



**PLANNING COMMISSION MEETING
TUESDAY, DECEMBER 10, 2024 – 6:30 PM
501 DELTA AVENUE
MARYSVILLE, WA 98270**

AGENDA

The Planning Commission meeting is a hybrid meeting which you are welcome to attend in person or via Teams. Anyone wishing to provide verbal public comment is encouraged to pre-register by contacting the Staff Contact for the agenda item outlined above the day prior to the meeting. Those providing verbal public comment will need to provide their name, address, e-mail and phone number for the public record.

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CALL TO ORDER

1. ROLL CALL

2. APPROVAL OF MINUTES *Approval of November 12, 2024 Planning Commission meeting minutes.*

- 2.1 Approval of November 12, 2024 minutes
[November 12, 2024 Draft Minutes.docx](#)

3. AUDIENCE PARTICIPATION *(for topics not on the agenda)*

4. OLD BUSINESS

- 4.1 Hearing Examiner Procedures
Suggested motion: I move to recommend approval of the Hearing Examiner Procedures Code Amendments to City Council for adoption by Ordinance.
[1 Ordinance - Hearing Examiner](#)
[2 Ordinance - Board of Appeals](#)

5. NEW BUSINESS

- 5.1 Community Development Project Update

6. DIRECTOR'S COMMENTS

7. ADJOURNMENT

8. NEXT MEETING - January 14, 2025

[CITY COUNCIL AGENDA ITEMS AND MINUTES](#)

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

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: December 10, 2024

SUBMITTED BY: Marisa Nishmura, Community Development

ITEM TYPE: Minutes

AGENDA SECTION: **APPROVAL OF MINUTES**

SUBJECT: Approval of November 12, 2024 minutes

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS:
[November 12, 2024 Draft Minutes.docx](#)

**Community
Development**



**501 Delta Ave
Marysville, WA 98270**

**Planning
Commission
November 12, 2024**

CALL TO ORDER

Chair Leifer called the meeting to order at 6:30 p.m.

ROLL CALL

Present:

Commission: Chair Steve Leifer, Vice Chair Brandon Whitaker, Commissioner Gary Kemp, Commissioner Jerry Andes, Commissioner Raymond Miller, Commissioner Zebo Zhu

Staff: Community Development Director Haylie Miller, Principal Planner Angela Gemmer, Planning Manager Chris Holland, Engineering Services Director Jeff Laycock, Transportation Engineering Manager Jesse Hannahs

Absent: Commissioner Shanon Jordan

APPROVAL OF MINUTES

October 22, 2024 Planning Commission Minutes

Motion to approve the October 22, 2024 PC meeting minutes moved by Commissioner Gary Kemp seconded by Commissioner Miller.

AYES: ALL

AUDIENCE PARTICIPATION

None

PUBLIC HEARING

4.1 2024 Comp Plan Update and Associated Code Amendments

Principal Planner Gemmer and Director Haylie Miller made the presentation on the 2024 Comprehensive Plan Update. Ms. Gemmer gave an overview of the document and explained that a major change in the plan is organizational. She reviewed various elements and chapters including the Land Use Element, Housing Element, and the Economic Development Element. Director Miller reviewed the Public Services Element, Parks and Recreation Chapter, Environmental Element, Transportation Element, Utilities Element, and the Capital Facilities Element. The Water, Sewer and Storm Comp Plans will be updated in 2025.

Questions and Comments:

Commissioner Kemp referred to the Housing Element and asked if the State considers mobile home parks affordable housing. Director Miller replied that mobile home parks are recognized as an existing affordable housing option that they want to try to keep available

Chair Leifer wondered if mobile home parks should be allowed in R6 or R8 to accomplish some affordable housing in these zones. Planning Manager Holland commented that all the mobile home parks in residential zones are already protected, and they are already allowed for additional densities. Chair Leifer wondered if the density should be increased to more than 8 per acre for new mobile home parks. Ms. Gemmer commented that the density increase was supposed to be 20% above the base density. She noted that the manufactured home park code is pretty old and could use an update.

