MMC 22C.010.080-090 (see **Exhibit RR** of **Exhibit 4**). Similarly, when there are critical areas on a site, the density in the buffer area can be transferred to the non-encumbered portion of the site. In those instances, the R-8 dimensional standards are used (see **Exhibit VVVV** of **Exhibit 4** for suggested changes).

- **Middle Housing Exemption Areas.** HB 1110 allows up to 25 percent of areas subject to the Middle Housing regulations to be exempted from the requirements of the statute. City Council supported pursuing an exemption and provided direction that areas with access and rail constraints, and potentially areas with inadequate parking should be exempted. Planning Commission provided direction that the Middle Housing exemption should apply to the neighborhoods with significant access and/or rail constraints 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. Support was also expressed for prohibiting duplexes (a type of Middle Housing) and Planned Residential Development in the designated areas until access/rail constraints are remedied. Consistent with Planning Commission's direction, language was crafted indicating that the Middle Housing exemption and duplex/PRD prohibition will be lifted when adequate secondary access is provided. **Exhibit OO** to **Exhibit 4** reflects these recommendations.

- **Preserving Land Capacity in the Multi-family Zones.** City Council expressed some support for prohibiting single-family in the two highest density residential zones; however, some concerns were also expressed. Given this, Planning Commission instead recommended establishing minimum densities in multi-family zones to preserve land capacity. Modest minimum densities of 8 dwelling units (du)/acre in the R-12 and WR-R-6-18 zones, and 10 du/acre in the R-18 and R-28 zones are proposed.

² The name change is proposed to reflect that Middle Housing is now allowed in historically single-family residential zones.

- **Density for Master Planned Senior Communities.** Per discussion with City Council and Planning Commission, Master Planned Senior Communities will have moderately incentivized density with 10 units per acre allowed in the NR-4.5 zone and 12 units per acre allowed in the NR-6.5 zone. The Conditional Use Permit requirement was also removed for MPSC in the multi-family zones. **See Exhibit JJJJ to Exhibit 4.**
- **Height for Single Family and Duplex Development in Multi-family Zones.** Currently single family detached residences and duplexes in the multi-family zones are subject to a 30-foot height limit, while multi-family and townhouses in the R-12 and WR-R-6-18 zones are subject to a 35-foot height limit and in the R-18 and R-28 zones are subject to a 45-foot height limit. Staff provided an option to increase the height allowance to 35 feet for single family and duplexes in multi-family zones, which was supported by Planning Commission. Support was also expressed for provisions requiring that either an increased setback or a step-down in height be provided along single-family residential property lines (see **Exhibit RR to Exhibit 4**).

The attached proposed final Middle Housing regulations **Exhibit 4**) reflect each of the key policy matters listed above along with various associated changes to the Marysville Municipal Code. These changes are summarized in **Exhibit 1**.

Associated Comprehensive Plan Amendments

Various supporting Comprehensive Plan Amendments are proposed to support the development regulation amendments. These amendments are set forth in **Exhibit 3** and primarily consist of:

- Updating maps and text to reflect the consolidation of the single family residential zones;
- Updating maps to show the Residential Mobile Home Park (R-MHP) zone on the Comprehensive Plan maps; and
- Updating the various appendices to reflect the consolidation of the single family residential zones.

Master Builders Association Concerns

On September 15th, the Master Builders Association of King and Snohomish Counties (MBA) provided a letter detailing some additional remaining concerns regarding the proposed Middle Housing ordinance (**Exhibit 5**). A letter from City staff responding to the MBA's concerns is attached as **Exhibit 6**.

Conclusion

At the Public Hearing on August 12th, Planning Commission recommended approval of the proposed Middle Housing regulations and associated Comprehensive Plan amendments for adoption by Ordinance. Again, since the Middle Housing code amendments are substantially similar to the interim ordinance while the Middle Housing Comprehensive Plan amendments were not part of the interim regulations, two separate ordinances are proposed for clarity. The Comprehensive Plan amendments are part of the first agenda bill and the development regulations are part of the second agenda bill.

At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the Middle Housing Comprehensive Plan amendments and development regulation amendments by Ordinance.

Exhibit 1

Middle Housing Ordinance Summary		
Exhibit	Marysville Municipal Code	General Description of Proposed Change(s)
A	<u>5.70.270, Discounts</u>	Add a reference to Middle Housing in the discounts section of the cable system regulations.
B	<u>12.02A.090, Frontage improvements required</u>	Amend the frontage improvement code to address requirements for Middle Housing, Unit Lot Subdivisions, and accessory dwelling units.
C	<u>14.01.050, Sewer connection required</u>	Amend to indicate that unit lot subdivisions require sewer connection.
D	<u>14.01.055, Water connection required</u>	Amend to indicate that unit lot subdivisions require water connection.
E	<u>14.03.040 Water meters</u>	Amend to require that accessory dwelling units and Middle Housing provide individual water connections, and that townhouses may have a master meter. The Public Works Water and Sewer Divisions have indicated that with the ability to rent out all accessory dwelling units and Middle Housing and individually sell accessory dwelling units and Middle Housing units, individual connections will be easier to administer for billing purposes along with long-term repair and maintenance needs. An exception to the individual utility connection requirement is proposed for existing structures if it is impracticable to provide separate utility connections as determined by the Building Official. If Unit Lot Subdivision is subsequently proposed, then individual utility connections will then be required.
F	<u>14.03.090, Utility connections to unoccupied properties prohibited and/or forfeited</u>	Amend to indicate that utility connections shall not be sold and water meters shall not be installed until final short plat and final unit lot subdivision approval (which is the expectation for other development types).
G	<u>14.07.010, Capital improvement charges</u>	Amend the capital improvement charges fee schedule to eliminate rates that are no longer in effect, provide a rate for accessory dwelling units that are not in city limits, and indicate that residential connections also include single family, Middle Housing, and townhouse units. Lastly indicate that accessory dwelling units with a separate water meter shall pay a separate utility bill unless an exemption has been granted for a consolidated connection to be provided. Note: these are interim fixes while the utility rate study is pending.
H	<u>14.07.060, Water rates</u>	Add a definition for Middle Housing and amend the definition for multiple residential units. Add accessory dwelling units and Middle Housing to the sewer rate schedule.
I	<u>14.07.070, Sewer rates</u>	Add a definition for Middle Housing and amend the definition for multiple residential units. Add accessory dwelling units and Middle Housing to the water rate schedule.
J	<u>14.15.020, Definitions</u>	In the stormwater code, the definition of Planned Residential Development is amended to reference

		Chapter 22G.080 MMC, Planned Residential Developments.
K	14.18.080, Payment of drainage assessments	Amend the reference to planned unit development to planned residential development and add unit lot subdivisions as a development type subject to drainage assessments.
L & M	14.19.030, Definitions and 14.19.040, Surface water utility fund	The terms 'nonresidential' and 'residential' are proposed to be amended to 'all other property types' and 'single family residential' respectively to align with the terms used in 14.19.040 (Exhibit M , which is included for reference only).
N	14.32.050, Administrative procedure	The provisions pertaining to administrative procedures in the Utility Service Planning Area code (Chapter 14.32) are proposed to be amended to include unit lot subdivisions.
O	22A.010.090, Administration and review authority	This section references the various administrative approvals that are under the authority of the Community Development Director. 22A.010.090 includes references to code sections in Title 22G which cover these same project types; therefore, overlapping references in 22A.010.090 are proposed to be omitted and instead the code is proposed to reference these project types in 22G.010.150 and 22G.010.160 .
P	22A.020.020, "A" definitions	A definition for 'administrative design review' is proposed to be added to Chapter 22A.020, Definitions .
Q	22A.020.020, "A" definitions	A definition for 'all lots zoned predominantly for residential use' is proposed to be added to Chapter 22A.020, Definitions .
R	22A.020.040, "C" definitions	The definition 'cottage housing developments' will be amended to align with the State's definition of 'cottage housing'; however, a few clarifications were added to the State's definition to reflect Marysville's code requirements.
S	22A.020.040, "C" definitions	The State's definition of 'courtyard apartments' will be added to code.
T	22A.020.050, "D" definitions	The definition of 'development' is amended to include unit lot subdivisions.
U	22A.020.050, "D" definitions	A definition for 'development regulations' added to code.
V	22A.020.050, "D" definitions	A definition for 'development standards' added to code.
W	22A.020.050, "D" definitions	The definition for 'duplex' is amended to indicate that the common wall between duplexes must be integral to the architecture.
X	22A.020.090, "H" definitions	The definition of 'housing, missing middle' is repealed as it was replaced by a new definition 'middle housing' that aligns with State law.
Y	22A.020.130, "L" definitions	A definition for 'lot, parent' is added to address parent lots in unit lot subdivisions.
Z	22A.020.130, "L" definitions	A definition for 'lot, unit' is added to address unit lots in unit lot subdivisions.

AA	22A.020.140, "M" definitions	The definition of 'major transit stop' is amended to align with the definition in State law.
BB	22A.020.140, "M" definitions	A new definition for 'middle housing' is added to reflect changes in State law.
CC	22A.020.140, "M" definitions	The definition of 'multifamily dwelling unit' is amended to indicate that it does not include Middle Housing or townhouses.
DD	22A.020.200, "S" definitions	A definition for 'single-family zones' is added to the code.
EE	22A.020.200, "S" definitions	A definition for 'stacked flat' is added to the code. It should be noted that stacked flats are not a proposed Middle Housing type.
FF	22A.020.210, "T" definitions	A definition for 'Tier 1' City is added. Tier 1 refers to the city size where the maximum Middle Housing allowances of HB 1110 apply. Marysville is expected to become a Tier 1 City in 2030.
GG	22A.020.210, "T" definitions	A definition for 'Tier 2' City is added. Tier 2 refers to the city size where 2 units are allowed on residential lots and 4 units are allowed on residential lots that are within ¼ mile of a major transit stop or have a dedicated affordable housing unit. Marysville is currently a Tier 2 City.
HH	22A.020.210, "T" definitions	The definition for townhouse is amended to clarify when a townhouse is considered Middle Housing and when it is not.
II	22A.020.220, "U" definitions	A definition for 'unit density' is added to address the allowed density for Middle Housing.
JJ	22A.020.220, "U" definitions	A definition for 'unit lot subdivision' is added.
KK	22A.030.020, Zones and map designations established	An amendment is proposed to indicate that the base density for 'NR' and 'R' zones reflects lots per acre in addition to dwelling units per acre. The Neighborhood Residential zone has been added to code.
LL	22A.030.050, Residential zones	An amendment is proposed to add references to both the Whiskey Ridge residential zones and Middle Housing to the residential zones summary. The Neighborhood Residential zone has been added to code.
MM	22C.010.030, Characteristics of residential zones	The residential zone descriptions are proposed to be amended to add Middle Housing and townhomes to the zone descriptions, amend the density description to reference both lots and units, and to separate duplex density references which are no longer valid. Renaming of the R-4.5 and R-6.5 zones to Neighborhood Residential 4.5 and 6.5 is also proposed along with the elimination of the WR-R-4-8 and R-8 zones.
NN	22C.010.060, Permitted uses	The residential permitted uses matrices are amended to: Rename the R-4.5 and R-6.5 zones as NR-4.5 and NR-6.5 and omit the WR-R-4-8 and R-8 zones. Remove the Conditional Use Permit (CUP) requirement from cottage housing;

		- Remove the CUP requirement for most senior citizen-oriented housing options in multi-family zones; - Remove single family detached from the permitted uses in the City's highest density multi-family zones (R-18 and R-28) to ensure that land capacity is preserved; and - Add Middle Housing as a permitted use.
OO	22C.010.070, Permitted uses – Development conditions	The residential permitted uses development conditions are amended to: - Add new requirements for accessory dwelling units that align with HB 1337. - Indicate what Middle Housing is, when it is allowed, and when it is not allowed. - The R-4.5 Single family, Medium Density area generally located north of 88th Street, west of State Avenue, south of 108th Street NE, and east of Interstate 5 is proposed to be exempted from Middle Housing due to the single point of ingress/egress and/or rail constraints for these areas. A provision has been added lifting this restriction when alternate access is provided. Due to safety concerns, a restriction on duplexes (a Middle Housing type) and Planned Residential Developments is also proposed to be added. - Remove the alternate density and lot size expectations for duplexes. - Indicate that townhouses are only allowed in Planned Residential Developments subject to the underlying zone, or subject to the Middle Housing allowances. - Allow signage for home occupations in Middle Housing units.
PP	22C.010.075, Adaptive reuse of nonresidential buildings in residential zones	Eliminate the allowance for one additional dwelling unit above the base density for adaptive reuse of nonresidential buildings in residential zones.
QQ	22C.010.080, Densities and dimensions	The residential density and dimension provisions are amended to: - Indicate that base density applies to dwelling units per lot and dwelling units per acre. - Provides for the maximum density allowance for residential zones and express in terms of dwelling units per lot and dwelling units per acre. Amend the R-4.5 and R-6.5 zones to NR-4.5 and NR-6.5, and eliminate the R-8 and WR-R-4-8 zones. - Omit the minimum lot size for duplexes since HB 1110 requires that the lots be treated equivalent to single family lots. A minimum density of 8 du/acre is proposed for the R-12 and R-18 zones, and 10 du/acre is proposed for the R-28 and WR-R-6-18 zones.

RR	22C.010.090, Densities and dimensions – Development conditions	The residential density and dimension development conditions amendments include, but are not limited to: - Clarifying the maximum density allowances. - Adding an exception for the general density requirements for accessory dwelling units and Middle Housing. For Middle Housing, the number of lots per acre will be the same as for single family; however, there will be a dwelling unit per acre/lot exemption consistent with HB 1110. Additional provisions pertaining to Middle Housing are also included. Renaming of the R-4.5 and R-6.5 zones as NR-4.5 and NR-6.5, and elimination of the R-8 zone. Updating of unnecessary reference to zero lot line and townhome development, and an updated reference to the Downtown Neighborhood. Build in the dimensional flexibility of the R-8 zone for single family and duplexes in the multi-family zones, and allow for an increased height of 35 feet for single family and duplexes in multi-family zones. Allow for an exception to the minimum densities set forth in Exhibit QQ when the sit circumstances warrant or when only a single home is proposed to be built.
SS	22C.010.110, Calculations – Allowable dwelling units	The calculation of allowable dwelling units section is amended to clarify that the standards apply to dwelling units or lots. The various steps for calculating density are more explicitly laid out. The dwelling unit exemption for Middle Housing, and the exemption from the calculation for existing lots are provided.
TT	22C.010.120, Calculations – Site area used for density calculations	Amend to indicate that critical areas and buffers need to be placed in a tract or easement for permanent protection.
UU	22C.010.130, Lot area – Prohibited reduction	An exception is provided for lots created under the Unit Lot Subdivision provisions.
VV	22C.010.140, Minimum lot area for construction	Amend to include Middle Housing as being allowed on nonconforming residential lots. Clarify bulk and dimensional expectations.
WW	22C.010.170, Setbacks – From regional utility corridors	Minor grammatical change.
XX	22C.010.190, Setbacks – From alleys	Amend an outdated reference to Downtown.
YY	22C.010.200, Setbacks – Adjoining half-street, designated arterial, or temporary cul-de-sac	Amend to have the garage setback abutting temporary cul-de-sacs be measured from the temporary cul-de-sac as constructed; the setbacks will revert to the property line when the temporary cul-de-sac is removed.
ZZ	22C.010.210, Setbacks – Projections allowed	Allow uncovered ramps to project into side or rear setbacks similar to uncovered stairs.
AAA	22C.010.220, Height – Exceptions to limit	Amend the height limit exception for flagpoles to include Middle Housing.

BBB	<u>22C.010.255, Residential design requirements – Purpose</u>	Amend the residential design purpose statement to include all single family along with Middle Housing and townhouses.
CCC	<u>22C.010.260, Residential design requirements – Applicability and interpretations</u>	Amend the residential design requirements applicability requirements to include Middle Housing and to reference the NR-4.5 and NR-6.5 zones and omit the reference to the R-8 zone.
DDD	<u>22C.010.270, Zero lot line development</u>	Amend to omit the reference to PRD overlay zone and add binding site plans to the zero lot line code.
EEE	<u>22C.010.280, Cottage housing developments</u>	The cottage housing code is amended to include various amendments to this code including, but not limited to: · Amending the various unique areas where cottage housing is allowed to instead simply indicate that cottage housing is allowed in residential zones; · Allow for cottage housing to be divided using the ULS provisions and remove the 20 unit ULS cap from the interim ordinance; · Add a minimum lot size or square footage allocation for individual cottages; · Eliminate the building coverage limitation as the cottage size limitation and impervious coverage limitation combined adequately address the size of cottages; · Provide a clarification for how floor area should be calculated; · Clarify that uncovered porches do not count towards floor area; · Include a provision that open space be provided equal to 20 percent of the development site consistent with State law; and · Direct the reader to the overall parking code for parking requirements.
FFF	<u>22C.010.300, Commercial, multiple-family, townhome, and group residence – Vehicular access and parking location</u>	This section is written specifically for commercial, apartment, townhome, and group residences abutting alleys; however, alley access is typically required for all uses, when an alley is available.
GGG	<u>22C.010.310, Small lot single-family dwelling development standards</u>	This section is proposed to be amended to apply to all single-family residences and to Middle Housing. The specific auto court provisions that are listed are proposed to be removed and instead direct the reader to the Engineering Design and Development Standards. A provision is proposed to indicate that auto courts may be required to be minimized when multiple auto courts would result in poor design. Design provisions are also proposed to require side elevations visible from accesses to meet minimum design standards, and for duplexes and Middle Housing to either be constructed to appear as a single-family residence or to have their own individual identity. This section will be amended further with the final regulations.
HHH	<u>22C.010.330, Townhouse open space</u>	This section is amended to indicate that Middle Housing and single-family must provide 200 square feet of open space. This section will be amended further with the final regulations.

III	22C.010.400, Duplex performance and design standards <i>(no link as code was repealed with interim ordinance)</i>	The duplex design standards are proposed to be repealed. Duplexes would instead be required to comply with MMC 22C.010.310 (Exhibit GGG above).
JJJ	22C.010.400, Middle housing – Affordable housing provisions	This is a new code section which specifies the State's affordable housing provisions for Middle Housing.
KKK	22C.050.010, Purpose	Amend certain references in the small farms code neutral.
LLL	22C.050.050, Permitted uses in small farms overlay zone	Indicate that a single-family residence of Middle Housing can be built on a small farm.
MMM	22C.065.060, Single-family and duplex dwelling development standards <i>(applies to Lakewood Neighborhood Master Plan)</i>	This section is proposed to be amended to apply to all single family residences and to Middle Housing. The specific auto court provisions that are listed are proposed to be removed and instead direct the reader to the Engineering Design and Development Standards. A provision is proposed to indicate that auto courts may be required to be minimized when multiple auto courts would result in poor design. Design provisions are also proposed to require side elevations visible from accesses to meet minimum design standards, and for duplexes and Middle Housing to either be constructed to appear as a single-family residence or to have their own individual identity. This section will be amended further with the final regulations.
NNN	22C.070.040, East Sunnyside – Whiskey Ridge subarea plan zoning classifications	Amend the table showing the various zones in the East Sunnyside – Whiskey Ridge Subarea Plan to align with other chapters in the MMC and the City's Comprehensive Plan and Zoning Maps. Amend to omit the WR-R-4-8 zone and rename the R-6.5 zone to NR-6.5.
OOO	22C.070.100, Open space	The townhouse and ground-based multi-family open space standards are amended to include Middle Housing.
PPP	22C.070.130, Parking	Direct the reader to the parking code for parking standards. Indicate that the on-street parking allowance is for commercial uses. Make a minor correction to a road name.
QQQ	22C.080.120, Uses permitted in downtown Marysville zones	Add Middle Housing to the residential zones in the Downtown Master Plan Area. Omit term duplex as it is part of Middle Housing.
RRR	22C.080.230, Parking and loading	Indicate that Middle Housing must meet the parking outlined for Middle Housing in the general parking code.
SSS	22C.090.020, Permitted locations of residential density incentives	The list of zones in which residential density incentives (RDI) are allowed has been amended to be clearer and to omit the Downtown zones where RDI are not needed to achieve maximum densities. The R-4.5 and R-6.5 zones are proposed to be renamed as NR-4.5 and NR-6.5, and the WR-R-6-18 zones is proposed to be included with the multi-family zones.
TTT	22C.090.030, Public benefits and density incentives	The residential density incentives are amended to:

		· indicate that bonus lots can be earned in single family zones or in multi-family zones when single for Middle Housing are proposed, and bonus units can be earned when multi-family or townhouse developments are proposed; · reflect that lots or units can be earned (a few RDI are only listed for units); and · remove the RDI pertaining to perimeter fencing or landscaping as it is difficult to administer and is often ineffective due to abutting residential subdivisions. · The references to single family zones has been amended to reference the NR-4.5 and NR-6.5 zones.
UUU	22C.090.040, Rules for calculating bonus units for open space and recreational areas	This RDI section is amended to include a reference to lots and to omit a couple of open space amenities that are not intended to be encouraged; omitting these open space amenities aligns the RDI code with the PRD code.
VVV	22C.090.050, Rules for calculating total permitted dwelling units	This RDI section is amended to include references to lots in addition to the existing unit references.
WWW	22C.090.060, Review process	This RDI section is amended to include references to lots in addition to the existing unit references.
XXX	22C.090.070, Minor adjustments in final site plan	This RDI section is amended to include references to lots.
YYY	22C.090.090, Enforcement	This RDI section is amended to include unit lot subdivisions.
ZZZ	22C.100.030, Nonconforming structures	Add Middle Housing to the nonconforming structures rebuild provisions.
AAAA	22C.100.040, Nonconforming uses	Add Middle Housing to the nonconforming uses expansion provisions.
BBBB	22C.120.050, Water conservation standards	Clarify that Middle Housing (like single family detached) is not subject to water conservation standards.
CCCC	22C.120.120, Required landscape buffers	Indicate that Middle Housing is not required to provide a landscape buffer adjacent to single family designated areas.
DDDD	22C.130.020, General standards	Amend to indicate that parking for single family, Middle Housing, and townhouses be provided on the lot as the dwelling unit served by the parking. Provide an exception for Unit Lot Subdivision indicating that the parking may be on a different unit lot if an easement is provided.
EEEE	22C.130.030, Minimum required parking spaces	Provide parking requirements for Middle Housing and accessory dwelling units that comply with HB 1110 and HB 1337. Indicate that parking for mobile home parks is subject to the standards in the mobile home park code. A clarification is provided on the parking requirements for accessory dwelling units.
FFFF	22C.130.050, Development standards	Indicate that parking for Middle Housing does not need to be striped. Remove the reference to single family attached and detached and instead reference single family, townhouses, and Middle Housing. Include a provision that in garage parking spaces must be usable

		for parking and free of obstructions; however, provide an exception that allows for parking to be met outside of the garage or for a CAD detail to be provided demonstrating the ability to parking a standard consumer vehicle and still open and shut the garage doors.
GGGG	22C.190.020, Home occupation standards	Include provisions that address home occupations in Middle Housing.
HHHH	22C.200.030, Permit required	Remove unnecessary references to home occupations from the day care code.
IIII	22C.220.090, Development regulations	The Master Planned Senior Community (MPSC) code is amended to include references to Middle Housing to ensure consistent treatment with single family residences.
JJJJ	22C.220.100, Modification of development regulations	The Master Planned Senior Community (MPSC) code is amended to include references to Middle Housing to ensure consistent treatment with single family residences. The density is proposed to be capped at 10 units/acre in the NR-4.5 zone and 12 units per acre in the NR-6.5 zone. Obsolete references to Downtown have been updated.
KKKK	22C.230.030, Mobile/manufactured home park zone	The mobile/manufactured home park code is amended to eliminate the requirement for a Planned Residential Development for a MHP since the mobile/manufactured home park code has similar, but conflicting, standards. References to single family zones have been changed to be NR-4.5 and NR-6.5.
LLLL	22C.230.040, Procedures for review and approval	The mobile/manufactured home park standards are amended to add the expectation for a conditional use permit to be obtained consistent with the residential permitted uses, and to eliminate the required for a PRD rezone, which has similar, but conflicting, standards.
MMMM	22C.250.060, Wireless communication facilities – Siting hierarchy	The wireless communication facilities siting hierarchy has been amended to include Middle Housing with single family designations.
NNNN	22C.250.070, Wireless communication facilities – General requirements	The wireless communication facilities general requirements have been amended to address Middle Housing where single family is referenced.
OOOO	22D.020.030, Payment of impact fees required	Amend the deferral of park impact fees code section to reference townhouses and Middle Housing and eliminate the reference to attached residential units.
PPPP	22D.020.050, Computing required impact fees using adopted impact fee schedules	Add Middle Housing and townhouses to the single-family parks rate; omit the reference to attached single family homes.
QQQQ	22D.020.130, Formula for determining park, recreation, open space or trail impact fees	Add Middle Housing and townhouses to the parks impact fee calculation information.
RRRR	22D.030.040, Definitions	Amend the definitions for the traffic impact fee code to include single family detached, Middle Housing, and townhouses in the definition of 'development'

SSSS	22D.030.070, Determination and fulfillment of road system obligations	Add Middle Housing and townhouses to traffic impact fees eligible for deferral and remove attached residential unit.
TTTT	22D.040.020, Definitions	Add single family detached, Middle Housing, and townhouses to the definition of development in the school impact fee code.
UUUU	22D.040.060, Impact fee accounting	Amend the deferral of school impact fee section to include Middle Housing and townhouses.
VVVV	22E.010.360, On-site density transfer for critical areas	The on-site density transfer for critical area provisions are proposed to indicate that development in the NR-4.5 and NR-6.5 zones can use more flexibility dimensional standards (i.e. the former R-8 dimensional standards). These standards will be looked at more closely with the final regulations.
WWWW	22E.030.090, Categorical exemptions, threshold determinations, and enforcement of mitigating measures	Middle Housing is proposed to be added to the environmental categorical exemption review that applies to single family.
XXXX	22G.010.160, Administrative approvals subject to notice	Unit lot subdivisions are proposed to be added to the types of administrative land use applications subject to notice.
YYYY	22G.010.250, Vesting	Unit lot subdivisions are added to the land use procedures pertaining to vesting.
ZZZZ	22G.010.260, Minor revisions to approved development applications	Address Planned Residential Development and Middle Housing in the minor land use application revision criteria. Provide minor revision criteria unique to Unit Lot Subdivisions, which require separate provisions due to the different nature of the use.
AAAAA	22G.010.270, Major revisions to approved residential development applications	Address Middle Housing in the major land use application revision criteria.
BBBBB	22G.030.020, General fee structure	Incorporate Middle Housing and Unit Lot Subdivisions in fee structure.
CCCCC	22G.080.010, Purpose	Amend the Planned Residential Code to reference PRDs being developed as a 'cohesive project' rather than a unit.
DDDDD	22G.080.040, Permitted/conditional uses – Ratio of housing types	This section is amended to include references to Middle Housing and townhouses instead of duplexes and single family attached. The maximum number of dwelling units in single family PRDs is proposed to be capped at four units (currently six units may be in a building), and the limitation on the townhouse units relative to single family has been removed.
EEEE	22G.080.050, Procedures for review and approval	The expectation for Planned Residential Developments (PRDs) to be consistent with the Engineering Design and Development Standards has been added. A provision for the form and scale of buildings to be compatible with single family has been added. An expectation that orientation of structures towards the higher volume roadway has been added unless the director determines an alternate orientation would

		result in better site design. A provision has been added that landscaping should not be installed to avoid orientation requirements.
FFFFF	22G.080.060, Required elements of PRD site plans	Various submittal requirements for PRDs have been amended.
GGGGG	22G.080.070, Development standards	The PRD development standards have been amended to eliminate the 5,000 SF cap since most PRDs are comprised of lots at or under 5,000 SF. The restriction on ADUs has been removed consistent with HB 1337. The alternate access provisions have been amended to remove the 5,000 SF cap but to lower the amount of dwellings requiring alternate access from 25 percent to 20 percent. A provision has been added that autocourts may be required to be minimized and a consolidated public road provided when the site design or safety is improved.
HHHHH	22G.080.080, Modification of development regulations	The modification of PRD development regulations has been amended to address density being expressed in terms of dwelling units per acre or lot, and to direct the reader to the applicable code provisions. A footnote establishing an alternate lot size for duplexes has been removed consistent with HB 1110. An exemption to the townhouse minimum lot size has been added for Middle Housing. References to attached single-family have been replaced by townhouses. A footnote with alternate parking standards has been removed. A clarification has been added that PRD subdivisions and binding site plans may use the PRD road standards in the EDDS. A clarification has been added that elimination of a sidewalk on one side of the road will only be considered if there are not dwelling units on that side of the road.
IIIII	22G.080.100, Open spaces	New criteria pertaining to recreational amenities has been added to promote more desirable recreational areas. A clarification has been added that bioswales, infiltration galleries and ponds cannot be used for recreational facilities.
JJJJJ	22G.090.580, Fence requirements	The reference to single family residential has been changed to simply residential in the fence requirements part of the plat and short plat code.
KKKKK	22G.100.040, Jurisdiction	The binding site plan code jurisdiction has been amended to reference Middle Housing and to indicate that Unit Lot Subdivisions are exempt from the Planned Residential Development code.
LLLLL	22G.120.030, Scope	The site plan review code has been amended to exempt construction of a single Middle Housing building from the site plan review code.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO THE MARYSVILLE GROWTH MANAGEMENT COMPREHENSIVE PLAN, ORDINANCE NO. 3330, AND THE CITY'S OFFICIAL COMPREHENSIVE PLAN AND ZONING MAPS, AS PREVIOUSLY AMENDED, AND APPROVING THE AMENDMENT TO CONSOLIDATE THE CITY'S FOUR SINGLE FAMILY ZONES INTO TWO SINGLE FAMILY ZONES AND RENAME SAID ZONES TO NEIGHBORHOOD RESIDENTIAL TO SIMPLIFY THE CITY'S ZONES AND BETTER ALIGN WITH ENGROSSED SECOND SUBSTITUTE HOUSE BILL (E2SHB) 1110 AND ENGROSSED SUBSTITUTE HOUSE BILL (ESHB) 2321 PERTAINING TO MIDDLE HOUSING, PURSUANT TO THE CITY'S ANNUAL COMPREHENSIVE PLAN AMENDMENT AND UPDATE PROCESS.

WHEREAS, on December 9, 2024, the Marysville City Council enacted Ordinance No. 3211 adopting an updated Growth Management Comprehensive Plan ("Comprehensive Plan") for the City of Marysville; and

WHEREAS, the Growth Management Act allows jurisdictions to amend comprehensive plans once a year, except in those situations enumerated in RCW 36.70A.130(2)(a); and

WHEREAS, on January 27, 1997, the Marysville City Council adopted Resolution No. 1839, providing for procedures for annual amendment and update of the City's Comprehensive Plan; and

WHEREAS, on February 14, 2011, the Marysville City Council adopted Ordinance No. 2852, adding Chapter 22G.020 to the Marysville Municipal Code (MMC) entitled "Procedures for Legislative Actions" which establishes procedures for processing and review of legislative actions relating to amendments or revision to the Comprehensive Plan and Development Regulations; and

WHEREAS, in 2023 the Washington state legislature passed Engrossed Substitute House Bill (E2SHB) 1110 (chapter 332, Laws of 2023) related to Middle Housing, which is primarily codified in the Revised Code of Washington (RCW) section 36.70A.635; 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, on June 23, 2025, the City adopted interim regulations pertaining to Middle Housing which were adopted via Ordinance 3352; and

WHEREAS, the interim regulations amended several titles of the Marysville Municipal Code (MMC), including but not limited to Titles 3, 6, 7, 12, 14, and 22, to comply with state law regarding Middle Housing standards; and

WHEREAS, pursuant to RCWs 35A.63.220 and 36.70A.390, interim regulations may be in effect for up to six months after which final regulations should be adopted; and

WHEREAS, final regulations addressing Middle Housing are proposed in a companion ordinance, which will be concurrently considered with this ordinance pertaining to Single Family Zone Consolidation; and

WHEREAS, the 2025 Comprehensive Plan amendments include a City-Initiated Amendment Proposal that is part of the overall package of Middle Housing amendments which proposes to revise the Comprehensive Plan's Land Use Map Designations for the City's four single family land use designations (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8) and consolidate them into two single family land use designations, and concurrently rename the R-4.5 and R-6.5 land use designations/zones as Neighborhood Residential 4.5 and Neighborhood Residential 6.5 (NR-4.5 and NR-6.5); and

WHEREAS, the R-8 zoning designation and WR-R-4-8 zones apply to limited areas of the City; and

WHEREAS, the adoption of Middle Housing regulations diminishes the distinctions among the City's single family zones; and

WHEREAS, consolidating the City's four single family zones will streamline the City's land use regulations and development code, and promote clarity within the code; and

WHEREAS, the proposed consolidation of zones has minimal impact on residential land capacity within the City; and

WHEREAS, the proposed consolidation of zones contributes to housing affordability in the WR-R-4-8 by increasing the base density from 4 ½ to 6 ½ units per net acre, which aligns with the R-6.5 zone; 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, the City, in reviewing and amending its Comprehensive Plan has complied with the notice, public participation, and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, City staff conducted environmental review for the proposed regulations for which a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 6, 2025; and

WHEREAS, the City of Marysville has submitted the proposed development regulations to the Washington State Department of Commerce on March 31, 2025 (Material ID 2025-S-8230) seeking 60-day review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, the Marysville Planning Commission, after review of the proposed 2025 Comprehensive Plan Land Use Map and Official Zoning Map amendment held public workshops on March 25, April 8, June 24, and July 8, 2025; and

WHEREAS, on August 12, 2025, the Planning Commission held a duly-advertised public hearing, and received testimony from staff, the public and other interested parties; and

WHEREAS, the Planning Commission prepared and provided its written recommendation that the proposed amendments be approved by the Marysville City Council; and

WHEREAS, during the public meeting on October 27, 2025, the Marysville City Council discussed the Middle Housing Comprehensive Plan amendments, and recommended approval of said changes.

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

Section 1. **City Council Findings.** With respect to the 2025 City-Initiated Amendment Request, Single Family Zone Consolidation, the City Council finds as follows:

1. The 2025 City-Initiated Amendment Request, Single Family Zone Consolidation, is consistent with the City's Comprehensive Plan and Unified Development Code;
2. The 2025 City-Initiated Amendment Request, Single Family Zone Consolidation, is consistent with the State Growth Management Act and the State Environmental Policy Act;
3. There is a demonstrated need for the zoning of the type proposed;
4. The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties;
5. There have been significant changes in the circumstances of the property to be rezoned or surrounding properties to warrant a change in classification; and
6. The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

Section 2. **Amendment of Comprehensive Plan and Comprehensive Plan Map.** The City Council amends the Marysville Growth Management Comprehensive Plan and Ordinance No. 3330, as previously amended, by adopting the 2025 City-Initiated Amendment Request, known as the Single Family Zone Consolidation, which amends the land use designation for the properties depicted in the attached and incorporated **Exhibit A**, which are located city-wide and currently have the land use designations of R-4.5, R-6.5, R-8, and WR-R-4-8, and to redesignate said areas with the R-4.5 designation to Neighborhood Residential 4.5 (NR-4.5), and areas with the R-6.5, R-8, and WR-R-4-8 designations to Neighborhood Residential 6.5 (NR-6.5), and directs staff to amend Figures 2.3, 2.9, 2.10, 2.14, 2.15 – 2.24, 2.28, and 2.29 of the Comprehensive Plan along with supporting text on pages 35 and 36, and in Appendices 1, 2 and 3 as shown in **Exhibit C**. This amendment shall be included with the Comprehensive Plan filed in the office of the City Clerk and shall be available for public inspection; and

Section 3. **Amendment of Official Zoning Map.** The City Council amends the City's Official Zoning Map, adopted by Ordinance No. 3330, as previously amended, by adopting the 2025 City-Initiated Amendment Request, known as the Single Family Zone Consolidation, which amends the zoning for the properties depicted in the attached and incorporated **Exhibit B**, which are located city-wide and currently have the zoning designations of R-4.5, R-6.5, R-8, and WR-R-4-8, and to rezone areas with the R-4.5 designation to Neighborhood Residential 4.5 (NR-4.5), and areas with the R-6.5, R-8, and WR-R-4-8 designations to Neighborhood Residential 6.5 (NR-6.5). This amendment shall be attested by the signature of the Mayor and City Clerk, with the seal of the municipality affixed, shall be included with the Official Zoning Map on file in the office of the City Clerk, and shall be available for public inspection.

Section 4. 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. 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. 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: _____
TINA BROCK, CITY CLERK

Approved as to form:

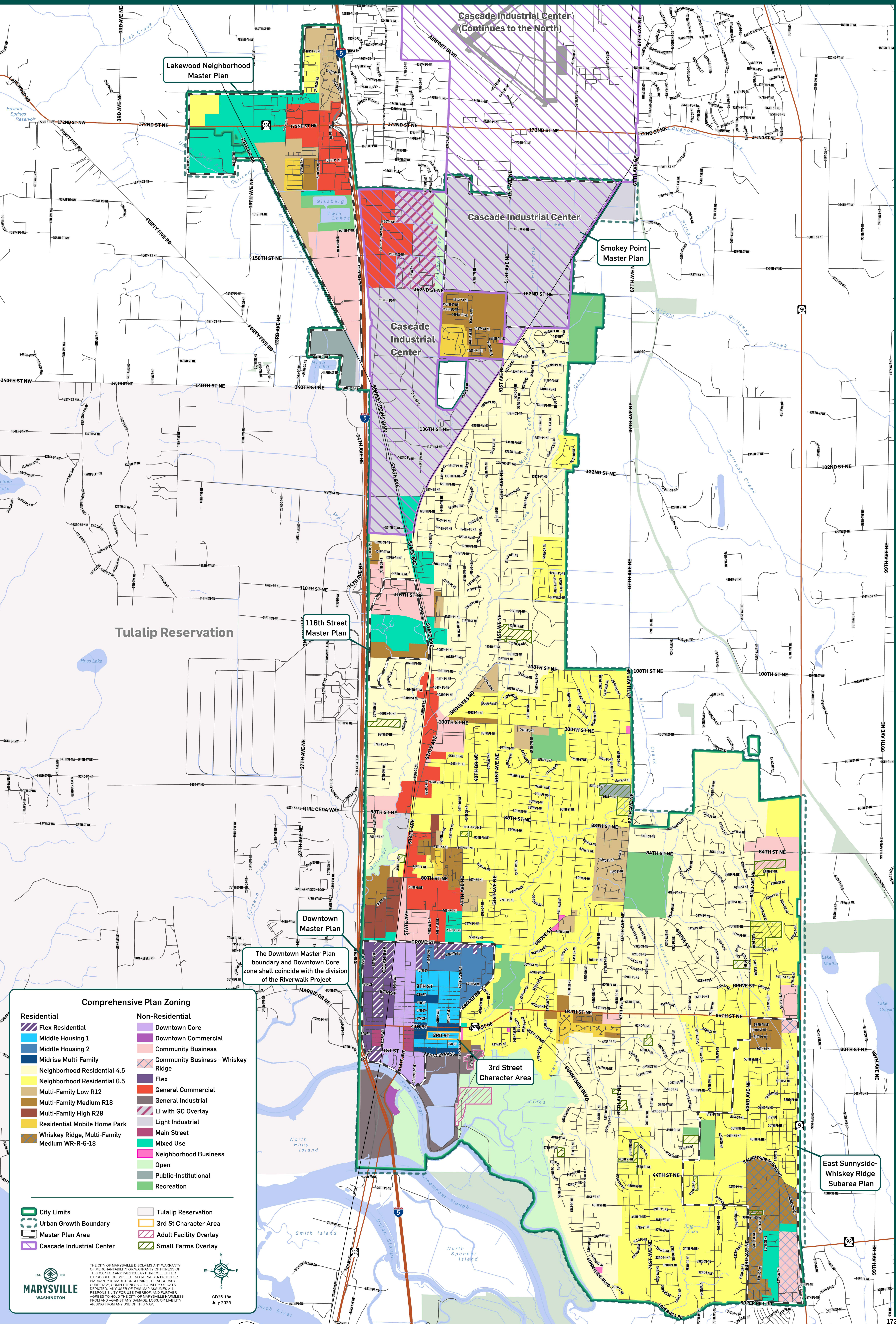
By: _____
JON WALKER, CITY ATTORNEY

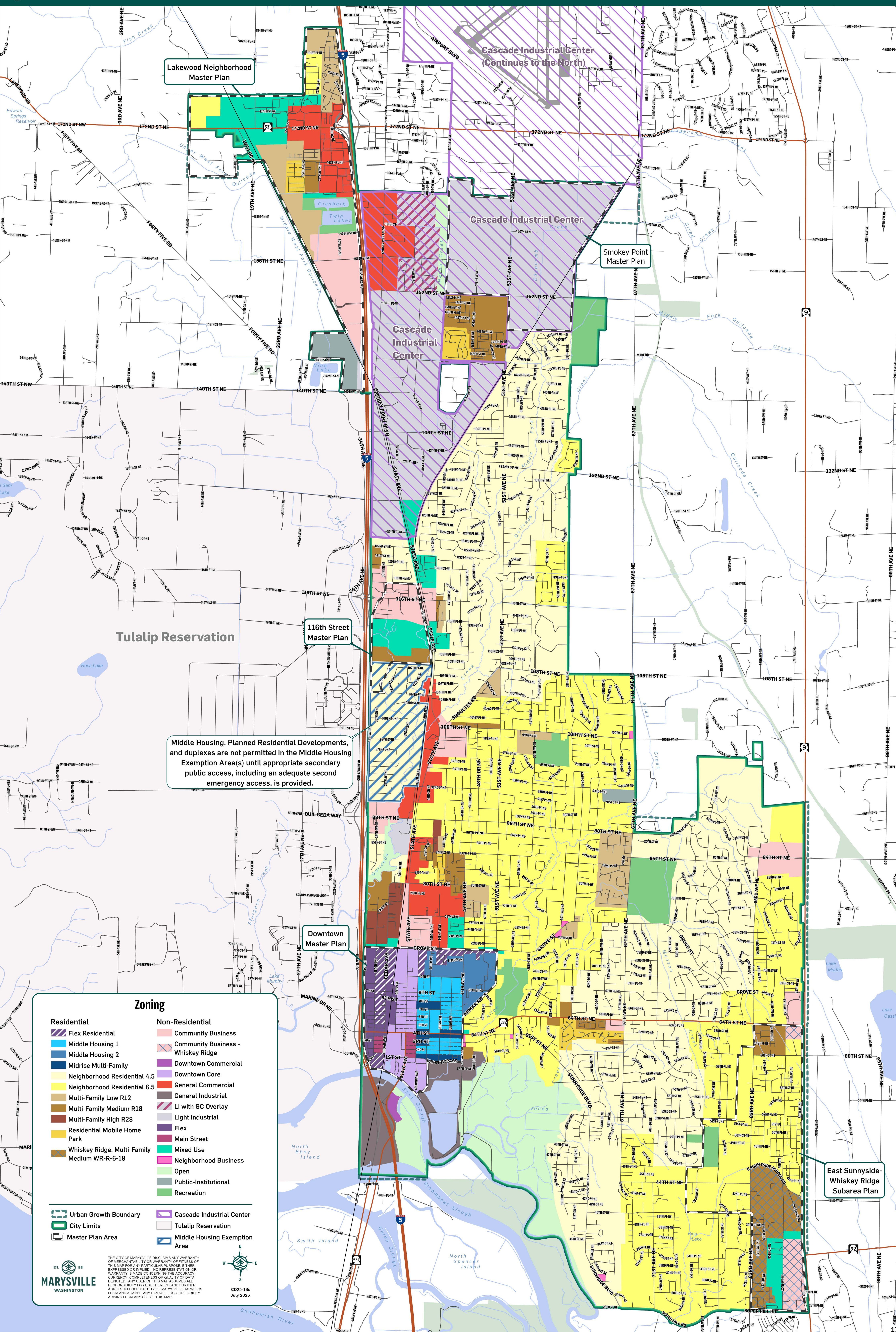
Date of Publication: _____

Effective Date: _____
(Five days after publication)



Exhibit A





THE CITY OF MARYSVILLE DISCLAIMS ANY WARRANTY OF MERCHANTABILITY OR WARRANTY OF FITNESS OF THIS MAP FOR ANY PARTICULAR PURPOSE. EITHER EXPRESSED OR IMPLIED. NO REPRESENTATION OR WARRANTY IS MADE CONCERNING THE ACCURACY, CURRENCY, COMPLETENESS OR QUALITY OF DATA DEPICTED. ANY USER OF THIS MAP ASSUMES ALL RESPONSIBILITY FOR USE THEREOF, AND FURTHER AGREES TO HOLD THE CITY OF MARYSVILLE HARMLESS FROM AND AGAINST ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM ANY USE OF THIS MAP.

Residential—Downtown Land Use Designations

Flex Residential

The Flex Residential zone encourages a mix of uses, including artisan, workshops, small light manufacturing, and commercial, and allows “missing middle” housing and low-rise apartments.



Middle Housing 1

The Middle Housing 1 zone encourages small infill housing, especially “missing middle” housing. The zone protects the fine-grained, residential character of historic neighborhoods.



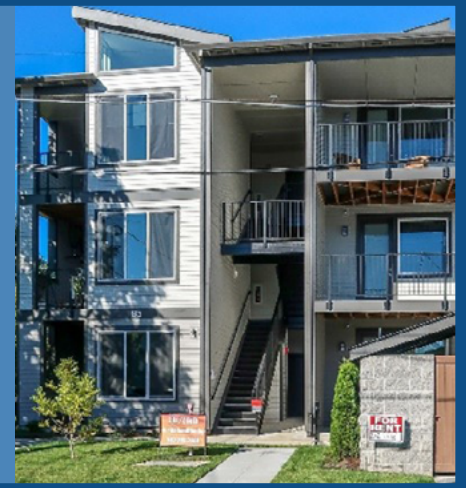
Midrise Multi-family

The Midrise Multi-family zone encourages dense multi-family housing. 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.



Middle Housing 2

The Middle Housing 2 zone encourages infill housing, especially “missing middle” housing and low-rise apartments. Commercial is not allowed except as a ground floor element of a mixed use building located on an arterial street through the Conditional Use Permit process, and is limited to uses that serve the immediate needs of the neighborhood.



Residential—City-wide Land Use Designations

~~Medium Density Single Family, High Density Single Family, and High Density Single Family—Small Lot~~ **Neighborhood Residential 4.5 and 6.5**

~~The Medium Density Single Family (R-4.5), High Density Single Family (R-6.5), and High Density Single Family—Small Lot (R-8) zones encourage primarily single family residential and duplex development; however, these zones also allow townhouses and other middle housing within Planned Residential Developments, or through the Middle Housing Overlay provisions. The primary distinction among these zones is the allowed density as detailed in Appendices 2 and 3.~~

The Neighborhood Residential 4.5 and Neighborhood Residential 6.5



Residential—City-wide Land Use Designations

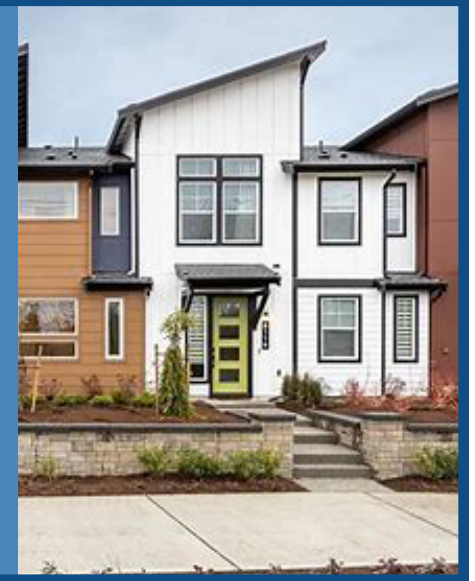
Low Density Multi-family, Medium Density Multi-family, and High Density Multi-family

The Low Density Multi-family (R-12), Medium Density Multi-family (R-18), and High Density Multi-family (R-28) zones encourage multi-family residential, townhouses, and middle housing; however, these zones also allow single family residential and duplexes. Development may pursue middle housing through the City's standard zoning provisions or through the Middle Housing Overlay provisions. The primary distinction among these zones is the allowed density and height as detailed in Appendices 2 and 3.



Whiskey Ridge – Medium Density Multi-family

The Whiskey Ridge, Medium Density Multi-family zone encourages multi-family residential, townhouses, and middle housing; however, these zones also allow single family residential and duplexes. Development may pursue middle housing through the City's standard zoning provisions or through the Middle Housing Overlay provisions.



Small Farms Overlay

The Small Farms Overlay is an overlay for agricultural uses in residential zones.³³ The intent is to register small farms in order to confer official recognition of them, encourage their continuation (as long as desired by the property owner), and promote good neighbor relations between existing single family residences and small farms.

Photo Credit: Shane Monta.



~~Whiskey Ridge – High Density Single Family~~

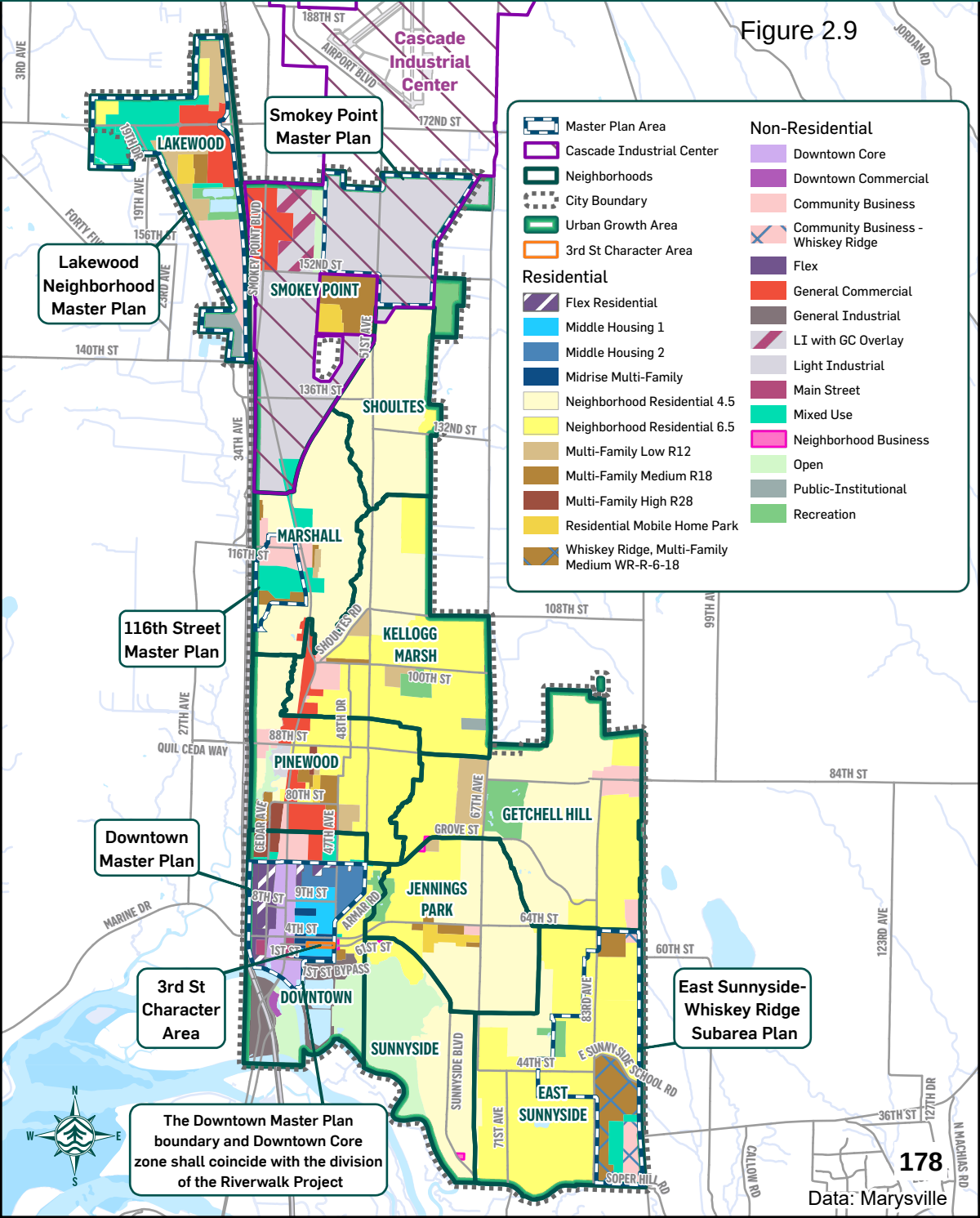
~~The Whiskey Ridge, High Density Single Family (R-28) zone encourages primarily single family residential and duplex development; however, this zone also allows for townhouses and other middle housing within Planned Residential Developments, or through the Middle Housing Overlay provisions.~~



³³. The Small Farm Overlay is implemented through MMC Chapter 22C.050, Small Farms Overlay Zone, which includes mitigation measures to ensure the compatibility of small farms with adjacent residential uses. New small farms must be 100,000 square feet (2.3 acres) in size; however, existing small farms may be smaller. Small farms may pursue horticulture, floriculture, animal husbandry, and similar uses.



Figure 2.9



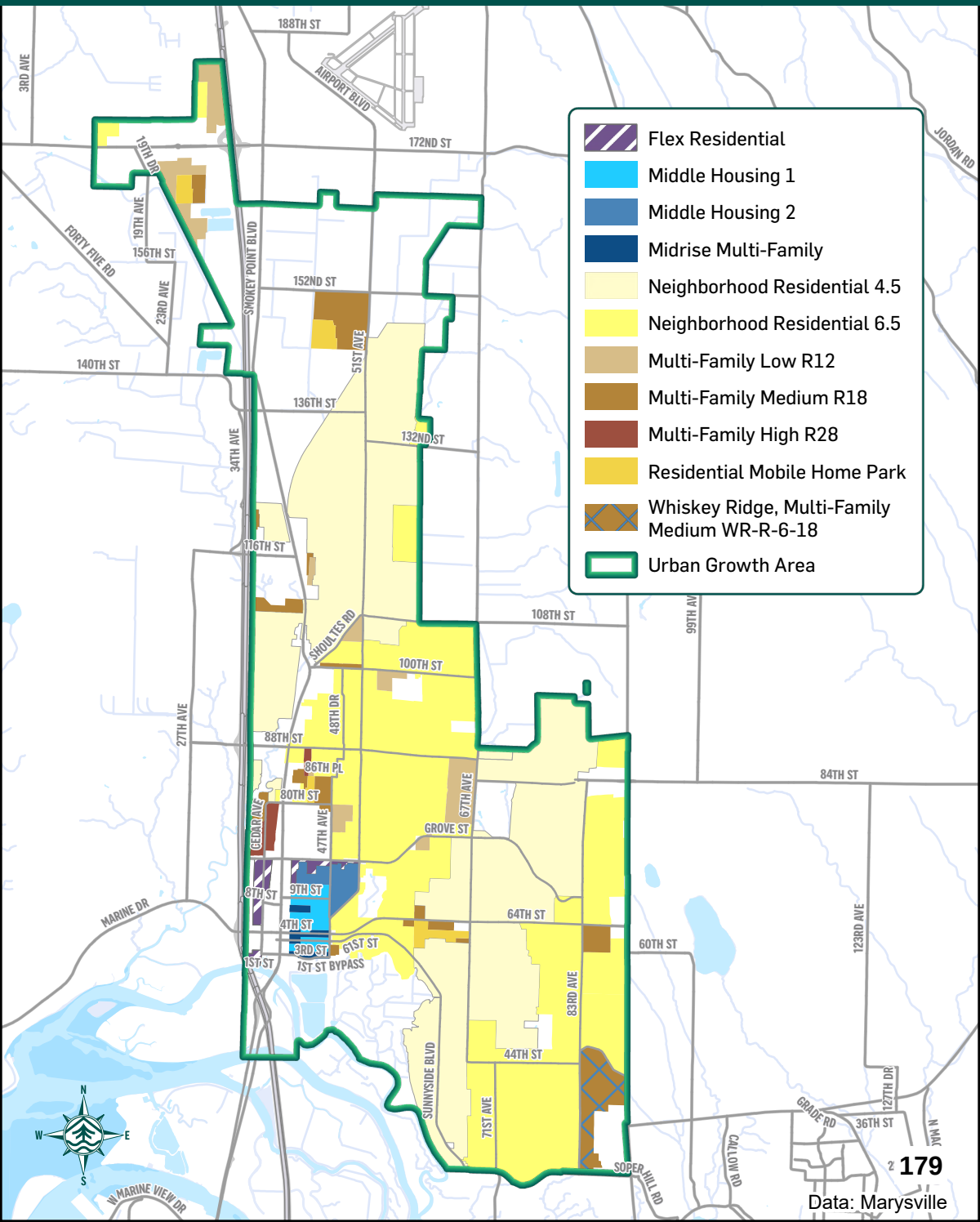
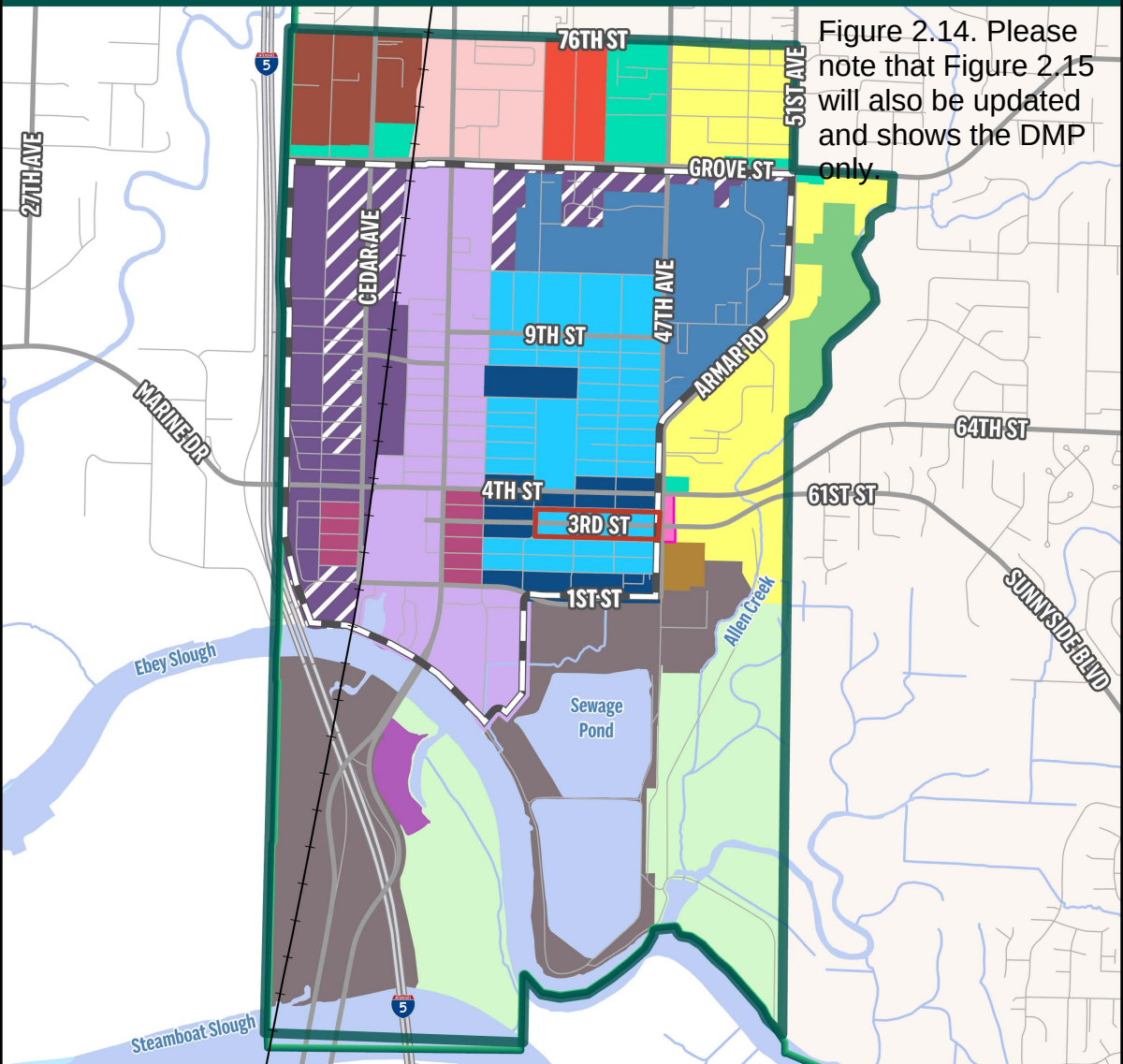




Figure 2.14. Please note that Figure 2.15 will also be updated and shows the DMP only.



- Downtown Neighborhood
- Downtown Master Plan Area
- 3rd St. Character Area
- Urban Growth Area

Residential

- Flex Residential
- Middle Housing 1
- Middle Housing 2
- Midrise Multi-Family

- Neighborhood Residential 6.5
- Multi-Family Low R12
- Multi-Family Medium R18
- Multi-Family High R28

Non-Residential

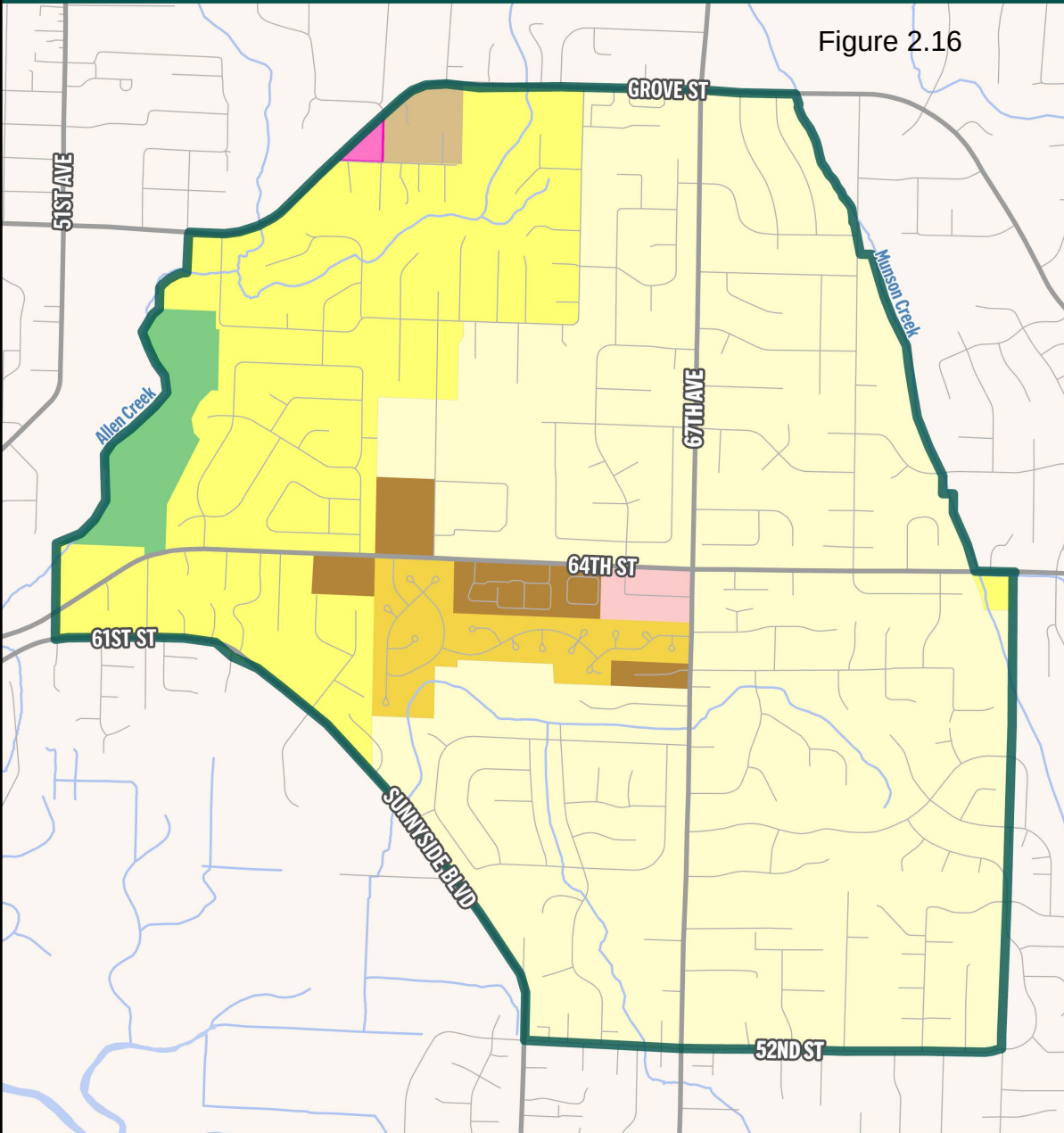
- Downtown Core
- Downtown Commercial
- Community Business
- Flex

- General Commercial
- General Industrial
- Main Street
- Mixed Use
- Neighborhood Business
- Open
- Recreation





Figure 2.16



Jennings Park Neighborhood

Urban Growth Area

Residential

Neighborhood Residential 4.5

Neighborhood Residential 6.5

Multi-Family Low R12

Multi-Family Medium R18

Residential Mobile Home
Park

Non-Residential

Community Business

Neighborhood Business

Recreation

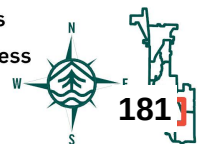
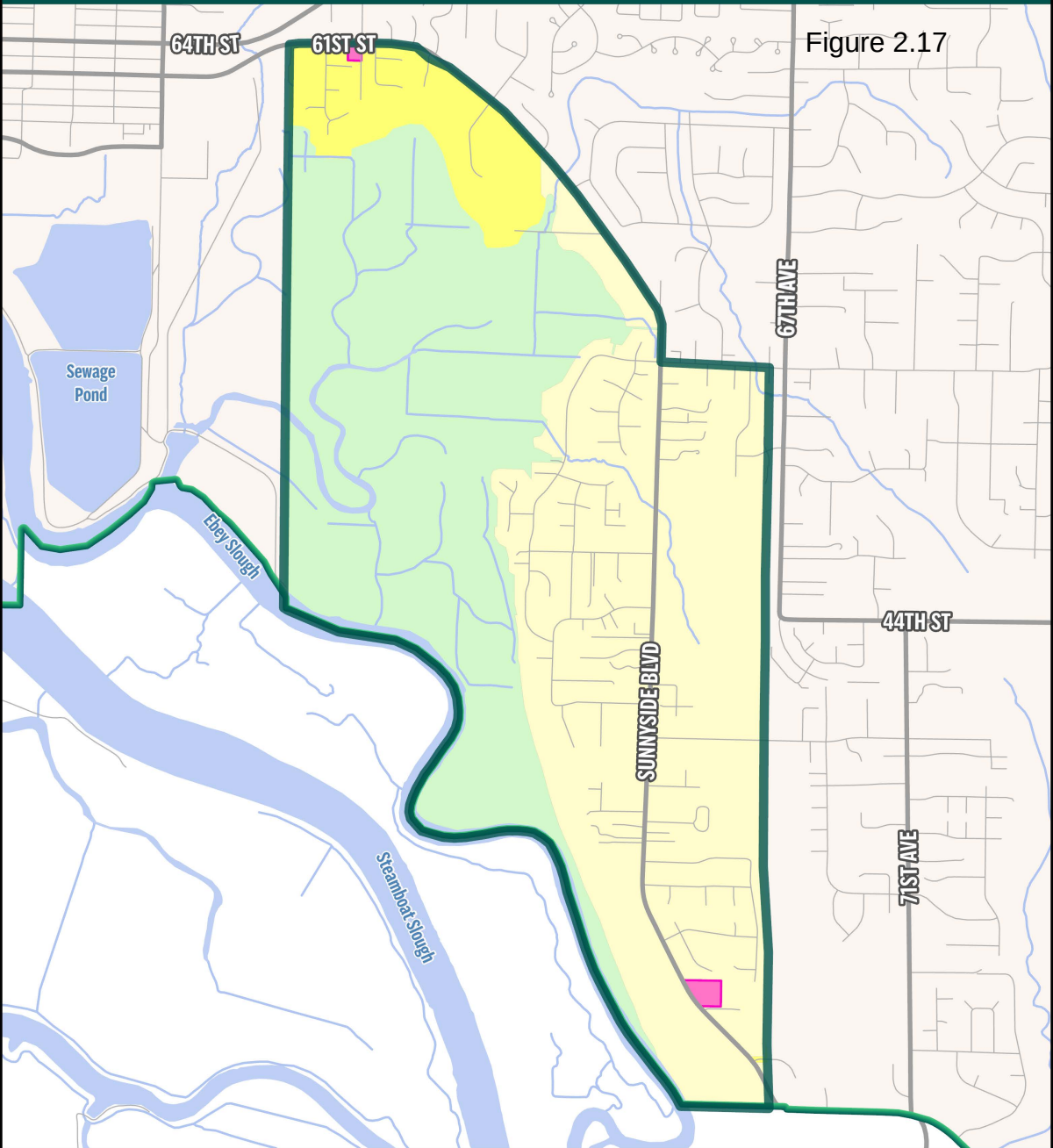




Figure 2.17



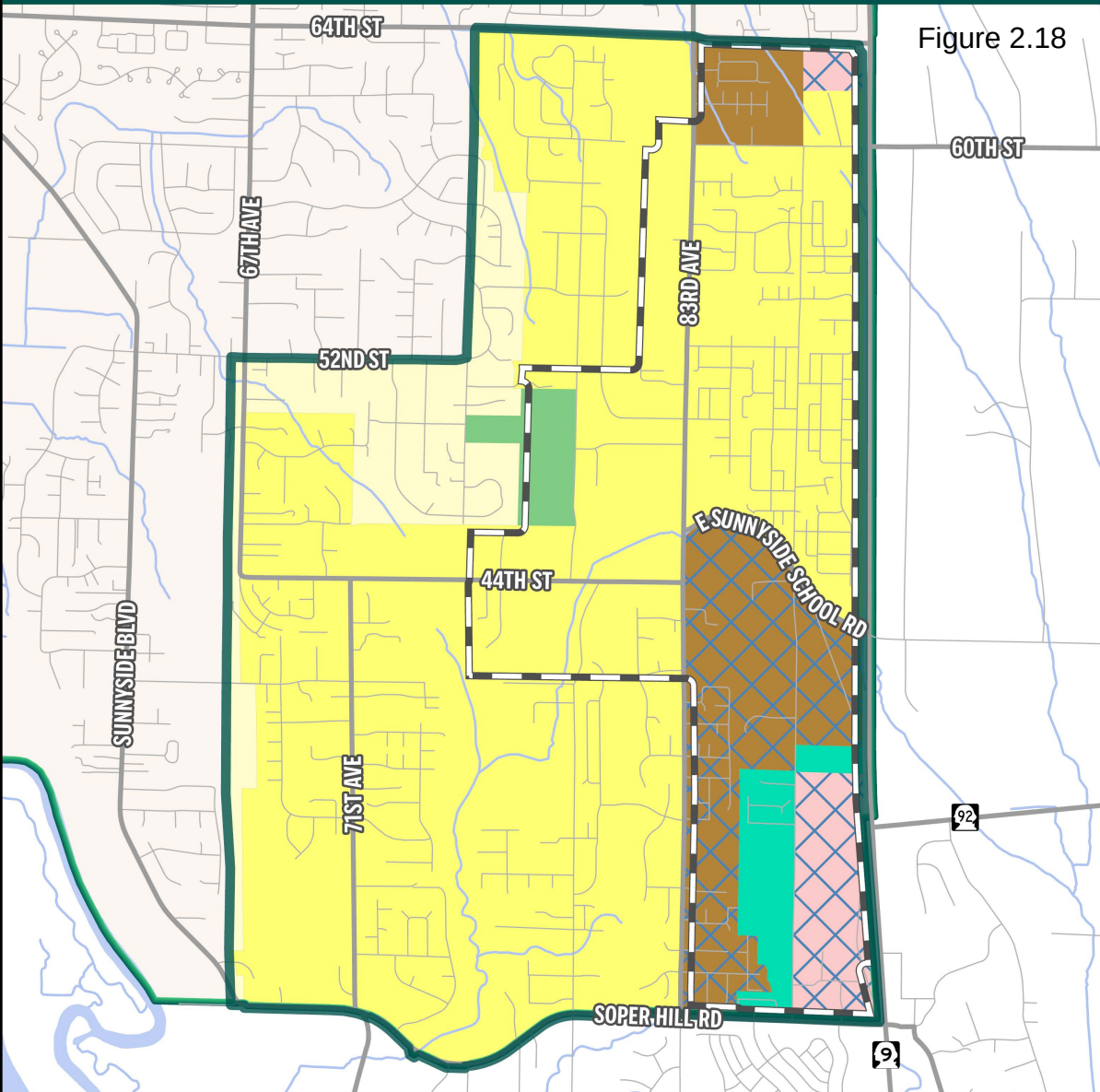
Sunnyside Neighborhood
 Urban Growth Area

Residential
 Neighborhood Residential 4.5
 Neighborhood Residential 6.5

Non-Residential
 Neighborhood Business
 Open



Figure 2.18



East Sunnyside Neighborhood

East Sunnyside-Whiskey Ridge Master Plan Area

Residential

Neighborhood Residential 4.5

Neighborhood Residential 6.5

Multi-Family Medium R18

Whiskey Ridge, Multi-Family Medium WR-R-6-18

Non-Residential

Community Business - Whiskey Ridge

Mixed Use

Recreation

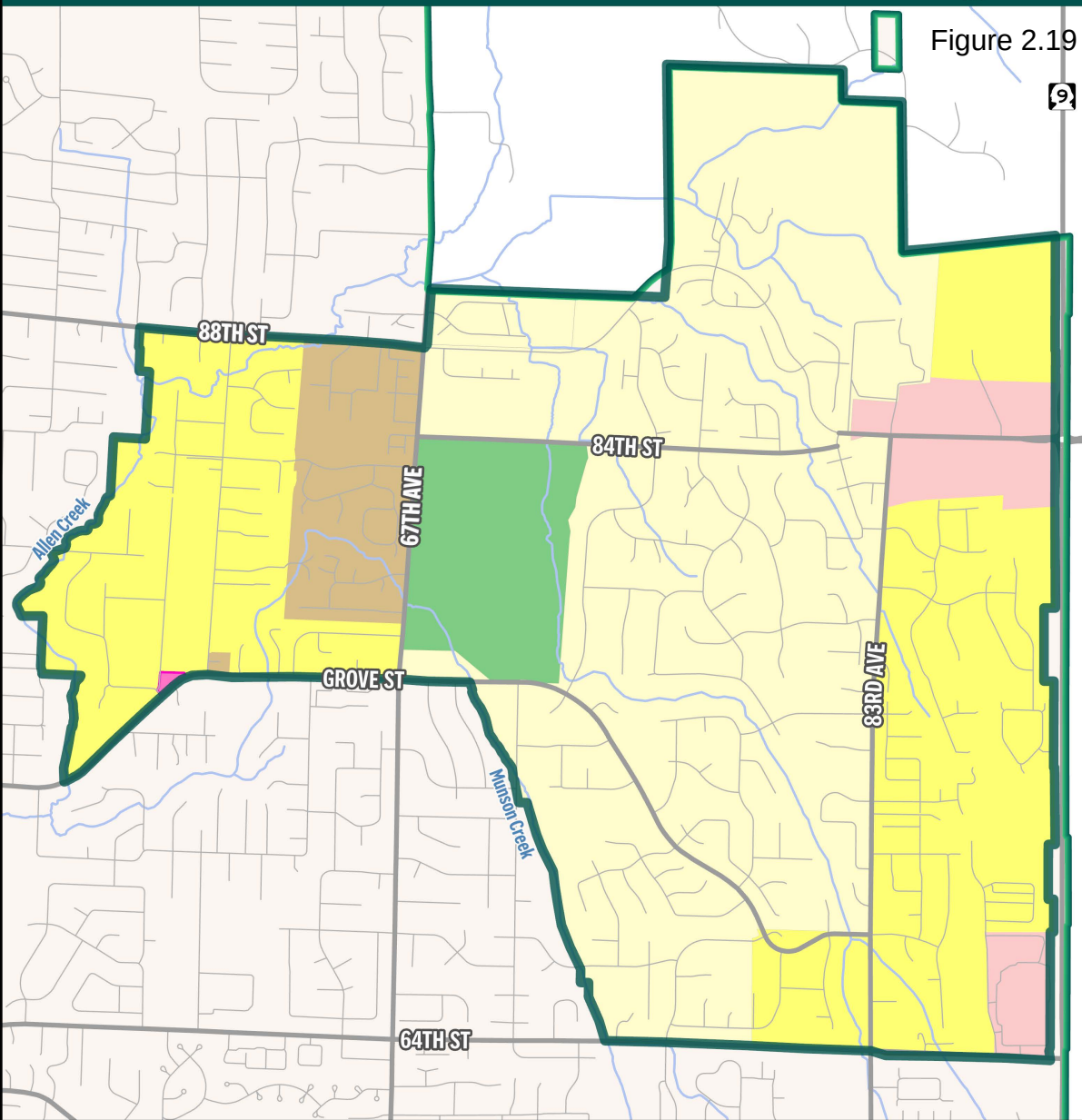
Urban Growth Area





Figure 2.19

9



 Getchell Hill Neighborhood

Residential

-  Neighborhood Residential 4.5
-  Neighborhood Residential 6.5
-  Multi-Family Low R12
-  Multi-Family Medium R18

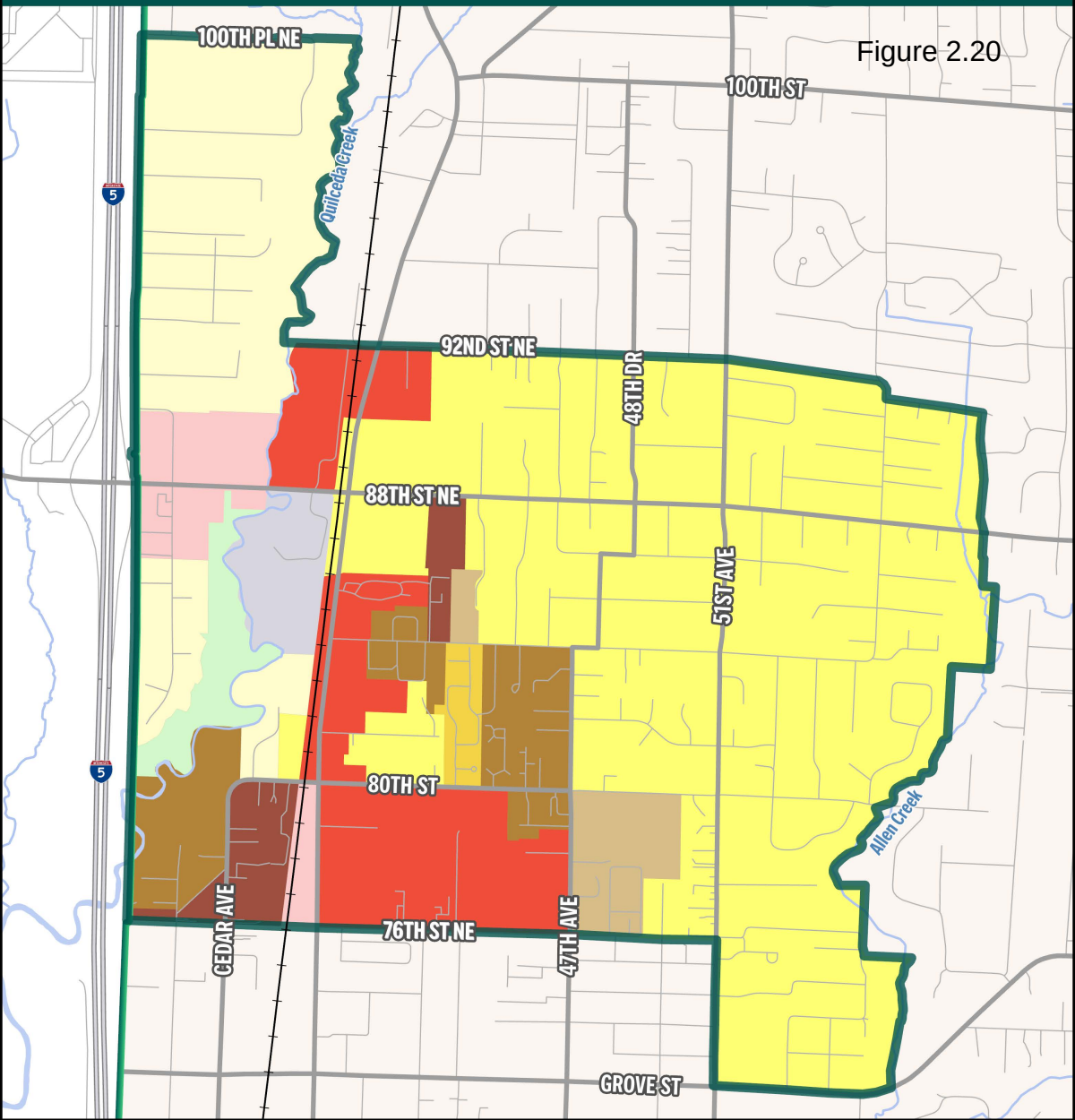
Non-Residential

-  Community Business
-  Community Business -
-  Neighborhood Business
-  Recreation
-  Urban Growth Area





Figure 2.20



Pinewood Neighborhood

Urban Growth Area

Residential

Neighborhood Residential 4.5

Neighborhood Residential 6.5

Multi-Family Low R12

Multi-Family Medium R18

Multi-Family High R28

Residential Mobile Home
Park

Non-Residential

Community Business

General Commercial

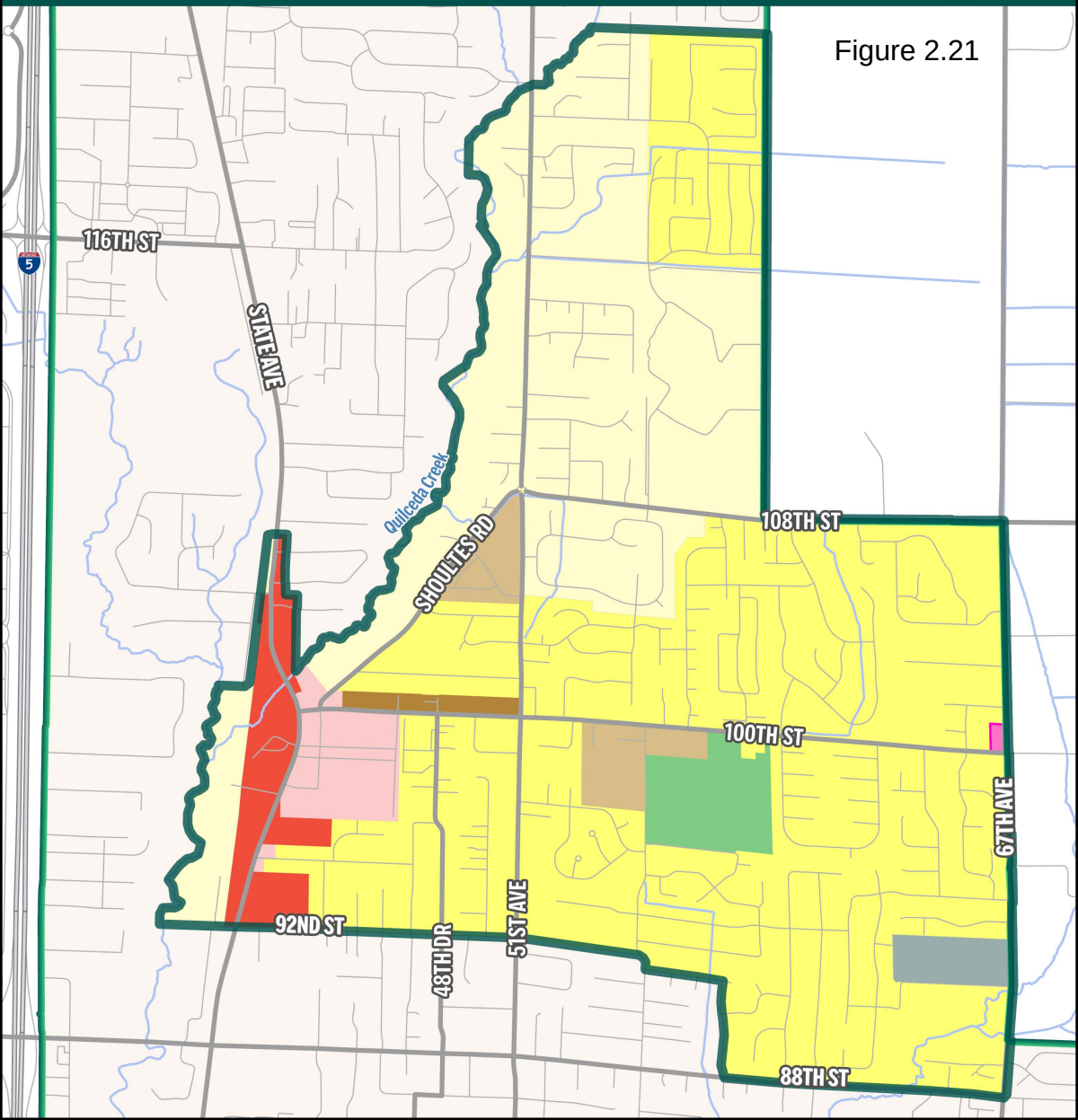
Light Industrial

Open





Figure 2.21



- | | |
|------------------------------|-------------------------|
| Kellogg Marsh Neighborhood | Multi-Family Low R12 |
| Urban Growth Area | Multi-Family Medium R18 |
| Residential | |
| Neighborhood Residential 4.5 | Community Business |
| Neighborhood Residential 6.5 | General Commercial |
| Non-Residential | |

- | |
|-----------------------|
| Neighborhood Business |
| Public-Institutional |
| Recreation |

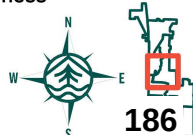
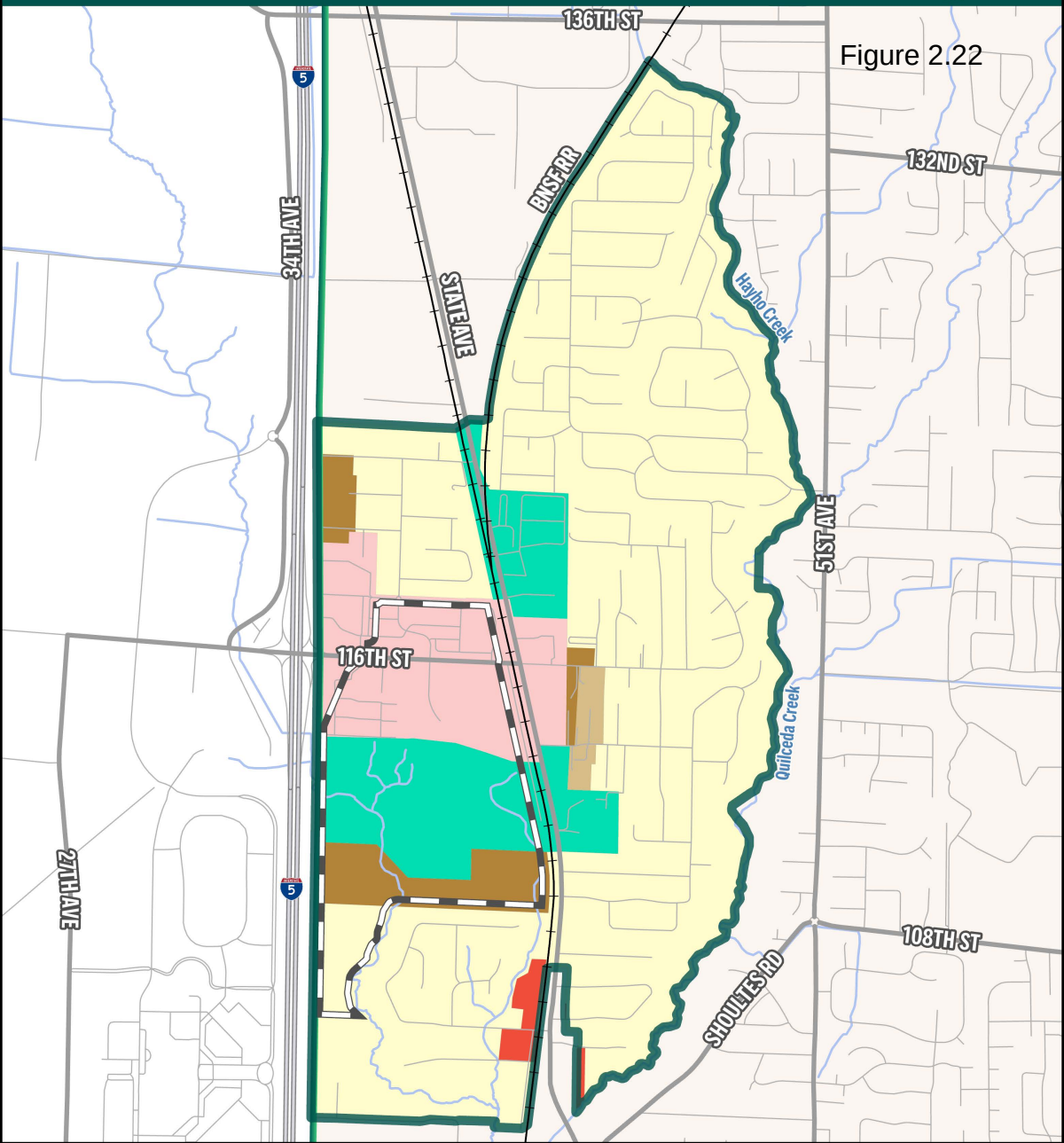




Figure 2.22



Marshall-Kruse
Neighborhood



116th St. Master Plan Area



Urban Growth Area

Residential

Neighborhood Residential 4.5

Multi-Family Low R12

Multi-Family Medium R18

Non-Residential

Community Business

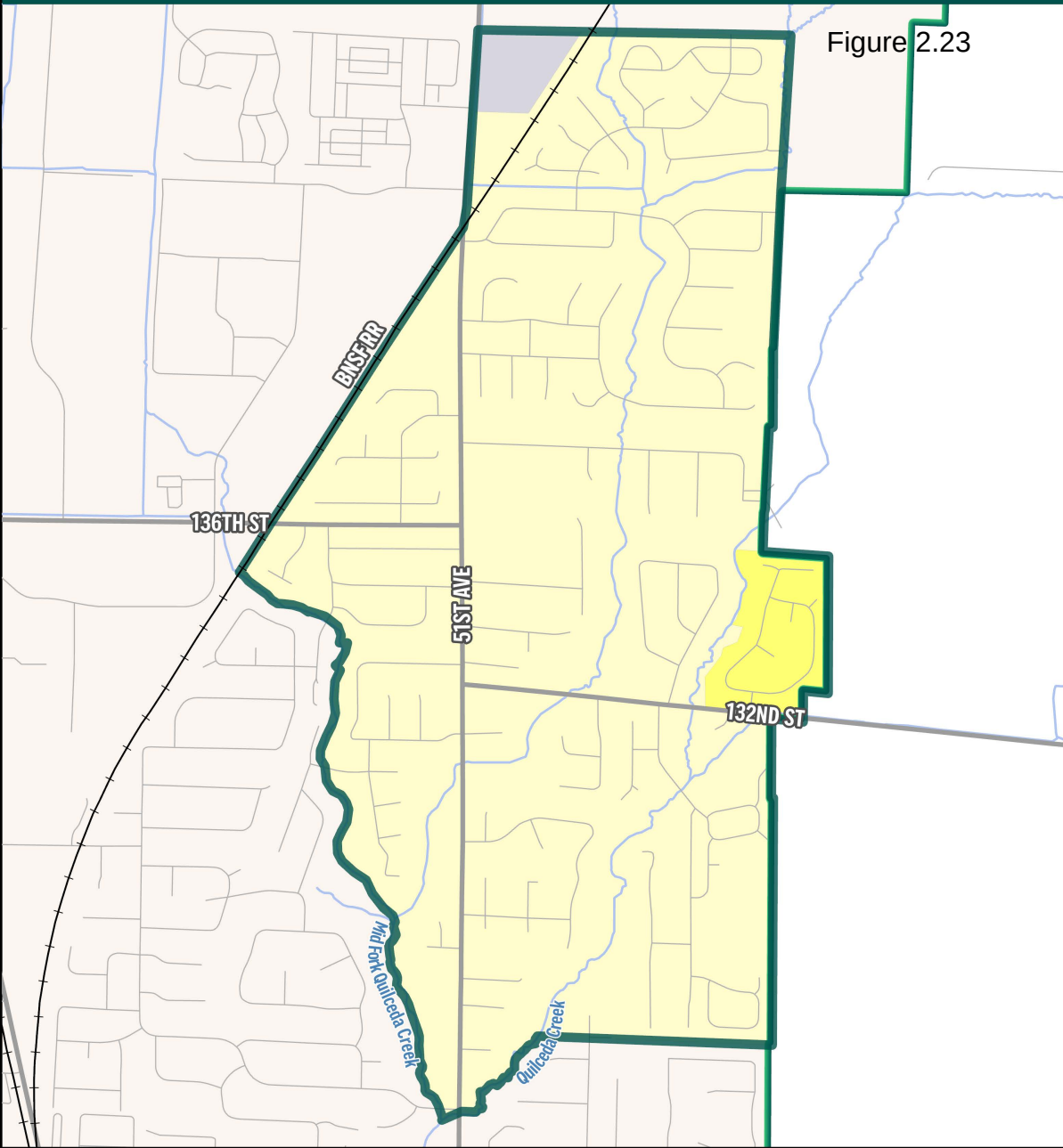
General Commercial

Light Industrial





Figure 2.23



-  Shoultes Neighborhood
-  Urban Growth Area

Residential

-  Neighborhood Residential 4.5
-  Neighborhood Residential 6.5

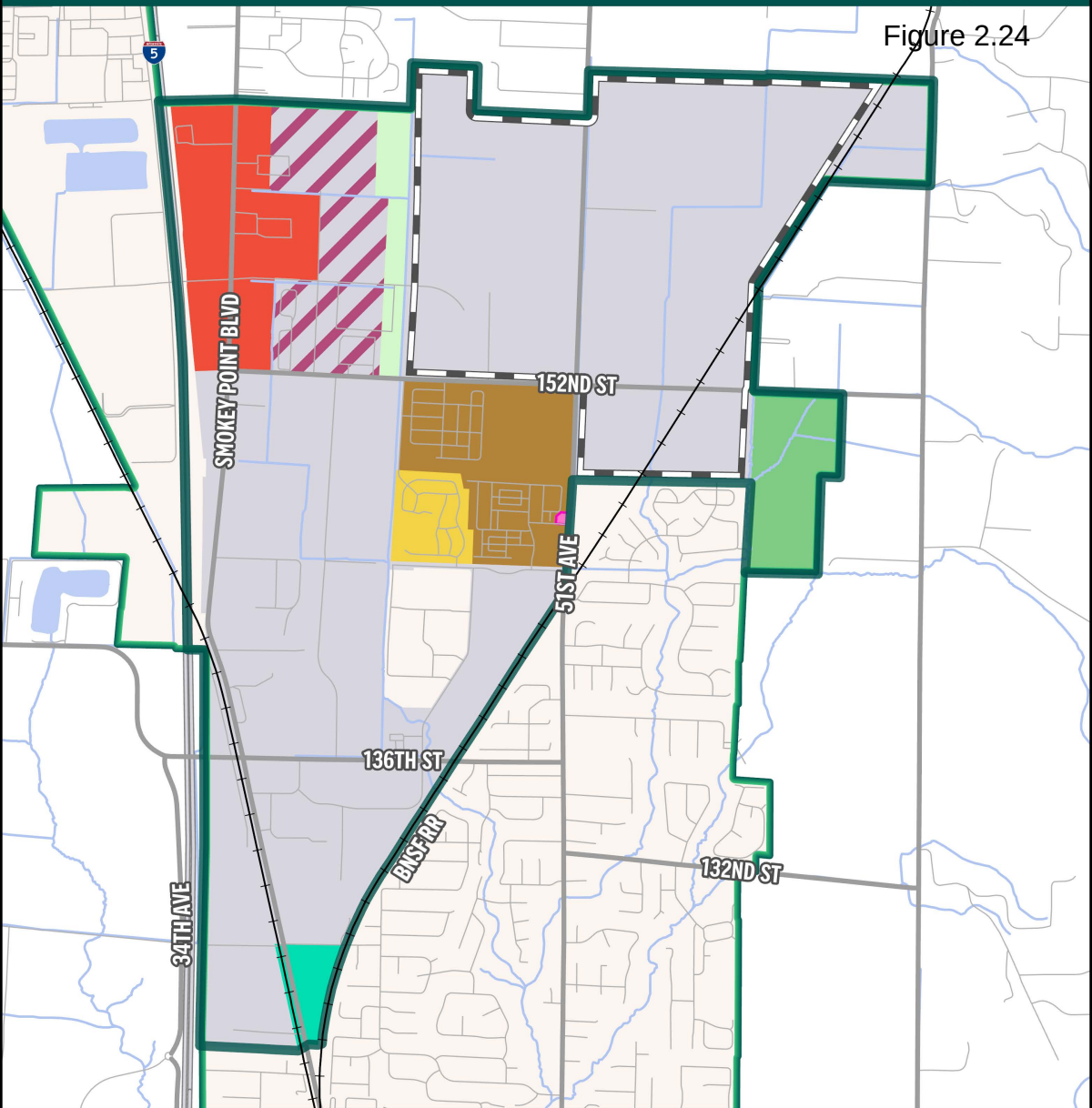
Non-Residential

-  Light Industrial





Figure 2.24



- Smokey Point Neighborhood
- Smokey Point Master Plan Area

Residential

- Multi-Family Medium R18
- Residential Mobile Home Park

Non-Residential

- General Commercial

- LI with GC Overlay
- Light Industrial
- Mixed Use
- Neighborhood Business
- Open
- Recreation
- Urban Growth Area

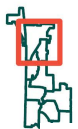


Figure 2.28

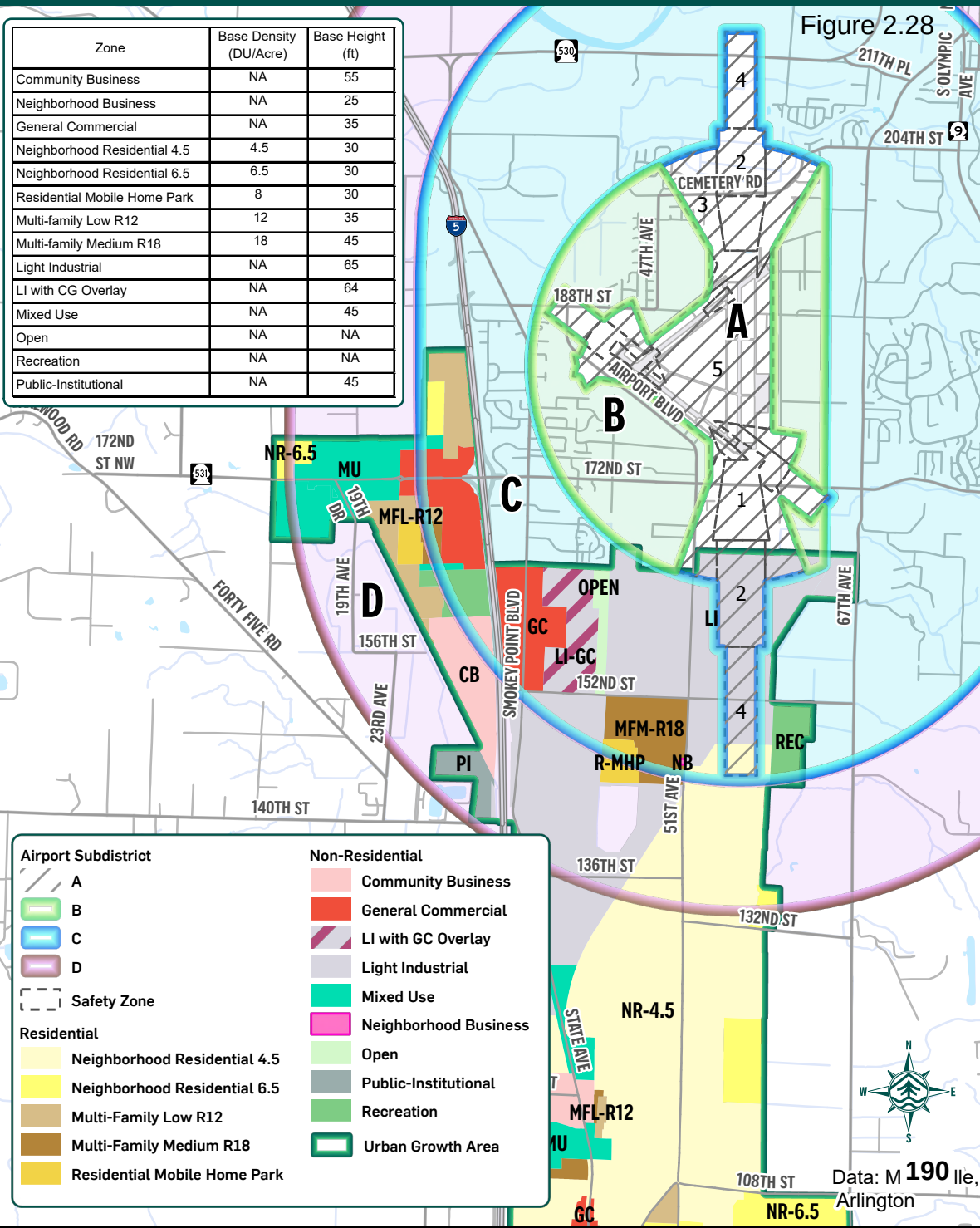
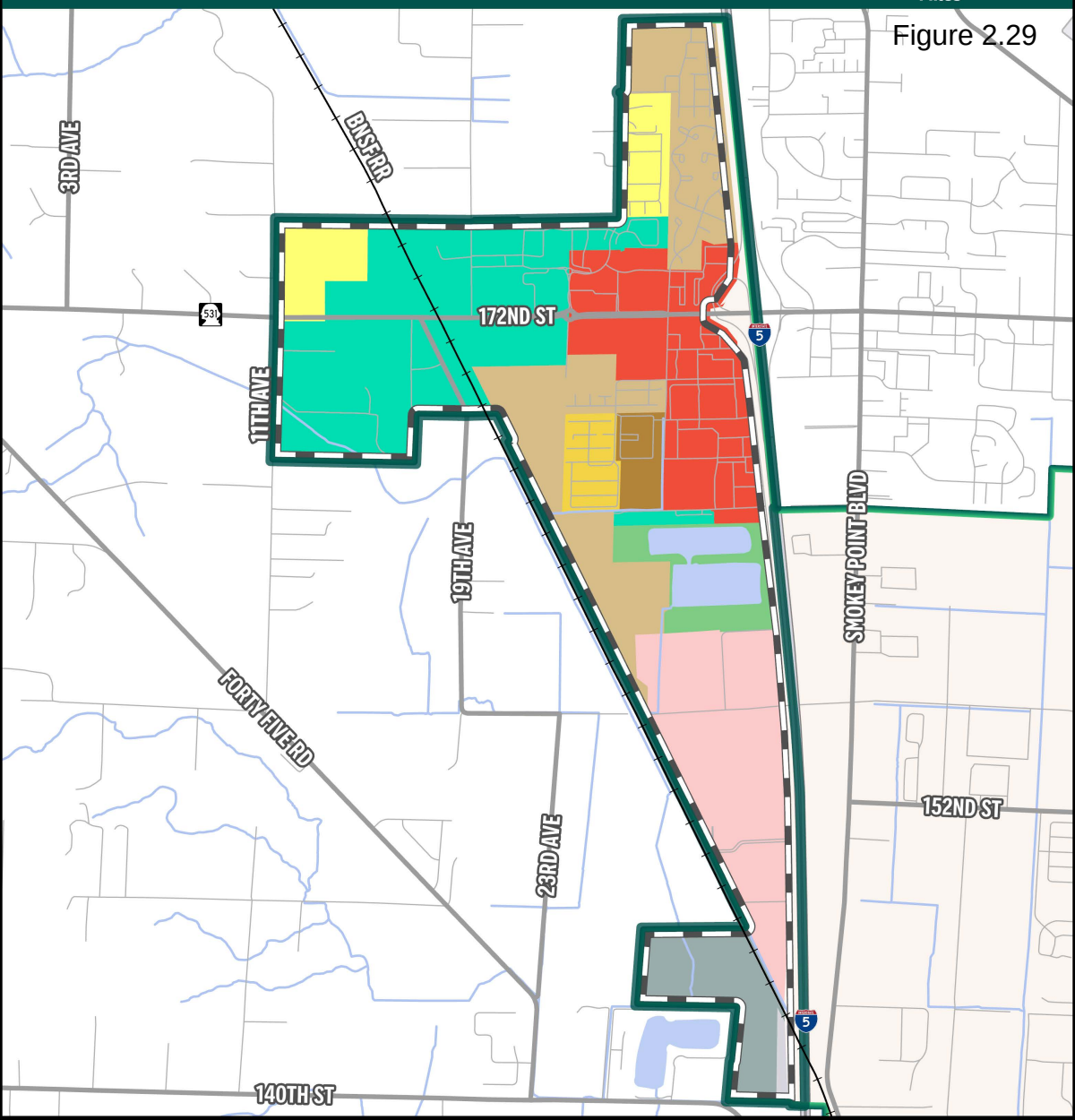


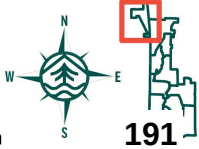


Figure 2.29



- Lakewood Neighborhood
- Lakewood Master Plan Area
- Residential**
 - Neighborhood Residential 6.5
 - Multi-Family Low R12
- Non-Residential**
 - Multi-Family Medium R18
 - Residential Mobile Home Park

- Light Industrial
- Mixed Use
- Public-Institutional
- Recreation
- Urban Growth Area



APPENDIX 1 – REASONABLE MEASURES

A 1997 amendment to the Growth Management Act, (GMA) 36.70A.215, requires jurisdictions planning under the GMA to consider implementing reasonable measures that will: (1) Increase consistency between actual development and existing planning policies and development regulations; and (2) Increase residential density or employment capacity within existing urban growth areas prior to or instead of the consideration of expansion of the Urban Growth Area (UGA). This policy advances GMA objectives for compact urban development and reduced sprawl.

Snohomish County has adopted a Countywide Planning Policy (CPP), after consultation with the cities in the County through Snohomish County Tomorrow that requires the consideration of Reasonable Measures prior to initiating UGA expansions. CPP GF-7 implements 36.70A.215 by referring to a list of measures and requiring the use of guidelines, both found in Appendix D of the CPP, to evaluate all proposed UGA expansions proposed pursuant to DP-2. Starting with the 2004-2005 Comprehensive Plan update, each jurisdiction "...will demonstrate its consideration of reasonable measures in its comprehensive plan or, at its discretion, in a separate report."

The City has reviewed its use of "reasonable measures" in formulating its Land Use Element. The City has implemented various measures to increase density within the UGA within its Comprehensive Plan and development regulations; these measures are outlined in Table 1. Based on analysis of the current commercial, industrial, and residential buildable lands, there is adequate land within the current UGA to meet both housing and employment capacity requirements, so no UGA expansion is proposed.

Table 1 Reasonable Measures Currently Used by the City of Marysville

REASONABLE MEASURES	DATE INTRODUCED AND/OR UPDATED AND ORDINANCE	FREQUENCY OF USE	EFFECT ON DENSITY TREND	DESCRIPTION/COMMENTS
Measures that Increase Residential Capacity				
Permit Accessory Dwelling Units (ADUs) in single family zones	6/9/97 (o.2131); 2011 (o.2852); 2018 (o.3093); 2022 (o.3203)	Few times a year	Minimal	Code <u>two accessory dwelling units per lot, which may be attached and or detached units.</u> Most used in single family areas. Standards modified to be more flexible in <u>2018 and 2022 with amendments in 2025 to address HB 1337, which eliminated owner occupancy requirements.</u>
Provide Density Bonuses to Developers	Original PRD code effective in 1980's; revised	Frequent	Generally adds 10-20% density to subdivisions. In	Residential density incentives may be applied to multi-family development in the R-12 through

	6/9/97 (o.2131), 7/15/02 (o. 2411) and 7/7/03 (o. 2481)		certain multi-family zones, density increases may be up to 50% over the base density. In certain commercial zones, density increases for mixed use multi-family developments are not capped.	R-28 zones; Planned Residential Developments; multi-family development in the MU, CB, and GC, zones; and in the single family, multi-family, and Mixed Use zones within the Whiskey Ridge Master Plan area. Residential density incentives may be pursued for constructing affordable housing; dedication or improvement of public facilities, trails, or open space; community image and identity; historic preservation; mixed use projects adjacent to services; stormwater facilities that incorporate recreational amenities; project design (e.g. perimeter landscaping, preservation of substantial native vegetation); and green building.
Transfer/Purchase of Development Rights	6/9/97 (o.2131), revised 9/20/99 (o. 2280)	Frequent	Effective – depending on extent of sensitive areas, can allow significant lot recapture.	On-site density transfer of sensitive areas allowed within residential developments.
Allow Clustered Residential Development	6/9/97 (o.2131)	Frequent	Effective – allowed through PRDs.	Clustering is a site design tool to accomplish gross densities comparable to standard subdivisions though the reduction of lot sizes and retention of open space.
Allow duplexes	6/9/97 (o.2131)	Frequent	Effective	Duplexes are permitted outright on all lots primarily designated for residential. The conditional use permit requirement was removed to promote consistency with House Bill 1110. 7,200 sf lots on land designated High Density Single Family (R-6.5) and High Density Single Family – Small Lot (R-8). They currently require a conditional use permit and 12,500 sf for lots in the Medium Density Single Family (R-4.5) designation.
Increase allowable residential densities	4/1/96 (o. 2068); 6/9/97 (o.2131); 5/17/99 (o.2258); 2021 (o.3295)	General application within UGA	Effective	Increased densities with comprehensive plan adoption in 1996. Implemented new zoning code to provide consistency with comprehensive plan policies in 1997. Completed areawide rezones

				throughout City in 1999 to implement comprehensive plan map and development regulations. Densities were also increased with the 2021 Downtown Master Plan Area (DMPA) for various new Downtown zones.
Mandate minimum residential densities	9/1/03 (o.2487); 2021 (o.3295)	Rare	Effective when used	Residential minimum densities have been considered by the City on several occasions and generally rejected as a practice. Minimum residential densities were established for most of the new zones created with the DMP update.
<u>Middle Housing</u>	<u>10/--/25 (o. [insert date])</u>	<u>Anticipated to be frequent</u>	<u>Anticipated to be effective</u>	<u>In 2025, the City adopted Middle Housing standards in order to comply with HB 1110. Middle housing includes housing types that are in between the size and density of single family and multi-family housing (e.g. duplex, triplexes, fourplexes, stacked flats, etc.). The City allows six of the nine middle housing types identified in State law in all zones designated for residential. As a Tier 2 City, 2 units are allowed per lot in residential zones, with up to 4 units per lot along high-capacity transit routes or when affordable housing is provided.</u>
<u>Unit Lot Subdivisions</u>	<u>10/--/25 (o. [insert date])</u>	<u>Anticipated to be frequent</u>	<u>Anticipated to be effective</u>	<u>In 2025, the City adopted Unit Lot Subdivision provisions which allows for the fee simple subdivision of townhouses, Middle Housing (when no unit is above another unit), cottages, accessory dwelling units and other housing types.</u>
Allow townhomes & condominiums	6/9/97 (o.2131)	Frequent	Effective	Allowed through PRD ordinance in single family zones, as well as in multi-family zones and the Mixed Use zone.
Allow small residential lots	6/9/97 (o.2131)	Frequent	Effective	City implemented comprehensive plan with development regulations and areawide rezones. 5,000 sf minimum lot sizes allowed in <u>the Neighborhood Residential all</u>

				Medium and High Density Single Family zones (NR-4.5 and NR-6.5 du/net acre). 4,000-sf minimum lot sizes allowed in R-8 zone . Smaller lot sizes allowed through PRD.
Encourage Infill and Redevelopment	4/1/96 (o. 2068); 6/9/97 (o.2131); 5/17/99 (o.2258)	Frequency increasing	Effective	City conducted areawide rezones of entire city limits, including downtown. Mixed residential/commercial zoning implemented through most of downtown to encourage redevelopment. Downtown development and redevelopment has been slow, but is increasing each year.
Plan and zone for affordable and manufactured housing development	6/9/97 (o.2131)	Frequent	Effective	This includes affordable housing incentives as well as having adequate residential land to meet market needs. Manufactured housing development, although allowed, is infrequent within the City.
Measures that Increase Employment Capacity				
Develop an Economic Development Strategy	11/2002	Used daily	Effective	City completed an economic development plan and strategy in late 2002 and has been implementing it from 2003 through City plans, budget, actions and citizen committees. Goals include business retention and attraction. Significant economic development has occurred over the past 20 years.
Measures that Support Increased Densities				
Allow Mixed Uses	6/9/97 (o.2131)	Frequent	Effective	Mixed use zone allows multi family and/or commercial uses. All commercial zones allow above-ground residential uses.
Downtown Revitalization	6/9/97 (o.2131) and various capital decisions 2000-present	Broad use	Effective (outcome anticipated)	Downtown Master Plan update adopted in 2021 that encourages commercial, higher density residential, and middle housing. Major capital improvements have occurred since the last update such as, but not limited to, construction of the Civic Center and Jail, Comeford Park improvements including a spray park, conversion of court to new Civic Center, 1 st and 3 rd Street Low Impact

				Development (LID) improvements, new I-5/SR529 Interchange under construction, and adoption of the 2021 – 2026 Waterfront Strategic Plan. These and various other activities are intended to stimulate downtown revitalization.
Require Adequate Public Facilities	Parks impact fees 12/13/99 (o.2300); Traffic impact fees 9/13/99 (o.2279); School impact fees 12/7/98 (o.2213)	Routine	Effective	Helps pay for needed capital improvements but additional financing needed.
Urban Growth Management Agreements	6/28/99	Frequent	Effective; however, with SEPA being phased out on many project reviews, it will be used less frequently.	Interlocal agreement with Snohomish County on annexation and urban development has been helpful in facilitating annexations and providing for transportation impact mitigation.
Create Annexation Plans	9/13/99	Frequent	Effective	Since the 2005 Comprehensive Plan update, several major annexations have occurred including the 2009 Central Marysville Annexation. As a result, over 99% of the City's Urban Growth Area has been annexed.
Implement a process to expedite plan and permit approval	6/02-present	Pervasive	Effective	Additional staff as well as significant and ongoing permit and process improvements has resulted in much faster and more efficient permit processing. Results have proven valuable to economic development strategy.
Measures to Mitigate the Impact of Density				
Design Standards	6/9/97 (o.2131); 7/15/02 (o.2423); 2011 (o.2852); 2022 (o.3244)	Frequent	Moderate effect	City implemented stricter standards for small lot (<5,000 sf) developments following review of new developments on small lots. There is variability in the results and many developments are not subject to design standards. Commercial design standards have been strengthened and apply to all commercial zones except Light

				Industrial properties that are not within the Smokey Point Master Plan Area or in limited other designated areas (i.e. Light Industrial with General Commercial Overlay zone, etc.) and General Industrial properties.
Conduct community visioning exercises to determine how and where the community will grow	6/04	Completed with the 2005 Comp. Plan update.	Effective	Completed community visioning for the 2005 update. Helpful in identifying revisions and modifications to plan to achieve community goals.
Other Measures				
Capital Facilities Investments	Ongoing	Pervasive	Effective	City has completed major capital projects including sewer projects including the wastewater treatment plant upgrade; water distribution & storage facility construction; stormwater facilities including Regional Ponds 1 and 2); transportation improvements including downtown park & ride, State Avenue, SR 528, 51 st Avenue connector, 156 th Street overpass, and other roads; as well as major park improvements including a waterfront park with boat launch, spray park, downtown skateboard park, regional soccer fields complex, and community center. Construction of the Civic Center and jail were significant recent achievements.

The following actions, **Table 2**, should be taken with respect to existing and additional reasonable measures to increase residential and employment densities:

Table 2 Measures to Increase Residential and Employment Densities

REASONABLE MEASURES	RECOMMENDED REVIEW OR ACTION
Measures that Increase Residential Capacity	
Modify Accessory Dwelling Unit (ADU) standards	Amend standards in 2025 to allow two units per lot, eliminate owner occupancy requirement, etc. to comply with State law.

Allow Middle Housing Amendments	By June 2025, the City will need to adopt Middle Housing standards in order to comply with HB 1110. Middle housing includes housing types that are in between the size and density of single family and multi-family housing (e.g. duplex, triplexes, fourplexes, stacked flats, etc.). The City will need to allow six of the nine middle housing types identified in State law in all zones designated for residential. As a Tier 2 City, 2 units will need to be allowed per lot in residential zones, with up to 4 units per lot along high capacity transit routes or when affordable housing is provided. In late 2030, the City will become a Tier 1 City and will need to allow 4 units per lot in residential zones, with up to 6 units per lot along high-capacity transit routes or when affordable housing is provided.
Provide Density Bonuses to Developers	Review residential density incentives to see if additional incentives are necessary to stimulate higher quality development. These have been, and will continue to be, reviewed to ensure their effectiveness.
Transfer/Purchase of Development Rights	Investigate potential to partner with County on Transfer of Development Rights for agriculture or stream base flow and water quality protection by purchase of headwater properties in unincorporated Snohomish County.
Allow Clustered Residential Development	Review PRD code for additional density incentives. PRDs are allowed through an administrative design review process rather than a rezone process. Audit code to ensure that it is effective and encouraging desired outcomes.
Allow Cohousing	Cohousing is currently allowed in PRDs and cottage housing. Investigate market need, interest and regulatory impediments for this type of development.
Allow duplexes	Update regulations to eliminate Conditional Use Permit for duplexes in the R-4.5 zone and update as otherwise necessary to comply with State law.
Allow Townhomes & Condominiums	Review PRD code for additional density incentives. PRDs are now allowed through an administrative design review process instead of a rezone process.
Increase allowable residential densities	This plan includes single family residential zones with increased densities and multi-family residential with increased densities in certain zones.
Mandate minimum residential densities	Consider minimum densities in multiple residential zones.
Reduce street width standards	Consider reduced standards to implement Low Impact Development standards and under certain design parameters.
Allow small residential lots	Continue with current regulations.
Encourage Infill and Redevelopment	Continue with current regulations.
Encourage transit-oriented development	The City's Mixed Use zone and residential density incentives pertaining to providing density bonuses for locational mixed use encourage transit-oriented development. The City is currently coordinating with Community Transit on the SWIFT Bus Rapid Transit Service, which is anticipated to be implemented in the City by 2029. Since the ultimate route is still being determined, zoning changes are not currently proposed but may be pursued when the SWIFT route is determined at the policy direction of City Council.
Plan and zone for affordable and manufactured housing development	Plan to accommodate affordable housing in proportion to the need within the County and the City's size, and monitor progress. Manufactured home parks and subdivisions are currently allowed in the UDC.