Chair Leifer asked when they would start tracking greenhouse gases. Director Miller explained it is not required for Marysville until 2029, but they will likely start work on it in 2026 or 2027. The State would like cities to track vehicle trips and greenhouse gas emissions and seek to reduce those. Chair Leifer wondered how much of a burden this process would be on the city budget. Director Miller explained that would remain to be seen, especially if they are being asked to reduce greenhouse gases. It will be helpful to see how other cities deal with this next year.

Vice Chair Whitaker asked if non-motorized elements would be applied to some of the calculations for the Climate Change Element. Director Miller explained that non-motorized improvements would be applied to vehicle trips taken. Vice Chair Whitaker asked for more information about how the Complete Streets Policy in the Transportation Element applies to non-motorized improvements around the city. Transportation Engineering Manager Jesse Hannahs explained that it says the City will plan, design, and construct to meet the needs of all mobility types. Vice Chair Whitaker asked if the plan sets the priority project list. Mr. Hannahs explained that it doesn't but they try to fit each project into available grant or funding opportunities.

Commissioner Zhu commented that the sidewalks are not as protected as he thought they would be on the State Avenue extension from 100 to 116th. He stated that he

completely agrees with the written comments provided earlier by Kristin Kinnamon. He asked how they can ensure that future projects will apply to the policy in the code. Director Laycock explained they were severely limited on that project. It has to do with limitations with right-of-way, partners, and funding. Mr. Hannahs agreed that existing roadways that are developed have more challenges. Ideally, landscape separation is great, but it isn't always feasible or cost effective.

Director Miller commented that the mobile home requirement is 8 units per gross acre. It might be a good idea to take another look at this.

The public hearing was opened.

John Ray, 3910 100th Place NE, Marysville, asked for clarification about the projected population growth numbers and asked about the basis for the trend chart. Ms. Gemmer explained how this was shown on the chart. Mr. Ray asked why they need to grow. Ms. Gemmer explained that the state has a Growth Management Act which limits where growth can occur. They look at projected growth numbers and delegate what level of growth jurisdictions much accommodate. Mr. Ray asked what would happen if they don't. Ms. Gemmer explained the consequences of not complying with the requirements. Mr. Ray wondered if the City has any control over where they grow. Ms. Gemmer explained that the zoning map has been developed to address this. The City has to plan for the growth; they don't have to make it happen. She responded to questions about the discretion the City has and doesn't have with regard to density and Complete Streets and safety.

Mike Soderstrom, 10117 35th Drive NE, Marysville, asked about the current population. Ms. Gemmer explained it is just under 74,000.

Commissioner Comments and Questions:

Commissioner Miller asked how they comply with the ADA (Americans with Disabilities Act). Director Laycock replied explained that the City's ADA Transition Plan is available online which is specific to the City's right of way. Anytime there is a capital project, roadway project, or overlay they do replacements. He estimated that they replaced over 200 ramps this year with overlay projects.

Vice Chair Whitaker expressed support for doing what they can to break up the asphalt and concrete. He praised the waterfront trail along Sunnyside Blvd. that has been created in the south end.

Motion made by Commissioner Miller, seconded by Commissioner Kemp to close the public hearing at 7:35 p.m.

AYES: ALL

Commissioner Andes commended staff for the work they did on the Comprehensive Plan even though he had concerns about the State's requirements. Commissioner Miller concurred.

Motion made by Commissioner Miller, seconded by Vice Chair Whitaker, to forward the plan to the City Council with a recommendation for approval.

AYES: ALL

4.2 SB 5290 Project Review Timeframes Code Amendments

Planning Manager Holland reviewed the proposed project review timeframes code amendments. Chair Leifer commented that most of their questions had already been answered at the previous presentation with Emily Morgan. There were no additional comments or questions.

Public hearing was opened public comments were solicited. There were none.

Motion made by Commissioner Miller, seconded by Commissioner Andes, to close the hearing at 7:41 p.m.

AYES: ALL

Motion made by Commissioner Zhu, seconded by Commissioner Kemp, to forward this to City Council with a recommendation for approval.

AYES: ALL

4.3 RCW 58.17.280 Subdivision Addressing Code Amendment

Principal Planner Gemmer explained this would require that addresses be provided on final plat maps that are recorded with the Snohomish County Auditor's Office in order to be compliant with state law.

The public hearing was opened. Seeing no comments, the public hearing was closed.

Motion made by Commissioner Zhu, seconded by Commissioner Miller to close the hearing.

AYES: ALL

Motion made by Commissioner Miller, seconded by Vice Chair Whitaker, to forward this to City Council with a recommendation for approval.

AYES: ALL

NEW BUSINESS

Development Project Update

Director Miller gave an update on recent development projects and answered clarification questions. She will share another update at the next meeting to get the Planning Commission up to date.

Chair Leifer asked what is going on at the southeast quadrant of 172nd and Smokey Pt. Blvd. Planning Manager Holland wasn't sure, but noted it was an Arlington property. He offered to find out. Chair Leifer asked about another site north of the Verizon yard. Planning Manager Holland explained it is Premier Heavy Equipment.

Hearing Examiners Update

Director Miller reviewed proposed code amendments including hiring an additional hearing examiner and delegating the board of appeals to the hearing examiner.

Motion made by Vice Chair Whitaker, seconded by Commissioner Miller, to direct staff to set a public hearing for this item for December 10.

AYES: ALL

DIRECTOR'S COMMENTS

Director Miller expressed appreciation to everyone for their work on the Comprehensive Plan and for their participation in the process.

ADJOURNMENT

Motion to adjourn at 8:05 p.m. moved by Commissioner Kemp seconded by Commissioner Miller.

AYES: ALL

NEXT MEETING - December 10, 2024



Agenda Bill

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: December 10, 2024

SUBMITTED BY: CD Director Haylie Miller, Community Development

ITEM TYPE: Public Hearing

AGENDA SECTION: **OLD BUSINESS**

SUBJECT: Hearing Examiner Procedures

SUGGESTED ACTION: Suggested motion: I move to recommend approval of the Hearing Examiner Procedures Code Amendments to City Council for adoption by Ordinance.

SUMMARY: Two draft ordinances are attached related to Marysville Hearing Examiner procedures. The first draft ordinance (Exhibit 1) proposes revisions to Marysville Municipal Code (MMC) Chapter 22G.060 regarding the appointment, removal, and jurisdiction of the Hearing Examiner. The second draft ordinance (Exhibit 2) designates the Hearing Examiner to perform the function of the Board of Appeals under the International Building Code and all other codes that provide for an appeal to the Board of Appeals. A public hearing has been scheduled for December 10th.

ATTACHMENTS:

[1 Ordinance - Hearing Examiner](#)
[2 Ordinance - Board of Appeals](#)

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, REGARDING THE APPOINTMENT, REMOVAL, AND
JURISDICTION OF THE HEARING EXAMINER.**

WHEREAS, an office of hearing examiner was created by chapter 22G.060 of the municipal code; and

WHEREAS, amending the municipal code to provide that more than one hearing examiner may be appointed by the mayor and confirmed by the city council will allow the city to provide better customer service in administrative hearings; and

WHEREAS, expanding the jurisdiction of the hearing examiner will replace obsolete review methods with a professional hearing examiner.

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

SECTION 1. Section 22G.060.030 of the municipal code is amended as set forth in Exhibit A.

SECTION 2. Section 22G.060.050 of the municipal code is amended as set forth in Exhibit B.

SECTION 3. Section 22G.060.080 of the municipal code is amended as set forth in Exhibit C.

SECTION 4. Section 22G.060.090 of the municipal code is amended as set forth in Exhibit D.

SECTION 5. 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 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. 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 _____, 2024.

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

22G.060.030 Appointment.