Measures that Increase Employment Capacity	
Develop an Economic Development Strategy	Continue to implement plan and strategies.
Zone areas by building type, not by use	With the adoption of the 88 th Street Master Plan, a form-based zone was created; however, it was repealed in 2021 due to difficulties with access and development of the site. Also, in 2021, the Downtown Master Plan was adopted which implemented a form-based code for the larger Downtown master Plan Area.
Measures that Support Increased Densities	
Allow Mixed Uses	Continue with current regulations.
Downtown Revitalization	Implement 2021 Downtown Master Plan.
Require Adequate Public Facilities	Review capital facility plan annually; Review impact fees bi-annually
Encourage Transportation-Efficient Land Use	Prioritize investments in transportation facilities and services that support compact, pedestrian- and transit-oriented densities and development.
Create Annexation Plans	Annexation strategies are included within this Land Use Element and discussed within various neighborhood plans. These annexation strategies have been implemented resulting in annexation of over 99% of the current Urban Growth Area.
Encourage developers to reduce off-street surface parking	Review low impact development (LID) standards and amend Engineering Design & Development (EDDS) to incorporate. Implement Pavement Minimization and LID standards.
Continue process improvements to increase efficiency, and expedite plan and permit approval	Continuously review and pursue process improvements to meet or exceed permit targets.
Measures to Mitigate the Impact of Density	
Design Standards	Implement revised design standards to address negative perceptions of higher density developments. Updates have occurred over the years and are expected to be updated in 2025 to coincide with the implementation of HB 1110 (i.e. the middle housing statute).
Urban amenities for increased densities	Continue to allow density bonuses for urban amenities through residential density incentives or PRD ordinances.
Conduct community visioning exercises to determine how and where the community will grow	Continue with community planning workshops to monitor plan implementation.
Other Measures	
Urban Holding Zones	Designate requirements (annexation, level of service, facilities) required prior to development; Designate urban reserve and rural urban transition zones (RUTAs) for future growth and discourage or prohibit interim uses such as rural cluster subdivisions within these areas.
Capital Facilities Investments	Update capital facility plan annually.

APPENDIX 2 – LAND AND HOUSING CAPACITY ANALYSIS

GROWTH ALLOCATION OVERVIEW

Consistent with Growth Management Act (GMA) requirements, the City of Marysville’s 2024 Comprehensive Plan covers a 20-year time span (2024 – 2044) using the State Office of Financial Management’s (OFM) population forecasts. The Countywide Planning Policies (CPPs) for Snohomish County provide direction on how OFM’s countywide forecasts are to be allocated to cities, Urban Growth Areas (UGAs), and the rural/resource areas of the County utilizing the cooperative planning process of Snohomish County Tomorrow (SCT). The resulting 2044 population, housing, and employment growth targets guide local GMA comprehensive plan updates.

Snohomish County is anticipated to grow from 827,957 people in 2020 to 1,136,309 people by 2044. The City of Marysville is expected to receive 9.4 percent of the County’s population growth, 8.5 percent of the housing unit growth, and 10.3 percent of the job growth over the next 20 years as shown in **Figures 1 and 2** below.

Figure 1 2044 Growth Targets and Capacity within the Marysville UGA

Source: 2021 Buildable Lands Reports and City of Marysville Capacity Analysis

	Employment	Housing	Population
Existing	15,310 ¹	25,629 ²	70,714
2024 – 2044 Increase	17,616	14,253	29,108
2044 Target ³	32,926	39,976	99,822
Additional Capacity	18,724	14,928	30,444
2044 Total Capacity	34,331	40,557	101,158

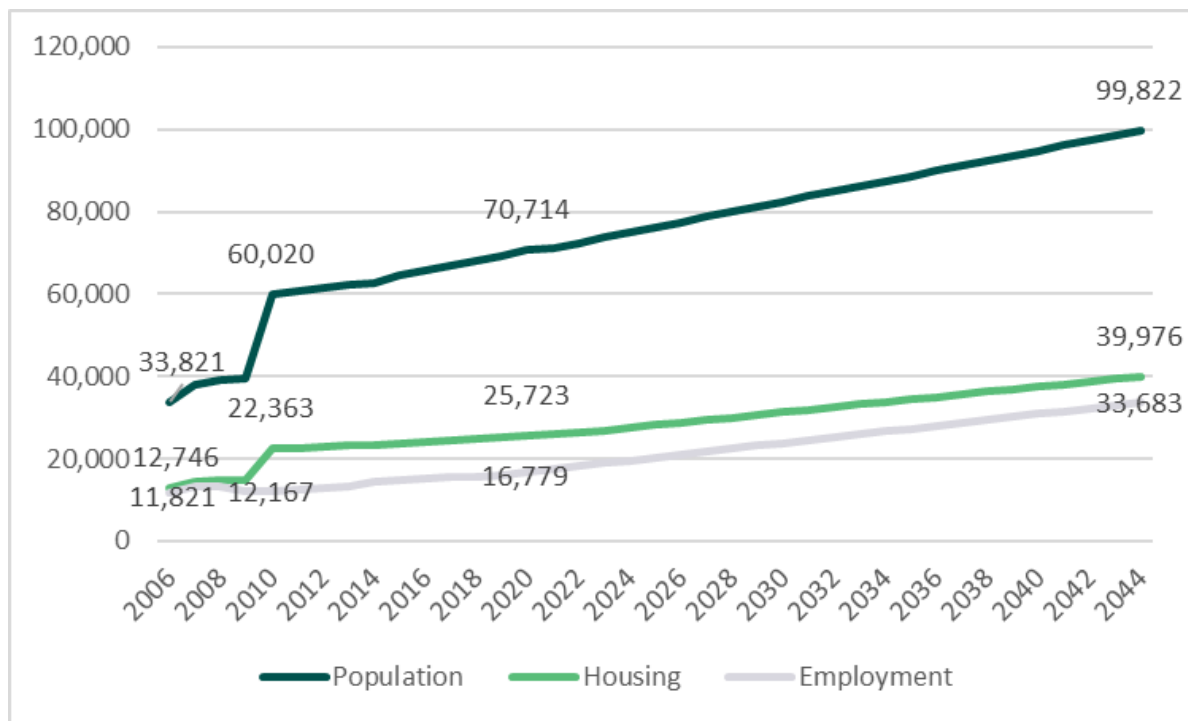
¹ Over 99 percent of the City’s UGA has been annexed as a result of the Central Marysville Annexation, which took effect December 30, 2009 (Ordinance 2792). It should be noted that minor discrepancies exist between SCT figures, the GIS files provided by the County, and City figures due to small initial discrepancies as well as detailed parcel level adjustments that were necessary to more accurately forecast growth – particularly employment in the Cascade Industrial Center (CIC).

² The 2020 existing housing is 25,723; however, the GIS files provided by Snohomish County is 25,629. In order for the math in this report to align, the 25,629 figure is cited.

³ The targets noted in the chart are from the Snohomish County Tomorrow (SCT) planning process and are the City’s growth targets. Based on additional analysis of the City’s density assumptions, there is greater population and employment capacity as noted in the chart; therefore, both the target and capacity are shown.

Figure 2 2044 Growth Targets and Capacity within the Marysville UGA

Source: Snohomish County Countwide Planning Policies, Appendix B



LAND CAPACITY ANALYSIS⁴

The Land Capacity Analysis (LCA) evaluates the City’s ability to accommodate its housing, population, and employment growth targets on developable lands within the Urban Growth Area (UGA) and City. While the County’s Buildable Lands Report looks at the past to determine how well growth targets are being achieved under current plans, the Land Capacity Analysis looks at what development will likely be moving forward based on current regulations, zoning, past trends and other factors.

The GMA requires comprehensive plans include “sufficient capacity of land” to accommodate housing needs for the twenty-year planning horizon (RCW 36.70A.070(2)(c)). A new State requirement is for housing elements to provide explicit consideration of capacity for the following household needs and building types:

- Moderate, low, very low, and extremely low-income households
- Permanent supportive housing
- Emergency housing and emergency shelters
- Duplexes, triplexes, and townhouses

⁴ This summary draws heavily from the summary provided in Commerce’s HB 1220 Book 2.

The following Land Capacity Analysis substantially follows the process set forth in the Washington State Department of Commerce’s Guidance for Updating Your Housing Element (i.e. HB 1220 Book2); however, certain steps are consolidated as noted in the titles below. Housing and population capacity are presented first followed by employment capacity.

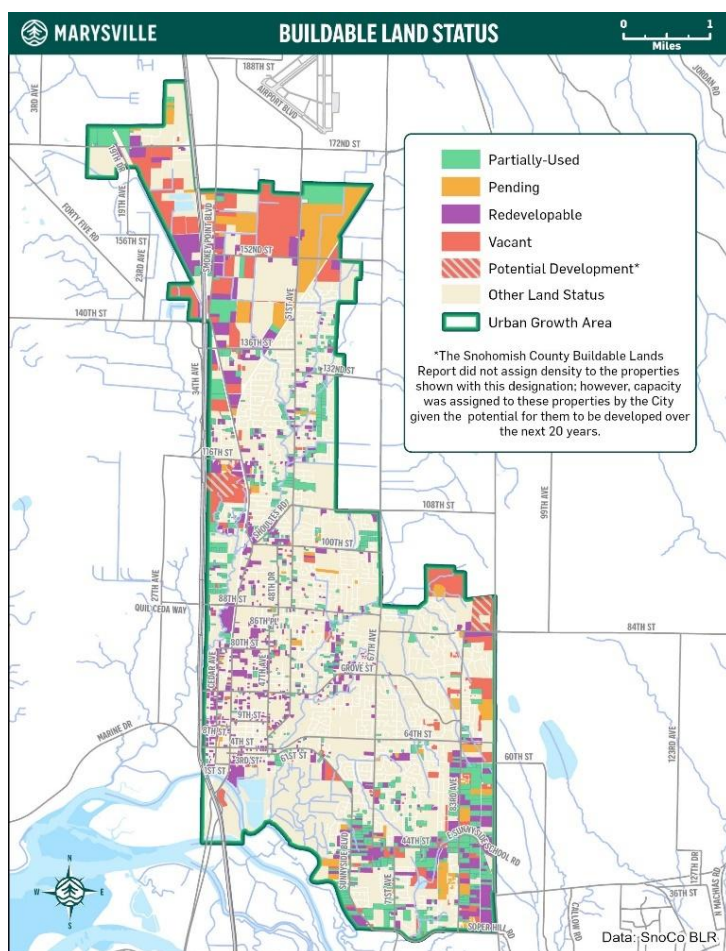
HOUSING AND POPULATION

STEP 1 SUMMARIZE LAND CAPACITY FOR HOUSING PRODUCTION BY ZONE

DEVELOPABLE LAND ANALYSIS (STEPS 1.1 – 1.3)⁵

STEP 1.1 IDENTIFY LAND SUPPLY AND ASSIGN LAND CAPACITY STATUS

Figure 3 Buildable Land Status Map



for demolition and redevelopment with new, more intensive uses; and

- **Pending** are parcels with pending applications for new development⁸.

In the BLR, Properties with existing structures, on or before April 1, 2019, were deemed developed and population and employment were allocated to them. Properties where projects are proposed, built or occupied after April 1, 2019 were allocated future capacity⁹.

STEP 1.2 EXCLUDE LANDS UNLIKELY TO DEVELOP

Land on developable parcels that are not buildable were removed from the buildable lands inventory. Unbuildable lands include critical areas and buffers (i.e. steep slopes, wetlands, streams, lakes, and floodplains); major utility easements; future arterial rights-of-way; and land needed for other capital facilities (i.e. schools, parks, water/sewer/storm, etc.). Snohomish County's BLR land statuses are adopted in the City's Land Capacity Analysis, except as follows:

Two large properties and two moderate-sized properties were not assigned capacity in the County's Buildable Lands Report (BLR); however, have been assigned capacity in the City's Land Capacity Analysis. The two large properties are depicted with the 'Potential Development' designation in **Figure 3** and were modeled as vacant land in the City's Land Capacity Analysis. The two moderate-sized properties were identified as Constant or School in the BLR; however, were placed into a post-BLR Pending category since they have both been developed as projects.¹⁰

STEP 1.3 IDENTIFY GAPS IN UTILITY INFRASTRUCTURE AND SERVICES

The County's BLR also included a Capital Facilities Analysis to identify gaps in utility infrastructure and services. Within the City, sewer availability is the primary utility service gap and areas where these gaps exist are limited. The City adopted the BLR Capital Facilities Analysis.

STEPS 1.4 – 1.6 CALCULATE GROSS AND NET RESIDENTIAL CAPACITY BY ZONE INCLUDING INFILL (I.E. MIDDLE HOUSING, ACCESSORY DWELLING UNITS, ETC.)

After Steps 1.2 and 1.3 are applied to developable lands identified in Step 1.1, a further Land Availability Deduction Factor (i.e. Market Availability Reduction Factor) is applied to most developable land.¹¹ The resulting net developable acreages are then multiplied by the assumed future density value. For most zones, the assumed future density is the density per acre value that was identified for historical projects in the BLR; however, adjustments to density values were made for the Mixed Use zone in the Lakewood Neighborhood; for the new zones in the

⁸ Pending parcels are depicted in Figure 3 with the applicable vacant, partially-used, or redevelopable parcel status.

⁹ This includes 'pending' parcels which are those that are proposed for development which were not constructed by April 1, 2019.

¹⁰ These projects are the Nordstrom subdivision and the 67th Avenue Townhomes.

¹¹ Market reduction factors of 15 percent for vacant land and 30 percent for partially-used and redevelopable land were applied to reflect that this amount of land will likely not be available to develop within the next 20 years.

Downtown Master Plan Area; and for limited other zones to better align with recent observed densities as described below.

- The Lakewood Neighborhood Master Plan (LNMP) Area contains a significant amount of Mixed Use zoned land. The City's Mixed Use zone is flexible and allows for a developer to construct commercial, multi-family, or true-mixed use with both commercial and residential. In the LNMP Area, Mixed Use zoned land has primarily attracted multi-family development, which has developed at an average of 20.23 dwelling units per acre; therefore, this higher density assumption was applied to the MU zoned land in the LNMP Area.
- In 2021, the Downtown Master Plan was updated, which included the adoption of new residential land use designations in the DMP Area. Limited residential land use applications have been submitted since the adoption of the DMP, so low to moderate density assumptions were assigned to these new land use designations based on similar existing land use designations that apply city-wide (see Downtown Master Plan Zones section of **Figures 4 and 5**). The higher density assumptions for these land use designations have resulted in significant additional residential capacity.

Since the April 1, 2019 cutoff date for the Buildable Lands Report, the City has seen significant development activity city-wide, which has been particularly strong for residential in the Lakewood and East Sunnyside – Whiskey Ridge Neighborhoods and for commercial/industrial in the Smokey Point Neighborhood. Many of these projects have been recently constructed, are under construction, have a land use entitlement, or have a complete land use application. Consequently, to better reflect that these lands are currently or will be available for development within the next 20 years, the Land Availability Deduction Factor was removed from these properties. Properties for which the Land Availability Deduction Factor were removed retained their original land classification (i.e. partially used, vacant, redevelopable, etc.), and are distinguished in **Figure 4** below by the 'Post BLR' suffix and not having a Land Availability Reduction Factor applied.

Lands that have the potential to allow for infill Middle Housing or Accessory Dwelling Units are also factored into **Figure 4**.

Figure 4 Gross and Net Residential Housing Capacity by Zone

ZONE		GROSS DEVELOPABLE LAND (ACRES) ¹	LAND AVAILABILITY DEDUCTION FACTOR ¹	NET DEVELOPABLE LAND (ACRES)		ASSUMED DENSITY (UNITS/ACRE)	RESIDENTIAL CAPACITY (UNITS)
CITY-WIDE ZONES							
Single Family, Medium Neighborhood Residential 4.5 (NR-4.5)	Vacant	81.88	15%	69.6	298.89	4.36	1,303
	Vacant Post BLR	2.52	0%	2.52			
	Partially-Used	122.48	25%	91.86			
	Partially-Used Post BLR	17.43	0%	17.43			
	Redevelopable	93.35	25%	70.01			
	Redevelopable Post BLR	14.22	0%	14.22			
	Pending	20.41	0%	20.41			
	Pending Post BLR	12.84	0%	12.84			
	Infill	52.15	0%	52.15	52.15	1 – 4 units/lot	944
Single Family, High Neighborhood Residential 6.5 (NR-6.5) ²	Vacant	62.17 <u>67.42</u>	15%	52.84 <u>57.31</u>	448.81 <u>624.8</u>	4.93 <u>5.58</u>	2,195 <u>3,489</u>
	Vacant Post BLR	12.88	0%	12.88			
	Partially-Used	163 <u>175</u>	25%	122.25 <u>131.25</u>			
	Partially-Used Post BLR	55.42 <u>90.73</u>	0%	55.42 <u>90.73</u>			
	Redevelopable	100.2 <u>107.63</u>	25%	75.15 <u>80.72</u>			
	Redevelopable Post BLR	41.31 <u>89.6</u>	0%	41.31 <u>89.6</u>			
	Pending	74.85 <u>92.16</u>	0%	74.85 <u>92.16</u>			
	Pending Post BLR	14.11 <u>18.49</u>	0%	14.11 <u>18.49</u>			
	Constant Post BLR	5.14	0%	5.14			
	School and Church	39.5	0%	39.5			
	Infill	73.66	0%	73.66	73.66	1 – 4 unit/lot	1,094
	Vacant	5.25	15%	4.46	62.1	8	496
Single Family High (R-8)	Partially-Used	4	25%	3			
	Partially-Used Post BLR	1.88	0%	1.88			
	Redevelopable	0	25%	0			
	Pending	8.88	0%	8.88			
	Pending Post BLR	4.38	0%	4.38			
	School and Church	39.5	0%	39.5			
Multi-family, Low (R-12)	Vacant	1.53	15%	1.3	90.1	9.8	882
	Vacant Post BLR	61.84	15%	61.84			
	Partially-Used	0.82	25%	0.62			
	Redevelopable	16.63	25%	12.47			
	Redevelopable Post BLR	8.57	0%	8.57			

	Pending Post BLR	2.24	0%	2.24			
	School	3.06	0%	3.06			
	Infill	3.65	0%	3.65			
Multi-family, Medium (R-18)	Vacant	28.47	15%	24.2	69.74	1 – 4 units/lot	1,190
	Vacant Post BLR	0.41	0%	0.41			
	Partially-Used	0.94	25%	0.71			
	Redevelopable	43.06	25%	32.3			
	Redevelopable Post BLR	1.17	0%	1.17			
	Pending	10.95	0%	10.95			
	Infill	2.61	0%	56			
Multi-family, High (R-28)	Vacant	0.98	15%	0.83	14.57	22.4	324
	Partially-Used	0	25%	0			
	Redevelopable	16.7	25%	12.53			
	Redevelopable Post BLR	1.21	0%	1.21			
Mixed Use (MU)	Vacant	16.98	15%	14.43	89.6	13.84	1,240
	Vacant Post BLR	4.77	0%	4.77			
	Partially-Used	6	25%	4.5			
	Partially-Used BLR	1.59	0%	1.59			
	Redevelopable	38	25%	28.5			
	Redevelopable Post BLR	4.99	0%	4.99			
	Pending	1.08	0%	1.08			
	Special	35.04	15%	29.78			
Mixed Use (MU) – Lakewood Neighborhood	Vacant	0.25	15%	0.21	70.6	20.23	1,430
	Vacant Post BLR	3.7	0%	3.7			
	Partially-Used	15.92	25%	11.94			
	Partially-Used Post BLR	19.33	0%	19.33			
	Redevelopable	7.2	25%	5.4			
	Redevelopable Post BLR	22.9	0%	22.9			
	Pending Post BLR	7.12	0%	7.12			
DOWNTOWN MASTER PLAN ZONES							
Middle Housing 1 (MH1)	Vacant	0	15%	0	2.24	14.4	33
	Partially-Used	0	25%	0			
	Redevelopable	2.43	25%	1.82			
	Redevelopable Post BLR	0.42	0%	0.42			
	Infill	8.09		8.09			
Middle Housing 2 (MH2)	Vacant	0.9	15%	0.77	9.2	20	184
	Partially-Used	0	25%	0			
	Redevelopable	11.25	25%	8.43			
	Infill	4.07		80			
Midrise Multi-family (MMF)	Vacant	2.04	15%	1.73	7.2	33.4	241
	Partially-Used	0	25%	0			
	Redevelopable	7.28	25%	5.46			
Flex	Vacant	1.38	15%	1.17	13.35	22.4	299
	Partially-Used	0	25%	0			
	Redevelopable	16.25	25%	12.18			
Flex Residential (FR)	Vacant	0	15%	0	23.05	25.8	580
	Partially-Used	0	25%	0			
	Redevelopable	24.84	25%	18.63			

		Redevelopable Post BLR	4.42	0%	4.42			
Downtown Core (DC)		Vacant	1.79	15%	1.52	9.02	19	171
		Partially-Used	0	25%	0			
		Redevelopable	10	25%	7.5			
EAST SUNNYSIDE – WHISKEY RIDGE ZONES								
Whiskey Ridge, Single-Family High (WR-R-4-8)		Vacant	0.71	15%	0.60	113.89	7	798
		Vacant Post BLR	6.43	0%	6.43			
		Partially-Used	8	25%	6			
		Partially-Used BLR	33.43	0%	33.43			
		Redevelopable	7.43	25%	5.57			
		Redevelopable Post BLR	48.29	0%	48.29			
		Pending	8.43	0%	8.43			
		Constant Post BLR	5.14	0%	5.14			
Whiskey Ridge, Multi-family Medium (WR-R-6-18)		Vacant	1.22	15%	1.03	92.31	12.31	1,130
		Vacant Post BLR	10.51	0%	10.51			
		Partially-Used	19.25	25%	14.44			
		Partially-Used Post BLR	25.67	0%	25.67			
		Redevelopable	11.29	25%	8.47			
		Redevelopable Post BLR	24.7	0%	24.7			
		Pending	7.31	0%	7.31			
Total								14,928
¹ The Land Availability Deduction Factor were not included in the City’s initial capacity calculations; however, were added in to the figures cited above as well as other Comprehensive Plan update materials. ² In 2025, the R-8 and WR-R-4-8 zones were merged with the R-6.5 zone, which was renamed Neighborhood Residential 6.5 (NR-6.5). Consequently, the figures in this Land Capacity Analysis have been merged. Impacts to density are anticipated to be minimal, so the figures from the original Land Capacity Analysis prepared in December 2024 were retained. The assumed density is a weighted average for the three zones.								

Figure 5 Total Residential Capacity by Zone

ZONE	PENDING	DEVELOPABLE ACRES ¹	DENSITY VALUE	EXISTING DWELLING UNITS	ADDITIONAL DWELLING UNIT CAPACITY ²	TOTAL 2044 CAPACITY
CITY-WIDE ZONES						
Single Family, Medium Neighborhood Residential 4.5 (NR-4.5)	145	385	4.36	8,605	2,102	10,852
Single Family, High Neighborhood Residential 6.5 (NR-6.5)	435 600	508 663	4.89 5.58	9,063 9,298	2,854 3,983	12,352 13,733
Single Family High (R-8)	106	51	8	25	390	521
Multi-family, Low (R-12)	22	93	9.8	1,621	940	2,584
Multi-family, Medium (R-18)	187	79	17.07	2,178	1,059	3,424
Multi-family, High (R-28)	0	19	22.4	582	324	906
Mixed Use (MU)	15	106	13.84	518	1,225	1,759
Mixed Use (MU) – Lakewood Neighborhood	144	70	20.23	597	1,286	2,026
DOWNTOWN MASTER PLAN ZONES						
Middle Housing 1 (MH1)	0	11	14.4	483	209	692
Middle Housing 2 (MH2)	0	16	20	337	264	601
Midrise Multi-family (MMF)	0	9	33.4	125	241	366
Flex	0	18	22.4	140	299	439
Flex Residential (FR)	0	29	25.8	296	580	876
Downtown Core (DC)	0	12	19	149	171	321
EAST SUNNYSIDE – WHISKEY RIDGE ZONES						
Whiskey Ridge, Single Family High (WR-R-4-8)	59	104	7	62	739	860
Whiskey Ridge, Multi-family Medium (WR-R-6-18)	90	92	12.31	123	1,040	1,252
Other Zones ³				726		
Totals⁴	1,200	1,549	-	25,629 ⁵	13,728	40,557
¹ Land assigned the ‘Pending’ or ‘Pending Post BLR’ status was omitted from the ‘Developable Acreage’ in this table as they were already assigned capacity during the Buildable Lands Report process. Figure 4 above, however, provided the corresponding acreage for the Pending and Pending Post BLR land. ² For this summary table, the general density capacity was combined with the middle housing and accessory dwelling unit capacity; therefore, a simple calculation of buildable acreage by density value equaling additional capacity is not shown. A more thorough breakdown of additional dwellings is provided in Figure 4. ³ The existing housing units shown on the ‘Other Zones’ line are the existing housing units in all the zones that were not assigned future residential capacity. ⁴ The pending and additional housing unit capacity fields add up to 14,931, which is the total 2044 additional housing unit capacity. ⁵ The existing housing units are a 2020 figure; however, the County’s BLR GIS files had a minor (94 unit) discrepancy between the 2020 OFM population of 25,723 and the 25,629 shown here.						

Accessory Dwelling Unit and Middle Housing Assumptions

The following is a summary of the accessory dwelling unit and middle housing assumptions built into **Figures 4 and 5** above. Within the City, there are 19,041 residentially zoned parcels that are over 5,000 square feet¹². Of these, 16,746 have sewer either within the street abutting the property or within 100 feet of the property, which is well within the 200 foot range that the City generally deems as sewer being available.

It is assumed that six (6) percent of residential parcels with sewer availability or 1,005 lots may pursue either one or more accessory dwelling units, a duplex conversion, or other type of middle housing over the next 20 years.¹³ An average of 2.15 additional units are contemplated on these properties. This reflects that less than half of the eligible properties will pursue one additional unit per lot while larger ones that will either: a) be adjacent to the future SWIFT Bus Rapid Transit route, or b) become eligible for up to four units when Marysville becomes a Tier 1 City around December 2030, will have a greater number of additional units (i.e. between 2 and 3 additional units per lot with 2 additional units most common). These assumptions result in up to 2,156 additional accessory dwelling unit, duplex, or other types of middle housing, being constructed in the next 20 years (or approximately 108 additional units of these types constructed annually as infill) as shown in **Figure 6**.

It should be noted that since the additional accessory dwelling unit and middle housing provisions are new, there is uncertainty about the level of interest in constructing these units. That said, the City has fielded several inquiries from developers eager to construct infill accessory dwellings units and/or other middle housing units and, as existing greenfields are developed, development patterns are anticipated to shift to infill. The City will closely monitor these assumptions on infill accessory dwelling and middle housing units. Should actual levels of construction fall short of these assumptions, additional capacity that is not currently built into the capacity contemplated in this Land Capacity Report is possible in the variety of commercial zones which allow for residential above street level commercial uses (e.g. CB, CB - WR, GC, NB, etc.). Further, when the SWIFT Bus Rapid Transit route is determined, City Council may potentially provide policy direction to reevaluate zoning along the designated route which would further increase residential capacity within the City.

Figure 6 Middle Housing and Accessory Dwelling Unit Estimation

RESIDENTIALLY ZONED LOTS ¹	RESIDENTIAL LOTS WITH SEWER AVAILABLE	10 PERCENT OF LOTS (I.E. PARTICIPATION FACTOR)	AVERAGE ADDITIONAL UNITS PER LOT	ESTIMATED ADDITIONAL CAPACITY
19,041	16,746	1,675 lots	1.29	2,156

¹ Excluded from this figure are zones that allow for residential but are commercially zoned (e.g. CB, MU, etc.).

¹² Note: many lots are much larger; this is the minimum lot size evaluated.

¹³ The GIS files assigned the additional infill capacity to the **NR-4.5**, **NR-6.5**, and **R-12** zones. This shows up in the 'Infill' category shown in Figure 4; however, this capacity will likely be distributed across all residentially zoned parcels as described in the section above entitled 'Accessory Dwelling Unit and Middle Housing Assumptions'.

Calculation of Additional Population Capacity

To determine population capacity, the projected 2044 future vacancy rate was applied to the City's 2044 housing target of 39,976 housing units resulting in 37,577 occupied housing units. The 37,577 occupied housing units were then multiplied by the projected 2044 City household size of 2.65 people per household to arrive at a population of 99,708.¹⁴ Finally, the 2044 assumed group quarters population of 115 was added to the 99,708 overall population to arrive at the City's population target of 99,822. The City projects additional capacity beyond the 2044 targets which is also shown in **Figure 7**.

Figure 7 2044 Housing and Population Capacity

	EXISTING DWELLING UNITS ¹	ADDITIONAL DWELLING UNIT CAPACITY	TOTAL 2044 HOUSING UNIT CAPACITY	2044 AVERAGE HOUSEHOLD SIZE	2044 VACANCY RATE	2044 ASSUMED GROUP QUARTERS POPULATION	TOTAL 2044 POPULATION CAPACITY
Target	25,723	14,253	39,976	2.65	6%	115	99,822
Capacity	25,630	14,931 ²	40,561	2.65	6%	115	101,283

¹ The existing housing units are a 2020 figure; however, the County's BLR GIS files had a minor (93 unit) discrepancy between the 2020 OFM population of 25,723 and the 25,630 which is shown here. The 25,723 figure is used in the 'Target' fields and the 25,630 from the GIS files is included in the 'Capacity' fields. ² The pending (1,203) and additional (13,728) housing unit capacity fields from Figure 5 add up to 14,931, which is the total 2044 additional housing unit capacity.

STEP 2 CLASSIFY ZONES BY ALLOWED HOUSING TYPES AND DENSITY LEVEL

To address the requirements of House Bill 1220, the City must show adequate capacity for housing for all income levels. The steps below follow the process outlined in the Washington State Department of Commerce's Guidance for Updating Your Housing Element (i.e. HB 1220 Book2).

STEP 2.1 ESTABLISH ZONE CATEGORIES FOR TYPICAL HOUSING TYPES ALLOWED

Step 2.1 is to establish zone categories based on the typical housing types allowed in each zones as shown in **Figure 8**.

Figure 8 Establishing Zone Categories for Typical Housing Types

ZONE CATEGORY	TYPICAL HOUSING TYPES ALLOWED
Low Density	Single family detached, duplexes
Moderate Density	Single family, duplexes, townhouses, triplexes, quadplexes
Low-Rise Multi-family	Multi-family residences, townhouses, condominiums (up to 3 floors)
Mid-Rise Multi-family	Multi-family residences, townhouses, condominiums (45 to 85 feet)

¹⁴ The precise household size multiplier used was 2.65343.

STEP 2.2 CLASSIFICATION OF LAND USE ZONES BY HOUSING TYPES ALLOWED BY ZONE

Step 2.2 classifies existing City land use zones into the zone categories established in Step 2.1 as shown in **Figure 9**.

Figure 9 Classifying Existing City Land Use Zones into Zone Categories

ZONE	TYPICAL HOUSING UNITS ALLOWED	MAX DENSITY LEVEL ALLOWED	ASSIGNED ZONE CATEGORY
CITY-WIDE ZONES			
Single Family, Medium Neighborhood Residential 4.5 (NR-4.5)	Single family detached, duplex, townhouses, and group residences. Cottages and various group residences are also allowed.	5.4 units/acre	Low Density
Single Family, High Neighborhood Residential 6.5 (NR-6.5)		7.8 units/acre	Low Density
Single Family High (R-8)		9.6 units/acre	Low Density
Multi-family, Low (R-12)	Multi-family residence, townhouse, and condominium. Cottage, single family, duplex, and various group residences are also allowed.	18 units/acre	Low-Rise Multi-family
Multi-family, Medium (R-18)		27 units/acre	Mid-Rise Multi-family
Multi-family, High (R-28)		36 units/acre	Mid-Rise Multi-family
Mixed Use (MU) including Lakewood Neighborhood	Multi-family residence, townhouse, and condominium. Various group residences are also allowed.	28 units/acre	Mid-Rise Multi-family
DOWNTOWN MASTER PLAN ZONES			
Middle Housing 1 (MH1)	Duplex and townhouse. Various group residences are also allowed.	No maximum density	Low-Rise Multi-family
Middle Housing 2 (MH2)	Duplex, townhouse, multi-family, and vertical mixed-use on certain streets. Various group residences are also allowed.		Mid-Rise Multi-family
Midrise Multi-family (MMF)	Duplex, townhouse, multi-family, and vertical mixed-use. Various group residences are also allowed.		Mid-Rise Multi-family
Flex Residential (FR)			Mid-Rise Multi-family
Downtown Core (DC)	Townhouse, multi-family, and vertical mixed-use.		Mid-Rise Multi-family
EAST SUNNYSIDE – WHISKEY RIDGE ZONES			
Whiskey Ridge, Single Family High (WR-R-4-8)	Single family detached, duplex, townhouses, and group residences. Cottages and various group residences are also allowed.	8 units/acre	Low Density
Whiskey Ridge, Multi-family Medium (WR-R-6-18)	Multi-family residence, townhouse, and condominium. Cottage, single family, duplex, and various group residences are also allowed.	18 units/acre	Low-Rise Multi-family
Whiskey Ridge – Mixed Use (WR-MU)	Multi-family residence, townhouse, condominium, and vertical mixed-use. Various group residences are also allowed.	18 units/acre	Mid-Rise Multi-family

STEP 3 RELATE ZONE CATEGORIES TO POTENTIAL INCOME LEVELS SERVED

Step 3 relates the zone categories established in Step 2.1 to the potential income levels served as shown in **Figure 10**.

Figure 10 Relating Zone Categories to Potential Income Levels Served

ZONE CATEGORY	TYPICAL HOUSING TYPES ALLOWED ¹	LOWEST POTENTIAL INCOME LEVEL SERVED		ASSUMED AFFORDABILITY LEVEL FOR CAPACITY ANALYSIS
		MARKET RATE	WITH SUBSIDIES AND/OR INCENTIVES	
Low Density	Single family detached, duplexes	Higher income (>120% AMI); Moderate income (>80 – 120% AMI)	Not typically feasible at scale	High income (>120% AMI)
Moderate Density	Single family, duplexes, townhouses, triplexes, quadplexes	Moderate income (>80 – 120% AMI)	Not typically feasible at scale	Moderate income (>80 – 120% AMI)
Low-Rise Multi-family	Multi-family residences, townhouses, condominiums (up to 3 floors)	Low income (>50 – 80% AMI)	Extremely low and very low income (0 – 50% AMI)	Low income (0 – 80% AMI) and PSH
Mid-Rise Multi-family	Multi-family residences, townhouses, condominiums (45 to 85 feet)	Low income (>50 – 80% AMI)	Extremely low and Very low income (0 – 50% AMI)	Low income (>50-80% AMI) group with Low-Rise and/or Mid-Rise Multi-family
¹ Inclusion of townhouses in the low-rise and mid-rise multi-family zone categories is not to imply that those housing types are affordable to the lower incomes, but rather to be transparent about the flexibility of these zones, which allow for townhouses, multi-family, condominiums, etc. Townhouses are anticipated to be a relatively small, but growing, proportion of housing in the low-rise and mid-rise multi-family zone categories.				

STEP 4 SUMMARIZE CAPACITY BY ZONE CATEGORY

Step 4 involves summarizing land capacity for housing units by zone category as shown in **Figure 11**. In summarizing land capacity by zone, it is important to isolate the buildable capacity by zone category to more accurately reflect where future capacity will be allocated. It should be noted that existing residential at different income bands is in all zone categories (i.e. low density, low-rise multi-family, and mid-rise multi-family).

Figure 11 Summarizing Capacity by Zone Category

ZONE	UNIT CAPACITY	BUILDABLE LAND UNIT CAPACITY ¹	ASSIGNED ZONE CATEGORY	CAPACITY IN ZONE CATEGORY	BUILDABLE CAPACITY IN ZONE CATEGORY
Neighborhood Residential 4.5 Single Family, Medium (NR-4.5)	10,852	2,247	Low Density	24,585	6,830
Neighborhood Residential 6.5 Single Family, High (NR-6.5)	12,352 13,733	3,289 4,583			
Single Family High (R-8)	521	496			
Whiskey Ridge, Single Family High (WR-R-4-8)	860	798			
Multi-family, Low (R-12)	2,584	962	Low-Rise Multi-family	4,528	2,301
Whiskey Ridge, Multi-family Medium (WR-R-6-18)	1,252	1,130			
Middle Housing 1 (MH1)	692	209			
Multi-family, Medium (R-18)	3,424	1,246	Mid-Rise Multi- family	10,718	5,795
Multi-family, High (R-28)	906	324			
Mixed Use (MU) ²	1,759	1,240			
Mixed Use (MU) – Lakewood Neighborhood	2,026	1,430			
Middle Housing 2 (MH2)	601	264			
Midrise Multi-family (MMF)	366	241			
Flex	439	299			
Flex Residential (FR)	876	580			
Downtown Core (DC)	321	171			
Total	39,831	14,928		39,831	14,926

¹ The Additional Dwelling Unit Capacity and Pending classifications from Figure 5 are used. Lands with the pending status are not included. ² Includes Whiskey Ridge – Mixed Use.

STEP 5 COMPARE PROJECTED HOUSING NEEDS TO CAPACITY

Step 5 entails comparing projected housing needs at the various income bands to the capacity for the different income bands.

Figure 12 Existing (2020) and Allocated Future (2044) Housing Units by Income Band

Source: Snohomish County 2023 Housing Characteristics and Needs Report, Appendix G – Allocation Method C

Income Level (Percent of Area Median Income or AMI)	Income Range	2020 Housing Units	Additional Housing Units Needed (2020 - 2044)	2044 Total Housing Units Needed
Extremely low (0-30% PSH)	\$0 - 38,800	653	2,403	3,056
Extremely low (0-30%)	\$0 - 38,800	73	1,281	1,354
Very low (30-50%)	\$38,800 - 64,700	4,313	1,076	5,389
Low (50-80%)	\$64,700 - 95,300	7,958	0	7,958
Moderate (80-100%)	\$95,300 - 134,600	6,289	0	6,289
High (100-120%)	\$134,600 - 161,500	2,830	2,403	5,233
Very high (120% or more)	\$161,500+	3,607	7,090	10,697
Total	-	25,723	14,253	39,976

Step 5.1, detailed in **Figure 12**, shows Marysville's existing housing units by income band, the additional housing units needed at each income band allocated by Snohomish County to the City between 2020 and 2044, and the total housing units by income band needed in 2044.

Step 5.2 compares the housing allocation from the County to projected housing capacity at each income band (see **Figure 13**).

Figure 13 Comparing Projected Housing Needs to Capacity

Income Level (Percent of Area Median Income or AMI)	2020 Housing Units	Additional Housing Units Needed (2020 – 2044)	2044 Total Projected Housing Units Needed	Zone Categories Serving Additional Housing Needs ¹	Aggregated Additional Housing Needs	Total Additional Zoning Capacity	Capacity or Surplus ²
Extremely low (0-30% PSH)	653	2,403	3,056	Low-Rise Multi-family and Mid-Rise Multi-family	4,760	8,096	+3,336
Extremely low (0-30%)	73	1,281	1,354				
Very low (30-50%)	4,313	1,076	5,389				
Low (50-80%)	7,958	0	7,958				
Moderate (80-100%)	6,289	0	6,289	Low to Moderate Density	9,493	6,830	-2,663
High (100-120%)	2,830	2,403	5,233				
Very high (120% or more)	3,607	7,090	10,697				
¹ Existing uses that are affordable to different income levels are often located in zones that currently require lower densities. Therefore, when determining the adequacy of existing zoning to accommodate housing at all income bands, future needs at different income levels and how they align with future zoning capacity for the zones best able to accommodate this housing are used. ² It is important to note that City’s zoning categories are flexible, and the noted shortfall or surplus is mitigated by the							

ability for a variety of housing types to be in both low to moderate density, and low-rise and mid-rise multi-family. Housing for different income levels is not strictly confined to the broad zone categories discussed in this section, but is instead fluid.

Figure 13 demonstrates adequate capacity to address the extremely low to low-income bands. While this figure appears to show a deficit in the ability to provide the necessary high and very high-income housing, the City's zoning is flexible and would allow for the lower income housing to be constructed in the low density zones, and higher income housing to be constructed in low and mid-rise multi-family zones.

STEP 6 REVISE ZONING IF NEEDED TO ADDRESS UNMET HOUSING NEEDS

Currently there is adequate capacity for the City to accommodate housing at all income bands; however, it is extremely difficult for the market to provide housing at the lowest income bands. As land is utilized, rezoning additional land may be needed over time to accommodate housing at the lower income bands.

EMERGENCY HOUSING AND EMERGENCY SHELTER CAPACITY

Emergency housing and emergency shelters are allowed in ten commercial zones within the City as shown in **Figure 14** below. While each of these zones allow for emergency housing and emergency shelters, two of these zones (i.e. LI and CB – WR) do not allow for residential generally (i.e. multi-family housing). Four of these zones, while allowing for residential, were not assigned residential capacity (i.e. CB, GC, MS, and NB); however, residential is allowed above a ground floor commercial use in these zones. Only four zones (i.e. MU, DC, F, and FR) were assigned residential capacity based on historic and/or likely future development patterns.

Figure 14 Commercial Zones which Allow Emergency Housing, Emergency Shelters and/or Multi-family Housing

	Emergency Housing and Emergency Shelters Allowed?	Multi-family Allowed?	Was the Zone Assigned Residential Capacity?
CITY-WIDE ZONES			
Community Business (CB)	Yes	Yes	No
Community Business – Whiskey Ridge (CB – WR)	Yes	No	No
General Commercial (GC)	Yes	Yes	No
Light Industrial (LI)	Yes	No	No
Mixed Use (MU)	Yes	Yes	Yes
Neighborhood Business (NB)	Yes	Yes	No
DOWNTOWN MASTER PLAN ZONES			
Downtown Core (DC)	Yes	Yes	Yes
Flex (F)	Yes	Yes	Yes
Flex Residential (FR)	Yes	Yes	Yes
Main Street (MS)	Yes	Yes	No

As shown in **Figure 11**, the City has capacity for 14,931 units, while the City's housing target is 14,253 units. The 678-unit surplus contributes to the City's 881 emergency (temporary) housing

target; however, it should be noted that the unit surplus very likely would translate into even more beds should an emergency shelter or emergency housing facility be constructed since more than one bed could be constructed in a unit, and/or the configuration of the shelter could be more open allowing more beds to occupy a room.

The four zones that both allow emergency housing and emergency shelters, and were assigned residential capacity (i.e. DC, F, FR, and MU¹⁵) collectively have capacity for 2,044 additional units. Each of these zones is in the Mid-rise Multi-family classification, which anticipates construction of primarily multi-family units. Approximately 678 of the 2,044 potential units in these zones could instead be developed as emergency housing or emergency shelters. If needed, the additional 203 emergency housing and emergency shelter beds could be met in the other commercial zones which allow for emergency housing and emergency shelters. The Community Business, Community Business – Whiskey Ridge, and General Commercial zones are the likeliest candidate zones where emergency housing and emergency shelter beds could be located (besides the already identified residential zones). Among these three zones, there is potential capacity for 4,740 beds to be constructed using a conservative assumption of 12 beds per acre¹⁶, which exceeds the capacity needed to accommodate the additional 203 emergency housing and emergency shelter beds by 4,537 total beds (see **Figure 15**). Historically, these zones have primarily been developed with commercial uses, and that pattern is anticipated to largely continue; however, the capacity for emergency housing and emergency shelter beds is certainly there, and feasibility is evidenced by the recent construction of a 16-bed enhanced service facility in the Community Business zone.

Figure 15 Potential Residential Capacity in Zones which Allow for Emergency Housing and Shelters that were not Assigned Residential Density

	Buildable Acres	Beds per Acre Assumed for Emergency Housing	Potential Bed Capacity
Community Business (CB)	190	12	2,280
Community Business – Whiskey Ridge (CB – WR)	55	12	660
General Commercial (GC)	150	12	1,800
Total Capacity			4,740
Emergency Housing Need not Met in Zones Allocated Residential Capacity			203
Surplus Capacity			4,537

¹⁵ Since most of the Mixed Use zoning in the Lakewood Neighborhood is already have land use entitlements, additional emergency housing and emergency shelters is not contemplated for that area; however, would be allowed.

¹⁶ This a conservative assumption on beds per acre, and more denser emergency shelters and emergency housing is permitted.

EMPLOYMENT

In 2019, there were an estimated 15,974 jobs in the Marysville UGA. The Marysville UGA was assigned a target of 33,683 jobs in 2044 through the Snohomish County Tomorrow planning process (see **Figure 16** below). The 2021 Snohomish County Buildable Lands Report only showed capacity for 32,098 jobs in the City through 2035 meaning that a deficit of 1,585 jobs was projected.

Figure 16 Employment: Existing, Target, and Projected Capacity

Source: Source: 2015 Marysville Comprehensive Plan, 2021 Buildable Lands Reports, Snohomish County Countywide Planning Policies Appendix B – Table E1, Marysville Capacity Analysis, and 2024 Marysville Comprehensive Plan

	2019 Estimated Employment	2021 Buildable Lands Report's 2035 Estimated Capacity	Snohomish County 2044 Adopted Target	2044 Marysville Comprehensive Plan Estimated Capacity
UGA	15,974	32,098	33,683	34,698
City only	15,310	31,434	32,926	34,331

Calculation of Employment Capacity

Employment capacity largely adopts the employment methodology prepared by Snohomish County in the [2021 Buildable Lands Report](#) and companion GIS files, which assigned estimated existing and projected employment to tax parcels throughout the City. Existing employment was derived from Washington State Employment Security Department (ESD) records.¹⁷ For projected employment, Snohomish County collected historical building permit data for commercial and industrial development, which were categorized by building type.

Assumptions were made about how much of each building type (i.e. what proportion of square footage) was dedicated to one of eight different North American Industrial Classification System (NAICS) employment categories¹⁸ to estimate actual square footage of construction by employment category. The resulting square footage amounts were then divided by an assumed amount of square footage space needs per employee by employment category to obtain an estimate of jobs. This analysis was conducted to derive a jobs per buildable acre value for each

¹⁷ Existing employment figures from ESD were applied by Snohomish County to developed commercial and industrial properties throughout the City. Manual adjustments were made by Marysville Community Development staff to more accurately reflect likely existing employment on a parcel-by-parcel basis based on experience with existing businesses or uses, demolition of businesses or changes of use, parcels in the Mixed Use zone developing residentially rather than commercially, rezones that occurred from 2019 – 2023, and other factors.

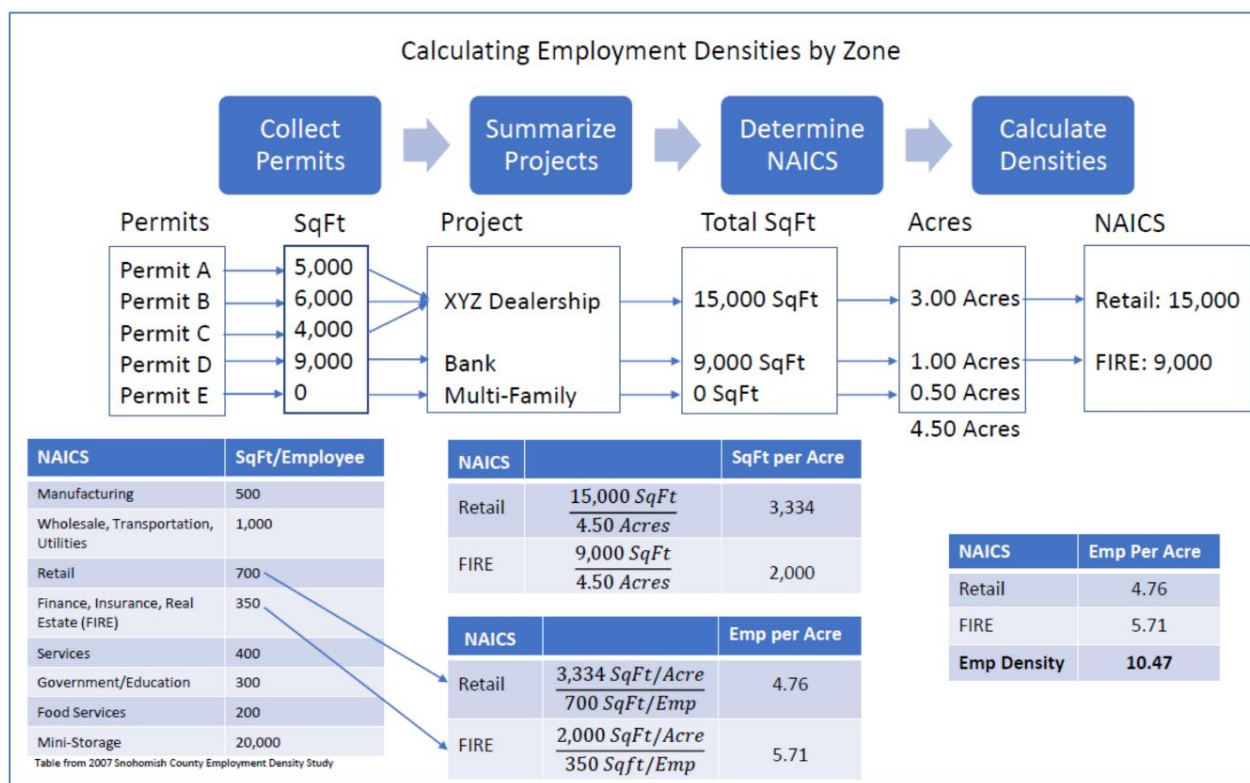
¹⁸ The following are the NAICS categories used in the Snohomish County BLR along with the estimated square footage allocated to each employee by employment type: finance, insurance and real estate (FIRE) mini warehouses only (20,000 SF/employee); finance, insurance and real estate (FIRE) other (350 SF/employee); food services (200 SF/employee); manufacturing (500 SF/employee); other services (400 SF/employee); retail (700 SF/employee); and wholesale, transportation, and utilities (1,000 SF/employee).

zone (see **Figure 17** below).¹⁹ The jobs per buildable acre for each zone were then multiplied on a parcel-by-parcel basis to all lands that were determined to have additional development potential (i.e. vacant, partially-used, and redevelopable).²⁰ Using Snohomish County's calculations, it was estimated that Marysville UGA had capacity for 32,098 jobs (15,974 existing plus 16,124 new) through 2035 based on current zoning, which resulted in a capacity shortfall of 1,585 jobs by 2044.

Key Changes Providing Additional Employment Capacity

To address the 1,585-job employment capacity shortfall, Community Development staff reevaluated development assumptions in the Marysville portion of the Cascade Industrial Center and within the Downtown Master Plan, as detailed below.

Figure 17 Snohomish County Buildable Lands Report Process for Calculating Employment Densities by Zones



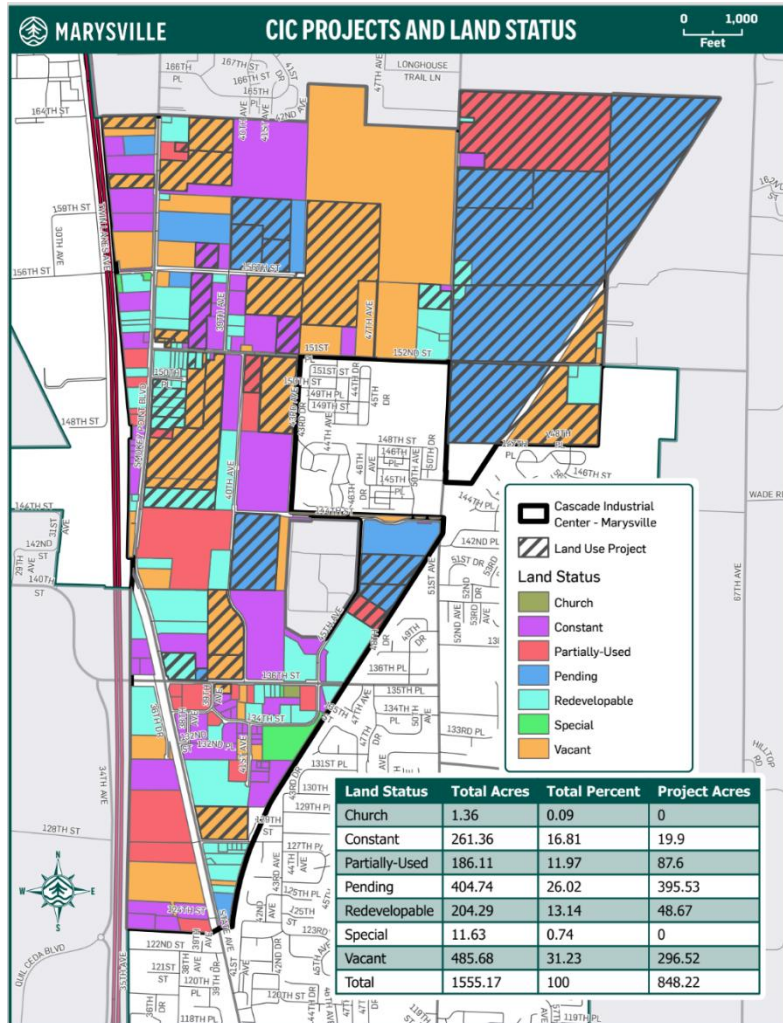
¹⁹ It should be noted that assumptions were made for new zones, and for zones that either have had minimal or no development. These assumptions were typically based on a review of development in similar zones.

²⁰ The market reduction factor is 15 percent for vacant land and 25 percent for partially-used and redevelopable land.

Cascade Industrial Center

Since 2018, the Cascade Industrial Center has experienced significant development activity, with several commercial and industrial developments constructed and numerous land use entitlements obtained as illustrated in **Figure 18** below. The market reduction factors described

Figure 18 CIC Projects and Land Status



above were removed for those parcels that are shown in **Figure 18** with both a 'land use project' and a vacant, partially-used, or redevelopable land status, as the submittal of a land use application signals that these properties are market ready. Removing the market reduction factors resulted in additional employment capacity, which was typically calculated conservatively with employment per acre based on either manufacturing or wholesale uses.

Downtown Master Plan

In 2021, the Downtown Master Plan was updated, which included an expansion of the boundaries of the DMP Area, adopting new zoning designations, and the adoption of a form-based code with modified standards. With the update, the City's consultant

also evaluated commercial parcels which were likely to develop or redevelop. Consequently, most of Snohomish County's initial development assumptions for the DMP Area were adjusted to align with the assumptions made in the [Supplemental Environmental Impact Statement](#) prepared for the Downtown Master Plan update.

APPENDIX 3 – LOCATIONAL CRITERIA FOR SITING ZONES

Locational Criteria for Siting New Residential Areas and Residential Development		
	Single Family	Multi-family ¹
Implementing zones; for identification of areas see Figure 2.10.	· Medium Density Single Family Neighborhood Residential (NR-4.5) · High Density Single Family Neighborhood Residential (NR-6.5) · High Density Single Family – Small Lot (R-8) · Whiskey Ridge, High Density Single Family (WR-R-4-8)	· Low Density Multi-family (R-12) · Medium Density Multi-family (R-18) · High Density Multi-family (R-28) · Whiskey Ridge Medium Density Multi-family (WR-R-6-18)
Original parcel criteria:	-	At least three times the prevailing lot size to allow for adequate setbacks, buffers, landscaping, etc..
Access to:	Neighborhood collector street and pedestrian system	Collector or arterial streets and pedestrian system
Provide proximity to:	Parks, public facilities, schools, shopping, transit	
Design and compatibility considerations:	· Compatible adjacent to single family, and some multi-family · Incompatible adjacent to commercial and industrial · Design to complement scale and character of existing single family. · Reinforce or help establish the structure of the planning area.	· Compatible adjacent to multi-family and some single family · Incompatible adjacent to heavy industrial · Design to complement scale and character of existing single family. · Buffer/ separate multi-family from single family, commercial, and industrial uses and zoning. Natural stream and topographic changes are desirable for buffering single family. · In established neighborhoods require multi-family to be at a scale compatible with adjacent structures.

Permitted uses: ²	Low and medium density residential with higher density residential allowed in multi-family zones. ³ Conditional uses include most recreation and cultural uses, and some government/business services, group residences, resource and regional uses.					
Prohibited uses:	Most non-residential uses and parking lots.					
	Zone	Base	Maximum ⁵	Zone	Base	Maximum ⁵
Density: ⁴		4.5	5.4	R-12	12	18
	NR-4.5					
	NR-6.5	6.5	7.8	R-18	18	27
	R-8	8	9.6	R-28	28	36
	WR-R-4-8	4.5	8	WR-R-6-18	6 (single family); 10 (multi-family)	18
Height: ⁶	30 – 35 feet depending on construction type and lot slope			35 feet in R-12 and WR-R-6-18, 45 feet in R-18 and R-28 with further allowances in code for each zone		
Access/Parking	Public or private street, and standard parking code.			Drive aisle, or public or private street, and standard parking code.		

¹ For the standards for Downtown Master Plan’s multi-family zones, please see the Downtown Master Plan. ² Similar uses are allowed as approved by the Director. ³ Low and medium density residential uses include single family residences, duplexes, accessory dwelling units, and middle housing such as triplexes, fourplexes, townhouses, cottages, etc. High density residential uses includes apartments and multi-family residences. ⁴ In all residential zones, alternate density provisions apply when a project uses the Middle Housing Overlay standards which will be adopted by June 2025. ⁵ When residential density incentives are pursued: a 20 percent density increase is allowed for Planned Residential Developments (PRDs) in the NR-4.5, and NR-6.5 and R-8 zones; 8 units per acre is allowed in the WR-R-4-8 zone; and the listed maximum

densities are allowed in the multi-family zones. ⁶In the Downtown Neighborhood, multi-family structures abutting or adjacent to areas identified in the Comprehensive Plan as single family must avoid impacts created by the differing land use districts. In addition, multi-family buildings along the property edges adjacent to single family land use areas identified in the Comprehensive Plan may have no more floors than the adjacent zoning or land use permits. Multi-family structures inside the property or with multi-family properties adjacent to them may be as high as the land use or zoning permit, though they must conform to any other regulations or requirements limiting their height. Outside of the Downtown Neighborhood, multi-family structures abutting or adjacent to single family residences, areas zoned as single family, or identified in the Comprehensive Plan as single family, must reflect the single family character. In addition, multi-family buildings may have no more floors (exclusive of daylight basements) than the adjacent and nearby single family dwellings (up to 2) when single family is the predominate adjacent land use (actual or zoned).

Locational Criteria for Siting New Commercial Areas and Commercial Development				
	Community Business and Community Business – Whiskey Ridge	General Commercial	Mixed Use ¹	Neighborhood Business
Implementing zone; for identification of areas see Figure 2.11.	Community Business (CB) and Community Business-Whiskey Ridge (CB-WR)	General Commercial (GC)	Mixed Use (MU)	Neighborhood Business (NB)
Original parcel criteria:	5 to 20 acres with a 1 ½ to 2 mile service area. Auto-oriented with the ability to complete several errands in a few stops.	5 acres or more with a 2 mile service area. Large, auto-oriented sites rather than pedestrian oriented, and close to the population served.	Not specified. Enable people to live, shop, and possibly work without always being dependent on automobiles.	¼ to 1 ½ acre maximum with a ½ mile radius service area. Pedestrian-oriented; one or two per neighborhood to serve the immediate neighborhood.
Access to:	Arterial streets and intersections.	Arterial streets and intersections and Interstate 5. Good access needed.	Arterial and neighborhood collector streets.	Arterial and neighborhood collectors. Preferably at an intersection.

Provide proximity to:		Light industrial and other non-pedestrian oriented areas.	High vehicular and transit access, and close proximity to services and employment.	Residential areas
Design and compatibility considerations:			Provide ability to buffer from adjacent residential and restrict site expansion. Use enhanced plantings/street trees, special paving and street furniture, appropriate signage, and/or the location of special land uses, buildings, or structures to create a special district.	Development and design must be compatible with the surrounding neighborhood character. Site layout and building design should be of an appropriate scale with the neighborhood, and lighting, access, architecture, landscaping, and signage must be sensitive to adjoining residential uses.
Permitted uses:²	Commercial/retail (e.g. auto/boat sales, motorcycle dealers, grocery, restaurants), hotel/motel, most education, government, health and personal services, offices, repair and service, residential above ground floor commercial ¹ , and some business services. Conditional uses include auto repair and service, mini storage	Commercial/retail (e.g. auto/boat sales, grocery, restaurants), hotel/motel, light industrial/manufacturing (indoors), most government/ business, education, health and personal services, offices, most repair and service, and residential above ground floor commercial. Conditional uses	Commercial/retail (e.g. small food stores, department stores); hotel/motel; most education, government, health and personal services; multi-family residential; offices; restaurants (small) with only one drive-through lane Downtown; and some business services. Conditional uses include agricultural crop sales, bars and taverns, civic/fraternal association, Master Planned Senior	Commercial/retail (e.g. grocery, coffee shops, and restaurants excluding bars and adult entertainment); hotel/motel; limited business services; offices; and some education, government, health and personal services. Conditional uses include residential above ground floor commercial and some regional uses.

¹ Housing is not allowed in the Community Business – Whiskey Ridge zone. In the Lakewood Neighborhood’s CB zone, a horizontal mixed use project may be proposed through a development agreement approved by City Council.

	(very limited areas), most regional uses, and public schools.	include automobile holding yards, mini storage (very limited areas), mobile home/RV dealer, most regional uses, and public schools.	Communities, public schools, and some regional uses.	
Prohibited uses:	Most industrial/manufacturing uses, intensive regional uses (e.g. recycling, transfer station, wastewater), and manufactured home parks.	Commercial schools, heavy equipment and truck repair, industrial (unless light), intensive regional uses (e.g. recycling, transfer station, wastewater), and manufactured home parks.	Automobile holding yard, manufacturing/industrial (except breweries incidental to restaurants and photocopying), mini storage, mobile home/RV dealer, motor vehicle and boat dealers, outdoor storage/sales, repair and service, and single family residential/duplexes.	Industrial/manufacturing (except photocopying), outdoor storage and sales, repair and service (except automotive repair incidental to a gas station), and residential (except above ground floor commercial).
Density:	Minimum: 12 units per acre. Maximum: 27 units per acre with the use of Residential Density Incentives.	Minimum: 12 units per acre. Maximum: none; however, Residential Density Incentives required.	Minimum: None. Maximum: 28 units per acre.	Minimum: none. Maximum: none.
Height:³	55 feet	35 feet	45 feet	25 feet
Access/Parking:	Arterial streets. Standard parking code.	Arterial streets and intersections. Standard parking code.	Arterial and neighborhood collector streets. Standard parking except that reduced parking allowed for the Downtown Neighborhood. Locate parking to side, center or rear of buildings. Provide good shops and wide sidewalks	Arterial streets, preferably at arterial intersections. Standard parking code. Locate parking to side, center or rear of buildings. Provide good pedestrian, bicycle and vehicle access.

			along street. Require joint use parking agreements.	
¹ The Mixed Use zone includes areas with this zoning designation located within the boundaries of the East Sunnyside – Whiskey Ridge Subarea Plan. ² Similar uses are allowed as approved by the director. ³ Further height allowances are in code.				

Locational Criteria for Siting New Industrial Areas and Industrial Development					
	General Industrial	Light Industrial	Light Industrial with General Commercial Overlay	Public Institutional	Recreation
Implementing zone; for identification of areas see Figure 2.12.	General Industrial (GI)	Light Industrial (LI)	Light Industrial with General Commercial Overlay (LI-GC)	Public-Institutional (P-I)	Recreation (Rec)
Original parcel criteria:	Flat land in large parcels.	Flat land in large parcels.	Flat land in large parcels; generally over 5 acre sites.	Flat land large enough to accommodate the public-institutional use.	Varies depending on the nature of the recreation use; however, flat sites preferred.
Access to:	Highway and major arterial access. Rail access and proximity to air transportation.	Highway and major arterial access. Rail access and proximity to air transportation.	Highway and major arterial access. Arterial streets and intersections. Rail access	Arterial access preferred.	Arterial access preferred.

			and proximity to air transportation.		
Design and compatibility considerations	- Industrial developments adjacent to wetlands, creek corridors, or steep slopes should be low intensity to minimize critical area impacts. - Encourage master planning of larger sites. - Protect industrial lands from encroachment from incompatible uses. - Ensure adequate buffering between industrial and residential uses through appropriate zoning, architecture, and site design.				
Permitted uses: ¹	Manufacturing; most government/business and personal services; most regional land uses; park/recreation; some recreation and cultural, retail/wholesale; resource land uses; and restaurants. Conditional uses include some manufacturing and regional land uses.	Hotel/motel ² manufacturing; most government/business and personal services; most regional and resource land uses; some education, retail/wholesale; offices; restaurants (small); and some recreation and cultural uses. Conditional uses include automobile wrecking yards, and some manufacturing and regional land uses.	Health services; hotel/motel; manufacturing; most government/business and personal services, and retail/wholesale; most regional land uses; some education; resource land uses; offices; restaurants; some recreational/cultural uses. Conditional uses include automobile wrecking yards, and some manufacturing and regional land uses.	Business services; health services; most education services and government services; some personal services; most regional land uses; and most recreation and cultural uses. Conditional uses include some regional land uses	Most recreation and cultural uses. Conditional uses include some resource land uses.
Prohibited uses:	Health services, residential, and some retail.	Health services, residential (except some group residences), and some retail.	Residential (except some group residences).	Manufacturing; residential (except group residences),	Business, education, health, and government services;

² Hotels/motels are prohibited within Arlington Airport Inner Safety Zones (ISZ) 2, 3, and 4. Hotels/motels that are proposed to locate within Arlington Airport Protection Subdistricts B and C shall be required to coordinate with the Arlington Municipal Airport to ensure that height, glare, and other aspects of the hotels/motels are compatible with air traffic and airport operations.

				resource land uses, restaurants; and retail/wholesale.	manufacturing; regional land uses; personal services; residential, restaurants unless incidental to a recreation use; and retail/wholesale.
Height:²	65 feet	65 feet	65 feet	45 feet	35 feet
Access/Parking:	Standard parking				

¹Similar uses are allowed as approved by the director. ²With further allowances in code.



September 15, 2025

Mayor Jon Nehring
Principal Planner
581 Delta Ave.
Marysville, WA 98270

RE: Middle Housing Ordinance Comment Letter

Dear Mayor Jon Nehring,

The Master Builders Association of King and Snohomish Counties (MBAKS) takes pride in building communities. Our nearly 2,500 members are professional homebuilders, architects, remodelers, trades people, planners and engineers, suppliers, manufacturers, and sales and marketing professionals in your community.

MBAKS would like to thank the city of Marysville and the Planning Commission for this opportunity to share its views. We recognize all parties have dedicated significant time and effort in producing the Middle Housing ordinance to date. MBAKS, however, has some remaining concerns with the proposal as outlined below.

Introduction

As you may know, MBAKS staff and interested members, as well as Marysville City Staff, discussed the issues during our regular quarterly meeting on September 10th. Prior to that we met on both August 12th and September 4th in Marysville. MBAKS and City Staff were able to agree that issues should be sent on to the you and council as part of public comments in advance of the October public hearing. MBAKS is requesting the city of Marysville evaluate the comments below and consider the changes outlined in this letter.

Middle Housing Ordinance

Under this Middle Housing ordinance proposal, minimum lot sizes have been increased to 5000 sq feet from 4000 sq ft. for single family dwelling or middle housing. Smaller lot sizes help a jurisdiction achieve the highest and best use for the property. Increasing minimum lot sizes has the negative unintended consequence of raising housing prices, since fewer homes can be constructed on the underlying parcel. Finally, reducing the lot size is more in line with other jurisdictions under GMA. Marysville has indicated that its forecasts show it will fall short of the housing numbers it has been allocated to accommodate for by 2040. This policy change will make this goal even farther out of reach.



In addition, Marysville is considering a 50-foot lot width. MBAKS is asking for consideration of a 40-foot lot width. Again, a narrower width would allow the city to achieve the highest and best use for its limited land. In addition, the number of units allowed remains the same per acre. The narrower lot width also creates an environment where the housing goals adopted by Marysville under GMA can more likely be achieved.

Next, Members have expressed concern about the small lot development standards to all houses and all plans. Many projects operated under the old rules and plans are not easily altered and often only a great expense. Would the city consider some relief?

Next, it is our understanding that mid cycle the city has begun enforcing 20-foot stall depth for garages. Previously our members have been building homes with 19.5-foot stalls. The members relied on this standard as they considered the layout of new developments and as they developed specific house plans for particular projects. Many of our members have developed and received approval for “basics” for their current projects. The change has caused and will cause delays and potential cancellations of projects. At the very least, it has delayed the delivery of much needed housing to Marysville.

Therefore, as a solution would the city consider accepting plans with 19.5-foot garage stall depths and imposition of the small lot development stands until the adoption of the next building code update? This would allow current projects to finish under the old rules and give notice to all the parties far enough in advance that changes could be made for new projects. At the very least, please give assurance that any vested project will still be evaluated under the 19.5-foot standard and the small lot standards will not apply.

Thank you again for allowing us to comment on these important issues. Please let me know if you have any questions.

Sincerely,

Russell Joe

Russell Joe
Snohomish County Government Affairs Manager

Everyone deserves a place to call home.

CC: Marysville City Council
Angela Gemmer, Principal Planner



COMMUNITY DEVELOPMENT DEPARTMENT
501 Delta Avenue ♦ Marysville, WA 98270 ♦ (360) 363-8100

October 2, 2025

Russell Joe
Snohomish County Government Affairs Manager
335 116th Avenue SE
Bellevue, WA 98004

Re: MBA Concerns re. Middle Housing Final Regulations

Dear Russell,

Thank you for providing comments on the proposed Middle Housing final regulations and for sharing your concerns regarding certain aspects of the proposed regulations. This letter aims to provide clarification and address the concerns that you raise on behalf of your members.

Increased Lot Size

MBA Concern: Minimum lot sizes have been increased to 5,000 square feet from 4,000 square feet for single family and Middle Housing which increases housing costs and will result in a capacity shortfall.

Staff Response: The City's four single family residential zones (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8) are proposed to be consolidated into two zones: the Neighborhood Residential 4.5 (NR-4.5 formerly R-4.5) and Neighborhood Residential 6.5 (NR-6.5 formerly R-6.5).¹ With this proposal, the R-8 and WR-R-4-8 zones would be consolidated with the NR-6.5 zone. With the 2021 Downtown Master Plan update, most of the R-8 zoning within the City was eliminated. Currently there are only two areas of undeveloped R-8 land: 7.6 acres in the Lakewood Neighborhood and the Marysville School District/LDS Church properties at the northwest corner of Highway 9 and 84th Street, which were not assigned land capacity by Snohomish County but were assigned land capacity by the City. The objective of the zone consolidation is to streamline the code and provide clarity, with minimal impacts to land capacity. The proposed NR-4.5 and NR-6.5 zones would retain all existing dimensional standards. The current lot size is 5,000 square feet for both zones and is proposed to remain at 5,000 square feet. The lot width for the NR-4.5 and NR-6.5 zones are currently 60 and 50 feet respectively and also not proposed to be amended.

Accompanying this change, language is proposed to be added to both MMC 22C.010.080-090 and 22E.010.360 to retain some of the functions the R-8 zone affords. Specifically, when single family and duplexes are constructed in multi-family zones, the lot size (i.e. 4,000 square feet), building coverage, impervious coverage, and setback allowances for the R-8 zone are used. The ability to use the R-8 standards was inadvertently removed in the Interim Ordinance and will be built back into MMC 22C.010.080-090. Similarly, when there are critical areas on a site, the density in the buffer area can be transferred to the non-encumbered portion of the site. In those instances, the dimensional allowances for the R-8 zone will be built back into the code to afford flexibility in those circumstances.

¹ The name change is proposed to reflect that Middle Housing is now allowed in historically single-family residential zones.

Per prior discussions with MBA and other development interests, I understand that there is a desire for the dimensional standards in the proposed NR-4.5 and NR-6.5 zones to be reassessed and potentially amended to align more closely with the standards in other Snohomish County jurisdictions. Staff have conducted some preliminary research on other jurisdictions' dimensional standards. If provided this policy direction, staff is open to evaluating lot sizes and widths more closely to determine whether amendments are merited.

Small Lot Design Standards

MBA Concern: Members have expressed concern about the small lot design standards applying to all homes. Many projects were approved under the prior rules and it is not easy to alter them and is done at great expense.

Staff Response: The City's "small lot design standards" were repurposed to apply to both single family and Middle Housing, and the standards are believed to appropriately address design aspects of these housing types. The square footage threshold for applying the design standards is proposed to be removed to keep with the intent of House Bill 1110, which requires that cities "not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences." Since it is desirable for all Middle Housing to meet design requirements regardless of lot size, the lot size cap was also removed from single family to ensure that our standards are not more restrictive for Middle Housing.

We appreciate the concerns raised regarding the cost and difficulty of amending plans and will be sending out a policy very soon that aims to address these concerns. This policy is proposed as follows:

- 1) Basic plans which were reviewed under the prior small lot design standards, and which have been built in a plat/project may continue to be built for the rest of the plat/project.
- 2) Basic plans which were not reviewed for small lot design standards will be reviewed for compliance with the standards in MMC 22C.010.310. The code affords discretion on different aspects of design and staff will review for compliance with the overall intent of code and endeavor to work with the applicant on reasonable design solutions within the parameters of code.
- 3) When a basic plan is proposed to be built in a plat/project where it was not previously been built, compliance with MMC 22C.010.310 will need to be met; however, the review fee for compliance with MMC 22C.010.310 changes will be reduced to \$300, which is the minimum needed to cover staff review.

On most design elements, the code offers discretion, and staff will work with applicants to provide suggestions to meet the intent of the design standards minimizing the need for structural changes where possible.

Garage Parking

Concern: Members have expressed concern about the enforcement of a 20 foot stall depth for garages. Previously members have been building homes with a 19 ½ foot stall depth. Requiring basic plans to be amended causes delays and cancellations of projects. Can this code change be delayed until the next building code update?

Staff Response: MMC 22C.130.050, Table 2 requires single family and townhouse parking spaces to be 8 feet wide by 20 feet deep. Considering recent State legislative changes, the in-garage parking space dimensions have been reviewed more closely over the past couple of years. The intent of the amendment which requires that in-garage parking space meets the 8 x 20 dimension and be free of obstructions is to ensure that the code requirements for parking are met, and that a parking space is fully usable for residents (e.g. free of a water heater within the designated parking area). We appreciate the concerns raised, and intend to provide the following policy direction to applicants:

- 1) Basic plans which have a garage that does not strictly meet the new garage code provision in MMC 22C.130.050, Table 2, Note 1 but were approved prior to the code change, and which have been built in a plat/project may continue to be built for the rest of the plat/project.
- 2) MMC 22C.130.050 Table 2, Note 1 is proposed to be amended in the final regulations to offer more alternatives. The proposed amendment reads as follows (amended language is underlined):
“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.). Exception: where the required parking can be met with surface (outside) parking spaces, or when it can be demonstrated with a CAD detail that the garage allows for the parking of a standard consumer vehicle and enables the garage doors to open and close, the dimensional requirements in Table 1 for in-garage parking may be modified.”
- 3) When a basic plan is proposed to be built in a plat/project where it was not previously built, compliance with the amended MMC 22C.130.050 above will need to be met; however, the review fee for any amendments to comply with MMC 22C.130.050 will be limited to \$300 to cover staff time. Note: if changes to the architectural design and the garage are both needed, the total fee for the overall review will still only be \$300.
- 4) We anticipate proposing that the code be amended to simply require a 20-foot garage parking space depth when the next building code cycle occurs, which is anticipated to be July 1, 2027. This will also generally coincide with implementation of other recent State parking legislation, which are expected to result in the parking allowances for various use categories being reduced.

We hope that the proposed clarifications and solutions above address the concerns raised by your members. We thank you for taking the time to bring these concerns to our attention. If you have any questions or further comments, please do not hesitate to contact me at agemmer@marysvillewa.gov or 360.363.8240.

Sincerely,

Angela Gemmer

Angela Gemmer
Planning Manager

ecc: Mayor Jon Nehring
Jennifer Stapleton, City Administrator/Interim CD Director
Jeffrey Wilson



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Discussion Item

AGENDA SECTION: **New Business**

SUBJECT: An **Ordinance** Relating to Middle Housing Final Municipal Code Regulations

SUGGESTED ACTION: Recommended Motion: I move to adopt Ordinance No. _____.

SUMMARY: Washington State's [House Bill \(HB\) 1110](#), which was adopted in July 2023, requires that cities allow Middle Housing in areas traditionally dedicated to single family detached housing. HB 1110 requires that cities allow six of the nine Middle Housing types provided in State law, and two Middle Housing dwelling units on all lots primarily designated for residential and up to four Middle Housing dwelling units on lots when one dedicated affordable housing unit is provided or there is proximity to a major transit stop (i.e. future Community Transit SWIFT stations).

City Council adopted [Ordinance 3352](#) on June 23, 2025, to establish interim regulations, allow for public participation, and avoid defaulting to the State's Middle Housing Model Ordinance. **With the final Middle Housing regulations two ordinances are proposed: the first is included with this agenda bill and addresses amendments to the Comprehensive Plan which were not addressed in the interim ordinance. The second is part of the next agenda bill and addresses Marysville Municipal Code amendments which are substantially similar to the interim ordinance, with changes noted with redlines.**

The final regulations address the following additional policy matters:

- **Single Family Zone Consolidation.** The City's four

single family residential zones (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8) are proposed to be consolidated into two zones: the Neighborhood Residential 4.5 (NR-4.5 formerly R-4.5) and Neighborhood Residential 6.5 (NR-6.5 formerly R-6.5). With this proposal, the R-8 and WR-R-4-8 zones would be consolidated with the NR-6.5 zone. The objective is to streamline the code and provide clarity, with minimal impacts to land capacity. It should also be noted that amendments to the Comprehensive Plan map is also proposed to be amended to have mobile home parks with the Residential Mobile Home Park (R-MHP) designation on the Zoning Map have the same R-MHP land use designation on the Comprehensive Plan Map. Accompanying this change, amendments are proposed to MMC 22C.010.080-090 and 22E.010.360 to retain some of the flexibility the R-8 zone afforded.

- **Middle Housing Exemption Areas.** The following area with significant access and/or rail constraints is proposed to be exempted from Middle Housing: south of 108th Street NE, west of the Burlington Northern Santa Fe Railroad, north of 90th Street NE, and east of 35th Avenue NE. Duplexes (a Middle Housing type) and Planned Residential Development are also proposed to be limited in this area until access/rail constraints are remedied. Language was crafted indicating that the Middle Housing exemption and duplex/PRD prohibition will be lifted when adequate secondary access is provided.
- **Preserving Land Capacity in the Multi-family Zones.** Minimum densities of 8 dwelling units (du)/acre in the R-12 and WR-R-6-18 zones, and 10 du/acre in the R-18 and R-28 zones are proposed to encourage the preservation of land capacity.
- **Density for Master Planned Senior Communities.** Master Planned Senior Communities will have moderately incentivized density with 10 units per acre allowed in the NR-4.5 zone and 12 units per acre allowed in the NR-6.5 zone. The Conditional Use Permit requirement was also removed for MPSC in the multi-family zones.
- **Height for Single Family and Duplex Development in Multi-family Zones.** The height allowance for single family and duplexes in multi-family zones is proposed to be increased from 30 to 35 feet with provisions requiring that either an increased setback or a step-down in height be provided along single-family residential property lines.

Various supporting Comprehensive Plan Amendments (see **Exhibit 3** in the prior agenda item) are proposed to support the development regulation amendments. These amendments

primarily consist of:

- Updating maps and text to reflect the consolidation of the single family residential zones;
- Updating maps to show the Residential Mobile Home Park (R-MHP) zone on the Comprehensive Plan maps; and
- Updating the various appendices to reflect the consolidation of the single-family residential zones.

At the Public Hearing on August 12th, Planning Commission recommended approval of the proposed Middle Housing regulations and associated Comprehensive Plan amendments for adoption by Ordinance. Again, since the Middle Housing code amendments are substantially similar to the interim ordinance while the Middle Housing Comprehensive Plan amendments were not part of the interim regulations, two separate ordinances are proposed for clarity. The first ordinance pertaining to Comprehensive Plan amendments is part of this agenda bill, and the second ordinance pertaining to development regulations is part of the following agenda bill.

At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the Middle Housing regulations via Ordinance.

ATTACHMENTS:

[Memo and Exhibits 1 and 2 - Middle Housing Amendments](#)

[Exhibit 4 - Ordinance Middle Housing regulations \(see prior agenda item for Exhibit 3\).pdf](#)

[Exhibit 5 - MBA Middle Housing Letter](#)

[Exhibit 6 - Letter to MBA re. Middle Housing regs.](#)

MEMORANDUM

DATE: October 27, 2025

TO: City Council

FROM: Angela Gemmer, Planning Manager

SUBJECT: Middle Housing Final Regulations

ECC: Jennifer Stapleton, City Administrator/Interim CD Director

Exhibit 1 Summary of amendments

Exhibit 2 [Planning Commission minutes](#) – March 25th, April 8th, June 24th, July 8th, and August 12th

Exhibit 3 Ordinance – Middle Housing Comprehensive Plan Amendments (*included with first Middle Housing agenda item*)

Exhibit 4 Ordinance – Middle Housing Marysville Municipal Code Amendments (*included with second Middle Housing agenda item*)

Exhibit 5 Letter from MBA re Middle Housing concerns

Exhibit 6 Letter from City to MBA re Middle Housing concerns

Introduction

Throughout much of 2025, Planning Commission has been working with staff on regulations to address Washington State’s [House Bill \(HB\) 1110](#), which was adopted in July 2023 and is commonly referred to as the Middle Housing bill. This State law requires that cities allow Middle Housing¹ in areas traditionally dedicated to single family detached housing. HB 1110 requires that cities allow six of the nine Middle Housing types provided in the State law. The community and Planning Commission’s selected Middle Housing types include duplexes, triplexes, fourplexes, townhouses, cottage housing, and courtyard apartments. The City must also allow densities as detailed in the table below along with reduced parking requirements.

Lot circumstances	Unit Density
Residentially zoned lot	Two (2)
Residentially zoned lot located within ¼ mile walking distance to a major transit stop OR when one (1) dwelling unit is dedicated affordable housing	Four (4)

HB 1110 established a deadline of June 30, 2025 to adopt Middle Housing standards, or jurisdictions would default to the State’s Model Ordinance, which contained provisions that would not have aligned

¹ [Middle housing](#) is a range of housing types that include two or more attached, stacked, or clustered homes that are compatible in scale and form with detached single-family homes and neighborhoods. Middle Housing consists of a variety of housing types that are in between the size and number of dwelling units for single-family residences and apartments as shown in the image below.

with the community's vision. Consequently, City Council adopted [Ordinance 3352](#) to establish interim regulations to allow for more opportunities for public participation and for the Planning Commission to more closely consider the final regulations.

With the final Middle Housing regulations, two ordinances are proposed. The first is included with the first Middle Housing agenda item and addresses amendments to the Comprehensive Plan which were not addressed in the interim ordinance. The second is included with the second Middle Housing agenda item and includes Marysville Municipal Code amendments which are substantially similar to the interim ordinance, with changes noted with redlines.

The final regulations address the following additional policy matters:

- **Single Family Zone Consolidation.** The City's four single family residential zones (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8) are proposed to be consolidated into two zones: the Neighborhood Residential 4.5 (NR-4.5 formerly R-4.5) and Neighborhood Residential 6.5 (NR-6.5 formerly R-6.5).² With this proposal, the R-8 and WR-R-4-8 zones would be consolidated with the NR-6.5 zone. The objective is to streamline the code and provide clarity, with minimal impacts to land capacity.

These proposed land use and zoning designation changes are reflected in the proposed Comprehensive Plan and Zoning Maps which are included with **Exhibit 3**. It should also be noted that amendments to the Comprehensive Plan map are also proposed to reflect the Northpointe MV2 UGA Expansion (as described in the prior agenda item) and to have mobile home parks with the Residential Mobile Home Park (R-MHP) designation on the Zoning Map have the same R-MHP land use designation on the Comprehensive Plan Map.

Accompanying this change, language is proposed to be added to both MMC 22C.010.080-090 and 22E.010.360 to retain some of the functions the R-8 zone affords. Specifically, when single family and duplexes are constructed in the multi-family zones, the building coverage, impervious coverage, and setback allowances for the R-8 zone are used; the ability to use the R-8 standards was inadvertently removed in the Interim Ordinance and is built back into MMC 22C.010.080-090 (see **Exhibit RR** of **Exhibit 4**). Similarly, when there are critical areas on a site, the density in the buffer area can be transferred to the non-encumbered portion of the site. In those instances, the R-8 dimensional standards are used (see **Exhibit VVVV** of **Exhibit 4** for suggested changes).

- **Middle Housing Exemption Areas.** HB 1110 allows up to 25 percent of areas subject to the Middle Housing regulations to be exempted from the requirements of the statute. City Council supported pursuing an exemption and provided direction that areas with access and rail constraints, and potentially areas with inadequate parking should be exempted. Planning Commission provided direction that the Middle Housing exemption should apply to the neighborhoods with significant access and/or rail constraints 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. Support was also expressed for prohibiting duplexes (a type of Middle Housing) and Planned Residential Development in the designated areas until access/rail constraints are remedied. Consistent with Planning Commission's direction, language was crafted indicating that the Middle Housing exemption and duplex/PRD prohibition will be lifted when adequate secondary access is provided. **Exhibit OO** to **Exhibit 4** reflects these recommendations.

- **Preserving Land Capacity in the Multi-family Zones.** City Council expressed some support for prohibiting single-family in the two highest density residential zones; however, some concerns were also expressed. Given this, Planning Commission instead recommended establishing minimum densities in multi-family zones to preserve land capacity. Modest minimum densities of 8 dwelling units (du)/acre in the R-12 and WR-R-6-18 zones, and 10 du/acre in the R-18 and R-28 zones are proposed.

² The name change is proposed to reflect that Middle Housing is now allowed in historically single-family residential zones.

- **Density for Master Planned Senior Communities.** Per discussion with City Council and Planning Commission, Master Planned Senior Communities will have moderately incentivized density with 10 units per acre allowed in the NR-4.5 zone and 12 units per acre allowed in the NR-6.5 zone. The Conditional Use Permit requirement was also removed for MPSC in the multi-family zones. **See Exhibit JJJJ to Exhibit 4.**
- **Height for Single Family and Duplex Development in Multi-family Zones.** Currently single family detached residences and duplexes in the multi-family zones are subject to a 30-foot height limit, while multi-family and townhouses in the R-12 and WR-R-6-18 zones are subject to a 35-foot height limit and in the R-18 and R-28 zones are subject to a 45-foot height limit. Staff provided an option to increase the height allowance to 35 feet for single family and duplexes in multi-family zones, which was supported by Planning Commission. Support was also expressed for provisions requiring that either an increased setback or a step-down in height be provided along single-family residential property lines (see **Exhibit RR to Exhibit 4**).

The attached proposed final Middle Housing regulations **Exhibit 4**) reflect each of the key policy matters listed above along with various associated changes to the Marysville Municipal Code. These changes are summarized in **Exhibit 1**.

Associated Comprehensive Plan Amendments

Various supporting Comprehensive Plan Amendments are proposed to support the development regulation amendments. These amendments are set forth in **Exhibit 3** and primarily consist of:

- Updating maps and text to reflect the consolidation of the single family residential zones;
- Updating maps to show the Residential Mobile Home Park (R-MHP) zone on the Comprehensive Plan maps; and
- Updating the various appendices to reflect the consolidation of the single family residential zones.

Master Builders Association Concerns

On September 15th, the Master Builders Association of King and Snohomish Counties (MBA) provided a letter detailing some additional remaining concerns regarding the proposed Middle Housing ordinance (**Exhibit 5**). A letter from City staff responding to the MBA's concerns is attached as **Exhibit 6**.

Conclusion

At the Public Hearing on August 12th, Planning Commission recommended approval of the proposed Middle Housing regulations and associated Comprehensive Plan amendments for adoption by Ordinance. Again, since the Middle Housing code amendments are substantially similar to the interim ordinance while the Middle Housing Comprehensive Plan amendments were not part of the interim regulations, two separate ordinances are proposed for clarity. The Comprehensive Plan amendments are part of the first agenda bill and the development regulations are part of the second agenda bill.

At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the Middle Housing Comprehensive Plan amendments and development regulation amendments by Ordinance.

Exhibit 1

Middle Housing Ordinance Summary		
Exhibit	Marysville Municipal Code	General Description of Proposed Change(s)
A	<u>5.70.270, Discounts</u>	Add a reference to Middle Housing in the discounts section of the cable system regulations.
B	<u>12.02A.090, Frontage improvements required</u>	Amend the frontage improvement code to address requirements for Middle Housing, Unit Lot Subdivisions, and accessory dwelling units.
C	<u>14.01.050, Sewer connection required</u>	Amend to indicate that unit lot subdivisions require sewer connection.
D	<u>14.01.055, Water connection required</u>	Amend to indicate that unit lot subdivisions require water connection.
E	<u>14.03.040 Water meters</u>	Amend to require that accessory dwelling units and Middle Housing provide individual water connections, and that townhouses may have a master meter. The Public Works Water and Sewer Divisions have indicated that with the ability to rent out all accessory dwelling units and Middle Housing and individually sell accessory dwelling units and Middle Housing units, individual connections will be easier to administer for billing purposes along with long-term repair and maintenance needs. An exception to the individual utility connection requirement is proposed for existing structures if it is impracticable to provide separate utility connections as determined by the Building Official. If Unit Lot Subdivision is subsequently proposed, then individual utility connections will then be required.
F	<u>14.03.090, Utility connections to unoccupied properties prohibited and/or forfeited</u>	Amend to indicate that utility connections shall not be sold and water meters shall not be installed until final short plat and final unit lot subdivision approval (which is the expectation for other development types).
G	<u>14.07.010, Capital improvement charges</u>	Amend the capital improvement charges fee schedule to eliminate rates that are no longer in effect, provide a rate for accessory dwelling units that are not in city limits, and indicate that residential connections also include single family, Middle Housing, and townhouse units. Lastly indicate that accessory dwelling units with a separate water meter shall pay a separate utility bill unless an exemption has been granted for a consolidated connection to be provided. Note: these are interim fixes while the utility rate study is pending.
H	<u>14.07.060, Water rates</u>	Add a definition for Middle Housing and amend the definition for multiple residential units. Add accessory dwelling units and Middle Housing to the sewer rate schedule.
I	<u>14.07.070, Sewer rates</u>	Add a definition for Middle Housing and amend the definition for multiple residential units. Add accessory dwelling units and Middle Housing to the water rate schedule.
J	<u>14.15.020, Definitions</u>	In the stormwater code, the definition of Planned Residential Development is amended to reference

		Chapter 22G.080 MMC, Planned Residential Developments.
K	14.18.080, Payment of drainage assessments	Amend the reference to planned unit development to planned residential development and add unit lot subdivisions as a development type subject to drainage assessments.
L & M	14.19.030, Definitions and 14.19.040, Surface water utility fund	The terms 'nonresidential' and 'residential' are proposed to be amended to 'all other property types' and 'single family residential' respectively to align with the terms used in 14.19.040 (Exhibit M , which is included for reference only).
N	14.32.050, Administrative procedure	The provisions pertaining to administrative procedures in the Utility Service Planning Area code (Chapter 14.32) are proposed to be amended to include unit lot subdivisions.
O	22A.010.090, Administration and review authority	This section references the various administrative approvals that are under the authority of the Community Development Director. 22A.010.090 includes references to code sections in Title 22G which cover these same project types; therefore, overlapping references in 22A.010.090 are proposed to be omitted and instead the code is proposed to reference these project types in 22G.010.150 and 22G.010.160 .
P	22A.020.020, "A" definitions	A definition for 'administrative design review' is proposed to be added to Chapter 22A.020, Definitions .
Q	22A.020.020, "A" definitions	A definition for 'all lots zoned predominantly for residential use' is proposed to be added to Chapter 22A.020, Definitions .
R	22A.020.040, "C" definitions	The definition 'cottage housing developments' will be amended to align with the State's definition of 'cottage housing'; however, a few clarifications were added to the State's definition to reflect Marysville's code requirements.
S	22A.020.040, "C" definitions	The State's definition of 'courtyard apartments' will be added to code.
T	22A.020.050, "D" definitions	The definition of 'development' is amended to include unit lot subdivisions.
U	22A.020.050, "D" definitions	A definition for 'development regulations' added to code.
V	22A.020.050, "D" definitions	A definition for 'development standards' added to code.
W	22A.020.050, "D" definitions	The definition for 'duplex' is amended to indicate that the common wall between duplexes must be integral to the architecture.
X	22A.020.090, "H" definitions	The definition of 'housing, missing middle' is repealed as it was replaced by a new definition 'middle housing' that aligns with State law.
Y	22A.020.130, "L" definitions	A definition for 'lot, parent' is added to address parent lots in unit lot subdivisions.
Z	22A.020.130, "L" definitions	A definition for 'lot, unit' is added to address unit lots in unit lot subdivisions.

AA	22A.020.140, "M" definitions	The definition of 'major transit stop' is amended to align with the definition in State law.
BB	22A.020.140, "M" definitions	A new definition for 'middle housing' is added to reflect changes in State law.
CC	22A.020.140, "M" definitions	The definition of 'multifamily dwelling unit' is amended to indicate that it does not include Middle Housing or townhouses.
DD	22A.020.200, "S" definitions	A definition for 'single-family zones' is added to the code.
EE	22A.020.200, "S" definitions	A definition for 'stacked flat' is added to the code. It should be noted that stacked flats are not a proposed Middle Housing type.
FF	22A.020.210, "T" definitions	A definition for 'Tier 1' City is added. Tier 1 refers to the city size where the maximum Middle Housing allowances of HB 1110 apply. Marysville is expected to become a Tier 1 City in 2030.
GG	22A.020.210, "T" definitions	A definition for 'Tier 2' City is added. Tier 2 refers to the city size where 2 units are allowed on residential lots and 4 units are allowed on residential lots that are within ¼ mile of a major transit stop or have a dedicated affordable housing unit. Marysville is currently a Tier 2 City.
HH	22A.020.210, "T" definitions	The definition for townhouse is amended to clarify when a townhouse is considered Middle Housing and when it is not.
II	22A.020.220, "U" definitions	A definition for 'unit density' is added to address the allowed density for Middle Housing.
JJ	22A.020.220, "U" definitions	A definition for 'unit lot subdivision' is added.
KK	22A.030.020, Zones and map designations established	An amendment is proposed to indicate that the base density for 'NR' and 'R' zones reflects lots per acre in addition to dwelling units per acre. The Neighborhood Residential zone has been added to code.
LL	22A.030.050, Residential zones	An amendment is proposed to add references to both the Whiskey Ridge residential zones and Middle Housing to the residential zones summary. The Neighborhood Residential zone has been added to code.
MM	22C.010.030, Characteristics of residential zones	The residential zone descriptions are proposed to be amended to add Middle Housing and townhomes to the zone descriptions, amend the density description to reference both lots and units, and to separate duplex density references which are no longer valid. Renaming of the R-4.5 and R-6.5 zones to Neighborhood Residential 4.5 and 6.5 is also proposed along with the elimination of the WR-R-4-8 and R-8 zones.
NN	22C.010.060, Permitted uses	The residential permitted uses matrices are amended to: Rename the R-4.5 and R-6.5 zones as NR-4.5 and NR-6.5 and omit the WR-R-4-8 and R-8 zones. Remove the Conditional Use Permit (CUP) requirement from cottage housing;

		- Remove the CUP requirement for most senior citizen-oriented housing options in multi-family zones; - Remove single family detached from the permitted uses in the City's highest density multi-family zones (R-18 and R-28) to ensure that land capacity is preserved; and - Add Middle Housing as a permitted use.
OO	22C.010.070, Permitted uses – Development conditions	The residential permitted uses development conditions are amended to: - Add new requirements for accessory dwelling units that align with HB 1337. - Indicate what Middle Housing is, when it is allowed, and when it is not allowed. - The R-4.5 Single family, Medium Density area generally located north of 88th Street, west of State Avenue, south of 108th Street NE, and east of Interstate 5 is proposed to be exempted from Middle Housing due to the single point of ingress/egress and/or rail constraints for these areas. A provision has been added lifting this restriction when alternate access is provided. Due to safety concerns, a restriction on duplexes (a Middle Housing type) and Planned Residential Developments is also proposed to be added. - Remove the alternate density and lot size expectations for duplexes. - Indicate that townhouses are only allowed in Planned Residential Developments subject to the underlying zone, or subject to the Middle Housing allowances. - Allow signage for home occupations in Middle Housing units.
PP	22C.010.075, Adaptive reuse of nonresidential buildings in residential zones	Eliminate the allowance for one additional dwelling unit above the base density for adaptive reuse of nonresidential buildings in residential zones.
QQ	22C.010.080, Densities and dimensions	The residential density and dimension provisions are amended to: - Indicate that base density applies to dwelling units per lot and dwelling units per acre. - Provides for the maximum density allowance for residential zones and express in terms of dwelling units per lot and dwelling units per acre. Amend the R-4.5 and R-6.5 zones to NR-4.5 and NR-6.5, and eliminate the R-8 and WR-R-4-8 zones. - Omit the minimum lot size for duplexes since HB 1110 requires that the lots be treated equivalent to single family lots. A minimum density of 8 du/acre is proposed for the R-12 and R-18 zones, and 10 du/acre is proposed for the R-28 and WR-R-6-18 zones.

RR	22C.010.090, Densities and dimensions – Development conditions	The residential density and dimension development conditions amendments include, but are not limited to: - Clarifying the maximum density allowances. - Adding an exception for the general density requirements for accessory dwelling units and Middle Housing. For Middle Housing, the number of lots per acre will be the same as for single family; however, there will be a dwelling unit per acre/lot exemption consistent with HB 1110. Additional provisions pertaining to Middle Housing are also included. Renaming of the R-4.5 and R-6.5 zones as NR-4.5 and NR-6.5, and elimination of the R-8 zone. Updating of unnecessary reference to zero lot line and townhome development, and an updated reference to the Downtown Neighborhood. Build in the dimensional flexibility of the R-8 zone for single family and duplexes in the multi-family zones, and allow for an increased height of 35 feet for single family and duplexes in multi-family zones. Allow for an exception to the minimum densities set forth in Exhibit QQ when the sit circumstances warrant or when only a single home is proposed to be built.
SS	22C.010.110, Calculations – Allowable dwelling units	The calculation of allowable dwelling units section is amended to clarify that the standards apply to dwelling units or lots. The various steps for calculating density are more explicitly laid out. The dwelling unit exemption for Middle Housing, and the exemption from the calculation for existing lots are provided.
TT	22C.010.120, Calculations – Site area used for density calculations	Amend to indicate that critical areas and buffers need to be placed in a tract or easement for permanent protection.
UU	22C.010.130, Lot area – Prohibited reduction	An exception is provided for lots created under the Unit Lot Subdivision provisions.
VV	22C.010.140, Minimum lot area for construction	Amend to include Middle Housing as being allowed on nonconforming residential lots. Clarify bulk and dimensional expectations.
WW	22C.010.170, Setbacks – From regional utility corridors	Minor grammatical change.
XX	22C.010.190, Setbacks – From alleys	Amend an outdated reference to Downtown.
YY	22C.010.200, Setbacks – Adjoining half-street, designated arterial, or temporary cul-de-sac	Amend to have the garage setback abutting temporary cul-de-sacs be measured from the temporary cul-de-sac as constructed; the setbacks will revert to the property line when the temporary cul-de-sac is removed.
ZZ	22C.010.210, Setbacks – Projections allowed	Allow uncovered ramps to project into side or rear setbacks similar to uncovered stairs.
AAA	22C.010.220, Height – Exceptions to limit	Amend the height limit exception for flagpoles to include Middle Housing.

BBB	22C.010.255, Residential design requirements – Purpose	Amend the residential design purpose statement to include all single family along with Middle Housing and townhouses.
CCC	22C.010.260, Residential design requirements – Applicability and interpretations	Amend the residential design requirements applicability requirements to include Middle Housing and to reference the NR-4.5 and NR-6.5 zones and omit the reference to the R-8 zone.
DDD	22C.010.270, Zero lot line development	Amend to omit the reference to PRD overlay zone and add binding site plans to the zero lot line code.
EEE	22C.010.280, Cottage housing developments	The cottage housing code is amended to include various amendments to this code including, but not limited to: · Amending the various unique areas where cottage housing is allowed to instead simply indicate that cottage housing is allowed in residential zones; · Allow for cottage housing to be divided using the ULS provisions and remove the 20 unit ULS cap from the interim ordinance; · Add a minimum lot size or square footage allocation for individual cottages; · Eliminate the building coverage limitation as the cottage size limitation and impervious coverage limitation combined adequately address the size of cottages; · Provide a clarification for how floor area should be calculated; · Clarify that uncovered porches do not count towards floor area; · Include a provision that open space be provided equal to 20 percent of the development site consistent with State law; and · Direct the reader to the overall parking code for parking requirements.
FFF	22C.010.300, Commercial, multiple-family, townhome, and group residence – Vehicular access and parking location	This section is written specifically for commercial, apartment, townhome, and group residences abutting alleys; however, alley access is typically required for all uses, when an alley is available.
GGG	22C.010.310, Small lot single-family dwelling development standards	This section is proposed to be amended to apply to all single-family residences and to Middle Housing. The specific auto court provisions that are listed are proposed to be removed and instead direct the reader to the Engineering Design and Development Standards. A provision is proposed to indicate that auto courts may be required to be minimized when multiple auto courts would result in poor design. Design provisions are also proposed to require side elevations visible from accesses to meet minimum design standards, and for duplexes and Middle Housing to either be constructed to appear as a single-family residence or to have their own individual identity. This section will be amended further with the final regulations.
HHH	22C.010.330, Townhouse open space	This section is amended to indicate that Middle Housing and single-family must provide 200 square feet of open space. This section will be amended further with the final regulations.

III	22C.010.400, Duplex performance and design standards <i>(no link as code was repealed with interim ordinance)</i>	The duplex design standards are proposed to be repealed. Duplexes would instead be required to comply with MMC 22C.010.310 (Exhibit GGG above).
JJJ	22C.010.400, Middle housing – Affordable housing provisions	This is a new code section which specifies the State's affordable housing provisions for Middle Housing.
KKK	22C.050.010, Purpose	Amend certain references in the small farms code neutral.
LLL	22C.050.050, Permitted uses in small farms overlay zone	Indicate that a single-family residence of Middle Housing can be built on a small farm.
MMM	22C.065.060, Single-family and duplex dwelling development standards <i>(applies to Lakewood Neighborhood Master Plan)</i>	This section is proposed to be amended to apply to all single family residences and to Middle Housing. The specific auto court provisions that are listed are proposed to be removed and instead direct the reader to the Engineering Design and Development Standards. A provision is proposed to indicate that auto courts may be required to be minimized when multiple auto courts would result in poor design. Design provisions are also proposed to require side elevations visible from accesses to meet minimum design standards, and for duplexes and Middle Housing to either be constructed to appear as a single-family residence or to have their own individual identity. This section will be amended further with the final regulations.
NNN	22C.070.040, East Sunnyside – Whiskey Ridge subarea plan zoning classifications	Amend the table showing the various zones in the East Sunnyside – Whiskey Ridge Subarea Plan to align with other chapters in the MMC and the City's Comprehensive Plan and Zoning Maps. Amend to omit the WR-R-4-8 zone and rename the R-6.5 zone to NR-6.5.
OOO	22C.070.100, Open space	The townhouse and ground-based multi-family open space standards are amended to include Middle Housing.
PPP	22C.070.130, Parking	Direct the reader to the parking code for parking standards. Indicate that the on-street parking allowance is for commercial uses. Make a minor correction to a road name.
QQQ	22C.080.120, Uses permitted in downtown Marysville zones	Add Middle Housing to the residential zones in the Downtown Master Plan Area. Omit term duplex as it is part of Middle Housing.
RRR	22C.080.230, Parking and loading	Indicate that Middle Housing must meet the parking outlined for Middle Housing in the general parking code.
SSS	22C.090.020, Permitted locations of residential density incentives	The list of zones in which residential density incentives (RDI) are allowed has been amended to be clearer and to omit the Downtown zones where RDI are not needed to achieve maximum densities. The R-4.5 and R-6.5 zones are proposed to be renamed as NR-4.5 and NR-6.5, and the WR-R-6-18 zones is proposed to be included with the multi-family zones.
TTT	22C.090.030, Public benefits and density incentives	The residential density incentives are amended to:

		· indicate that bonus lots can be earned in single family zones or in multi-family zones when single for Middle Housing are proposed, and bonus units can be earned when multi-family or townhouse developments are proposed; · reflect that lots or units can be earned (a few RDI are only listed for units); and · remove the RDI pertaining to perimeter fencing or landscaping as it is difficult to administer and is often ineffective due to abutting residential subdivisions. · The references to single family zones has been amended to reference the NR-4.5 and NR-6.5 zones.
UUU	22C.090.040, Rules for calculating bonus units for open space and recreational areas	This RDI section is amended to include a reference to lots and to omit a couple of open space amenities that are not intended to be encouraged; omitting these open space amenities aligns the RDI code with the PRD code.
VVV	22C.090.050, Rules for calculating total permitted dwelling units	This RDI section is amended to include references to lots in addition to the existing unit references.
WWW	22C.090.060, Review process	This RDI section is amended to include references to lots in addition to the existing unit references.
XXX	22C.090.070, Minor adjustments in final site plan	This RDI section is amended to include references to lots.
YYY	22C.090.090, Enforcement	This RDI section is amended to include unit lot subdivisions.
ZZZ	22C.100.030, Nonconforming structures	Add Middle Housing to the nonconforming structures rebuild provisions.
AAAA	22C.100.040, Nonconforming uses	Add Middle Housing to the nonconforming uses expansion provisions.
BBBB	22C.120.050, Water conservation standards	Clarify that Middle Housing (like single family detached) is not subject to water conservation standards.
CCCC	22C.120.120, Required landscape buffers	Indicate that Middle Housing is not required to provide a landscape buffer adjacent to single family designated areas.
DDDD	22C.130.020, General standards	Amend to indicate that parking for single family, Middle Housing, and townhouses be provided on the lot as the dwelling unit served by the parking. Provide an exception for Unit Lot Subdivision indicating that the parking may be on a different unit lot if an easement is provided.
EEEE	22C.130.030, Minimum required parking spaces	Provide parking requirements for Middle Housing and accessory dwelling units that comply with HB 1110 and HB 1337. Indicate that parking for mobile home parks is subject to the standards in the mobile home park code. A clarification is provided on the parking requirements for accessory dwelling units.
FFFF	22C.130.050, Development standards	Indicate that parking for Middle Housing does not need to be striped. Remove the reference to single family attached and detached and instead reference single family, townhouses, and Middle Housing. Include a provision that in garage parking spaces must be usable

		for parking and free of obstructions; however, provide an exception that allows for parking to be met outside of the garage or for a CAD detail to be provided demonstrating the ability to parking a standard consumer vehicle and still open and shut the garage doors.
GGGG	22C.190.020, Home occupation standards	Include provisions that address home occupations in Middle Housing.
HHHH	22C.200.030, Permit required	Remove unnecessary references to home occupations from the day care code.
IIII	22C.220.090, Development regulations	The Master Planned Senior Community (MPSC) code is amended to include references to Middle Housing to ensure consistent treatment with single family residences.
JJJJ	22C.220.100, Modification of development regulations	The Master Planned Senior Community (MPSC) code is amended to include references to Middle Housing to ensure consistent treatment with single family residences. The density is proposed to be capped at 10 units/acre in the NR-4.5 zone and 12 units per acre in the NR-6.5 zone. Obsolete references to Downtown have been updated.
KKKK	22C.230.030, Mobile/manufactured home park zone	The mobile/manufactured home park code is amended to eliminate the requirement for a Planned Residential Development for a MHP since the mobile/manufactured home park code has similar, but conflicting, standards. References to single family zones have been changed to be NR-4.5 and NR-6.5.
LLLL	22C.230.040, Procedures for review and approval	The mobile/manufactured home park standards are amended to add the expectation for a conditional use permit to be obtained consistent with the residential permitted uses, and to eliminate the required for a PRD rezone, which has similar, but conflicting, standards.
MMMM	22C.250.060, Wireless communication facilities – Siting hierarchy	The wireless communication facilities siting hierarchy has been amended to include Middle Housing with single family designations.
NNNN	22C.250.070, Wireless communication facilities – General requirements	The wireless communication facilities general requirements have been amended to address Middle Housing where single family is referenced.
OOOO	22D.020.030, Payment of impact fees required	Amend the deferral of park impact fees code section to reference townhouses and Middle Housing and eliminate the reference to attached residential units.
PPPP	22D.020.050, Computing required impact fees using adopted impact fee schedules	Add Middle Housing and townhouses to the single-family parks rate; omit the reference to attached single family homes.
QQQQ	22D.020.130, Formula for determining park, recreation, open space or trail impact fees	Add Middle Housing and townhouses to the parks impact fee calculation information.
RRRR	22D.030.040, Definitions	Amend the definitions for the traffic impact fee code to include single family detached, Middle Housing, and townhouses in the definition of 'development'

SSSS	22D.030.070, Determination and fulfillment of road system obligations	Add Middle Housing and townhouses to traffic impact fees eligible for deferral and remove attached residential unit.
TTTT	22D.040.020, Definitions	Add single family detached, Middle Housing, and townhouses to the definition of development in the school impact fee code.
UUUU	22D.040.060, Impact fee accounting	Amend the deferral of school impact fee section to include Middle Housing and townhouses.
VVVV	22E.010.360, On-site density transfer for critical areas	The on-site density transfer for critical area provisions are proposed to indicate that development in the NR-4.5 and NR-6.5 zones can use more flexibility dimensional standards (i.e. the former R-8 dimensional standards). These standards will be looked at more closely with the final regulations.
WWWW	22E.030.090, Categorical exemptions, threshold determinations, and enforcement of mitigating measures	Middle Housing is proposed to be added to the environmental categorical exemption review that applies to single family.
XXXX	22G.010.160, Administrative approvals subject to notice	Unit lot subdivisions are proposed to be added to the types of administrative land use applications subject to notice.
YYYY	22G.010.250, Vesting	Unit lot subdivisions are added to the land use procedures pertaining to vesting.
ZZZZ	22G.010.260, Minor revisions to approved development applications	Address Planned Residential Development and Middle Housing in the minor land use application revision criteria. Provide minor revision criteria unique to Unit Lot Subdivisions, which require separate provisions due to the different nature of the use.
AAAAA	22G.010.270, Major revisions to approved residential development applications	Address Middle Housing in the major land use application revision criteria.
BBBBB	22G.030.020, General fee structure	Incorporate Middle Housing and Unit Lot Subdivisions in fee structure.
CCCCC	22G.080.010, Purpose	Amend the Planned Residential Code to reference PRDs being developed as a 'cohesive project' rather than a unit.
DDDDD	22G.080.040, Permitted/conditional uses – Ratio of housing types	This section is amended to include references to Middle Housing and townhouses instead of duplexes and single family attached. The maximum number of dwelling units in single family PRDs is proposed to be capped at four units (currently six units may be in a building), and the limitation on the townhouse units relative to single family has been removed.
EEEE	22G.080.050, Procedures for review and approval	The expectation for Planned Residential Developments (PRDs) to be consistent with the Engineering Design and Development Standards has been added. A provision for the form and scale of buildings to be compatible with single family has been added. An expectation that orientation of structures towards the higher volume roadway has been added unless the director determines an alternate orientation would

		result in better site design. A provision has been added that landscaping should not be installed to avoid orientation requirements.
FFFFF	22G.080.060, Required elements of PRD site plans	Various submittal requirements for PRDs have been amended.
GGGGG	22G.080.070, Development standards	The PRD development standards have been amended to eliminate the 5,000 SF cap since most PRDs are comprised of lots at or under 5,000 SF. The restriction on ADUs has been removed consistent with HB 1337. The alternate access provisions have been amended to remove the 5,000 SF cap but to lower the amount of dwellings requiring alternate access from 25 percent to 20 percent. A provision has been added that autocourts may be required to be minimized and a consolidated public road provided when the site design or safety is improved.
HHHHH	22G.080.080, Modification of development regulations	The modification of PRD development regulations has been amended to address density being expressed in terms of dwelling units per acre or lot, and to direct the reader to the applicable code provisions. A footnote establishing an alternate lot size for duplexes has been removed consistent with HB 1110. An exemption to the townhouse minimum lot size has been added for Middle Housing. References to attached single-family have been replaced by townhouses. A footnote with alternate parking standards has been removed. A clarification has been added that PRD subdivisions and binding site plans may use the PRD road standards in the EDDS. A clarification has been added that elimination of a sidewalk on one side of the road will only be considered if there are not dwelling units on that side of the road.
IIIII	22G.080.100, Open spaces	New criteria pertaining to recreational amenities has been added to promote more desirable recreational areas. A clarification has been added that bioswales, infiltration galleries and ponds cannot be used for recreational facilities.
JJJJJ	22G.090.580, Fence requirements	The reference to single family residential has been changed to simply residential in the fence requirements part of the plat and short plat code.
KKKKK	22G.100.040, Jurisdiction	The binding site plan code jurisdiction has been amended to reference Middle Housing and to indicate that Unit Lot Subdivisions are exempt from the Planned Residential Development code.
LLLLL	22G.120.030, Scope	The site plan review code has been amended to exempt construction of a single Middle Housing building from the site plan review code.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE (MMC TITLE 22) AND OTHER TITLES OF THE MARYSVILLE MUNICIPAL CODE 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, on June 23, 2025, the City adopted interim regulations pertaining to Middle Housing which were adopted via Ordinance 3352; and

WHEREAS, the interim regulations amended several titles of the Marysville Municipal Code (MMC), including but not limited to Titles 3, 6, 7, 12, 14, and 22, to comply with state law regarding Middle Housing standards; and

WHEREAS, pursuant to RCWs 35A.63.220 and 36.70A.390, interim regulations may be in effect for up to six months after which final regulations should be adopted; 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, the City, in reviewing and amending its development regulations has complied with the notice, public participation, and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, City staff conducted environmental review for the proposed regulations for which a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 6, 2025; and

WHEREAS, the City of Marysville has submitted the proposed development regulations to the Washington State Department of Commerce on March 31, 2025 (Material ID 2025-S-8230) seeking 60-day review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, during a public meeting on March 25, April 8, June 24, and July 8, 2025, the Planning Commission discussed the proposed amendments related to Middle Housing; and

WHEREAS, on August 12, 2025, the Planning Commission held a duly-advertised public hearing, and recommended that the City Council adopt the Middle Housing amendments set forth in Ordinance 3352 except as redlined in **Exhibits A through LLLLL**.

WHEREAS, the Marysville City Council finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, during the public meeting on October 27, 2025, the City Council discussed the Middle Housing amendments, and recommended approval of said changes.

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

- Section 1.** Section 5.70.270 of the municipal code is amended as set forth in **Exhibit A**.
- Section 2.** Section 12.02A.090 of the municipal code is amended as set forth in **Exhibit B**.
- Section 3.** Section 14.01.050 of the municipal code is amended as set forth in **Exhibit C**.
- Section 4.** Section 14.01.055 of the municipal code is amended as set forth in **Exhibit D**.
- Section 5.** Section 14.03.040 of the municipal code is amended as set forth in **Exhibit E**.
- Section 6.** Section 14.03.090 of the municipal code is amended as set forth in **Exhibit F**.
- Section 7.** Section 14.07.010 of the municipal code is amended as set forth in **Exhibit G**.
- Section 8.** Section 14.07.060 of the municipal code is amended as set forth in **Exhibit H**.
- Section 9.** Section 14.07.070 of the municipal code is amended as set forth in **Exhibit I**.
- Section 10.** Section 14.15.020 of the municipal code is amended as set forth in **Exhibit J**.
- Section 11.** Section 14.18.080 of the municipal code is amended as set forth in **Exhibit K**.
- Section 12.** Section 14.19.030 of the municipal code is amended as set forth in **Exhibit L**.
- Section 13.** Section 14.19.050 of the municipal code is provided for reference purposes as set forth in **Exhibit M**.
- Section 14.** Section 14.32.050 of the municipal code is amended as set forth in **Exhibit N**.
- Section 15.** Section 22A.010.090 of the municipal code is amended as set forth in **Exhibit**

O.

Section 16. 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 17. 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 18. 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 19. 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 20. 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 21. 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 22. 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 23. 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 24. 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 25. 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 26. 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 27. 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 28. 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 29. 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 30. 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 31. 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 32. 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 33. 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 34. 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 35. 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 36.** 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 37.** Section 22A.030.020 of the municipal code is amended as set forth in **Exhibit KK.**
- Section 38.** Section 22A.030.050 of the municipal code is amended as set forth in **Exhibit LL.**
- Section 39.** Section 22C.010.030 of the municipal code is amended as set forth in **Exhibit MM.**
- Section 40.** Section 22C.010.060 of the municipal code is amended as set forth in **Exhibit NN.**
- Section 41.** Section 22C.010.070 of the municipal code is amended as set forth in **Exhibit OO.**
- Section 42.** Section 22C.010.075 of the municipal code is amended as set forth in **Exhibit PP.**
- Section 43.** Section 22C.010.080 of the municipal code is amended as set forth in **Exhibit QQ.**
- Section 44.** Section 22C.010.090 of the municipal code is amended as set forth in **Exhibit RR.**
- Section 45.** Section 22C.010.110 of the municipal code is amended as set forth in **Exhibit SS.**
- Section 46.** Section 22C.010.120 of the municipal code is amended as set forth in **Exhibit TT.**
- Section 47.** Section 22C.010.130 of the municipal code is amended as set forth in **Exhibit UU.**
- Section 48.** Section 22C.010.140 of the municipal code is amended as set forth in **Exhibit VV.**
- Section 49.** Section 22C.010.170 of the municipal code is amended as set forth in **Exhibit WW.**
- Section 50.** Section 22C.010.190 of the municipal code is amended as set forth in **Exhibit XX.**
- Section 51.** Section 22C.010.200 of the municipal code is amended as set forth in **Exhibit YY.**
- Section 52.** Section 22C.010.210 of the municipal code is amended as set forth in **Exhibit ZZ.**
- Section 53.** Section 22C.010.220 of the municipal code is amended as set forth in **Exhibit AAA.**
- Section 54.** Section 22C.010.255 of the municipal code is amended as set forth in **Exhibit BBB.**

CCC.	<u>Section 55.</u>	Section 22C.010.260 of the municipal code is amended as set forth in Exhibit
DDD.	<u>Section 56.</u>	Section 22C.010.270 of the municipal code is amended as set forth in Exhibit
EEE.	<u>Section 57.</u>	Section 22C.010.280 of the municipal code is amended as set forth in Exhibit
FFF.	<u>Section 58.</u>	Section 22C.010.300 of the municipal code is amended as set forth in Exhibit
GGG.	<u>Section 59.</u>	Section 22C.010.310 of the municipal code is amended as set forth in Exhibit
HHH.	<u>Section 60.</u>	Section 22C.010.330 of the municipal code is amended as set forth in Exhibit
III.	<u>Section 61.</u>	Section 22C.010.400 of the municipal code is amended as set forth in Exhibit
JJJ.	<u>Section 62.</u>	Section 22C.010.400 of the municipal code is amended as set forth in Exhibit
KKK.	<u>Section 63.</u>	Section 22C.050.010 of the municipal code is amended as set forth in Exhibit
LLL.	<u>Section 64.</u>	Section 22C.050.050 of the municipal code is amended as set forth in Exhibit
MMM.	<u>Section 65.</u>	Section 22C.065.060 of the municipal code is amended as set forth in Exhibit
NNN.	<u>Section 66.</u>	Section 22C.070.040 of the municipal code is amended as set forth in Exhibit
000.	<u>Section 67.</u>	Section 22A.070.100 of the municipal code is amended as set forth in Exhibit
PPP.	<u>Section 68.</u>	Section 22C.070.130 of the municipal code is amended as set forth in Exhibit
QQQ.	<u>Section 69.</u>	Section 22C.080.120 of the municipal code is amended as set forth in Exhibit
RRR.	<u>Section 70.</u>	Section 22C.080.230 of the municipal code is amended as set forth in Exhibit
SSS.	<u>Section 71.</u>	Section 22C.090.020 of the municipal code is amended as set forth in Exhibit
TTT.	<u>Section 72.</u>	Section 22C.090.030 of the municipal code is amended as set forth in Exhibit
UUU.	<u>Section 73.</u>	Section 22C.090.040 of the municipal code is amended as set forth in Exhibit
VVV.	<u>Section 74.</u>	Section 22C.090.050 of the municipal code is amended as set forth in Exhibit

WWW.	<u>Section 75.</u>	Section 22C.090.060 of the municipal code is amended as set forth in Exhibit
XXX.	<u>Section 76.</u>	Section 22C.090.070 of the municipal code is amended as set forth in Exhibit
YYY.	<u>Section 77.</u>	Section 22C.090.090 of the municipal code is amended as set forth in Exhibit
ZZZ.	<u>Section 78.</u>	Section 22C.100.030 of the municipal code is amended as set forth in Exhibit
AAAA.	<u>Section 79.</u>	Section 22C.100.040 of the municipal code is amended as set forth in Exhibit
BBBB.	<u>Section 80.</u>	Section 22C.120.050 of the municipal code is amended as set forth in Exhibit
CCCC.	<u>Section 81.</u>	Section 22C.120.120 of the municipal code is amended as set forth in Exhibit
DDDD.	<u>Section 82.</u>	Section 22C.130.020 of the municipal code is amended as set forth in Exhibit
EEEE.	<u>Section 83.</u>	Section 22C.130.030 of the municipal code is amended as set forth in Exhibit
FFFF.	<u>Section 84.</u>	Section 22C.130.050 of the municipal code is amended as set forth in Exhibit
GGGG.	<u>Section 85.</u>	Section 22C.190.020 of the municipal code is amended as set forth in Exhibit
HHHH.	<u>Section 86.</u>	Section 22C.200.030 of the municipal code is amended as set forth in Exhibit
IIII.	<u>Section 87.</u>	Section 22C.220.090 of the municipal code is amended as set forth in Exhibit
JJJJ.	<u>Section 88.</u>	Section 22C.220.100 of the municipal code is amended as set forth in Exhibit
KKKK.	<u>Section 89.</u>	Section 22C.230.030 of the municipal code is amended as set forth in Exhibit
LLLL.	<u>Section 90.</u>	Section 22C.230.040 of the municipal code is amended as set forth in Exhibit
MMMM.	<u>Section 91.</u>	Section 22C.250.060 of the municipal code is amended as set forth in Exhibit
NNNN.	<u>Section 92.</u>	Section 22C.250.070 of the municipal code is amended as set forth in Exhibit
OOOO.	<u>Section 93.</u>	Section 22D.020.030 of the municipal code is amended as set forth in Exhibit
PPPP.	<u>Section 94.</u>	Section 22D.020.050 of the municipal code is amended as set forth in Exhibit

QQQQ.	<u>Section 95.</u>	Section 22D.020.130 of the municipal code is amended as set forth in Exhibit
RRRR.	<u>Section 96.</u>	Section 22D.030.040 of the municipal code is amended as set forth in Exhibit
SSSS.	<u>Section 97.</u>	Section 22D.030.070 of the municipal code is amended as set forth in Exhibit
TTTT.	<u>Section 98.</u>	Section 22D.040.020 of the municipal code is amended as set forth in Exhibit
UUUU.	<u>Section 99.</u>	Section 22D.040.060 of the municipal code is amended as set forth in Exhibit
VVVV.	<u>Section 100.</u>	Section 22E.010.360 of the municipal code is amended as set forth in Exhibit
WWWW.	<u>Section 101.</u>	Section 22E.030.090 of the municipal code is amended as set forth in Exhibit
XXXX.	<u>Section 102.</u>	Section 22G.010.160 of the municipal code is amended as set forth in Exhibit
YYYY.	<u>Section 103.</u>	Section 22G.010.250 of the municipal code is amended as set forth in Exhibit
ZZZZ.	<u>Section 104.</u>	Section 22G.010.260 of the municipal code is amended as set forth in Exhibit
AAAAA.	<u>Section 105.</u>	Section 22G.010.270 of the municipal code is amended as set forth in Exhibit
BBBBB.	<u>Section 106.</u>	Section 22G.030.020 of the municipal code is amended as set forth in Exhibit
CCCCC.	<u>Section 107.</u>	Section 22G.080.010 of the municipal code is amended as set forth in Exhibit
DDDDD.	<u>Section 108.</u>	Section 22G.080.040 of the municipal code is amended as set forth in Exhibit
EEEEE.	<u>Section 109.</u>	Section 22G.080.050 of the municipal code is amended as set forth in Exhibit
FFFFF.	<u>Section 110.</u>	Section 22G.080.060 of the municipal code is amended as set forth in Exhibit
GGGGG.	<u>Section 111.</u>	Section 22G.080.070 of the municipal code is amended as set forth in Exhibit
HHHHH.	<u>Section 112.</u>	Section 22G.080.080 of the municipal code is amended as set forth in Exhibit
IIIII.	<u>Section 113.</u>	Section 22G.080.100 of the municipal code is amended as set forth in Exhibit

Section 114. Section 22G.090.580 of the municipal code is amended as set forth in **Exhibit JJJJJ.**

Section 115. Section 22G.100.040 of the municipal code is amended as set forth in **Exhibit KKKKK.**

Section 116. Section 22G.120.030 of the municipal code is amended as set forth in **Exhibit LLLLL.**

Section 117. Section 22A.020.170 of the municipal code is amended as set forth in **Exhibit MMMMM.**

Section 118. Section 22A.020.220 of the municipal code is amended as set forth in **Exhibit NNNNN.**

Section 119. 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 LLLLL, 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 120 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>
_____	Middle Housing Final Regulations	_____, 2025"

Section 121. 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 122. 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 123. 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: _____
TINA BROCK, CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(Effective 5 days after publication)

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 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;
- (d) Construction of a townhouse, multifamily dwelling unit, business, commercial or industrial building: frontage improvements shall be completed prior to occupancy of the building;
- (e) Construction of a single-family residence, 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 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 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;

(iv) The granting of an exception to construct frontage improvements as outlined in subsection (3)(e)(i)-(iii) 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 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;

(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, 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, 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, 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, binding site plan, and unit lot subdivision 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 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	1/1/2006	\$4,750	\$5,490	\$4,490	\$4,890	
	1/1/2011					\$95.00
Accessory Dwelling Unit**						
Effective Date	11/30/2021	\$1,662.50	\$1,921.50	\$1,571.50	\$1,711.50	

*Residential living units include single family, Middle Housing, townhouses, multi-family residential 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.

**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 an ~~single~~-accessory dwelling unit as defined in MMC ~~22A.020.020-22C.180-030~~ approved on or before June 23, 2025. 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 June 23, 2025, shall pay separate monthly water, sewer and storm water utility billing charges unless the exemption in MMC 14.03.040 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 townhouses, apartments and condominiums, and 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
5/8" (single family, Middle Housing unit, and accessory dwelling unit)	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 townhouses, apartments, condominiums, and 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, Middle Housing, or accessory dwelling unit	\$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, Middle Housing, and accessory dwelling unit	\$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 development” means a residential development which is 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 residential development, industrial park or shopping center;
- (4) As a condition of final approval of a unit lot subdivision;
- (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) "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.

(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 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, 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.010.150 and 22G.010.160;

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

(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;

(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;

(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" 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 percent of the property as open space. 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

Note: The definition of “Housing, missing middle” was omitted from 22A.020.090 “H” definitions with the interim ordinance.

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; or
- (4) Stops on rapid transit routes, including those stops that are under construction.

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.

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

ZONING DESIGNATIONS	MAP SYMBOL
Residential	<u>NR or R</u> (base density in lots per acre or dwelling units per acre <u>or lots 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 (~~NR or~~ 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 ~~NR-4.5, and NR-6.5, 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, R-28, and WR-R-6-18 zones, for a mix of predominantly apartment and townhomes, 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 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:

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

Exhibit MM

22C.010.030 Characteristics of residential zones.

(1) ~~Medium Density Single-Family Neighborhood Residential 4.5 (NR-4.5)~~. The ~~NR-4.5~~ zone is a medium-density single-family residential zone. It allows single-family residences, Middle Housing, and townhomes. The base density is 4.5 dwelling units or lots per acre. The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted.

(2) ~~High Density Single-Family Neighborhood Residential 6.5 (NR-6.5)~~. The ~~NR-6.5~~ zone is a high-density single-family residential zone. It allows single-family residences, Middle Housing, and townhomes. The base density 6.5 units or lots per acre. The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted.

~~(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 density is eight dwelling units or lots per acre. The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted.~~

~~(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. The density range is 4.5 to 8 dwelling units or lots per acre. The major type of new development will be detached single-family residences, with Middle Housing and townhomes also permitted.~~

(5) ~~(3)~~ 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 detached single-family residences, duplexes, Middle Housing, townhouses, apartments and condominiums. The density is 12 units per acre; the maximum is limited to 18 units per acre.

(6) ~~(4)~~ 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 detached single-family residences, duplexes, Middle Housing, townhouses, apartments and condominiums. The density is 18 units per acre; the maximum is limited to 27 units per acre.

(7) ~~(5)~~ 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 detached single-family residences, duplexes, Middle Housing, townhouses, apartments and condominiums. The density is 28 units per acre; the maximum is limited to 36 units per acre.

(8) ~~(6)~~ 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) ~~(7)~~ 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	NR-4.5	NR-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)	P6	P6	P6	P6	P6	P6	P6	P6	
Duplex (14)	P	P	P	P	P	P	P	P	-
Townhouse	P3 8	P8	P8	P8	P	P	P	P	
Middle Housing (3)	P	P	P	P	P	P	P	P	
Multiple-family			-	-	P	P	P	P	
Mobile home	P12	P12	P12	P12	P12	P12	P12	P12	P12
Mobile/manufactured home park	C	C	C	-		P	P		P45
Senior citizen assisted	C2	C2	C2	C2	P2	P2	P2	P2	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	P2	P2	P2	P2	
Residential care facility	P	P	P	P	P	P	P	P	
Master planned senior community (15)	C	C	C	C	P	P	P	P	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	NR-4.5	NR-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
Amusement/Entertainment:									
Sports club					C	C	C	C	
Golf facility (17)	C	C	€	€	P	P	P	P	
Cultural:									
Library, museum and art gallery	C	C	€	€	C	C	C	C	C
Church, synagogue and temple	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	€	€					
Kennel or cattery, hobby	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
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	NR-4.5	NR-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	<u>NR</u>- 4.5	<u>NR</u>- 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	

Exhibit OO

22C.010.070 Permitted uses – Development conditions.

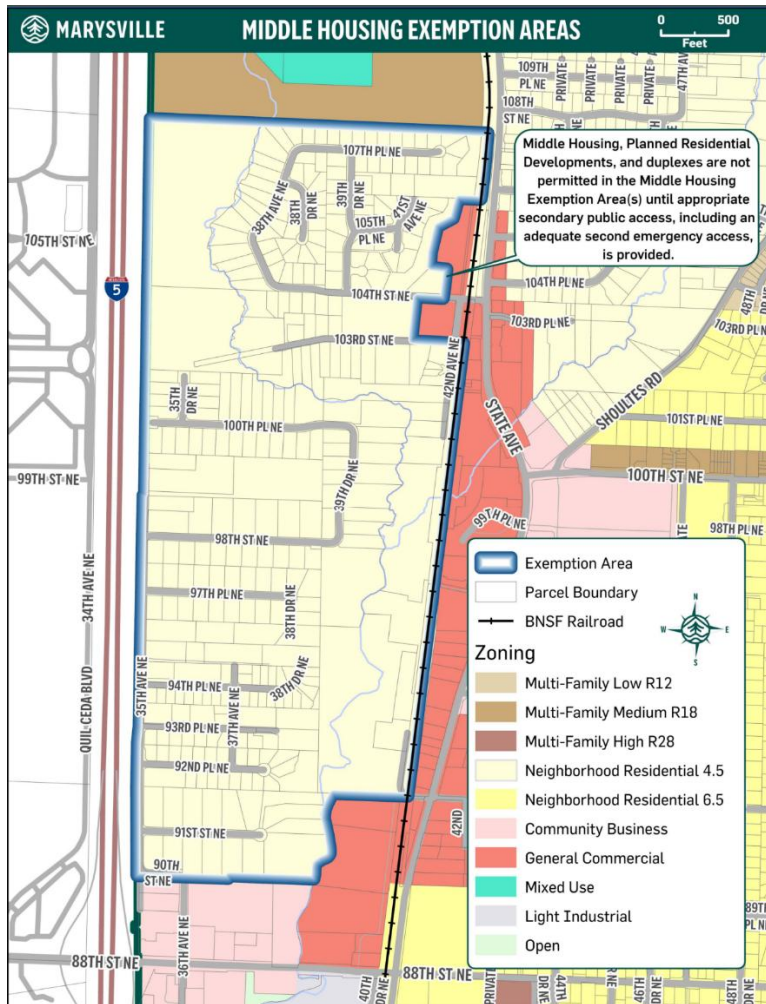
- (1) Accessory dwelling units:
 - (a) Must comply with the development standards in Chapter 22C.185 MMC.
 - (b) Are only permitted accessory to a detached single-family residence or Middle Housing.
Note: accessory dwelling units accessory to Middle Housing apply to the total allowed unit density for the lot.
 - (c) In the R-MHP zone are only allowed on single lots of record.

(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) 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 NR-4.5 designated areas depicted in the map below entitled, "~~Interim~~-Middle Housing Exemption Areas" until appropriate secondary public access, including an adequate second emergency access, is provided. Duplexes and Planned Residential Developments are also not permitted until the afore-stated access expectations are met. 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) Townhouses are only allowed as part of a planned residential development (PRD) proposal, or as allowed for Middle Housing. 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. No residential premises shall have more than two such sales per year and no such sale shall continue for more than six days within a 15-day period.~~
- (b) ~~Garage sale signs are subject to the standards in MMC 22C.160.260. Signs advertising such sales shall not be attached to any public structures, signs or traffic control devices, nor to any utility poles. All such signs shall be removed 24 hours after the sale is completed.~~

A garage sale complying with the above conditions ~~shall be considered as being an allowable is an allowed residential~~ accessory use to all residential land uses. A garage sale violating one or more of the above conditions ~~shall be considered is~~ a commercial use and will be disallowed unless it complies the use is permitted in the zone, and the use complies with all applicable code requirements affecting commercial uses.

(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 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 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;
- (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 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.

	NR-4.5	NR-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)(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 (multifamily and townhouses)
<u>Minimum density:</u> <u>Dwelling unit or</u> <u>lot/acre (19)</u>	=	=			<u>8 du</u> or <u>lot/ac</u>	<u>8 du</u> or <u>lot/ac</u>	<u>10 du</u> or <u>lot/ac</u>	<u>10 du or lot/acre</u>
Maximum density: Dwelling unit or lot/acre (2)(3)	5.4 du or lot/ac	7.8 du or lot/ac	9.6 du 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) (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)	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)	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)	45 ft (5)	45 ft (5)	35 ft (5)
Maximum building coverage: Percentage (6)	40%	40%	40%	40%	50%	50%	50%	40%
Maximum impervious	45%; 50%	45%; 50%	45%; 50%	45%; 50%	70%	70%	75%	70%

	<u>NR-4.5</u>	<u>NR-6.5</u>	<u>R-8</u>	<u>WR-R-4-8</u> <u>(16)(17)</u>	R-12 (13)	R-18 (13)	R-28 (13)	WR-R-6-18 (13)(16)(17)
surface: Percentage (6)								
Minimum lot area	5,000 sq ft	5,000 sq ft	5,000 sq ft	5,000-sq ft	-	-	-	-
Minimum lot width (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. 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 through the application of residential density incentive provisions outlined in Chapter 22C.090 MMC.

(b) The maximum density for the ~~NR-4.5, and NR-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.

(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:

Lot circumstances	Unit Density (as defined in MMC 22A.020.220)	Additional Provisions
Residentially zoned lot	Two (2)	
Residentially zoned lot located within ¼ mile walking distance to a major transit stop	Four (4)	Major transit stop is defined in MMC 22A.020.140.
Residentially zoned lot with one (1) dwelling unit of affordable housing	Four (4)	To qualify as affordable housing, the provisions in MMC 22C.010.400 must be met.

(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 (four 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.

(4) ~~These standards may be modified under the provisions for zero lot line and townhome developments.~~ Reserved.

(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 ~~the Downtown Neighborhood 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.

(6) Applies to Each Individual Lot.

(a) The 50 percent impervious surface coverage 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) Mobile home parks shall comply with the density and dimensional standards set forth in Chapter 22C.230.

(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 ~~the NR-4.5 and NR-6.5 through R-8, and WR-R-4-8~~ zones; or

(b) The average setback of the ~~NR-4.5 and NR-6.5 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 on individual lots within the R-12 through R-28, and WR-R-6-18 zones ~~shall~~ may utilize the ~~dimensional requirements of the R-8 zone, except the~~ base density for the underlying zone; provided that, lots shall be subject to a 50 percent building coverage, 65 percent impervious coverage, 4,000 square foot minimum lot size, 40 foot lot width, and the setback requirements of the Neighborhood Residential 6.5 (NR-6.5 zone) Single family residences and duplexes may be up to 35 feet tall; provided that, abutting the Neighborhood Residential zoned properties, the building height must either be reduced to 30 feet, or the setback adjacent to the Neighborhood Residential zoned properties must be increased by five (5) feet.

(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.

(19) The minimum densities are the minimum number of dwelling units which must be constructed per net acre. The director may waive the minimum density requirement for sites with unique size, shape, topography, location, critical areas encumbrance, distance from utilities, or other feature(s) that precludes the minimum density being achieved. In addition, an applicant intending to construct only one residence may also receive relief from the minimum density requirements provided that the residence is sited in such a manner that future development is not precluded. A written justification must be provided by the applicant for all requests for relief from minimum density requirements and is subject to director approval.

Exhibit SS

22C.010.110 Calculations – Allowable dwelling units.

Permitted number of dwelling units or lots shall be determined as follows:

- (1) Dwelling Units/~~Lots or Units~~ or Lots 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: When calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:
 - i. Fractions of 0.50 or above shall be rounded up; and
 - ii. 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 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 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 Health District 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, 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 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 Downtown Neighborhood may be reduced as set forth in MMC 22C.180.020(2).

Exhibit YY

22C.010.200 Setbacks – Adjoining half-street, 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 ~~garage 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 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 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 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 **Neighborhood Residential (NR-4.5 and NR-6.5)**~~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 residence and Middle Housing, MMC [22C.010.310](#); 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, 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.

(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 or lot/ acre)	2 times the base density of the underlying zone (a)
Minimum lot size, or minimum land area allocation per cottage	2,000 SF (b)
Development size	Minimum 4 cottage units. Maximum 12 cottage unit per grouping. Development may contain multiple groupings.
Minimum front setback or yard	10 feet ^(c)
Minimum side setback or yard	5 feet ^{(d),(e)}
Minimum rear setback or yard	10 feet ^{(c)(d)}
Minimum setback from critical area buffers, or critical areas, if no buffer is required	15 feet
Maximum impervious coverage: percentage	60 percent ^(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.

(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.

(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.

(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.

(f) The 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.

(b) Cottages shall be oriented around and have their main entry from the common open space.

(c) Each cottage shall abut the common open space, and the common open space shall have cottages abutting at least two sides.

(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.

(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.

(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 ~~W~~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-street parking spaces shall be provided as set forth in MMC 22C.130.030, Table 1 and shall meet the dimensions set forth in MMC 22C.130.050, Table 2.

(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 Vehicular access and parking location ~~for uses abutting an alley.~~

- (1) On sites abutting an alley, 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 or where disallowed by the City's Engineering Design and Development Standards.
- (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 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 Single-family dwelling and Middle Housing development standards.

The provisions of this section apply to building permits for single-family dwellings and Middle Housing 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) 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 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.

(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, Middle Housing, and ground-based multifamily open space.

Townhouses, Middle Housing, single family, and 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

The prior MMC 22C.010.400, Duplex performance and design standards, was repealed with the interim ordinance.

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 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 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 Middle Housing dwelling development standards.

The provisions of this section apply to building permits for single-family dwellings and Middle Housing, 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.

(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
Medium Density Multiple-Family	R-18
Whiskey Ridge, Medium Density Multiple-Family WR-R-6-18	WR-R-6-18
Whiskey Ridge, High-Density Single-Family 4-8	R-4-8-WR
Single-Family High-Neighborhood Residential 6.5	NR-6.5
Recreation	REC

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.

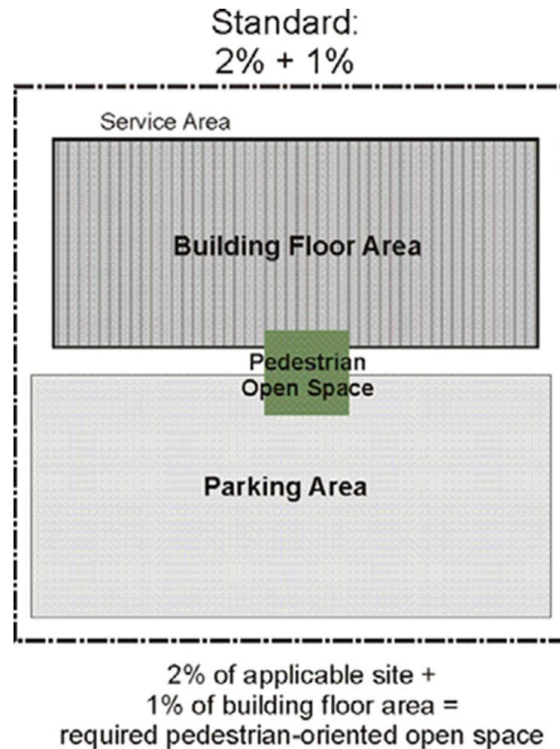


Figure 4-11. An illustration of how much pedestrian-oriented space would be required for a typical grocery store served by surface parking.

(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.

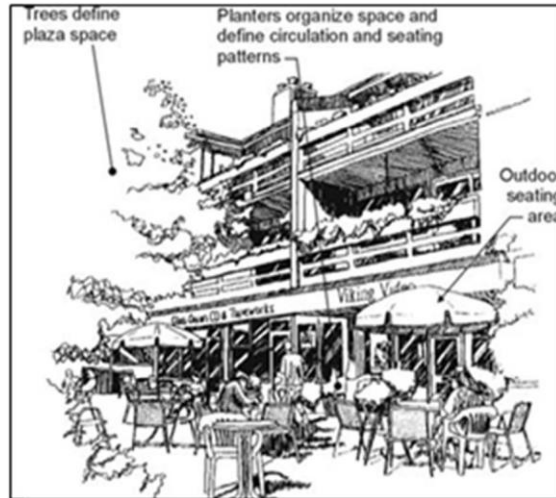


Figure 4-15. Pedestrian-oriented space example.

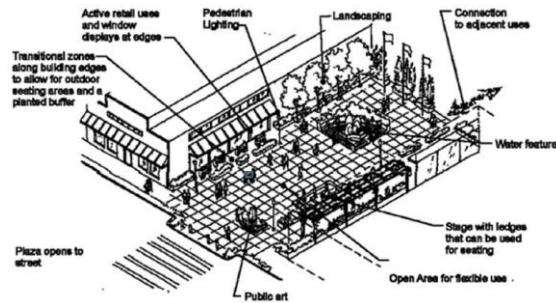


Figure 4-16. Large example of pedestrian-oriented space.

(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 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.

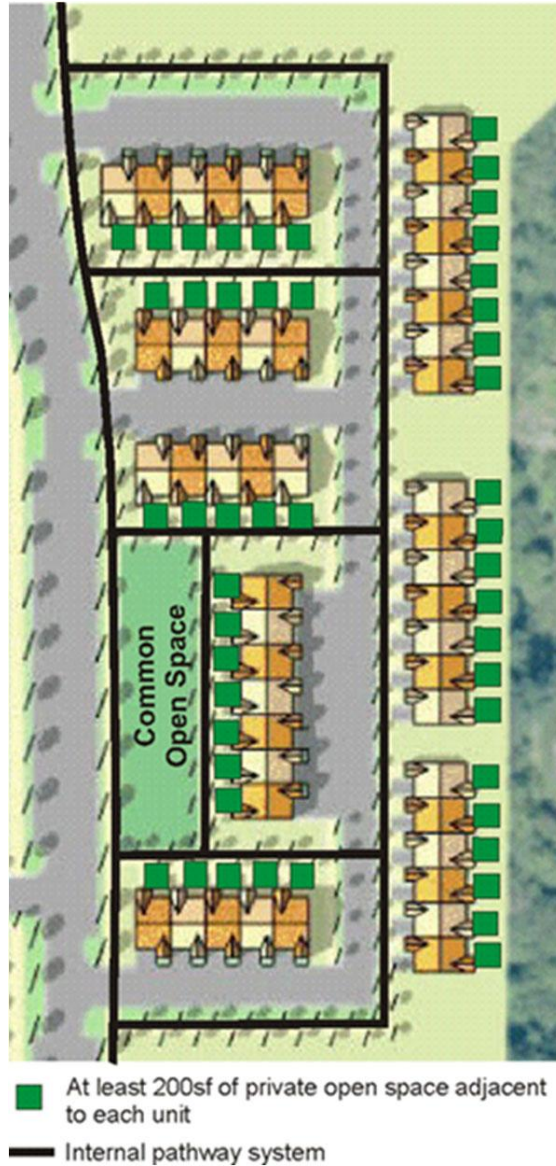


Figure 4-23. Example townhouse configuration with a combination of private open spaces adjacent to units and larger common open space accessible to all units.

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) On-Street Parking Spaces. On-street parking spaces adjacent to commercial uses shall count towards off-street parking requirements.
- (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.
- (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.
- (e) Parking Structure Standards.
 - (i) Parking structures adjacent to 87th 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.

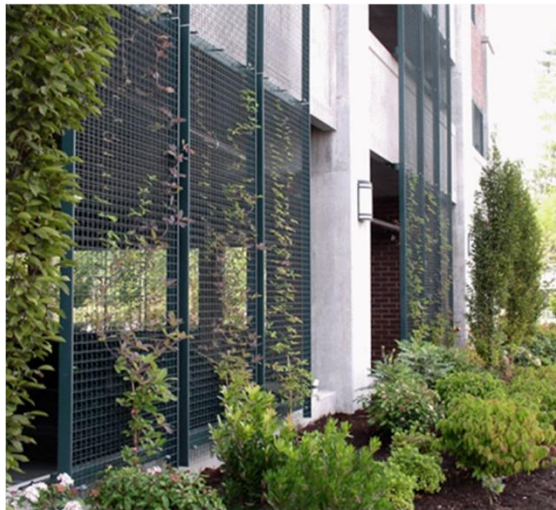


Figure 5-3. A good parking garage example with landscaping elements to screen cars and provide visual interest.

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	-
Middle Housing				P	P	P	P	
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

Continued See 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 <u>and</u> townhome (excluding Middle Housing)	2.0	
Middle Housing	See MMC 22C.130, Table 1	This parking standard applies to housing meeting the definition of Middle Housing in MMC 22A.020.140
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	

Table 22C.080.230

Minimum Required Off-Street Parking Spaces

Use Categories	Minimum number of off-street parking spaces	Additional Provisions
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 ~~the NR-4.5 and NR-6.5~~through R-8 zones when a Planned Residential Development is proposed;
- (2) In ~~the~~ R-12 through R-28 ~~and WR-R-6-18~~ zones; ~~and~~
- (3) In ~~the MU,~~ CB, ~~CB-WR,~~ and GC, ~~and MU~~ zones.; ~~and~~
- ~~(4) In single family, multi-family, and MU zones within the Whiskey Ridge 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 the Neighborhood Residential Zones (i.e. NR-4.5 and NR-6.5)~~single family~~ zones, bonus lots can be earned. Bonus lots may only be earned for the benefits where either lots or a percentage increase in the base density are specifically referenced in subsection 6 below.

(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.

(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	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
requirements for reporting to the city of Marysville shall be recorded at final approval.	
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 or lots 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 or lots 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 or lots per one-quarter mile of trail constructed to city standard for pedestrian trails; or 2.5 bonus units or lots 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 or lots 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 or lot. Bonus units or lots may only be claimed in whole numbers or 0.5 bonus unit or lot 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 or lot per acre of historic site.
b. Restoration of a site or structure designated as an historic landmark.	0.5 bonus unit or lot per acre of site or 1,000 square feet of floor area of building restored.
5. Locational/Mixed Use	

Benefit	Density Incentive
a. Developments located within one-quarter mile of transit routes, and within one mile of fire and police stations, medical, shopping, and other community services.	5 percent increase above the base density of the zone.
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 or lots 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 or lots 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 or lot per 500 lineal feet of perimeter buffer retained, enhanced or created (when not otherwise required by city code).
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.
d. Private park and open space facilities integrated into project design.	5 bonus units or lots per improved acre of park and open space area. Ongoing facility maintenance provisions are required as part of RDI approval.
e. Enhanced entry landscaping.	1 bonus unit or lot 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 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	0.20 bonus unit or lot for each certified unit constructed.

Benefit	Density Incentive
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.	

(7) 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) Golf or mini golf course;
- (ii) Bocce 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, 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 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, townhouses (excluding Middle Housing), and mobile homes	2 per dwelling unit for residents plus 1 additional guest parking space per dwelling unit. Exception: parking for mobile home in mobile/manufactured home parks is subject to MMC 22C.230.070(7)
Middle Housing and accessory dwelling units within 1/2 mile walking distance of a major transit stop	0 per dwelling unit (before any zero lot line subdivisions or lot splits)
Middle Housing and accessory dwelling units on lots equal to or under 6,000 square feet, <u>and accessory dwelling units</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.
Middle Housing (excluding accessory dwelling units) on lots over 6,000 square feet	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.
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
Rooming houses, similar uses	1 per dwelling

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
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~~Single-family residences, Middle Housing and Townhouses. 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, 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 (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.). Exception: where the required parking can be met with surface (outside) parking spaces, or when it can be demonstrated with a CAD detail that the garage allows for the parking of a standard consumer vehicle and enables the garage doors to open and close, the dimensional requirements in Table 1 for in-garage parking may be modified. 2) 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

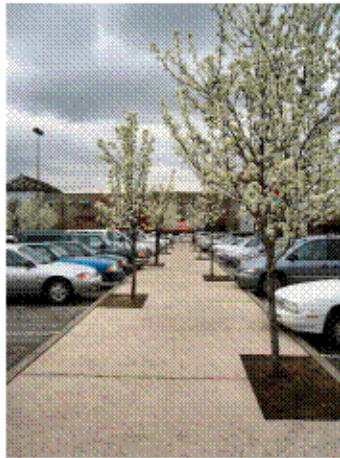
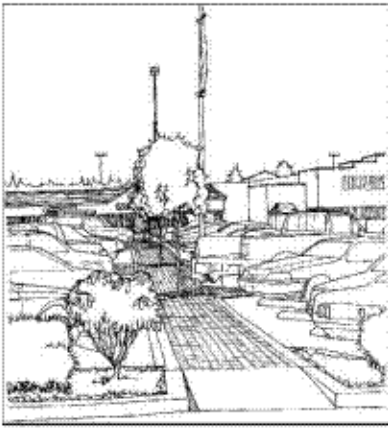
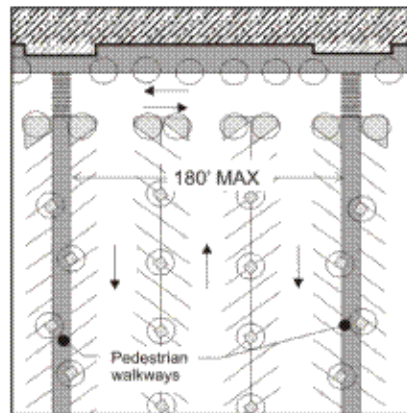


Figure 3 Figure 4



(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 permit is required, subject to the following conditions:

- (1) A day care I permit issued to one person shall not be transferable to any other person; nor shall a day care I permit be valid at any other address than the one listed on the permit.
- (2) In granting approval for a day care I, the community development director, or designee, may attach additional conditions to ensure the use will be in harmony with, and not detrimental to, the character of the residential neighborhood.
- (3) Any day care I 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 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 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](#). Detached single-family residences and Middle Housing 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 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%; provided the NR-4.5 zone is capped at 10 units/acre and the that, single-family zones are capped at 8 NR-6.5 zone is capped at 12 units/acre	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, 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 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~~ Neighborhood Residential (NR-4.5 ~~and NR-6.5 through R-8~~) and in the multiple-family residential classification (R-12 through R-28).

(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. 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 or Middle Housing purposes.
3	Concealed consolidations: a. In nonresidential zoning districts. b. In residential zoning districts on lots not used for single-family residential or Middle Housing 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 or Middle Housing 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 0000

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 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, mobile/ manufactured homes, Middle Housing (excluding accessory dwelling units) and townhouses	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/manufactured homes, Middle Housing, and townhouses shall be charged 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 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, accessory 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.

(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 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) Multifamily studio or one-bedroom apartment or condominium units; and

(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.

(x) "Multifamily unit" means any residential dwelling unit meeting the definition of multifamily dwelling unit in MMC 22A.020.140.

(y) "Permanent facilities" means school facilities of the district with a fixed foundation.

(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.

(aa) "Relocatable facilities cost" means the total cost, based on actual costs incurred by the district, for purchasing and installing portable classrooms.

(bb) "Relocatable facilities student capacity" means the rated capacity for a typical portable classroom used for a specified grade span.

(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.

(dd) "Single-family unit" means any detached residential dwelling unit designed for occupancy by a single family or household.

(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.

(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.

(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, 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 lot size, building coverage, and impervious coverage standards of the next higher zoning classification may be utilized~~ Lots in the Neighborhood Residential zones, and single family and Middle Housing in multi-family zones, are permitted to have 50 percent building coverage, 65 percent impervious coverage, a 4,000 square foot minimum lot size, and a 40-foot lot width 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;
- (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, 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, 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.

(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.

(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, short subdivisions, or unit lot subdivisions; or

(ii) Approval for all other development applications.

(5) 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, 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, 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 or unit lot subdivision	\$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, short plat, or unit lot subdivision	\$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 Middle	\$268/lot or unit (for Middle	\$276/lot or unit (for Middle	\$284/lot or unit (for Middle	\$292/lot or unit (for Middle

Type of Activity	2023/2024 Fees	2025 Fees	2026 Fees	2027 Fees	2028 Fees
with approved residential construction plans	Housing or condominium projects), \$2,000 minimum	Housing or condominium projects), \$2,000 minimum	Housing or condominium projects), \$2,000 minimum	Housing or condominium projects), \$2,000 minimum	Housing or condominium projects), \$2,000 minimum
Inspection for utilities only (residential)	\$520 plus \$260/lot or unit for inspections that exceed four hours (for Middle Housing or condominium projects)	\$536 plus \$268/lot or unit for inspections that exceed four hours (for Middle Housing or condominium projects)	\$552 plus \$276/lot or unit for inspections that exceed four hours (for Middle Housing or condominium projects)	\$568 plus \$284/lot or unit for inspections that exceed four hours (for Middle Housing or condominium projects)	\$584 plus \$292/lot or unit for inspections that exceed four hours (for Middle Housing 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 Middle Housing, or \$125/apartment building	\$65/single-family or Middle Housing, or \$129/apartment building	\$67/single-family or Middle Housing, or \$133/apartment building	\$69/single-family or Middle Housing, or \$137/apartment building	\$71/single-family or Middle Housing, 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. 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 uses.

The following uses are permitted within a PRD: single-family dwellings, Middle Housing, townhouses, multifamily dwellings, and recreational facilities; provided, that for PRDs in single family residential zones, no more than four units may be allowed per building.

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 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 with a form and scale consistent with a single-family residential environment. It is encouraged that if 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) 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) Gross site area and a density calculation per MMC [22C.010.110](#);
- (11) 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) 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) 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) 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) Plans for all proposed dwellings and structures 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) Plans for open space improvements, if any;

(17) Plans for signing and lighting, including typical side view of entrance treatment and entrance signs;

(18) 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) Itemization of the specific development regulations which are to be modified and special requirements which are to be applied to the property; and

(20) Such additional information as the city may deem necessary.

Exhibit GGGGG

22G.080.070 Development standards.

All PRDs shall meet the requirements of this section:

(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.

(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.

(3) At least 20 percent of the dwellings 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 dwelling unit/lot, as applicable	As allowed per the underlying zone. See MMC 22C.010.080 or 22C.020.080 as applicable.
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
Minimum parking:	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. 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.
 6. Minimum driveway length may be reduced in accordance with MMC [22C.010.310](#).
- (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 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 ~~dwelling unit~~single-family residences.

(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 elimination of a sidewalk on one side of the road may be considered by the city engineer when residences will only be located on one side of the road. 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.

(iv) 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 JJJJJ

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 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 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.

Exhibit MMMMM

22A.020.170 "P" definitions. "Parent lot" is defined under the term "lot, parent" in 22A.020.130 "L" definitions.

Exhibit NNNNN

22A.020.220 "U" definitions. "Unit lot" is defined under the term "lot, unit" in 22A.020.130 "L" definitions.



September 15, 2025

Mayor Jon Nehring
Principal Planner
581 Delta Ave.
Marysville, WA 98270

RE: Middle Housing Ordinance Comment Letter

Dear Mayor Jon Nehring,

The Master Builders Association of King and Snohomish Counties (MBAKS) takes pride in building communities. Our nearly 2,500 members are professional homebuilders, architects, remodelers, trades people, planners and engineers, suppliers, manufacturers, and sales and marketing professionals in your community.

MBAKS would like to thank the city of Marysville and the Planning Commission for this opportunity to share its views. We recognize all parties have dedicated significant time and effort in producing the Middle Housing ordinance to date. MBAKS, however, has some remaining concerns with the proposal as outlined below.

Introduction

As you may know, MBAKS staff and interested members, as well as Marysville City Staff, discussed the issues during our regular quarterly meeting on September 10th. Prior to that we met on both August 12th and September 4th in Marysville. MBAKS and City Staff were able to agree that issues should be sent on to the you and council as part of public comments in advance of the October public hearing. MBAKS is requesting the city of Marysville evaluate the comments below and consider the changes outlined in this letter.

Middle Housing Ordinance

Under this Middle Housing ordinance proposal, minimum lot sizes have been increased to 5000 sq feet from 4000 sq ft. for single family dwelling or middle housing. Smaller lot sizes help a jurisdiction achieve the highest and best use for the property. Increasing minimum lot sizes has the negative unintended consequence of raising housing prices, since fewer homes can be constructed on the underlying parcel. Finally, reducing the lot size is more in line with other jurisdictions under GMA. Marysville has indicated that its forecasts show it will fall short of the housing numbers it has been allocated to accommodate for by 2040. This policy change will make this goal even farther out of reach.



In addition, Marysville is considering a 50-foot lot width. MBAKS is asking for consideration of a 40-foot lot width. Again, a narrower width would allow the city to achieve the highest and best use for its limited land. In addition, the number of units allowed remains the same per acre. The narrower lot width also creates an environment where the housing goals adopted by Marysville under GMA can more likely be achieved.

Next, Members have expressed concern about the small lot development standards to all houses and all plans. Many projects operated under the old rules and plans are not easily altered and often only a great expense. Would the city consider some relief?

Next, it is our understanding that mid cycle the city has begun enforcing 20-foot stall depth for garages. Previously our members have been building homes with 19.5-foot stalls. The members relied on this standard as they considered the layout of new developments and as they developed specific house plans for particular projects. Many of our members have developed and received approval for "basics" for their current projects. The change has caused and will cause delays and potential cancellations of projects. At the very least, it has delayed the delivery of much needed housing to Marysville.

Therefore, as a solution would the city consider accepting plans with 19.5-foot garage stall depths and imposition of the small lot development stands until the adoption of the next building code update? This would allow current projects to finish under the old rules and give notice to all the parties far enough in advance that changes could be made for new projects. At the very least, please give assurance that any vested project will still be evaluated under the 19.5-foot standard and the small lot standards will not apply.

Thank you again for allowing us to comment on these important issues. Please let me know if you have any questions.

Sincerely,

Russell Joe

Russell Joe
Snohomish County Government Affairs Manager

Everyone deserves a place to call home.

CC: Marysville City Council
Angela Gemmer, Principal Planner



COMMUNITY DEVELOPMENT DEPARTMENT
501 Delta Avenue ♦ Marysville, WA 98270 ♦ (360) 363-8100

October 2, 2025

Russell Joe
Snohomish County Government Affairs Manager
335 116th Avenue SE
Bellevue, WA 98004

Re: MBA Concerns re. Middle Housing Final Regulations

Dear Russell,

Thank you for providing comments on the proposed Middle Housing final regulations and for sharing your concerns regarding certain aspects of the proposed regulations. This letter aims to provide clarification and address the concerns that you raise on behalf of your members.

Increased Lot Size

MBA Concern: Minimum lot sizes have been increased to 5,000 square feet from 4,000 square feet for single family and Middle Housing which increases housing costs and will result in a capacity shortfall.

Staff Response: The City's four single family residential zones (i.e. R-4.5, R-6.5, R-8, and WR-R-4-8) are proposed to be consolidated into two zones: the Neighborhood Residential 4.5 (NR-4.5 formerly R-4.5) and Neighborhood Residential 6.5 (NR-6.5 formerly R-6.5).¹ With this proposal, the R-8 and WR-R-4-8 zones would be consolidated with the NR-6.5 zone. With the 2021 Downtown Master Plan update, most of the R-8 zoning within the City was eliminated. Currently there are only two areas of undeveloped R-8 land: 7.6 acres in the Lakewood Neighborhood and the Marysville School District/LDS Church properties at the northwest corner of Highway 9 and 84th Street, which were not assigned land capacity by Snohomish County but were assigned land capacity by the City. The objective of the zone consolidation is to streamline the code and provide clarity, with minimal impacts to land capacity. The proposed NR-4.5 and NR-6.5 zones would retain all existing dimensional standards. The current lot size is 5,000 square feet for both zones and is proposed to remain at 5,000 square feet. The lot width for the NR-4.5 and NR-6.5 zones are currently 60 and 50 feet respectively and also not proposed to be amended.

Accompanying this change, language is proposed to be added to both MMC 22C.010.080-090 and 22E.010.360 to retain some of the functions the R-8 zone affords. Specifically, when single family and duplexes are constructed in multi-family zones, the lot size (i.e. 4,000 square feet), building coverage, impervious coverage, and setback allowances for the R-8 zone are used. The ability to use the R-8 standards was inadvertently removed in the Interim Ordinance and will be built back into MMC 22C.010.080-090. Similarly, when there are critical areas on a site, the density in the buffer area can be transferred to the non-encumbered portion of the site. In those instances, the dimensional allowances for the R-8 zone will be built back into the code to afford flexibility in those circumstances.

¹ The name change is proposed to reflect that Middle Housing is now allowed in historically single-family residential zones.

Per prior discussions with MBA and other development interests, I understand that there is a desire for the dimensional standards in the proposed NR-4.5 and NR-6.5 zones to be reassessed and potentially amended to align more closely with the standards in other Snohomish County jurisdictions. Staff have conducted some preliminary research on other jurisdictions' dimensional standards. If provided this policy direction, staff is open to evaluating lot sizes and widths more closely to determine whether amendments are merited.

Small Lot Design Standards

MBA Concern: Members have expressed concern about the small lot design standards applying to all homes. Many projects were approved under the prior rules and it is not easy to alter them and is done at great expense.

Staff Response: The City's "small lot design standards" were repurposed to apply to both single family and Middle Housing, and the standards are believed to appropriately address design aspects of these housing types. The square footage threshold for applying the design standards is proposed to be removed to keep with the intent of House Bill 1110, which requires that cities "not require through development regulations any standards for middle housing that are more restrictive than those required for detached single-family residences." Since it is desirable for all Middle Housing to meet design requirements regardless of lot size, the lot size cap was also removed from single family to ensure that our standards are not more restrictive for Middle Housing.

We appreciate the concerns raised regarding the cost and difficulty of amending plans and will be sending out a policy very soon that aims to address these concerns. This policy is proposed as follows:

- 1) Basic plans which were reviewed under the prior small lot design standards, and which have been built in a plat/project may continue to be built for the rest of the plat/project.
- 2) Basic plans which were not reviewed for small lot design standards will be reviewed for compliance with the standards in MMC 22C.010.310. The code affords discretion on different aspects of design and staff will review for compliance with the overall intent of code and endeavor to work with the applicant on reasonable design solutions within the parameters of code.
- 3) When a basic plan is proposed to be built in a plat/project where it was not previously been built, compliance with MMC 22C.010.310 will need to be met; however, the review fee for compliance with MMC 22C.010.310 changes will be reduced to \$300, which is the minimum needed to cover staff review.

On most design elements, the code offers discretion, and staff will work with applicants to provide suggestions to meet the intent of the design standards minimizing the need for structural changes where possible.

Garage Parking

Concern: Members have expressed concern about the enforcement of a 20 foot stall depth for garages. Previously members have been building homes with a 19 ½ foot stall depth. Requiring basic plans to be amended causes delays and cancellations of projects. Can this code change be delayed until the next building code update?

Staff Response: MMC 22C.130.050, Table 2 requires single family and townhouse parking spaces to be 8 feet wide by 20 feet deep. Considering recent State legislative changes, the in-garage parking space dimensions have been reviewed more closely over the past couple of years. The intent of the amendment which requires that in-garage parking space meets the 8 x 20 dimension and be free of obstructions is to ensure that the code requirements for parking are met, and that a parking space is fully usable for residents (e.g. free of a water heater within the designated parking area). We appreciate the concerns raised, and intend to provide the following policy direction to applicants:

- 1) Basic plans which have a garage that does not strictly meet the new garage code provision in MMC 22C.130.050, Table 2, Note 1 but were approved prior to the code change, and which have been built in a plat/project may continue to be built for the rest of the plat/project.
- 2) MMC 22C.130.050 Table 2, Note 1 is proposed to be amended in the final regulations to offer more alternatives. The proposed amendment reads as follows (amended language is underlined):
“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.). Exception: where the required parking can be met with surface (outside) parking spaces, or when it can be demonstrated with a CAD detail that the garage allows for the parking of a standard consumer vehicle and enables the garage doors to open and close, the dimensional requirements in Table 1 for in-garage parking may be modified.”
- 3) When a basic plan is proposed to be built in a plat/project where it was not previously built, compliance with the amended MMC 22C.130.050 above will need to be met; however, the review fee for any amendments to comply with MMC 22C.130.050 will be limited to \$300 to cover staff time. Note: if changes to the architectural design and the garage are both needed, the total fee for the overall review will still only be \$300.
- 4) We anticipate proposing that the code be amended to simply require a 20-foot garage parking space depth when the next building code cycle occurs, which is anticipated to be July 1, 2027. This will also generally coincide with implementation of other recent State parking legislation, which are expected to result in the parking allowances for various use categories being reduced.

We hope that the proposed clarifications and solutions above address the concerns raised by your members. We thank you for taking the time to bring these concerns to our attention. If you have any questions or further comments, please do not hesitate to contact me at agemmer@marysvillewa.gov or 360.363.8240.

Sincerely,

Angela Gemmer

Angela Gemmer
Planning Manager

ecc: Mayor Jon Nehring
Jennifer Stapleton, City Administrator/Interim CD Director
Jeffrey Wilson



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Discussion Item

AGENDA SECTION: **New Business**

SUBJECT: An **Ordinance** Relating to Accessory Dwelling Unit Final Regulations

SUGGESTED ACTION: Recommended Motion: I move to adopt Ordinance No. _____.

SUMMARY:

In May 2023, Washington State adopted [House Bill 1337](#), which establishes new standards for accessory dwelling units. Two of the key requirements of this statute are that: 1) cities must allow two accessory dwelling units per lot accessory to a single-family residence, and 2) can no longer require owner occupancy of either the principal residence or accessory dwelling unit(s).

With the adoption of the Interim Accessory Dwelling Unit Regulations (Ordinance 3351) on June 23, 2025, the City's accessory structure and accessory dwelling unit standards, which were formerly in a single chapter (MMC Chapter 22C.180), were separated into two chapters – MMC Chapter 22C.180, Accessory Structures, and MMC Chapter 22C.185, Accessory Dwelling Units. The separation of the topics into different chapters was to eliminate confusion regarding which standards apply to accessory structures, and which standards apply to accessory dwelling units. The chapters were also significantly reorganized into tables for clarity, and Chapter 22C.185 was amended to address the changes required by [House Bill 1337](#).

The proposed Final Accessory Dwelling Unit Regulations are the same as the Interim Regulations with only a few changes. The changes are limited to some language amendments for clarity; the provision of additional flexibility in code to allow a small existing residence to be retained and converted to an accessory dwelling unit or when a minor revisions is needed to accommodate industry standards for building dimensions; an increase in the cap on accessory dwelling unit size from 1,200 to 1,400 SF; and amendments to fire access requirements to better meet Fire and EMS needs. The attached memo provides an overview of the proposed Final Regulations along with the changes detailed above. The changes from the Interim to the Final regulations are shown in red in the proposed Ordinance for easy reference.

On August 12th Planning Commission held a duly advertised Public Hearing, accepted testimony from staff and the public, and made a recommendation to City Council to approve the Accessory Dwelling Unit amendments. At the October 27th City Council meeting, staff respectfully requests that the City Council affirm the recommendation of the Planning Commission and adopt the proposed Accessory Dwelling Unit amendments by Ordinance.

ATTACHMENTS:

[Memo re. Accessory Structures and Accessory Dwelling Units](#)

MEMORANDUM

DATE: October 27, 2025
TO: City Council
FROM: Angela Gemmer, Planning Manager
SUBJECT: Accessory Structure and Accessory Dwelling Unit
ECC: Jennifer Stapleton, City Administrator/Interim CD Director
Exhibit 1: [Planning Commission minutes – March 25th, April 8th, June 24th, July 8th, and August 12th](#)
Exhibit 2: Accessory Dwelling Unit and Accessory Structure Final Ordinance

In May 2023, Washington State adopted [House Bill 1337](#), which establishes new standards for accessory dwelling units. Two of the key requirements of this statute are that: 1) cities must allow two accessory dwelling units per lot accessory to a single-family residence, and 2) can no longer require owner occupancy of either the principal residence or accessory dwelling unit(s).

With the adoption of the Interim Accessory Dwelling Unit Regulations (Ordinance 3351) on June 23, 2025, the City's accessory structure and accessory dwelling unit standards, which were formerly in a single chapter (MMC Chapter 22C.180, Accessory Structures), were separated into two chapters – MMC Chapter 22C.180, Accessory Structures, and MMC Chapter 22C.185, Accessory Dwelling Units. The separation of the topics into different chapters was to eliminate confusion regarding which standards apply to accessory structures, and which standards apply to accessory dwelling units. The chapters were also significantly reorganized into tables for clarity, and Chapter 22C.185 was amended to address the changes required by [House Bill 1337](#).

The proposed Final Accessory Dwelling Unit Regulations are the same as the Interim Regulations with only a few changes. The changes are limited to:

- Some language amendments for clarity;
- The provision of additional flexibility in code to allow a small existing residence to be retained and converted to an accessory dwelling unit;
- An increase in the cap on accessory dwelling unit size from 1,200 to 1,400 SF; and
- Amendments to fire access requirements to better address Fire and EMS needs.

These changes are shown in the attached proposed Final Ordinance in red for easy reference. A summary of the proposed Final Regulations is provided below.

MMC Chapter 22C.180, Accessory Structures

The accessory structure code has been amended to:

- Provide details on the side yard setback requirements adjacent to the public street;

- Currently accessory structures on properties under one-acre are limited to the lesser of 15 to 20 percent¹ of the lot area, or 80 percent of the footprint of the principal residence. The 80 percent limitation has been the limiting factor, so the 15 to 20 percent provision is proposed to be eliminated to simplify the code (i.e. only one calculation is needed instead of two); and
- The reader is directed to the standard code or the PRD code respectively for building and impervious surface limitations.

MMC Chapter 22C.185, Accessory Dwelling Units

The accessory dwelling unit code has been amended to:

State-mandated Changes

- Specify the allowance for accessory dwelling units accessory to a single-family residence as required by State law and those allowed accessory to Middle Housing (there is local discretion on this);
- Eliminate the owner occupancy requirement for both the principal dwelling and the accessory dwelling unit(s) consistent with State law;
- Indicate the accessory dwelling unit configurations that are allowed by State law;
- Currently the MMC limits the size of accessory dwelling units to 50 percent of the floor area of the primary residence. State law now requires jurisdictions to allow accessory dwelling units that are 1,000 SF. The MMC is proposed to be amended to allow accessory dwelling units to be 1,000 SF, or 50 percent of the total floor area of the primary residence, whichever is greater, but in no case larger than 1,400 SF;
- Increase the allowed height to 30 feet per State law;
- Allow for the conversion of existing structures to accessory dwelling units consistent with State law;
- Allow accessory dwelling units to be built to the lot line if abutting an alley consistent with State law;
- Eliminate the limitation on doors facing the street as required by State law; and
- Allow for the conversion of the accessory dwelling unit to a condominium consistent with State law.

Non-State-mandated Changes

- Prohibit the use of an accessory dwelling unit as a short-term rental;
- Amend the discontinuance provisions to indicate that if an accessory dwelling unit is out of compliance, it can be brought into compliance by addressing any deficiencies;
- Direct the reader to the parking code for the applicable parking;
- Direct the reader to the standard code or the PRD code respectively for front yard setbacks and for building coverage and impervious surface limitations;
- Allow for a reduced rear yard setback of 15 feet with an allowed reduction to 10 feet for one-story structures or structures located in a PRD;
- Require five feet of paved walkway to the accessory dwelling unit for fire access. Please note a small revision was made to this provision to clarify that the walkway should extend to the property line where the property is addressed from; and
- Allow for a modest size exception when existing residences are converted to accessory dwelling units, or when necessary to accommodate industry standards for building dimensions.

On August 12th Planning Commission held a duly advertised Public Hearing, accepted testimony from staff and the public, and made a recommendation to City Council to approve the Accessory Dwelling Unit amendments. At the October 27th City Council meeting, staff respectfully requests that the City Council affirm the recommendation of the Planning Commission and adopt the proposed Accessory Dwelling Unit amendments by Ordinance.

¹ The 15 percent limit applies in single family zones, and the 20 percent limit applies in multi-family zones.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
RELATING TO AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT
CODE (MMC TITLE 22) TO COMPLY WITH ENGROSSED HOUSE BILL
(EHB) 1337 PERTAINING TO ACCESSORY DWELLING UNITS AND
AMENDING MARYSVILLE MUNICIPAL CODE (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, 36.70A.681, and 36.70A.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, on June 23, 2025, the City adopted interim regulations pertaining to accessory dwelling units which were adopted via Ordinance 3351; and

WHEREAS, the interim regulations (a) repealed the then-existing MMC Chapter 22C.180, Accessory Structures, and replaced it with a new MMC Chapter 22C.180, Accessory Structures, and (b) adopted a new MMC Chapter 22C.185, Accessory Dwelling Units, to ensure that the standards for accessory structures and accessory dwelling units are distinct standards; and

WHEREAS, pursuant to RCW 35A.63.220 and RCW 36.70A.390, interim regulations may be in effect for up to six months after which final regulations should be adopted; 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, the City, in reviewing and amending its development regulations has complied with the notice, public participation, and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, City staff conducted environmental review for the proposed regulations for which a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 6, 2025; and

WHEREAS, the City of Marysville has submitted the proposed development regulations to the Washington State Department of Commerce on March 31, 2025 (Material ID 2025-S-8230) seeking 60-day review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, during a public meeting on March 25, April 8, June 24, and July 8, 2025, the Planning Commission discussed the proposed amendments related to Accessory Structures and Accessory Dwelling Units; and

WHEREAS, on August 12, 2025, the Planning Commission held a duly-advertised public hearing, and recommended that the City Council adopt the Accessory Dwelling Unit amendments set forth in Ordinance 3351 except as redlined in **Exhibits A and B**.

WHEREAS, the Marysville City Council finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, during the public meeting on October 27, 2025, the City Council discussed the Accessory Dwelling Unit amendments, and recommended approval of said changes.

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

Section 1. Chapter 22C.180, *Accessory Structures*, of the municipal code is amended as set forth in **Exhibit A**.

Section 2. Chapter 22C.185, *Accessory Dwelling Units*, of the municipal code is amended as set forth in **Exhibit B**.

Section 3. 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 4. 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>
_____	Accessory Dwelling Unit Final Regulations	_____, 2025"

Section 5. 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 6. 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 7. 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: _____
TINA BROCK, CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(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)
--	--

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 <u>1,400</u> square feet ¹
Maximum Bedrooms per Accessory Dwelling Unit	Two (2)
Front setback ⁴	See MMC 22C.010.080 for standard lots and MMC 22G.080.080 for PRD lots.
Side setback ⁴	5 feet
Side street setback ⁴	10 feet along non-arterials; 15 feet along arterials
Rear yard setback ⁴	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 <u>five (5) foot</u>-wide paved pathway that is free of obstructions must also be <u>must also be</u> provided between structures <u>the front entrance of the accessory dwelling unit and the property line from which the property is addressed</u> to ensure adequate access for emergency services.
Building, and Impervious Coverage ⁴	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 .

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 in the following circumstances:

(a) for an attached accessory dwelling unit within an existing structures, when a denial of such an increase would result in an unreasonable division of interior space between the ADU and the primary ~~residence~~dwelling unit.;

(b) an existing residence is converted to an accessory dwelling unit, provided the size of the existing residence to be converted does not exceed 100 SF more than the allowance for a new accessory dwelling unit; or

(c) a minor revision is needed to accommodate industry standards for building dimensions.

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~~1.

If the deficiencies outlined in subsections ~~5~~(a) and ~~5~~(b) are remedied, the community development director may allow the use to be reestablished.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE:	October 27, 2025
SUBMITTED BY:	Angela Gemmer, Community Development
ITEM TYPE:	Discussion Item
AGENDA SECTION:	New Business
SUBJECT:	An Ordinance Relating to Unit Lot Subdivision Final Regulations
SUGGESTED ACTION:	<u>Recommended Motion:</u> I move to adopt Ordinance No. _____.
SUMMARY:	In April 2023, Washington State adopted Senate Bill (SB) 5258 which includes various provisions pertaining to condominiums and townhouses and requires that jurisdictions allow for unit lot subdivisions as part of their short plat regulations. A Unit Lot Subdivision (ULS) is a subdivision process that allows for the subdivision of a parent lot (i.e. original lot or parcel) into “unit lots” (i.e. child lots). To address SB 5258, a new chapter – MMC Chapter 22G.095, Unit Lot Subdivisions – was prepared and adopted as interim regulations on June 23, 2025. The interim regulations allow up to 20 unit lots to be created through the ULS process. City Council provided subsequent direction that a greater amount of unit lots than 20 should be allowed. Following this direction, the Planning Commission evaluated different allowances and determined that the number of unit lots created through the ULS process should not be capped. The final regulations version of Chapter 22G.095 (Exhibit 3) was amended to reflect this direction (i.e. no cap for ULS). MMC Chapter 22G.095 is intended to serve as a companion to the standards in MMC Chapter 22G.090, Subdivisions and Short Subdivisions. The standards in MMC Chapter 22G.095 are only those that are unique to ULS and supplement the existing standards in the subdivision and short subdivision codes, which still apply. ULS that propose nine (9) or fewer unit lots will be processed as a short subdivision. ULS that propose

10 or more unit lots will be processed as a standard subdivision as required by State law. A provision has been added to clarify that if another land use action is proposed concurrent with the ULS, the underlying land use action will determine which review process needs to be followed (i.e. if a short subdivision and unit lot subdivision are concurrently proposed, the short subdivision processing code requirements would be followed).

The Public Hearing on Unit Lot Subdivisions was originally scheduled for August 12th but was continued to September 23rd to afford additional time to coordinate with stakeholders within the development community on the access provisions for ULS. In August and September, Community Development and Engineering Department staff met with development community stakeholders to discuss what access would be appropriate for ULS. Based on the conversations that occurred, different access options are proposed as detailed in the attached memo and proposed Ordinance.

Coordination with the Engineering Department, the Marysville Fire District, and the Building Division has occurred to promote ULS standards that address all relevant aspects of ULS development. The Engineering Department has provided direction that individual utility connections should generally be required for ULS given that ULS allows for individual fee simple ownership of units, which would make consolidated connections problematic for utility bills and maintenance of utility lines. The Marysville Fire District's access, fire separation, and unobstructed pathway needs have also been built into the ULS code.

On September 15th, the Master Builders Association of King and Snohomish Counties (MBA) provided a letter detailing some additional remaining concerns regarding the proposed ULS ordinance (**Exhibit 4**). A letter from City staff responding to the MBA's concerns is attached as **Exhibit 5**. Based on discussion with MBA's representative, staff believe that the solutions outlined in this letter satisfactorily address the concerns.

At the Public Hearing on September 23rd, the Planning Commission recommended approval of the proposed ULS amendments and directed staff to craft language addressing a couple concerns raised at the hearing, which are reflected in the attached ordinance. At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the ULS amendments by Ordinance.

ATTACHMENTS:

Memo and Exhibits 1 and 2 re Unit Lot Subdivisions

Exhibit 3 - Ordinance re. Unit Lot Subdivisions.pdf

Exhibit 4 - MBA letter re. ULS Ordinance

Exhibit 5 - Letter to MBA re. ULS

MEMORANDUM

DATE: October 27, 2025

TO: City Council

FROM: Angela Gemmer, Planning Manager

SUBJECT: Unit Lot Subdivisions

ECC: Jennifer Stapleton, City Administrator/Interim CD Director

Attached:

Exhibit 1	Planning Commission meeting minutes – July 8 th , August 12 th , and September 23 rd
Exhibit 2	Senate Bill (SB) 5258
Exhibit 3	Unit Lot Subdivision Ordinance
Exhibit 4	Master Builders’ Association (MBA) letter outlining ULS concerns
Exhibit 5	City letter addressing MBA concerns

Introduction

In April 2023, Washington State adopted [Senate Bill \(SB\) 5258](#) (**Exhibit 2**) which includes various provisions pertaining to condominiums and townhouses, and requires that jurisdictions allow for unit lot subdivisions as part of their short plat regulations. SB 5258, which is codified in [RCW 58.17.060\(3\)](#) and took effect on July 23, 2023, states:

“All cities, towns, and counties shall include in their short plat regulations procedures for unit lot subdivisions allowing division of a parent lot into separately owned unit lots. Portions of the parent lot not subdivided for individual lots shall be owned in common by the owners of the individual unit lots, or by a homeowners’ association comprised of the owners of the individual unit lots.”

A Unit Lot Subdivision (ULS) is a subdivision process that allows for the subdivision of a parent lot (i.e. original lot or parcel) into “unit lots” (i.e. child lots). In a ULS, the structure(s) on a parent lot are required to meet all applicable dimensional (i.e. setback, building coverage) standards while the individual “unit lots” are not required to. ULS are most often used to subdivide townhouses and other attached units along the walls that separate the units; however, the ULS process can also be used for the subdivision of multiple detached structures located on a parent lot (e.g. cottages, accessory dwelling units, etc. as shown in **Figure 1**). ULS allow for the creation of individual fee simple legal lots, which can be sold separately. To use the ULS process, the proposed unit lots must occupy their own foundation area on the land. In other words, ULS cannot be used for vertically stacked dwelling units; the condominium process must be used if separate ownership of vertically stacked units is desired.

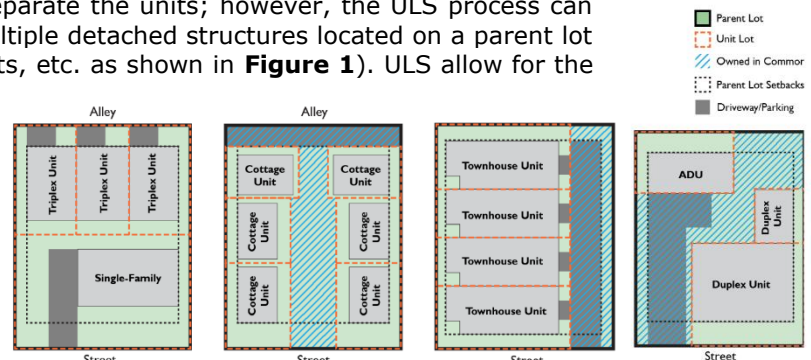


Figure 1 – Examples of various types of Unit Lot Subdivisions.

To address SB 5258, a new chapter – MMC Chapter 22G.095, Unit Lot Subdivisions – was prepared and adopted as interim regulations on June 23, 2025. The foundation of Chapter 22G.095 is largely adapted from Bothell’s Unit Lot Subdivision code, which was both the most complete and concise code among the 21 jurisdictions’ codes which were reviewed. The interim regulations allow up to 20 unit lots to be created through the ULS process. City Council provided subsequent direction that a greater amount of unit lots than 20 should be allowed. Following this direction, the Planning Commission evaluated different allowances and determined that the number of unit lots created through the ULS process should not be capped. The final regulations version of Chapter 22G.095 (**Exhibit 3**) was amended to reflect this direction (i.e. no cap for ULS).

MMC Chapter 22G.095 is intended to serve as a companion to the standards in MMC Chapter 22G.090, Subdivisions and Short Subdivisions. The standards in MMC Chapter 22G.095 are only those that are unique to ULS and supplement the existing standards in the subdivision and short subdivision codes, which still apply. ULS that propose nine (9) or fewer unit lots will be processed as a short subdivision. ULS that propose 10 or more unit lots will be processed as a standard subdivision as required by State law. A provision has been added to clarify that if another land use action is proposed concurrent with the ULS, the underlying land use action will determine which review process needs to be followed (i.e. if a short subdivision and unit lot subdivision are concurrently proposed, the short subdivision processing code requirements would be followed).

In August and September, Community Development and Engineering Department staff met with development community stakeholders to discuss what access would be appropriate for ULS. Based on the conversations that occurred, the following access options are proposed in the ULS code:

- ULS with nine or fewer unit lots may be served via a private multi-family drive aisle, alley, or private road;
- ULS with 10 to 30 unit lots may be served via a private multi-family drive aisle, alley, or “PRD Access Street”; and
- ULS creating 31 unit lots or more may be served via a private multi-family drive aisle or a “PRD Access Street with Parking”. The on-street parking requirement for the PRD road can be eliminated when replaced with common off-street parking area(s) providing a minimum of one off-street guest parking space for every four dwelling units.

All private drive aisles would be required to conform to the City’s Engineering Design and Development Standards (EDDS) standard plan for multi-family drive aisles, meet turning radii, and include provisions for maintenance of the drive aisle and enforcement of parking restrictions.

Provisions are included in code specifying when a public street will need to be built instead of a private drive aisle. These circumstances include when the City Engineer or designee determines that:

- a through-connection is needed to connect existing or future public streets, or implement City plans or standards;
- access is needed to serve landlocked property;
- the connection is necessary to ensure adequate emergency service connectivity; or
- a public road is needed for another compelling engineering reason.

Coordination with the Engineering Department, the Marysville Fire District, and the Building Division has occurred to promote ULS standards that address all relevant aspects of ULS development. The Engineering Department has provided direction that individual utility connections should generally be required for ULS given that ULS allows for individual fee simple ownership of units, which would make consolidated connections problematic for utility bills and maintenance of utility lines. The Marysville Fire District’s access, fire separation, and unobstructed pathway needs have also been built into the ULS code.

On September 15th, the Master Builders Association of King and Snohomish Counties (MBA) provided a letter detailing some additional remaining concerns regarding the proposed ULS ordinance (**Exhibit 4**). These concerns were addressed during the Public Hearing on September 23rd. A letter from City staff responding to the MBA’s concerns is attached as **Exhibit 5**. Based on discussion with MBA’s representative, staff believe that the solutions outlined in this letter satisfactorily address the concerns.

The Public Hearing on Unit Lot Subdivisions was originally scheduled for August 12th but was continued to September 23rd to afford additional time to coordinate with stakeholders within the development community on the access provisions for ULS. At the Public Hearing on September 23rd, the Planning Commission recommended approval of the proposed ULS amendments and directed staff to craft language addressing a couple concerns raised at the hearing, which are reflected in the attached ordinance. At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the ULS amendments by Ordinance.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
RELATING TO AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT
CODE (MMC TITLE 22) TO COMPLY WITH ENGROSSED SECOND
SUBSTITUTE HOUSE BILL (E2SHB) 5258 RELATING 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, City staff conducted environmental review for the proposed regulations for which a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 6, 2025; and

WHEREAS, on June 23, 2025, the City adopted interim regulations pertaining to Unit Lot Subdivisions which were adopted via Ordinance 3350; and

WHEREAS, pursuant to RCWs 35A.63.220 and 36.70A.390, interim regulations may be in effect for up to six months after which final regulations should be adopted; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation, and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City of Marysville has submitted the proposed development regulations to the Washington State Department of Commerce on October 9, 2025 (Material ID 2025-S-10982) seeking expedited review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, during a public meeting on July 8, 2025, the Planning Commission discussed the proposed amendments related to Unit Lot Subdivisions; and

WHEREAS, on September 23, 2025, the Planning Commission held a duly-advertised public hearing, and recommended that the City Council adopt the interim regulations on Unit Lot Subdivisions set forth in Ordinance 3350 except as redlined in **Exhibit A**.

WHEREAS, the Marysville City Council finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, during the public meeting on October --, 2025, the City Council discussed the Unit Lot Subdivision amendments, and recommended approval of said changes.

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

Section 1. A new Chapter 22G.095, Unit Lot Subdivisions, of the municipal code is adopted as set forth in **Exhibit A**.

Section 2. 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 3. 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>
_____	Unit Lot Subdivisions Final Regulations	_____, 2025"

Section 4. 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. 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. 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: _____
TINA BROCK, CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(Effective 5 days after publication)

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.020.1370, 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 a 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 of 20 unit lots may be created through the unit lot subdivision process.~~

~~(2)(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.

~~(3)(4)~~ All buildings shall meet all applicable provisions set forth in Title 9, Fire and Title 16, Building.

~~(4)(5)~~ Access for the unit lot subdivision ~~shall~~ can be provided as follows: ~~via a private multifamily 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. Multifamily drive aisles shall comply with the following standards:~~

(a) Unit lot subdivisions creating nine (9) or fewer unit lots may be served via a private multi-family drive aisle, alley, or private road;

(b) Unit lot subdivisions creating ten (10) to thirty (30) units lots may be served via a private multi-family drive aisle, alley, or "PRD Access Street";

(c) Unit lot subdivisions creating thirty-one (31) unit lots or more may be served via a private multi-family drive aisle or a "PRD Access Street with Parking". If a PRD Access Street with Parking is provided, the on-street parking requirement may be eliminated when replaced with common off-street parking area(s) providing a minimum of one off-street guest parking space for every four dwelling units;

(d) Projects proposing a single family detached development, or a development with duplexes in excess of 20 percent of the total dwelling units for the overall project, shall not be permitted to use a private multi-family drive aisle for access. Projects containing duplexes that access off of a multi-family drive aisle shall be required to install fire sprinklers in the duplexes.

(e) Public roads shall be built when the City Engineer or designee determines that:

(i) a through-connection is needed to connect existing or future public streets, or implement City plans or standards;

(ii) access is needed to serve landlocked property;

(iii) the connection is necessary to ensure adequate emergency service connectivity; or

(iv) a public road is needed for another compelling engineering reason.

(f)(a) When a public road is provided, sidewalks shall be located on both sides of the road. When a private multi-family drive aisle is provided, and ~~Where~~ buildings are located, ~~or in the future could be located~~, on both sides of a drive aisle, sidewalks must be provided on ~~each~~ both sides. 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. Exception: when a drive aisle is constructed along a common property line and no buildings are currently proposed on that side of the drive aisle, the requirement for the sidewalk on that side of the drive aisle may be waived provided that reciprocal easements are granted to the adjacent property owner enabling access to and future construction of the sidewalk.

~~(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.~~

(g) When access is provided via a private multi-family drive aisle, covenants and restrictions shall be prepared ensuring that fire access is maintained and that parking does not occur on the drive aisle. The covenants shall include enforcement and maintenance provisions, and must clearly indicate that it is the obligation of the Homeowners' Association or lot owners within the development to tow vehicles or other objects violating access parking restrictions. The access shall be properly signed and/or marked to indicate that the access is private and the unit lot subdivision map and other title documents, as appropriate, shall clearly indicate that the access is private.

(h) The minimum allowable inside vehicle turning radius in parking and drive aisles 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.

(i) All access must conform to the standards set forth in the City's Engineering Design and Development Standards.

(5)(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.

~~(6)(7)~~ Individual water and sewer connections shall be provided for each unit lot except as specifically exempted in Title 14, Water and Sewers.

~~(7)(8)~~ A minimum of five 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-five foot wide paved pathway that is free of obstructions ~~is~~ must also be provided ~~between structures where determined to be necessary by the Fire District is obtained~~ to ensure adequate access for emergency services to the rear of the building.~~

~~(8)(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.

~~(9)(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.

~~(10)(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.

~~(11)(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. Private open space shall be provided in accordance with MMC 22C.010.330 and shall also have no dimension less than 10 feet.~~ Parking areas shall not count towards required open space.

~~(12)(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 shall be processed as follows:

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

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

(c) Exception: Unit lot subdivisions processed concurrently with an alternate land division process (i.e. subdivision, short subdivision, or binding site plan) shall be processed according to the underlying land use process creating the parent lots.

(32) Applications for a unit lot subdivision must fulfill the applicable requirements for a subdivision, ~~or~~ short subdivision, or binding site plan, 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 subject to 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.



September 15, 2025

Angela Gemmer
Principal Planner
581 Delta Ave.
Marysville, WA 98270

RE: Public Comment for Planning Commission Meeting September 23rd

Dear Angela Gemmer,

The Master Builders Association of King and Snohomish Counties (MBAKS) takes pride in building communities. Our nearly 2,500 members are professional homebuilders, architects, remodelers, trades people, planners and engineers, suppliers, manufacturers, and sales and marketing professionals in your community.

MBAKS would like to thank the city of Marysville and the Planning Commission for this opportunity to share its views. We recognize all parties have dedicated considerable time and effort in producing this ordinance to date. MBAKS, however, has some remaining concerns with the proposed Unit Lot Subdivision (ULS) code under consideration by the Planning Commission on September 23rd as outlined below.

Introduction

As background, MBAKS staff and interested members, as well as Marysville City Staff, discussed the issues during our regular quarterly meeting on September 10th. Prior to that we met on both August 12th and September 4th. MBAKS and City Staff were able to agree that issues should be sent on to the Planning Commission as part of public comments in advance of the September 23rd public hearing. MBAKS is requesting the Planning Commission evaluate the comments below and consider the changes outlined in this letter.

Unit Lot Subdivisions

First, a general comment and observation on parking. This ULS ordinance and the Middle Housing ordinance recommendation you recently made to council in August both touch on many aspects of parking. In our experience, we have found that additional parking requirements reduce the area available to construct housing.

As you know, the State has mandated changes to the parking code and that cities adopt the changes by 2028 under the Parking Reform and Modernization Act. Many of the changes to the ULS code help Marysville move forward. However, some may run counter to the intent of the new state law. While they may still comply with current law, they may need to be modified and updated by 2028. During this process we



would urge Marysville to consider whether adoption of the Parking Reform and Modernization Act could be a more efficient path to compliance now rather than a more piecemeal process that is currently under way.

In addition to parking, other proposed changes for the ULS code would have the unintended consequence of negatively impacting development opportunities in Marysville by increasing costs, regulations, and timelines while also reducing land availability. For instance, while ULS road standards as proposed would allow more flexibility in the way access is provided to these projects, the mix of units that would be eligible seems arbitrary.

As proposed, all new ULS developments would have the option of using a private multifamily drive aisle. However, the option is limited under 22G.095.030(4)(d) MMC:

Projects proposing a single family detached development, or a duplex development with duplexes in excess of 10 percent of the total dwelling units for the overall project, shall not be permitted to use a private multi-family drive aisle for access.

The 10% total that triggers the unavailability of the multifamily drive aisle is arbitrary. Moreover, it is not consistent with the idea to encourage additional density. Could the breakdown be raised for duplexes in a project from 10% to 50%? We believe this would still allow for preservation of the look and feel of a single-family neighborhood but allow flexibility in construction and provide variety in the types of homes in a new development.

Next, under 22G.095.030(4)(f) MMC when a private multi-family aisle is provided sidewalks need to be provided on both sides, when a building could be located there in the future. Here, in the situation where the builder does not own both sides of the aisle, it is troubling that the city could require a sidewalk be built on the other side of the aisle for future development. Why not treat this situation the same way the City currently treats half-street improvements with the developer constructing the required half-street improvements on his property and the future developer would be responsible for constructing them when they develop in the future?

Finally, under 22G.095.030(11) MMC the private open space requirements are not consistent with the concept of a higher density community. Two hundred (200) square feet of private open space, with a minimum dimension of fifteen feet, is required for each unit lot on the respective unit lot it serves. In addition, parking areas would not count towards required open space. Including this requirement makes the ULS process feel more akin to a subdivision. As an alternative, would the city consider allowing the balance of the private open space to be provided within the common



open space area? Or require smaller amount of private open space, say 50 sq ft, that can be included as a balcony or patio, similar to Issaquah or other jurisdictions and have a separate common open space requirement. This would allow more efficient use of lots and maintain community open space.

We respectfully ask the Planning Commission to consider the recommendations above. The primary focus of the ULS is to encourage fee-simple homes in more flexible development areas. As you consider the ULS changes please carefully evaluate each of them so as to not negatively affect the developability and affordability of homes constructed in Marysville. MBACKS remains ready and willing to work with adjustments to the code provisions that would encourage new housing in Marysville.

Thank you again for allowing us to comment on these critical issues. Please let me know if you have any questions.

Sincerely,

Russell Joe

Russell Joe
Snohomish County Government Affairs Manager

Everyone deserves a place to call home.

CC: Jon Nehring, Mayor (jnehring@marysvillewa.gov)



COMMUNITY DEVELOPMENT DEPARTMENT
501 Delta Avenue ♦ Marysville, WA 98270 ♦ (360) 363-8100

September 26, 2025

Russell Joe
Snohomish County Government Affairs Manager
335 116th Avenue SE
Bellevue, WA 98004

Re: MBA Concerns re. Unit Lot Subdivision Final Regulations

Dear Russell,

Thank you for providing comments on the proposed Unit Lot Subdivision (ULS) final regulations, for you and your members' collaboration in stakeholder meetings regarding access requirements for ULS, and for your participation in the Public Hearing on September 23rd. This letter aims to address the remaining concerns raised on behalf of your members.

Parking

MBA Concern: Parking reduces the area to construct housing. While the City's parking regulations may comply with current State law, they will need to be amended to comply with the State's Parking Reform and Modernization Act by 2028. We urge you to consider whether adopting the State's Parking Reform and Modernization Act at this time would be a more efficient path to compliance than the current approach.

Staff Response: The proposed Middle Housing final regulations comply with the parking regulations set forth in both House Bills 1110 and 1337. Adequate parking is a consistent concern expressed by Marysville citizens and businesses. The parking expectations outlined in the State's Parking Reform and Modernization Act are a significant departure from the City's current parking requirements and needs to be studied further to ensure that the parking that is ultimately provided will result in reasonable outcomes for our community; therefore, we anticipate implementing the requirements of the Act closer to its implementation date.

Duplex Cap on Private Drive Aisle

MBA Concern: The ULS regulations allow for private multi-family drive aisles for access; however, limit the amount of duplexes accessing from a drive aisle to 10 percent of the total dwelling units for the project which appears arbitrary and limits density. Could the duplex allowance be increased from 10 to 50 percent.

Staff Response: The ULS code was primarily intended to allow for the fee simple subdivision of townhouses and Middle Housing. Duplexes, while a Middle Housing type, are a less compact housing type than townhouses due to larger lot requirements and more frequent setbacks between structures. In looking at this issue, it is the professional opinion of Engineering Department, Community Development and Fire District staff that it is more appropriate for single family and duplex developments to use public roads. Staff appreciate that site circumstances such as the presence of critical areas, unique site configuration, topography, access, or other factors make it reasonable to allow a limited number of duplex units in a predominantly townhouse project to fit units in spaces where larger buildings are infeasible, and that a mix of different unit types can be a superior design outcome. Planning Commission was presented with the option to increase the number of duplexes allowed off a drive aisle from 10 to 20 percent of the overall

dwelling units within a project, which was recommended at the Planning Commission Public Hearing, but were not supportive of the 50 percent allowance. The proposed code presented to City Council will allow ULS with drive aisles providing access to have up to 20 percent of the dwelling units to be duplexes.

Private Drive Aisle Sidewalk

MBA Concern: The proposed ULS code requires sidewalks to be constructed on both sides of a private drive aisle when buildings will, or in the future could be, located on each side of the aisle. When a builder does not own both sides of the drive aisle, this is troubling. It is recommended that the situation be treated similar to when a half-street is constructed with the initial developer constructing part of the improvement and a future developer constructing the remainder of the improvement.

Staff Response: The MBA's proposed approach is reasonable if access easements are granted to enable a future development to access the shared portion of the drive aisle and make any necessary improvements. Language is being crafted for the final regulations which would allow for relief from the expectation to build the second sidewalk if an easement is granted to the neighboring property owner to enable access to and improvement of the drive aisle.

Open Space Dimensions

MBA Concern: The ULS code proposes requiring 200 square feet of open space, with a minimum dimension of 15 feet, which makes the ULS feel more akin to a subdivision. As an alternative, would the City consider allowing the balance of the private open space to be provided within a common open space area, or require smaller open space, say 50 square feet, that can be provided in a balcony or patio.

Staff Response: The ULS open space requirement was amended to have no dimension less than 10 feet. This means that the width of a typical townhouse unit (about 20 feet) and setback (often 10 feet) would establish the open space area. Staff crafted a code amendment that allows the general flexibility in the City's current townhouse open space code (MMC 22C.010.330) to be used. These standards are as follows:

22C.010.330 Townhouse open space.

Townhouses, middle housing, single-family, and 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.

We believe that the proposed clarifications and solutions above address the concerns raised by your members, while maintaining standards that are in our community's best interest. We thank you for taking the time to provide comments. If you have any questions or further comments, please do not hesitate to contact me at agemmer@marysvillewa.gov or 360.363.8240.

Sincerely,

Angela Gemmer

Angela Gemmer

Principal Planner

ecc: Mayor Jon Nehring
Jennifer Stapleton, City Administrator
Jeff Wilson, Interim CD Director



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Angela Gemmer, Community Development

ITEM TYPE: Action Item

AGENDA SECTION: **New Business**

SUBJECT: An **Ordinance** Relating to Tree Canopy Assessment

SUGGESTED ACTION: Recommended Motion: I move to adopt Ordinance No. _____.

SUMMARY:

The Washington State Growth Management (GMA) now requires the preparation of a Tree Canopy Assessment as part of the Parks Element of the City's Comprehensive Plan per RCW 36.70A.070(8)(c). The purpose of a Tree Canopy Assessment is to document how much of a community's land area is covered by trees and where trees are located, identify opportunities for planting trees, and monitor and preserve or enhance tree canopy over time. The Tree Canopy Assessment also helps further the City's commitment to improving the natural environment and the quality of life of Marysville residents.

The City's Tree Canopy Assessment provides foundational information on the benefits that trees impart, risks to trees in Western Washington, and the method that was used for conducting the Tree Canopy Assessment. The Tree Canopy Assessment evaluates the overall amount of tree canopy in the City, which is currently at 24 percent of the City, and evaluates tree canopy by each of the City's eleven major neighborhoods, by zoning designation, and within City parks. A discussion is provided on measures to preserve tree canopy and includes recommendations on where to plant trees based on a review of various City resource documents such as the Housing Action Plan and Stormwater Management Action Plan. Generally, each of these documents supports Downtown being a key priority location to plant trees, with other locations identified. Given the rapid pace of development within the City, at this time a goal of maintaining tree canopy at 24 percent of the City overall is recommended, with a two percent increase in tree canopy to 26 percent recommended by 2045.

On October 14th, the Planning Commission held a duly advertised Public Hearing and accepted testimony from the public and staff. At the October 27th City Council meeting, staff respectfully requests that City Council affirm the recommendation of the Planning Commission and adopt the Tree Canopy Assessment by Ordinance.

ATTACHMENTS:

[Memo re. Tree Canopy Assessment](#)

[Exhibit 1 - Tree Canopy Ordinance and Tree Canopy Assessment](#)

MEMORANDUM

DATE: October 27, 2025
TO: City Council
FROM: Angela Gemmer, Planning Manager
SUBJECT: Tree Canopy Assessment
ECC: Jennifer Stapleton, City Administrator
Jeff Wilson, Interim Community Development Director
Exhibit 1: Ordinance with Tree Canopy Assessment

The Washington State Growth Management (GMA) now requires the preparation of a Tree Canopy Assessment as part of the Parks Element of the City's Comprehensive Plan per RCW [36.70A.070\(8\)\(c\)](#).¹ The purpose of a Tree Canopy Assessment is to document how much of a community's land area is covered by trees and where trees are located, identify opportunities for planting trees, and monitor and preserve or enhance tree canopy over time. The Tree Canopy Assessment also helps further the City's commitment to improving the natural environment and the quality of life of Marysville residents.

The City's Tree Canopy Assessment provides foundational information on the benefits that trees impart, risks to trees in Western Washington, and the method that was used for conducting the Tree Canopy Assessment. The Tree Canopy Assessment evaluates the overall amount of tree canopy in the City, which is currently at 24 percent of the City, and evaluates tree canopy by each of the City's eleven major neighborhoods, by zoning designation, and within City parks. A discussion is provided on measures to preserve tree canopy and includes recommendations on where to plant trees based on a review of various City resource documents such as the Housing Action Plan and Stormwater Management Action Plan. Generally, each of these documents supports Downtown being a key priority location to plant trees, with other locations identified. Given the rapid pace of development within the City, at this time a goal of maintaining tree canopy at 24 percent of the City overall is recommended, with a two percent increase in tree canopy to 26 percent recommended by 2045.

On October 14th, Planning Commission held a duly advertised Public Hearing and made a recommendation of approval of the Tree Canopy Assessment to City Council for adoption by Ordinance. At the October 27th City Council meeting, staff respectfully requests that the City Council affirm the recommendation of the Planning Commission and adopt by Ordinance the Tree Canopy Assessment as an Appendix to the Comprehensive Plan.

¹ Due to the length of the Tree Canopy Assessment, it is proposed to be adopted as an Appendix to the Comprehensive Plan.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, WHICH
AMENDS THE MARYSVILLE GROWTH MANAGEMENT COMPREHENSIVE
PLAN, ADOPTED VIA ORDINANCE NO. 3330, BY ADOPTING THE 2025
TREE CANOPY ASSESSMENT AS AN APPENDIX TO THE COMPREHENSIVE
PLAN.**

WHEREAS, on December 9, 2024, the Marysville City Council enacted Ordinance No. 3330 adopting an updated Growth Management Comprehensive Plan ("Comprehensive Plan") for the City of Marysville; and

WHEREAS, the Growth Management Act allows jurisdictions to amend comprehensive plans once a year, except in those situations enumerated in RCW 36.70A.130(2)(a); and

WHEREAS, on January 27, 1997, the Marysville City Council adopted Resolution No. 1839, providing for procedures for annual amendment and update of the City's Comprehensive Plan; and

WHEREAS, on February 14, 2011, the Marysville City Council adopted Ordinance No. 2852, adding Chapter 22G.020 to the Marysville Municipal Code (MMC) entitled "Procedures for Legislative Actions" which establishes procedures for processing and review of legislative actions relating to amendments or revision to the Comprehensive Plan and Development Regulations; and

WHEREAS, the Washington State Growth Management Act (GMA), RCW 36.70A.070(8)(c) requires that the Parks Element of the Comprehensive Plan include "an evaluation of tree canopy coverage within the urban growth area"; and

WHEREAS, trees provide many myriad benefits from creating oxygen to improving air quality to providing shade and minimizing the heat island effect; and

WHEREAS, the City of Marysville is committed to improving the quality of life for Marysville residents; and

WHEREAS, monitoring the location and extent of the tree canopy in Marysville is important to preserving and enhancing the tree canopy overtime and prioritizing where to invest in planting trees; and

WHEREAS, the City is currently working on an update to the Parks and Recreation Plan which, when adopted, will result in changes to the Comprehensive Plan; and

WHEREAS, functionally the 2025 Tree Canopy Assessment will work better within the Comprehensive Plan as an appendix due to the extent of the report; and

WHEREAS, on September 30, 2025, the City issued a State Environmental Policy Act Determination of Non-Significance (DNS), which addresses the environmental impacts of the amendment to the Comprehensive Plan to include the 2025 Tree Canopy Assessment; and

WHEREAS, the City submitted the proposed Comprehensive Plan Land Use Map amendments to Washington State Department of Commerce for 60-day review in accordance with RCW 36.70A.106, which was assigned Submittal ID 2025-S-9860; and

WHEREAS, the Marysville Planning Commission, discussed the 2025 Tree Canopy Assessment at a public workshop on September 23, 2025; and

WHEREAS, the Marysville Planning Commission held a duly-advertised public hearing on October 14, 2025, and received testimony from property owners, staff, and other interested parties; and

WHEREAS, the Marysville Planning Commission provided a written recommendation that the proposed 2025 Tree Canopy Assessment should be approved by the Marysville City Council as an appendix to the Comprehensive Plan; and

WHEREAS, at a public meeting on October 27, 2025, the Marysville City Council reviewed and concurred with the Planning Commission's written recommendation related to adoption of the 2025 Tree Canopy Assessment as an appendix to the Comprehensive Plan as shown in **Exhibit A**; and

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

Section 1. City Council Findings. The City Council hereby finds the amendment to the Comprehensive Plan to adopt the Tree Canopy Assessment as an appendix to the Comprehensive Plan is:

1. Consistent with the City's Comprehensive Plan and Zoning Code;
2. Consistent with the State Growth Management Act and the State Environmental Policy Act;
3. Warranted by significant changes in circumstances; and
4. Warranted by sufficient benefit or cost to the public health, safety, and welfare.

Section 2. Amendment of Comprehensive Plan. The City Council amends the Marysville Growth Management Comprehensive Plan and Ordinance No. 3330, as previously amended, by adopting the 2025 Tree Canopy Assessment, as an appendix to the 2024 Comprehensive Plan as shown in **Exhibit A**.

Section 3. 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 4. 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 5. 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: _____
TINA BROCK, CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)



2025 City of Marysville Tree Canopy Assessment

Prepared by City of Marysville

September 2025

INTRODUCTION

The City of Marysville is committed to improving the natural environment and the quality of life of Marysville residents. Trees play a vital role in furthering these commitments. This tree canopy assessment endeavors to encourage the maintenance or improvements of the tree canopy cover within the City¹ over time, and to address a new Growth Management Act (GMA) requirement to prepare a tree canopy analysis.²

TREES IMPART

Trees are essential to life and impart a multitude of benefits that are vital to the environment and human flourishing. While the benefits imparted are too numerous to list in full, a few key benefits are outlined below:

- **Air Quality and Oxygen.** Trees absorb carbon dioxide and produce oxygen, which is essential for life. Trees also filter pollutants such as nitrogen oxides, ammonia, and sulfur dioxide from the air and water.
- **Climate Regulation.** Trees help reduce the heat island effect³, and mitigate impacts on the climate by storing carbon and regulating temperature, particularly in urban areas.
- **Economic Value.** Trees contribute to the economy by reducing energy costs, enhancing property values, and providing recreational opportunities.
- **Flow Control.** Trees provide stormwater flow control by helping to manage the rate and quality of stormwater runoff to prevent flooding, erosion, and water quality degradation.
- **Habitat.** Trees feed and shelter wildlife, contribute to the variety of plants and animals in a habitat, and promote ecosystem balance.

¹ For simplicity, this Tree Canopy Assessment references the City; however, the Assessment encompasses the entire Urban Growth Area (UGA). Over 99 percent of the City's UGA has been annexed and is incorporated city limits; therefore, there is minimal difference between tree canopy within the UGA and the City.

² The requirement for a tree canopy analysis is set forth in RCW 36.70A.070(8)(c).

³ Source: United States Environmental Protection Agency: <https://www.epa.gov/heatislands/using-trees-and-vegetation-reduce-heat-islands>

- **Health Benefits.** Trees promote physical activity, mental health, and social connections, which can improve health and well-being. They also provide shade, which cools people and buildings during extreme heat events, which can be deadly.

RISKS TO TREES IN WESTERN WASHINGTON

Various factors contribute to tree loss and health in Western Washington. These include human and environmental factors.

- **Human Factors.** Human factors that pose risks to trees include land development to construct new buildings and associated improvements, harvesting for timber, and removal of trees for other reasons (e.g. aesthetic, maintenance issues, etc.).
- **Environmental Factors.** Environmental factors also pose risks to tree health.

These factors are briefly described below:

- **Changes to Climate.** Warming trends cause stress to the tree but cause insect populations to increase.
 - **Drought.** “Extended periods of drought can damage trees, particularly those on gravelly or sandy soils and species like Western Hemlock and Western Red Cedar.”⁴ Drought damage is indicated by bright red or bronze needles, and red foliage in the fall.
 - **Foliar Diseases.** Foliage disease can impact tree health. These diseases are worsened by late winter/spring weather conditions and can inflict great damage on trees.
- Insects.** Bark beetles, mountain pine beetle, western pine beetle, and silver fir beetle feast on trees causing mortality and defoliation (loss of leaves).

To mitigate risks to trees, it is important that replanting is required with development and that good forest practice/tree management occur to address problems before they worsen.

⁴ Source: Washington State Department of Natural Resources: https://dnr.wa.gov/sites/default/files/2025-03/rp_drought_stress_fctsht.pdf

METHOD FOR TREE CANOPY ASSESSMENT

For this tree canopy assessment, maps were prepared in GIS⁵ using aerial images from [Ecopia](#). GIS data from [i-Tree](#) and [American Forests' Tree Equity Score](#) were also reviewed and considered. The aerial images from Ecopia capture tree canopy cover, which is comprised of the branches, stems, and leaves of trees when viewed from above. Tree canopy is calculated by dividing the amount of tree canopy by the amount of land within the city.



Figure 1 – Ecopia's aerial imagery was used to document the tree canopy within the City. The image in the above figure shows the change in tree canopy from 2015 through 2025.

Below is a summary of how each of these data sources were used:

- **Ecopia.** Ecopia's aerial imagery was used to document the tree canopy within the City in 2015, 2020 and 2025 (see **Figure 1**). GIS was used to evaluate how the tree

⁵ GIS stands for Geographic Information Systems are "integrated computer systems that capture, store, manage, analyze, and visualize geographic data, enabling user to understand and spatial relationships and patterns." Source: Google Co-pilot.

canopy cover changed between 2015 (the baseline year) and 2025. Tree canopy was further evaluated to determine tree canopy coverage in each of the City's:

- Eleven (11) major neighborhoods;
- Major zoning classifications (i.e. commercial, industrial, multi-family, single-family, institutional, open, and other); and
- Parks.

Within the neighborhoods and major zoning classifications, the tree canopy cover was further distinguished between parcels and right-of-way.

- **i-Tree.** The aerial imagery and data assessment tools from i-Tree were reviewed to consider optimal areas to plant or protect trees.
- **American Forests' Tree Equity Score.** Data from Tree Equity Score was also used to evaluate socioeconomic factors, such as higher concentrations of poverty, and the availability of trees in those areas.

TREE CANOPY CITY-WIDE

In 2025, city-wide the tree canopy covers approximately 3,297 acres, which represents 24.3 percent of the City's 13,583 acres as shown in **Figure 2**. From 2015 to 2025, tree canopy within the city overall has been largely stable with only an approximately 0.8 percent decrease in tree

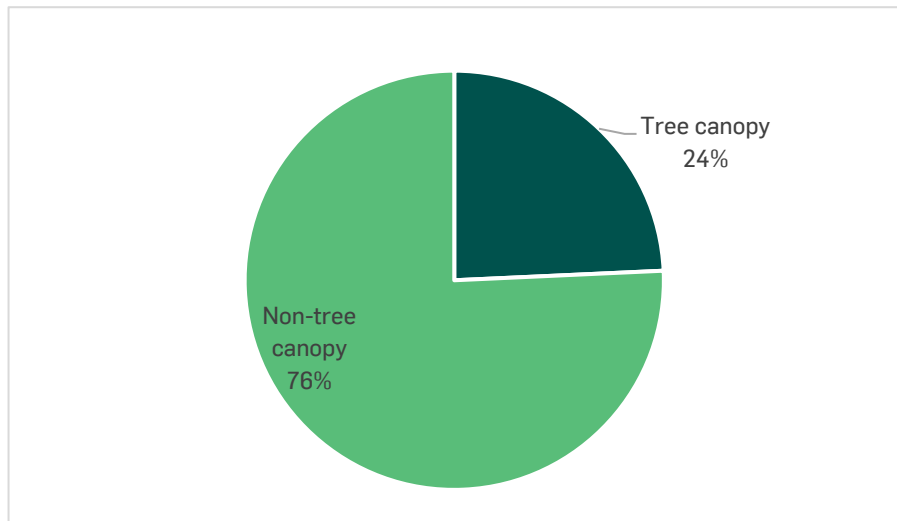


Figure 2 – Tree canopy as proportion of total city acreage

canopy. While the overall tree canopy cover has remained stable, changes to the tree canopy are somewhat dynamic when specific areas are considered (see **Figure 3**).

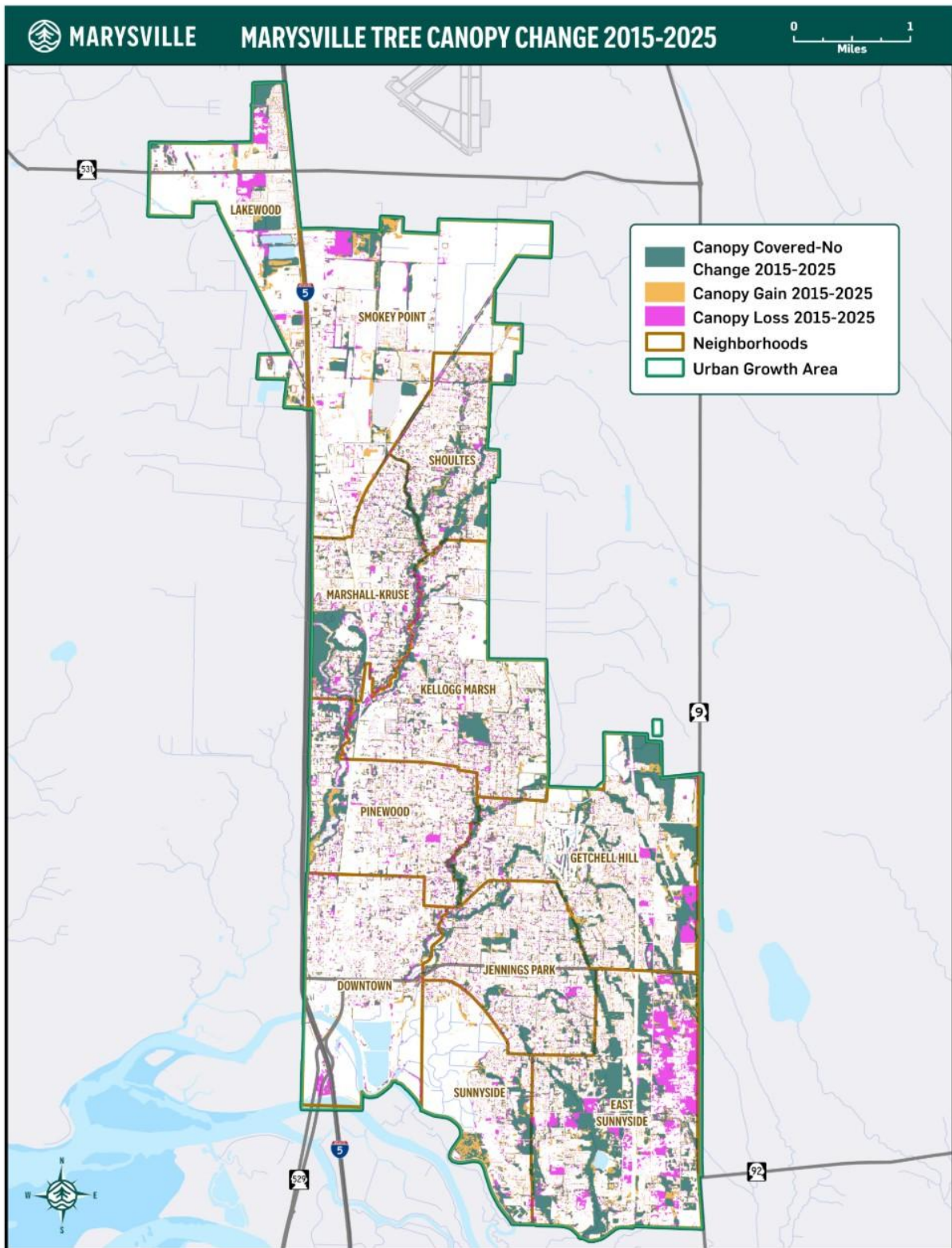


Figure 3 – Tree Canopy Change, 2015 – 2025

Among the City's 11 major neighborhoods, the East Sunnyside – Whiskey Ridge and Getchell Hill neighborhoods boast the most tree canopy with 618 acres (18.7 percent) and 544 acres (16.5 percent) respectively. Among the other nine neighborhoods, the share of tree canopy ranges from approximately 3 to 9 percent of the City's overall tree canopy, with right-of-way comprising 7 percent (see **Figure 4**).

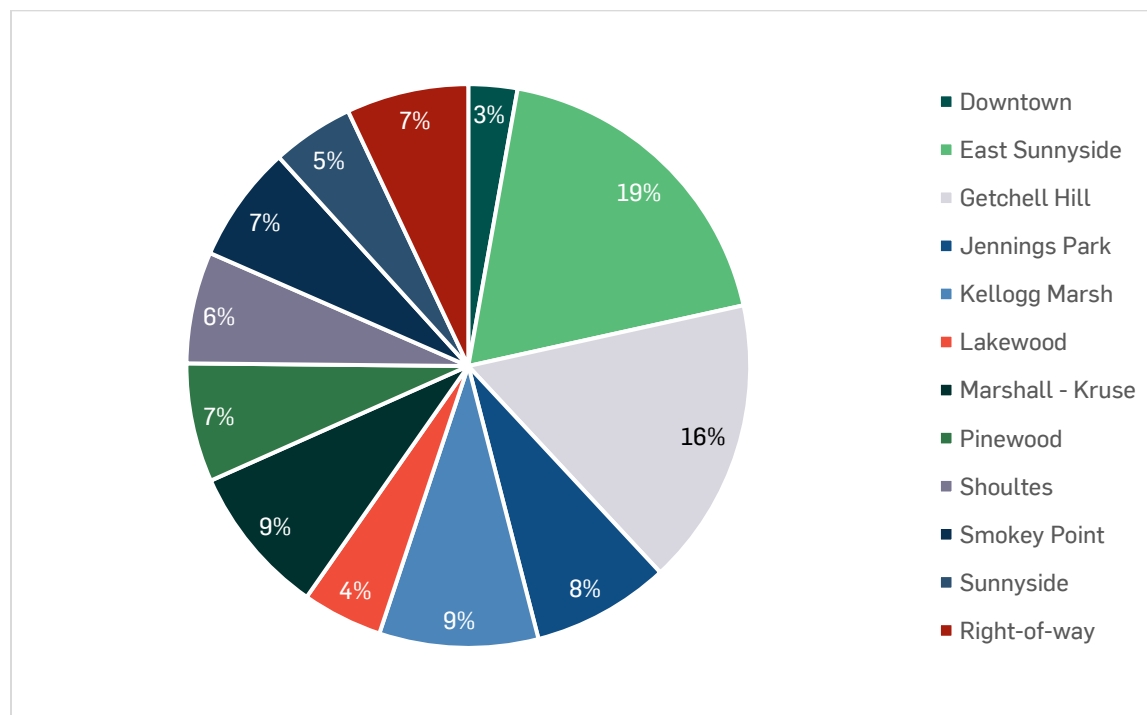


Figure 4 – Share of tree canopy by neighborhood, 2025

Over the past several years, the East Sunnyside – Whiskey Ridge, Lakewood, and Smokey Point neighborhoods have experienced a construction boom. Growth has been largely residential in East Sunnyside – Whiskey Ridge with some commercial; a mix of uses leaning heavier towards residential in Lakewood; and industrial in Smokey Point. As a result of the significant development, approximately 89.6 acres of tree canopy has been lost in the East Sunnyside – Whiskey Ridge neighborhood over the past decade – a 12.6 percent decline (see **Figure 5**).

In the Lakewood neighborhood, the loss of tree canopy has been considerably less at only six (6) acres. While development has been similarly intense to that which has occurred in the East Sunnyside – Whiskey Ridge, the decline in tree canopy has been minimal due to development areas being formerly pasture or agricultural land. Despite

all the development in the Smokey Point neighborhood, a gain of about 21 acres of tree canopy has been observed, which is largely due to trees being installed on projects that were formerly agricultural fields and critical areas mitigation and enhancement.

In other neighborhoods, where development has been more limited, tree canopy has largely been stable or experienced modest fluctuations since 2015. It is expected that tree canopy in areas of significant development will continue to decline in the near term but gradually rebound as the rate of development moderates and replanting occurs concurrently with development.

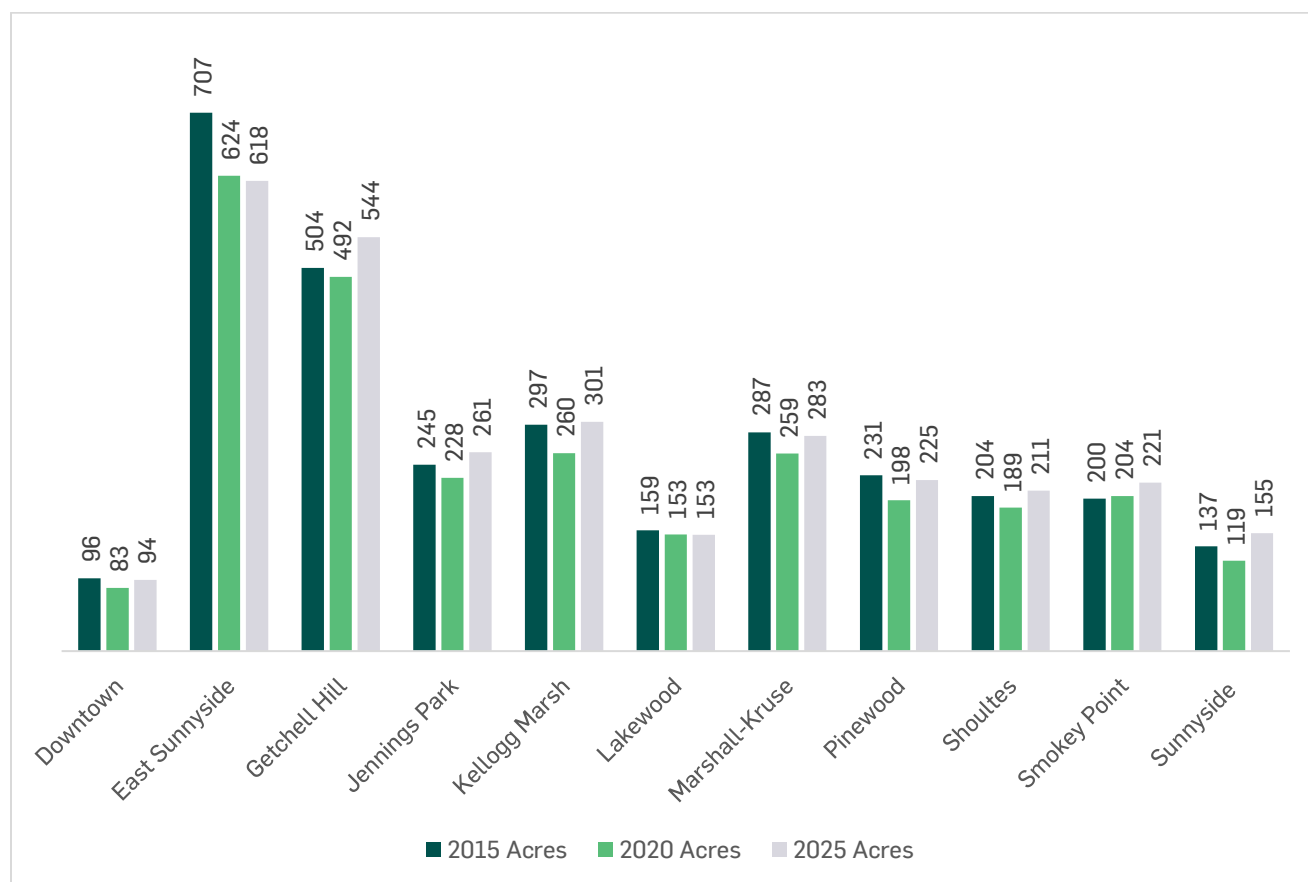


Figure 5 – Tree canopy change by neighborhood, 2015 to 2025

TREE CANOPY BY ZONE

Tree canopy was also assessed by the City's general zoning designations: Commercial, Industrial, Institutional, Multi-family, Open and Single-family. In 2025, the Single-family zones had the greatest amount of tree canopy, comprising 2,173 acres or 66.1 percent of the City's overall tree canopy. The Commercial, Multi-family, Open, and Industrial zones along with public right-of-way had roughly equal shares of most of the remainder of the City's tree canopy as shown in **Figure 6**.

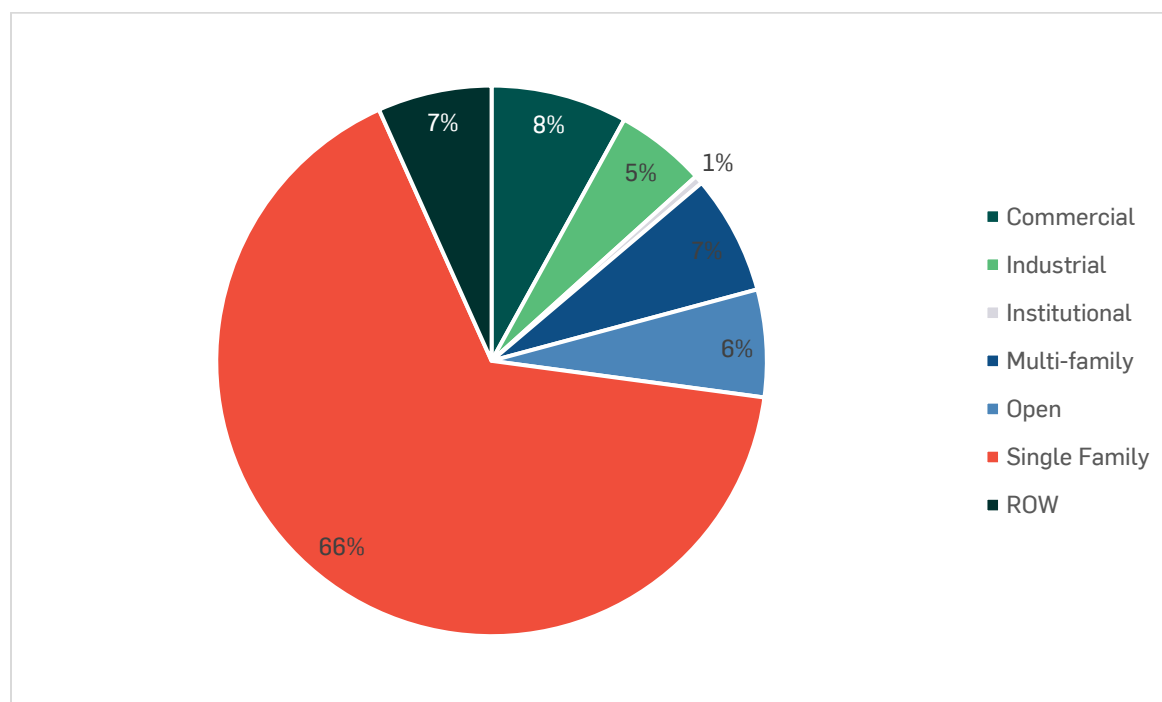


Figure 6 – Share of tree canopy by zone, 2025

As noted above, the overall tree canopy within the City from 2015 to 2025 has been largely stable. Considerable construction activity has resulted in the loss of about 44 acres in the single-family zones and eight acres in the multi-family zones (see **Figure 7**). The City's right-of-way has also experienced a decline of about 29 acres. Lands with the Open designation experienced a 28 acre increase in tree canopy, while lands with Commercial, Industrial, and Institutional zoning experienced more modest gains ranging from four to ten acres.

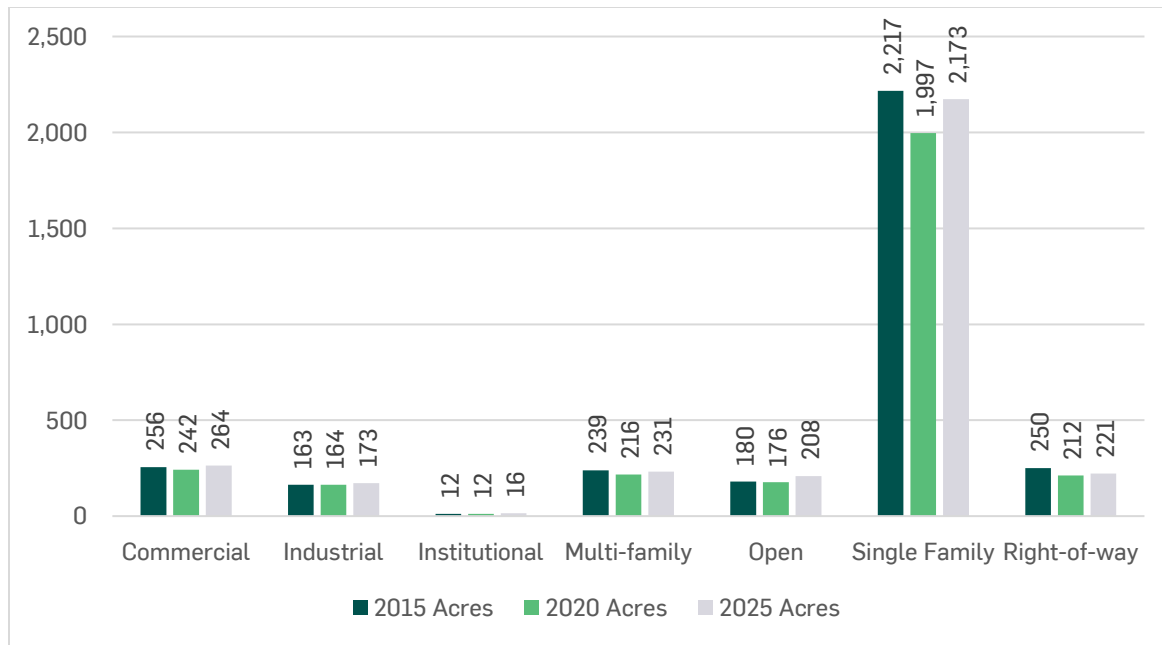


Figure 7 – Tree canopy change by zone, 2015 – 2025

TREE CANOPY BY PARK

The tree canopy within 51 City parks was also assessed. Within Marysville parks overall, approximately 5.6 percent of parks are covered by tree canopy (see **Figure 8**). From 2015 to 2025, tree canopy has grown from 258 to 283 acres, a 9.7 percent increase (see **Figure 9**). Among the City’s parks, 39 experienced modest increases in tree canopy cover over the past decade while only 12 experienced modest decreases. For parks experiencing a reduction in tree canopy cover, the reduction is due to maintenance (e.g. selective tree removal or pruning), or removal to enable infrastructure and other recreational improvements to be installed.⁶ Selective tree removal and pruning are essential to ensuring the health, safety and vitality of the trees within the parks. Overall the modest increases in tree canopy within parks reflect the maturation of the trees and the City’s wise stewardship of these lands.

⁶ Selective tree removal is typically occurs to address dead, dying, or diseased trees.

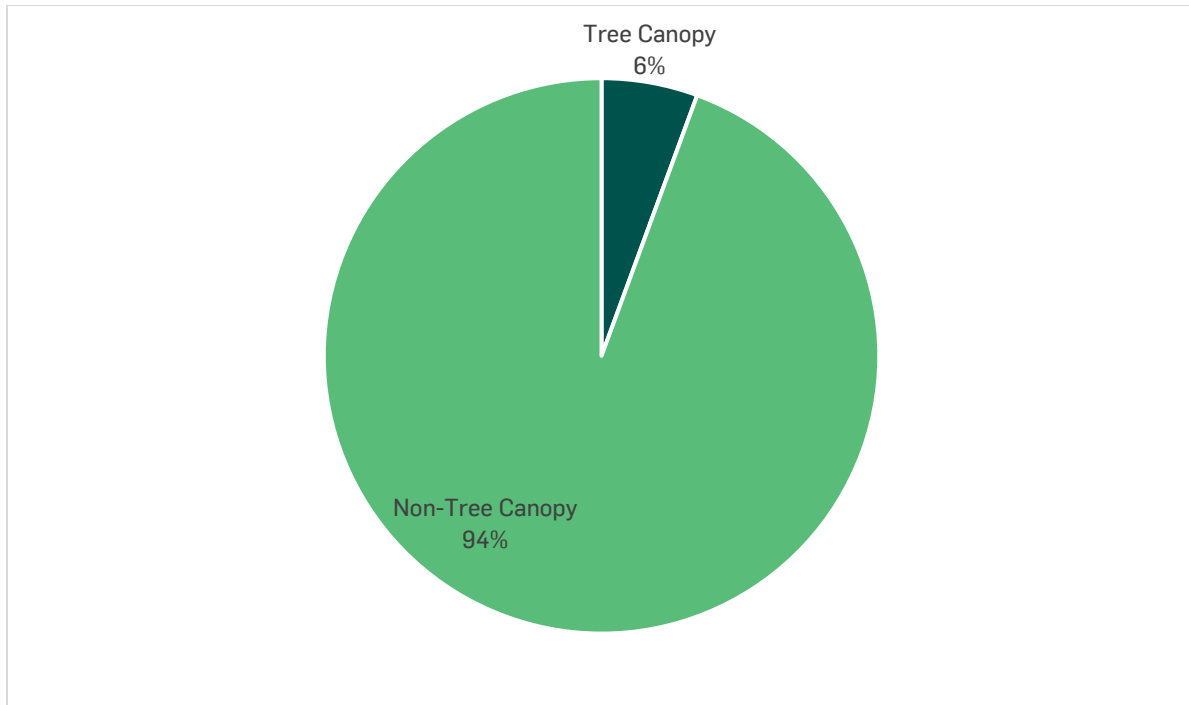


Figure 8 – Amount of tree canopy coverage in City parks, 2025

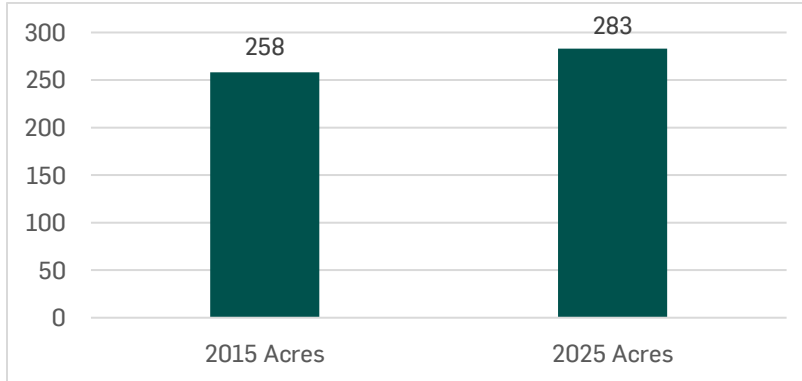


Figure 9 – Tree canopy change in City parks, 2015 – 2025

MEASURES TO PRESERVE OR ENHANCE TREE CANOPY

The City employs various measures aimed at preserving or enhancing tree canopy. Measures include Comprehensive Plan goals and policies, municipal code requirements, City investments in tree planting, partnerships with other entities, and ongoing maintenance activities. Each of these measures are discussed briefly below.

- **Comprehensive Plan Goals and Policies.** Various Comprehensive Plan goals and policies aim to promote the preservation and retention of trees and tree canopy, and the enhancement of the natural environment. These include, but are not limited to, the following:
 - LU-5.4 which requires “the installation of street trees, landscaping, and mitigation plantings for degraded critical areas buffers” and “encourages the retention of significant trees.”
 - LU 5.6 which encourages the planting of street trees to enhance the pedestrian-oriented character of key areas within the City.
 - LU 5.8 which calls for the use of street trees and other techniques to create gateways at key City, neighborhood, and district entrances.
 - EN 0.31 which advocates for the “protection, restoration, and management of native vegetation, tree canopy and forests (including parks, greenbelts and urban forests).”
 - EN 0.49 which encourages “the protection, maintenance, and expansion of tree canopy through the community, prioritizing residential and mixed-use areas with the least current tree canopy to equitably distribute benefits.”
 - PK 1.26 recommends “an open space network...to connect parks, environmental sensitive areas, preserved areas of trees and native vegetation suitable for wildlife use and habitat.”
- **Municipal Code Requirements.** The Marysville Municipal Code requires trees to be planted when city streets are built or improved, and when sites are developed or redeveloped with commercial, residential, industrial or institutional uses. Trees are also required to be planted when a site with degraded stream or wetland buffers is developed or redeveloped. The City’s landscaping code encourages that planting of drought tolerant tree species that are adapted to the climate of the Pacific Northwest. The City’s Critical Areas Ordinance also requires that trees within stream and wetland buffers are protected, and that replanting occurs when trees are illegally removed. Development projects are also required to identify and are encouraged to preserve significant trees.

- **City Partnerships.** Various City partnerships have resulted in restoration and enhancement of critical area buffers. One of the most notable projects is the Edgecomb Creek Restoration Project, which resulted in a ditched stream being reestablished as a natural, meandering stream together with a replanted stream buffer. The City has also partnered with the Snohomish Conversation District and Adopt-A-Stream to complete restoration projects at Jennings Park and Northpointe Fitness Park. Earth Day events have been another way that the City has promoted tree canopy.
- **City Investments.** The City has made other investments to protect or improve tree canopy. Ongoing street tree, park and stormwater facility maintenance activities include the replacement and planting of trees. Prior to removing potentially hazardous trees from City properties, a certified arborist assessment is typically conducted to determine whether the tree is hazardous and should be removed or is healthy and should be retained.

TREE PLANTING PRIORITIZATION

For this tree canopy analysis, data from i-Tree and the American Forests' Tree Equity Score were assessed. The City's [Climate Change Vulnerability Assessment](#), [Housing Action Plan](#), [Watershed Basin Assessment and Prioritization](#), and the [Marysville Watershed Planning Stormwater Action Plan](#) were also consulted. The following are key findings from these reports that relate to where tree canopy should be prioritized:

- The City's Climate Change Vulnerability Assessment (CVA)⁷ shows the greatest economic vulnerability to climate change⁸ within the Getchell, Pinewood, and Smokey Point neighborhoods.
- The CVA shows the greatest community climate vulnerability⁹ in the Downtown, Lakewood, Shoultes, Pinewood, and Sunnyside neighborhoods.

⁷ The Climate Change Vulnerability Assessment is a reference document.

⁸ Economic vulnerability to climate change can result in lost wages due to extreme heat, unemployment, or other impacts that may result due to climate impacts.

⁹ Community vulnerability to climate change is how climate impacts community health and residents' health will be impacted by extreme heat, more intense flooding, and decreased air quality and how well the community can mitigate these impacts.

- The City's Housing Action Plan¹⁰ identified the greatest socioeconomic vulnerability in Downtown Marysville and portions of west central Marysville and the Sunnyside area just east of Downtown.
- The Marysville Watershed Planning Stormwater Action Plan identifies potential planting sites that include streets, City-owned parcels, and stormwater facilities. Planting sites in the Downtown, Munson Creek, Middle Allen Creek, and Lower Quilceda Creek basins were identified on streets with an existing sidewalk and a planter strip lacking trees. Areas with a planter strip at least six feet wide were further evaluated to assess for conflicts with utilities. The most promising locations were field-verified to determine if overhead utilities could affect the type of trees selected. Twenty-five locations in the Downtown neighborhood and one in the Lower Quilceda Creek Basin were identified for street tree planting (see **Figure 10**).



Figure 10 – Street tree planting sites

¹⁰ The Housing Action Plan is a reference document.

- City-owned parcels with riparian buffers, open spaces, and stormwater facilities were also identified. One site in the Lower Quilceda Creek basin, three sites in Middle Allen Creek, and nineteen sites in the Munson Creek basin were identified for plantings (see **Figure 11**).

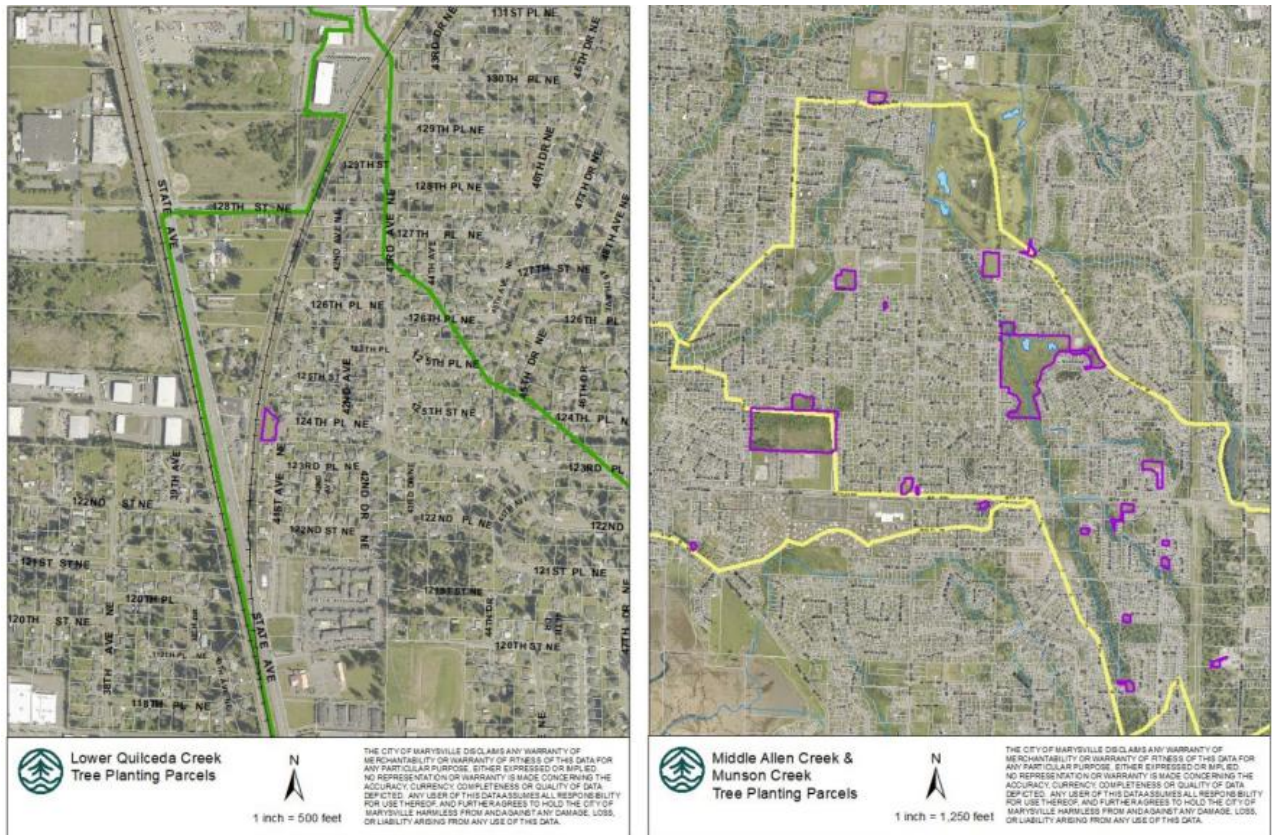


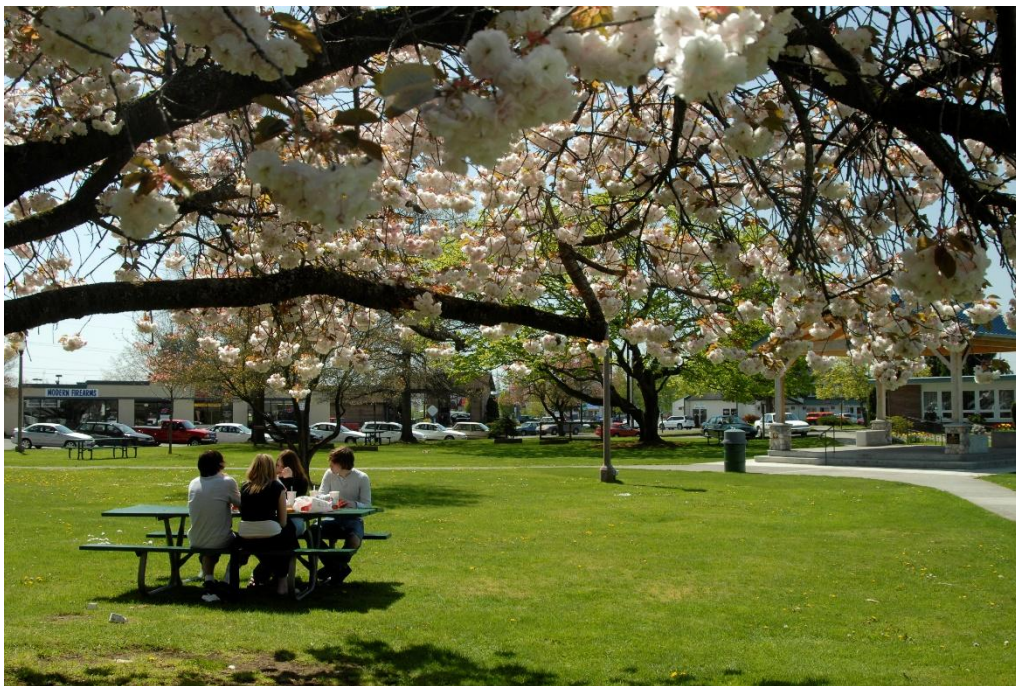
Figure 11 – City-owned parcels for potential plantings

- i-Tree's uses a "Priority Planting Index" (PPI) to map optimal areas to plant or protect trees. The PPI considers concentrations of population and other socioeconomic factors such as poverty, low amount of tree cover per capita, and high available planting space to determine where tree planting should occur. i-Tree's population map is included in this report (see **Figure 12**). Reviewing i-Tree's data on population and other socioeconomic factors, the Downtown neighborhood presents significant opportunities for planting trees.
- The American Forest Tree Equity¹¹ score measures the distribution of tree cover in urban areas and assesses the need for tree planting. It combines data on tree

¹¹ Source: [Tree Equity Score - American Forests](#)

canopy cover, climate, demographic, and socioeconomic factors to determine where trees should be planted. Currently, the Downtown, Lakewood and Smokey Point neighborhoods present the best opportunities for planting trees based on this data source.

When all the resources cited above are taken into consideration, the Downtown neighborhood is the area within the City which has the greatest need for tree planting and would impart the greatest benefits. Tree planting in the Downtown, Munson Creek, Middle Allen Creek, and Lower Quilceda Creek basins would also impart significant benefits. The Getchell, Lakewood, Pinewood and Sunnyside neighborhoods are also important areas for increasing tree canopy.



A blossoming tree in Comeford Park.

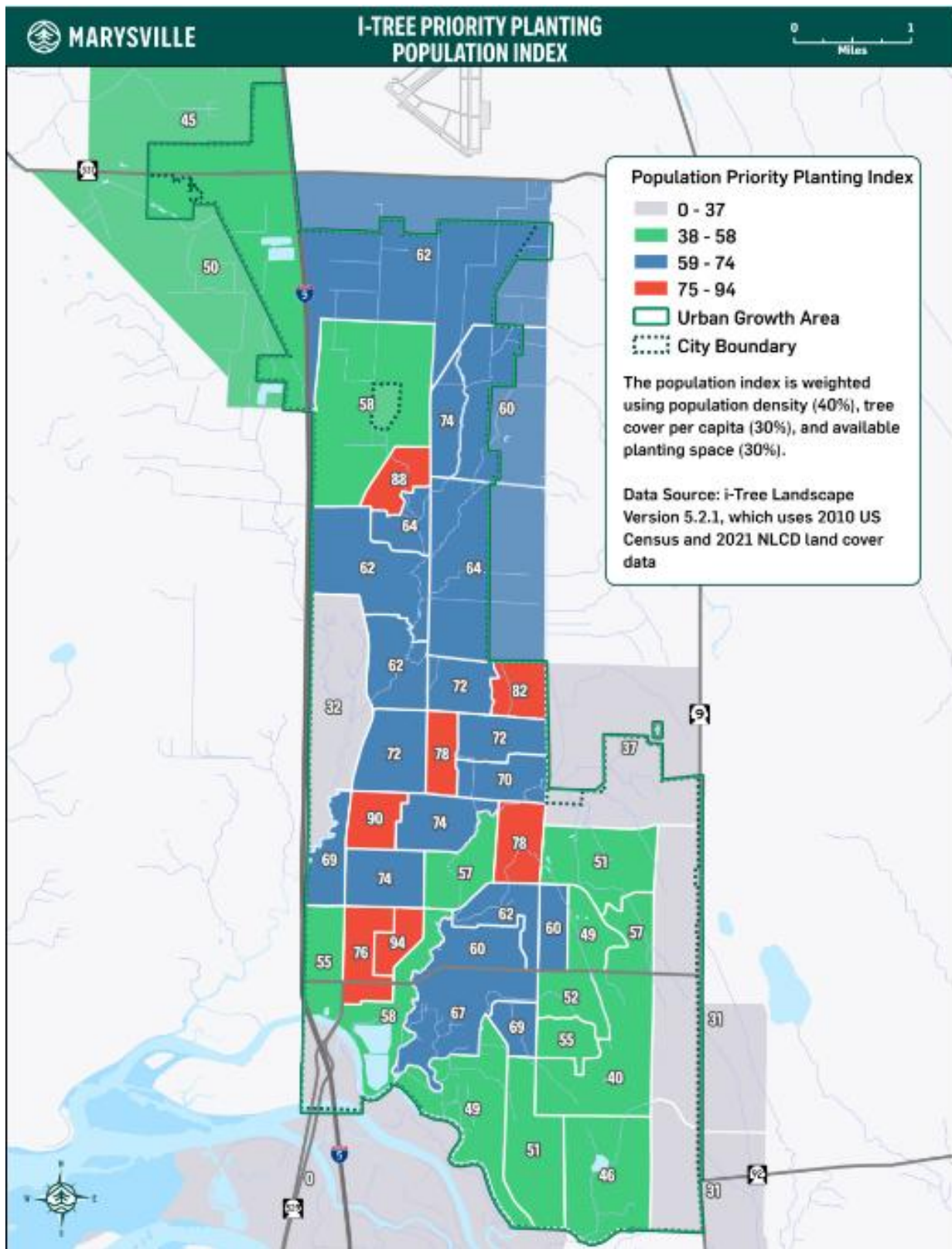


Figure 12 – i-Tree Priority Planting Population Index

CONCLUSION

Monitoring tree canopy is a new State GMA requirement. Preserving and over time increasing tree canopy city-wide will promote better health and well-being for Marysville residents. Marysville has been experiencing significant development over the past decade plus, which has resulted in a modest reduction in tree canopy city-wide, with the greatest losses in the East Sunnyside – Whiskey Ridge Neighborhood. The Downtown neighborhood is an area that multiple resource documents indicate would benefit from more tree planting, and would result in significant socioeconomic benefits.

Given the rapid pace of development, at this time maintaining the current aggregate amount of tree canopy within the City (24 percent), should be the priority. Increasing the tree canopy by two (2) percent to 26 percent of the overall City is a goal that is recommended by 2045. Maintaining goals, policies, codes and standards that preserve or replace trees, and investing in tree planting in key areas such as Downtown will help to achieve the goal of maintaining, and over time improving, tree canopy within the City.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Burton Eggertsen, Legal

ITEM TYPE: Ordinance

AGENDA SECTION: **New Business**

SUBJECT: An **Ordinance** Amending Title 6 of the Municipal Code, Adopting State Criminal Offenses and Penalties Relating to Defrauding a Public Utility

SUGGESTED ACTION: Recommended Motion: I move to adopt Ordinance No. _____.

SUMMARY: The City has encountered certain customers that have illegally connected to the City utility system and tampered with City equipment, resulting in lost revenue and increased expenses for the City. The proposed ordinance would adopt the state crime of Defrauding a Public Utility, which would allow the City to criminally charge customers that illegally connect to the City's utility system.

ATTACHMENTS:
[Title 6 Amendment -- Defrauding a public utility.docx](#)

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, AMENDING TITLE 6 OF THE MUNICIPAL CODE,
ADOPTING STATE CRIMINAL OFFENSES AND PENALTIES RELATING TO
DEFRAUDING A PUBLIC UTILITY.**

WHEREAS, Title 6 of the municipal code sets crimes and penalties for offenses within the City of Marysville; and

WHEREAS, it is appropriate to amend the municipal code in response to changes in state law or conditions in the City; and

WHEREAS, the city has experienced customers diverting utility services and tampering with utility equipment; and

WHEREAS, such activities result in lost revenue to the city as well as increased costs for damaged equipment; and

WHEREAS, this results in increased costs for all ratepayers; and

WHEREAS, protecting the city's utility equipment enhances public health, safety, and welfare.

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

SECTION 1. A new Chapter 6.46 of the municipal code, "Defrauding a Public Utility", is adopted as set forth in Exhibit A.

SECTION 2. 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 3. 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

Chapter 6.46 DEFRAUDING A PUBLIC UTILITY

Sections:

6.46.010 Statutes incorporated by reference.

6.46.010 Statutes incorporated by reference.

The following statutes regarding defrauding a public utility are incorporated by reference:

RCW

<u>9A.61.010</u>	Definitions.
<u>9A.61.020</u>	Defrauding a public utility
<u>9A.61.050</u>	Defrauding a public utility in the third degree
<u>9A.61.060</u>	Restitution and costs
<u>9A.61.070</u>	Damages not precluded



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Teri Lester, Human Resources

ITEM TYPE: Agreement

AGENDA SECTION: **New Business**

SUBJECT: Navia Benefits Administrative Services Amendment

SUGGESTED ACTION: Recommended Motion: I move to authorize the Mayor to sign and execute the Navia Benefits Administrative Services Amendment.

SUMMARY: Contract amendment to outline the existing COBRA services provided to AWC Trust clients with flexible spending account services through Navia Benefit Solutions.

ATTACHMENTS:

[Proposed Contract.pdf](#)
[Original Contract for Reference.pdf](#)

**AMENDMENT TO THE ADMINISTRATIVE SERVICES AGREEMENT BETWEEN
CITY OF MARYSVILLE AND NAVIA BENEFIT SOLUTIONS, INC.**

THIS AMENDMENT (“Amendment”) to the Administrative Services Agreement is made and entered into effective as of January 01, 2025, (the “Amendment Effective Date”) by and between **CITY OF MARYSVILLE** (“Employer”) and **NAVIA BENEFIT SOLUTIONS, INC.** (“Navia”).

WHEREAS, Employer and Navia entered into an Administrative Services the (“Agreement”) effective January 01, 2020;

WHEREAS, the parties now desire to amend the Agreement as set forth below.

NOW, THEREFORE, in consideration of the premises and mutual covenants herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

AGREEMENT

1. AMENDMENT OF THE AGREEMENT

The parties hereby agree to amend the terms of the Agreement as provided below, effective as of the Amendment Effective Date. To the extent that the Agreement is explicitly amended by this Amendment, the terms of this Amendment will control where the terms of the Agreement are contrary to or conflict with the following provisions. Where the Agreement is not explicitly amended, the terms of the Agreement will remain in full force and effect. Capitalized terms used in this Amendment that are not otherwise defined herein shall have the same meanings as such terms have in the Agreement.

1.1 The following language is hereby inserted into the Agreement:

OTHER BENEFIT PLAN ADMINISTRATION FEDERAL COBRA ADMINISTRATION SCHEDULE

Employer has independently concluded that one or more of its plans that provide medical care (“Health Plans”) are subject to the provisions of the federal Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”), as subsequently amended. Consequently, Employer is required to perform certain acts in order to comply with COBRA.

This Schedule is incorporated into and made a part of the Agreement. The responsibilities of the Parties set forth in this Schedule are in addition to any responsibilities set forth in the Agreement. If there is a conflict between this Schedule and any other part of the Agreement with respect to the subject matter of this Schedule, the Schedule will control. In all other conflicts, the Agreement controls. Capitalized terms not otherwise defined herein are defined by COBRA or as set forth in the Agreement.

As part of the Services, Navia will provide COBRA-related administrative assistance (the “COBRA Administration”) for designated Health Plans communicated in writing to Navia and as more particularly described in this Schedule below.

1. Responsibilities of Navia

- 1.1. Navia shall implement the COBRA Administration subject to the Plan Application and the direction and approval of Employer for FSA and/or HRA benefits administered by Navia.
- 1.2. Navia will distribute its standard COBRA General Notice by first class mail or other permitted distribution method to the last known address of each Eligible Employee and, when required by applicable law, the spouse or dependent as soon as reasonably possible but no later than fourteen (14) days after receiving the information necessary to complete and send a COBRA General Notice from Employer. Navia will distribute its standard COBRA Specific Rights Notice and COBRA Election Form by first class mail or other permitted distribution method to the last known address of the Qualified Beneficiary as soon as reasonably possible but no later than fourteen (14) days after receiving the information necessary to complete the COBRA Election Form from Employer, or where applicable, from the Qualified Beneficiary.
- 1.3. Navia has no obligation to resend any COBRA General Notices, COBRA Specific Rights Notice, COBRA Election Forms, late payment reminders, termination notifications, or any other form, document, or communication that is returned undeliverable.
- 1.4. If Navia receives notice from a Qualified Beneficiary that a qualifying event has occurred or a Qualified Beneficiary has been determined to be disabled by the Social Security Administration, and such Qualified Beneficiary is not eligible for COBRA for any reason, Navia will send a notice of ineligibility by first class mail as soon as reasonably possible but no later than fourteen (14) days after receiving notice from such Qualified Beneficiary.
- 1.5. Navia will process the COBRA Election Forms submitted by Qualified Beneficiaries in accordance with applicable law and Employer’s instructions. Employer is responsible for providing all information not otherwise required to be provided by the Qualified

Beneficiary that Navia reasonably believes is necessary to process COBRA Election Forms.

- 1.6. Upon Employer's written request, Navia will send an open enrollment materials and open enrollment election form to the last known address of the Qualified Beneficiary to the extent Employer has provided the information necessary to complete and distribute the open enrollment election form. Upon Employer's written request, Navia will also process any mid-year changes in elections in accordance with Employer's Health Plan Document and applicable law.
- 1.7. Navia will notify the Qualified Beneficiary of the COBRA premium and the applicable due dates, as determined by Employer and the applicable due dates.
- 1.8. Navia will collect premiums from Qualified Beneficiaries (or third parties on behalf of Qualified Beneficiaries where applicable). All premiums collected by Navia in accordance with this Schedule will be deposited into a separate account for the use of paying premiums established for such purpose at a financial institution of Navia's choosing. Any interest generated on such account shall belong to Navia as reasonable compensation under this arrangement. Navia may use such compensation for any legal purpose including, but not limited to, to offset any fees of the financial institution with respect to such account. To the extent that such interest (after deducting applicable fees) is not in excess of the US Prime Rate plus 2-percent, Navia shall be entitled to retain such interest. Navia will return interest earned in excess of these permissible amounts to the Employer and the Employer agrees that it will use such amounts in accordance with applicable laws, including but not limited to ERISA when applicable. Premium payments collected by Navia shall at all times be the property of the Employer, and, notwithstanding any terms herein to the contrary, shall be held by Navia acting on behalf of the Employer, except that Navia shall be entitled to retain any interest earned on such payments as well as the 2% surcharge administrative fee paid by such COBRA QB. Navia will send to Employer all premiums collected in accordance with this Schedule, reduced by a 2% administration Fee, by the 20th day following the end of month in which the premiums were collected. Alternatively, Navia will remit collected premiums to appropriate third parties as directed in the New Plan Setup or upon prior written amendment or prior written instruction from Employer. Navia is not responsible for paying the balance of the carrier invoice. Navia shall remit premiums collected but is not responsible for any failure of payment of carrier invoice for premiums not collected.
- 1.9. Navia will send a notice by first class mail to the last known address of the Qualified Beneficiary indicating that COBRA coverage is terminating or has terminated. The notice of termination will be sent as soon as reasonably possible but no later than a reasonable amount of time after COBRA coverage has ended.
- 1.10. Navia will provide responses to inquiries by providers and/or insurance Carriers regarding coverage status of Qualified Beneficiaries. All responses will be based solely on the information provided by Employer and maintained by Navia in accordance with this Schedule.
- 1.11. Navia will provide Employer with monthly remittance reports (an itemized status report of Qualified Beneficiaries). Employer is responsible for reviewing the report posted by Navia and notifying Navia of any errors of which it is aware within fourteen days of the

report being posted. Navia is not responsible for any errors due the Employer's failure to review reports within the required timeframe.

- 1.12. Navia has no responsibility for the payment or reimbursement of health care claims.
- 1.13. Navia may deposit all COBRA premiums it receives in a bank account from which Navia shall remit payments to the Employer as required or permitted under this Agreement. Navia will maintain an accounting of the premiums in the bank account that are allocable to the Employer, adjusted for the remittances and for the reduction for fees.
- 1.14. The scope of Navia's Services as it relates COBRA includes Qualified Beneficiaries who are receiving COBRA coverage at the Effective Date of this Agreement, Qualified Beneficiaries in their election period that have already received a specific rights notice, Qualified Beneficiaries who have experienced a qualifying event in the thirty days prior to the Effective Date, as well as Qualified Beneficiaries who experience Qualifying Events on or after the Effective Date of this Agreement.

2. Responsibilities of Employer

- 2.1. Employer shall timely provide the Plan Application and any other information necessary for Navia to satisfy its obligations hereunder.
- 2.2. Employer shall notify all relevant Carriers that Navia is the COBRA administrator before the effective date of the COBRA Administration.
- 2.3. It is Employer's sole responsibility to reconcile the Carrier invoice with the remittance report provided by Navia within thirty 30 days of receipt. Any errors resulting from the failure to do so will be the sole responsibility of Employer.
- 2.4. Employer will provide the required notice data to Navia within 30 days of the date of COBRA Qualifying Event that is due to:
 - 2.4.1. Divorce or legal separation.
 - 2.4.2. Child reaching the limiting age.
 - 2.4.3. Termination of an employee's employment.
 - 2.4.4. Reduction in an employee's hours that results in a loss of coverage under the Health Plan.
 - 2.4.5. Employee's death; or
 - 2.4.6. Employee's entitlement to Medicare that results in a loss of coverage under the Health Plan for the employee's spouse or dependent child.
 - 2.4.7. Knowledge of second qualifying event, notice of disability determination and notice of change in disability status.
 - 2.4.8. If Employer does not provide Navia the complete required notice data until after the 30 - day period expires, Navia will provide the Qualified Beneficiaries their Specific Rights Notice within fourteen (14) days after receiving the data, but subject to the following condition: if a Qualified Beneficiary timely elects COBRA, Employer will have sole responsibility (a) for any adverse consequences (including, for example, a Carrier's refusal to provide coverage or a stop-loss insurer's refusal to reimburse claims because the Carrier or insurer deems Employer to have provided untimely notice under COBRA) and

(b) for ensuring the availability of continuation coverage to the Qualified Beneficiary for the maximum coverage period under COBRA.

- 2.5. Employer will notify Navia, in writing, of the premium rates and will do so at least forty-five (45) days before their effective date. If Employer notifies Navia of new premium rates less than forty-five (45) days before their effective date, Navia may defer implementing the new premium rates to the first day of the first month that occurs more than forty-five (45) days after Employer's notification to Navia. In the event Employer fails to timely report new premium rates to Navia, Employer shall be liable for any resulting consequences, including, but not limited to, funding any premium shortfall, reinstating coverage, or other negative consequence.
- 2.6. If the Carrier requires premium rate payment information within a specific timeframe, it is Employer's responsibility to independently obtain the information from the Website and to provide it to the Carrier.
- 2.7. Employer will promptly notify Navia in writing when Employer becomes aware of address changes of its employees, their spouses, and/or dependent children who are receiving continuation coverage. Navia shall not be responsible for any consequences caused by Employer's failure to promptly notify Navia up address changes.
- 2.8. Employer will promptly notify Navia in writing if it becomes aware that a Qualified Beneficiary who is receiving continuation coverage:
 - 2.8.1. has become entitled to Medicare;
 - 2.8.2. has become covered by another Employer's group Health Plan;
 - 2.8.3. has been determined to be disabled by the Social Security Administration;
 - 2.8.4. has been determined to be no longer disabled by the Social Security Administration;
 - 2.8.5. has become divorced or legally separated; or
 - 2.8.6. no longer is a dependent child according to the terms of the Health Plan.
- 2.9. Employer will promptly notify Navia in writing when the Employer is no longer subject to COBRA.
- 2.10. Employer has the responsibility to pay, or to cause to be paid, all excise taxes required under Internal Revenue Code section 4980B, as and when required, and to file, or to cause to be filed, IRS Form 8928, as and when required.

3. FEES

Fees associated with the Plan will be paid for by AWC Trust - Olympia, WA so long as AWC Trust - Olympia, WA is the appointed broker of record for Employer and Employer continues participation in programs as determined by AWC Trust - Olympia, WA. If at any time or for any reason AWC Trust - Olympia, WA is no longer the broker of record, participation in required broker programs ceases, or the Fees are unpaid by AWC Trust - Olympia, WA by the invoice due date, then Employer shall be responsible for all Fees and costs in the Fee section.

The COBRA Services are based on the number of COBRA Specific Rights Notices generated each month.

COBRA Fees	
Guarantee Period	12 months
COBRA Specific Rights Letter	\$18 per letter mailed
Initial Set-Up Fee	Waived
Annual Fees	Waived
Base Monthly Administration Fee	Waived/Employee
Monthly Minimum Fee	\$50.00
2% COBRA Administration Fee ²	Retained or Invoiced by Navia
Miscellaneous Fees	
Manual Data Entry Fee	\$5.00 per Qualified Beneficiary entered
Noncompliant File Processing Fee	35% the total monthly administration fee
Special Handling ³	\$15.00 per occurrence plus postage
Offboarding Fees	Equal to the last month's administration fees
Optional Services/Fees	
Mass mailing of initial general notice to all active employees and covered spouses.	\$3.00 per notice.
Open Enrollment Services	\$20 Fee per kit mailed plus postage

²If this Fee is not added to the COBRA rates or paid by Qualified Beneficiaries, Navia will invoice Employer for the 2% COBRA Fee. If Employer subsidizes the COBRA premium, Navia will deduct the 2% from the monthly remittance or invoice Employer for the additional amount.

³Includes rush notices, non-standard shipping, Employer invoicing of COBRA premiums, etc.)

2. MISCELLANEOUS

2.1 Full Force and Effect. This Amendment amends the terms of the Agreement and is deemed incorporated into, and governed by all other terms of, the Agreement. The provisions of the Agreement, as amended by this Amendment, remain in full force and effect.

2.2 Further Actions. Each party shall execute, acknowledge, and deliver such further instruments, and do all other acts, as may be necessary or appropriate in order to carry out the purposes and intent of this Amendment.

2.3 Counterparts. This Amendment may be signed in counterparts, each and every one of which shall be deemed an original, notwithstanding variations in format or file designation, which may result from the electronic transmission, storage, and printing of copies of this Amendment from separate computers or printers. Facsimile signatures shall be treated as original signatures.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed by their duly authorized representatives as of the Amendment Effective Date. Further, the parties agree that the signature dates below reflect the actual date of signatures by the parties and may not be the Amendment Effective Date.

CITY OF MARYSVILLE

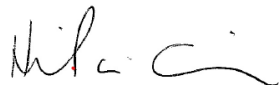
NAVIA BENEFIT SOLUTIONS, INC.

By: _____

Name: _____

Title: _____

Date: _____

By:  _____

Name: Hilarie Aitken

Title: CEO

Date: September 3, 2025

RECEIVED

APR 17 2020

CITY OF MARYSVILLE
HUMAN RESOURCES

ADMINISTRATIVE SERVICE CONTRACT
BETWEEN

PREMERA BLUE CROSS

AND

CITY OF MARYSVILLE

EFFECTIVE JANUARY 1, 2020 THROUGH DECEMBER 31, 2020
(THE "CONTRACT PERIOD")

This Contract is effective by and between the group named above (hereinafter referred to as the "Plan Sponsor"), and Premera Blue Cross (hereinafter referred to as the "Claims Administrator" or "we," "us," or "our").

WHEREAS, the Plan Sponsor has established an employee benefit plan (hereinafter referred to as the "Plan") which provides for payment of certain welfare benefits to and for certain eligible individuals as defined in writing by the Plan Sponsor, such individuals being hereinafter referred to as "Members"; and,

WHEREAS, the Plan Sponsor has chosen to self-insure the benefit program(s) provided under the Plan; and

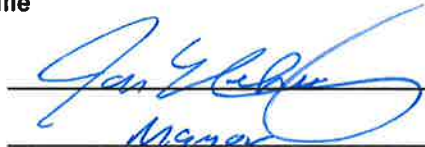
WHEREAS, the Plan Sponsor desires to engage the services of the Claims Administrator to provide administrative services for the Plan;

NOW THEREFORE, in consideration of the mutual covenants and conditions as contained herein the parties hereto agree to the provisions in this Contract, including any Attachments and endorsements thereto. The parties below have signed as duly authorized officers and have hereby executed this Contract. If this Contract is not signed and returned to the Claims Administrator within sixty (60) days of its delivery to the Plan Sponsor or its agent, the Claims Administrator will assume the Plan Sponsor's concurrence and the Plan Sponsor will be bound by its terms.

IN WITNESS WHEREOF the parties hereto sign their names as duly authorized officers and have executed this Contract.

City of Marysville

BY:



Mayor
Title

DATE:

4/12/20

ADDRESS:

1049 State Ave
Marysville WA 98210

Premera Blue Cross

BY:



DATE: January 1, 2020

Jeffrey Roe
President and Chief Executive Officer

P.O. Box 327
Seattle, WA 98111-0327

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1. DEFINITIONS

Adverse Benefit Determination Any of the following: a denial, reduction, or termination of, or a failure to provide or make payment (in whole or in part) for, a benefit, including payment that is based on a determination of the eligibility of a Member to participate in the Plan. This includes any denials, reductions, or failures to provide or make payment resulting from the application of utilization review or limitations on experimental and investigational services, medical or dental necessity, or appropriateness of care. It also includes a decision to rescind a Member's coverage unless the rescission is due to nonpayment of subscription charges.

Affordable Care Act The Patient Protection and Affordable Care Act of 2010 (Public Law 111-148) as amended by the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).

Allowed Amount The Plan provides benefits based on the Allowed Amount for covered services. The Plan Sponsor's liability for covered services is calculated on the basis of the Allowed Amount.

The Claims Administrator reserves the right to determine the amount allowed for any given service or supply unless specified otherwise in this Contract. The Allowed Amount is described below. There are different rules for dialysis and emergency services. These rules are shown below the general rules.

a. General Rules

1. Providers In Washington and Alaska Who Have Agreements With the Claims Administrator

For any given service or supply, the amount these providers have agreed to accept as payment in full pursuant to the applicable agreement between the Claims Administrator and the provider.

2. Providers Outside The Service Area Who Have Agreements With Other Blue Cross Blue Shield Licensees

For covered services and supplies received outside the Service Area, Allowed Amounts are determined as stated in "Attachment A – Out-of-Area Services."

3. Providers Who Don't Have Agreements With The Claims Administrator Or Another Blue Cross Blue Shield Licensee

The Allowed Amount for providers in the Service Area that don't have a contract with the Claims Administrator is the least of the three (3) amounts shown below. The Allowed Amount for providers outside the Service Area that don't have a contract with the Claims Administrator or the local Blue Cross and/or Blue Shield Licensee is also the least of the three (3) amounts shown below.

An amount that is no less than the lowest amount the Plan pays for the same or similar service from a comparable provider that has a contracting agreement with the Claims Administrator

- 125 percent of the amount allowed by Medicare, if available
- The provider's billed charges. Note: Ambulances are always paid based on billed charges.
- If applicable law requires a different Allowed Amount than the least of the three (3) amounts above, this Plan will comply with that law.

b. Dialysis Due To End Stage Renal Disease

1. Providers Who Have Agreements With the Claims Administrator Or Other Blue Cross Blue Shield Licensees

For any given service or supply, the amount these providers have agreed to accept as payment in full pursuant to the applicable agreement between the Claims Administrator and the provider.

2. Providers Who Don't Have Agreements With the Claims Administrator Or Another Blue Cross Blue Shield Licensee

The amount the Plan allows for dialysis during Medicare's waiting period will be no less than 125 percent of the amount allowed by Medicare and no more than 90 percent of billed charges.

The amount the Plan allows for dialysis after Medicare's waiting period is 125 percent of the Medicare-approved amount, even when a Member who is eligible for Medicare does not enroll in Medicare.

c. **Emergency Care**

Consistent with the requirements of the Affordable Care Act, the Allowed Amount will be the greatest of the following amounts:

1. The median amount that Heritage Network Providers have agreed to accept for the same services
2. The amount Medicare would allow for the same services
3. The amount calculated by the same method the Claims Administrator uses to determine payment to Non-Contracted Providers

Note: Non-Contracted Ambulances are always paid based on billed charges.

In addition to any deductible, copays and coinsurance, Members are responsible for charges received from Non-Contracted Providers above the Allowed Amount.

Claims Administrator Premera Blue Cross.

Contract Period The period shown on the face page of this Contract. The Contract Period begins at 12:01 a.m. on the starting date shown on the face page and ends at midnight on the ending date shown on the face page.

Effective Date The date this Contract takes effect (the first day of the Contract Period). The Effective Date is shown on the face page of this Contract.

Medically Necessary Those covered services and supplies that a physician, exercising prudent clinical judgment, would provide to a patient for the purpose of preventing, evaluating, diagnosing or treating an illness, injury, disease or its symptoms, and that are:

- In accordance with generally accepted standards of medical practice;
- Clinically appropriate, in terms of type, frequency, extent, site and duration, and considered effective for the patient's illness, injury or disease; and
- Not primarily for the convenience of the patient, physician, or other health care provider, and not more costly than an alternative service or sequence of services at least as likely to produce equivalent therapeutic or diagnostic results as to the diagnosis or treatment of that patient's illness, injury or disease.

For these purposes, "generally accepted standards of medical practice" means standards that are based on credible scientific evidence published in peer reviewed medical literature generally recognized by the relevant medical community, physician specialty society recommendations and the views of physicians practicing in relevant clinical areas and any other relevant factors.

Member A Subscriber or dependent who is eligible for coverage as stated in the Plan and who is enrolled as required in the Plan.

In-Network Provider A provider that is in one of the provider networks chosen by the Plan Sponsor for the Plan.

Non-Contracted Provider A provider that does not have a network provider contract with the Claims Administrator or, for out-of-area providers, with the local Blue Cross and/or Blue Shield Licensee.

Out-Of-Network Provider A provider that is not in one of the provider networks chosen by the Plan Sponsor for the Plan.

Non-Grandfathered Health Plan A Plan benefit package that does not meet the requirements to be a grandfathered health plan set forth in the federal Affordable Care Act regulations. If the Plan consists of more than one (1) benefit package, the federal regulations on non-grandfathered plan status apply separately to each benefit package.

PEPM "Per employee per month."

Plan The employee benefit plan established and maintained by the Plan Sponsor that is being administered under this Contract. The Plan may consist of one (1) or more benefit packages.

Plan Sponsor City of Marysville.

Service Area The area in which the Claims administrator directly operates a provider network. This area is made up of the states of Washington (except Clark County) and Alaska

Subscriber A person who is eligible for coverage under the Plan by virtue of an employee-employer relationship or other relationship between the person and the Plan Sponsor, and who is enrolled as required in the Plan.

2. DUTIES AND RESPONSIBILITIES OF THE PLAN SPONSOR

2.1. Documentation

The Plan Sponsor shall provide the Claims Administrator with a copy of any documents describing the benefit program(s) that the Claims Administrator needs to rely upon in performing its responsibilities under this Contract.

2.2. Plan Sponsor's Fiduciary Authority

The Plan Sponsor shall have final discretionary authority to determine the benefit provisions and to construe and interpret the terms of the Plan.

The Plan Sponsor shall have final discretionary authority to determine eligibility for benefits and the amount to be paid by the Plan.

2.3. Defense of the Plan

Except as stated in subsection 4.3, the Plan Sponsor shall be responsible for defending any legal action brought against the Plan, including a claim for benefits by or on behalf of any individual or entity, including but not limited to any Member or former Member, any fiduciary or other party. This responsibility includes the selection and payment of counsel. The Plan Sponsor shall not settle any legal action or claim without the prior consent of the Claims Administrator if the action or claim could result in the Claims Administrator being liable, including for example, any liability for contribution to or indemnification of the Plan Sponsor or other third party either directly or indirectly.

2.4. Administrative Duties

Unless specifically delegated to the Claims Administrator by this Contract, the Plan Sponsor shall be responsible for the proper administration of the Plan including the following:

- a. The Plan Sponsor shall provide the Claims Administrator a complete and accurate list of all individuals eligible for benefits under the benefit program(s) and to update those lists monthly. The Claims Administrator shall be entitled to rely on the most recent list until it receives documentation of any change thereto.
Retroactive enrollments shall be effective on the most recent of two (2) dates:
 - The date the Member's coverage would have been validly in force
 - The first day of the fifth full calendar month preceding the month in which the Claims Administrator receives the request for retroactive enrollment.Retroactive terminations of coverage shall be effective on the most recent of two (2) dates:
 - The date the Member's coverage would have been terminated, had notification been timely
 - The first day of the fifth full calendar month preceding the month in which the Claims Administrator receives the request for retroactive termination.
- b. The Plan Sponsor shall distribute to all Members all appropriate and necessary materials and documents, including but not limited to benefit program booklets, summary plan descriptions, material modifications, enrollment applications and notices required by law or that are necessary for the operation of the Plan.
- c. The Plan Sponsor shall provide the Claims Administrator with any additional information necessary to perform its functions under this Contract as may be requested by the Claims Administrator from time to time.
- d. If the Plan Sponsor writes or revises its benefit booklet, the Claims Administrator must review and approve in advance the draft of the benefit booklet that is printed and distributed to Members.
The Plan Sponsor must also include BlueCard disclosure language approved by the Blue Cross Blue Shield Association in its booklet.
- e. In order to place calls to Members, the Claims Administrator may receive Member phone numbers provided by the Plan Sponsor or by a third party (such as a producer) on the Plan Sponsor's behalf. For the Claims Administrator and its affiliates to contact Members in accordance with telecommunication-related laws and regulations, the Plan Sponsor confirms the following with respect to Member phone numbers that the Plan Sponsor has provided or will provide to the Claims Administrator:
 - The Member provided his or her phone number on his or her Plan application, or otherwise provided

or updated his or her phone number with the Plan Sponsor with the expectation that it will be provided to the Claims Administrator in connection with the Member's coverage under the Plan.

- The Plan Sponsor only obtains phone numbers directly from the Member and not through a lookup service or other third party.
- The Plan Sponsor retains contact information and will furnish that information to the Claims Administrator upon request in a timely manner.

2.5. Taxes, Assessments, And Fees

The Plan Sponsor shall be responsible for all taxes, assessments and fees levied by any local, state or federal authority in connection with the Claims Administrator's duties pursuant to this Contract.

2.6. Compliance With Law

- The Plan Sponsor shall be responsible for the Plan's continuing compliance with all applicable federal, state and local laws and regulations, as currently amended. These include but are not limited to:
 - The Internal Revenue Code of 1986, as amended
 - The Affordable Care Act.
 - The Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA)
 - The Health Insurance Portability and Accountability Act of 1996 (HIPAA)
 - Law and regulations governing the treatment and benefits of Members covered by Medicare. These include, but are not limited to, the Medicare Secondary Payer law and regulations, the Medicare Prescription Improvement and Modernization Act of 2004 (MMA), and the Medicare, Medicaid, and SCHIP Extension Act of 2007 (MMSEA).

As required by MMSEA, the Plan Sponsor agrees to provide us the following information:

- Employer Tax Identification Number (TIN/EIN);
- Social Security Numbers (SSNs) of all Members (employees and dependents); and
- Medicare Health Insurance Claim Numbers (HICNs) for all Medicare-entitled Members.

To comply with the Medicare Secondary Payer law and regulations, the Plan Sponsor also agrees to notify us promptly if the Plan Sponsor experiences a change in total employee count that would change the order of liability according to federal guidelines.

MMA requires groups that provide prescription drug coverage to Medicare eligible individuals to provide Medicare Part D Creditable Coverage Notices, and report creditable coverage status to the Center for Medicare and Medicaid Services (CMS).

The Plan Sponsor, and not the Claims Administrator, is the "plan administrator" and the "plan sponsor" for purposes of all federal laws that apply to the Plan Sponsor and impose duties or obligations on such entities. The Plan Sponsor shall be responsible for determining whether it is subject to COBRA and, if so, for notifying Members of their COBRA rights both initially and upon the occurrence of a qualifying event, for calculating and collecting premiums for COBRA continuation of coverage and for promptly notifying the Claims Administrator when an individual is no longer eligible for COBRA continuation of coverage. If the Plan Sponsor is subject to ERISA, the Plan Sponsor is responsible to prepare and maintain its ERISA plan document.

- The Plan Sponsor shall defend, indemnify and hold harmless Claims Administrator and its directors, officers, employees, and agents from and against any and all costs, liabilities, damages, claims, losses or expenses (including reasonable attorneys' fees) arising out of or connected to the Claims Administrator's administration of any benefit design authorized by the Plan Sponsor. The Plan Sponsor acknowledges its sole responsibility to test and design benefits compliant with all laws.
- If the Plan Sponsor is a governmental entity that elects to opt out of compliance with certain federal mandates as allowed by federal law, the Plan Sponsor is responsible to file its opt-out with federal regulators for each contract period and to notify Members of the opt-out in accordance with federal law and regulations then in effect. The Plan Sponsor agrees to hold the Claims Administrator and the Network harmless for any and all consequences arising from the Plan Sponsor's failure to file an opt-out as required by law for a given contract period, errors in the opt-out filing, or failure to notify a Member as required by federal law.

2.7. Appeals

If an adverse decision on a Member appeal results from the Plan's internal appeal process, the Plan shall offer the Member a review by an Independent Review Organization (IRO) as described in subsection 3.2.

2.8. Funding

The Plan Sponsor shall be solely liable for all benefits payable to Members under the Plan that are subject to this Contract and for care coordination and support fees payable to the Claims Administrator for the Premiera-Designated Centers of Excellence program. The Plan Sponsor agrees to the following:

- a. **Provision Of Funds** The Plan Sponsor shall maintain adequate funds from which the total cost of all claims and fees described herein for each preceding week will be paid to the Claims Administrator by electronic funds transfer (EFT). Funds must be provided within two (2) business days of notification by the Claims Administrator to a person designated by the Plan Sponsor.
- b. **Late Payments** If timely payment for the claims is not received by the Claims Administrator, the Plan Sponsor shall pay the Claims Administrator a daily late charge. This late charge is calculated from the first day following the period of two (2) business days stated above. This late charge is based on the average monthly prime rate posted by Claims Administrator's designated bank during the Contract Period, plus two (2) percent on the amount of the late payments for the number of days late. Late charges are due at the end of the Contract Period or, if earlier, upon termination of the Contract.
- c. **Notices** Notices required by this subsection and subsection 3.4 shall be by secure e-mail unless another method is agreed upon in writing by the Plan Sponsor and the Claims Administrator.

3. DUTIES AND RESPONSIBILITIES OF THE CLAIMS ADMINISTRATOR

3.1. Administrative Duties

The Claims Administrator agrees to perform the following administrative services for the Plan Sponsor. The Claims Administrator shall:

- a. assist in the preparation and printing of the benefit program booklets, identification cards, and other materials necessary for the operation of the Plan; and distribute identification cards to Members.
The Claims Administrator shall be responsible to include approved BlueCard program disclosure language in the booklets it prepares. If the Plan Sponsor prepares its own booklets, the Claims Administrator shall provide approved language to the Plan Sponsor for inclusion in the booklets;
- b. perform reasonable internal audits as stated in section 6 of this Contract;
- c. answer inquiries from the Plan Sponsor, Members, and service providers regarding the terms of the Plan, although final authority for construing the terms of the Plan's eligibility and benefit provisions is the Plan Sponsor's;
- d. prepare and provide the Plan Sponsor with reports of the operations of the Plan in accordance with "Attachment C – Reporting";
- e. coordinate with any stop-loss insurance carrier;
- f. when the plan makes use of one (1) or more of the Claims Administrator's provider networks, maintain a network of healthcare facilities and professionals as applicable to the plan design. Paid claims to such providers will reflect any applicable provider discounts;
- g. perform care facilitation services as identified in "Attachment F – Carecompass360°."
- h. manage the formulary chosen by the Plan Sponsor.
- i. **Pharmacy Benefit Program** For pharmacy benefit claims, Claims Administrator will pay Plan Sponsor a prescription drug rebate payment equal to a specific amount per paid brand-name prescription drug claim. Prescription drug rebates Claims Administrator receives from its pharmacy benefit administrator in connection with Claims Administrator's overall pharmacy benefit utilization may be more or less than the Plan Sponsor's rebate payment. The Plan Sponsor's rebate payment shall be made to the Plan Sponsor on a calendar quarterly basis unless agreed upon otherwise.

The allowable charge for prescription drugs is higher than the price paid to the pharmacy benefit manager for those prescription drugs.

The parties hereby agree that the difference between the allowable charge for prescription drugs and the price paid to the pharmacy benefit manager, and the prescription drug payments received by Claims Administrator from its pharmacy benefit manager, constitutes our property, and not part of the compensation payable to Plan Sponsor under this Contract, and that Claims Administrator is entitled to retain and shall retain such amounts and may apply them to the cost of its operations and the pharmacy benefit.

Medical Benefit Drug Program The medical benefit drug program is separate from the pharmacy program. It includes claims for drugs delivered as part of medical services. For medical benefit drug claims, the Claims Administrator may contract with subcontractors that have rebate contracts with various manufacturers. Rebate subcontractors retain a portion of rebates collected as a rebate administration fee. The Claims Administrator retains a portion of the rebate. The Plan Sponsor's medical benefit drug rebate payment shall be made to the Plan Sponsor on an annual basis if the rebate is \$500 or more. If less than \$500, the Claims Administrator will retain the medical benefit drug rebate.

- j. The Claims Administrator, at its sole discretion, reserves the right to delegate some or all of its duties and responsibilities under this Contract to a third party.

3.2. Appeals

- a. The Claims Administrator shall review and respond to the initial appeals made by Members of Adverse Benefit Determinations (see section 1) as described in the benefit booklet provided by the Claims Administrator for this Plan.

The Claims Administrator shall also provide a second review of adverse Member appeal decisions made after its initial review. This review will be conducted as described in the benefit booklet provided by the Claims Administrator for this Plan.

- b. If an adverse decision on a Member's appeal results from the Plan's internal appeal process, the Claims Administrator agrees to facilitate a review of the appeal by an Independent Review Organization (IRO) on behalf of the Plan Sponsor. The Claims Administrator will submit all required documentation regarding the appeal to the IRO and work with the IRO as needed to complete its review.

The external appeal process for Non-Grandfathered Plans will be offered and administered in accordance with the requirements of the Affordable Care Act.

The Plan Sponsor is responsible for all costs charged by the IRO to perform its review. If the Plan Sponsor chooses to share that cost with Members to the extent allowed under the Affordable Care Act, the Plan Sponsor is responsible to charge and collect any such fee from a Member.

3.3. Claims Processing

The Claims Administrator shall process all eligible claims incurred after the Effective Date of this Contract which are properly submitted in accordance with the procedures set forth in the Plan Sponsor's benefit booklet.

The Claims Administrator shall make reasonable efforts to determine that a claim is covered under the terms of the Plan as described in the benefit booklet, to apply the coordination of benefits provisions, and prepare and distribute benefit payments to Members and/or service providers. The Claims Administrator shall make reasonable efforts to identify and recover overpayments due to claim processing errors that were within its control, retroactive cancellations, or fraudulent billing practices. "Reasonable" for the purposes of this section shall be determined by the Claims Administrator.

3.4. Funding Support

The Claims Administrator shall follow the steps below to facilitate the Plan Sponsor's funding of its Plan.

- a. Claim payment checks will be issued on the Claims Administrator's check stock. However, as stated in subsection 2.8 above, the responsibility for funding benefits is the Plan Sponsor's and the Claims Administrator is not acting as an insurer.
- b. Each week, the Claims Administrator shall notify the Plan Sponsor of the amount due for the prior week's claims. Notice will be by secure e-mail unless another method is agreed upon in writing by the Claims Administrator and the Plan Sponsor.

3.5. Participation In Class Action Suits

The Plan Sponsor hereby delegates to the Claims Administrator the authority to participate on behalf of the Plan Sponsor, and at the Claims Administrator's sole discretion, in class action lawsuits or settlements regarding any

services or supplies covered under the terms of the Plan. Examples of such services or supplies include prescription or specialty drugs or medical devices. Such participation shall be limited to those instances in which the Claims Administrator determines that it will submit a claim in the subject suit on behalf of its insured book of business. The Claims Administrator shall have no obligation to participate on behalf of the Plan Sponsor in any other lawsuit or settlement. The Claims Administrator will have no obligation to file claims on behalf of a Plan Sponsor with which the Claims Administrator does not have a contract at the time the claims for recovery are submitted.

The Plan Sponsor will recover the amount it is due under the terms of the settlement in question based upon the data submitted by the Claims Administrator. Any amounts recovered by the Claims Administrator hereunder shall be net of the Claims Administrator's fee as set forth below as well as fees paid to outside counsel in connection with the lawsuit and/or settlement.

For each class action lawsuit or settlement in which the Claims Administrator participates hereunder on the Plan Sponsor's behalf, the Plan Sponsor shall pay the Claims Administrator a fee representing a proportionate share of a fixed amount intending to compensate the Claims Administrator for its work in connection with pursuing recovery in these cases. The fixed amount is shown in "Attachment D – Fees Of The Claims Administrator." This fixed amount is subject to change on an annual basis with at least 60 days' advance notice to the Plan Sponsor. The amount of the Claims Administrator's fee payable by each Plan Sponsor shall be based on the proportion of the total amount recovered by the Claims Administrator on behalf of the Plan Sponsor compared to the amount recovered by Claims Administrator for all lines of business. The fee will be deducted from the amount of any recovery received on behalf of the Plan Sponsor and will in no event exceed the amount of such recovery.

Payment hereunder shall be made within 60 days of the Claims Administrator's receipt of the settlement funds.

The Claims Administrator shall have no obligation to forward settlement funds to any group hereunder if the amount due to the group is less than \$5.

The Plan Sponsor may elect to decline to participate in the Claims Administrator's recovery process related to class action lawsuits or settlements regarding any services or supplies covered under the Plan by providing the Claims Administrator written notice. Except as set forth below, in the event the Plan Sponsor opts out, the Claims Administrator shall have no further obligation whatsoever to the Plan Sponsor in connection with the recovery process. The Plan Sponsor may request that the Claims Administrator gather data necessary for the Plan Sponsor to submit its own claim. In any such case, the Plan Sponsor shall pay the amount shown in "Attachment D – Fees Of The Claims Administrator" for the data-gathering services. Additionally, the Plan Sponsor shall make any such request in writing a minimum of 30 days in advance of the claim filing deadline.

4. LIMITS OF THE CLAIMS ADMINISTRATOR'S RESPONSIBILITY

It is recognized and understood by the Plan Sponsor that the Claims Administrator is not an insurer and that the Claims Administrator's sole function is to provide claims administration services and the Claims Administrator shall have no liability for the funding of benefits.

The Claims Administrator is empowered to act on behalf of the Plan Sponsor in connection with the Plan only as expressly stated in this Contract or as mutually agreed to in writing by the Claims Administrator and the Plan Sponsor.

This Contract is between the Claims Administrator and the Plan Sponsor and does not create any legal relationship between the Claims Administrator and any Member or any other individual.

4.1. Recoveries

If, during the course of an audit performed internally by the Claims Administrator as described in subsection 3.1.b. above or by the Plan Sponsor pursuant to section 6 below, any error is discovered, the Claims Administrator shall use reasonable efforts to recover any loss resulting from such error.

4.2. Independent Contractor

The Claims Administrator is an independent contractor with respect to the services being performed pursuant to this Contract and shall not for any purpose be deemed an employee of the Plan Sponsor.

4.3. Limits of Liability

It is recognized by the parties that errors may occur, and it is agreed that the Claims Administrator will not be held liable for such errors unless they resulted from its gross negligence or willful misconduct. The Plan Sponsor agrees to defend, indemnify and hold harmless the Claims Administrator from all claims, damages, liabilities, losses and expenses arising out of the Claims Administrator's performance of administration services under the terms of this Contract, so long as they did not arise out of the Claims Administrator's gross negligence or willful misconduct. In the event that Claims Administrator becomes aware of an inaccurately priced claim, Claims Administrator shall ensure that Plan Sponsor's funding obligation is limited to the accurate price of such claim.

5. FEES OF THE CLAIMS ADMINISTRATOR

5.1. Payment Time Limits

By the first of each month, The Plan Sponsor shall pay the Claims Administrator in accordance with the fee schedule set forth in "Attachment D – Fees Of The Claims Administrator."

5.2. Late Payments

- a. If, for any reason whatsoever, the Plan Sponsor fails to make a timely payment required under this Contract by the thirtieth day of the month in which payment is due, the Claims Administrator may suspend performance of services to the Plan Sponsor, including processing and payment of claims, until such time as the Plan Sponsor makes the required payment, including interest as set forth in c. below.
- b. In the event of late payment, the Claims Administrator may terminate this Contract pursuant to subsection 8.5 below. Acceptance of late payments by the Claims Administrator shall not constitute a waiver of its right to cancel this Contract due to subsequent delinquent or nonpayment of fees.
- c. The Claims Administrator will charge interest to the Plan Sponsor on all payments received after the thirtieth day of the month in which they are due, including amounts paid to reinstate this Contract after termination pursuant to subsection 8.5 below, at the average prime rate posted by Claims Administrator's designated bank during the Contract Period plus two (2) percent on the amount of the late payments for the number of days late. Interest will be in addition to any other amounts payable under this Contract.

5.3. Customization Fees

The Plan Sponsor shall pay the Claims Administrator a "customization fee" when the Plan Sponsor requests either of the following:

- a. A plan benefit configuration that the Claims Administrator has not determined to be standard for the plan type. Customization fees for nonstandard plan benefits assessed at this Contract's Effective Date are listed in "Attachment D – Fees Of The Claims Administrator."
- b. An off-anniversary benefit change, regardless of whether the desired benefit is standard for the plan type. The customization fee for each off-anniversary change shall be \$2,000. Customization fees for off-anniversary changes shall be invoiced separately to the Plan Sponsor.

For purposes of customization fees, "benefits" include eligibility, termination, continuation, and benefit payment provisions, benefit terms, limitations, and exclusions, funding arrangement changes, and any other standard provisions of the Plan. Fees are computed based on current administrative costs to implement and administer the benefit.

Customization fees for custom benefits that take effect on the Effective Date shown on the face page of this Contract are due and payable prior to that Effective Date. Customization fees for off-anniversary benefit changes are due and payable prior to the effective date of the change.

6. AUDIT

Within thirty (30) days of written notice from the Plan Sponsor, the Claims Administrator shall allow an authorized agent of the Plan Sponsor to inspect or audit all records and files maintained by the Claims Administrator which are directly pertinent to the administration of the Plan and which relate to a random, statistically valid number of

claims for the current or most recently ended contract period. Such documents shall be made available at the administrative office of the Claims Administrator during normal business hours. The Plan Sponsor shall be liable for any and all fees charged by the auditor. All audits shall be subject to the Claims Administrator's audit policies and procedures then in effect. Audits will be requested no more than once in every 12 consecutive months, unless the parties agree that the additional audit is needed to address a specific issue or is required by law. To the extent that the Plan Sponsor requests data and reports that are beyond the scope of the Claim Administrator's audit policies and procedures, the Plan Sponsor shall reimburse the Claims Administrator for the additional administrative costs incurred in producing such data and reports.

Any agent or auditor who has access to the records and files maintained by the Claims Administrator shall agree not to disclose any proprietary or confidential information used in the business of the Claims Administrator.

7. TERM OF CONTRACT

7.1. Contract Period

The term of this Contract shall be the Contract Period shown on the face page of this Contract. If the Plan Sponsor and the Claim Administrator agree to extend the Contract for another contract period by means of an amendment, the term of this Contract shall be the Contract Period shown on the amendment.

Except as stated otherwise in this section and in subsection 7.2 below, the terms and conditions of this Contract and the fee schedule set forth in "Attachment D – Fees Of The Claims Administrator" are established for the Contract Period. Midyear benefit or administrative changes (other than those in 8.2.a.6.) require thirty (30) days advance written notice and the advance approval of the Claims Administrator.

The Claims Administrator reserves the right to amend this Contract at any time if needed to comply with applicable law or regulation.

7.2. Changes to Fees

The Plan Sponsor acknowledges that the fee schedule set forth in "Attachment D – Fees Of The Claims Administrator" and the services provided for in this Contract are based upon the terms of the Plan and the enrollment as they exist on the Effective Date of this Contract.

- a. Any substantial changes, whether required by law or otherwise, in the terms and provisions of the Plan or in enrollment may require that the Claims Administrator incur additional expenses. The parties agree that any substantial change, as determined by the Claims Administrator after consultation with the Plan Sponsor, shall result in the alteration of the fee schedule, even if the alteration is during the Contract Period. The phrase "any substantial change" shall include, but not be limited to:
 - 1. a fluctuation of ten (10) percent or more in the number of Members as set forth on the census information included in "Attachment B – Census Information" which is herein incorporated by reference and made a part of this Contract;
 - 2. the addition of benefit program(s) or any change in the terms of the Plan's eligibility rules, benefit provisions or record keeping rules that would increase administration costs by more than \$2,000;
 - 3. any change in claims administrative services, benefits or eligibility required by law;
 - 4. any change in administrative procedures from those in force at the inception of this Contract that is agreed upon by the parties;
 - 5. any additional services which the Claims Administrator undertakes to perform at the request of the Plan Sponsor which are not specified in this Contract such as the handling of mailings or preparation of statistical reports and surveys not specified in the Claims Administrator's standard Employer Group Reporting set.
 - 6. A change in the third-party administrator, if any, used by the Plan Sponsor with respect to the benefits provided under this Contract. The Plan Sponsor will provide the Claims Administrator no less than 120 days' advance written notice of any such change.
- b. The Claims Administrator may also adjust the fees during the Contract Period by giving thirty (30) days advance written notice to the Plan Sponsor or its agent, if the Plan Sponsor agrees with the Claims Administrator that the fees are based in whole or in part upon a mistake that materially impacts such fees.

8. TERMINATION

8.1. Termination With Notice

The Plan Sponsor may terminate this Contract at any time by giving the Claims Administrator thirty (30) days written notice.

8.2. Contract Period Expiration

This Contract will terminate on the last day of the Contract Period or the last day of any extension of the Contract Period granted by the Plan Sponsor.

8.3. Termination Due to Insolvency

Either party may terminate this Contract effective immediately by giving written notice to the other if a party becomes insolvent, makes a general assignment for the benefit of creditors, files a voluntary petition of bankruptcy, suffers or permits the appointment of a receiver for its business or assets, or becomes subject to any proceeding under any bankruptcy or insolvency law, whether foreign or domestic. A party is insolvent if it has ceased to pay its debts in the ordinary course of business; cannot pay its debts as they become due; or the sum of its debts is greater than the value of its property at a fair valuation.

8.4. Termination Due to Inability to Perform

If loss of services is caused by, or either party is unable to perform any of its obligations under this Contract, or to enjoy any of its benefits because of natural disaster, action or decrees of governmental bodies or communication failure not the fault of the affected party, such loss or inability to perform shall not be deemed a breach. The party who has been so affected shall immediately give notice to the other party and shall do everything possible to resume performance. Upon receipt of such notice, all obligations under this Contract shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of such notice, the party whose performance has not been so affected may, as its sole remedy, terminate this Contract by written notice to the other party effective immediately. In the event of such termination, the Plan Sponsor shall remain liable to the Claims Administrator for all payments due, together with interest thereon as provided for in subsection 5.2.c. above.

8.5. Termination For Nonpayment

The Claims Administrator may, at its sole discretion, terminate this Contract effective as of a missed payment due date in the event that the Plan Sponsor fails to make a timely payment required under this Contract.

8.6. Plan Sponsor Liability Upon Termination

In the event this Contract is terminated, the Plan Sponsor shall remain liable to the Claims Administrator for all delinquent sums together with interest thereon as provided for in subsection 5.2.c. above.

At the expense of the Plan Sponsor, the Claims Administrator shall make available a record of deductibles and coinsurance levels for each Member and deliver this information to the Plan Sponsor or its authorized agent.

8.7. Claims Runout

The Plan Sponsor continues to be solely liable for claims received by the Claims Administrator after the Contract terminates. For the fifteen (15)-month period following termination of this Contract, the Claims Administrator shall continue to process eligible claims incurred prior to termination, or adjustments to claims incurred prior to termination, that the Claims Administrator receives no more than twelve (12) months after the date of termination at the claims runout processing fee rate set forth in "Attachment D – Fees Of The Claims Administrator."

The runout processing charge will be due in full with the first request for claims reimbursement made during the runout period.

If the Claims Administrator receives claims for Plan benefits more than twelve (12) months after the date this Contract terminates, Claims Administrator shall deny those claims. If the Plan Sponsor wants to negotiate a different arrangement, the Plan Sponsor must contact the Claims Administrator no later than the start of the fourteenth month after the date this Contract terminates.

This "Claims Runout" provision shall survive termination of this Contract.

9. DISCLOSURE

It is recognized and understood by the Plan Sponsor that the Claims Administrator is subject to all laws and regulations applicable to Claims Administrators and health care service contractors.

It is also recognized and understood by the Plan Sponsor that the Claims Administrator is not acting as an insurer and also is not providing stop-loss insurance.

10. OTHER PROVISIONS

10.1. Choice of Law

The validity, interpretation, and performance of this Contract shall be controlled by and construed under the laws of the state of Washington, unless federal law applies. Any and all disputes concerning this Contract shall be resolved in King County Superior Court or federal court as appropriate.

10.2. Proprietary Information

The Claims Administrator reserves the right to, the control of, and the use of the words "Premera Blue Cross" and all symbols, trademarks and service marks existing or hereafter established. The Plan Sponsor shall not use such words, symbols, trademarks or service marks in advertising, promotional materials, materials supplied to Members or otherwise without the Claims Administrator's prior written consent which shall not be unreasonably withheld.

The Claims Administrator's provider reimbursement information is proprietary and confidential to the Claims Administrator and will not be disclosed to the Plan Sponsor unless and until a separate Confidentiality Agreement is executed by the parties. For the purposes of this section, "provider reimbursement information" means data containing, directly or indirectly (a) diagnostic, procedures or other code sets; and (b) billed amount, allowed amount, paid amount or any other financial information for In-Network and Out-Of-Network hospitals, clinics, physicians, other health care professionals, pharmacies and any other type of facility. Such data may or may not specifically identify providers. No other provision of this Contract or any other agreement or understanding between the parties shall supersede this provision.

10.3. Parties To The Contract

The Plan Sponsor hereby expressly acknowledges, on behalf of itself and all of its Members, its understanding that this Administrative Service Contract constitutes a Contract solely between the Plan Sponsor and the Claims Administrator, that the Claims Administrator is an independent corporation operating under a license with the Blue Cross and Blue Shield Association, an association of independent Blue Cross and Blue Shield Plans (the "Association") permitting the Claims Administrator to use the Blue Cross Service Mark in the States of Washington and Alaska, and that the Claims Administrator is not contracting as the agent of the Association.

The Plan Sponsor further acknowledges and agrees that it has not entered into this Administrative Service Contract based upon representations by any person other than the Claims Administrator, and that no person, entity or organization other than the Claims Administrator shall be held accountable or liable to the Plan Sponsor for any of the Claims Administrator's obligations to the Plan Sponsor created under this Administrative Service Contract. This provision shall not create any additional obligations whatsoever on the Claims Administrator's part other than those obligations created under other provisions of this Administrative Service Contract.

10.4. Notice

Except for the notice given pursuant to the "Funding" subsection of Section 2, any notice required or permitted to be given by this Contract shall be in writing and shall be deemed delivered three (3) days after deposit in the United States mail, postage fully prepaid, return receipt requested, and addressed to the other party at the address as shown on the face page of this Contract or such other address provided in writing by the parties.

10.5. Integration

This Contract, including any appendices, amendments or attachments incorporated herein by reference, embodies the entire Contract and understanding of the parties and supersedes all prior oral and written communications between them. Only a writing signed by both parties hereto hereof may modify the terms.

10.6. Assignment

Neither party shall assign this Contract or any of its duties or responsibilities hereunder without the prior written approval of the other.

10.7. Survival

The following provisions shall survive the termination of this Contract:

- a. The funding of claims incurred prior to termination and processed during the runout period described in 8.7 Claims Runout. The funding provisions are described in subsections 2.8 and 3.4, and the payment of runout processing fees is described in subsection 8.7.
- b. The liability, hold harmless and indemnification provisions of subsection 4.3
- c. The Effect on Termination section in the Business Associate Agreement

10.8. Independent Contractors

All health care providers who provide services and supplies to a Member do so as independent contractors. None of the provisions of the plan or this Contract are intended to create, nor shall they be deemed or construed to create, any employment or agency relationship between the Claims Administrator and the provider of service other than that of independent contractors.

11. ATTACHMENTS TO THE ADMINISTRATIVE SERVICE CONTRACT

The following attach to and become part of the body of this Contract and they are herein incorporated by reference.

ATTACHMENT A – OUT-OF-AREA SERVICES

ATTACHMENT B – CENSUS INFORMATION

ATTACHMENT C – REPORTING

ATTACHMENT D – FEES OF THE CLAIMS ADMINISTRATOR

ATTACHMENT E – BUSINESS ASSOCIATE AGREEMENT

ATTACHMENT F – CARECOMPASS360°

ATTACHMENT G – EXTENDED POST-PAYMENT RECOVERY SERVICES

ATTACHMENT H – PREMIER-DESIGNATED CENTERS OF EXCELLENCE

ATTACHMENT I – PREMIER VALUE-BASED PROVIDER ARRANGEMENTS

ATTACHMENT A – OUT-OF-AREA SERVICES

As a Licensee of the Blue Cross and Blue Shield Association (BCBSA), the Claims Administrator has arrangements with other Blue Cross and/or Blue Shield Licensees ("Host Blues") for Members care outside the Service Area. These arrangements are called "Inter-Plan Arrangements." The Claims Administrator is required by BCBSA to disclose the information below about these Inter-Plan Arrangements to groups with which the Claims Administrator does business. The Plan Sponsor has consented to this disclosure to permit the Claims Administrator to satisfy its contractual obligations to BCBSA. This provision defines or modifies the rights and obligations of the parties under this Contract only for the processing of claims for care outside the Service Area.

The Inter-Plan Arrangements follow rules and procedures set by BCBSA. The Claims Administrator remains responsible to the Plan Sponsor for fulfilling its obligations under this Contract.

A Member's receiving services through these Inter-Plan Arrangements does not change covered benefits, benefit levels, or any eligibility requirements of the Plan.

The BlueCard[®] Program is the Inter-Plan Arrangement that applies to most claims from Host Blues' In-Network Providers. The Host Blue is responsible for contracting and handling all interactions with its In-Network Providers. Other Inter-Plan Arrangements apply to providers that are not in the Host Blues' networks (Non-Contracted Providers). This Attachment explains how the Plan pays both types of providers.

Note: The Claims Administrator processes claims for the Prescription Drugs benefit directly, not through an Inter-Plan Arrangement.

BlueCard Program

Except for copays, the Claims Administrator will base the amount Members must pay for claims from Host Blues' In-Network Providers on the lower of the provider's billed charge for the covered services or the Allowed Amount that the Host Blue made available to the Claims Administrator.

Most often, the Plan Sponsor's liability for those claims is calculated based on the same amount on which the Member's liability is calculated. However, sometimes the Host Blue's Allowed Amount may be greater than the billed charges if the Host Blue has negotiated with an In-Network Provider an exclusive allowance (such as a per-case or per-day amount) for specific services. This excess amount may be needed to secure (a) the provider's participation in the Host Blue's network and/or (b) the overall discount negotiated by the Host Blue. Because the Member never has to pay more than the billed charge, the Plan Sponsor may be liable for the amount above the provider's billed charge even when the Member's deductible, if any, has not been satisfied.

Host Blues determine Allowed Amounts for covered services, which are reflected in the terms of their In-Network Provider contracts. The Allowed Amount can be one of the following:

- An actual price. An actual price is a negotiated amount passed to the Claims Administrator without any other increases or decreases.
- An estimated price. An estimated price is a negotiated price that is reduced or increased to take into account certain payments negotiated with the provider and other claim- and non-claim-related transactions. Such transactions may include, but are not limited to, anti-fraud and abuse recoveries, provider refunds not applied on a claim-specific basis, retrospective settlements, and performance-related bonuses or incentives.
- An average price. An average price is a percentage of billed charges for the covered services representing the aggregate payments that the Host Blue negotiated with all of its In-Network Providers or its In-Network Providers in the same or similar class. It may also include the same types of claim- and non-claim-related transactions as an estimated price.

The use of estimated or average pricing may result in a difference between the amount the Plan Sponsor pays on a specific claim and the actual amount the Host Blue pays to the provider. However, the BlueCard Program requires that the Host Blue's Allowed Amount for a claim is final for that claim. No future estimated or average price adjustment will change the pricing of past claims.

Any positive or negative differences in estimated or average pricing on a claim are accounted for through variance accounts maintained by the Host Blue and are incorporated into future claim prices. As a result, the amounts to be charged to the Plan Sponsor will be adjusted in a following year, as necessary, to account for over- or underestimation of past years' prices. The Host Blue will not receive compensation from how the estimated or average price methods, described above, are calculated. Because all amounts paid are final, neither variance account funds held to be paid in the following year, nor the funds expected to be received in the following year, are due to or from the Plan Sponsor. If this Contract terminates, the Plan Sponsor will not receive a refund or charge from the variance account.

Variance account balances are small amounts compared to overall claims amounts and will be drawn down over time. Some Host Blues may retain interest earned, if any, on funds held in variance accounts.

Clark County Providers Services in Clark County, Washington are processed through BlueCard. However, some providers in Clark County do have contracts with the Claims Administrator. These providers will submit claims directly to the Claims Administrator and benefits will be based on the Claims Administrator's Allowed Amount for the covered service or supply.

Value-Based Programs Members might receive covered services from providers that participate in a Host Blue's value-based program (VBP). Value-based programs focus on meeting standards for treatment outcomes, cost and quality, and coordinating care when the Member is seeing multiple providers. Some of these programs are similar to those the Claims Administrator has in Washington. Types of value-based programs are accountable care organizations, global payment/total cost of care arrangements, patient-centered medical homes and shared savings arrangements.

The Host Blue may pay VBP providers for meeting standards for treatment outcomes, cost and quality, and coordinating care over a period of time called a measurement period. The Claims Administrator then passes these payments through to the Plan Sponsor. Sometimes, VBP payments are made before the end of the measurement period.

The Host Blue may bill VBP payments for Members in one of two ways:

- **In the Allowed Amount** Host Blues may adjust the Allowed Amount for VBP provider claims to include VBP payments. The actual dollar amount or a small percentage increase may be included.

If the VBP pays a fee to the provider for coordinating the Member's care with other providers, the Host Blues may also bill these fees with claims. They will use a separate procedure code for care coordination fees.

Members will have to pay a share of VBP payments when Host Blues include VBP charges in claims and a deductible or coinsurance applies to the claim. Members will not be billed for any VBP care coordination fees.

- **Billed Separately** Instead of adjusting claims, some Host Blues bill VBP payments as a "per Member per month" (PMPM) charge for each Member who participates in the Value Based Program. The Claims Administrator passes these PMPM amounts on to the Plan Sponsor.

Some Host Blues' claims adjustments or PMPM amounts used for VBP payments may be estimates. As a result, these Host Blues hold part of the amounts paid by the Plan Sponsor and Member in a variance account. The Host Blues will use these funds to adjust future VBP payments as explained under "BlueCard Program" above.

Taxes, Surcharges And Fees

In some cases, a law or regulation may require that a surcharge, tax, or other fee be applied to claims under this Plan. When this occurs, the Claims Administrator will disclose that surcharge, tax or other fee to the Plan Sponsor as part of its liability.

Non-Contracted Providers

When covered services are provided outside the Claims Administrator's Service Area by Non-Contracted providers, the Allowed Amount will generally be based on either the Claims Administrator's Allowed Amount for these providers or the pricing requirements under applicable law. Members are responsible for the difference

between the amount that the Non-Contracted Provider bills and this Plan's payment for the covered services. Please see the definition of "Allowed Amount" in Section 1 in this Contract for details on Allowed Amounts.

Return of Overpayments

Recoveries of overpayments can arise in several ways. Examples are anti-fraud and abuse recoveries, provider/hospital bill audits, credit balance audits, utilization review refunds, and unsolicited refunds. Recovery amounts will generally be applied on either a claim-by-claim or prospective basis. In some cases, the Host Blue will engage a third party to assist in identification or collection of recovery amounts. The fees of such a third party may be charged to the Plan Sponsor separately. The fee is usually a percentage of the amount recovered.

Unless otherwise agreed to by the Host Blue, the Claims Administrator may request adjustments from the Host Blue for full refunds from providers due to the retroactive cancellation of Members, but never more than one year after the date of the Inter-Plan financial settlement process for the original claim. In some cases, recovery of claim payments associated with retroactive cancellations may not be possible if, as an example, the recovery conflicts with the Host Blue's state law or its provider contracts or would jeopardize its relationship with its providers.

Blue Cross Blue Shield Global® Core

If Members are outside the United States, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands (the "BlueCard service area"), they may be able to take advantage of Blue Cross Blue Shield Global Core. Blue Cross Blue Shield Global Core is unlike the BlueCard Program available in the BlueCard service area in certain ways. For instance, although Blue Cross Blue Shield Global Core helps Members access a provider network, they will typically have to pay the provider and submit the claims themselves to get reimbursement for covered services. However, if Members need hospital inpatient care, the Service Center can often direct them to hospitals that will not require them to pay in full at the time of service. These hospitals will also submit the Member's claims to Blue Cross Blue Shield Global Core.

Fees and Compensation

In-Network Providers The Plan Sponsor understands and agrees to reimburse the Claims Administrator for certain fees and compensation which the Claims Administrator is obligated under applicable Inter-Plan Programs requirements to pay to the Host Blues, to BCBSA, and/or to Inter-Plan Programs vendors, as described below. The fees may be revised in accordance with Inter-Plan Programs standard procedures, which do not provide for prior approval by any plan sponsor. Such revisions typically are made on January 1, but may occur at any time. Revisions do not necessarily coincide with the Plan Sponsor's benefit period under this Contract.

Only the "access fee" can be charged separately each time a claim is processed. The access fee is charged by the Host Blue to the Claims Administrator for making its applicable provider network available to Members. The access fee will only apply to In-Network Providers' claims. If such a fee is charged, it will be a percentage of the discount/differential the Claims Administrator receives from the Host Blue. The access fee will not exceed \$2,000 for any claim.

All other Inter-Plan Programs-related fees are covered by the Claims Administrator's general administration fee. See "Attachment D – Fees of the Claims Administrator."

Non-Contracted Providers All fees related to Non-Contracted Provider claims are covered by the Claims Administrator's general administration fee.

ATTACHMENT B – CENSUS INFORMATION

Administration Fees, effective January 1, 2020, are based on the following:

	Number of Active and Retired Members:	654
	Employee	Dependents
Medical	265	389

Number of COBRA Members:		3
	Employee	Dependents
Medical	3	0

Other Carriers Offered: **None**

ATTACHMENT C – REPORTING

A standard package of reports covering the Contract Period will be provided to the Plan Sponsor within the fees set forth in "Attachment D – Fees Of The Claims Administrator." The reports will cover:

- Funding revenue
- Paid claims
- Census data
- Claims summaries by:
 - Provider type
 - Service type
 - Coverage type

Please note that reports, format, and content may be modified from time to time as needed.

If the Plan Sponsor requests a report that includes information not provided in our standard package of reports or a custom format for standard data, we reserve the right to charge additional fees as needed for that report.

ATTACHMENT D – FEES OF THE CLAIMS ADMINISTRATOR

**ATTACHMENT D
to the Administrative Service Contract
between**

**PREMERA BLUE CROSS
and
City of Marysville
Group Number: 4018895
Effective: 1/1/2020 through 12/31/2020**

Pursuant to the Administrative Service Contract, the Plan Sponsor shall pay the Claims Administrator the fees, as set forth below, for administrative services.

Administration Fees:

\$51.72 per employee per month

Administration Fee Breakdown:

Administration Fee (Medical/Rx)	\$51.72
Total	\$51.72

Claims Runout Processing Fee:

The charge for processing runout claims is an amount equal to the active administration fee at the time of termination, times the average number of subscribers for the 3-month period preceding the termination date, times two.

BlueCard Fee Amount:

BlueCard Fees are tracked and billed monthly in addition to claims expense.

Value-Based Program Payments

Provider groups enter into agreements with Premiera or other Blue Cross and/or Blue Shield Licensees (Host Blues) for value-based programs. Such programs include the Blue Distinction Total Care program, Global Outcomes Contracts, accountable care organizations, patient-centered medical homes, shared savings arrangements, and global payment/total cost of care arrangements. Premiera and the Host Blues may pay value-based program providers for meeting the programs' standards for treatment outcomes, cost, quality, and care coordination. The Plan Sponsor shall pay the Claims Administrator a per-member-per month (PMPM) amount established for each value-based program provider group. The PMPM amount will be multiplied by the number of the Plan Sponsor's Members that are attributed to each provider group. The PMPM amounts differ between the provider groups, and may change during the Contract Period.

Fee For Class Action Recoveries

The Plan Sponsor shall pay the Claims Administrator a fee for its work in pursuing class action recoveries on behalf of the Plan Sponsor as described in Subsection 3.5. The fee shall be a proportionate share of \$10,000, based on the proportion of the amount recovered on behalf of the Plan Sponsor compared to the total amount recovered by the Claims Administrator for all lines of business.

Premiera-Designated Centers of Excellence

In addition to claims for the foregoing services, Plan Sponsor shall pay Claims Administrator a care coordination and support fee of \$3,000 per case. The fee is charged to the Plan Sponsor as a claims expense. See Section 2.8 for more information.

See Attachment H – Premiera-Designated Centers Of Excellence for more information.

CareCompass360°

See "Attachment F – Carecompass360°" for an overview of services provided. Services are included in the Claims Administrator's Administration Fee except where stated below.

Personal Health Support (See Appendix 2)	Not included in Administration Fee. \$245 per actively engaged Member per month of active engagement.	
BestBeginnings Maternity (See Appendix 3)	Engagement fee:	\$50 one-time fee per Member when the Member registers for the program and downloads the mobile application
	High Risk Maternity Case Management	\$350 additional one-time fee for Members engaged in high-risk case management
Neonatal Intensive Care Risk Assessment & Case Management (See Appendix 4)	Fee waived	

Extended Post-Payment Recovery Services:

Claims Administrator will perform the services listed below on a pay-for-performance, contingent fee ("Contingent Fee") basis, which shall be calculated as a percentage of the gross amount recovered with respect to any particular claim. See "Attachment G – Extended Post-Payment Recovery Services" for an overview of services provided.

Post Payment Recovery Category	Contingent Fee
Coordination of Benefits	25 percent

Subrogation	25 percent unless Claims Administrator, in its sole option or discretion, engages outside counsel, in which case the Contingent Fee amount shall be 35 percent, whether or not the case involves litigation or other dispute resolution process. 25 percent if, after Claims Administrator has worked a subrogation case, the Plan Sponsor takes over responsibility for the case and settles directly. In all cases, Plan Sponsor is also responsible for payment of any court costs, such as filing fees, witness fees or court reporter fees.
Provider Billing Errors	25 percent
Credit Balance	25 percent
Hospital Billing and Chart Review	35 percent

ATTACHMENT E – BUSINESS ASSOCIATE AGREEMENT

The Plan Sponsor should keep its signed business associate agreement and any signed amendments behind this page.

ATTACHMENT F – CARECOMPASS360°

Claims Administrator agrees to make available to the Plan Sponsor certain components of the CareCompass360° program, which are more particularly described in the appendices attached hereto and incorporated herein. Claims Administrator, in its sole and absolute discretion, may upgrade, change Program Managers or otherwise modify these services. Fees for these services are shown in "Attachment D – Fees Of The Claims Administrator."

Information and Data

- For Plan Sponsors for whom the Claims Administrator does not have claims data as it determines necessary for the prior 24-month period, the Plan Sponsor will attempt to obtain such data from the Plan Sponsor's previous health plan(s), 90 days prior to the Plan Sponsor Effective Date. The Claims Administrator will cooperate with Plan Sponsor's effort in obtaining such data. All such data shall be provided by the Plan Sponsor in a mutually agreeable electronic format.
- **Inability to Provide Data.** The Parties recognize that the provision of data referenced above is critical to the success of the services. Therefore, the Plan Sponsor agrees that if any or all data referenced above is unavailable or cannot be obtained in a timely fashion, this could, at the Claims Administrator's option, affect the terms, range and availability of services available to the Plan Sponsor. In the event that at least 24 months of historical data is not available, then the Claims Administrator shall adjust reporting and measurement requirements for such Plan Sponsor accordingly.

General Provisions

- The parties understand, acknowledge and agree that the services provided to the Plan Sponsor hereunder are designed only for availability to the population of Plan Sponsor Members eligible for such services and not for application to each and every Member.
- **Severability.** In the event that any provision hereof is found invalid or unenforceable pursuant to judicial decree or decision, the remainder of this Attachment shall remain valid and enforceable according to its terms.

Appendix 1 Care Facilitation Services

Claims Administrator agrees to provide the following care facilitation services.

Service	Description
Care Management	
Clinical review	Prospective and retrospective review for medical necessity, appropriate application of benefits.
Quality Programs	Includes provision of evidence-based clinical practice and preventive care guidelines to Members and providers, chart tools, and quality of care program activities.
NurseLine	Round-the-clock access for Members to registered nurses to answer questions about their health care.
Pharmacy	
Prescription drug formulary promotion	Development of formulary and access to providers and Members on-line
Physician-based pharmacy management	Physician education on cost-effective prescribing
Enhanced Controlled Substances Utilization Program (Opioid Management) Standard Option	Our standard program identifies and investigates Members who show signs of drug misuse or addiction. When warranted, these Members will only be able to get opioid prescriptions from a particular pharmacy and may also be restricted to one prescriber.
ePocrates	Software to provide physicians with up-to-date drug and plan formulary information.
Polypharmacy	Education for Members using multiple drugs to review prescriptions with their providers to decrease incidences of adverse drug interactions
Point-of-sale Pharmacy	Follow-up with Members and physicians to minimize inappropriate or excessive drug therapies identified when drugs are dispensed.
Virtual Care – On Demand	The Claims Administrator has contracted with one or more vendors to provide virtual care services using secure chat, text, voice or audio messaging and video chat. The virtual care services do not include real-time visits between Members and their doctors via online and telephonic methods (telemedicine).

Appendix 2

Personal Health Support Services

Services of the Personal Health Support program may include:

- Telephonic personal health support, including a clinician designated as the participant's single point of contact for personal health support.
- Engagement team triage
- Periodic reporting on program enrollment and activities

Eligible Health Conditions

Members eligible for services include those who are classified by Claims Administrator, in its sole discretion, using its own methodology or criteria, as high-risk and/or have two (2) or more of the chronic conditions designated by Claims Administrator for the program. Claims Administrator may change the methodology for determining eligibility or terms of or criteria for eligibility, at its sole discretion, from time to time.

Active Engagement

The separate monthly program fee is charged only for Members who are actively engaged in personal health support services during the month. "Active engagement" means that a Member or their authorized designee (such as the parent of a minor child or an individual with power of attorney) has at least one (1) two-way conversation with their personal health support clinician in which health goals are discussed. The initial outreach contact to the Member does not count. No charges are made for a month in which there is no active engagement.

Appendix 3

BestBeginnings Maternity Program

The BestBeginnings Maternity program offers education and support services to pregnant Members and case management for pregnant Members identified as high risk. Member participation is voluntary. The program helps educate Members about normal symptoms of pregnancy, as well as risks and problems, including warning signs.

BestBeginnings Program Description

The BestBeginnings program has two components:

- A mobile application for the Member's smartphone or tablet. Members can download this mobile application from the Internet after they register for the BestBeginnings program. There is no charge to the Member. The application covers important health issues in pregnancy. It provides surveys to help identify high-risk pregnancies and post-partum depression. It also offers information, tools, milestones, alerts on pregnancy-related issues, and reminders. Content is updated quarterly as needed.
- The Claims Administrator will provide outreach to Members identified as having the potential for a high risk pregnancy. These Members can click in the mobile application to call one of the Claims Administrator's maternity specialists. These specialists are the Claims Administrator's personal health support clinicians who have specific maternity training. Maternity specialists are available from 6:00 a.m. to 8:00 p.m. on Monday through Friday and 9:00 a.m. to 1:00 p.m. on Saturday, Pacific time.

Appendix 4

Neonatal Intensive Care Risk Assessment and Case Management

The Neonatal Intensive Care Unit (NICU) Program provides case management for babies admitted to the NICU. The program is administered by the Claims Administrator's designated program manager (the "Program Manager"). The Claims Administrator and/or the hospital refers Members who are admitted to the NICU or a specialty care nursery to the Program Manager. The Program Manager then contacts the parents to get consent for the newborn Member to participate in the NICU Program. Member participation is voluntary.

Services include:

- Coordination of care for newborns throughout their stays in the NICU
- Assistance with management of the baby's care from discharge to the baby's transition home
- Comprehensive booklet that educates parents about the NICU and the needs of the child in the NICU
- Measures health outcomes
- Recommends appropriate levels of care to the Claims Administrator

ATTACHMENT G – EXTENDED POST-PAYMENT RECOVERY SERVICES

Claims Administrator, through its affiliate, Calypso, shall provide a set of Extended Post Payment Recovery Services to the Plan Sponsor as described below. Claims Administrator will perform these services on a pay-for-performance, contingent fee ("Contingent Fee") basis, which shall be calculated as a percentage of the gross amount recovered with respect to any particular claim. Contingent Fees are shown in "Attachment D – Fees Of The Claims Administrator."

Post Payment Recovery Category	Explanation of Services
Coordination of Benefits	Claims Administrator's investigators and auditors will work to identify and pursue overpayments due to Member's missing or inaccurate COB information. Claims Administrator utilizes questionnaires and interviews with providers, employers and Members to determine if Plan Sponsor's Plan is primary or secondary.
Subrogation	Claims Administrator's investigators, auditors and attorneys identify and pursue overpayments due to Subrogation opportunities. Claims Administrator's research to obtain accurate subrogation information and determine group's subrogation rights include questionnaires and interviews with providers, employers and Members. As Claims Administrator deems necessary, Claims Administrator manages attorney and Member notification, coordinates case documentation, coordinates with potentially responsible parties and provides representation for hearings. Claims Administrator will notify Plan Sponsor in the event that Claims Administrator recommends that the Plan Sponsor file suit. Plan Sponsor retains the right to authorize or deny any legal action. Claims Administrator will not initiate legal action to enforce the plan's subrogation provision without prior approval from the Plan Sponsor. If Plan Sponsor brings any legal action on its own, Plan Sponsor will be solely responsible for the case, and (1) The Claims Administrator will cooperate with the Plan Sponsor; (2) Any court costs and attorneys' fees incurred in pursuing such subrogation claims shall be the responsibility of the Plan Sponsor; and (3) If Claims Administrator had already opened a subrogation case, Plan Sponsor shall pay Claims Administrator its subrogation fee set forth in "Attachment D – Fees Of The Claims Administrator." (If Claims Administrator had not already opened a subrogation case, no fees shall be due the Claims Administrator.)
Provider Billing Errors	Claims Administrator's post-payment editing programs and investigators and auditors perform additional screens and tests where billing information is inconsistent with age/services rendered or where there appears to be up-coding or unbundling of services. A recovery process is then employed to request and recover verified overpayments.

Post Payment Recovery Category	Explanation of Services
Credit Balance	This service requires an on-site review of the provider's financial records and discussions with their staff. Credit balances are verified as owed to Plan Sponsor and the source of the credit is determined. The credit is reviewed with the provider and approved for payment back to Claims Administrator or the Plan Sponsor.
Hospital Billing and Chart Review	This service requires an on-site review of the Member's medical charts and interviews with provider staff by registered nurses. Calypso out-sources the on-site review work to an independent vendor who ensures that: • Service is consistent with diagnosis and billing is consistent with services. • There has been no unbundling of services, diagnosis up-coding or billing maximization. • Services rendered were prescribed by the physician and the doctor's notes were signed. • Standardized billing and payment policies were used. Calypso provides support for this vendor's efforts as well as processes all recoveries.

ATTACHMENT H – PREMIERA-DESIGNATED CENTERS OF EXCELLENCE

The Claims Administrator has partnered with provider groups called *Designated Centers of Excellence* to provide favorable pricing for certain services to Members. Member participation is not mandatory. The program is administered by the Claims Administrator; however, the Claims Administrator's travel partner will manage the travel arrangements as explained below.

Medical Services

The centers of excellence may differ depending on the surgeries covered. The following procedures are included:

- Total knee or hip joint replacements. In Washington, the designated centers of excellence are the following Providence hospitals:

Swedish First Hill, Seattle and Ballard

Swedish Edmonds, Edmonds

Providence St. Peter Hospital, Olympia

Providence Regional Medical Center, Everett

Kadlec Regional Medical Center, Benton County

Providence Sacred Heart Medical Center, Spokane

The designated centers of excellence outside Washington are Blue Cross Blue Shield Association Blue Distinction Centers Plus.

Services provided by the Designated Center of Excellence include pre-operative services and supplies before the procedure, surgery and associated facility care. Post-surgery care is covered under this benefit for a limited period after surgery.

All other related services, including outpatient follow-up care after surgery, rehabilitation and skilled nursing facility care are not part of the Premiera-Designated Centers of Excellence program. To the extent the plan covers the related services, they would be subject to standard plan cost-shares. Other procedures done by the Designated Center of Excellence, such as partial joint replacements, are not eligible for coverage under the Premiera-Designated Centers of Excellence program.

Medical Transportation

The Designated Centers of Excellence program includes benefits for travel and lodging for certain covered services as described below. The member must live more than 50 miles away from the provider performing the services, unless transplant protocols require otherwise. Please contact Customer Service to access our travel partner. **Air transportation and lodging must be booked by Premiera's travel partner in order to be covered.** Prior authorization is also required.

- Travel and lodging expenses related to services covered under the Premiera-Designated Centers of Excellence program.
- Travel related to the covered transplants named in the plan's **Transplants** benefit and subject to the **Transplants** benefit's travel maximum, if any. Benefits are provided for travel of the member getting the transplant and one companion. The plan also covers lodging for members not in the hospital and for their companions. The member getting the transplant must live more than 50 miles from the transplant facility unless treatment protocols require the member to remain closer to the transplant center.
- Travel for cellular immunotherapy and gene therapy. Benefits are provided for travel for the member and one companion to a designated provider outside the service area, when a designated provider is not available within Washington and Alaska. Note: The immunotherapy or gene therapy itself is not included in the Premiera-Designated Centers of Excellence program.

Covered medical transportation expenses are:

- Air transportation expenses between the Member's home and the medical facility where services will be provided. Air travel expenses cover unrestricted coach class, flexible and fully refundable round-trip

airfare from a licensed commercial carrier.

- Ferry transportation from the Member's home community
- Lodging expenses at commercial establishments, including hotels and motels, between home and the medical facility where the service will be provided.
- Mileage expenses for the Member's personal automobile
- Ground transportation, car rental, taxicab fares and parking fees, for the member and a companion (when covered) between the hotel and the medical facility where services will be provided.

Travel and lodging costs are subject to the IRS limits in place on the date the expense is incurred. The mileage limits and requirements can change if IRS regulations change. Please go to the IRS website, www.irs.gov, for details. This Attachment is not and should not be assumed to be tax advice.

Companion Travel One companion needed for the Member's health and safety is covered. For a child under age 19, a second companion is covered only if medically necessary.

Reimbursement of Travel Claims There are some covered travel services that are not arranged by Premera's travel partner. For these services, Members must submit a Travel Claim Form. A separate claim form is needed for each patient and each commercial carrier or transportation service used.

The Medical Transportation benefit does not cover:

- Charges and fees for booking changes
- Cancellation fees
- First class airline fees
- International travel
- Lodging at any establishment that is not commercial
- Meals
- Personal care items
- Pet care, except for service animals
- Phone service and long-distance calls
- Reimbursement for mileage rewards or frequent flier coupons
- Reimbursement for travel before contacting us and receiving prior authorization
- Travel for medical procedures not listed above
- Travel in a mobile home, RV, or travel trailer
- Travel to providers outside the network or that have not been designated by Premera to perform the services
- Travel insurance

Member Eligibility And Access To Services

- Services covered under the Premera-Designated Center of Excellence benefit require prior authorization. Members or their doctors will contact the Claims Administrator's Customer Service department for the prior authorization.
- The Claims Administrator will review the prior authorization request to make sure that the Member meets the medical necessity requirements and authorize the care. If the Member wants to have the procedure done by a Designated Center of Excellence, the Claims Administrator will work with the Member to find a Center of Excellence. The Claims Administrator will help coordinate the Member's care.
- If travel is necessary, the Claims Administrator's travel partner will schedule and pre-pay the costs of airfare and lodging as needed.

ATTACHMENT I – PREMIERA VALUE-BASED PROVIDER ARRANGEMENTS

The Claims Administrator provides access for Members to provider groups that participate in Claims Administrator's value-based programs (VBPs). VBPs focus on improving treatment outcomes, cost and quality, and coordinating care when the Member is seeing multiple providers.

The Claims Administrator pays VBP providers for meeting standards for treatment outcomes, cost and quality, and coordinating care over a period of time called a measurement period. The Claims Administrator will then pass these VBP payments through to the Plan Sponsor.



Agenda Bill

CITY COUNCIL AGENDA ITEM REPORT

DATE: October 27, 2025

SUBMITTED BY: Jennifer Stapleton, Executive

ITEM TYPE: Discussion Item

AGENDA SECTION: **Mayor's Business**

SUBJECT: 2026 Legislative Priorities

SUGGESTED ACTION:

SUMMARY: The Mayor will present his proposed 2026 Legislative Priorities for Council consideration and approval at a future meeting.

ATTACHMENTS:

[2026 STATE Legislative Priorities_2025OCT23.pdf](#)
[2026 FEDERAL Legislative Priorities_2025OCT23.pdf](#)

City of Marysville

State Legislative Priorities 2026



MARYSVILLE
WASHINGTON

Contact: Mayor Jon Nehring

Email: jnehring@marysvillewa.gov

Phone: (360) 363-8089

156TH STREET RAILROAD OVERCROSSING

Project Background

The 156th Street NE Railroad Overcrossing project in Marysville proposes to reinstate the public railroad crossing with an overcrossing at the Burlington Northern Santa Fe (BNSF) mainline track at 156th Street NE just west of Interstate 5. This crossing was once a public at-grade crossing that was closed by BNSF and the WUTC in the early 2000s without recognition of the future growth needs west of I-5. Reinstating this crossing will support future development and provide much needed expanded public access to and from I-5 for north Snohomish County.



Access

Current access to and from the freeway in this vicinity occurs at the interchange of I-5 and State Route 531 (172nd Street NE). A future I-5 interchange at 156th Street NE is funded under Connecting Washington (\$42M, 2025-31). Once the interchange is complete, the west leg will not fully function as traffic west of I-5 will essentially be landlocked by the parallel railroad line. While the City has planned connections through the developing Lakewood neighborhood, a railroad crossing at 156th Street NE will better accommodate traffic circulation and growth in the region.



Development

The City of Marysville, in partnership with the adjacent property owners, constructed the overcrossing at 156th and I-5 in 2013 to spur development and provide access to the newly designated Cascade Industrial Center and the Lakewood neighborhood. With full buildout expected within the next 20 years and continued growth in unincorporated Snohomish County west of I-5, the area will see increased congestion and significant daily traffic impacts along SR 531 (172nd Street NE) and I-5.

Improvements

The 156th Street NE Railroad Overcrossing project is estimated at \$28.5M. The City is nearing completion of a 30% design effort and early permitting provided by \$500,000 in Move Ahead WA funds and a \$500,000 City match. The Tulalip Tribes are a key stakeholder, and property holder adjacent to the project. The Tribes and City have entered into an ILA committing to involve the Tribes in design and establish Tribal support for the project. In 2025, City received \$5M in State funds to advance the project design, permitting and right-of-way beginning in 2027. Additional funds are needed to advance construction.



Estimated Project Cost: \$28,500,000
Construction Funding Gap: \$22,500,000

Project Background

The SR9/SR92 Intersection Improvement project, located in Marysville, WA proposes to replace the signalized intersection with a roundabout. In 2010, the City received a break-in-access (BIA) approval from WSDOT for a fourth leg (35th St NE) at the intersection. The analysis supporting the BIA approval evaluated both a roundabout and signalized intersection control, with the signal being the preferred option. In 2012, WSDOT constructed corridor improvements on SR9 and SR 92. As part of WSDOT's project, the City contributed \$4.5M in local funds towards additional widening and signal improvements to accommodate the future 35th St NE leg. Having secured the BIA and setting the intersection up to accommodate the future leg, the overall project was put on hold pending development interest and the construction of utilities to serve the growing Whiskey Ridge Master Planned Subarea of Marysville. Now, over a decade later, the City is looking to advance the intersection improvements along with development interest to construct 35th St NE and completing this project in support of safety and congestion relief.



Improvements

As part of recent work to advance design and construct the intersection improvements, the City was required by WSDOT to perform an Intersection Control Evaluation (I.C.E.) study of the SR9/SR92 Intersection. As a result of the I.C.E., the intersection as a signal was determined to be an acceptable short-term solution. However, the intersection for the long-term is best served by a roundabout, both from a traffic congestion and safety perspective. The cost of the roundabout improvement is estimated at \$5.5M including design, permitting and construction. To move forward with the roundabout and implement the long-term solution to the intersection, the City is seeking \$5.5M in state funds.



Total Project Cost: \$5,500,000

Requested Funding: \$5,500,000 towards design and construction

BAYVIEW TRAIL EXTENSION

PHASE 1 – MARYSVILLE JURISDICTION

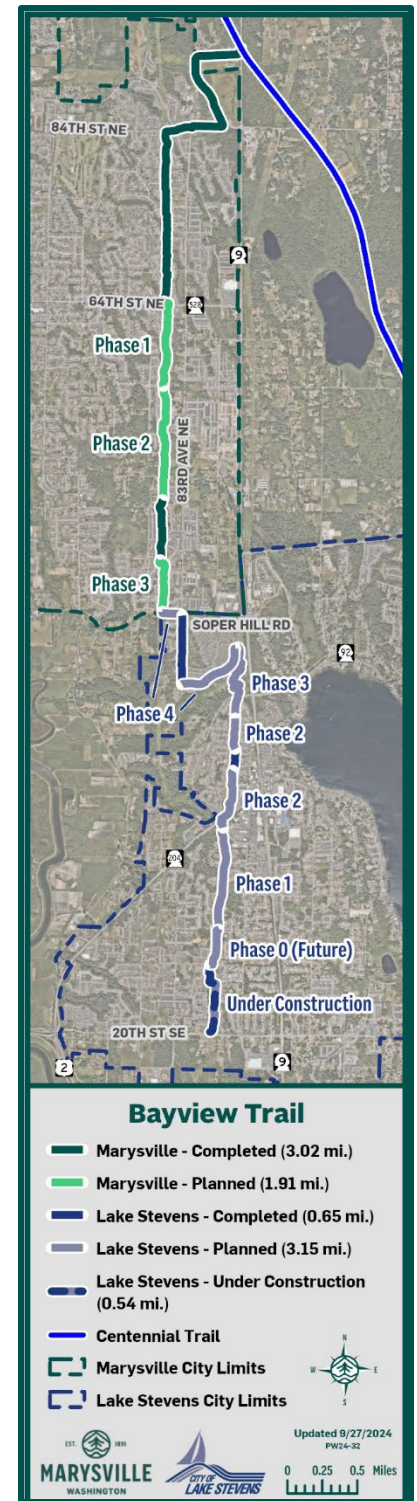
Project Background

The Bayview Trail is a planned 9.28-mile, 12-foot-wide multi-use trail located in the City of Marysville and the City of Lake Stevens. The trail begins at the intersection with the regional Centennial Trail and extends south into Lake Stevens, terminating at 20th St NE (see map right). Portions of the trail have been constructed within Marysville's jurisdiction, from the Centennial Trail to 64th St NE (State Route 528). The Centennial Trail Connector was funded in part by both Transportation and Capital funds in 2019. The section of trail between 20th St SE and 12th St SE, within Lake Stevens' jurisdiction, is currently under construction. In 2019, Marysville and Lake Stevens entered into an interlocal agreement (ILA) to support and advance each City's trail efforts. Following that agreement, and with \$500,000 in State Capital funds that Marysville received in 2022, a trail plan for the remaining sections was developed. Final deliverables from this effort included preliminary plan development, cost estimates, evaluation of property impacts and project phasing recommendations.

Improvements

Bayview Trail – Phase 1 represents the next phase in the trail that Marysville is advancing along this planned trail. Within Marysville, Phase 1 is a 0.6-mile-long trail segment, extending the existing trail across 64th St NE (SR 528) and south to 55th Pl NE. This will extend the existing 3.02-mile trail that connects to the Centennial Trail to 3.62 miles overall.

Marysville received \$500,000 in legislative funds in 2025 and is currently working on advancing the design, permitting and trail easement acquisition for Bayview Trail – Phase 1 so that it is "shovel-ready" for construction. With construction of Bayview Trail – Phase 1 estimated at \$2,514,000, Marysville is requesting \$2,514,000 in construction funds towards this next phase.



Total Project Cost (Phase 1): \$3.25M
Requested Funding: \$2,514,000 to fully fund Construction

88TH ST NE CORRIDOR IMPROVEMENT (STATE AVE TO 55TH AVE NE)

Project Background

The 88th St NE corridor is one of Marysville's primary east-west arterials with direct access to Interstate 5 and State Route 9. The existing road section, from State Avenue to 67th Ave NE, consists primarily of two travel lanes and shoulders. Most of the corridor runs parallel to residential housing with close proximity to two elementary schools, one middle school and one high school. The corridor is also a Community Transit route and bicycle corridor. As the city and surrounding communities have become more urbanized, traffic volumes and accidents have increased. The corridor's rural road section is no longer compatible to accommodate the needs of today's motorized and non-motorized travel.

The corridor will be improved in two phases as shown below. Phase 1 of the 88th St NE Corridor Improvements begins east of State Ave to 55th Ave NE. The project is on-track to be shovel-ready for construction in 2026, with design and right-of-way acquisition complete by end of 2025, coinciding with the obligation dates of already secured funding.



Improvements

The 88th St NE Corridor Improvement (State Ave to 55th Ave NE) project proposes to widen the corridor to three lanes, including curb, gutter and multi-use paths to accommodate pedestrians and bicyclists. These improvements will improve overall congestion, safety and mobility along the corridor. Other benefits of the project will include storm water facilities to collect and treat runoff, utility replacements, street lighting, ADA compliant ramps and pavement rehabilitation. Total construction cost is estimated at \$15.8M. The City has secured \$3.8M in Federal funds towards construction. This leaves \$12M in funds needed to fully fund the project through construction. The City anticipates \$6M in City (utility funds and traffic impact fees), future grants through TIB of approximately \$4M, leaving a need of \$2M in construction funds.



Total Project Cost: \$22,400,000
Requested Funding: \$2,000,000 towards construction

City of Marysville

Federal Legislative Priorities 2026



MARYSVILLE
WASHINGTON

Contact: Mayor Jon Nehring

Email: jnehring@marysvillewa.gov

Phone: (360) 363-8089

156TH STREET RAILROAD OVERCROSSING

Project Background

The 156th Street NE Railroad Overcrossing project in Marysville proposes to reinstate the public railroad crossing with an overcrossing at the Burlington Northern Santa Fe (BNSF) mainline track at 156th Street NE just west of Interstate 5. This crossing was once a public at-grade crossing that was closed by BNSF and the WUTC in the early 2000s without recognition of the future growth needs west of I-5. Reinstating this crossing will support future development and provide much needed expanded public access to and from I-5 for north Snohomish County.



Access

Current access to and from the freeway in this vicinity occurs at the interchange of I-5 and State Route 531 (172nd Street NE). A future I-5 interchange at 156th Street NE is funded under Connecting Washington (\$42M, 2025-31). Once the interchange is complete, the west leg will not fully function as traffic west of I-5 will essentially be landlocked by the parallel railroad line. While the City has planned connections through the developing Lakewood neighborhood, a railroad crossing at 156th Street NE will better accommodate traffic circulation and growth in the region.



Development

The City of Marysville, in partnership with the adjacent property owners, constructed the overcrossing at 156th and I-5 in 2013 to spur development and provide access to the newly designated Cascade Industrial Center and the Lakewood neighborhood. With full buildout expected within the next 20 years and continued growth in unincorporated Snohomish County west of I-5, the area will see increased congestion and significant daily traffic impacts along SR 531 (172nd Street NE) and I-5.

Improvements

The 156th Street NE Railroad Overcrossing project is estimated at \$28.5M. The City is nearing completion of a 30% design effort and early permitting provided by \$500,000 in Move Ahead WA funds and a \$500,000 City match. The Tulalip Tribes are a key stakeholder, and property holder adjacent to the project. The Tribes and City have entered into an ILA committing to involve the Tribes in design and establish Tribal support for the project. Federal appropriations were authorized for an overcrossing at Grove Street in the amount of \$3 million in 2023 and \$850,000 in 2024. The City is requesting this funding be moved to the 156th Railroad Overcrossing, which is the preferred location.



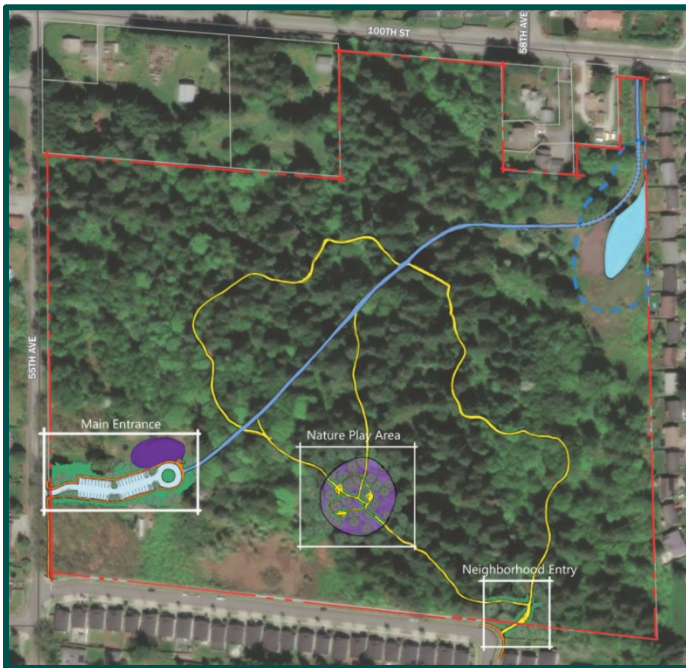
Estimated Project Cost: \$28,500,000

Funding Requested: \$3,850,000 Reauthorization; \$18,650,000 Construction

MOTHER NATURE'S WINDOW PARK IMPROVEMENTS

PROJECT BACKGROUND

Mother Nature's Window Park, located at 9623 55th Ave NE, is approximately 34.2 acres in size and is heavily forested with second-growth timber. This natural enclave, located centrally in Marysville's urban environment, has not been accessible to the public for over 20 years. The property was privately owned up until 1999, when it was purchased by Snohomish County Parks through Conservation Futures. In 2010, it was annexed into the City of Marysville. The City is completing Phase 1 construction which was funded in part with Federal funds and includes a parking lot with turnaround for buses, lighting, security cameras and trail improvements.



PROJECT DESCRIPTION

The City intends to develop the park in a phased approach. Phase 1 will focus on establishing safe, public access to and within the park while preserving the existing natural site conditions to the maximum extent practical. This work is funded in part by the City and Federal Community Project Funds. Phase 1 and will be completed by the end of 2025.

Phase 2 includes a public restroom, nature play area, native growth restoration, historical signage and a sheltered picnic area.



Total Project Cost (Phase 2): \$1,698,000

Requested Funding: \$1,698,000 to fund Phase 2 design, permitting and construction

88TH ST NE CORRIDOR IMPROVEMENT (STATE AVE TO 55TH AVE NE)

Project Background

The 88th St NE corridor is one of Marysville's primary east-west arterials with direct access to Interstate 5 and State Route 9. The existing road section, from State Avenue to 67th Ave NE, consists primarily of two travel lanes and shoulders. Most of the corridor runs parallel to residential housing with close proximity to two elementary schools, one middle school and one high school. The corridor is also a Community Transit route and bicycle corridor. As the city and surrounding communities have become more urbanized, traffic volumes and accidents have increased. The corridor's rural road section is no longer compatible to accommodate the needs of today's motorized and non-motorized travel.

The corridor will be improved in two phases as shown below. Phase 1 of the 88th St NE Corridor Improvements begins east of State Ave to 55th Ave NE. The project is on-track to be shovel-ready for construction in 2026, with design and right-of-way acquisition complete by end of 2025, coinciding with the obligation dates of already secured funding.



Improvements

The 88th St NE Corridor Improvement (State Ave to 55th Ave NE) project proposes to widen the corridor to three lanes, including curb, gutter and multi-use paths to accommodate pedestrians and bicyclists. These improvements will improve overall congestion, safety and mobility along the corridor. Other benefits of the project will include storm water facilities to collect and treat runoff, utility replacements, street lighting, ADA compliant ramps and pavement rehabilitation. Total construction cost is estimated at \$15.8M. The City has secured \$3.8M in Federal funds towards construction with \$6M in City match. This leaves \$6M in funds needed to fully fund the project through construction.



Total Project Cost: \$22,400,000
Requested Funding: \$6,000,000 towards construction