The ~~examiner shall be appointed by the~~ mayor is authorized to appoint one or more examiners subject to confirmation by a majority vote of the city council. The terms of the examiner's employment shall be specified by a professional service contract. An examiner pro tem may also be appointed by the mayor subject to confirmation by majority vote of the city council. An examiner pro tem shall serve in the event of absence or disqualification of the examiner.

EXHIBIT B

22G.060.050 Removal.

The examiner's professional services contract may be terminated by the mayor in accordance with the terms of the contract. The examiner may be removed from office for cause by the mayor, subject to ~~confirmation~~ approval by majority vote of the city council.

EXHIBIT C

22G.060.080 Rules.

~~The examiner shall have the power to prescribe rules and regulations for the scheduling and conduct of hearings and other procedural matters related to the duties of the office. Chapter 34.05 RCW, Administrative Procedure Act, will apply to hearings unless a statute or this code provides a different standard or procedure. The rules shall provide that a~~All public hearings will be held after 6:00 p.m., ~~except under special circumstances authorized by~~unless the mayor authorizes an earlier time due to special circumstances

EXHIBIT D

22G.060.090 Duties.

The examiner is vested with the duty and authority to hold public hearings and render decisions on the following matters:

- (1) Preliminary plats;
- (2) Appeals from administrative decisions on short plats;
- (3) Rezones; except rezoning of land when such rezone is associated with a comprehensive plan designation amendment, and area-wide rezones initiated by the city itself, which shall be heard by the planning commission;
- (4) Binding site plan approvals when subject to public review;
- (5) Conditional use permits when subject to public review;
- (6) Zoning code variances;
- (7) Administrative appeals from decisions and interpretations by city staff relating to land use codes, SEPA and permits;
- (8) Conditional shoreline development permits, variances and appeals from administrative determinations arising under Chapter 22E.050 MMC;
- (9) Complaints by citizens or city staff seeking administrative enforcement of provisions of city land use codes or conditions in development permits and approvals, or seeking rescission or modification of such permits or approvals;
- (10) Variances and administrative appeals arising from the city's sign code;
- (11) Variances and administrative appeals arising from the city's floodplain management code;
- (12) Variances and administrative appeals arising under the city's street department code;
- (13) Appeals of suspension or removal of tow truck operators from the city's list under MMC 11.37.060;
- (14) Appeals of a chronic nuisance property notice outlined in Chapter 6.23 MMC;
- (15) Appeals under chapters 16.04, 16.08, 16.12, 16.20, and 16.28 of the municipal code and any appeal provided under international code adopted by the city;

(16) Appeals of utility service for occupancy under chapter 16.24 of the municipal code;

(17) Appeals identified in section 22A.010.090 of the municipal code; and

(1518) Such other regulatory, enforcement or quasi-judicial matters as may be assigned to the examiner by the mayor and city council.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, DESIGNATING THE HEARING EXAMINER TO PERFORM
THE FUNCTION OF THE BOARD OF APPEALS UNDER THE
INTERNATIONAL BUILDING CODE AND ALL OTHER CODES THAT
PROVIDE FOR AN APPEAL TO THE BOARD OF APPEAL.**

WHEREAS, the City has adopted the International Building Code (chapter 16.04 MMC), Uniform Plumbing Code (chapter 16.08 MMC), National Electrical Code (chapter 16.12 MMC), Washington Cities Electrical Code (chapter 16.12 MMC), and International Mechanical Code (chapter 16.28 MMC); and

WHEREAS, the International Building Code (IBC) recommends that the Board of Appeal consist of five members and provides that they be “qualified by experience and training” to pass on matter before the Board; and

WHEREAS, the other adopted codes and the dangerous buildings chapter of the municipal code (chapter 16.20 MMC) utilize the Board of Appeals; and

WHEREAS, the process set forth in the IBC is cumbersome and inconsistent with the professional hearing examiner system chosen by the City to hear appeals on a variety of subjects; and

WHEREAS, the hearing examiner should perform the function of the Board of Appeals.

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

- A. SECTION 1. Section 16.04.035 of the municipal code is amended as set forth in Exhibit
- B. SECTION 2. Section 16.08.080 of the municipal code is amended as set forth in Exhibit
- C. SECTION 3. Section 16.12.100 of the municipal code is amended as set forth in Exhibit
- D. SECTION 4. Section 16.20.050 of the municipal code is amended as set forth in Exhibit
- E. SECTION 5. Section 16.28.045 of the municipal code is amended as set forth in Exhibit
- F. SECTION 6. Section 22A.010.090 of the municipal code is amended as set forth in Exhibit F.

SECTION 7. 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 8. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 9. 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 _____, 20_____.

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

16.04.035 Section 113 amended – Board of appeals – Hearing Examiner.

Section 113 of the International Building Code is amended ~~by adding the following additional subsection thereto~~ to read as follows:

~~(a) Procedure. An appeal to the Board of Appeals must be filed in writing within fifteen (15) days after the order, decision or determination of the building official which is being challenged. The filing fee shall be one hundred fifty dollars. Within twenty (20) days after the filing of an appeal the Board of Appeals shall hold a hearing on the same and shall render its decision. Continuances shall be allowed only with the consent of the appellant. The decision of the Board of Appeals shall be final on the date that it is reduced to writing and sent to the appellant, subject to the right of the appellant to file an appeal to the Snohomish County Superior Court within fifteen (15) days thereafter.~~

113.1 General. Appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, shall be heard and decided by the hearing examiner.

113.2 Limitation on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is imposed. The Hearing Examiner shall have no authority to waive requirements of this code.

113.3 Procedure. An appeal to the Board of Appeals – Hearing Examiner must be filed in writing within fifteen (15) days after the order, decision or determination of the building official which is being challenged. The filing fee is \$150.00. Within 20 days after the filing of an appeal the hearing examiner will hold a hearing on the same and render a decision. Continuances are allowed only with the consent of the appellant. The decision of the hearing examiner is final on the date that it is reduced to writing and sent to the appellant. The appellant may file an appeal to the Snohomish County Superior Court within fifteen (15) days of the decision becoming final.

EXHIBIT B

Appeals from any ruling made under this chapter may be made to the [building code board of appeals hearing examiner](#). Procedural rules concerning appeals shall be as provided in the building code.

EXHIBIT C

(1) Appeals from any ruling made under this chapter may be made to the ~~building code board of appeals~~hearing examiner. Procedural rules concerning appeals shall be as provided in the building code.

(2) Section 85.27, Means of Appeal, is deleted from WCEC (page 31 – 85.27).

EXHIBIT D

16.20.050 ~~Board of appeals~~Hearing examiner designated appeals commission.

The ~~board of appeals established in Chapter 16.04 MMC and the International Building Code~~hearing examiner is ~~hereby~~ designated as the appeals commission under this chapter. When acting as the appeals commission the ~~board of appeals~~hearing examiner shall act in accordance with the requirements of this chapter. All references in this chapter to the appeals commission shall refer to the ~~board of appeals as designated in this section~~hearing examiner.

EXHIBIT E

Appeals from any ruling made under this chapter may be made to the ~~building code board of appeals~~hearing examiner. Procedural rules concerning appeals shall be as provided in the building code.

EXHIBIT F

(1) Roles and Responsibilities.

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

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

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

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

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

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

(d) Short plats;

(e) Shoreline permits for substantial development;

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

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

(h) Site plan with administrative conditional use permit;

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

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

(k) 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;

(1) 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 for Essential Public Facilities.

(g) Amendments to Chapter 22G.080 MMC, Planned Residential Development.

(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;
- (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) ~~Building Code Board of Appeals~~Hearing Examiner. The ~~board of appeals~~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.

~~The review criteria for the building code board of appeals are contained in MMC 16.04.035.~~



Agenda Bill

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: December 10, 2024

SUBMITTED BY: CD Director Haylie Miller, Community Development

ITEM TYPE: Presentation

AGENDA SECTION: **NEW BUSINESS**

SUBJECT: Community Development Project Update

SUGGESTED ACTION:

SUMMARY:

ATTACHMENTS: