

Marysville City Council Meeting**June 10, 2013****7:00 p.m.****City Hall****Call to Order****Invocation****Pledge of Allegiance****Roll Call****Approval of the Agenda****Committee Reports****Presentations****Audience Participation****Approval of Minutes** (*Written Comment Only Accepted from Audience.*)

1. Approval of the May 13, 2013, City Council Meeting Minutes.

Consent

2. Approval of the May 22, 2013, Claims in the Amount of \$496,780.36; Paid by Check Number's 84716 through 84858 with Check Number's 76307, 83786, 84427, and 84515 Voided.

3. Approval of the May 29, 2013, Claims in the Amount \$314,755.36; Paid by Check Number's 84859 through 84986 with No Check Number's Voided.

4. Approval of the May 20, 2013, Payroll in the Amount of \$1,207,067.25; Paid by Check Number's 26569 through 26629.

11. Approval of the Special Event Permit for the Marysville Downtown Merchants Association to Conduct a car show "Rodz on 3rd" on July 13, 2013, Including the Street Closure of 3rd Street between State Avenue and Quinn Avenue.

12. Approval of the Firework Stand Permit Applications.

13. Authorize the Mayor to Sign the Contract Renewal with J.K. Eastbury Salvage Metals and Auto Wrecking for Scrap Metal Disposal/Recycling Services.

14. Authorize the Mayor to Sign the Maintenance Agreement between clara Technologies LLC and the City of Marysville.

****These items have been added or revised from the materials previously distributed in the packets for the June 3, 2013 Work Session.***

Marysville City Council Meeting**June 10, 2013****7:00 p.m.****City Hall****Review Bids**

5. Award Bid for the Decant Facility Retrofit Contract to SRV Construction, Inc. in the Amount of \$873,357,.94; Including Washington State Sales Tax and Approve a Management Reserve of \$100,000.00 for a Total Allocation of \$973,357.94 *

Public Hearings**New Business**

7. a) Planning Commission Recommendation Relating to Multi Family and Commercial Design and Open Space Amenity Standards.

b) Consider Approval of an Ordinance Affirming the Planning Commission's Recommendation.

8. a) Hearing Examiner Recommendation on the Trivett Rezone located at 8021 State Avenue.

b) Consider Approval of an Ordinance to Rezone the Eastern Portion of 8021 State Avenue to General Commercial, Amending the Official Zoning Map of the City.

9. a) Hearing Examiner Recommendation –Lakewood Station Binding Site Plan and Rezone Located North of 172nd Street NE (SR 531), West of 27th Avenue NE.

b) Consider Approval of an Ordinance Affirming the Hearing Examiner Recommendation to Rezone Approximately 3.6 Additional Acres from General Commercial to Mixed Use.

10. Planning Commission Recommendation – Marysville Capital Facilities Plan 2013-2018.

15. a) Truck Route Modification to Remove the Truck Route designation for 2nd Street.

b) Consider Approval of an Ordinance amending MMC 11.62.020 Regarding Designated Truck Routes. *

16. Consider Naming City Park Located at 9028 67th Avenue NE.

****These items have been added or revised from the materials previously distributed in the packets for the June 3, 2013 Work Session.***

Marysville City Council Meeting**June 10, 2013****7:00 p.m.****City Hall****Legal**

18. Consider an Ordinance Amending Marysville Municipal Code Section 16.20.050 to Designate the Board of Appeals Established Under Chapter 16.04 MMC and the International Building Code as the Appeals Commission for Dangerous Buildings Under Chapter 16.20 MMC Dangerous Buildings. *

19. Consider the Second Amendment to Extend the Public Defender Agreement. *

20. Consider the Memorandum of Understanding with the Tulalip Tribes Regarding Sale of Water, Sewer Infrastructure and Future Services within the Contract Area. *

Mayor's Business

17. Salary Commission Appointment; Don Culbertson.

Staff Business**Call on Councilmembers****Executive Session**

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

Adjourn

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 days prior to the meeting date if any special accommodations are needed for this meeting.

**These items have been added or revised from the materials previously distributed in the packets for the June 3, 2013 Work Session.*

Index #1

Call to Order/Pledge of Allegiance/Roll Call	7:00 p.m.
Committee Reports	
Presentations	
Volunteer of the Month - April 2013 - Elaine Hanson	Presented
Proclamation: Declaring May 19-25, 2013 as Emergency Medical Services (EMS) Week	Read
Proclamation: National Police Week, May 12-18, 2013	Read
Adjournment	7:16
Executive Session	7:16
Pending Litigation - one item	
Reconvene	7:36
Approval of Minutes	
Approval of the April 8, 2013, City Council Meeting Minutes.	Approved
Approval of the April 22, 2013, City Council Meeting Minutes.	Approved
Consent Agenda	
Approval of the April 17, 2013, Claims in the Amount of \$366,885.04; Paid by Check Number's 83937 through 84086 with Check Number 81966 Voided.	Approved
Approval of the April 24, 2013, Claims in the Amount of \$488,137.87; Paid by Check Number's 84087 through 84255 with Check Number 83806 Voided.	Approved
Approval of the April 19, 2013, Payroll in the Amount of \$816,390.72; Paid by Check Number's 26481 through 26514.	Approved
American Red Cross Authorized Provider Agreement.	Approved
Independent Contractor and Lease Agreement with Kim Reynolds, Mike Reynolds, and Brandon Wilson for the Caretaker Position at Strawberry Fields Park.	Approved
Quotation from Tyler Technologies for the Munis Work Orders, Fleet, and Facilities Module Purchase.	Approved
Local Agency Federal Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Funding for the 53rd Ave. NE and SR528 Intersection Improvements Project.	Approved
Approval of the May 3, 2013 Payroll in the Amount of \$1,429,726.42; Paid by Check Number's 26515 through 26568.	Approved
Approval of the May 1, 2013 Claims in the Amount of \$341,644.27; Paid by Check Number's 84256 through 84419 with Check Number's 83665 and 84039 Voided.	Approved
Review Bids	
Authorize the Mayor to award the bid for the 51 st Avenue NE contract to Fidalgo Paving and Construction, Inc. in the amount of \$273,180 including Washington State Sales Tax and approve a management reserve of \$20,000 for a total allocation of \$293,180.	Approved
Public Hearing	
New Business	

Planning Commission Recommendation the Rezoning of the Following Parks to the R-MHP Zone: Glenwood Mobile Estates, 5900 64th St NE Which is Currently Zoned R-18; Emerald Hills Estates, 14727 43rd Ave NE Which is Currently Zoned R-18; Crystal Tree Village, 16600 25th Ave NE Which is Currently Zoned R-12; and La Tierra MHP, 4401 80th St NE Which is Currently Zoned R-18; and Authorize the Mayor to Sign the Ordinance Amending the Official Zoning Map of the City.	Approved
An Ordinance of the City of Marysville, Washington, Affirming the Recommendation of the Planning Commission, Providing for the Area-Wide Rezone of Four (4) Existing Manufactured Homes Parks from Specified Residential Zones to the Residential-Manufactured Home Park (R-MHP) Zone to Conform to the City of Marysville Comprehensive Plan; Amending the Official Zoning Map of the City and Providing for Severability.	Approved Ord. No. 2926
Waterfront Panel Final Report and Recommendations.	Approved
Roy Robinson Subaru Utility Request - Direct Staff to draft a Special Utility Service Agreement.	Approved
A Resolution of the City of Marysville for the Acceptance of a \$100 Wal-Mart Gift Card Subject to Conditions.	Approved Res. No. 2343
An Ordinance of the City of Marysville amending Section 14.05.030 of the Marysville Municipal Code Addressing Liens and Extending the Effectiveness of a Sewerage Lien to One Year Without the Necessity of Any Recording.	Approved Res. No. 2924
An Ordinance Of The City Of Marysville, Washington, Amending Chapter 6.28 To The Marysville Municipal Code Entitled "Stay Out Of Drug Areas (Soda) Orders" To Amend 6.28.030 To Add Penalties; Providing For Severability; And Effective Date.	Approved Res. No. 2925
Legal	
Mayor's Business	
Staff Business	
Call on Councilmembers	
Recessed	8:52 p.m.
Executive Session	9:00 p.m.
Litigation – three items	
Reconvened into regular session	9:15 p.m.
Adjournment	9:15 p.m.

COUNCIL*DRAFT*
MINUTES

Regular Meeting
May 13, 2013

Call to Order / Pledge of Allegiance

Mayor Nehring called the meeting to order at 7:00 p.m. and led those present in the Pledge of Allegiance.

Roll Call

Chief Administrative Officer Hirashima gave the roll call. The following staff and councilmembers were in attendance.

Mayor: Jon Nehring

Council: Steve Muller, Kamille Norton, Jeff Seibert, Michael Stevens, Rob Toyer, Jeff Vaughan, and Donna Wright

Absent: None

Also Present: Chief Administrative Officer Gloria Hirashima, Finance Director Sandy Langdon, Commander Robb Lamoureux, City Attorney Grant Weed, Public Works Director Kevin Nielsen, Senior Planner Cheryl Dungan, Parks and Recreation Director Jim Ballew, and Recording Secretary Laurie Hugdahl.

Committee Reports

Councilmember Norton reported on the Parks Advisory Board Meeting on May 1. The Board voted on a name recommendation for the new tree farm park and will be bringing the recommendation to the Council by the May 28 meeting. The Board talked briefly about the status of the spray park plan. They went on a tour to six different parks and got to see a lot of beautiful properties that the City owns. Councilmember Norton reported that the tour was very informative, inspirational, and will be helpful for future planning efforts by the Board.

Presentations

A. Volunteer of the Month

Elaine Hanson was recognized as Volunteer of the Month for April 2013 for outstanding community service through her involvement in Soroptimist International of Marysville, her leadership role in Soroptimist's goal to raise community awareness about the human sex trafficking issue, and her volunteer service with Providence General Children's Association.

B. Proclamation: Declaring May 19-25, 2013 as Emergency Medical Services (EMS) Week

Mayor Nehring read the Proclamation recognizing the Week of May 10-25, 2013 as *Emergency Services Week* in the City of Marysville, with the theme, "EMS: One Mission. One Team" and encouraging community members to observe this occasion by sharing their support of EMS providers in the Marysville Fire District, taking steps to improve their personal safety and preparedness, and honoring these frontline medical responders who have dedicated their lives to ensure the safety of everyone around them.

C. Proclamation: National Police Week

Mayor Nehring read the Proclamation recognizing the week of May 12-18, 2013 as *Police Week* in the City of Marysville and further observing Wednesday, May 15, as *Peace Officers' Memorial Day* in honor of those law enforcement officers who through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled

Mayor Nehring added that on Wednesday at 9 a.m. there will be a peace officer memorial at the library.

Grant weed requested that Council consider adjourning into Executive Session for a time not to exceed 15 minutes to discuss one item concerning potential litigation.

Motion made by Councilmember Muller, seconded by Councilmember Toyer, to recess into Executive Session for 15 minutes to discuss one item concerning potential litigation. **Motion** passed unanimously (7-0).

Council recessed at 7:16 into Executive Session for 15 minutes to discuss one item concerning potential litigation. Council extended the Executive Session 5 minutes and reconvened the regular session at 7:36 p.m.

Approval of Minutes

1. Approval of the April 8, 2013, City Council Meeting Minutes.

Motion made by Councilmember Stevens, seconded by Councilmember Muller, to approve the April 8, 2013, City Council Meeting Minutes as presented. **Motion** passed unanimously (7-0).

2. Approval of the April 22, 2013, City Council Meeting Minutes.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to approve April 22, 2013, City Council Meeting Minutes as presented. **Motion** passed unanimously (7-0).

Consent

3. Approval of the April 17, 2013, Claims in the Amount of \$366,885.04; Paid by Check Number's 83937 through 84086 with Check Number 81966 Voided.
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7. American Red Cross Authorized Provider Agreement.
8. Independent Contractor and Lease Agreement with Kim Reynolds, Mike Reynolds, and Brandon Wilson for the Caretaker Position at Strawberry Fields Park.
9. Quotation from Tyler Technologies for the Munis Work Orders, Fleet, and Facilities Module Purchase.
10. Local Agency Federal Aid Project Prospectus and Local Agency Funding Agreement with WSDOT thereby Securing Funding for the 53rd Ave. NE and SR528 Intersection Improvements Project.
17. Approval of the May 3, 2013 Payroll in the Amount of \$1,429,726.42; Paid by Check Number's 26515 through 26568.
18. Approval of the May 1, 2013 Claims in the Amount of \$341,644.27; Paid by Check Number's 84256 through 84419 with Check Number's 83665 and 84039 Voided.

Motion made by Councilmember Wright, seconded by Councilmember Vaughan, to approve Consent Agenda items 3, 4, 5, 7, 8, 9, 10, 17, and 18. **Motion** passed unanimously (7-0).

Review Bids

6. Award the Bid for the 51st Avenue NE Overlay (Grove Street to 80th St. NE) Project.

Public Works Director Nielsen said they are excited to get started on this section of road.

Motion made by Councilmember Stevens, seconded by Councilmember Norton, to authorize the Mayor to award the bid for the 51st Avenue NE contract to Fidalgo Paving and Construction, Inc. in the amount of \$273,180 including Washington State Sales Tax and approve a management reserve of \$20,000 for a total allocation of \$293,180.

Motion passed unanimously (7-0).

Public Hearings

New Business

14. Planning Commission Recommends the Rezoning of the Following Parks to the R-MHP Zone: Glenwood Mobile Estates, 5900 64th St NE Which is Currently Zoned R-18; Emerald Hills Estates, 14727 43rd Ave NE Which is Currently Zoned R-18; Crystal Tree Village, 16600 25th Ave NE Which is Currently Zoned R-12; and La Tierra MHP, 4401 80th St NE Which is Currently Zoned R-18; and Authorize the Mayor to Sign the Ordinance Amending the Official Zoning Map of the City.

An **Ordinance** of the City of Marysville, Washington, Affirming the Recommendation of the Planning Commission, Providing for the Area-Wide Rezone of Four (4) Existing Manufactured Homes Parks from Specified Residential Zones to the Residential-Manufactured Home Park (R-MHP) Zone to Conform to the City of Marysville Comprehensive Plan; Amending the Official Zoning Map of the City and Providing for Severability.

Senior Planner Cheryl Dungan explained that this is a consideration of the Planning Commission recommendation for rezoning four Manufactured Home Parks (MHPs) in Residential zones to the Residential Manufactured Home Park (R-MHP) zone which was created in 2010. There are currently 13 MHPs in Marysville with 1120 spaces. The four parks recommended for rezone contain 703 spaces. There is a total of 747 spaces in the residentially zoned parks. The parks considered for rezone are the Glenwood Mobile Estates, Emerald Hills Estates, La Tierra MHP, and Crystal Tree Village.

Public Comment:

Ishbel Dickens, 3306 E. John, Seattle, WA 98112, spoke in support of this item, but recommended that all 13 Manufactured Home communities be included in the R-MHP zone to provide a certain degree of security for over 1100 households. As recommended, the MHP zone will not protect those most in need of protection, the 400+ households living in the seven MHP communities within the City's limits that are not currently zoned Residential. Preserving all of the MHP's through the local zoning ordinance would help Marysville meet its Growth Management Act goals of protecting existing neighborhoods, providing a density of housing, adding to the number of choices of housing available to its citizens, and providing housing affordable to all economic sectors of society. Lacking the security of the MHP zone, the 400+ homeowners in the seven commercially zoned MHPs will have more difficulty selling their homes and they will have less incentive to upgrade their homes; they are also the most likely to be the citizens most in need of protection from a MHP zone. Ms. Dickens informed the Council that the 9th District US Court of Appeals ruled last October in the Tumwater case that enacting MHP zones does not violate either the federal or the state constitution. She recommended that if the City does not do it tonight, that they at least keep the door open for including the other MHP communities at some future date.

Councilmember Stevens asked Senior Planner Dungan to explain how Kellogg Village is already protected. Senior Planner Dungan explained that it was originally approved in Snohomish County as a Planned Residential Development and a demonstration project, which included a manufactured home component. The way the decision was written it has to remain a MHP. Therefore, staff felt it was already protected under the Snohomish County approval. There is no sunset on that protection written into the decision.

Motion made by Councilmember Muller, seconded by Councilmember Seibert, to approve the Planning Commission recommendation. **Motion** passed (6-1) with Councilmember Stevens voting against the motion.

Motion made by Councilmember Muller, seconded by Councilmember Wright, to adopt Ordinance 2926. **Motion** passed (6-1) with Councilmember Stevens voting against the motion.

11. Waterfront Panel Final Report and Recommendations.

CAO Hirashima reviewed this item. She solicited feedback from the Council.

Councilmember Muller asked if the Council could say they wanted to continue to research certain portions. CAO Hirashima replied that this was a possibility.

Councilmember Seibert asked if they could elect to move forward with all of them, but have each one come back separately. CAO Hirashima stated that was a possibility.

Motion made by Councilmember Muller to adopt the recommended waterfront plan with the caveat that they work through the Economic Development committee to develop phasing. The motion died for lack of a second.

Motion made by Councilmember Seibert, seconded by Councilmember Stevens, to adopt the recommendations, look at bringing all of them forward, but have each area divided out as a separate project to decide which one they want to bring forward first or if they want to bring them all forward at the same time.

Councilmember Vaughan asked why they felt the need to separate these out. Councilmember Stevens commented that in lieu of sending an RFP out for the entire package, which may limit the developers that may be interested, parceling it out into sections would allow each section to be developed separately. Councilmember Muller stated that because the east side would be a large commercial project with a lot of variables, it may not be one person that comes in to do the whole thing. The west side is pretty straight forward with mixed use development. Councilmember Seibert added that there may be difficulties in some areas with environmental or other issues, and he wouldn't want to hold up the project because of that. This would allow sections to proceed independently. Councilmember Vaughan asked CAO Hirashima her opinion. She spoke in support of the recommendation.

Motion passed unanimously (7-0).

12. Roy Robinson Subaru Utility Request.

CAO Hirashima reviewed this item as discussed previously at the last workshop. City Attorney Weed commented that it is important to understand that this piece of the City's utility system is in transition. Discussions have been ongoing with the Tribes about sale of the utility system to them. A draft agreement to make that happen has been written and provided to them, and meetings are scheduled to try to further that effort. The sale of a utility system is quite complicated, but ultimately, if the sale is consummated, it's important for Roy Robinson Chevrolet to understand that once the Tribes are in ownership of that system, they are entirely subject to the Tribe setting the fees, rates, terms and conditions of service. Any approval by the City of Marysville at this point should be viewed as being temporary and subject to the Tribes being the utility purveyor in the end. It is also important to understand that there is language in the GMA that prohibits service outside of the UGA. There is also language in the City's code that prohibits service outside of the city limits and outside of the Utility Service Area. However, there is potential exception within the MMC in section 14.32.035 that would allow for service within another jurisdiction subject to reaching an agreement. One step to reaching that agreement with the Tribes is entering into an MOU intended to lead to the sale of the system.

Bill Foster, 5116 Harbor Lane, Everett, WA 98203, counsel for Roy Robinson Chevrolet, commented on the valuable asset that Roy Robinson Chevrolet is to the community. He summarized that Roy Robinson Chevrolet needs to move as the current location does not fit the needs of either Roy Robinson or the companies that it represents, Chevrolet

and Subaru. Roy Robinson wants to build a brand new dealership on the "Sam" property that is west of I-5 and south of Marine View Drive in the subject area. He has been involved with this property for almost 20 years for other clients. The new dealership would be a beautiful structure and a great addition to the community even though it would be on reservation land. Roy Robinson fully supports the concept of providing sewer service to this property through an MOU.

Mr. Foster stated that he believes authorizing the extension of sewer service outside of both the city limits and the UGA is authorized by section 14.32 of the MMC. His interpretation of that section is that the City has the ability to extend that service under agreement. He believes there is currently an agreement in place right now between Lake Stevens and the City of Marysville to provide sewer service in either the Soper Hill or Sunnyside areas. He thinks that the City has authority to extend sewer service beyond its boundaries and beyond the UGA if it is contemporaneous with an agreement to do so. Mr. Foster went on to say that at the work session a question was raised about if the provision of sewer service outside the UGA would violate the provisions of GMA. The case of *Thurston County v. Cooper Point* is the most recent case, which would seem to prohibit the extension of utilities outside the UGA. However, he feels this is a different situation. GMA mandates that urban services are to be provided to urban areas and not to rural areas. What is being proposed is providing urban service sewers to a "different country". Additionally, under the Tribes' Comprehensive Plan, that property is designated as being urban/commercial. Therefore, providing sewer service to this property does not run afoul of GMA because the City would not be providing urban services to a rural area as was seen in the *Thurston County v. Cooper Point* case. The City of Marysville would be providing sewer service to an area that the entity controlling it has designated as being commercial which would be consistent with the GMA. Mr. Foster spoke in support of the City's efforts with the MOU, and expressed hope that it moves forward.

Council Comments and Questions:

Councilmember Vaughan asked who owns the property. Mr. Foster said that the Sam family, which is a group of tribal members, owns the property, but the land is essentially controlled by the BIA. The Sam family entered into a long-term lease of the property to an individual and that individual leased it to an entity controlled by Roy Robinson people. It is a very long-term lease. Since it is Indian land nothing can be done on it without BIA approval.

Councilmember Muller asked if the MOU was an agreement with the owner of the land or with the Tribes. Mr. Foster thought that the MOU related solely to the intention to purchase the sewer system by the Tribe. He stated that Roy Robinson Chevrolet is well aware of the fact that if the purchase goes forward, the sewer service will be provided by Tribes and that the rates, connection charges, and all aspects of the sewer system will be controlled by the Tribes.

City Attorney Weed stated that the MOU would be a stepping stone to the City's ultimate goal of entering into a Purchase and Sale Agreement with the Tribes to purchase the

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utilities referred to as Marysville West. He thought that what Councilmember Muller was asking about was if there is a need for an agreement between the City and the controlling owner of the property to define the terms of the utility service between Roy Robinson or the underlying property owner. Mr. Foster stated that if an agreement is necessary, the Robinson family will definitely cooperate with the efforts of the City of Marysville to affect the ultimate agreement contemplated by the MOU. Councilmember Muller again asked which property the City would work with, the owner of the land or Roy Robinson. Mr. Foster stated that Roy Robinson Chevrolet is the lessee of the property, and they have control over what they do with the property. He asserted that providing sewer service to this property enhances everybody's value in the property. He believes that no one would object to providing sewer service or making whatever commitments are necessary to get that accomplished.

City Attorney Grant Weed stated that the City would like to look for an agreement, such as a Special Utility Service Agreement, that meets the needs specifically of Roy Robinson Chevrolet, but doesn't give an open-ended commitment to whatever else might go there in the event that this particular project doesn't happen. Mr. Foster confirmed that Roy Robinson Chevrolet would be more than willing to participate in that type of agreement to form a binding commitment between Roy Robinson and the City of Marysville as to the type of development and type of service they would like to have provided to their project. City Attorney Weed stated that this would also be an ideal vehicle to also make sure there is a clear understanding about the fact that there is a transition in process for the sale of the utility in the name of full disclosure. Mr. Foster concurred and expressed full support for this type of agreement.

Councilmember Vaughan asked if crafting an agreement that is specific to one business would create any sort of risk for the City with regard to GMA. City Attorney Grant Weed stated that referencing the MOU relating to the City's intent to sell the utility to the Tribes in any site-specific agreement would show that the agreement was only to provide utilities to span the gap between the City's ownership and the Tribes' ultimate ownership. This would help to alleviate concerns about GMA issues.

Councilmember Vaughan asked if the City Attorney had any concerns about the ownership of the property being a family as opposed to a jurisdiction. City Attorney Weed commented that it would probably be best to have the agreement with Roy Robinson as well as the underlying Sam family. However, if there is sufficient amount of control of the property through the lease, then it may not be necessary. If the Sam family is agreeable and willing to participate, he thinks it would be best for both parties to be parties to the agreement. Mr. Foster interjected that in his twenty years of dealings with this property he has learned that some of the members of the Sam family are hard to find, but BIA has a rule that if a tribal member needs to sign a document, and they haven't been seen for seven years, they can be presumed dead. He explained that they actually have that situation with one of the Sam people right now.

Councilmember Toyer asked why Roy Robinson Chevrolet isn't building on City of Marysville property. Mr. Foster did not have that information, but noted that the Sam property is a fairly large site with very good freeway access. Councilmember Toyer

commented that the project ultimately benefits the Tribes, so he was wondering why the City Attorney would be doing all the work for this. CAO Hirashima commented that it is because the City is the owner of the water and sewer at this point. This is why the City drafted the MOU to identify a process where this could move forward.

Councilmember Vaughan said he was also wondering what the benefit of this would be to the City and to its citizens. Director Nielsen commented that the City would get the capital connection charges. Additionally, the City will still be treating the flows from that area in the future for a maximum of ten years, so there is still interest by the City as far as operation goes on the discharge, the NPDES and other permits, as it relates to the effluent of what is coming off the specific projects over there. The City will still be highly engaged in the sewer system over there after the Tribes take ownership of it. Councilmember Norton added that the new dealership will mean new jobs for the area so it will have a positive economic impact on the area.

Motion made by Councilmember Seibert, seconded by Councilmember Muller, to direct staff to draft a Special Utility Service Agreement to bring back to City Council at the next meeting. **Motion** passed unanimously (7-0).

13. A **Resolution** of the City of Marysville for the Acceptance of a \$100 Wal-Mart Gift Card Subject to Conditions.

Motion made by Councilmember Wright, seconded by Councilmember Muller, to approve Resolution No. 2343. **Motion** passed unanimously (7-0).

15. An **Ordinance** of the City of Marysville amending Section 14.05.030 of the Marysville Municipal Code Addressing Liens and Extending the Effectiveness of a Sewerage Lien to One Year Without the Necessity of Any Recording.

Motion made by Councilmember Muller, seconded by Councilmember Stevens, to approve Ordinance No. 2924. **Motion** passed unanimously (7-0).

16. An **Ordinance** Of The City Of Marysville, Washington, Amending Chapter 6.28 To The Marysville Municipal Code Entitled "Stay Out Of Drug Areas (Soda) Orders" To Amend 6.28.030 To Add Penalties; Providing For Severability; And Effective Date.

Motion made by Councilmember Seibert, seconded by Councilmember Stevens, to approve Ordinance No. 2925. **Motion** passed unanimously (7-0).

Legal

Mayor's Business

Mayor Nehring:

- Governor Inslee visited the Future of Flight Museum last Thursday, and Mayor Nehring had the opportunity to attend. Governor Inslee laid out his plan for

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keeping the 777X in Everett, which is very important for Marysville since we have thousands of Boeing workers in the community and it affects every business in the City.

- Everett Community College had a great event regarding education and economic development.
- Peace Officers' Memorial will be held at 9 a.m. at the library on Wednesday.
- The City's bill 5105 which passed unanimously in both houses will be signed on Thursday at 1:30.

Staff Business

Jim Ballew stated that the Challenge Day event is coming up on June 1. This year they have had a very strong partnership with Girl Scouts of Western Washington putting on this event.

Robb Lamoureux had no further comments.

Kevin Nielsen stated that construction of the 10th Street sidewalk has begun.

Sandy Langdon commented that the state auditors arrived today and will be scheduling the entrance interview soon.

Grant Weed stated the need for an Executive Session to discuss two matters concerning pending litigation and one additional matter concerning potential litigation expected to last 15 minutes with no action required.

Gloria Hirashima had no comments.

Call on Councilmembers

Kamille Norton said she attended the Marysville City Band concert last week. It was a very nice event, and they are an asset to the City.

Steve Muller discussed Coos Bay Oregon and noticed a SODA area sign.

Rob Toyer went to fire ops 101 with Councilmember Stevens last week and gained a whole new respect for the job that firefighters do. He also asked Commander Lamoureux about the reason for the closure on 83rd yesterday. Commander Lamoureux stated that there was a collision in the 4400 block that knocked power out for a while.

Michael Stevens reported that the fire ops training was fun, but very hot, especially in the suits. He would like to see the City continue to participate in this event in the future

Jeff Seibert:

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- He requested an update on the final lift on the bridge. Director Nielsen replied that it is scheduled for this week, but is weather dependent.
- He said thought that the City prohibits new auto sales in the downtown area, but he noticed one that opened on Cedar Street. CAO Hirashima said she would look into it.

Donna Wright said she attended an event called the Health of Snohomish County. There is a report out which identifies priorities in the county. The top three that they will focus on are youth physical abuse, youth and adult obesity, and suicide of both adults and children. They are looking for people that will work on the Community Health Improvement Plan and asking for a commitment for a year. Jim Ballew stated that the Council has the opportunity to see the entire presentation, which he recommends. He offered to set that up for an upcoming meeting.

Jeff Vaughan had no further comments.

Council recessed at 8:52 until 9:00 at which time they reconvened in Executive Session to discuss two matters concerning pending litigation and one additional matter concerning potential litigation expected to last 15 minutes with no action required.

Executive Session

- A. Litigation - three items, per RCW 42.30.110 (1)(i)
- B. Personnel
- C. Real Estate

Council reconvened into regular session at 9:15 p.m.

Adjournment

Seeing no further business Mayor Nehring adjourned the meeting at 9:15 p.m.

Approved this _____ day of _____, 2013.

Mayor
Jon Nehring

April O'Brien
Deputy City Clerk

Index #2

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June10, 2013

AGENDA ITEM: Claims	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Claims Listings	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the **May 22, 2013** claims in the amount of **\$496,780.36** paid by **Check No.'s 84716 through 84858** with **Check No.'s 76307, 83786, 84427 & 84515 voided.**

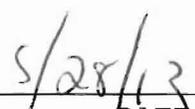
COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-5

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$496,780.36 PAID BY CHECK NO.'S 84716 THROUGH 84858 WITH CHECK NO.'S 76307, 83786, 84427 & 84515 VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.



AUDITING OFFICER



DATE

MAYOR DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **22nd DAY OF MAY 2013.**

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 5/16/2013 TO 5/22/2013

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
34716	REVENUE, DEPT OF	SALES AND USE TAXES-APRIL 2013	RECREATION SERVICES	-73.25
	REVENUE, DEPT OF		CITY CLERK	0.23
	REVENUE, DEPT OF		INFORMATION SERVICES	4.95
	REVENUE, DEPT OF		COMMUNITY DEVELOPMENT-	15.69
	REVENUE, DEPT OF		POLICE ADMINISTRATION	29.81
	REVENUE, DEPT OF		ER&R	44.96
	REVENUE, DEPT OF		WATER/SEWER OPERATION	67.94
	REVENUE, DEPT OF		CITY STREETS	138.40
	REVENUE, DEPT OF		GENERAL FUND	168.87
	REVENUE, DEPT OF		PRO-SHOP	328.19
	REVENUE, DEPT OF		GOLF COURSE	5,967.44
	REVENUE, DEPT OF		STORM DRAINAGE	6,005.68
	REVENUE, DEPT OF		SOLID WASTE OPERATIONS	31,196.79
	REVENUE, DEPT OF		UTIL ADMIN	59,918.47
34717	ADVANCED TRAFFIC	PEDESTRIAN PUSH BUTTONS	TRAFFIC CONTROL DEVICES	531.06
34718	ADVANTAGE BUILDING S	JANITORIAL SERVICE	COMMUNITY CENTER	50.00
34719	ALBERTSONS	PW COMM MTG REFRESHMENTS	UTIL ADMIN	20.77
34720	ALBERTSONS	PARKS & CITY FUNCTION SUPPLIES	RECREATION SERVICES	13.01
	ALBERTSONS		PARK & RECREATION FAC	42.39
	ALBERTSONS		EXECUTIVE ADMIN	202.45
34721	AMSAN SEATTLE	JANITORIAL SUPPLIES	PUBLIC SAFETY BLDG.	3.03
	AMSAN SEATTLE		WATER SERVICE INSTALL	151.26
	AMSAN SEATTLE		COURT FACILITIES	159.44
	AMSAN SEATTLE		UTIL ADMIN	166.09
	AMSAN SEATTLE		ADMIN FACILITIES	228.83
	AMSAN SEATTLE		MAINT OF GENL PLANT	329.23
	AMSAN SEATTLE		PUBLIC SAFETY BLDG.	475.56
34722	ANDES LAND SURVEY	QWULOOLT PROJECT STAGING AREA	STORM DRAINAGE	600.00
	ANDES LAND SURVEY	QWULOOLT ECOSYSTEM RESTORATION	STORM DRAINAGE	2,600.00
34723	ARAMARK UNIFORM	UNIFORM SERVICE	MAINTENANCE	10.86
	ARAMARK UNIFORM		MAINTENANCE	11.02
	ARAMARK UNIFORM		EQUIPMENT RENTAL	42.29
34724	BANK OF AMERICA	MEAL REIMBURSEMENT	POLICE TRAINING-FIREARMS	31.67
34725	BANK OF AMERICA	MEAL/SUPPLY REIMBURSEMENT	UTIL ADMIN	211.28
34726	BANK OF AMERICA	REFRESHMENT REIMBURSEMENT	POLICE ADMINISTRATION	292.00
34727	BANK OF AMERICA	CONFERENCE/MEETING REIMBURSEME	EXECUTIVE ADMIN	88.49
	BANK OF AMERICA		COMMUNITY DEVELOPMENT-	375.00
34728	BANK OF AMERICA	TRAINING/TRAVEL REIMBURSEMENT	CITY CLERK	475.00
	BANK OF AMERICA		CITY CLERK	600.00
34729	BANK OF AMERICA	WRPA CONF REIMBURSEMENT	PARK & RECREATION FAC	19.95
	BANK OF AMERICA		RECREATION SERVICES	172.26
	BANK OF AMERICA		PARK & RECREATION FAC	300.51
	BANK OF AMERICA		PARK & RECREATION FAC	755.23
34730	BANK OF AMERICA	AWC CONF REGISTRATION/HOTEL RE	CITY COUNCIL	-39.00
	BANK OF AMERICA		EXECUTIVE ADMIN	700.00
	BANK OF AMERICA		CITY COUNCIL	750.00
34731	BANK OF AMERICA	TRAVEL/TRAINING REIMBURSEMENT	POLICE TRAINING-FIREARMS	2,124.42
34732	BARTL, CRAIG	TRAINING/TRAVEL MEAL REIMBURSE	POLICE TRAINING-FIREARMS	10.50
	BARTL, CRAIG		POLICE TRAINING-FIREARMS	36.39
34733	BEST AUTO	DRIVERS DOOR AND PANEL	EQUIPMENT RENTAL	43.80
34734	BICKFORD FORD	BRAKE PAD SET	EQUIPMENT RENTAL	7.70
	BICKFORD FORD	CYLINDER, LEVER AND CLIP	EQUIPMENT RENTAL	136.12
	BICKFORD FORD	LEVER, BUSHING, INDICATOR AND	EQUIPMENT RENTAL	181.74
34735	BOYD, RAE	INMATE MEDICAL CARE	DETENTION & CORRECTION	1,325.00
34736	BUD BARTON'S GLASS	WINDOW INSTALLATION-GOLF COURSE	MAINTENANCE	477.55
34737	BUELL, LARRY	TRAINING EXPENSE REIMBURSEMENT	POLICE TRAINING-FIREARMS	136.96
34738	BUILDING SPECIALTIES	SAND, PAIL AND KNIFE	PUBLIC SAFETY BLDG.	68.64

CITY OF MARYSVILLE
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 FOR INVOICES FROM 5/16/2013 TO 5/22/2013

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
34739	CAPTAIN DIZZYS EXXON	CAR WASHES	ANIMAL CONTROL	9.00
	CAPTAIN DIZZYS EXXON		POLICE PATROL	157.50
34740	CARRS ACE	CHICKEN WIRE	SEWER LIFT STATION	6.52
	CARRS ACE	SPRAY TANK SUPPLIES	WATER RESERVOIRS	37.71
	CARRS ACE	MARKER AND CLAW HAMMERS	ROADWAY MAINTENANCE	73.26
	CARRS ACE	CONDUIT, LAMP, TAPE, RAGS AND	TRAFFIC CONTROL DEVICES	139.43
34741	CASTEEL, CRAIG	UB 762980000000 6524 66TH DR N	WATER/SEWER OPERATION	13.78
34742	CEMEX	ASPHALT	STORM DRAINAGE MAINTENANCE	346.73
34743	CENTRAL WELDING SUPP	JACKETS AND MESH VESTS	ER&R	312.49
34744	CONCRETE NORWEST	FILL SAND AND PEA GRAVEL	PARK & RECREATION FAC	921.33
34745	CONKLIN, JENNIFER	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
34746	CORPORATE OFFICE SPL	JANITORIAL SUPPLIES	ER&R	59.68
	CORPORATE OFFICE SPL		ER&R	191.03
34747	D A HOMES CONSTRUCTI	UB 757819510000 7819 51ST PL N	WATER/SEWER OPERATION	123.60
34748	DEPT OF ENT SRVCS	SOFTWARE UPGRADES/LICENSES	COMMUNITY DEVELOPMENT-	272.23
	DEPT OF ENT SRVCS		EXECUTIVE ADMIN	606.95
	DEPT OF ENT SRVCS		IS REPLACEMENT ACCOUNTS	8,767.28
34749	DIAMOND B CONSTRUCT	HEAT PUMP REPAIR	ADMIN FACILITIES	678.53
	DIAMOND B CONSTRUCT	AIR DRYER REPAIR	WASTE WATER TREATMENT F	691.78
34750	DICKS TOWING	TOWING EXPENSE	EQUIPMENT RENTAL	43.44
34751	DUNLAP INDUSTRIAL	CAULKING GUN	FACILITY MAINTENANCE	258.26
34752	E&E LUMBER	CHAIN CREDIT	PARK & RECREATION FAC	-21.89
	E&E LUMBER	WIPES	PARK & RECREATION FAC	4.25
	E&E LUMBER	SCOOP	PARK & RECREATION FAC	5.31
	E&E LUMBER	CABLE TIE	PUBLIC SAFETY BLDG.	5.84
	E&E LUMBER	EYE BOLTS	PARK & RECREATION FAC	9.55
	E&E LUMBER	CLEANER AND WIRE BRUSH	PARK & RECREATION FAC	12.20
	E&E LUMBER	HAMMER, BIT AND FASTENERS	PROTECTIVE INSPECTIONS	17.91
	E&E LUMBER	BATTERIES	COMMUNITY CENTER	29.33
	E&E LUMBER	HANDLE, COVER, PAINT TRAY AND	PARK & RECREATION FAC	29.97
	E&E LUMBER	EAR MUFFS AND PLIERS	PARK & RECREATION FAC	30.84
	E&E LUMBER	BLADES, SCREWDRIVER SET AND SO	PARK & RECREATION FAC	50.52
	E&E LUMBER	CHAIN	PARK & RECREATION FAC	52.30
	E&E LUMBER	JOINT KNIFE, PRIMER, TAPE AND	PARK & RECREATION FAC	53.47
	E&E LUMBER	TRIM, DRYWALL TAPE, COMPOUND A	PARK & RECREATION FAC	70.71
	E&E LUMBER	TRIM, LUMBER, PAINT, SAW, WALL	PARK & RECREATION FAC	195.91
34753	ECCOS DESIGN LLC	SPRAY PARK SCHEMATIC DESIGN	GMA-PARKS	1,020.00
34754	ECOLOGY, DEPT. OF	STORMWATER CONSTRUCTION PERMIT	SURFACE WATER CAPITAL PF	289.89
34755	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
4756	EFFICIENCY	FTR SOFTWARE UPGRADE	MUNICIPAL COURTS	2,161.14
4757	EMERALD HILLS	COFFEE SUPPLIES-KBCC	BAXTER CENTER APPRE	166.50
4758	EVERGREEN SAFETY COU	MEMBERSHIP DUES	EXECUTIVE ADMIN	245.00
4759	FOSSUM, RON	UB 761808200002 6702 69TH PL N	WATER/SEWER OPERATION	253.26
4760	GARRETT FAMILY LLC	UB 094832148000 4832 148TH ST	WATER/SEWER OPERATION	213.90
4761	GC SYSTEMS INC	PRV REBUILD SUPPLIES	WATER DIST MAINS	1,384.15
4762	GENE'S PLUMBING	CARETAKER HOUSE REPAIR	PARK & RECREATION FAC	1,573.61
4763	GENERAL CHEMICAL	ALUMINUM SULFATE	WASTE WATER TREATMENT F	4,324.46
	GENERAL CHEMICAL		WASTE WATER TREATMENT F	4,334.92
	GENERAL CHEMICAL		WASTE WATER TREATMENT F	4,336.72
4764	GOLDSTREET DESIGN	CONSUMER CONFIDENCE REPORT DES	WATER QUAL TREATMENT	13,021.61
4765	GRANITE CONST	ASPHALT	SIDEWALKS CONSTRUCTION	2,357.17
4766	GRAY AND OSBORNE	PROFESSIONAL SERVICES	SURFACE WATER CAPITAL PF	19,801.18
4767	GRAYBAR ELECTRIC CO	ZINC COAT SPRAY	STREET LIGHTING	8.78
4768	GREEN TREE SERVICING	REFERENCE #51744688 CONSTANTIN	GARBAGE	242.00
4769	GREENSHIELDS	WINCH CABLE	EQUIPMENT RENTAL	97.56

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34769	GREENSHIELDS	ROAD FLARES	POLICE PATROL	495.33
34770	GRIFFEN, CHRIS	PUBLIC DEFENDER	LEGAL - PUBLIC DEFENSE	300.00
34771	GRIKKEY, DANA	REFUND CLASS FEES	PARKS-RECREATION	85.00
	GRIKKEY, DANA		GENERAL FUND	100.00
34772	GUY, KRISTIE	CONFERENCE HOTEL/MEAL/MILEAGE	PERSONNEL ADMINISTRATIO	432.68
34773	HACH COMPANY	WATER QUALITY SAMPLE SUPPLIES	WATER QUAL TREATMENT	929.55
34774	HAMIK, CONNIE	RENTAL DEPOSIT REFUND	GENERAL FUND	300.00
34775	HD FOWLER COMPANY	LID CREDIT	WATER DIST MAINS	-268.90
	HD FOWLER COMPANY	PVC CROSS	PUMPING PLANT	31.50
	HD FOWLER COMPANY	CONNECTIONS, HARDWARE, PIPE AN	WATER MAINS INSTALL	400.15
34776	HENNAGIN, KEVIN & AN	UB 848502700000 8502 70TH ST N	WATER/SEWER OPERATION	667.28
34777	HOANG, KHANH	UB 249091000001 10729 57TH DR	WATER/SEWER OPERATION	191.79
34778	INSTITUTE OF BUSINES	SAFETY ALERT RENEWAL-BYDE	UTIL ADMIN	117.00
34779	IRON MOUNTAIN	ROCK	ROADWAY MAINTENANCE	445.60
34780	JAMES, DENISE	UB 120460000002 4416 107TH PL	WATER/SEWER OPERATION	22.49
	JAMES, DENISE		WATER/SEWER OPERATION	56.82
34781	JENKINS, JANET P	UB 849000508501 8014 64TH DR N	WATER/SEWER OPERATION	131.40
34782	KELLEY, MARCIA	CONFERENCE HOTEL REIMBURSEMENT	PERSONNEL ADMINISTRATIO	119.46
34783	KNOCKWOOD, AL & CHRI	UB 151010000000 4525 127TH PL	WATER/SEWER OPERATION	32.33
34784	KUNG FU 4 KIDS	INSTRUCTOR SERVICES	RECREATION SERVICES	350.28
	KUNG FU 4 KIDS		RECREATION SERVICES	623.70
34785	LAKE STEVEN, CITY	PROFESSIONAL SERVICES HWY 9 PR	NON-DEPARTMENTAL	375.00
34786	LANGDON, SANDY	WSCPA MEMBERSHIP REIMBURSEMENT	FINANCE-GENL	235.00
34787	LESTER, DARREN & TER	REFUND CLASS FEES	PARKS-RECREATION	28.00
34788	LICENSING, DEPT OF	FRIGARD, JACQUELINE (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	FROST, NANCY (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	KLINGINSMITH, JOHN (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	MCCRAW, JOSHUA (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	PAGILA, MICHAEL (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	WEBB, TYLER (ORIGINAL)	GENERAL FUND	18.00
	LICENSING, DEPT OF	WILLIAMS, JOHN (ORIGINAL)	GENERAL FUND	18.00
34789	LITOVCHENKO, ELENA	UB 030350000000 8510 59TH AVE	WATER/SEWER OPERATION	70.55
34790	LOWES HIW INC	NYLON BLANKS, DRYWALL AND HARD	PARK & RECREATION FAC	29.95
	LOWES HIW INC	SWITCHES, TOGGLE AND RECEPACL	PARK & RECREATION FAC	34.25
	LOWES HIW INC	GROMMETS, TAPE, RAGS, FOAM AND	PUBLIC SAFETY BLDG.	74.10
	LOWES HIW INC	PLUGS, CAPS AND MOTION DETECTO	SOURCE OF SUPPLY	165.59
	LOWES HIW INC	TOILET AND SUPPLIES	PARK & RECREATION FAC	224.00
34791	MARYSVILLE AWARDS	NAME PLATE	POLICE ADMINISTRATION	21.99
34792	MARYSVILLE PRINTING	STATEMENT FORMS	POLICE PATROL	149.33
	MARYSVILLE PRINTING	NEIGHBORHOOD WATCH PACKETS	CRIME PREVENTION	151.82
34793	MARYSVILLE, CITY OF	UTILITY SERVICE-6802 84TH ST N	PRO-SHOP	183.87
34794	MCLOUGHLIN & EARDLEY	PATROL CAR MOUNTS	GENERAL FUND	-121.95
	MCLOUGHLIN & EARDLEY		POLICE PATROL	100.61
	MCLOUGHLIN & EARDLEY		POLICE ADMINISTRATION	1,439.34
34795	MICROFLEX INC	TAX AUDIT PROGRAM-MARCH 2013	FINANCE-GENL	51.84
34796	MILLETT, JENNIFER	REIMBURSE WSAMA CONF TRAVEL/ME	LEGAL - PROSECUTION	819.05
34797	MIRANDA, TONYA	INSTRUCTOR SERVICES	COMMUNITY CENTER	90.00
34798	MUFFLY, PAUL & ELNA	UB 020900000000 5326 85TH PL N	WATER/SEWER OPERATION	104.31
34799	MW VENTURE PROPERTIE	UB 871250000001 4814 74TH PL N	GARBAGE	15.59
34800	NATIONAL BARRICADE	HERBICIDE SPRAYING TRUCK SIGN	ROADSIDE VEGETATION	109.14
	NATIONAL BARRICADE	WORK SIGNS (36)	WATER DIST MAINS	1,991.45
	NATIONAL BARRICADE		WATER MAINS INSTALL	1,991.45
34801	NEXLEVEL REO^	UB 780760000001 5816 60TH DR N	WATER/SEWER OPERATION	100.00
34802	NORTH SOUND HOSE	PIPE SWEDGE FITTING	SEWER MAIN COLLECTION	15.03
	NORTH SOUND HOSE	WASH RACK HOSE	MAINT OF GENL PLANT	46.41
34803	NORTHSTAR CHEMICAL	SODIUM HYPOCHLORITE	WATER FILTRATION PLANT	1,050.50
	NORTHSTAR CHEMICAL		WATER QUAL TREATMENT	1,265.50

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34804	NUNEZ, MARGARET	UB 331475502001 14913 44TH AVE	WATER/SEWER OPERATION	12.22
34805	OFFICE DEPOT	CREDIT FOR INCORRECT PRICING I	WATER QUAL TREATMENT	-211.99
	OFFICE DEPOT	OFFICE SUPPLIES	FINANCE-GENL	7.79
	OFFICE DEPOT		POLICE INVESTIGATION	17.18
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	49.27
	OFFICE DEPOT		ENGR-GENL	51.76
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	57.85
	OFFICE DEPOT		SOLID WASTE OPERATIONS	75.46
	OFFICE DEPOT		FINANCE-GENL	86.29
	OFFICE DEPOT		UTIL ADMIN	89.85
	OFFICE DEPOT		POLICE INVESTIGATION	91.06
	OFFICE DEPOT		COMMUNITY DEVELOPMENT-	101.80
	OFFICE DEPOT		PARK & RECREATION FAC	108.59
	OFFICE DEPOT		POLICE INVESTIGATION	121.93
	OFFICE DEPOT		UTIL ADMIN	122.41
	OFFICE DEPOT		FINANCE-GENL	130.63
	OFFICE DEPOT		WATER QUAL TREATMENT	639.69
34806	OKANOGAN COUNTY JAIL	INMATE HOUSING-APRIL 2013	DETENTION & CORRECTION	5,992.00
34807	OSBORN CONSULTING	PROFESSIONAL SERVICES	SURFACE WATER CAPITAL PF	17,499.36
34808	PACIFIC NW BUSINESS	TONER (4)	POLICE ADMINISTRATION	536.39
34809	PACIFIC TOPSOILS	CEDAR CHIPS	PARK & RECREATION FAC	818.19
34810	PARTS STORE, THE	GAS CAP	EQUIPMENT RENTAL	12.93
	PARTS STORE, THE	Q-BOND	MAINTENANCE	57.50
	PARTS STORE, THE	SPARK PLUGS AND WIRES	MAINTENANCE	82.37
	PARTS STORE, THE	AIR AND FUEL FILTERS, CAR WASH	ER&R	97.06
	PARTS STORE, THE	WATER PUMP, HOSES, BELTS AND T	EQUIPMENT RENTAL	119.67
	PARTS STORE, THE	AIR AND FUEL FILTERS	ER&R	307.82
34811	PETROCARD SYSTEMS	FUEL CONSUMED	COMPUTER SERVICES	53.26
	PETROCARD SYSTEMS		STORM DRAINAGE	54.24
	PETROCARD SYSTEMS		ENGR-GENL	158.75
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	275.83
	PETROCARD SYSTEMS		COMMUNITY DEVELOPMENT-	520.59
	PETROCARD SYSTEMS		PARK & RECREATION FAC	855.31
	PETROCARD SYSTEMS		GENERAL SERVICES - OVERH	2,360.16
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	3,999.18
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	5,669.25
	PETROCARD SYSTEMS		POLICE PATROL	7,691.22
34812	PETTIT, TANYA	UB 570611000001 17407 27TH AVE	WATER/SEWER OPERATION	25.88
34813	PICK OF THE LITTER	CLEAN SWEEP BANNER	PROTECTIVE INSPECTIONS	141.68
34814	PIESCHBACHER,CLIFTON	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
34815	PING	GOLF HATS (6)	GOLF COURSE	94.48
	PING	GOLF HATS (18)	GOLF COURSE	237.46
	PING	GOLF BAGS (4)	GOLF COURSE	420.00
	PING	FAIRWAY METALS (3)	GOLF COURSE	469.22
	PING	HYBRID CLUBS (4)	GOLF COURSE	512.00
34816	PREMIER FENCE INC	FENCE POSTS (12)	SOURCE OF SUPPLY	338.83
34817	PRO FAB INC	WWTP GENERATOR ACCESS PLATFORM	WASTE WATER TREATMENT F	438.96
34818	PUD	ACCT #2024-6102-6	MAINT OF GENL PLANT	36.78
	PUD	ACCT #2009-7395-6	SEWER LIFT STATION	43.84
	PUD	ACCT #2004-4880-1	TRANSPORTATION MANAGEM	76.71
	PUD	ACCT #2023-6855-1	PARK & RECREATION FAC	85.71
	PUD	ACCT #2023-6854-4	TRANSPORTATION MANAGEM	93.26
	PUD	ACCT #2031-9973-2	TRANSPORTATION MANAGEM	95.61
	PUD	ACCT #2021-7595-6	TRAFFIC CONTROL DEVICES	99.88
	PUD	ACCT #2020-0351-3	PUMPING PLANT	136.48
	PUD	ACCT #2048-2122-7	TRAFFIC CONTROL DEVICES	251.13
	PUD	ACCT #2016-2888-0	WASTE WATER TREATMENT F	259.97

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34818	PUD	ACCT #2010-2169-8	PARK & RECREATION FAC	585.87
	PUD	ACCT #2010-2160-7	PARK & RECREATION FAC	613.47
	PUD	ACCT #2016-7563-4	WASTE WATER TREATMENT F	756.81
	PUD	ACCT #2021-7733-3	MAINT OF GENL PLANT	1,311.93
	PUD	ACCT #2008-2454-8	MAINT OF GENL PLANT	1,314.24
	PUD	ACCT #2015-8728-4	WASTE WATER TREATMENT F	1,514.87
	PUD	ACCT #2015-7792-1	PUMPING PLANT	1,909.77
	PUD	ACCT #2016-3968-9	MAINT OF GENL PLANT	2,457.98
	PUD	ACCT #2011-4725-3	PUMPING PLANT	2,468.91
	PUD	ACCT #2020-0499-0	LIBRARY-GENL	2,710.56
	PUD	ACCT #2014-6303-1	PUBLIC SAFETY BLDG.	3,025.73
	PUD	ACCT #2014-2063-5	WASTE WATER TREATMENT F	7,963.81
	PUD	ACCT #2020-7500-8	WASTE WATER TREATMENT F	9,321.90
	PUD	ACCT #2017-2118-0	WASTE WATER TREATMENT F	20,123.30
34819	PUGET SOUND SECURITY	KEYS AND KEY RINGS	PARK & RECREATION FAC	24.35
34820	RAPHAEL, KATHERINE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
34821	RODDA	PAINT	PUBLIC SAFETY BLDG.	172.14
	RODDA		PUBLIC SAFETY BLDG.	255.34
34822	ROY ROBINSON	LOCK SWITCH	EQUIPMENT RENTAL	28.63
34823	RUTH, JULIE	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
34824	SEA-ALASKA INDUSTRIA	MOTOR ANALYSIS AND REPAIR	WASTE WATER TREATMENT F	819.26
34825	SIMS, BRIAN & SHARON	UB 047522000000 7522 89TH PL N	WATER/SEWER OPERATION	21.42
34826	SNO CO FINANCE	DIAGNOSE & REPLACE TRANS/SERVI	EQUIPMENT RENTAL	12,876.79
34827	SNO CO FINANCE	800 MHZ INTEREST	REET I - POLICE	12,933.56
34828	SNO CO TREASURER	INMATE HOUSING-APRIL 2013	DETENTION & CORRECTION	46,757.34
34829	SONITROL	ANNUAL TESTING	UTIL ADMIN	576.67
	SONITROL		ADMIN FACILITIES	843.83
34830	SOUND POWER	2 CYCLE SYNTHETIC	PARK & RECREATION FAC	26.00
	SOUND POWER	TRIMMER LINE	PARK & RECREATION FAC	36.82
34831	SOUND PUBLISHING	EMPLOYMENT AD	GENERAL SERVICES - OVERH	86.99
34832	SOUND SAFETY	GLOVES	ER&R	193.46
34833	STATE PATROL	FINGERPRINT ID SERVICES	GENERAL FUND	759.00
34834	STEWART, RON	UB 961660000003 936 UNION AVE	WATER/SEWER OPERATION	215.73
34835	SUNNYSIDE NURSERY	DOGWOOD TREE	PARK & RECREATION FAC	73.29
	SUNNYSIDE NURSERY	PLANTS AND SHRUBS	PROTECTIVE INSPECTIONS	84.95
34836	SUNRISE ENVIRONMENT	GRAFFITI CLEANER	TRANSPORTATION MANAGEM	1,127.31
34837	TASTAD, NICHOLAS	UB 235232000000 5232 108TH ST	WATER/SEWER OPERATION	176.43
34838	TAYLOR, TERRI	REFUND CLASS FEES	PARKS-RECREATION	28.00
34839	TAYLORMADE	PUTTER	GOLF COURSE	71.54
	TAYLORMADE		GOLF COURSE	83.04
	TAYLORMADE	GOLF BALLS	GOLF COURSE	301.86
	TAYLORMADE	WEDGES (4)	GOLF COURSE	363.69
	TAYLORMADE	GOLF CLUBS (7)	GOLF COURSE	682.98
	TAYLORMADE	GOLF BAGS (5)	GOLF COURSE	688.47
	TAYLORMADE	TN13 GOLF BALLS	GOLF COURSE	805.56
4840	TECH DEPOT	OFFICE SUPPLIES	LEGAL-GENL	194.27
4841	THYSSENKRUPP ELEVATO	PREVENTATIVE MAINTENANCE	ADMIN FACILITIES	198.71
	THYSSENKRUPP ELEVATO		PUBLIC SAFETY BLDG.	198.71
4842	TOYER, ROB	REIMBURSE HOTEL PARKING CHARGE	GENL FUND-OTHER MISC RE	39.00
4843	TRAFFIC SAFETY SUPPL	ROAD MARKERS	STORM DRAINAGE	706.42
4844	UNITED PARCEL SERVIC	LATE CHARGES ON INV 00000766ER	STORM DRAINAGE	1.61
	UNITED PARCEL SERVIC	SHIPPING EXPENSE	POLICE PATROL	75.37
4845	UTILITIES UNDERGROUN	EXCAVATION NOTICE	UTILITY LOCATING	427.33
4846	VALLEY FREIGHTLINER	CONTROL MODULE	EQUIPMENT RENTAL	215.39
	VALLEY FREIGHTLINER	IGNITION KEY BLANK	EQUIPMENT RENTAL	325.17
4847	VAN DAM'S ABBEY	BLINDS AND INSTALLATION	MAINT OF GENL PLANT	275.84
4848	VERIZON/FRONTIER	WIRELESS CHARGES	SOLID WASTE CUSTOMER EX	24.40

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 5/16/2013 TO 5/22/2013**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
34848	VERIZON/FRONTIER	WIRELESS CHARGES	YOUTH SERVICES	26.64
	VERIZON/FRONTIER		CRIME PREVENTION	26.64
	VERIZON/FRONTIER		ANIMAL CONTROL	26.64
	VERIZON/FRONTIER		LEGAL-GENL	40.01
	VERIZON/FRONTIER		UTILITY BILLING	48.80
	VERIZON/FRONTIER		GOLF ADMINISTRATION	48.80
	VERIZON/FRONTIER		EQUIPMENT RENTAL	48.80
	VERIZON/FRONTIER		FACILITY MAINTENANCE	48.80
	VERIZON/FRONTIER		FINANCE-GENL	54.18
	VERIZON/FRONTIER		PERSONNEL ADMINISTRATIO	54.18
	VERIZON/FRONTIER		OFFICE OPERATIONS	106.56
	VERIZON/FRONTIER		LEGAL - PROSECUTION	108.36
	VERIZON/FRONTIER		COMPUTER SERVICES	125.64
	VERIZON/FRONTIER		RECREATION SERVICES	127.38
	VERIZON/FRONTIER		EXECUTIVE ADMIN	173.67
	VERIZON/FRONTIER		PARK & RECREATION FAC	176.18
	VERIZON/FRONTIER		DETENTION & CORRECTION	186.48
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	210.81
	VERIZON/FRONTIER		STORM DRAINAGE	235.21
	VERIZON/FRONTIER		POLICE INVESTIGATION	239.96
	VERIZON/FRONTIER		ENGR-GENL	240.59
	VERIZON/FRONTIER		WASTE WATER TREATMENT F	246.20
	VERIZON/FRONTIER		GENERAL SERVICES - OVERH	346.98
	VERIZON/FRONTIER		POLICE ADMINISTRATION	427.61
	VERIZON/FRONTIER		UTIL ADMIN	838.62
	VERIZON/FRONTIER		POLICE PATROL	920.92
	VERIZON/FRONTIER		POLICE PATROL	1,864.49
34849	VERIZON/FRONTIER	ACCT #36065774950927115	STREET LIGHTING	49.96
	VERIZON/FRONTIER	ACCT #36065836350725085	UTIL ADMIN	52.89
	VERIZON/FRONTIER		COMMUNITY DEVELOPMENT-	52.89
34850	WAKNUK, ELIZABETH	UB 620560000001 10431 41ST AVE	WATER/SEWER OPERATION	21.68
34851	WASTE MANAGEMENT	YARDWASTE/RECYCLE SERVICE	RECYCLING OPERATION	87,953.13
34852	WAXIE SANITARY SUPPL	JANITORIAL SUPPLIES	PARK & RECREATION FAC	598.30
34853	WEST PAYMENT CENTER	INVESTIGATIVE TOOL	POLICE PATROL	185.71
	WEST PAYMENT CENTER	WEST INFORMATION CHARGES	LEGAL - PROSECUTION	644.00
34854	WESTERN PETERBILT	DISCONNECT SWITCH	EQUIPMENT RENTAL	180.21
34855	WIERSMA, ALEX	REIMBURSE TRAINING EXPENSE	POLICE TRAINING-FIREARMS	1,026.77
34856	YAMAHA MOTOR CORP	GOLF CART RENTAL	PRO-SHOP	1,164.61
34857	YUN, KYUNG & CHONG	UB 680361110001 4817 106TH ST	WATER/SEWER OPERATION	45.34
34858	ZEE MEDICAL SERVICE	FIRST AID SUPPLIES	MAINTENANCE	121.00

WARRANT TOTAL: 497,294.66

REASON FOR VOIDS:
 INITIATOR ERROR
 WRONG VENDOR
 CHECK LOST/DAMAGED IN MAIL
 UNCLAIMED PROPERTY

CHECK # 76307	CHECK LOST IN MAIL	(21.42)
CHECK # 83786	INITIATOR ERROR	(242.00)
CHECK # 84427	INITIATOR ERROR	(225.00)
CHECK # 84515	INITIATOR ERROR	(25.88)

496,780.36

Index #3

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June10, 2013

AGENDA ITEM: Claims	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Claims Listings	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Please see attached.

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the **May 29, 2013** claims in the amount of **\$314,755.36** paid by **Check No.'s 84859 through 84986 with no Check No.'s voided.**

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-5

I, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE **CLAIMS** IN THE AMOUNT OF **\$314,755.36 PAID BY CHECK NO.'S 84859 THROUGH 84986 WITH NO CHECK NO.'S VOIDED** ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF MARYSVILLE, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND TO CERTIFY SAID CLAIMS.

AUDITING OFFICER

DATE

MAYOR

DATE

WE, THE UNDERSIGNED COUNCIL MEMBERS OF MARYSVILLE, WASHINGTON DO HEREBY APPROVE FOR PAYMENT THE ABOVE MENTIONED **CLAIMS** ON THIS **29th DAY OF MAY 2013.**

COUNCIL MEMBER

DATE: 5/29/2013
TIME: 8:56:42AM

**CITY OF MARYSVILLE
INVOICE LIST**

PAGE: 1

FOR INVOICES FROM 5/23/2013 TO 5/29/2013

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
84859	ALBERTSONS	INMATE SUPPLIES	DETENTION & CORRECTION	235.98
84860	AMERICAN WATER WORKS	MEMBERSHIP DUES-NIELSON	UTIL ADMIN	196.00
84861	ARAMARK UNIFORM	UNIFORM SERVICE	MAINTENANCE	10.86
	ARAMARK UNIFORM		EQUIPMENT RENTAL	19.98
84862	ARELLANO, SALVADOR*	UB 099714000000 9714 50TH AVE	WATER/SEWER OPERATION	8.38
84863	ARNEY, TAUSHA	UB 848505820000 8505 82ND ST N	WATER/SEWER OPERATION	11.44
84864	ASSOCIATED BAG	EVIDENCE SUPPLIES	GENERAL FUND	-56.86
	ASSOCIATED BAG		POLICE PATROL	717.92
84865	AT YOUR SERVICES	REFUND BUSINESS LICENSE FEES	GENL FUND BUS LIC & PERMI	50.00
84866	AUDIOLOGY SERVICES	HEARING TESTING	EXECUTIVE ADMIN	883.75
	AUDIOLOGY SERVICES		EXECUTIVE ADMIN	1,712.75
84867	AUTO VISUAL	REAR WINDOW TINTING	EQUIPMENT RENTAL	134.66
84868	BARGABOS, JACQUELINE	UB 570703400000 2902 178TH ST	WATER/SEWER OPERATION	295.00
84869	BARNETT IMPLEMENT	DECK DRIVE BELTS AND BLADES	ER&R	368.38
84870	BENEDICT, ALAN M & D	UB 160650000000 4514 130TH PL	WATER/SEWER OPERATION	37.92
84871	BICKFORD FORD	CORE REFUND	EQUIPMENT RENTAL	-108.60
	BICKFORD FORD	TRAILING ARM LINKS	EQUIPMENT RENTAL	85.10
	BICKFORD FORD	ENGINE OIL COOLER HOSES	EQUIPMENT RENTAL	112.06
	BICKFORD FORD		EQUIPMENT RENTAL	112.06
	BICKFORD FORD	TIMING COVER	EQUIPMENT RENTAL	182.90
	BICKFORD FORD	CONTROL MODULE W/CORE CHARGE	EQUIPMENT RENTAL	676.77
84872	BLUE MARBLE ENV.	WASTE REDUCTION/RECYCLING PROG	RECYCLING OPERATION	4,651.68
84873	BLUMENTHAL UNIFORMS	UNIFORM-THOMAS, M	POLICE ADMINISTRATION	455.79
84874	BOYDEN ROBINETT & AS	UB 651445390000 10307 62ND DR	WATER/SEWER OPERATION	130.93
84875	BOYS & GIRLS CLUBS	2013 BOYS & GIRLS CLUB AUCTION	CITY COUNCIL	200.00
	BOYS & GIRLS CLUBS		EXECUTIVE ADMIN	600.00
84876	BRIM TRACTOR	TURN SIGNAL/FLASHER UNIT	ER&R	176.99
84877	BRINKS INC	ARMORED TRUCK SERVICE	COMMUNITY DEVELOPMENT-	105.20
	BRINKS INC		UTIL ADMIN	105.20
	BRINKS INC		COMMUNITY DEVELOPMENT-	108.46
	BRINKS INC		UTIL ADMIN	108.46
	BRINKS INC		GOLF ADMINISTRATION	181.85
	BRINKS INC		GOLF ADMINISTRATION	185.10
	BRINKS INC		UTILITY BILLING	185.24
	BRINKS INC		UTILITY BILLING	188.51
	BRINKS INC		POLICE ADMINISTRATION	345.36
	BRINKS INC		MUNICIPAL COURTS	345.36
	BRINKS INC		POLICE ADMINISTRATION	348.62
	BRINKS INC		MUNICIPAL COURTS	348.62
34878	BUILDERS EXCHANGE	PUBLISH PROJECT ONLINE	ROADWAY MAINTENANCE	45.00
	BUILDERS EXCHANGE		SIDEWALKS CONSTRUCTION	45.00
34879	BUNNEY, MIKE & CASSA	UB 040980000000 9229 61ST DR N	WATER/SEWER OPERATION	171.47
34880	BURNHAM, ALENE	UB 767114000000 7114 81ST DR N	WATER/SEWER OPERATION	27.70
	BURNHAM, ALENE		WATER/SEWER OPERATION	28.60
34881	CARRS ACE	VALVE AND HOSE ADAPTER	WATER RESERVOIRS	7.79
	CARRS ACE	AMMONIA	TRAFFIC CONTROL DEVICES	26.02
	CARRS ACE	RODENT CONTROL	SEWER MAIN COLLECTION	42.32
	CARRS ACE	BUCKETS, WD40 AND TRI FLOW	TRANSPORTATION MANAGEM	73.75
4882	CASCADE NATURAL GAS	NATURAL GAS CHARGES	WATER FILTRATION PLANT	1,946.93
4883	CATES, J D	UB 800587000000 5123 64TH ST N	WATER/SEWER OPERATION	269.63
4884	CEMEX	LIQUID ASPHALT	SIDEWALKS CONSTRUCTION	131.04
	CEMEX	ASPHALT	WATER MAINS INSTALL	278.62
4885	CODE 4 PUBLIC SAFETY	TRAINING-VOLUNTEER MANAGEMENT	POLICE TRAINING-FIREARMS	338.00
4886	CODY, LEWIS H	UB 849000703000 6125 80TH PL N	WATER/SEWER OPERATION	25.05
4887	COE, TAMMY	UB 651445290001 10201 62ND DR	WATER/SEWER OPERATION	98.68
4888	COMCAST	CABLE SERVICE-KBCC	BAXTER CENTER APPRE	49.83
	COMCAST	MONTHLY BROADBAND CHARGE	COMPUTER SERVICES	217.50
4889	COOP SUPPLY	RODENT CONTROL	MAINT OF GENL PLANT	18.81
	COOP SUPPLY		UTIL ADMIN	18.82
	COOP SUPPLY		WASTE WATER TREATMENT F	18.82
	COOP SUPPLY	POST DRIVERS	STORM DRAINAGE	86.86

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 5/23/2013 TO 5/29/2013**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
84889	COOP SUPPLY	SPRAYER	WATER RESERVOIRS	108.59
84890	CORRECTIONS, DEPT OF	INMATE MEALS	DETENTION & CORRECTION	3,794.96
84891	CROP PRODUCTION SRVC	FINANCE CHARGE CREDIT	MAINTENANCE	-53.42
	CROP PRODUCTION SRVC	FUNGICIDE	MAINTENANCE	255.21
	CROP PRODUCTION SRVC	PESTICIDES	MAINTENANCE	2,014.10
84892	DAILY JOURNAL OF COM	LEGAL AD	SURFACE WATER CAPITAL PF	387.60
84893	DAVIS DOOR	GARAGE DOOR OPENERS INSTALL/PR	COURT FACILITIES	401.17
84894	DIAMOND B CONSTRUCT	REPLACE CONTACTORS ON HEAT PUM	WASTE WATER TREATMENT F	553.36
84895	DICKS TOWING	TOWING EXPENSE	EQUIPMENT RENTAL	43.44
	DICKS TOWING	TOWING EXPENSE-MP13-3148	POLICE PATROL	43.44
84896	E&E LUMBER	BIT AND FASTENERS	PARK & RECREATION FAC	7.22
	E&E LUMBER	GALV SPIKE	PARK & RECREATION FAC	9.42
	E&E LUMBER	PAINT TRAY	PARK & RECREATION FAC	10.59
	E&E LUMBER	DOOR VIEWER	ADMIN FACILITIES	11.16
	E&E LUMBER	CONCRETE	PARK & RECREATION FAC	25.11
	E&E LUMBER	GASKET AND HARDWARE	PARK & RECREATION FAC	27.44
	E&E LUMBER	EXTENSION CORD AND PEST CONTRO	SOURCE OF SUPPLY	27.64
	E&E LUMBER	FASTENERS	PARK & RECREATION FAC	42.25
	E&E LUMBER	PAINT AND TRAY	PARK & RECREATION FAC	46.78
	E&E LUMBER	NOZZLE, BIT AND FASTENERS	PARK & RECREATION FAC	64.35
84897	EAST JORDAN IRON WOR	CLEANOUT RING/SEWER COVER	SEWER MAIN COLLECTION	55.70
84898	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	10.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	20.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	20.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	21.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	180.00
84899	ENGINEERING BUSINESS	MAINTENANCE AGREEMENT-KIP PRIN	UTIL ADMIN	106.43
84900	EVERETT, CITY OF	LAB ANALYSIS	STORM DRAINAGE	216.00
	EVERETT, CITY OF	ANIMAL SHELTER FEES	ANIMAL CONTROL	2,430.00
84901	FLAGG, BARRY	UB 570703850700 17619 29TH AVE	WATER/SEWER OPERATION	24.51
84902	FOREMOST PROMOTIONS	COLORING BOOKS, GRAB BAGS AND	GENERAL FUND	-117.53
	FOREMOST PROMOTIONS	NATIONAL NIGHT OUT SUPPLIES	GENERAL FUND	-75.89
	FOREMOST PROMOTIONS	CRAYON PACKS, STICKERS, JR BAD	GENERAL FUND	-59.23
	FOREMOST PROMOTIONS		CRIME PREVENTION	747.85
	FOREMOST PROMOTIONS	NATIONAL NIGHT OUT SUPPLIES	CRIME PREVENTION	958.41
	FOREMOST PROMOTIONS	COLORING BOOKS, GRAB BAGS AND	CRIME PREVENTION	1,484.11
34903	FORSLOF, WALLACE	REIMBURSE SIGHT PURCHASE	GENERAL FUND	-15.40
	FORSLOF, WALLACE		POLICE PATROL	194.37
34904	GAZELLE REAL ESTATE	UB 331419000001 15112 45TH DR	WATER/SEWER OPERATION	69.84
34905	GEENE, TIMOTHY	UB 849000286001 8019 66TH DR N	WATER/SEWER OPERATION	168.09
34906	GEOCELL, LLC	CELL PHONE INVESTIGATION TRAIN	POLICE TRAINING-FIREARMS	225.00
34907	GREENHAUS PORTABLE	PORTABLE RESTROOMS	PARK & RECREATION FAC	299.50
	GREENHAUS PORTABLE		RECREATION SERVICES	630.00
14908	GREENSHIELDS	HYDRAULIC HOSES	EQUIPMENT RENTAL	184.41
14909	HD FOWLER COMPANY	ADAPTER AND PVC	PARK & RECREATION FAC	6.42
	HD FOWLER COMPANY	HAND WRENCH	ER&R	113.40
	HD FOWLER COMPANY	PVC, TAPE AND COUPLINGS	PARK & RECREATION FAC	120.57
	HD FOWLER COMPANY	BRASS BALL VALVE	WATER DIST MAINS	142.41
	HD FOWLER COMPANY	MARKING PAINT	ER&R	204.34
	HD FOWLER COMPANY	PLUG AND REPAIR COUPLINGS	WATER DIST MAINS	221.94
	HD FOWLER COMPANY	BRASS HARDWARE	WATER/SEWER OPERATION	341.98
	HD FOWLER COMPANY		WATER/SEWER OPERATION	382.12
	HD FOWLER COMPANY	POLYMER LIDS	WATER/SEWER OPERATION	586.17
	HD FOWLER COMPANY	METER BOX BASES	WATER/SEWER OPERATION	593.34
	HD FOWLER COMPANY	COUPLINGS, ELLS, BRASS AND THR	WATER/SEWER OPERATION	596.67

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 5/23/2013 TO 5/29/2013**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
84910	HUMAN SERVICES	LIQUOR BOARD PROFITS-1ST QTR 2	NON-DEPARTMENTAL	2,758.12
84911	JAMES, ANGELA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
84912	KAMAN INDUSTRIAL TEC	2 BOLT FLANGE BEARINGS	ER&R	361.68
84913	KIWANIS CLUB OF ARL KIWANIS CLUB OF ARL	RENTAL FEE AND DEPOSIT REFUND	PARKS-RECREATION GENERAL FUND	50.00 100.00
84914	KNEBEL COMPANY	ASBESTOS INSPECTION-15524 SM P	ROADS/STREETS CONSTRUC	1,935.00
84915	KRISTOFFERSEN, MONIK	INSTRUCTOR SERVICES	RECREATION SERVICES	39.60
84916	KUBOTA TRACTOR KUBOTA TRACTOR	MOWER-FLEET ADDITION	EQUIPMENT RENTAL EQUIPMENT RENTAL	10,851.86 13,397.09
84917	LAKESIDE INDUSTRIES	ASPHALT	WATER MAINS INSTALL	583.64
84918	LASTING IMPRESSIONS	EMBROIDERY	POLICE PATROL	21.72
84919	LAW, LYMAN, DANIEL, KAM LAW, LYMAN, DANIEL, KAM	LEGAL FEES	NON-DEPARTMENTAL WASTE WATER TREATMENT F	1,273.15 3,819.45
84920	LEGACY FORD LEGACY FORD	2013 FORD F150	EQUIPMENT RENTAL EQUIPMENT RENTAL	23,339.05 23,339.05
84921	LES SCHWAB TIRE CTR LES SCHWAB TIRE CTR LES SCHWAB TIRE CTR	STEER TIRE TURN IN CREDIT REPAIR FLAT DRIVE AXLE TIRES INSTALLED AND	EQUIPMENT RENTAL EQUIPMENT RENTAL EQUIPMENT RENTAL	-1,000.00 41.90 6,891.30
84922	LINKS TURF SUPPLY	MARKERS	MAINTENANCE	181.13
84923	LOWES HIW INC	LED LAMPS	SOURCE OF SUPPLY	92.81
84924	MACKIE, TRACEY MACKIE, TRACEY	INSTRUCTOR SERVICES	COMMUNITY CENTER COMMUNITY CENTER	231.00 714.00
84925	MARYSVILLE PAINT	PAINT, TAPE, RAGS, POLE AND BR	PUBLIC SAFETY BLDG.	181.70
84926	MARYSVILLE PRINTING	GETCHELL PUBLIC MTG POSTCARDS	ENGR-GENL	269.55
84927	MARYSVILLE SCHOOL	FACILITY USEAGE FEES-TMS	RECREATION SERVICES	282.00
84928	MCQUARRIE, CHARLES	UB 849000612501 6616 78TH PL N	WATER/SEWER OPERATION	57.92
84929	MOTOR TRUCKS	AIR BRAKE HOSE, FITTINGS AND S	EQUIPMENT RENTAL	22.39
84930	NELSON PETROLEUM NELSON PETROLEUM NELSON PETROLEUM	BULK ENGINE OIL FUEL CONSUMED BULK ENGINE OIL AND TRACTOR OI	ER&R MAINTENANCE ER&R	1,459.29 1,541.96 2,073.79
84931	NORTHUP GROUP	PRE EMPLOYMENT ASSESSMENT	POLICE ADMINISTRATION	340.00
84932	NYITRAY, SANDRA	INSTRUCTOR SERVICES	COMMUNITY CENTER	90.00
84933	ODELL, RAY^	UB 751624010000 5413 73RD AVE	WATER/SEWER OPERATION	115.52
84934	OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT OFFICE DEPOT	OFFICE SUPPLIES	UTILITY BILLING LEGAL-GENL OFFICE OPERATIONS POLICE PATROL POLICE INVESTIGATION POLICE PATROL POLICE PATROL POLICE PATROL POLICE PATROL	55.10 69.98 92.37 93.46 108.58 223.60 247.32 259.60 274.25
84935	PACIFIC NW BUSINESS	TONER	DETENTION & CORRECTION	133.52
34936	PACIFIC POWER PROD. PACIFIC POWER PROD. PACIFIC POWER PROD.	TIRE RELAY AND BLADES BLADES (23)	PARK & RECREATION FAC PARK & RECREATION FAC PARK & RECREATION FAC	74.53 196.27 547.13
34937	PARTS STORE, THE PARTS STORE, THE PARTS STORE, THE PARTS STORE, THE PARTS STORE, THE PARTS STORE, THE	GREASE GUNS TIMING COVER GASKET KIT DISC AND ALUMA BRIGHT WATER PUMP, BELT, THERMOSTAT A LOWER BALL JOINTS SOLVENT, THREAD SEAL AND CALIP	ROADSIDE VEGETATION EQUIPMENT RENTAL SOLID WASTE OPERATIONS EQUIPMENT RENTAL EQUIPMENT RENTAL EQUIPMENT RENTAL	10.60 10.73 62.48 83.54 112.94 222.18
14938	PERKINS COIE	LEGAL FEES	WASTE WATER TREATMENT F	5,227.50
14939	PETTY CASH- PW PETTY CASH- PW	RIBBON CUTTING SUPPLIES, MAILI	UTIL ADMIN UTIL ADMIN GMA - STREET SOURCE OF SUPPLY STORM DRAINAGE WATER CAPITAL PROJECTS ROADSIDE VEGETATION STORM DRAINAGE	6.00 6.00 6.77 7.05 8.30 9.75 10.00 14.11

CITY OF MARYSVILLE
INVOICE LIST
FOR INVOICES FROM 5/23/2013 TO 5/29/2013

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
84939	PETTY CASH- PW	RIBBON CUTTING SUPPLIES, MAILI	ROADS/STREETS CONSTRUC	26.02
	PETTY CASH- PW		TRANSPORTATION MANAGEM	27.18
	PETTY CASH- PW		EQUIPMENT RENTAL	28.75
84940	PETTY CASH-COMM DEV	MTG SUPPLIES, POSTAGE AND PARK	COMMUNITY DEVELOPMENT-	11.64
	PETTY CASH-COMM DEV		COMMUNITY DEVELOPMENT-	55.32
84941	PLATT	BALLASTS, LAMPS AND RECEPT	PUBLIC SAFETY BLDG.	513.46
84942	POLLARDWATER.COM	D-CHLOR TABS	WATER DIST MAINS	400.10
84943	POORTVLIET, TASHA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
84944	PUD	ACCT #2023-7865-9	MAINT OF GENL PLANT	31.40
	PUD	ACCT #2016-7213-6	SEWER LIFT STATION	47.47
	PUD	ACCT #2006-5074-5	TRANSPORTATION MANAGEM	65.24
	PUD	ACCT #2027-2901-8	TRANSPORTATION MANAGEM	70.19
	PUD	ACCT #2030-0516-0	STREET LIGHTING	80.89
	PUD	ACCT #2030-6201-3	STREET LIGHTING	84.91
	PUD	ACCT #2008-2727-7	TRANSPORTATION MANAGEM	102.10
	PUD	ACCT #2021-4311-1	TRANSPORTATION MANAGEM	111.46
	PUD	ACCT #2020-0032-9	PARK & RECREATION FAC	138.45
	PUD	ACCT #2025-5745-0	STREET LIGHTING	150.57
	PUD	ACCT #2024-6354-3	SEWER LIFT STATION	150.97
	PUD	ACCT #2010-6528-1	PARK & RECREATION FAC	159.88
	PUD	ACCT #2026-8910-5	WASTE WATER TREATMENT F	163.15
	PUD	ACCT #2024-9063-7	SEWER LIFT STATION	193.61
	PUD	ACCT #2020-3007-8	TRANSPORTATION MANAGEM	210.14
	PUD	ACCT #2022-9433-6	STREET LIGHTING	218.11
	PUD	ACCT #2032-3100-6	TRANSPORTATION MANAGEM	221.35
	PUD	ACCT #2025-7232-7	STREET LIGHTING	237.17
	PUD	ACCT #2002-2385-7	PARK & RECREATION FAC	576.47
	PUD	ACCT #2005-8648-5	SEWER LIFT STATION	1,177.38
	PUD	ACCT #2003-0347-7	WATER FILTRATION PLANT	3,304.41
84945	REVENUE, DEPT OF	CC USEAGE FEES	COMMUNITY DEVELOPMENT-	511.59
84946	RICHES, RAY	REIMBURSE RADIO HOLDER PURCHAS	POLICE PATROL	32.57
84947	RICHEY, SCOTT	REIMBURSE MILEAGE	POLICE TRAINING-FIREARMS	33.34
84948	RIEGER, ROD	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
84949	RODRIGUEZ, KRISTIN		GENERAL FUND	100.00
84950	RODRIGUEZ, MANUELA		GENERAL FUND	200.00
84951	ROY ROBINSON	OXYGEN SENSOR	EQUIPMENT RENTAL	138.88
84952	SCCIT	MEMBERSHIP DUES 2013-2014	ENGR-GENL	400.00
84953	SEATTLE PUMP & EQUIP	RELIEF VALVE	WATER SERVICES	299.62
84954	SEATTLE TIMES, THE	SUBSCRIPTION ACCT #60344419	EXECUTIVE ADMIN	66.95
84955	SHERWOOD, G SCOTT	UB 760960370000 5910 70TH AVE	WATER/SEWER OPERATION	27.78
84956	SMITH, BRAD	REIMBURSE MEALS-2013 CONFERENC	POLICE TRAINING-FIREARMS	111.07
84957	SNO CO PUBLIC WORKS	SOLID WASTE CHARGES	PROTECTIVE INSPECTIONS	406.00
	SNO CO PUBLIC WORKS		SOLID WASTE OPERATIONS	126,849.00
34958	SNO CO TREASURER	INMATE MEDICAL SERVICES/PRESCR	DETENTION & CORRECTION	957.15
34959	SONSRAY MACHINERY	PAVER REPAIR	EQUIPMENT RENTAL	18,215.17
34960	SOUND POWER	FUEL CAP	WATER DIST MAINS	20.56
	SOUND POWER	TARGET SAW DIAGNOSE AND REPAIR	GENERAL SERVICES - OVERH	1,448.07
34961	SOUND PUBLISHING	LEGAL ADVERTISING	COMMUNITY DEVELOPMENT-	281.09
34962	SOUND PUBLISHING	CALL FOR BIDS ADVERTISING	SIDEWALKS CONSTRUCTION	91.60
	SOUND PUBLISHING		ROADWAY MAINTENANCE	193.96
34963	SOUND SAFETY	GLOVES	ER&R	69.07
34964	SPRINGBROOK NURSERY	GRAVEL	PARK & RECREATION FAC	46.31
	SPRINGBROOK NURSERY	ROCK	PARK & RECREATION FAC	53.85
34965	STILLAGUAMISH GRANGE	HALL RENTAL-PW LEAD II TEAMBUI	UTIL ADMIN	100.00
4966	STRAWBERRY LANES	INSTRUCTOR SERVICES	RECREATION SERVICES	98.00
4967	TACOMA SCREW PRODUCT	NUTS, BOLTS, WASHERS AND SCREW	EQUIPMENT RENTAL	34.35
	TACOMA SCREW PRODUCT		EQUIPMENT RENTAL	113.74
4968	TAYLOR, TERRY	UB 840100515001 7808 67TH ST N	WATER/SEWER OPERATION	216.97
	TAYLOR, TERRY		WATER/SEWER OPERATION	302.15
4969	TAYLORMADE	FW METALS	GOLF COURSE	156.25
	TAYLORMADE	IRONS	GOLF COURSE	964.14

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 5/23/2013 TO 5/29/2013

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
84970	THOMAS, ROBERT & MIR	UB 982914000000 2914 73RD AVE	WATER/SEWER OPERATION	92.68
84971	TITLEIST	GOLF BALLS	GOLF COURSE	230.85
	TITLEIST		GOLF COURSE	306.63
84972	TRUE LINKSWEAR	GOLF SHOES	GOLF COURSE	110.07
84973	ULTRA ELECTRIC LLC	POND AERATOR INSTALL	PARK & RECREATION FAC	1,335.78
84974	UNITED PARCEL SERVIC	SHIPPING EXPENSE	PUMPING PLANT	80.32
	UNITED PARCEL SERVIC		POLICE PATROL	118.17
84975	VAN DAM'S ABBEY	FLOORING INSTALLATION-STRAWBER	PARK & RECREATION FAC	2,924.60
84976	VERIZON/FRONTIER	ACCT #36065125170927115	STREET LIGHTING	49.96
	VERIZON/FRONTIER	ACCT #36065827660617105	MUNICIPAL COURTS	54.22
	VERIZON/FRONTIER	ACCT #36065831360617105	MUNICIPAL COURTS	54.22
	VERIZON/FRONTIER	ACCT #36065905060927115	STREET LIGHTING	54.22
	VERIZON/FRONTIER	ACCT #36065962121015935	MAINT OF GENL PLANT	54.22
	VERIZON/FRONTIER	ACCT #36065976670111075	OFFICE OPERATIONS	54.22
	VERIZON/FRONTIER	ACCT #425-397-6325-031998-5	PARK & RECREATION FAC	55.86
	VERIZON/FRONTIER	ACCT #25300628501027055	UTIL ADMIN	66.55
	VERIZON/FRONTIER	ACCT #25301441101027055	UTIL ADMIN	66.55
	VERIZON/FRONTIER	ACCT #25300981920624965	SEWER LIFT STATION	93.05
	VERIZON/FRONTIER	ACCT #36065191230801065	WATER FILTRATION PLANT	102.45
84977	VINYL SIGNS & BANNER	COREX BLANK	COMMUNITY EVENTS	19.01
84978	WARDELL, MARK	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
84979	WASTE MANAGEMENT	RECYCLING PILOT	RECYCLING OPERATION	1,143.71
84980	WESTERN EQUIPMENT	MISC IRRIGATION PARTS	MAINTENANCE	91.96
	WESTERN EQUIPMENT	VOLTMETERS	MAINTENANCE	132.01
	WESTERN EQUIPMENT	REGULATORS	MAINTENANCE	189.39
	WESTERN EQUIPMENT	BEDKNIVES, THRUST WASHERS AND	MAINTENANCE	190.96
	WESTERN EQUIPMENT	MISC IRRIGATION PARTS	MAINTENANCE	1,730.64
84981	WESTERN PETERBILT	STARTER RELAY	EQUIPMENT RENTAL	56.44
84982	WHITE CAP CONSTRUCT	EDGER AND TROWEL ADAPTERS	SIDEWALKS MAINTENANCE	47.24
	WHITE CAP CONSTRUCT	HANDLES, BRACKETS AMD YOKES	SIDEWALKS MAINTENANCE	154.11
84983	WHITMORE, CLARKE	UB 840055800000 6816 76TH DR N	WATER/SEWER OPERATION	73.24
84984	WILBUR-ELLIS	INV #3650689 TAX	MAINTENANCE	10.78
	WILBUR-ELLIS	2013 HERBICIDE PROGRAM	SOURCE OF SUPPLY	984.52
	WILBUR-ELLIS	PESTICIDE SUPPLIES	MAINTENANCE	1,129.38
84985	WILSON, LISA	RENTAL DEPOSIT REFUND	GENERAL FUND	100.00
84986	WWCPA	SEWER MAINTENANCE REGISTRATION	UTIL ADMIN	140.00
	WWCPA		UTIL ADMIN	140.00

WARRANT TOTAL:

314,755.36

REASON FOR VOIDS:

- INITIATOR ERROR
- WRONG VENDOR
- CHECK LOST/DAMAGED IN MAIL
- UNCLAIMED PROPERTY

Index #4

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: Payroll	AGENDA SECTION:	
PREPARED BY: Sandy Langdon, Finance Director	AGENDA NUMBER:	
ATTACHMENTS: Blanket Certification	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the May 20, 2013 payroll in the amount \$1,207,067.25 Check No.'s 26569 through 26629.

COUNCIL ACTION:

Index #11

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/10/2013

AGENDA ITEM: Approval of Special Event Permit Application; Downtown Merchants Association	
PREPARED BY: Carol Mulligan DEPARTMENT: Community Development	DIRECTOR APPROVAL:
ATTACHMENTS: 1. Copy of Special Event Permit Application 2. Certificate of Liability Insurance Naming the City as Co-Insured. 3. MMC 5.46.	
BUDGET CODE:	AMOUNT:

SUMMARY:

The Marysville Downtown Merchants Association has submitted an application to obtain a Special Event Permit to conduct a free car show, Rodz on 3rd, open to the public on Saturday, July 13, 2013, in an effort to promote business in the downtown core. The applicant has requested the temporary street closure at the event location on 3rd Street between State Avenue and Quinn Avenue in order to conduct this proposed event. City staff has reviewed all related department comments and determined that this application has been submitted in its entirety and to the satisfaction of all said departments. It has been noted that the applicant's insurance expires on July 1, 2013; an updated Certificate of Liability will be submitted to the City prior to permit issuance.

RECOMMENDED ACTION: City staff recommends City Council approve the application for Marysville Downtown Merchants Association to conduct a special event on July 13, 2013, including the street closure of 3rd Street between State Avenue and Quinn Avenue, as requested by the applicant.



SPECIAL EVENT PERMIT APPLICATION

Community Development Department • 80 Columbia Avenue • Marysville, WA 98270
 (360) 363-8100 • (360) 651-5099 FAX • Office Hours: Monday - Friday 7:30 AM - 4:00 PM

FOR AGENCY USE	Date:	File:	Fee: \$100.00
	NAME OF EVENT		PROPOSED DATES
	Kodz on 3rd		July 13, 2013
	APPLICANT	SPONSORING NON-PROFIT	EVENT ORGANIZER
Name	Patricia Schonmaber	DMMA	Will Borg
Mailing Address	1515 3rd Street	(Same as	
City, State, ZIP	Marysville, WA 98270	Applicant)	Marysville, WA 98270
Phone (home/office)	360-454-0298		
Phone (cell)	425-622-0146		425-330-3322
E-mail	sell@trnstytrheubram		Chryslercat@yahoo.com
SITE INFORMATION			
Set-up date/time	7am	Dismantling Date/time	6pm
Estimated number of participants	1,000	Hours of operation	10-4pm
Will alcohol be served at event? (if yes please explain)	NO		
Type of activity planned (Describe event)	Car show along 3rd Street from State Ave to Quinn Ave. also music & Activities & food & vendors		
Location to be used (Describe area to be used, attach map/route plan)	See map attached		
Detailed Description of Proposed Activities	Car show on 3rd Street along with other Activities as awards, music, food and entertainment		
Does event involve political or religious activity intended primarily for the communication or expression of ideas?	NO		

Received

MAR 05 2013

City of Marysville
Community Development

City of Marysville - Special Event Permit Application

ACORD™ CERTIFICATE OF LIABILITY INSURANCE DATE (MM/DD/YYYY)
08/06/2012

PRODUCER (425) 252-5197 PETERSHAGEN INSURANCE 1511 WALL STREET EVERETT WA 98201-4007	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED Marysville Downtown Merchant Association c/o Mary Kirkland 220 State Avenue Marysville WA 98270-	INSURERS AFFORDING COVERAGE INSURER A: Liberty Northwest INSURER B: INSURER C: INSURER D: INSURER E:

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	01CI383605	07/01/2012	07/01/2013	EACH OCCURRENCE \$ 100000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100000 MED EXP (Any one person) \$ 10000 PERSONAL & ADV INJURY \$ 100000 GENERAL AGGREGATE \$ 200000 PRODUCTS - COMP/OP AGG \$ 200000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	<div style="color: red; font-size: 2em; font-weight: bold;">Received</div> <div style="color: red; font-size: 1.2em; font-weight: bold;">MAR 06 2013</div> <div style="color: red; font-size: 1em;">City of Marysville Community Development</div>	/ /	/ /	COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		/ /	/ /	AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC AGG \$ AUTO ONLY: AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$		/ /	/ /	EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below		/ /	/ /	<input type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER		/ /	/ /	

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 ADDITIONAL INSURED STATUS APPLIES FOR THE BELOW LISTED CERTIFICATE HOLDER PER ATTACHED POLICY FORM CG7635 (0207) FOR ALL EVENTS PUT ON BY THE ABOVE NAMED INSURED.

CERTIFICATE HOLDER (360) 363-8202 () - CMULLIGAN@MARYSVILLEWA.GOV CITY OF MARYSVILLE 80 COLUMBIA MARYSVILLE WA 98270-	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE
--	--

IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

Chapter 5.46 SPECIAL EVENTS

Sections:

- 5.46.010 Definitions.
- 5.46.020 Special event permit required.
- 5.46.025 Exceptions to special event permit requirement.
- 5.46.030 Permit application.
- 5.46.040 Approval.
- 5.46.050 Fees.
- 5.46.060 Departmental analysis.
- 5.46.070 Insurance required.
- 5.46.080 Denial of permit.
- 5.46.090 Appeal.
- 5.46.100 Sanitation.
- 5.46.110 Revocation of special event permit.
- 5.46.120 Cost recovery for unlawful special event.
- 5.46.130 Expressive activity special event.
- 5.46.140 Penalties for violation.

5.46.010 Definitions.

Terms used in this chapter shall have the following meanings:

- (1) "Demonstration" means a public display of group opinion as by a rally or march, the principal purpose of which is expressive activity.
- (2) "Event organizer" means any person who conducts, manages, promotes, organizes, aids, or solicits attendance at a special event.
- (3) "Event management company" means an entity with expertise in managing special events.
- (4) "Expressive activity" includes conduct for which the sole or principal object is expression, dissemination, or communication by verbal, visual, literary, or auditory means of political or religious opinion, views, or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. For purposes of this chapter, expressive activity does not include sports events, including marathons, fundraising events, or events the principal purpose of which is entertainment.
- (5) "Gross revenues" means the sum of all revenues received by an event organizer for a special event including, but not limited to, cash receipts, licensing, sponsorships, television, advertising and similar revenues, and concessions.
- (6) "March" means an organized walk or event whose principal purpose is expressive activity in service of a public cause.
- (7) "Noncommercial special event" means any special event organized and conducted by a person or entity that qualifies as a tax-exempt nonprofit organization, or a special event whose principal purpose is expressive activity.
- (8) "Rally" means a gathering whose principal purpose is expressive activity, especially one intended to inspire enthusiasm for a cause.
- (9) "Sidewalk" means that portion of a right-of-way, other than the roadway, set apart by curbs, barriers, markings, or other delineation for pedestrian travel.
- (10) "Sign" means any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.

(11) "Special event" means any fair, show, parade, run/walk, festival, or other publicly attended entertainment or celebration which is to be held in whole or in part upon publicly owned property or public rights-of-way, or if held wholly upon private property, will nevertheless affect or impact the ordinary and normal use by the general public or public rights-of-way within the vicinity of such event.

(12) "Special event permit" means a permit issued under this chapter.

(13) "Special permit venue" means that area for which a special event permit has been issued.

(14) "Street" means any place that is publicly maintained and open to use of the public for purposes of vehicular traffic, including highways.

(15) "Tax-exempt nonprofit organization" means an organization that is exempted from payment of income taxes by federal or state law and has been in existence for a minimum of six months preceding the date of application for a special event permit.

(16) "Vendor" means any person who sells or offers to sell any goods, food, or beverages within a special event venue. (Ord. 2901 § 1, 2012).

5.46.020 Special event permit required.

Except as provided elsewhere in this chapter, any person or entity who conducts, promotes, or manages a special event shall first obtain a special event permit from the city of Marysville. (Ord. 2901 § 1, 2012).

5.46.025 Exceptions to special event permit requirement.

(1) Although not required to be issued a special event permit, an event organizer of an activity exempted from this chapter is required to comply with all local, state and federal laws and regulations governing public safety or health.

(2) The following activities are exempt from obtaining a special event permit:

(a) Parades, athletic events or other special events that occur exclusively on city property and are sponsored or conducted in full by the city of Marysville. An internal review process will be conducted for these events;

(b) Private events held entirely on private property that do not involve the use of or have an impact on public property or facilities and that do not require the provision of city public safety services;

(c) Funeral and wedding processions on private properties;

(d) Groups required by law to be so assembled;

(e) Gatherings of 100 or fewer people in a city park, unless merchandise or services are offered for sale or trade to the public, in which case a special event permit is required;

(f) Temporary sales conducted by businesses, such as holiday sales, grand opening sales, anniversary sales, or single event (one day only) concession stands;

(g) Garage sales, rummage sales, lemonade stands, and car washes;

(h) Activities conducted by a governmental agency acting within the scope of its authority;

(i) Lawful picketing on sidewalks;

(j) Block parties located entirely on private property when not requesting a street closure, and not inviting others from outside the neighborhood;

(k) Annual Strawberry Festival which is governed by Chapter 5.48 MMC; and

(l) Other similar events and activities which do not directly affect or use city services or property. (Ord. 2901 § 1, 2012).

5.46.030 Permit application.

(1) An application for a special event permit can be obtained at the office of the community development director and will be completed and submitted to the community development director and/or designee no later than 60 days prior to the proposed event. A completed application does not constitute approval of the permit.

(2) A waiver of application deadline shall be granted upon a showing of good cause or at the discretion of the community development director and/or designee. The community development director and/or designee shall consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police and other city services for the event. Good cause can be demonstrated by the applicant showing that the circumstances that gave rise to the permit application did not reasonably allow the participants to file within the time prescribed, and that the event is for the purpose of expressive activity.

(3) The following information shall be provided on the special event permit application:

(a) The name, address, fax, cell, day of event contact number, email address, and office telephone number of the applicant;

(b) A certification that the applicant will be financially responsible for any city fees or costs that may be imposed for the special event;

(c) The name, address, fax, cell, email address and telephone number of the event organizer, if any, and the chief officer of the event organizer, if any;

(d) A list of emergency contacts that will be in effect during the event, and the event web address, if any; and

(e) If the special event is designed to be held by, on behalf of, or for any organization other than the applicant, the applicant for special event permit shall file a signed, written communication from such organization:

(i) Authorizing the applicant to apply for the special event permit on its behalf;

(ii) Certifying that the applicant will be financially responsible for any costs or fees that may be imposed for the special event; and

(iii) Attached to which shall be a copy of the tax exemption letter issued for any applicant claiming to be a tax-exempt nonprofit organization;

(f) All permit applications shall include:

(i) A statement of the purpose of the special event;

(ii) A statement of fees to be charged for the special event, including admissions tax documentation;

(iii) The proposed location of the special event;

(iv) Dates and times when the special event is to be conducted;

(v) The approximate times when assembly for, and disbanding of, the special event is to take place;

(vi) The proposed locations of the assembly or production area;

(vii) The specific proposed site or route, including a map and written narrative of the route;

(viii) The proposed site of any reviewing stands and/or vending areas;

(ix) The proposed site for any disbanding area;

(x) Proposed alternative routes, sites or times, where applicable;

(xi) The approximate number of persons, animals, and vehicles that will constitute the special event;

- (xii) The kinds of animals anticipated to be part of the special event;
- (xiii) A description of the types of vehicles to be used in the special event;
- (xiv) The number of bands or other musical units and the nature of any equipment to be used to produce sounds or noise;
- (xv) The number and location of potable sanitation facilities;
- (xvi) Other equipment or services necessary to conduct the special event with due regard for participant and public health and safety;
- (xvii) The number of persons proposed or required to monitor or facilitate the special event and provide spectator or participant control and direction for special events using city streets, sidewalks, or facilities, including use of public or private law enforcement personnel;
- (xviii) Provisions for first aid or emergency medical services, or both, based on special event risk factors;
- (xix) Insurance and surety bond information;
- (xx) Any special or unusual requirements that may be imposed or created by virtue of the proposed special event activity;
- (xxi) The marketing plan with proposed timelines associated with marketing the activity to the general public;
- (xxii) Event timeline documenting activities from event set-up to event tear-down;
- (xxiii) Parking areas;
- (xxiv) Identify city assistance being requested; and
- (xxv) Any other information required by the city. (Ord. 2901 § 1, 2012).

5.46.040 Approval.

Based on the type of event and the event to which city services will be required, approval of special event permit applications will be made by the following authorities:

- (1) Approval by City Staff. Administrative approval for one-day events contained on a single site that could involve special parking arrangements and hiring of police officers for crowd control and traffic control. City staff shall include a representative from the police, planning, public works, parks and recreation, fire, streets, sanitation, and community development director departments.
- (2) Approval by City Council. Multiple-day events (four days maximum) or any event involving street closures or impacts to services city-wide. Events lasting more than four days shall be subject to submittal of additional information as required by city staff.
- (3) The city council will be notified of all special event approvals made by the city staff.
- (4) If permits and/or coordination is required from other agencies, i.e., Community Transit, Department of Transportation, Snohomish Health District, etc., these must be submitted prior to the issuance of the permit. (Ord. 2901 § 1, 2012).

5.46.050 Fees.

There will be a \$100.00 nonrefundable application fee for a special event permit. (Ord. 2901 § 1, 2012).

5.46.060 Departmental analysis.

- (1) The community development director or designee will send copies of special event permit applications to all pertinent city departments and/or outside agencies when deemed necessary for review and determination of services required.

(2) The applicant is required to contract with the Marysville police department and public works department to employ police officers for security and traffic control as determined by the departmental analysis. 46

(3) Cost of city services, i.e., police, public works employees, etc., for special events will be estimated prior to the event. Additional costs incurred will be evaluated following the completion of the event. The city may in its discretion require a cash deposit for such costs. (Ord. 2901 § 1, 2012).

5.46.070 Insurance required.

Except as otherwise provided in this chapter, the applicant is required to obtain and present evidence of comprehensive liability insurance naming the city of Marysville, its officials, officers, employees and agents as additional insured for use of streets, public rights-of-way and publicly owned property such as parks. The insurance policy shall be written on an occurrence basis and shall provide a minimum coverage of \$1,000,000 for individual incidents, \$2,000,000 aggregate, per event, against all claims arising from permits issued pursuant to this chapter. The insurance policy period shall be for a period not less than 24 hours prior to the event and extending for a period of not less than 24 hours following completion of the event. In circumstances presenting a significantly high risk of liability the city may, in its discretion, increase the minimum insurance requirements, and in circumstances presenting a significantly low risk of liability, the city may in its discretion reduce the minimum insurance requirements. (Ord. 2901 § 1, 2012).

5.46.080 Denial of permit.

Reasons for denial of a special event permit include, but are not limited to:

- (1) The event will disrupt traffic within the city of Marysville beyond practical solution;
- (2) The event will protrude into the public space open to vehicle or pedestrian travel in such a manner as to create a likelihood of endangering the public;
- (3) The event will interfere with access to emergency services;
- (4) The location or time of the special event will cause undue hardship or excessive noise levels to adjacent businesses or residents;
- (5) The event will require the diversion of so many city employees that it would unreasonably affect other city services;
- (6) The application contains incomplete or false information;
- (7) The applicant fails to provide proof of insurance;
- (8) The applicant fails to obtain a city business license and/or fails to pay the special event permit fee and/or the applicant has failed to pay all fees due from previous special events;
- (9) The applicant failed to provide proof of sufficient monitors for crowd control and safety at least one week prior to the event;
- (10) The applicant has failed to provide proof of sufficient on- or off-site parking or shuttle services, or both, when required, to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the special event;
- (11) The applicant has failed to conduct a previously authorized or exempted special event in accordance with law and/or the terms of a permit;
- (12) The special event application conflicts with permits issued on same date and location creating hardship or financial burden to already permitted events;
- (13) The applicant does not meet current zoning requirements;
- (14) The applicant fails to obtain local, county, state and federal permits as required;
- (15) The city reasonably determines that the proposed special event conflicts with an already approved special event scheduled for same date(s). (Ord. 2901 § 1, 2012).

5.46.090 Appeal.

The applicant has the right to appeal any denial or revocation of a special events permit to the city council. ~~An~~ appeal shall be made in writing, shall specify the grounds of the appeal, shall have supporting documentation attached, and it shall be filed with the community development director within seven calendar days of the date of the written denial or revocation. (Ord. 2901 § 1, 2012).

5.46.100 Sanitation.

(1) A special event permit may be issued only after adequate waste disposal facilities have been identified and obtained by the applicant. The permittee is required to clean all permitted public and private properties and the right-of-way of rubbish and debris, returning it to its pre-event condition. If the permittee fails to clean up such refuse, the cleanup will be arranged by the city and the costs charged to the permittee.

(2) A special event permit may be issued only after adequate restroom and washroom facilities have been identified and arranged for or obtained by the applicant subject to the Snohomish Health District's review and certification process. (Ord. 2901 § 1, 2012).

5.46.110 Revocation of special event permit.

(1) Any special event permit issued pursuant to this chapter is subject to revocation, pursuant to this section.

(2) A special event permit may be revoked if the city determines:

(a) That the special event cannot be conducted without violating the provisions of this chapter and/or conditions for the special event permit issuance;

(b) The special event is being conducted in violation of the provisions of this chapter and/or any condition of the special event permit;

(c) The special event poses a threat to health or safety;

(d) The event organizer or any person associated with the special event has failed to obtain any other permit required pursuant to the provisions of this chapter;

(e) The special event permit was issued in error or contrary to law;

(f) The applicant has not paid all fees when due; or

(g) The applicant has failed to provide confirmation or proof that it has obtained the minimum number of required volunteers to perform safety functions.

(3) Except as provided in this section, notices of revocation shall be in writing and specifically set forth the reasons for the revocation.

(4) If there is an emergency requiring immediate revocation of a special event permit, the city may notify the permit holder verbally of the revocation. (Ord. 2901 § 1, 2012).

5.46.120 Cost recovery for unlawful special event.

Whenever a special event is conducted without a special event permit when one is required or is conducted in violation of the terms of an issued special event permit, the event organizer shall be responsible for, and the city shall charge the event organizer for, all costs incurred as a result of the adverse impacts of the special event or the violation of the special event permit. (Ord. 2901 § 1, 2012).

5.46.130 Expressive activity special event.

When a special event permit is sought for an expressive activity such as a demonstration, rally, or march as defined in this chapter, the following exceptions shall apply:

(1) Where the special event will not require temporary street closures, cost recovery pursuant to MMC 5.46.050 shall be limited solely to a fee based on the cost of processing the permit application.

(2) The insurance requirement of MMC 5.46.070 shall be waived; provided, that the event organizer has filed with the application a verified statement that he or she intends the special event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable

burden on the right of First Amendment expression. The verified statement shall include the name and address of one insurance broker or other source for insurance coverage contacted to determine premium rates for ⁴⁸ coverage.

(3) Where the special event will require temporary street closures and any one or more of the conditions of subsection (4) of this section are present requiring the city to provide services in the interest of public health, safety, and welfare, the special event coordinator may condition the issuance of the special event permit upon payment of actual, direct costs incurred by the city to a maximum of \$500.00. Any fee schedule adopted by the city shall contain a provision for waiver of, or a sliding scale for payment of, fees for city services, including police costs, on the basis of ability to pay.

(4) The city may deny a special event permit for a demonstration, rally or march if:

(a) The special event will substantially interrupt public transportation or other vehicular and pedestrian traffic in the area of its route;

(b) The special event will cause an irresolvable conflict with construction or development in the public right-of-way or at a public facility;

(c) The special event will block traffic lanes or close streets during peak commuter hours on weekdays between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. on streets designated as arterials by the city's public works department.

(d) The special event will require the diversion of police employees from their normal duties;

(e) The concentration of persons, animals, or vehicles will unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets;

(f) The special event will substantially interfere with another special event for which a permit has already been granted or with the provision of city services in support of other scheduled special events; or

(g) The special event will have significant adverse impact upon residential or business access and traffic circulation in the same general venue.

(5) With regard to the permitting of expressive activity special events where the provisions of this section conflict with the provisions in any other section of this chapter, the provisions of this section shall prevail. (Ord. 2901 § 1, 2012).

5.46.140 Penalties for violation.

(1) Violations of, or failure to comply with, any provision of this chapter shall constitute a civil infraction and any person found to have violated any provision of this chapter is punishable by a monetary penalty of not more than \$250.00 for each such violation. Each day that a violation continues shall constitute a new and separate infraction.

(2) The imposition of a penalty for violation of this chapter shall be in addition to any other penalties provided for in any other ordinances of the city or any other ordinances or laws applicable to the violation.

(3) Any permit fee or penalty which is delinquent or unpaid shall constitute a debt to the city and may be collected by a court proceeding in the same manner as any other debt in like amount, which remedy shall be in addition to all other existing remedies. (Ord. 2901 § 1, 2012).

The Marysville Municipal Code is current through Ordinance 2923, passed April 8, 2013.

Disclaimer: The City Clerk's Office has the official version of the Marysville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.marysvillewa.gov/>
(<http://www.marysvillewa.gov/>)
City Telephone: (360) 363-8000
Code Publishing Company
(<http://www.codepublishing.com/>)
eLibrary
(<http://www.codepublishing.com/elibrary.html>)

Index #12

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/10/2013

AGENDA ITEM: Approval of Fireworks Stand Permit	
PREPARED BY: Carol Mulilgan, Program Specialist DEPARTMENT: Community Development	DIRECTOR APPROVAL:
ATTACHMENTS: 1. Copy of Retail Firestand Stand Permit Application. 2. Copy of Washington State Fireworks License. 3. Copy of the Certificate of Insurance Naming the City as Co-insured. 4. Copy of Site Plan. 5. MMC 9.20.	
BUDGET CODE:	AMOUNT:

SUMMARY:

On February 27, 2012, City Council approved Ordinance #2890 which removed the limit on the number of fireworks stands that can be permitted. The City has received eight Fireworks Stand Permit Applications from TNT Fireworks for the following locations:

<u>Applicant</u>	<u>Location</u>
Calvary Chapel	9315 State Avenue (Goodwill/State Street Center)
Kiwanis Club of Marysville	1052 State Avenue (Gold's Gym)
Kiwanis Club of Marysville	3711 – 88 th Street NE (Haggens)
Kiwanis Club of Marysville	6610 - 64th Street NE (Allen Creek Shopping Center)
Mountain View Assembly of God	9925 State Avenue (Fred Meyer)
Susan G. Komen for the Cure	1258 State Avenue (Safeway Plaza)
Susan G. Komen for the Cure	3733 – 116 th Street NE (Rite Aid #6503)
Washington Rush Soccer	1631 – 4 th Street (Vacant Pad Next to Espresso Stand)

A ninth permit application was received from Western Fireworks on behalf of local sponsor Kimi Gardner of Marysville for the location of 301 Marysville Mall (Albertson's South).

All applicants meet requirements specified in MMC 9.20. Stand operators are provided with an information sheet on City regulations. These are laminated and to be displayed at each stand. They are also provided with copies for distribution to customers.

The Marysville Fire District inspects each stand and the Fire District distributes permits upon determining a satisfactory inspection.

Staff annually monitors parking at stand locations. There continues to be no apparent problems at the proposed locations.

RECOMMENDED ACTION:

Staff recommends that the City Council approve the eight firework stand permit applications submitted by TNT Fireworks and approve the one firework stand permit application submitted by Western Fireworks.

COUNCIL ACTION:

**APPLICATION
FOR RETAIL FIREWORKS STAND PERMIT**

WWT24

TO: Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION: May 29, 2013
Applicant Name: CALVARY CHAPEL	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421
Sponsor (If other than applicant): SUZANNE SCHALO	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421
Location of proposed fireworks stand: [Enclose drawing of stand location] STATE STREET CENTER 9315 STATE STREET	
Manner and place of storage prior, during, and after sales dates: ON SITE WITH SECURITY	
State Licensed Fireworks Supplier: American Promotional Events NW 2120 Milwaukee Way, Tacoma, WA 98421	

FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2013

(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4th

Sales For December 31st

From: _____ From: _____

To: _____ To: _____

Sponsor: CALVARY CHAPEL

Location: STATE STREET CENTER - 9315 STATE STREET - MARYSVILLE

/s/ _____ /s/ Gina Girak FOR SUZANNE SCHALO
Signature of Official Granting Permit Signature of Applicant

Title: _____ Agency: _____

Date: _____ Permit Number: _____

Licensee Name: CALVARY CHAPEL License Number: 00803

Fireworks Stand License

License is Non-Transferable and Valid for Only One Stand

Washington State Fireworks License

Licensee Information

Calvery Chapel
2120 Milwaukee Way
Tacoma, WA 98421

License Number: WSPFL-00803


State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Suzzane Schalo
Phone Number: (425) 931-1245
County: Snohomish
Stand Number: SN-07266

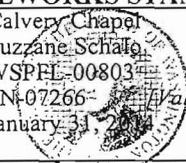
Date of Expiration
January 31, 2014

Date of Issue
January 2, 2013

Washington State Patrol 14304
Fire Protection Bureau
Office Of The State Fire Marshal

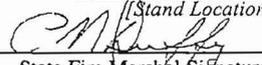
ANNUAL FIREWORKS STAND LICENSE

Licensee: Calvery Chapel
Contact Person: Suzzane Schalo
License Number: WSPFL-00803
Stand Number: SN-07266
Date of Expiration: January 31, 2014
Location: _____
[Valid For One Stand]



Stand Location: _____
[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)


State Fire Marshal Signature

Licensee Signature



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/1/2013 5/29/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies, LLC 3280 Peachtree Road NE, Suite 800 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____ PHONE (A/C, No, Ext): _____ FAX (A/C, No): _____ E-MAIL ADDRESS: _____	
	INSURER(S) AFFORDING COVERAGE	
INSURED 1359629 American Promotional Events, Inc. DBA TNT Fireworks, Inc. P.O. Box 1318 4511 Helton Drive Florence AL 35630	INSURER A: Scottsdale Insurance Company NAIC # 41297	
	INSURER B: _____	
	INSURER C: _____	
	INSURER D: _____	
	INSURER E: _____	
	INSURER F: _____	

COVERAGES **CERTIFICATE NUMBER:** 12371225 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	N	N	CPS1612503	11/1/2012	11/1/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	NOT APPLICABLE			WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

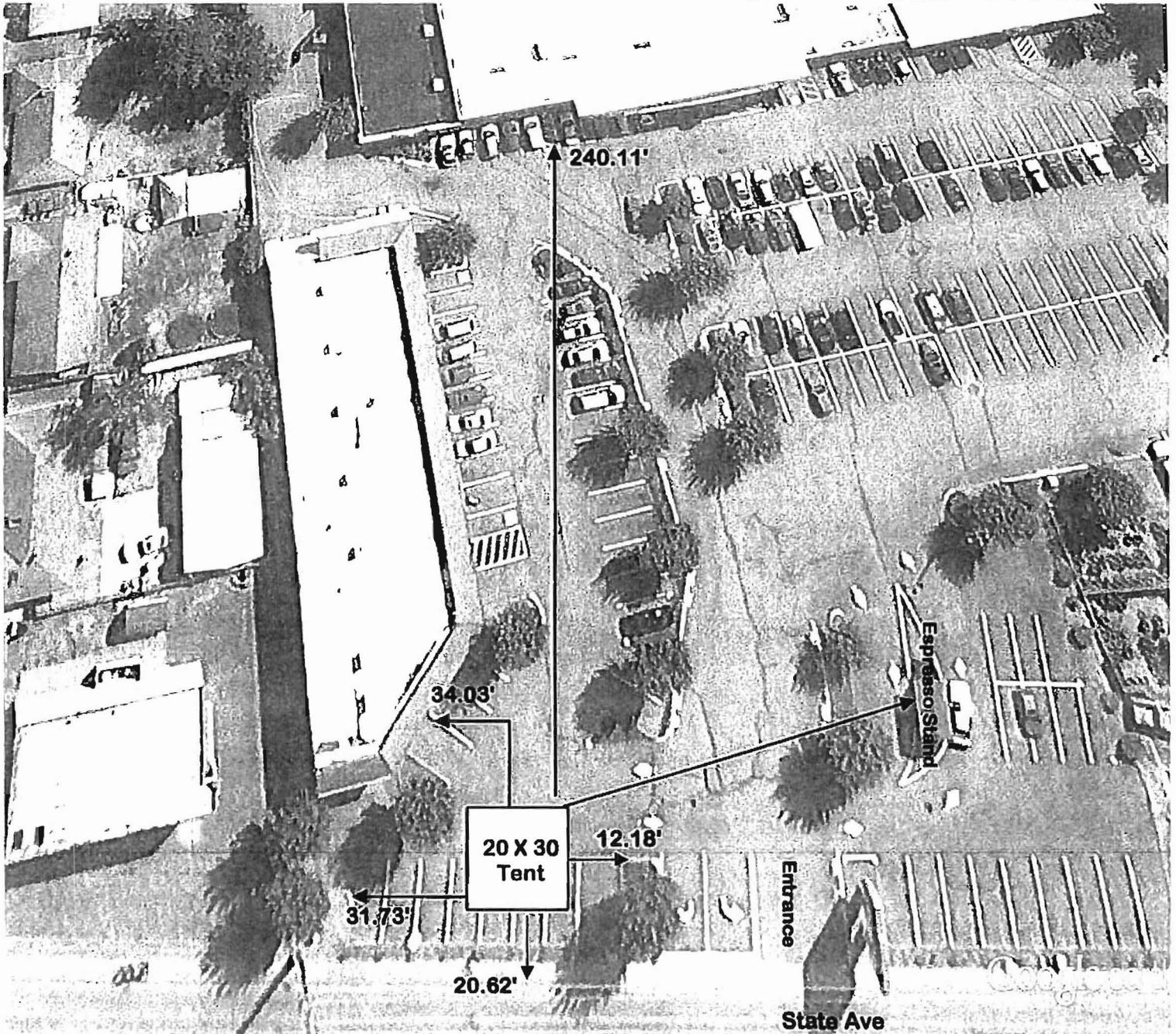
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Property located at 9315 State Street, Marysville, WA Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER 12371225 City of Marysville Calvery Chapel State Street Center 1049 Sate Ave #201 Marysville WA 98270	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

SITE DIAGRAM

Date Drawn: May 28, 2013
Ordinance Of: City of Marysville
Address: 9315 State Street
Store/Center/Lot: State Street Center
City & State: Marysville WA 98270
Parcel No: _____
Tent Faces The Direction Of: State Street
Tent Size: 20 X 30

Loc No: WWT24



APPLICATION FOR RETAIL FIREWORKS STAND PERMIT

WWH2455

TO: Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION:	JAN.02, 2013
Applicant Name: KIWANIS CLUB OF MARYSVILLE	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
Sponsor (If other than applicant): RAY HARDING	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
Location of proposed fireworks stand: [Enclose drawing of stand location] 1052 STATE ST MARYSVILLE, WA GOLD'S GYM		
Manner and place of storage prior, during, and after sales dates: ON SITE WITH SECURITY		
State Licensed Fireworks Supplier: American Promotional Events NW 2120 Milwaukee Way, Tacoma, WA 98421		

FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2013
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4th

Sales For December 31st

From: _____ From: _____

To: _____ To: _____

Sponsor: MARYSVILLE KIWANIS

Location: GOLD'S GYM 1052 STATE ST MARYSVILLE, WA

/s/ _____ /s/ Brenda Bennett FOR RAY HARDING
Signature of Official Granting Permit Signature of Applicant

Title: _____ Agency: _____

Date: _____ Permit Number: _____

Licensee Name: MARYSVILLE KIWANIS License Number: 4307

Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

WWH2495

14307

Washington State Fireworks License

Fireworks Stand License

License is Non-Transferable and Valid for Only One Stand

Licensee Information

Marysville Kiwanis
2120 Milwaukee Way
Tacoma, WA 98421

License Number: WSPFL-00673



State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Ray Harding
Phone Number: (360) 659-2497
County: Snohomish
Stand Number: SN-07269

Date of Expiration
January 31, 2014

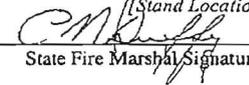
Date of Issue
January 2, 2013

Washington State Patrol 14307
Fire Protection Bureau
Office Of The State Fire Marshal

ANNUAL FIREWORKS STAND LICENSE

Licensee: Marysville Kiwanis
Contact Person: Ray Harding
License Number: WSPFL-00673
Stand Number: SN-07269- [Valid For One Stand]
Date of Expiration: January 31, 2014
Location: _____

[Stand Location To Be Completed By Licensee]



State Fire Marshal Signature

Licensee Signature

Stand Location: _____
[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)



CERTIFICATE OF LIABILITY INSURANCE

11/1/2013

DATE (MM/DD/YYYY)

12/27/2012

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PRODUCER Lockton Companies, LLC 3280 Peachtree Road NE, Suite 800 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____	
	PHONE (A/C, No. Ext): _____	FAX (A/C, No): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Scottsdale Insurance Company		41297
INSURER B: _____		
INSURER C: _____		
INSURER D: _____		
INSURER E: _____		
INSURER F: _____		

INSURED
 1359629 American Promotional Events, Inc.
 DBA TNT Fireworks, Inc.
 P.O. Box 1318
 4511 Helton Drive
 Florence AL 35630

COVERAGES **CERTIFICATE NUMBER:** 12122776 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC	Y	N	CPS1612503	11/1/2012	11/1/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below.		Y/N	NOT APPLICABLE			WC STATUTORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

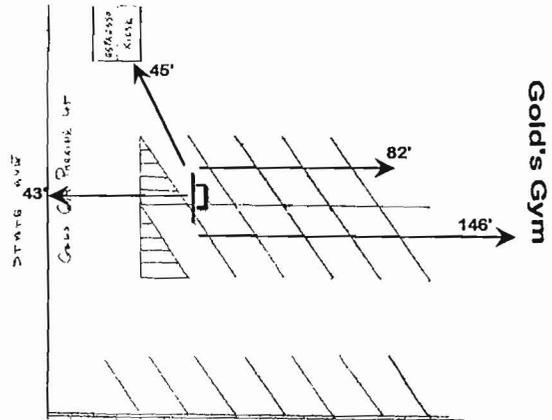
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured: Property located at Gold's Gym located at 1052 State St in Marysville, WA 98270 (Loc # WWH2455). Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER 12122776 Kiwanis Club of Marysville Gold's Gym City of Marysville 1049 State Ave #201 Marysville WA 98270	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

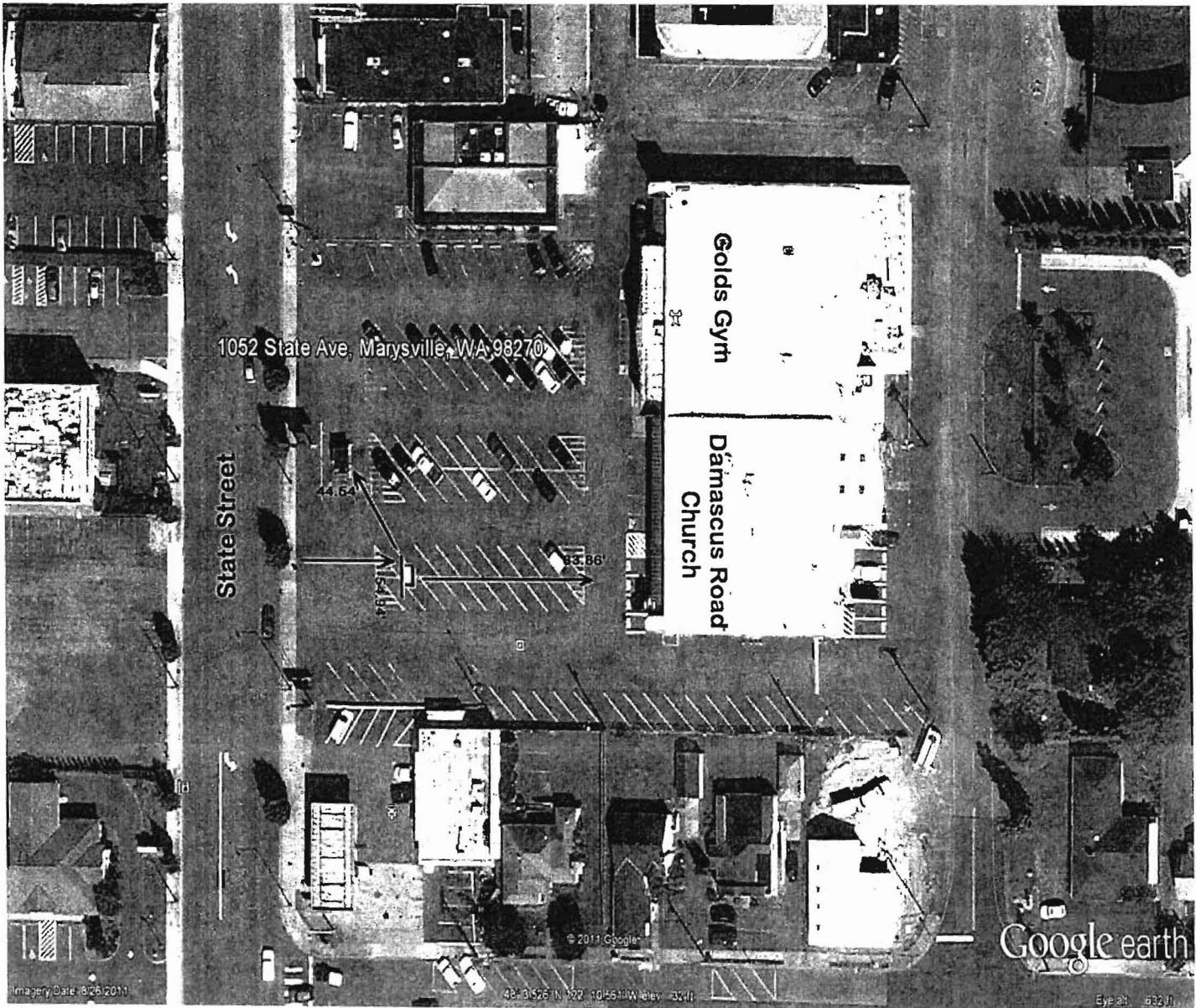
SITE DIAGRAM

Date Drawn: October 31, 2011
 Ordinance of: City of Marysville
 Address: 1052 State Street
 Store/Center: Gold's Gym
 City & State: Marysville, Washington
 Stand Faces Direction of: Facing State St
 Stand Size: 24'
 Parcel No: _____

Loc No: WWH-2455



North



APPLICATION
FOR RETAIL FIREWORKS STAND PERMIT

WWH2457

TO: Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION: JAN.02, 2013
Applicant Name: MARYSVILLE KIWANIS	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421
Sponsor (If other than applicant): RAY HARDING	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421
Location of proposed fireworks stand: [Enclose drawing of stand location] 3711 88 TH ST NE MARYSVILLE, WA HAGGENS	
Manner and place of storage prior, during, and after sales dates: ON SITE WITH SECURITY	
State Licensed Fireworks Supplier: American Promotional Events NW 2120 Milwaukee Way, Tacoma, WA 98421	

FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2013
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4th

Sales For December 31st

From: _____ From: _____

To: _____ To: _____

Sponsor: MARYSVILLE KIWANIS

Location: HAGGENS 3711 88TH ST NE MARYSVILLE, WA

/s/ _____ /s/ Brenda Merritt FOR RAY HARDING
Signature of Official Granting Permit Signature of Applicant

Title: _____ Agency: _____

Date: _____ Permit Number: _____

Licensee Name: MARYSVILLE KIWANIS License Number: 14295

Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

WWA2457

14295

Washington State Fireworks License

Fireworks Stand License

License is Non-Transferable and Valid for Only One Stand

Licensee Information

Marysville Kiwanis
2120 Milwaukee Way
Tacoma, WA 98421

License Number: WSPFL-00673

State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Ray Harding
Phone Number: (360) 659-2497
County: Snohomish
Stand Number: SN-07257

Date of Expiration Date of Issue
January 31, 2014 January 2, 2013

Washington State Patrol 14295
Fire Protection Bureau
Office Of The State Fire Marshal

ANNUAL FIREWORKS STAND LICENSE

Licensee: Marysville Kiwanis
Contact Person: Ray Harding
License Number: WSPFL-00673
Stand Number: SN-07257
Date of Expiration: January 31, 2014
Location: _____

State Fire Marshal Signature Licensee Signature

Stand Location: _____
[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)



CERTIFICATE OF LIABILITY INSURANCE

11/1/2013

DATE (MM/DD/YYYY)

12/28/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies, LLC 3280 Peachtree Road NE, Suite 800 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____	
	PHONE (A/C, No, Ext): _____	FAX (A/C, No): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Scottsdale Insurance Company		41297
INSURER B: _____		
INSURER C: _____		
INSURER D: _____		
INSURER E: _____		
INSURER F: _____		

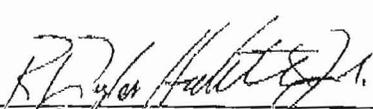
INSURED
 1359629 American Promotional Events, Inc.
 DBA TNT Fireworks, Inc.
 P.O. Box 1318
 4511 Helton Drive
 Florence AL 35630

COVERAGES **CERTIFICATE NUMBER:** 12123485 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	N	CPS1612503	11/1/2012	11/1/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

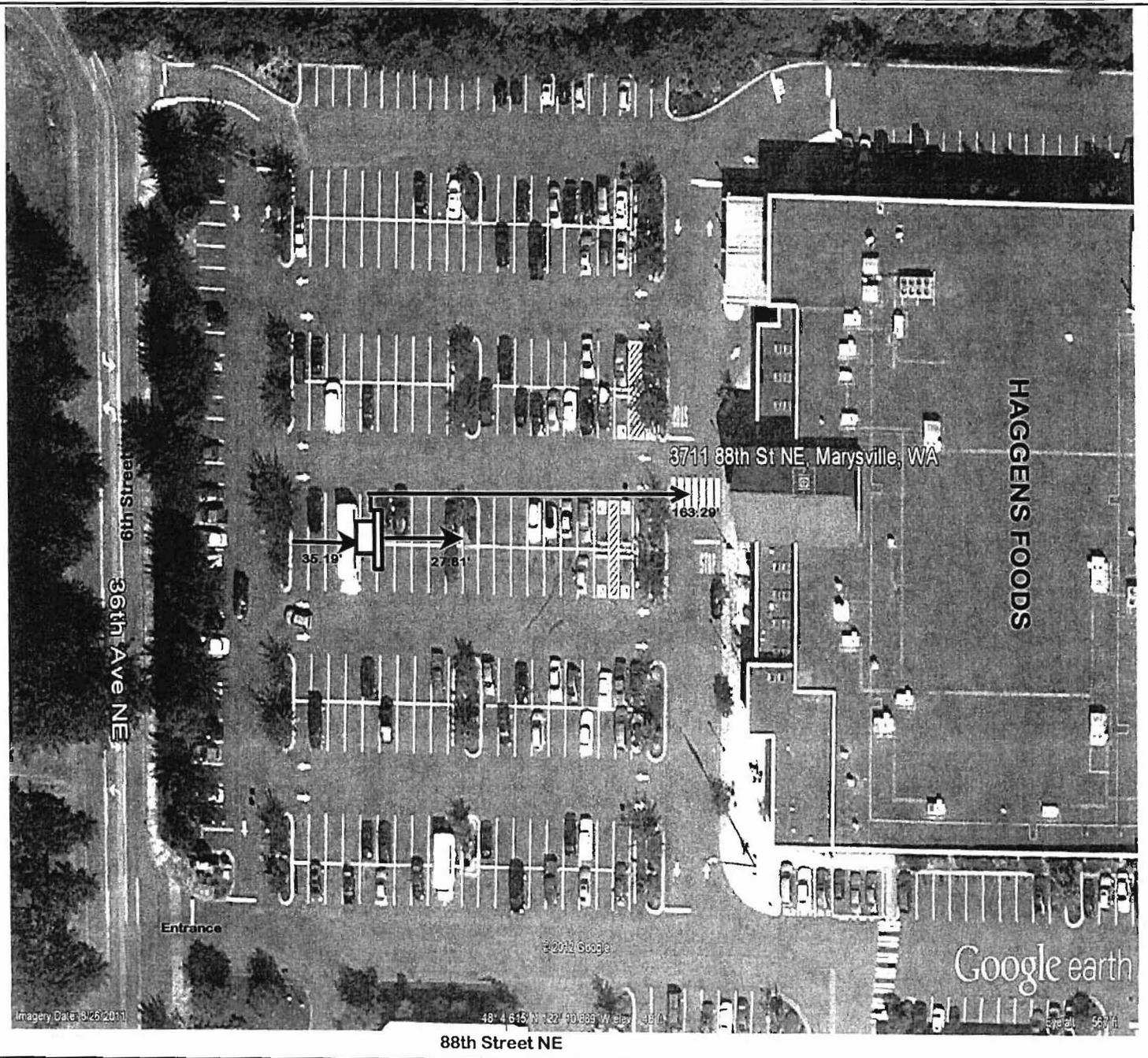
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured: Property located at Haggens at 3711 - 88th Street NE in Marysville, WA (Loc # WWH2457). Marysville Kiwanis Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER 12123485 City of Marysville Marysville Kiwanis Haggens 1049 State Avenue # 201 Marysville WA 98270	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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SITE DIAGRAM

Date Drawn: December 27, 2012
 Ordinance of: City of Marysville
 Address: 3711 - 88th Ave NE
 Store/Center: Haggens Foods
 City & State: Marysville Washington
 Cross Streets: 6th St & 88th St. NE
 Parcel No: _____
 Tent/Stand Faces Direction of: Towards Haggens
 Tent /Stand Size: 24'

Loc No: **WWH-2457**



Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

WWT 2452

14297

Washington State Fireworks License

Fireworks Stand License

License is Non-Transferable and Valid for Only One Stand

Licensee Information

Marysville Kiwanis
2120 Milwaukee Way
Tacoma, WA 98421

License Number: WSPFL-00673



State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Ray Harding
Phone Number: (360) 659-2497
County: Snohomish
Stand Number: SN-07259

Date of Expiration
January 31, 2014

Date of Issue
January 2, 2013

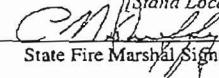
Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

14297

ANNUAL FIREWORKS STAND LICENSE

Licensee: Marysville Kiwanis
Contact Person: Ray Harding
License Number: WSPFL-00673
Stand Number: SN-07259
Date of Expiration: January 31, 2014
Location: _____

[Stand Location To Be Completed By Licensee]



State Fire Marshal Signature

Licensee Signature

Stand Location: _____
[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)



CERTIFICATE OF LIABILITY INSURANCE

11/1/2013

DATE (MM/DD/YYYY)

12/27/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies, LLC 3280 Peachtree Road NE, Suite 800 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: _____	
	PHONE (A/C, No, Ext): _____	FAX (A/C, No): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Scottsdale Insurance Company		41297
INSURER B: _____		
INSURER C: _____		
INSURER D: _____		
INSURER E: _____		
INSURER F: _____		

INSURED
 1359629 American Promotional Events, Inc.
 DBA TNT Fireworks, Inc.
 P.O. Box 1318
 4511 Helton Drive
 Florence AL 35630

COVERAGES **CERTIFICATE NUMBER:** 12123095 **REVISION NUMBER:** XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC	Y	N	CPS1612503	11/1/2012	11/1/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/POP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured: Property located at Allen Creek S/C located at 6610 64th St NE in Marysville, WA (Loc # WWT2452). Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

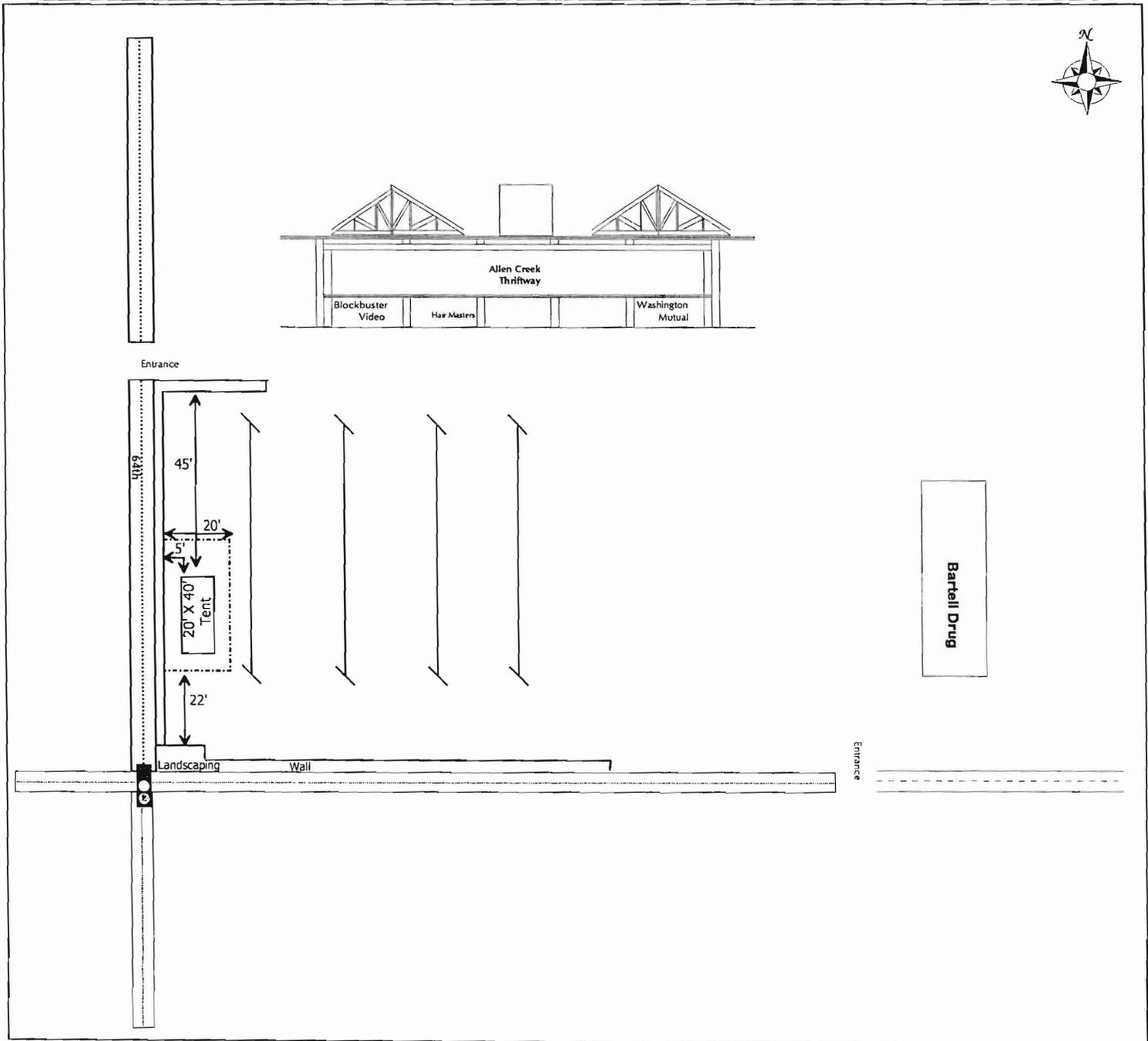
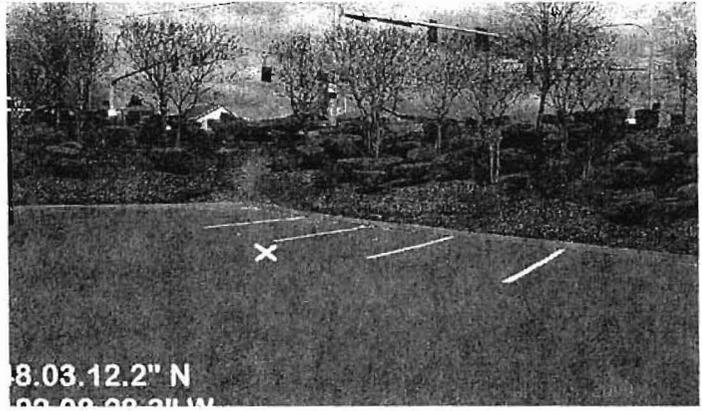
CERTIFICATE HOLDER **CANCELLATION**

12123095 Kiwanis Club of Marysville Allen Creek Shopping Center City of Marysville 1049 State Avenue # 201 Marysville WA 98270	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

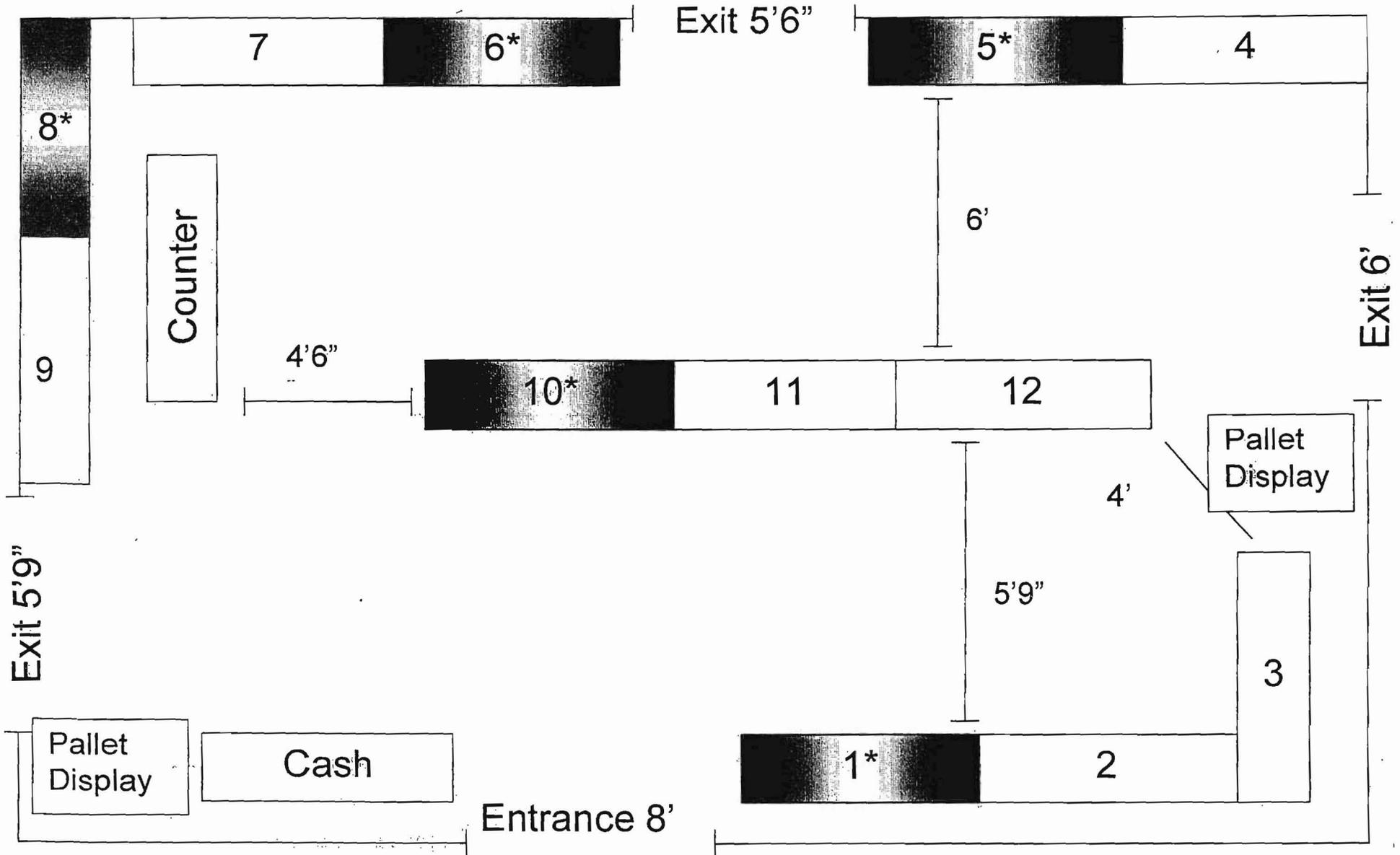
SITE DIAGRAM

Date Drawn: April 28, 2009
 Ordinance of: City of Marysville
 Address: 6610 - 64th St. NE
 Store/Center: Allen Creek S/C
 City & State: Marysville, Washington
 Tent Faces Direction of: Faces Center
 Tent Size: 20 X 40
 Parcel No: 30052700401100

Loc No: WWT-2452



Mad Dog 40 X 20 Tent Layout



4020Tentlayout2K

= 8' Table
 * = 6' Table

Certificate of Flame Resistance



REGISTERED

Fabric No.

F-306.01

ISSUED BY

Meridian Manufacturing
5050 Poplar Ave., Ste. 1432
Memphis, TN 38157

Date 12-20-95
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....
Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric Group I No. M11605

The Flame Retardant Process Used will not Be Removed By Washing
(will or will not)

JINNIE ROBERTSON

Name of Applicator or Production Superintendent

By

Joe Orbach / Sals
Title

CONTROL NO. 14924CUSTOMER ORDER NO. 4227CUSTOMER INVOICE NO. 80222YARDS OR QUANTITY 760 yardsCOLOR redSTYLE Apex II ChromeDATE PROCESSED 1-11-96

Certificate of Flame Resistance



REGISTERED
Fabric No.

F-306.01

ISSUED BY

Meridian Manufacturing
5050 Poplar Ave., Ste. 1432
Memphis, TN 38157

Date 1-10-95
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")



(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....
Method of application.....



(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric..... Group I..... No. M11605

The Flame Retardant Process Used will not Be Removed By Washing
(will or will not)

Jimmie Robertson

Name of Applicator or Production Superintendent

By

Jimmie Robertson / Sales
Title

CONTROL NO. 14824
CUSTOMER ORDER NO. 4227
CUSTOMER INVOICE NO. 80222
YARDS OR QUANTITY 750 yards
COLOR white
STYLE Apex II White Chrome
DATE PROCESSED 1-12-96

APPLICATION FOR RETAIL FIREWORKS STAND PERMIT

WWT2450

TO: Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION:	JAN.02, 2013
Applicant Name: MOUNTAIN VIEW A.O.G.	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
Sponsor (If other than applicant): BRANDON HART	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
Location of proposed fireworks stand: [Enclose drawing of stand location] 9925 STATE AVE MARYSVILLE, WA FRED MEYER		
Manner and place of storage prior, during, and after sales dates: ON SITE WITH SECURITY		
State Licensed Fireworks Supplier: American Promotional Events NW 2120 Milwaukee Way, Tacoma, WA 98421		

FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2013
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4th

Sales For December 31st

From: _____ From: _____

To: _____ To: _____

Sponsor: MOUNTAIN VIEW ASSEMBLY OF GOD

Location: FRED MEYER 9925 STATE AVE MARYSVILLE, WA

/s/ _____ /s/ Brenda Merritt FOR BRANDON HART
Signature of Official Granting Permit Signature of Applicant

Title: _____ Agency: _____

Date: _____ Permit Number: _____

Licensee Name: MOUNTAIN VIEW A.O.G. License Number: 14296

Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

WWT 2450

14296

Fireworks Stand License

License is Non-Transferable and Valid for Only One Stand

Washington State Fireworks License

Licensee Information

Mountain View Assembly of God
2120 Milwaukee Way
Tacoma, WA 98421

License Number: WSPFL-01101



State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Brandon Hart
Phone Number: (425) 691-7464
County: Snohomish
Stand Number: SN-07258

Date of Expiration
January 31, 2014

Date of Issue
January 2, 2013

Washington State Patrol 14296
Fire Protection Bureau
Office Of The State Fire Marshal
ANNUAL FIREWORKS STAND LICENSE
Licensee: Mountain View Assembly of God
Contact Person: Brandon Hart
License Number: WSPFL-01101
Stand Number: SN-07258
Date of Expiration: January 31, 2014
Location: _____

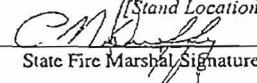
[Valid For One Stand]

[Stand Location To Be Completed By Licensee]

Stand Location: _____

[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)



State Fire Marshal Signature

Licensee Signature



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/1/2013
12/27/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies, LLC 3280 Peachtree Road NE, Suite 800 Atlanta GA 30305 (404) 460-3600	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : Scottsdale Insurance Company		41297
INSURER B :		
INSURER C :		
INSURER D :		
INSURER E :		
INSURER F :		

INSURED
1359629 American Promotional Events, Inc.
DBA TNT Fireworks, Inc.
P.O. Box 1318
4511 Helton Drive
Florence AL 35630

COVERAGES CERTIFICATE NUMBER: 12123088 REVISION NUMBER: XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	N	CPS1612503	11/1/2012	11/1/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			NOT APPLICABLE			WC STATU-TORY LIMITS OTH-ER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured: Property located at Fred Meyer located at 9925 State Ave in Marysville, WA (Loc # WWT2450). Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER

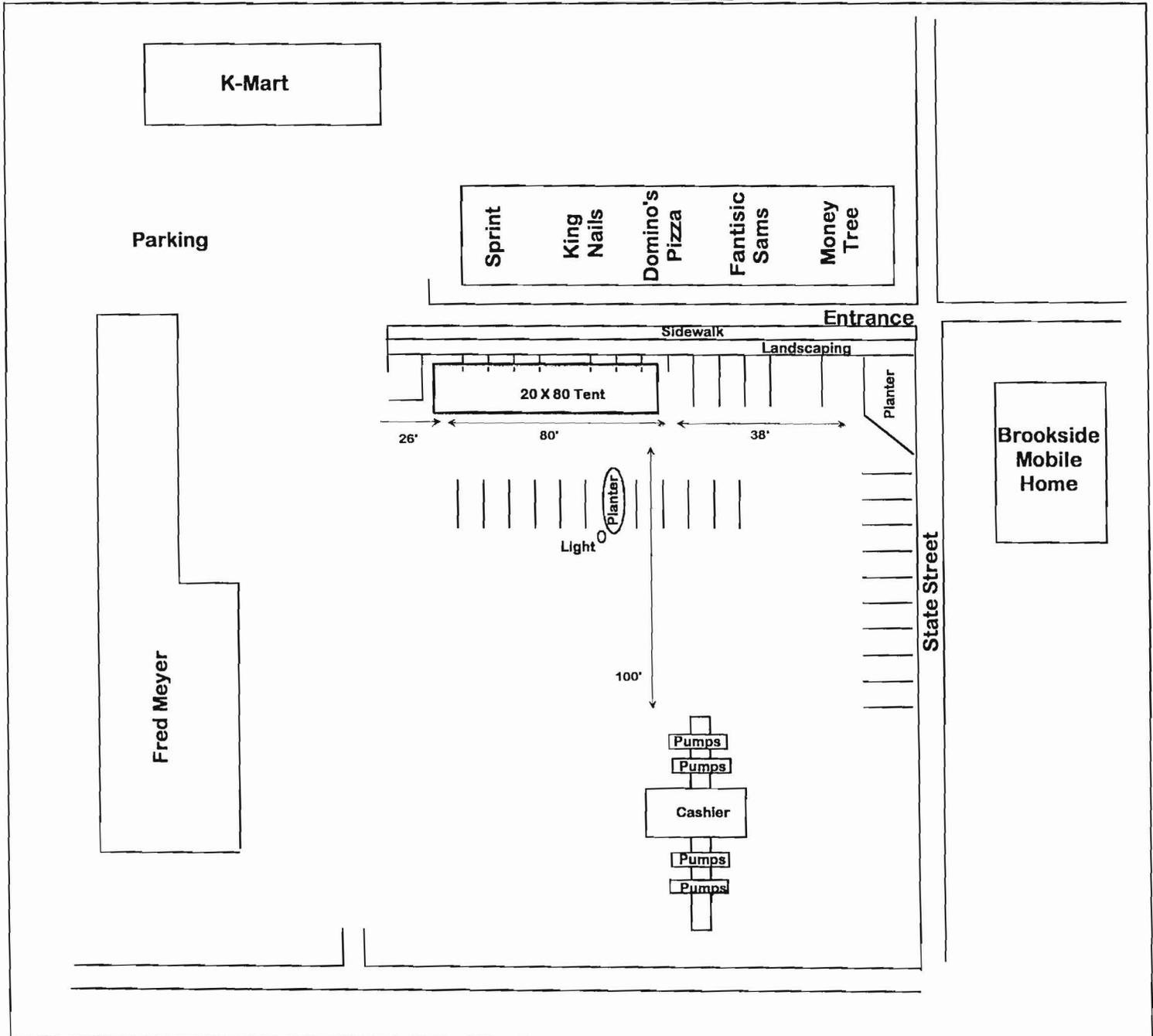
CANCELLATION

12123088 Mountain View Assembly of God Fred Meyer City of Marysville 1049 State Avenue # 201 Marysville WA 98270	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

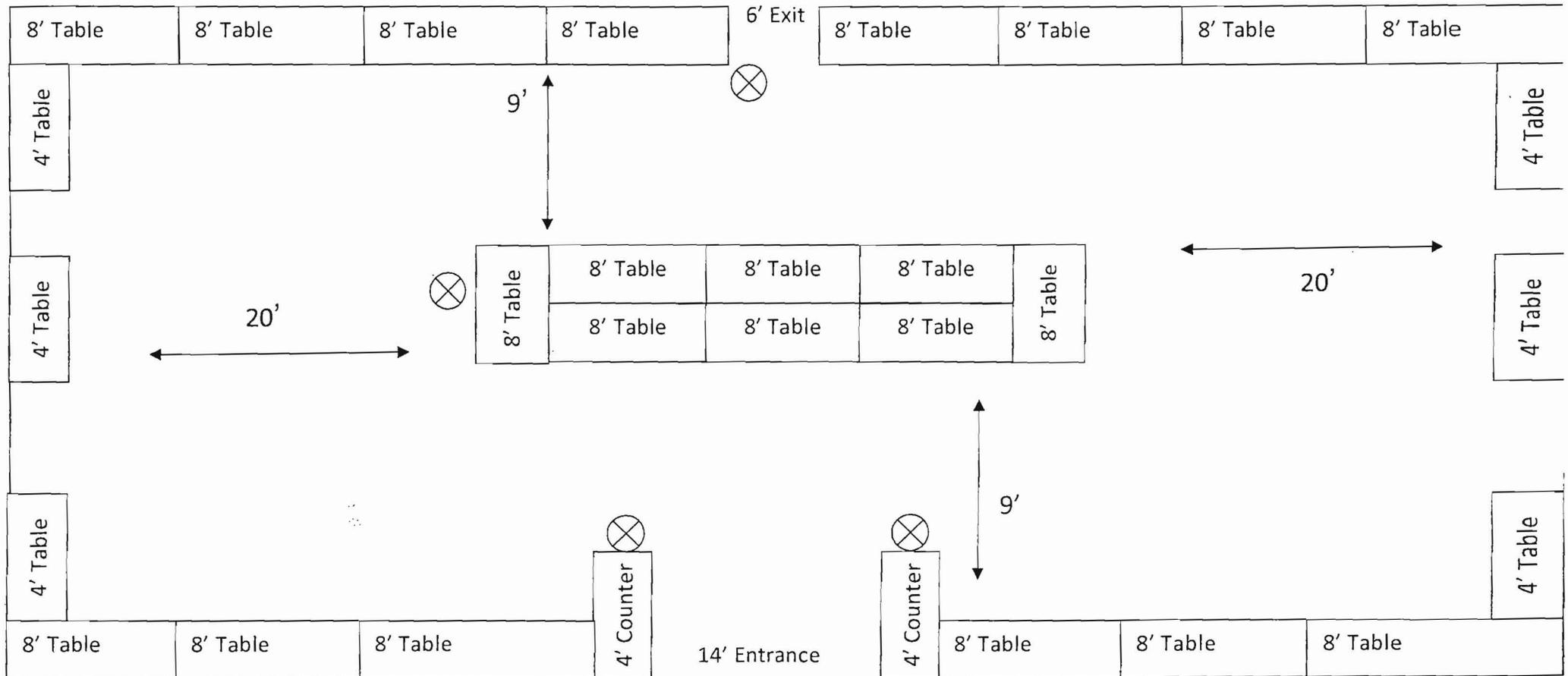
SITE DIAGRAM

Date Drawn: April 28, 2009
Ordinance of: City of Marysville
Address: 9925 Old Hwy 99
Store/Center: Fred Meyer
City & State: Marysville, Washington
Tent Size: 20 X 80
Tent Faces Direction of: North
Parcel No: 30051600402400
NO STAKES

Loc No: WWT-2450



TNT 20 X 80 Tent Layout



⊗ = Fire Extinguisher

Certificate of Flame Resistance



REGISTERED

Fabric No.

F-305.01

ISSUED BY

Meridian Manufacturing
5050 Poplar Ave., Ste. 1432
Memphis, TN 38157

Date 12-20-95
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE
CITY Brooks STATE OR _____

Certification is hereby made that: (Check "a" or "b")



(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....

Method of application.....



(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric Group I No. M11605

The Flame Retardant Process Used will not Be Removed By Washing
(will or will not)

JINNIE ROBERTSON

Name of Applicator or Production Superintendent

By

Joe DeBorja / Sals
Title

CONTROL NO. 14924

CUSTOMER ORDER NO. 4227

CUSTOMER INVOICE NO. 80222

YARDS OR QUANTITY 760 yards

COLOR red

STYLE Apex II Chrome

DATE PROCESSED 1-11-96

Certificate of Flame Resistance



REGISTERED
Fabric No.
F-306.01

ISSUED BY

Meridian Manufacturing
5050 Poplar Ave., Ste. 1432
Memphis, TN 38157

Date 11-10-95
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.
Name of chemical used.....Chem. Reg. No.....
Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.
Trade name of flame-resistant fabric Group I No. M11605

The Flame Retardant Process Used will not Be Removed By Washing
(will or will not)

Jimmie Robertson
Name of Applicator or Production Superintendent

By Jimmie Robertson / Sales
Title

CONTROL NO. 14824
CUSTOMER ORDER NO. 4227
CUSTOMER INVOICE NO. 80222
YARDS OR QUANTITY 750 yards
COLOR white
STYLE Apex II White Chrome
DATE PROCESSED 1-12-96

APPLICATION
FOR RETAIL FIREWORKS STAND PERMIT

WWH2451

TO: Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION:	APR 04, 2013
Applicant Name: SUSAN G KOMEN FOR THE CURE #2	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
Sponsor (If other than applicant): DEANNA HATHAWAY	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421	
Location of proposed fireworks stand: [Enclose drawing of stand location] 1258 STATE AVE MARYSVILLE, WA SAFEWAY PLAZA		
Manner and place of storage prior, during, and after sales dates: ON SITE WITH SECURITY		
State Licensed Fireworks Supplier: American Promotional Events NW 2120 Milwaukee Way, Tacoma, WA 98421		

FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2013
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4th

Sales For December 31st

From: _____ From: _____

To: _____ To: _____

Sponsor: SUSAN G KOMEN FOR THE CURE #2

Location: SAFEWAY PLAZA 1258 STATE AVE MARYSVILLE, WA

/s/ _____
Signature of Official Granting Permit

/s/ Gina Girak FOR DEANNA HATHAWAY
Signature of Applicant

Title: _____ Agency: _____

Date: _____ Permit Number: _____

Licensee Name: SUSAN G KOMEN FOR THE CURE #2 License Number: _____

Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

Washington State Fireworks License

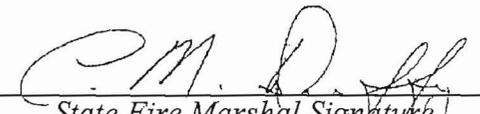
Fireworks Stand License 15040

License is Non-Transferable and Valid for Only One Stand

Licensee Information

Susan G. Komen for the Cure
2120 Milwaukee Way
Tacoma, WA 98421

License Number: WSPFL-01975



State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Deanna Hathaway
Phone Number: (425) 350-1201
County: Snohomish
Stand Number: SN-07786

Date of Expiration
January 31, 2014

Date of Issue
April 5, 2013

Washington State Patrol
Fire Protection Bureau 15040
Office Of The State Fire Marshal

ANNUAL FIREWORKS STAND LICENSE

Licensee: Susan G. Komen for the Cure
Contact Person: Deanna Hathaway
License Number: WSPFL-01975
Stand Number: SN-07786 *[Valid For One Stand]*
Date of Expiration: January 31, 2014
Location: _____

[Stand Location To Be Completed By Licensee]



State Fire Marshal Signature

Licensee Signature

Stand Location: _____

[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)



CERTIFICATE OF LIABILITY INSURANCE

11/1/2013

DATE (MM/DD/YYYY)

4/4/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Lockton Companies, LLC 3280 Peachtree Road NE, Suite 800 Atlanta GA 30305 (404) 460-3600	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL: ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
INSURED 1359629 American Promotional Events, Inc. DBA TNT Fireworks, Inc. P.O. Box 1318 4511 Helton Drive Florence AL 35630	INSURER A : Scottsdale Insurance Company	
	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **WWH2451** CERTIFICATE NUMBER: **12284800** REVISION NUMBER: **XXXXXXX**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC	Y	N	CPS1612503	11/1/2012	11/1/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB EXCESS LIAB OCCUR CLAIMS-MADE DED RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	NOT APPLICABLE			WC STATUTORY LIMITS OTHER E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

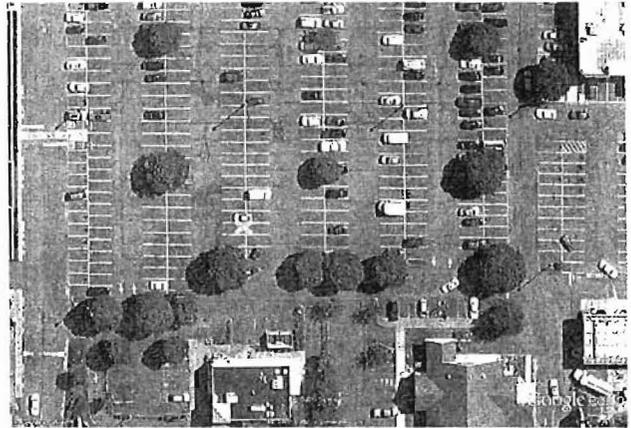
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 THIS CERTIFICATE SUPERSEDES ALL PREVIOUSLY ISSUED CERTIFICATES FOR THIS HOLDER, APPLICABLE TO THE CARRIERS LISTED AND THE POLICY TERM(S) REFERENCED.
 located at Safeway Plaza 1218 State Ave Marysville, WA (WWH2451) Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER 12284800 City of Marysville Susan G Komen For The Cure #2 1049 State Avenue #201 Marysville WA 98270	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

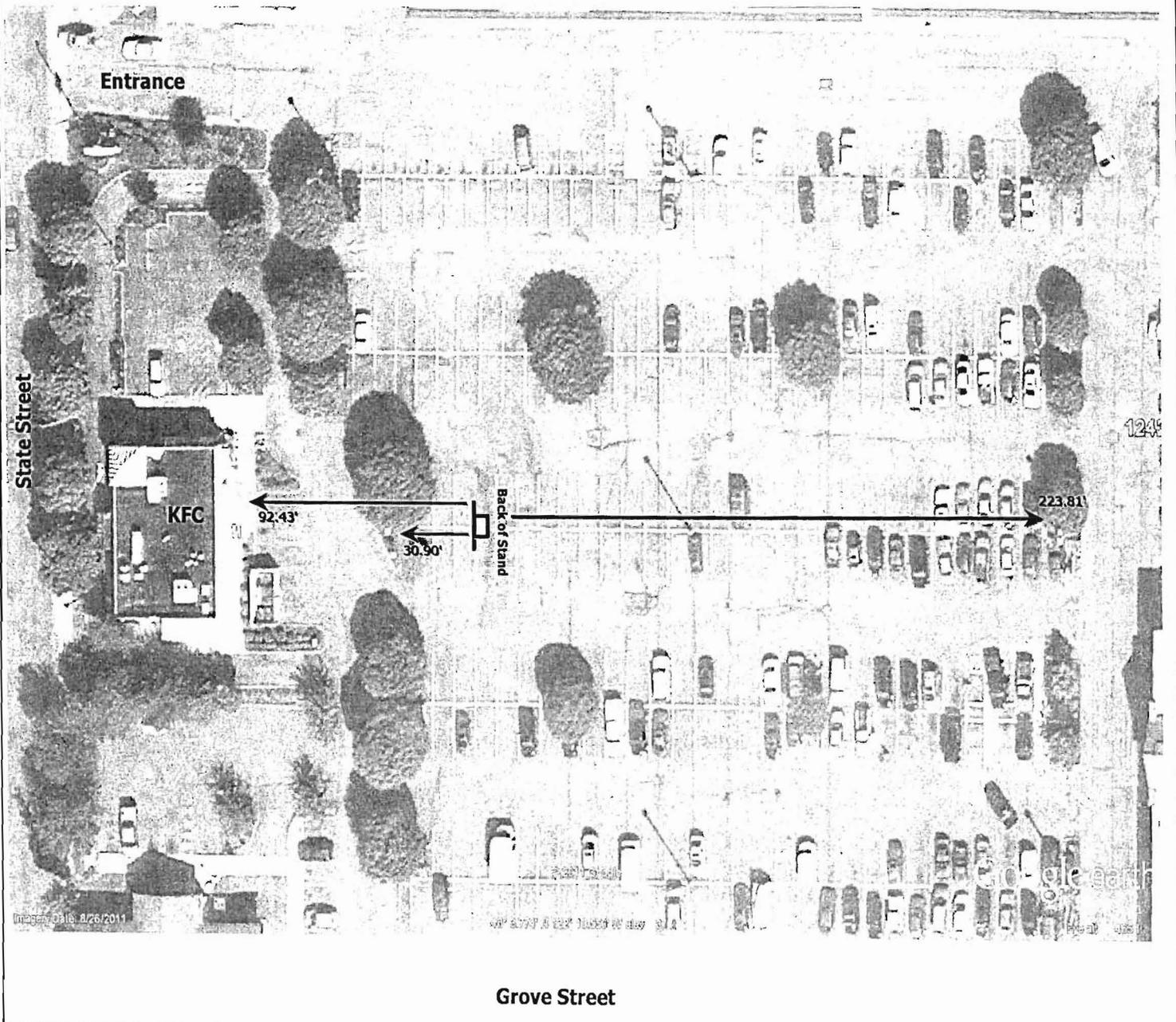
SITE DIAGRAM

Date Drawn: October 31, 2011
 Ordinance Of: City of Marysville
 Address: 1242 State Avenue
 Store/Center/Lot: Plaza at Marysville/Safeway
 City & State: Marysville Washington
 Parcel No: 30052800202600
 Stand Faces The Direction Of: State Ave
 Stand Size: 24'

Loc No: **WWH-2451**



GPS Co-ordinates - 48.3.733 N - 122.10.562 W



APPLICATION

FOR RETAIL FIREWORKS STAND PERMIT

WWH2462

TO: Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION: JAN.02, 2013
Applicant Name: SUSAN G KOMEN FOR THE CURE	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421
Sponsor (If other than applicant): DEANNA HATHAWAY	Address, City, State: 2120 MILWAUKEE WAY, TACOMA,, WA 98421
Location of proposed fireworks stand: [Enclose drawing of stand location] 3733- 116 TH ST NE MARYSVILLE, WA RITE AID #6503	
Manner and place of storage prior, during, and after sales dates: ON SITE WITH SECURITY	
State Licensed Fireworks Supplier: American Promotional Events NW 2120 Milwaukee Way, Tacoma, WA 98421	

FIREWORKS STAND PERMIT

For The Fireworks Sales Year Of: 2013
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from CITY OF MARYSVILLE the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales For July 4th

Sales For December 31st

From: _____ From: _____

To: _____ To: _____

Sponsor: SUSAN G KOMEN FOR THE CURE

Location: RITE AID #6503 3733- 116TH ST NE MARYSVILLE, WA

/s/ _____ /s/ Brenda Merritt FOR DEANNA HATHAWAY
Signature of Official Granting Permit Signature of Applicant

Title: _____ Agency: _____

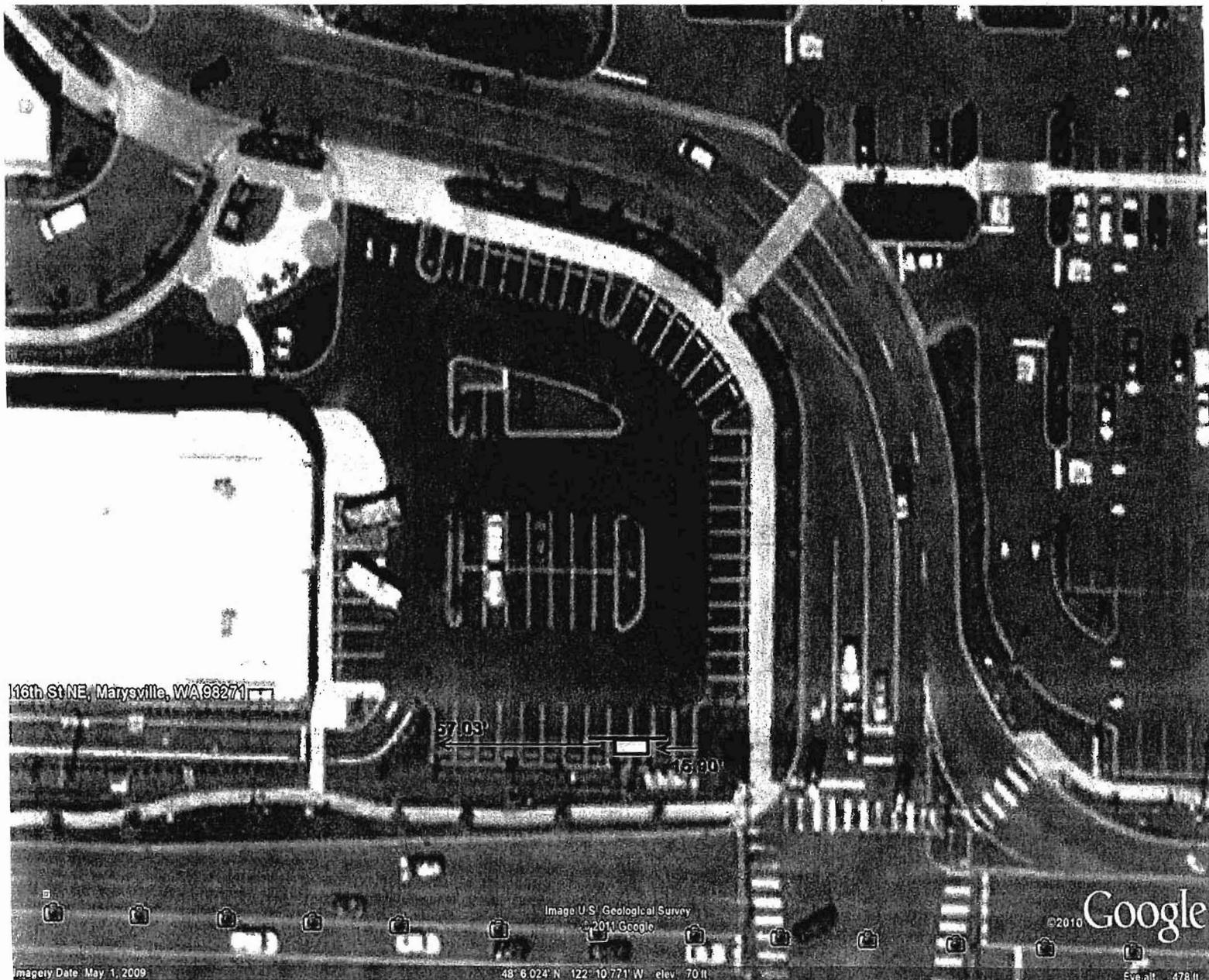
Date: _____ Permit Number: _____

Licensee Name: SUSAN G KOMEN FOR THE CURE License Number: 14306

SITE DIAGRAM

Date Drawn: March 21, 2011
Ordinance Of: City of Marysville
Address: 3733 - 116th St. NE
Store/Center/Lot: Rite Aid Stpre #6503
City & State: Marysville Washington
Parcel No: _____
Stand Faces The Direction Of: Into Center
Stand Size: 24'

Loc No: WWH2462



Washington State Patrol
Fire Protection Bureau
Office Of The State Fire Marshal

WWT2461

14294

Washington State Fireworks License

Fireworks Stand License

License is Non-Transferable and Valid for Only One Stand

Licensee Information

Washington Rush Soccer
2120 Milwaukee Way
Tacoma, WA 98421

License Number: WSPFL-01781


State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Lisa Hale
Phone Number: (360) 925-6482
County: Snohomish
Stand Number: SN-07256

Date of Expiration Date of Issue
January 31, 2014 January 2, 2013

Washington State Patrol 14294
Fire Protection Bureau
Office Of The State Fire Marshal
ANNUAL FIREWORKS STAND LICENSE

Licensee: Washington Rush Soccer
Contact Person: Lisa Hale
License Number: WSPFL-01781
Stand Number: SN-07256 *[Valid For One Stand]*
Date of Expiration: January 31, 2014
Location: _____
[Stand Location To Be Completed By Licensee]

 _____
State Fire Marshal Signature Licensee Signature

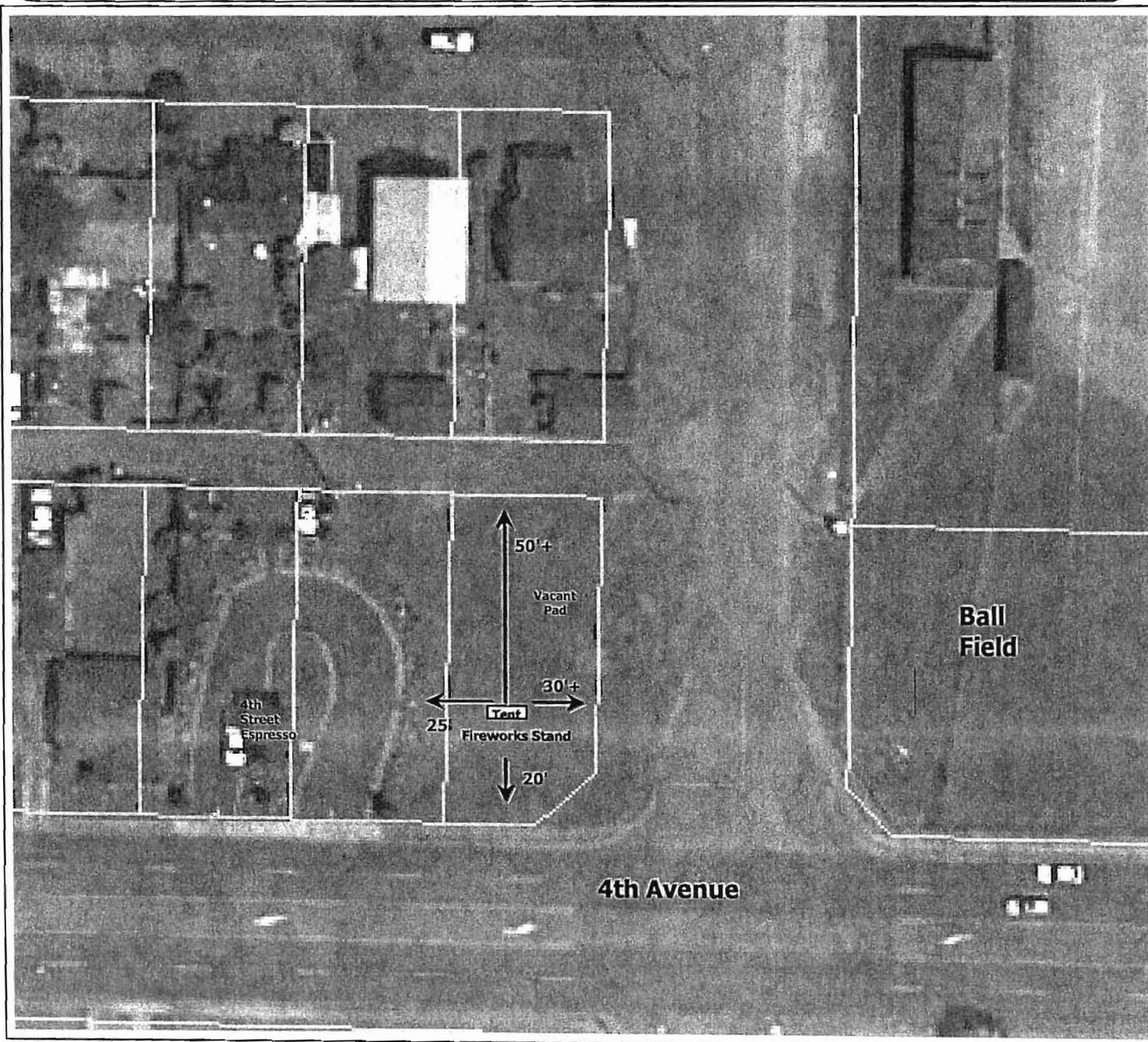
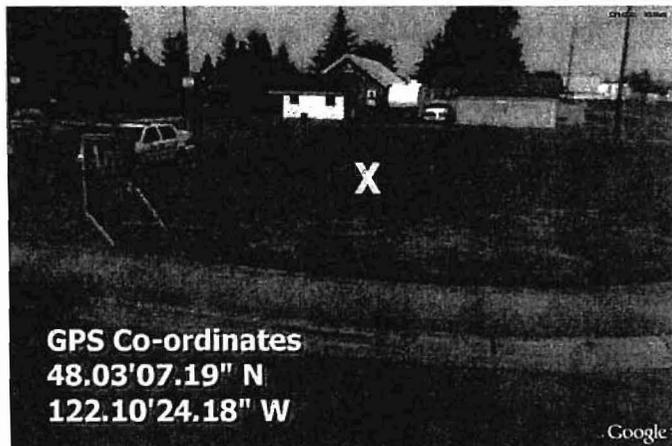
Stand Location: _____
[Stand Location To Be Completed By Licensee]

3000-420-012 (R 9/05)

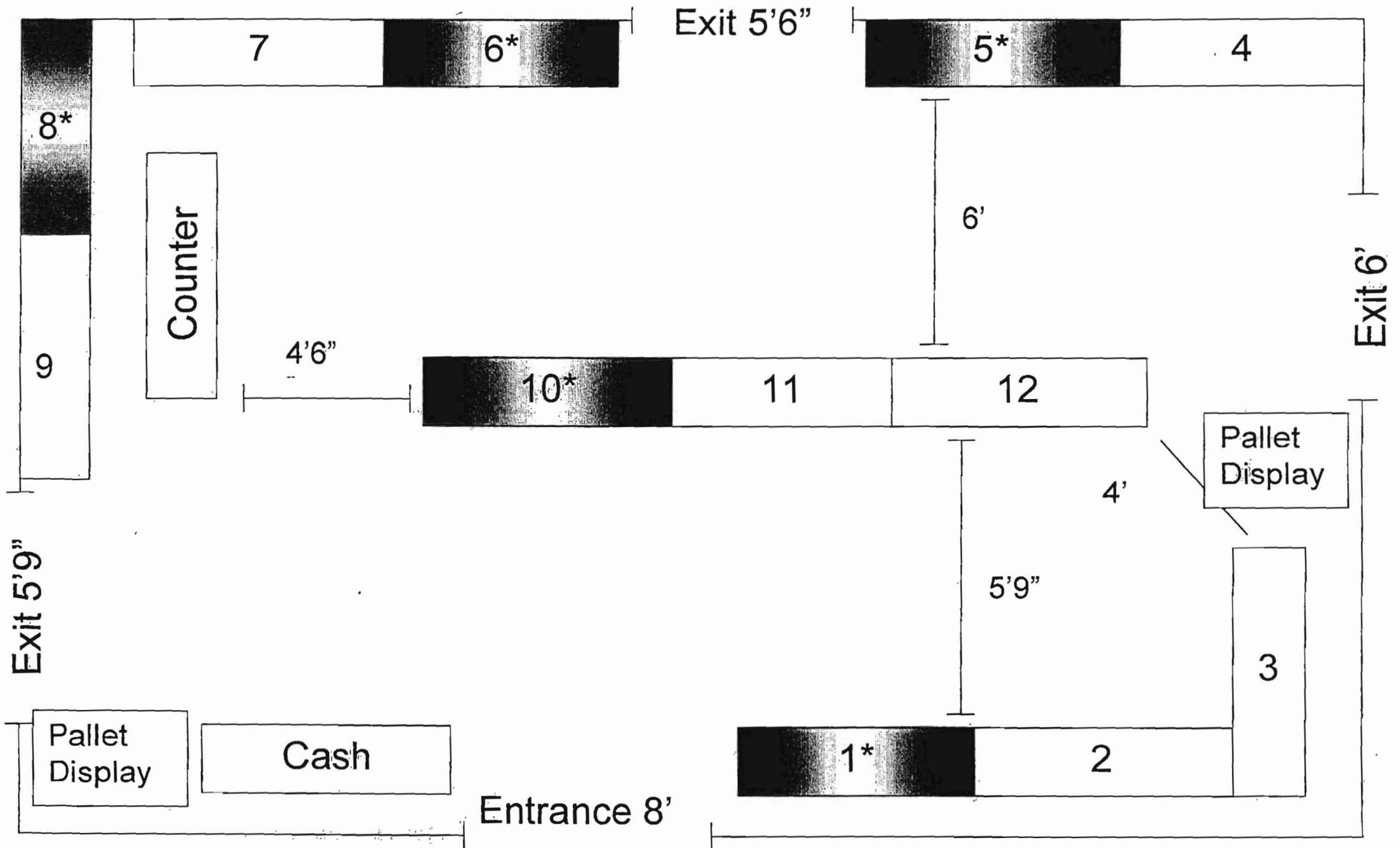
SITE DIAGRAM

Date Drawn: September 9, 2009
Ordinance Of: City of Marysville
Address: 1631 4th Street
Store/Center/Lot: Vacant Lot next to 4th Street Espresso
City & State: Marysville Washington
Parcel No: 00528700701700
Tent Faces The Direction Of: Towards 4th Street
Tent Size: 20 x 40

Loc. No WWT-2461



Mad Dog 40 X 20 Tent Layout



4020Tentlayout2K

 = 8' Table

 * = 6' Table

Certificate of Flame Resistance



REGISTERED

ISSUED BY

Fabric No.

F-306.01

Meridian Manufacturing
5050 Poplar Ave., Ste. 1432
Memphis, TN 38157

Date 12-20-95
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.
Name of chemical used..... Chem. Reg. No.....
Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.
Trade name of flame-resistant fabric Group I No. M11605

The Flame Retardant Process Used will not Be Removed By Washing
(will or will not)

JINNIE ROBERTSON
Name of Applicator or Production Superintendent

By Joe DeBeauvoir / Sals
Title

CONTROL NO. 14924
CUSTOMER ORDER NO. 4227
CUSTOMER INVOICE NO. 80222
YARDS OR QUANTITY 760 yards
COLOR red
STYLE Apex II Chrome
DATE PROCESSED 1-11-96

Certificate of Flame Resistance



REGISTERED
Fabric No.

F-306.01

ISSUED BY

Meridian Manufacturing
5050 Poplar Ave., Ste. 1432
Memphis, TN 38157

Date 1-10-95
manufactured

This is to certify that the materials described on the reverse side hereof have been flame-retardant treated (or are inherently nonflammable).

FOR Key Manufacturing & Rental ADDRESS 5030 Rockdale St. NE
CITY Brooks STATE OR

Certification is hereby made that: (Check "a" or "b")

(a) The articles described on the reverse side of this Certificate have been treated with a flame-retardant chemical approved and registered by the State Fire Marshal and that the application of said chemical was done in conformance with the laws of the State of California and the Rules and Regulations of the State Fire Marshal.

Name of chemical used..... Chem. Reg. No.....

Method of application.....

(b) The articles described on the reverse side hereof are made from a flame-resistant fabric or material registered and approved by the State Fire Marshal for such use.

Trade name of flame-resistant fabric..... Group I..... No. M11605

The Flame Retardant Process Used will not Be Removed By Washing
(will or will not)

Jimmie Robertson
Name of Applicator or Production Superintendent

By Jimmie Robertson / Sales
Title

CONTROL NO. 14824
CUSTOMER ORDER NO. 4227
CUSTOMER INVOICE NO. 80222
YARDS OR QUANTITY 750 yards
COLOR white
STYLE Apex II White Chrome
DATE PROCESSED 1-12-96



**FIRE PROTECTION BUREAU
FIREWORKS LICENSING PROGRAM**
PO Box 42600
Olympia WA 98504-2600
(360) 596-3914 FAX: (360) 596-3934



**APPLICATION
FOR RETAIL FIREWORKS STAND PERMIT**

TO	Governing body of city, town, or county in which fireworks stand will be located.	DATE OF APPLICATION	3-22-2013
Applicant Name		Address, City, State	
GRAND SLAM FIREWORKS		P. O. BOX 426 AURORA OR 97002	
Sponsor (If other than applicant)		Address, City, State	
KIMI GARDNER		1240 BEACHT AVE. MARYSVILLE WA 98270	
Location of proposed fireworks stand [Enclose drawing of stand location]			
301 MARYSVILLE MALL, MARYSVILLE, WA 98270			
Manner and place of storage prior, during, and after sales dates			
ON SITE w/ SECURITY			
State-Licensed Fireworks Supplier			
WESTERN FIREWORKS INC			

FIREWORKS STAND PERMIT

For the Fireworks Sales Year of: 2013
(Must be conspicuously displayed at all times while the stand is open to the public)

By virtue of having been granted a license by the State of Washington and this permit from _____ as the local governing authority, the named person, firm or organization is hereby authorized to sell U.N. 0336 1.4G Consumer fireworks at the location designated herein between the following date and times:

Sales for July 4 th	Sales for December 31 st
From: <u>June 28 2013</u>	From: _____
To: <u>JULY 4 2013</u>	To: _____

Sponsor KIMI GARDNER
Location 301 MARYSVILLE MALL, MARYSVILLE, WA 98270

/s/ _____ /s/ Randy Nady FOR GRAND SLAM
Signature of Official Granting Permit Signature of Applicant KIMI GARDNER

Title _____ Agency _____

Date _____ Permit Number _____

Licensee Name _____ License Number _____

Fireworks Stand License

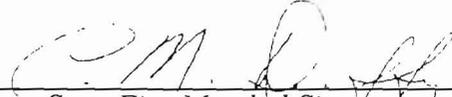
License is Non-Transferable and Valid for Only One Stand

Washington State Fireworks License

Licensee Information

Grand Slam Fireworks
Post Office Box 426
Aurora, OR 97002

License Number: WSPFL-00270



State Fire Marshal Signature

Detach this wallet card and carry with you for verification of certification.

Stand Information

Contact Person: Kimi Gardner
Phone Number: (503) 678-2378
County: Snohomish
Stand Number: SN-07994

Date of Expiration **Date of Issue**
January 31, 2014 May 6, 2013

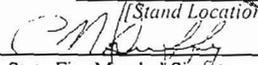
Washington State Patrol
Fire Protection Bureau 15267
Office Of The State Fire Marshal

ANNUAL FIREWORKS STAND LICENSE

Licensee: Grand Slam Fireworks
Contact Person: Kimi Gardner
License Number: WSPFL-00270
Stand Number: SN-07994 *[Valid For One Stand]*
Date of Expiration: January 31, 2014
Location: _____
[Stand Location To Be Completed By Licensee]



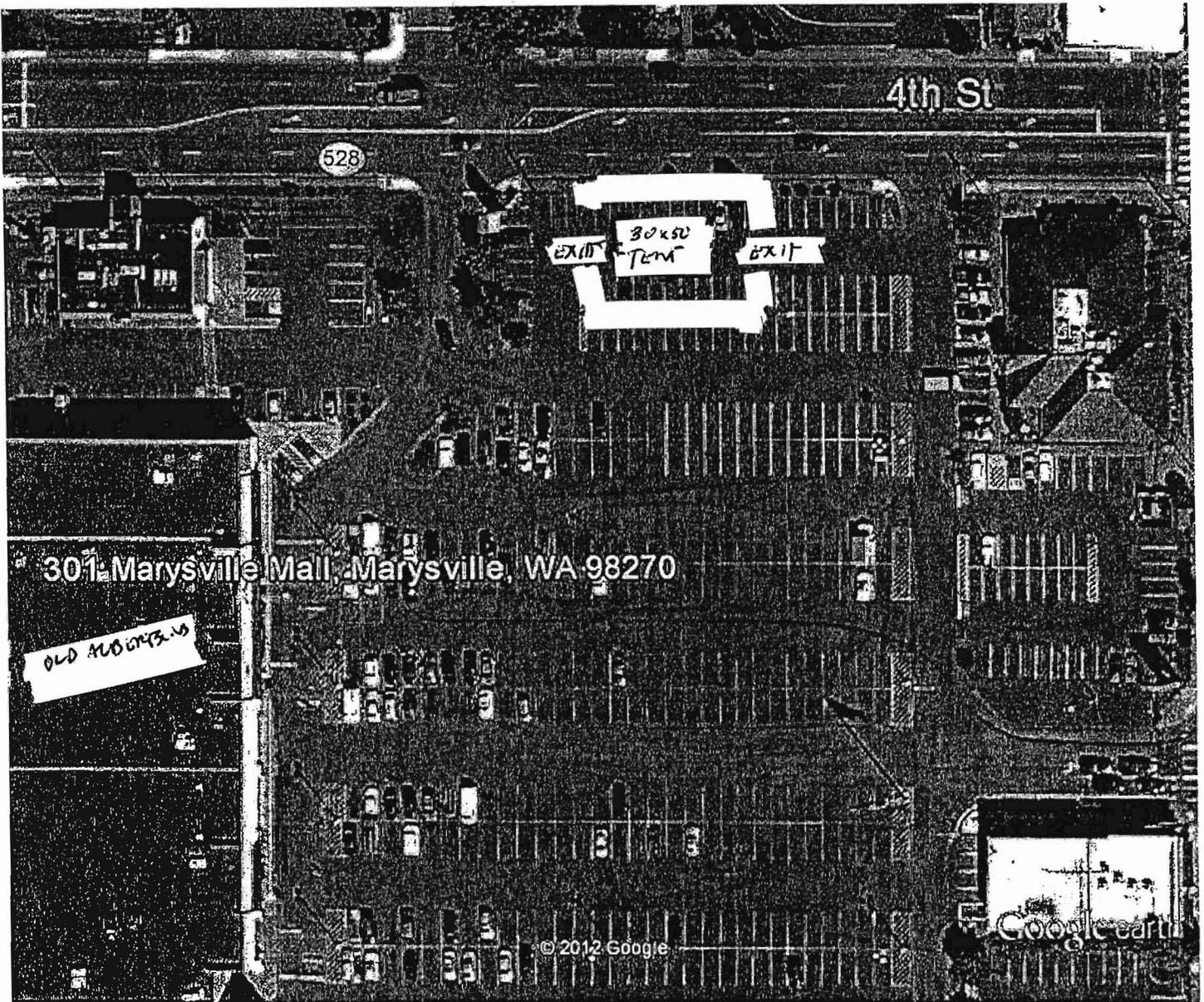
Stand Location: _____
[Stand Location To Be Completed By Licensee]



State Fire Marshal Signature

Licensee Signature

3000-420-012 (R 9/05)



Google earth



30' x 50' TENT
 20' BUFFER AROUND ENTIRE
 PERIMETER OF TENT

Chapter 9.20 FIREWORKS

Sections:

- 9.20.010 State statutes adopted.
- 9.20.015 Additional definitions.
- 9.20.020 Date and time limits for sale or discharge of consumer fireworks.
- 9.20.070 Permit procedure.
- 9.20.080 Action by city council.
- 9.20.090 Issuance of – Nontransferable.
- 9.20.110 Operation of fireworks stands.
- 9.20.120 Temporary fireworks stand specifications.
- 9.20.125 Enforcement – Revocation of permit.
- 9.20.130 Penalties for violations.

9.20.010 State statutes adopted.

The following sections of the State Fireworks Law (Chapter 70.77 RCW) are adopted by reference, including any amendments to the same which may hereafter be enacted by the state of Washington:

RCW

- 70.77.126 Definition of “fireworks.”
- 70.77.131 Definition of “display fireworks.”
- 70.77.136 Definition of “consumer fireworks.”
- 70.77.138 Definition of “articles pyrotechnic.”
- 70.77.141 Definition of “agricultural and wildlife fireworks.”
- 70.77.146 Definition of “special effects.”
- 70.77.160 Definition of “public display of fireworks.”
- 70.77.165 Definition of “fire nuisance.”
- 70.77.180 Definition of “permit.”
- 70.77.190 Definition of “person.”
- 70.77.205 Definition of “manufacturer.”
- 70.77.210 Definition of “wholesaler.”
- 70.77.215 Definition of “retailer.”
- 70.77.230 Definition of “pyrotechnic operator.”
- 70.77.255 Acts prohibited without a license.
- 70.77.285 Public display permit – Bond.
- 70.77.290 Public display permit.
- 70.77.295 Public display permit – Amount of bond.
- 70.77.311 Exemptions from licensing.
- 70.77.335 License authorizes activities of salesmen, employees.
- 70.77.405 Authorized sales of toy caps, tricks, novelties.
- 70.77.410 Public displays not to be hazardous.
- 70.77.415 Supervision of public displays.
- 70.77.420 Storage permit required.
- 70.77.425 Approved storage facilities required.
- 70.77.430 Sale of stock after revocation or expiration of license.
- 70.77.450 Examination, inspection of books and premises.
- 70.77.480 Prohibited transfers of fireworks.
- 70.77.485 Unlawful possession of fireworks – Penalties.
- 70.77.488 Unlawful discharge or use of fireworks – Penalty.
- 70.77.510 Sales or transfers of display fireworks – Penalty.
- 70.77.515 Sales or transfers of consumer fireworks – Penalty.
- 70.77.520 Unlawful to permit fire nuisance where fireworks kept – Penalty.
- 70.77.535 Articles pyrotechnic, special fireworks for entertainment media.
- 70.77.545 Violation a separate, continuing offense.

70.77.547 Civil enforcement not precluded.

70.77.580 Posting by retailers of lists of allowed fireworks.

(Ord. 2737 § 1, 2008; Ord. 2409 § 1, 2002; Ord. 1942 § 1, 1993; Ord. 1778 § 1, 1990; Ord. 1376 § 2, 1984).

9.20.015 Additional definitions.

The following additional definitions shall apply in this chapter:

“Permittee” means any person issued a fireworks permit in conformance with this chapter. (Ord. 2737 § 1, 2008; Ord. 2409 § 2, 2002).

9.20.020 Date and time limits for sale or discharge of consumer fireworks.

No fireworks shall be sold or discharged within the city except as follows:

(1) The sale of consumer fireworks shall be allowed from 12:00 noon to 11:00 p.m. on June 28th and from 9:00 a.m. to 11:00 p.m. on June 29th through July 4th.

(2) Consumer fireworks may be discharged July 4th only from 9:00 a.m. to 11:00 p.m. and December 31st from 9:00 a.m. to 2:00 a.m. on January 1st. (Ord. 2737 § 1, 2008; Ord. 2529 § 1, 2004; Ord. 2409 § 3, 2002; Ord. 2031 § 1, 1995; Ord. 1942 § 2, 1993).

9.20.070 Permit procedure.

Any adult person, firm, partnership, corporation or association may apply for a fireworks permit; provided, that the applicant must hold a current business license issued by the city, and must be, or be sponsored by, a person or entity which has a permanent address within the city limits. The application shall be filed with the business licensing specialist or designee.

The application shall include the following:

(1) Proof that the applicant has been issued a fireworks license or permit by the Chief of the Washington State Patrol acting through the city’s fire marshal;

(2) A description of the proposed location of the fireworks;

(3) Proof that the applicant has an insurance policy with bodily injury liability limits of \$50,000/\$1,000,000 for each person and occurrence and \$50,000 for property damage liability for each occurrence. The city shall be named as an additional insured on the policy;

(4) An annual license fee of \$100.00;

(5) Subject to MMC 9.20.080, such permit shall be issued if the application meets the requirements of Chapter 70.77 RCW and all ordinances of the city of Marysville. (Ord. 2890 § 1, 2012; Ord. 2737 § 1, 2008; Ord. 2409 § 4, 2002; Ord. 2031 § 2, 1995; Ord. 1592, 1987; Ord. 1241 § 2, 1982; Ord. 1235 § 3, 1982).

9.20.080 Action by city council.

Upon seven days’ advance written notice to the applicant, the city council shall hold a public meeting on the issuance of a fireworks permit. The city council shall have power, in its discretion, to grant or deny the application, subject to reasonable conditions, if any, as it shall prescribe. The decision of the city council with respect to an application shall be final. (Ord. 2890 § 2, 2012; Ord. 2737 § 1, 2008; Ord. 1241 § 3, 1982; Ord. 1235 § 4, 1982).

9.20.090 Issuance of – Nontransferable.

Upon approval by the city council of a fireworks permit, the city clerk shall issue the same to the applicant, who thereafter shall be the permittee. The permit shall be for a term of one year. No permit shall be transferable without express approval by the city council. (Ord. 2737 § 1, 2008; Ord. 2409 § 5, 2002; Ord. 1235 § 5, 1982).

9.20.110 Operation of fireworks stands.

The party holding the fireworks permit shall operate the fireworks stand exclusively by and through its employees, members or designees. At least one adult person (age 18 or over) shall be present at all times a fireworks stand is open to the public. No person under 16 years of age shall be allowed to sell fireworks or

remain within a fireworks stand when it is open to the public. (Ord. 2737 § 1, 2008; Ord. 1778 § 2, 1990; Ord.⁹⁹ 1241 § 4, 1982; Ord. 1235 § 6, 1982; Ord. 479 § 11, 1962).

9.20.120 Temporary fireworks stand specifications.

All retail sales of consumer fireworks shall be permitted only from a retailer at a retail fireworks stand or outlet that is temporary, and the sale from any other building or structure is prohibited.

A retail fireworks stand shall be subject to the following provisions, unless preempted by state-wide standards, in which event the state-wide standards shall apply:

- (1) No retail fireworks stand shall be located within 25 feet of any other building, nor within 50 feet of any gasoline station.
- (2) Retail fireworks stands shall be temporary and need not comply with the provisions of the building code of the city; provided, however, that all stands shall be erected under the supervision of the fire chief, as defined elsewhere in this code, who shall require that the stand be constructed in a manner which shall ensure the safety of attendants and patrons, shall be wired according to state or national electrical code, and shall satisfy any state-wide standards issued by the State Director of Fire Protection. At least two approved fire extinguishers with 2.5 gallons apiece, or equivalent, shall be maintained at each stand at all times.
- (3) Each stand must have two exits.
- (4) No retail fireworks stand shall be located closer than 600 feet to another fireworks stand.
- (5) All weeds and combustible material shall be cleared from the location of the stand, including a distance of at least 20 feet surrounding the stand.
- (6) "No Smoking" signs shall be prominently displayed on the fireworks stand.
- (7) Each retail fireworks stand shall be operated by adults only. No fireworks shall be left unattended in a stand.
- (8) All unsold stock and accompanying litter shall be removed from the location by 12:00 noon on the sixth day of July of each year.
- (9) The retail fireworks stand shall be disassembled and removed from the location by 12:00 noon on the sixth day of July of each year. (Ord. 2737 § 1, 2008; Ord. 2409 § 6, 2002; Ord. 1778 § 3, 1990; Ord. 479 § 12, 1962).

9.20.125 Enforcement – Revocation of permit.

The city fire marshal shall be authorized to enter and inspect all fireworks stands to assure compliance with the provisions of this chapter and to protect the public health, safety and welfare. The fire marshal is authorized to temporarily revoke any permit, for cause. Any party aggrieved by such revocation shall have the right to appeal the same to the city council within 10 days thereafter. The decision of the city council shall be final. (Ord. 2737 § 1, 2008; Ord. 1235 § 7, 1982).

9.20.130 Penalties for violations.

- (1) Any person violating this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$1,000, or by imprisonment in the jail for a period not exceeding 90 days, or by both such fine and imprisonment. Further, the license shall be revoked.
- (2) Any person violating portions of this chapter specifically designated by this chapter or by RCW as gross misdemeanor or misdemeanor, upon conviction shall be guilty and punished for gross misdemeanor by a fine not to exceed \$5,000 or by imprisonment in jail for a period not to exceed 365 days or by both such fine and imprisonment; for misdemeanor by a fine not to exceed \$1,000 or by imprisonment in jail for a period not to exceed 90 days or by both such fine and imprisonment.
- (3) Civil Infraction.
 - (a) Violations involving possession or discharge of small quantities of fireworks, unless specifically designated in this chapter or RCW as gross misdemeanor or misdemeanor, is a civil infraction, and may be cited as a "civil infraction."

(i) Upon finding that a violation has been committed the person committing the act shall be assessed an amount not to exceed \$500.00 plus applicable statutory assessments.

(ii) Such penalty is in addition to any other remedies or penalties specifically provided by law; nothing in this section precludes the charging of a misdemeanor or gross misdemeanor crime as defined under this chapter or RCW.

(iii) Three or more of said "civil infractions" within any consecutive two-year period of time shall be cited as a misdemeanor as set forth in subsection (1) of this section.

(b) "Civil infraction" has the meaning given that term by Chapter 7.80 RCW, the Infraction Rules for Courts of Limited Jurisdiction ("IRLJ") and any local rule adopted by the Marysville municipal court. (Ord. 2737 § 1, 2008; Ord. 479 § 13, 1962).

The Marysville Municipal Code is current through Ordinance 2923, passed April 8, 2013.

Disclaimer: The City Clerk's Office has the official version of the Marysville Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.marysvillewa.gov/>
(<http://www.marysvillewa.gov/>)

City Telephone: (360) 363-8000

Code Publishing Company

(<http://www.codepublishing.com/>)

eLibrary

(<http://www.codepublishing.com/elibrary.html>)

Index #13

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/10/2013

AGENDA ITEM: Contract with J.K. Eastbury Salvage Metals & Auto Wrecking (J.K. Eastbury) for scrap metal disposal/recycling services.	
PREPARED BY: Doug Byde, Public Works Superintendent DEPARTMENT: Public Works	DIRECTOR APPROVAL: 
ATTACHMENTS: 1) Copy of new contract with J.K. Eastbury. 2) Copy of current Certificate of Liability Insurance. 3) Copy of the original Resolution No. 2230, dated February 11, 2008.	
BUDGET CODE: N/A	AMOUNT: \$10,000.00

SUMMARY:

Public Works staff is requesting that the City sign a one-year renewal contract with J.K. Eastbury Salvage Metals & Auto Wrecking to provide scrap metal disposal/recycling services. The agreement shall be valid for one year from the signing date, with the option of one year renewals in future years.

This contract authorizes J.K. Eastbury to haul away scrap metal that is of no further use to the City to a properly licensed and certified scrap metal collection site and to split the proceeds from resale of said material with the City at a rate of not less than 50% of the current market.

The annual value of scrap metal disposed of will not exceed \$10,000.00.

RECOMMENDED ACTION: Public Works Staff recommends that Council Authorize the Mayor to sign the contract with J.K. Eastbury, not to exceed \$10,000 per year.

CONTRACT FOR DISPOSAL / RECYCLE OF SCRAP METALS

This agreement is entered into between Marilyn Eastbury a sole proprietor of the business known by UBI # 600085808 and as "J.K. Eastbury Salvage Metals & Auto Wrecking" or "Eastbury Salvage Metals & Auto" (Contractor) and the City of Marysville, Washington (City) effective from the date of signing and continuing for one year for the purpose of disposal / recycle of scrap metals as described herein:

1. Contractor agrees to haul scrap metals and non-ferrous materials from Public Works facility located at 80 Columbia Avenue on an as needed basis as directed by the Fleet & Facilities Manager. All materials will be hauled within three working days of being notified by the Fleet & Facilities Manager.
2. Contractor agrees to haul all materials collected from the City directly to a properly licensed and certified scrap metal collection site and agrees to split with the City the proceeds from resale of said material at a rate not less than 50% of current market to City. The balance of the proceeds shall be retained by Contractor as payment in full for the hauling of the materials.
3. For each load hauled and received by the Contractor, a copy of the weight slip and receipt will be returned to the Fleet & Facilities Manager located at 80 Columbia Avenue, along with payment. This will be done within 15 calendar days of picking up the materials from the Public Works facility.
4. Prices of all scrap metals shall be at a minimum those quoted by General Metals of Tacoma, Washington. Contractor may haul and sell to another buyer with a better return value in the discretion of Contractor.
5. Pursuant to City Council Resolution 2230, the annual value of the scrap metal disposed of for any one year shall not exceed \$10,000 paid to City, unless authorized by another Council Resolution.

In the performance of this Contract, the Contractor agrees it will abide by all existing laws, codes, rules and regulations set forth by all appropriate authorities having jurisdiction in the location where the collection, hauling and delivery of the scrap metal occurs.

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.

The Contractor shall defend, indemnify and save the City and its elected officials, officers and employees harmless from any and all claim and risk and all losses, damages, demands, suits, judgments, and attorney fees or other expenses of any kind on account of injury to or death of any and all persons, on or account of all property

damage of any kind, or loss of use resulting therefrom, to any party arising out of, or in any manner connected with, the work performed under this Contract, or caused in whole or in part by reason of the presence of the Contractor or its employees or agents, upon or in proximity to the property of the City during performance of the work, except only for those losses resulting from and to the extent of the negligence of the City with regard to activities within the Contractor's scope of work. This indemnification provided herein constitutes Contractor's waiver of immunity under Industrial insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. Reference Exhibit A of this Agreement.

The defense and indemnity obligations of this paragraph shall survive the expiration and termination of this agreement.

Insurance

The Contractor shall procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, their agents, representatives, employees or subcontractors.

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.

A. Minimum Scope of Insurance

Contractor shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors, products-completed operations, stop gap liability, personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 11 85 or an equivalent endorsement. There shall be no endorsement or modification of the Commercial General Liability Insurance for liability arising from explosion, collapse or underground property damage. The City shall be named as an 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 and Additional Insured-Completed Operations endorsement CG 20 37 10 01 or substitute endorsements providing equivalent coverage.

3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

B. Minimum Amounts of Insurance

Contractor shall maintain the following insurance limits:

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

C. Other Insurance Provision

The Contractor's Automobile Liability and Commercial General Liability 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 insurance pool coverage maintained by the City shall be excess of the Contractor's insurance and shall not contribute with it.

D. Acceptability of Insurers

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

E. 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 endorsement, evidencing the insurance requirements of the Contractor before commencement of the work.

F. Subcontractors

The Contractor shall have sole responsibility for determining the insurance coverage and limits required, if any, to be obtained by subcontractors, which determination shall be made in accordance with reasonable and prudent business practices.

Either party may terminate this contract with 30 days written notice. The terms of this contract will be fixed for a one year period from the date of execution. This agreement may be extended for additional year terms upon agreement of both parties.

Amendments or adjustments for additional year terms must be in writing and delivered to the City 30 days before the end of each year term.

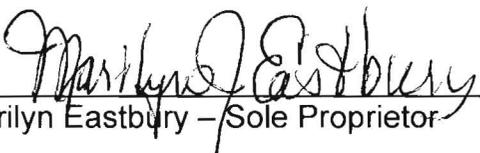
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this

_____ day of _____, 2013.

City of Marysville

Marilyn Eastbury (Contractor)

By _____
Jon Nehring, Mayor

By 
Marilyn Eastbury – Sole Proprietor

Address: 6805 35th NE
Tulalip, WA 98271
Telephone: 360-659-1540

Attest:

By _____
City Clerk

Approved as to form:

By _____
City Attorney

EXHIBIT A

INDEMNIFICATION ADDENDUM

J.K. Eastbury Salvage Metals & Auto Wrecking (hereinafter called Contractor) agrees to defend, indemnify and hold the City of Marysville (hereinafter called Owner) harmless from any and all claims, demands, losses and liabilities to or by third parties arising from, resulting from or connected with services performed or to be performed under this Contract by Contractor or contractor's agents or employees to the fullest extent permitted by law and subject to the limitations provided below.

Contractor's duty to indemnify Owner shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of Owner or Owner's agents or employees.

Contractor's duty to indemnify Owner for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) Owner's agents or employees, and (b) Contractor or contractor's agents or employees, shall apply only to the extent of negligence of Contractor or Contractor's agents or employees.

Contractor specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51 RCW. Further, 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 Contractor's waiver of immunity by the provisions of this paragraph extends only to claims against Contractor by Owner and does not include, or extend to, any claims by Contractor's employees directly against Contractor.

Contractor's duty to defend, indemnify and hold Owner harmless shall include as to all claims, demands, losses and liability to which it applies, Owner's personnel-related costs, reasonable attorney's fees, court costs and all other claim-related expenses.

THE UNDERSIGNED HEREBY CERTIFY THAT THIS ADDENDUM WAS MUTUALLY NEGOTIATED.

CITY OF MARYSVILLE

Marilyn Eastbury – Sole Proprietor

By _____
Jon Nehring, Mayor

By 
James K. Eastbury – Sole Proprietor

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. 2230

A RESOLUTION OF THE CITY OF MARYSVILLE DECLARING ANNUAL ACCUMULATIONS OF SCRAP METAL VALUED NOT MORE THAN \$10,000 TO BE SURPLUS AND AUTHORIZING THE SALE OR DISPOSAL THEREOF.

WHEREAS, the City accumulates a certain amount of scrap metal each year that is of no further public use or necessity and the annual value of which does not exceed \$10,000.00; and

WHEREAS, it is in the public interest for said annual accumulations of scrap metal to be sold or disposed of in a cost effective manner that the Mayor or the Mayor's designee determines will net a reasonable return to the City;

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

Section 1. Annual accumulations of scrap metal by the City in an amount not exceeding \$10,000 are hereby declared surplus to the foreseeable needs of the City.

Section 2. It is deemed to be in the public interest for the City to sell or dispose of said annual accumulations of scrap metal in a cost effective manner that will net a reasonable return to the City.

Section 3. The Mayor or the Mayor's designee is hereby authorized to sell or dispose of said annual accumulations of scrap metal in a manner, which in the discretion of the Mayor or the Mayor's designee, is cost effective and will net a reasonable return to the City.

PASSED by the City Council and APPROVED by the Mayor this 11 day of

February 2008.

CITY OF MARYSVILLE
Thomas L. Kendall
MAYOR

Attest:

[Signature]
City Clerk

Approved as to Form:

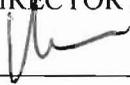
[Signature]
City Attorney

Index #14

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/10/2013

AGENDA ITEM: Maintenance Agreement with Aclara Technologies LLC	
PREPARED BY: Karen Latimer, Operations Manager DEPARTMENT: Public Works	DIRECTOR APPROVAL: 
ATTACHMENTS: 1. Maintenance Agreement	
BUDGET CODE: 40141280.541000	AMOUNT: \$9,904.32

SUMMARY:

A few years ago the City purchased and installed an automated meter reading (AMR) system. Installed equipment includes data collection units, a network control computer, software program, meter transmission units, and handheld meter programmers. The AMR system and network control computer software should be updated at least annually, the equipment needs occasional troubleshooting and repair, and the equipment is replaced as it becomes obsolete or as technology changes.

This year the data collection units need to be replaced due to the discontinuance of a certain type of cellular phone service. The AMR system software must be updated and the network control computer replaced at the same time the data collection units are replaced to maintain compatibility throughout the AMR system.

Aclara Technologies LLC will not provide software updates, new equipment, or equipment troubleshooting and repair unless a maintenance agreement is executed. The AMR system will not function without the data collection units, so the maintenance agreement has become a necessary part of the overall AMR system.

It should be noted that the Agreement has language that significantly limits the vendor's liability. The language of both section 7 (Warranty) and section 8 (Limitation of Liability) work to the disadvantage of the City. There is an express exclusion of any warranty to the greatest degree allowed by law and the liability of Aclara for damages is limited to their gross negligence or willful acts and their aggregate liability is further limited to the dollar amount of their annual fee (see section 8). There are also limitations for incidental damages.

It is a policy decision for Council to determine whether this language is acceptable and to weigh the risk of claims against the City versus the need for the services by this unique vendor. On the advice of the City Attorney, staff has made reasonable efforts to renegotiate this language without significant success. The City has invested substantial amounts in the equipment that the vendor provides and it would be difficult and expensive to contract with a different vendor for the necessary services.

<p>RECOMMENDED ACTION: Staff recommends that Council Authorize the Mayor to sign a Maintenance Agreement between Aclara Technologies LLC and the City of Marysville.</p>

MAINTENANCE AGREEMENT

This Agreement is made and entered into as of the date last signed below (the "Effective Date") by and between:

Aclara Technologies LLC, an Ohio Limited Liability Company
945 Hornet Drive
Hazelwood, Missouri 53042
(Referred to herein as "Aclara")

And City of Marysville, a Washington corporation
80 Columbia Avenue
Marysville, Washington 98270
(Referred to herein as "Customer")

Individually, Aclara[®] and Customer may be referred to as "Party" and collectively as "Parties".

Whereas, Customer has agreed to license from Aclara, and Aclara has agreed to license to Customer certain computer software; and

Whereas, Customer has agreed to obtain from Aclara, and Aclara has agreed to provide to Customer associated maintenance services to the Customer's Aclara Technology System more fully described below.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and intending to be legally bound, the Parties agree as follows:

1. Definitions. For the purposes of this Agreement, the following definitions shall apply:
 - A. "Aclara Holidays" means New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, the day after Thanksgiving, Christmas Eve, Christmas Day and New Years Eve.
 - B. "Aclara Technology System" (or "System") means the system comprised of, in part 1) the Hardware purchased from Aclara by Customer, and 2) the Software licensed by Aclara to Customer under the terms of the Software License Agreement.
 - C. "Additional Services" means services offered by Aclara for improvements and/or enhancements to the Customer's System that are not covered by this Agreement, but may be offered and provided at the rates set forth on Schedule B hereto.
 - D. "Classroom Training" means training offered by Aclara at its facility.

- E. “Customer Portal” means an electronic gateway to a secure entry point via Aclara’s website at www.Aclara.com that allows Aclara customers to log in to an area where they can view and download information or request assistance regarding Issues with the System.
- F. “On-Site Maintenance Services” means Aclara providing Maintenance Services at the Customer’s facility at the then current rates stated in Schedule B, Time and Material Rates, attached hereto.
- G. “Custom Enhancement” means any improvement, modification or addition that, when made or added to the Software or Third Party Licensed Software, changes its utility, efficiency, functional capability or application. Custom Enhancements are not included as part of this Agreement.
- H. “Customer Site Training” means Aclara providing its training at the Customer’s facility at the then current terms and pricing published on the Aclara Customer Portal. The training may be customized to meet the Customer’s needs.
- I. “Delivery” means, in the case of Software provided hereunder (and as applicable), (i) the remote installation of the Software by Aclara on the Customer-provided Designated Equipment; or (ii) delivery of the Designated Equipment provided by Aclara on which the Software is installed; or (iii) the loading of the software to an FTP site for Customer’s availability to download. “Delivery” means, in the case of Services provided hereunder, the periodic performance of such Services as described herein.
- J. “Error” means any failure of Software to conform in all material respects to the requirements of this Agreement or Aclara’s published specifications. Any nonconformity resulting from Customer’s misuse, improper use, alteration or damage of the Software, the combination of the Software with any hardware or software not supplied by or authorized by Aclara, or any other condition beyond the control of Aclara, shall not be considered an Error.
- K. “Error Correction” means either a modification or addition that, when made or added to the Software, brings the Software into material conformity with the published specifications, or a procedure or routine that, when observed in the regular operation of the Software, avoids the practical adverse effect of such nonconformity
- L. “E-Learning” means on-line training offered by Aclara via the Internet.

- M. “Hardware” means the equipment supplied by Aclara which may include the Substation Communication Equipment (SCE), Remote Communications Equipment (RCE), Test Equipment, Meter Transmission Unit (MTU), Data Collection Unit (DCU) and MTU programmer.
- N. “Issue” means a problem with the System identified by the Customer, which requires a response by Aclara to resolve.
- O. “Maintenance Services” means activities to investigate, resolve Issues and correct product bugs arising from the use of the Software in a manner consistent with the published specifications and functional requirements defined during implementation.
- P. “Patch” means a version of the Software that provides an Error Correction to address an urgent need that is outside the schedule of regularly released Software Revisions or Software Versions.
- Q. “Renewal Period” means each of one or more consecutive twelve (12) month periods following the Initial twelve (12) month Term of this Agreement.
- R. “Severity Level” means a designation of the effect of an Issue on the Customer’s use of the System. The Severity of an Issue is initially defined by the Customer and confirmed by Aclara. Until the Issue has been resolved, the Severity Level may be raised or lowered based on Aclara analysis of impact to business. The four Severity Levels are:

Severity Level	Description
1	Requires immediate attention– Critical production functionality is not available or a large number of users cannot access the system. Causes a major business impact where service is lost or degraded and no workaround is available, therefore preventing operation of the business.
2	Requires priority attention - Some important production functionality is not available, or a small number of users cannot access the system. Causes significant business impact where service is lost or degraded and no workaround is available, however the business can continue to operate in a limited fashion.
3	Requires attention –There is a problem or inconvenience. Causes a business impact where there is minimal loss of service and a workaround is available such that the system can continue to operate fully and users are able to continue business operations.
4	There is a problem or issue with no loss of service and no business impact.

- S. “Software” means the software and firmware provided by Aclara, and listed in Attachment A to the Software License Agreement. All Software, Software Revisions and Software Versions provided by Aclara shall be subject to the terms and conditions of the Software License Agreement entered into by and between Aclara and Customer, including any mutually agreed to amendments thereto.
- T. “Software Version” means the base or core version of the Software that contains significant new features and significant fixes and is available to the Customer. Software Versions may occur as the Software architecture changes or as new technologies are developed. Software Versions are not provided or included as part of this Agreement.
- U. “Software Revision” means an update to the released version of the Software code which consists of minor enhancements to existing features and code corrections. Software Revisions are provided and included as a part of this Agreement.
- V. “Supplemental Services” means the services set forth on Schedule C hereto, and offered at the prices set forth on Schedule C hereto.
- W. “Target Response” refers to the period of time between a Customer’s initial contact with Aclara to report an issue (by phone, email or through the Customer Portal, thereby creating a ticket which has been assigned a number for tracking purposes) and Aclara’s initial contact back to Customer to begin investigation of the reported Issue.
- X. “Third Party Licensed Software” shall have the meaning as it is defined in Attachment A to the Software License Agreement.
- Y. “Training Services” means all training provided by Aclara to the Customer, including but not limited to Classroom Training, E-Learning Training and Customer-Site Training.
2. Term of Agreement. Subject to the termination provisions set forth below, this Agreement shall become effective as of the Effective Date. Maintenance Services shall begin upon Delivery of the Licensed Software; and shall continue in full force and effect for an initial term of one (1) year (“Initial Term”). Upon expiration of the Initial Term, this Agreement shall automatically renew for successive Renewal Periods, unless sooner terminated by either Aclara or Customer as provided for in Section 6 of this Agreement.
3. Scope
- A. Software Maintenance. The Software maintained under this Agreement shall be the Software set forth in Attachment A to the Software License

Agreement. Any additional Software for which a license is obtained by the Customer from Aclara shall be automatically incorporated into this Agreement and the pricing for Maintenance Services adjusted accordingly.

- B. Hardware Maintenance. The hardware maintained under this Agreement shall include those items identified in Section 1.M. above, which have been purchased by Customer from Aclara.
- C. Levels of Maintenance Services. Two (2) Levels of Maintenance are available to Customer under this Agreement. Each level is identified and described in Schedule A, Levels of Maintenance Services attached hereto and made a part hereof. Customer may, at its option, change the Level of Maintenance for any subsequent Renewal Period, provided Customer gives Aclara written notice of the requested change no less than thirty (30) days prior to the end of the Initial Term or then current Renewal Period.
- D. Maintenance Services Provided. Aclara shall provide Maintenance Services at the level selected by the Customer as designated in Schedule D, Level of Maintenance Services Selected. The following are included as part of this Agreement:
- 1) Aclara Software Revisions and Patches. Aclara shall provide Software Revisions and Patches to the Customer as they become available. In support of such Software Revisions and Patches, Aclara shall provide updated user technical documentation reflecting the Software Revisions and Patches as soon as reasonably practicable after the Software Revisions and Patches have been released. Updated user technical documentation that corrects Errors or other minor discrepancies will be provided to Customers when available.
 - 2) Third Party Software Revisions. At the option of Aclara, periodic Software Revisions of the Third Party Licensed Software will be provided by Aclara without further charge provided the following conditions are met: (i) the Software Revision corrects a malfunction in the Third Party Software that affects the operation of the Software; and (ii) the Software Revision has, in the opinion of Aclara, corrected malfunctions identified in the Aclara Technology System and has not created any additional malfunctions; and (iii) the Software Revision is available to Aclara. Customer is responsible for obtaining and installing the Software Revision if the Third Party Software was not licensed to Customer by or through Aclara. Software Revisions to Third Party Licensed Software provided by Aclara are specifically limited to the Third Party Software identified and set forth in Attachment A to the Software License Agreement. Any associated Hardware or Hardware

modifications required to support revisions of Third Party Software are not included under the terms of this Agreement.

- E. Response to Issues. Aclara will provide verbal or written responses to Issues identified by the Customer in an expeditious manner. Such responses shall be provided in accordance with the Target Response Times as defined in Schedule A, Level of Maintenance Services.
- F. Service Limitations. The Maintenance Services defined in this Agreement are applicable only to the Aclara Technology System, excluding third party equipment, and Third Party Software identified in Attachment A to Software License Agreement. The following limitations apply to Maintenance Services under this Agreement.
- 1) New Software Versions are not included as a part of this Maintenance Agreement. Such Software Versions will be offered to Customer for additional fees and costs.
 - 2) Services requested by Customer for assistance with installation or implementation of Software Revisions and Patches are not included in this Maintenance Agreement, but are offered to the Customer on a time and materials basis at the rates stated in Schedule B hereto.
 - 3) System administration, database maintenance and recovery, server malfunctions, database backup processes, management and training services, repair of Hardware under warranty or master station computer equipment repair are not included as part of this Agreement.
 - 4) Maintenance services shall be limited to the latest Software Revision, and the two previous Software Revisions provided to the Customer and currently maintained by Aclara in accordance with Section 4.E below. All code changes, Enhancements or fixes will be incorporated into the latest Software Revision or a future Software Revision. Aclara has no obligation to make code changes, Enhancements or fixes to previous Software Revisions.
 - 5) Maintenance Services do not include costs incurred by Aclara while investigating problems that are the result of Customer's negligence, misuse, or unauthorized application, alteration, or modification of the Software, Hardware, or interfaces to the equipment configuration, which shall be invoiced to Customer on a time-and-material basis at Aclara's then current published rates. The current rates are set forth on Schedule B hereto.

- 6) Services offered outside of Maintenance Services as noted in Schedule C, Supplemental Services attached hereto are not included in this Agreement. Such additional services are available and may be provided upon Customer's request at the fixed price established on Schedule C, and if no fixed price is established, in accordance with the terms and rates provided in Schedule B hereto.
- 7) During Renewal Periods, certain follow-up training is provided as outlined in Schedule A, Levels of Maintenance Services. Additional training is available and may be purchased. Please contact Aclara Customer Support at 1-800-892-9008 for training requirements and fees.
- 8) Aclara shall consider and evaluate the development of Custom Enhancements for the specific use of Customer and shall respond to Customer's requests for Custom Enhancements or other additional services pertaining to the Software. Such Custom Enhancements or additional services shall be subject to a separate charge in accordance with Aclara's rates then in effect. The current rates are listed on Schedule B hereto.
- 9) Maintenance Services do not include any problem arising from the use of components manufactured or authorized by anyone other than Aclara as an interface or peripheral to the Software.
- 10) Maintenance Services do not include any problem resulting from the combination of the Software with such other programming or equipment unless such combination has been pre-approved by Aclara.
- 11) Maintenance Services do not include any problem caused by changes to other software (including releases and patches), interfaces or systems connected to the Software including but not limited to changes of operating systems database servers, web servers, and communications software.
- 12) Maintenance Services do not include changes in workflow, practices, procedures, or processes that differ from the Software approved specifications.
- 13) Customer specific testing and reimplementation of Custom Enhancements are not part of this Maintenance Agreement

Customer will be responsible to pay Aclara for time or other resources provided by Aclara to diagnose or attempt to correct any of the items set

forth above in this Section 3.F., at Aclara's then current time and material rates. If Aclara incurs expense in servicing claims which are later shown to result from any of the above activities, Customer shall pay Aclara the costs associated with the performance of such service. Aclara's time and material rates are attached hereto as Schedule B. Aclara, in its sole discretion, may change these rates from time to time with thirty (30) days advance notice to Customer.

4. Customer Responsibilities

A. Backups. Customer shall maintain a current backup copy of all Software and databases. Customer shall perform regular daily backups of its data, and weekly backups of its entire system maintained under this Agreement.

B. Notification of Issues

During the hours between 6:30 a.m. and 6:00 p.m. Central Time on Monday through Friday, excluding Aclara Holidays:

- 1) Customer shall provide Aclara with timely notification of any new System issues by one of three methods:
 - a. By entering the problem on the Aclara Customer Portal (See Note 1 below);
 - b. Contacting Aclara Customer Support at **1-800-892-9008**; or
 - c. Emailing the problem to **support@aclara.com**

Note 1: Customer's utilization of the Aclara Customer Portal is the preferred method for Issue notifications.

- 2) Premier Level. Selection of the Premier level of services provides technical support for Severity 1 and 2 issues, 24 hours per day; seven (7) days per week; 365 days per year. All Severity 1 and 2 notifications submitted between the hours of 6:00 p.m. and 6:30 a.m. Central Time (Monday through Friday, Weekends and Aclara Holidays) must be submitted through the Aclara Customer Portal. If Customer cannot readily access the Aclara Customer Portal, Customer may contact Aclara at the "800" number listed above. Premier Level Customers will receive priority treatment over Base Level Customer when resources are allocated to competing, same-priority issues.
- 3) Base Level. Selection of the Base level of services ensures tickets will be processed on the next business day within the normal

business hours (6:00 p.m. and 6:30 a.m. Central Time) noted on Schedule A, Levels of Maintenance Service. If an emergency arises, Aclara does offer support for Issues arising during other than normal business hours at the Time and Material Rates set forth in Schedule B hereto.

- C. Technical Staff. Customer shall be responsible for maintaining sufficient suitably trained technical staff to operate and maintain the System on a day-to-day basis, including backing up the Software and report handling. Aclara training for designated contacts shall be made available to Customer.
- D. Support for Problem Investigation. Customer shall support all reasonable requests by Aclara as may be required in problem investigation and resolution. For troubleshooting purposes, Aclara may need remote system access to Customer's system.
- E. Maintain Current Software Revision. Customer shall install new revisions of defined Software in the production environment within six (6) months of receipt of the Software Revision. Customer shall maintain the required version of the Third Party Licensed Software, if applicable, specified by Aclara for each released Software Revision provided. Aclara Error Corrections will be provided on Aclara's latest release of the Software Revision.
- F. Additional Requirements. Customer is responsible for procuring, installing and maintaining all equipment, telephone lines, communications interfaces, and other hardware necessary to operate the Software and obtain Maintenance Services from Aclara.
- G. Designation of Point of Contact. Customer shall assign an individual or individuals to serve as the designated contact(s) for all communication with Aclara during Issue investigation and resolution.
- H. Discovery of Errors. Upon discovery of an Error, Customer agrees, if requested by Aclara, to submit to Aclara a listing of output and any other data that Aclara may require in order to reproduce the Error and the operating conditions under which the Error occurred or was discovered.
- I. Test Environment. Customer should maintain a test copy of the Program and a separate test data base (other than Customer's production database) and shall test all new Software Revisions, Patches, Custom Enhancements, hotfixes and Error Corrections before integrating them into system productions.

- J. Technical Infrastructure Management. Customer shall manage hardware, software, network, storage, database, and peripheral devices for optimal operating performance and availability as required by end users.
 - K. Proactive Monitoring. Customer shall regularly monitor the hardware, software and infrastructure that support the Software application. Customer shall define system (OS/Oracle) level event logging, notification and escalation procedures, and detect and react to events. Customer shall regularly monitor event logs, server logs, and other debug information generated by the application to proactively identify problems.
 - L. Acceptance. On or before thirty (30) business days after Aclara's release of a new Custom Enhancement, hotfix or Error Correction that Aclara issues in response to an Error Report, Customer shall test and notify Aclara if there are any problems that need further resolution, or if Customer accepts the solution, Customer shall send such notification to Aclara's e-mail support address. If Aclara receives neither a request for further assistance nor an acceptance of the solution, the solution will be deemed accepted by Customer, and Aclara will have no further obligation to maintain the Software in its earlier form or version. Problems arising from the aforementioned items requiring further resolution will be included as part of this Agreement.
 - M. Routine System Management. Customer shall monitor the system logs and database and perform routine system and database management to ensure proper system operation.
5. Payment and Charges
- A. Basis of Support Service Fee. Pricing for Maintenance Services is calculated based on the cumulative Software License Fee paid by the Customer. The cumulative Fee is identified on Attachment A to the Aclara Software License Agreement as amended during the term of this Agreement. Pricing for each Support Level during the Initial Term is detailed in Schedule D, Level of Maintenance Services Selected hereto.
 - B. Billing Rate. The charge for the Service Level selected by the Customer and defined herein shall be at the annual Fee as identified in Schedule D, Level of Maintenance Services Selected hereof during the Initial Term of this Agreement. The annual Fee shall not be subject to adjustment during the Initial Term. Thereafter, during any subsequent Renewal Period, upon receipt of a 30 day notice, the Fee shall be subject to adjustment [not to exceed five percent (5%)] at the commencement of each Renewal Period.
 - C. Currency and Taxes. Prices and charges stated herein are in U.S. dollars and are exclusive of Import Duties, Tariffs, Provincial, Federal, State,

Municipal or other Government Excise, Sales, Use or like Taxes, all of which shall be Customer's responsibility.

- D. Suspension of Services due to Unpaid Invoices. In the event that any of the Charges remain unpaid for more than thirty (30) days after becoming due for payment, Aclara shall be entitled to withdraw the Maintenance Services.
 - E. Billing Frequency. Charges for the services provided under this Agreement shall be invoiced annually in advance. Payment of all such invoices shall be due and payable within thirty (30) days of the date of invoice.
 - F. Partial Services. Aclara reserves the right to invoice the Customer for any partial month services which may result from the Effective Date or date of termination of this Agreement, at a prorated charge.
 - G. Reinstatement Fee. In the event that Customer terminates or elects not to renew this Agreement and subsequently wishes to reinstate it, in addition to paying Aclara's then current fees and charges, Customer shall also pay Aclara, a reinstatement charge. The reinstatement charge shall include a lump sum equal to the total fees and charges which would have been paid for the period of lapse had the lapse not occurred: provided, however that if the lapse period is three (3) years or longer, Aclara shall have the option at its sole discretion to refuse to reinstate said Agreement
6. Termination
- A. This Agreement may be terminated by either party at any time by not less than thirty (30) days prior written notice.
 - B. Aclara shall have the right to terminate this Agreement at any time in the event of Customer's bankruptcy, insolvency, or any continuing non-payment for services in excess of thirty (30) days.
 - C. If either party shall at any time commit any breach of any covenant or agreement herein contained, and shall fail to remedy any such breach within thirty (30) days after the other party provides written notice specifying in reasonable detail such breach, the other party may, at its option, terminate this Agreement by prior notice in writing to such effect.
 - D. Aclara shall have the right to terminate or refuse Maintenance Services if, in Aclara's opinion, conditions at the equipment location represents a hazard to the safety or health of Aclara's personnel.

7. Warranties

- A. With respect to Services to be performed by Aclara under this Agreement, Aclara warrants that it will use reasonable care and skill in the provision of the Services. The Services shall be performed in a professional, competent and timely manner by Aclara Personnel appropriately qualified and trained to perform such Services. In the event of a breach of the foregoing warranty relating to Services occurs within twelve months from the date of the providing of such Services, Aclara shall, at its sole cost and expense, re-perform such Services. Re-performance of such Services shall be Aclara's sole liability and Customer's sole remedy for a breach of warranty.
- B. Except as expressly set out herein, all conditions and warranties, express or implied, statutory or otherwise (including but not limited to any concerning merchantability or fitness for a particular purpose) are hereby excluded to the extent permitted by law.

8. Limitation of Liability and Damages

The Parties have agreed to limit Aclara's total aggregate liability and exclude the recovery of certain types of damages. Notwithstanding anything contained herein to the contrary, except as to either Party's indemnification obligations, claims of breach of confidentiality, gross negligence or willful misconduct, the total aggregate liability of Aclara to the Customer for any and all liability arising out of or in connection with the performance of this Maintenance Agreement shall be limited to the then current annual Maintenance Services Fee paid by Customer to Aclara under this Agreement. IN NO CASE SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE OR SPECIAL DAMAGES, OR FOR THE LOSS OF BENEFIT, PROFIT, REVENUE OR DATA, EVEN IF THE PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. This provision shall survive termination of this Agreement.

9. Excusable Delays.

Neither Party shall be liable to the other for failure or delay in performance of a required obligation if such failure or delay is caused by delays in shipment, delivery or taking receipt of any items sold hereunder, or loss or damage thereto, acts of God, acts of the other Party, acts of civil, regulatory or military authority, U.S. Governmental restrictions or embargoes, war, terrorism, riot, fires, strikes, flood, epidemics, quarantine, restrictions, default or delay by supplier, breakdown in manufacturing facilities, machinery or equipment, delays in transportation or difficulties in obtaining necessary materials, labor or manufacturing facilities due to such causes, or any other cause beyond a Party's reasonable control. In the event of such occurrence, performance shall be suspended to the extent made necessary

by such forces, and the time for performance shall be extended by a period equal to the time of delay. Upon the occurrence of such an event the Party whose performance is adversely affected shall promptly notify the other Party of the nature and extent of the occurrence and the anticipated period of delay in performance. Any Party so adversely affected shall use all Commercially Reasonable Efforts to minimize the extent of the delay in performance. No event of Force Majeure shall apply to any obligation by either Party to pay money.

10. Assignment.

Neither Party may assign its rights or obligations under this Agreement without the prior written consent of the other Party, provided however, that either Party may assign this Agreement to an Affiliate, or to an entity acquiring all or substantially all of the assets of Party if the acquiring entity is an Affiliate, or, by operation of law, to an entity into which Party is merged if the surviving entity is an Affiliate, in each such case without prior approval of the other Party. In any such event, Party shall provide the other Party with prompt written notice of such assignment. As used herein, "Affiliate" means a company which either owns or controls Party or which Party owns or controls directly or indirectly, or is under common control directly or indirectly with Party through a common parent company.

11. Waiver.

No waiver of any term of this Agreement by either party shall be deemed to be a further or continuing waiver of any other term of this Agreement.

12. Governing Law.

This Agreement shall be governed by the laws of the State of Missouri, U.S.A.

13. Severability.

In the event that any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal or unenforceable, in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

14. Notices.

Any notices required or permitted hereunder shall be in writing and shall be deemed to be given sent by United States registered or certified mail, postage prepaid, to the respective Parties at the addresses shown below. Notices so given shall be deemed received three business days from the date of deposit in the U.S. mails.

If to Aclara:

Aclara
Attn: Contracts Administration
945 Hornet Drive
Hazelwood, Missouri 63042

With a copy to:

ESCO Technologies Inc.
Attn: General Counsel
9900A Clayton Road
St. Louis, MO 63124-1186

If to Customer:

City of Marysville
Attn: Karen Latimer, Operations Manager
80 Columbia Avenue
Marysville, WA 98270

15. Confidentiality.

- A. The Parties understand that they may exchange information which they deem to be confidential. Customer agrees that the Licensed Software, Maintenance, the Documentation and all related information (collectively, the "Information") constitutes confidential and proprietary information of Aclara and as such, such information is deemed to be Company Private and Confidential. Customer agrees as a condition of this agreement to keep the Information confidential and not to disclose any of the Information in any manner whatsoever except that the Information may be disclosed to those of its officers, employees and agents who have a business need to know the Information for the sole purpose of operation of the Aclara Technology System. Licensee agrees to ensure that all persons who have access to the Information are informed of the confidential nature of the Information and directed to comply with the terms of this provision Customer's obligations with respect to non-disclosure of the Information will survive the termination of this Agreement.
- B. Notwithstanding the foregoing, Customer may disclose confidential information if such information is required to be disclosed pursuant to a legal, regulatory or judicial order or requirement, provided the Customer shall promptly give Aclara notice of such order or requirement so that Aclara may seek reversal, rescission or modification of such order or requirement. If Aclara is successful in having such order or requirement reversed, rescinded or modified prior to the Customer's required compliance, no disclosure shall be made if the order or requirement is reversed or rescinded and, if such order or requirement is modified, disclosure shall be made only in accordance with such modified order or

requirement. Any confidential information disclosed by the Customer pursuant to this paragraph shall, as between Aclara and Customer, remain subject to the duties and obligations with respect to confidential information set forth in this Agreement.

- C. Aclara acknowledges that Customer is subject to the State of Washington's Public Records Act (Chapter 42.56 RCW) (the "Act"). Customer agrees to promptly notify Aclara of any request made under the Act, such that Aclara may seek protection of its Information which may be exempt from disclosure under the Act.

16. Entire Agreement.

This Agreement, including Schedules A, B, C and D hereof, contains the entire agreement between the parties hereto relating to the subject matter hereof and may not be changed or modified in any manner, orally or otherwise, except by a written amendment signed by a duly authorized officer of each of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the respective dates set forth below.

Aclara Technologies LLC

By: _____

By: _____

Name: Terry M. Messmer

Name: _____

Title: Sr. VP, Operations & Finance

Title: _____

Date: _____

Date: _____

SCHEDULE A

LEVELS OF MAINTENANCE SERVICES

	Base	Premier
Technical Support: <i>Technical Support is available during the hours of 6:30am- 6:00pm Monday-Friday US Central Time, excluding Aclara Holidays and weekends, toll-free at 800-892-9008.</i>	X	
24x7 Technical Support: <i>Technical Support is available between the business hours of 6:30am to 6pm US Central Time by accessing the Aclara Customer Portal (or Toll-free at 800-892-9008, if access to the Customer Portal is not readily available to Customer). On-call technical support is available after 6pm and before 6:30am Central Time 24-hours a day/7 days a week/365 days a year, including Aclara Holidays and weekends. Such after hours support is provided for Severity 1 and 2 issues only. Non Severity 1 or 2 items will be addressed during the standard business hours of 6:30am-6:00pm US Central Time.</i>		X
Target Response Time – Severity 1: <i>Requires immediate attention– Critical production functionality is not available or a large number of users cannot access the system. Causes a major business impact where service is lost or degraded and no workaround is available, therefore preventing operation of the business.</i>	<4 hours	<2 hours
Target Response Time – Severity 2: <i>Requires priority attention - Some important production functionality is not available, or a small number of users cannot access the system. Causes significant business impact where service is lost or degraded and no workaround is available, however the business can continue to operate in a limited fashion.</i>	<1 day	<4 hours
Target Response Time – Severity 3: <i>Requires attention –There is a problem or inconvenience. Causes a business impact where there is minimal loss of service and a workaround is available such that the system can continue to operate fully and users are able to continue business operations.</i>	<2 days	<6 hours
Target Response Time – Severity 4: <i>There is a problem or issue with no loss of service and no business impact.</i>	<3 business days	<1 business day
Access to Aclara Customer Portal (www.aclara.com): <i>Customer will receive individual user names/passwords to the Aclara Customer Portal, as well as have access to Issue Management Reports for each case generated by Customer.</i>	X	X
Follow-up Aclara Classroom Training. <i>Training is available at Aclara's facilities as listed on the Aclara Customer Portal. The maximum number of Customer's employees attending any Classroom Training session is three (3).</i>	Aclara List Price	No Maximum Number of Classes
Aclara Web based E-Learning classes. <i>Certain E-Learning classes are available as listed on the Aclara Customer Portal to an unlimited number of Customer employees per course at the prices listed on the Aclara Customer Portal.</i>	Aclara List Price	No Cost

SCHEDULE B TIME AND MATERIAL RATES

Additional Services may be provided at the Customer's request in accordance with the following Time and Material Rates (hereinafter referred to as "Rates"¹).

Rates:

1. The following Rate categories have been defined for Aclara technical staff:

Aclara Technical Staff	Standard Hourly Rate	Off-Hours Hourly Rate	On-Call Hourly Rate
Sr. Technical Advisor	\$250	\$375	\$120
Product Manager	\$200	\$300	\$120
Project/Account Manager	\$195	\$290	\$120
Deployment Manager	\$195	\$290	\$120
Sr. Engineer	\$185	\$270	\$120
Sr. Business Analyst	\$185	\$270	\$120
DBA	\$185	\$270	\$120
Trainer	\$185	\$270	\$120
Engineer/Support Engineer	\$165	\$240	\$120
Business Analyst	\$165	\$240	\$120
Equipment Service/Installation	\$125	\$200	N/A
Administrative Support	\$125	N/A	N/A

2. Rate Adjustments.

The above hourly rates are in U.S. Dollars and are subject to adjustment upon thirty (30) days notice.

3. Service Charges.

A. Services will be charged at the applicable Rates as follows:

- 1) Standard Hourly Rates will apply to all service hours expended that do not exceed eight (8) consecutive hours during Aclara's normal business hours of 6:30 a.m. - 6:00 p.m. Central Time, Monday through Friday, excluding Aclara Holidays.
- 2) Off-Hours Hourly Rates will apply to all service-hours expended beyond eight (8) consecutive hours during Aclara's normal business

¹Rates exclude any applicable taxes and the like.

hours of 6:30 a.m. – 6:00 p.m. Central Time, Monday through Friday excluding Aclara Holidays.

- 3) If Aclara is requested to travel to the Customer's site to provide Services, the costs and expenses associated with such travel will be borne by Customer and invoiced as set forth below.
 - a. Travel Expenses: Unless otherwise mutually agreed, Aclara's travel expenses for On-Site Services shall include, but are not limited to airfare, lodging, meals, automobile rental, fuel, parking and will be charged to Customer on an actual basis.
 - b. Portal to Portal Invoices: Travel time for On-Site Maintenance Services will be invoiced to Customer on a portal-to-portal basis at Aclara's On-Call Hourly Rates as stated in Schedule B. The maximum hours for travel one-way are eight (8) hours.

4. On-Call Maintenance Service

On-Call Maintenance Service is a pre-arranged service by which Customer places a request to have Aclara technical staff accessible remotely for a specified time period. During the period for which Aclara technical staff is accessible, On-Call Hourly Rates will be charged. If Aclara technical staff must actually perform services during such period, the services will be billed at the appropriate Standard Hourly Rate or Off-Hours Hourly Rate, instead of the On-Call Hourly Rate. This service will be provided remotely via a telecommunications link.

5. Pre-Purchased Support Hours

- A. Pre-purchased software support hours are a block of hours intended to cover Software issues that are not covered under this Agreement, thereby allowing the Customer added flexibility to utilize Aclara's services without generating a Change Order. Should Customer request services which are not included in this Agreement and desire to utilize the pre-purchased hours, Aclara shall provide the Customer with an estimated number of hours required to resolve such request. The Customer may then advise Aclara either to stop working, sign and fund a Change Order, or use the pre-purchased support hours to resolve the request. Aclara reserves the right to decline the Customer's request, depending on the nature of the request.
- B. Pre-purchased support hours may be purchased at anytime during the term of this Agreement. Pre-purchased support hours expire

upon termination of this Agreement or within one year after purchase (regardless of use), whichever occurs first.

- C. Pre-purchased software support hours are offered in the following increments and volume discounts:

40 hours	Hourly Rates listed in Section 1 above.
80 hours	5% discount
120 hours	10% discount

SCHEDULE C SUPPLEMENTAL SERVICES OFFERED

The following Supplemental Services are offered under the terms of this Maintenance Agreement:

STAR

STAR System Monitoring Service

Tier 1 (1,000 or less MTUs)	\$ 2,000.00
Tier 2 (1,001 to 10,000 MTUs)	\$ 4,000.00
Tier 3 (10,001 to 25,000 MTUs)	\$ 6,000.00
Tier 4 (25,001 to 50,000 MTUs)	\$ 8,000.00
Tier 5 (50,001 to 100,000 MTUs)	\$10,000.00
Tier 6 (Greater than 100,000 MTUs)	Please contact Aclara for pricing

Aclara's STAR System Monitoring service is designed to monitor end to end data transfer from meter/MTU's to and from DCU's to the NCC, and provide health status of your AMI system to minimize system downtime. Aclara will deliver a weekly diagnostic report that will identify issues which could affect the successful operation of the STAR system. The major components of the system that will be analyzed include:

- Network Control Computer
- Data Collector Units
- Meter Transmitting Units
- Handheld programmers.

Aclara's proactive approach is to look for any condition out of the ordinary and will result in an immediate issue of a troubleshooting ticket and/or field work order based on the nature and severity of the condition. Example diagnostics include:

- Battery voltage loss
- Reading reception loss
- File processing errors

Customers will be notified about the issues found, the steps to be completed to solve the problem, and the escalation path. Aclara will provide:

- A snapshot of the STAR system's health
- Generation of incident tickets, investigation and if needed, scheduling of work orders
- Notification that the issue has been resolved and confirmation that the STAR system is operating within established normal parameters.

The STAR System Monitoring Service requires that Aclara have reliable remote connectivity to Customer's System.

STAR® DCU Maintenance Service

Tier 1 (Less than 15 DCUs)	\$ 500.00 per DCU per year
Tier 2 (16 to 30 DCUs)	\$ 450.00 per DCU per year
Tier 3 (31 to 50 DCUs)	\$ 400.00 per DCU per year
Tier 4 (Greater than 50 DCUs)	Please contact Aclara for pricing

In addition to the above unit prices, Customer shall also be responsible for any associated rental equipment and delivery costs to access the DCU.

Aclara's STAR® DCU Maintenance service is designed to provide for the on-site repair of any DCU that fails under normal operation after expiration of the standard DCU Warranty. The Service covers all electronics, the Aclara provided WAN module and solar cell, but excludes the mounting frame and mounting hardware.

The Service does **not** include maintenance or repairs attributable to the unauthorized attempt by Customer or any unauthorized person other than an authorized Aclara representative to repair or maintain a DCU. Maintenance or repairs resulting from casualty, catastrophe, extreme weather conditions or natural disaster (including lightning damage), accident, vandalism, civil unrest, war, misuse, neglect or negligence of Customer, or causes external to the DCU such as, but not limited to, failed or faulty electrical power, communication failure resulting from cell or other WAN network service interruption or any causes other than ordinary use. Maintenance or repairs to attachments or to any other devices not originally a part of the DCU and added without the prior written approval of Aclara. Repairs resulting from unauthorized changes, modifications or alterations of or to the DCU are not covered under this Agreement.

Upon notification from Customer of DCU failure, Aclara will diagnose the DCU. If a failure occurs to a DCU covered under the Agreement, the unit will be repaired or replaced, at Aclara's option, at no additional cost to Customer. If the Customer has entered into a System Monitoring agreement with Aclara, Aclara will normally identify the problem as part of its System Monitoring and will take the necessary actions to correct the problem. The Customer is responsible for arranging access to DCU sites before Aclara can take action.

Customer's electing the STAR® DCU Maintenance Service must purchase the service for all DCUs purchased by Customer; STAR® DCU Maintenance Service may not be purchased on an individual, case-by-case basis.

**SCHEDULE D
LEVEL OF MAINTENANCE SERVICES SELECTED**

Customer: City of Marysville

Address: 80 Columbia Avenue, Marysville, WA 98270

Billing frequency is annually in advance.

1. Selected Maintenance Level (check one) (Annual First Term Price shown)

Base @ 20% \$ 2,080 (if taxable by 8.6%, add \$178.88 for a total of \$2,258.88)

Premier @ 30% \$ 3,120 (if taxable by 8.6 %, add \$268.32 for a total of \$3,388.32)

2. Supplemental Services:

STAR System Monitoring Service \$ 6,000 (if taxable by 8.6 %, add \$516.00 for a total of \$6,516.00)

STAR DCU Maintenance Service \$12,600 (if taxable by 8.6%, add \$1,083.60 for a total of \$13,683.60)

Designated Contact Information

Name Karen
Latimer

Title Operations
Manager

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Telephone (360) 363-
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Designated Contact Information

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Cellular Phone _____

Email Address _____

Update
Index #5

**CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION**

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: Contract Award – Decant Facility Retrofit	
PREPARED BY: Jeff Laycock, Project Manager	DIRECTOR APPROVAL: 
DEPARTMENT: Public Works, Engineering	
ATTACHMENTS: Certified Bid Tabulation	
BUDGET CODE: 40250594.563000, D1201	AMOUNT: \$973,357.94

SUMMARY:

The Decant Facility Retrofit project includes the construction of a new decant facility and retrofit of site improvements to the Public Works Yard. The project will improve waste handling processes and storage areas, provide cover for material storage areas to eliminate pollution runoff, install new stormwater conveyance lines to direct decant process liquids to the sanitary sewer, and create new standard operating procedures that will increase the amount of material that can be handled and processed at the facility.

The project is funded in part by the Department of Ecology Stormwater Grant, which Council authorized on October 22, 2012. Construction funding was originally estimated at \$985,000. Ecology would cover 75% of the cost or \$738,750. The City’s match requirement is 25% or \$246,250.

The project was advertised for a May 30, 2013 bid opening. The City received 5 bids as shown on the attached bid tabulation. The low bidder was SRV Construction, Inc. The project was bid with a base bid and bid additive 1 and 2 to consider expansion of the facility. Based on the bids, staff determined to construct the base bid and bid additive 1 at a total cost of \$873,357.94. The engineer’s estimate for the base bid and bid additive 1 was \$1,078,886.70. References have been checked and found to be satisfactory.

Contract Bid (Includes Sales Tax):	\$873,357.94
<u>Management Reserve:</u>	<u>\$100,000.00</u>
Construction Total:	\$973,357.94
 Ecology Stormwater Grant (est. at 75%):	 (\$730,018.46)
 Total Cost to the City (remaining 25%):	 \$243,339.48

RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to award the bid for the Decant Facility Retrofit contract to SRV Construction, Inc. in the amount of \$873,357.94 including Washington State Sales Tax and approve a management reserve of \$100,000.00 for a total allocation of \$973,357.94.
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Decant Facility Retrofit Certified Bid Tab

5/30/2013

Error Corrected

Apparent Low Bid

BASE BID			Engineer's Estimate		SRV Construction, Inc		McClure and Sons, Inc.		TEK Construction, Inc.		Pelco Construction, Inc.		Award Construction, Inc.		
Item	Description	Quantity	Units	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price	Unit Prices	Total Price
1	MINOR CHANGE	1	MC	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
2	MOBILIZATION AND DEMOBILIZATION	1	LS	\$75,000.00	\$75,000.00	\$57,550.00	\$57,550.00	\$65,000.00	\$65,000.00	\$86,724.14	\$86,724.14	\$40,000.00	\$40,000.00	\$57,000.00	\$57,000.00
3	SURVEY	1	LS	\$5,000.00	\$5,000.00	\$5,500.00	\$5,500.00	\$3,500.00	\$3,500.00	\$6,160.00	\$6,160.00	\$14,500.00	\$14,500.00	\$5,800.00	\$5,800.00
4	EROSION CONTROL	1	LS	\$3,000.00	\$3,000.00	\$3,350.00	\$3,350.00	\$3,000.00	\$3,000.00	\$11,312.00	\$11,312.00	\$15,000.00	\$15,000.00	\$2,000.00	\$2,000.00
5	DEWATERING	1	LS	\$50,000.00	\$50,000.00	\$6,000.00	\$6,000.00	\$5,000.00	\$5,000.00	\$8,400.00	\$8,400.00	\$15,700.00	\$15,700.00	\$6,500.00	\$6,500.00
6	SITework	1	LS	\$15,000.00	\$15,000.00	\$36,000.00	\$36,000.00	\$50,000.00	\$50,000.00	\$26,448.80	\$26,448.80	\$75,700.00	\$75,700.00	\$52,500.00	\$52,500.00
7	TRENCH EXCAVATION SAFETY SYSTEMS	1	LS	\$5,000.00	\$5,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,680.00	\$1,680.00	\$5,000.00	\$5,000.00	\$12,500.00	\$12,500.00
8	UNSUITABLE FOUNDATION EXCAVATION	100	CY	\$20.00	\$2,000.00	\$53.00	\$5,300.00	\$67.00	\$6,700.00	\$35.17	\$3,517.00	\$31.00	\$3,100.00	\$79.00	\$7,900.00
9	CRUSHED SURFACING TOP COURSE	20	TON	\$25.00	\$500.00	\$41.00	\$820.00	\$20.00	\$400.00	\$32.20	\$644.00	\$30.00	\$600.00	\$48.50	\$970.00
10	CRUSHED SURFACING BASE COURSE	1,070	TON	\$25.00	\$26,750.00	\$24.00	\$25,680.00	\$20.00	\$21,400.00	\$27.87	\$29,820.90	\$27.00	\$28,890.00	\$32.00	\$34,240.00
11	BANK RUN GRAVEL FOR TRENCH BACKFILL	1,250	TON	\$20.00	\$25,000.00	\$13.50	\$16,875.00	\$15.00	\$18,750.00	\$11.09	\$13,862.50	\$18.70	\$23,375.00	\$27.70	\$34,625.00
12	HMA CL 1/2" PG 64-22	600	TON	\$124.00	\$74,400.00	\$85.80	\$51,480.00	\$90.00	\$54,000.00	\$87.36	\$52,416.00	\$94.00	\$56,400.00	\$88.00	\$52,800.00
13	TEMPORARY HMA CL 1/2" PG 64-22	60	TON	\$225.00	\$13,500.00	\$132.00	\$7,920.00	\$125.00	\$7,500.00	\$98.00	\$5,880.00	\$145.00	\$8,700.00	\$150.00	\$9,000.00
14	2-INCH DIAM. COPPER WATERLINE	100	LF	\$60.00	\$6,000.00	\$70.50	\$7,050.00	\$100.00	\$10,000.00	\$93.52	\$9,352.00	\$85.00	\$8,500.00	\$113.00	\$11,300.00
15	12-INCH DI STORM PIPE	465	LF	\$80.00	\$37,200.00	\$83.40	\$38,781.00	\$95.00	\$44,175.00	\$119.69	\$55,655.85	\$82.00	\$38,130.00	\$108.50	\$50,452.50
16	CATCH BASIN TYPE I	7	EA	\$1,500.00	\$10,500.00	\$1,225.00	\$8,575.00	\$1,325.00	\$9,275.00	\$1,240.80	\$8,685.60	\$1,400.00	\$9,800.00	\$1,500.00	\$10,500.00
17	CATCH BASIN TYPE II, 60 IN. DIAM.	1	EA	\$5,000.00	\$5,000.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00	\$13,893.60	\$13,893.60	\$4,000.00	\$4,000.00	\$4,500.00	\$4,500.00
18	OIL WATER SEPARATOR	1	EA	\$14,000.00	\$14,000.00	\$8,430.00	\$8,430.00	\$10,000.00	\$10,000.00	\$27,746.88	\$27,746.88	\$12,600.00	\$12,600.00	\$14,000.00	\$14,000.00
19	PILES (BASE BID)	1,280	VF	\$40.00	\$51,200.00	\$44.70	\$57,216.00	\$37.00	\$47,360.00	\$41.21	\$52,748.80	\$44.20	\$56,576.00	\$50.50	\$64,640.00
20	DECANT FACILITY (BASE BID)	1	LS	\$330,000.00	\$330,000.00	\$228,275.00	\$228,275.00	\$316,666.00	\$316,666.00	\$343,489.44	\$343,489.44	\$302,300.00	\$302,300.00	\$288,000.00	\$288,000.00
21	ELECTRICAL	1	LS	\$21,000.00	\$21,000.00	\$24,200.00	\$24,200.00	\$30,000.00	\$30,000.00	\$21,784.00	\$21,784.00	\$24,240.00	\$24,240.00	\$22,000.00	\$22,000.00
SUBTOTAL					\$785,050.00		\$607,502.00		\$722,226.00		\$795,221.51		\$758,111.00		\$756,227.50
SALES TAX (8.6%)					\$67,514.30		\$52,245.17		\$62,111.44		\$68,389.05		\$65,197.55		\$65,035.57
TOTAL BASE BID					\$852,564.30		\$659,747.17		\$784,337.44		\$863,610.56		\$823,308.55		\$821,263.07
BID ADDITIVE NO. 1 (DRYING BAY)															
BID ADDITIVE NO. 1 (DRYING BAY)															
	PILES (BID ADDITIVE NO. 1)	550	VF	\$40.00	\$22,000.00	\$45.00	\$24,750.00	\$37.00	\$20,350.00	\$37.16	\$20,438.00	\$40.20	\$22,110.00	\$53.00	\$29,150.00
	BANK RUN GRAVEL (BID ADDITIVE NO. 1)	70	TON	\$20.00	\$1,400.00	\$13.50	\$945.00	\$15.00	\$1,050.00	\$11.09	\$776.30	\$20.80	\$1,456.00	\$27.70	\$1,939.00
SUBTOTAL					\$208,400.00		\$196,695.00		\$171,400.00		\$158,054.61		\$180,066.00		\$202,089.00
SALES TAX (8.6%)					\$17,922.40		\$16,915.77		\$14,740.40		\$13,592.70		\$15,485.68		\$17,379.65
TOTAL OF BID ADDITIVE NO. 1					\$226,322.40		\$213,610.77		\$186,140.40		\$171,647.31		\$195,551.68		\$219,468.65
BID ADDITIVE NO. 2 (ADD 3RD DECANT BAY)															
BID ADDITIVE NO. 2 (3RD DECANT BAY)															
	PILES (BID ADDITIVE NO. 2)	495	VF	\$55.00	\$27,225.00	\$46.00	\$22,770.00	\$37.00	\$18,315.00	\$49.55	\$24,527.25	\$40.20	\$19,899.00	\$46.50	\$23,017.50
	BANK RUN GRAVEL (BID ADDITIVE NO. 2)	60	TON	\$20.00	\$1,200.00	\$14.00	\$840.00	\$15.00	\$900.00	\$10.70	\$642.00	\$20.80	\$1,248.00	\$27.70	\$1,662.00
SUBTOTAL					\$211,425.00		\$187,610.00		\$166,215.00		\$151,117.75		\$193,347.00		\$212,679.50
SALES TAX (8.6%)					\$18,182.55		\$16,134.46		\$14,294.49		\$12,996.13		\$16,627.84		\$18,290.44
TOTAL OF BID ADDITIVE NO. 2					\$229,607.55		\$203,744.46		\$180,509.49		\$164,113.88		\$209,974.84		\$230,969.94
TOTAL BASE BID + BID ADDITIVE NO. 1					\$1,078,886.70		\$873,357.94		\$970,477.84		\$1,035,257.87		\$1,018,860.22		\$1,040,731.72
TOTAL BASE BID + BID ADDITIVE NO. 1 AND NO. 2					\$1,308,494.25		\$1,077,102.40		\$1,150,987.33		\$1,199,371.74		\$1,228,850.06		\$1,271,701.66



Index #7

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: PA12035 – Multi-family and commercial site and building design and open space amendments	AGENDA SECTION: New business	
PREPARED BY: Angela Gemmer, Associate Planner	APPROVED BY:	
ATTACHMENTS: 1. PC Minutes, dated 2/26/13, 3/12/13, 3/26/13, & 4/23/13 2. Adopting Ordinance	MAYOR	CAO
	AMOUNT:	
BUDGET CODE:		

DESCRIPTION:

The Planning Commission (PC) held a Public Hearing on April 23, 2013 to review proposed amendments to MMC Sections 22C.010.290, *Site and building design standards* (residential standards), 22C.020.240, *Commercial, industrial, recreation and public institutional zones design requirements – Applicability and interpretations*, 22C.020.250, *Site and building design standards* (commercial standards), 22C.010.320-360 (residential open and recreation space standards), and 22C.020.270-310 (commercial open and recreation space standards). Amendments include, but are not limited to, architectural design of commercial and multi-family structures, site and lighting design, and open and recreation space standards. The proposed amendments are modeled after design standards adopted by the City of Everett and those contained in the Sunnyside-Whiskey Ridge Subarea Plan. The proposed amendments are intended to enhance architectural and site design while providing flexibility in implementation of the standards.

The PC held public workshops on February 26, March 12, and March 26, 2013 and a duly advertised public hearing on April 23, 2013 to review the proposal, and received testimony from staff. There was no public testimony at the public hearing. Following the public hearing, the PC made a motion to recommend the proposed amendments to Marysville City Council for adoption by ordinance.

RECOMMENDED ACTION:

Affirm the PC’s Recommendation and amendments to MMC Sections 22C.010.290, *Site and building design standards*, 22C.020.240, *Commercial, industrial, recreation and public institutional zones design requirements – Applicability and interpretations*, 22C.020.250, *Site and building design standards*, MMC Sections 22C.010.320-360 (residential standards) and 22C.020.270-310 (commercial standards), by Ordinance.

COUNCIL ACTION:



MARYSVILLE PLANNING COMMISSION

February 26, 2013

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the February 26, 2013 meeting to order at 7:02 p.m. noting the absence of Roger Hoen.

Chairman: Steve Leifer

Commissioners: Jerry Andes, Steve Lebo, Marvetta Toler, Kay Smith, Kelly Richards

Staff: Senior Planner Chris Holland, Associate Planner Angela Gemmer, and Recording Secretary Amy Hess

Absent: Roger Hoen

APPROVAL OF MINUTES:

February 12, 2013

Motion made by Commissioner Andes, seconded by Commissioner Lebo to approve the February 12, 2013 meeting minutes as presented. Motion carries, (5-0).

PUBLIC HEARING:

Smokey Point Master Plan Design Guidelines Amendments:

Mr. Holland discussed a letter submitted for the Public Hearing from Bill Binford, a representative of land owners in the Smokey Point area, and summarized the concerns Mr. Binford expressed in the letter. Ms. Gemmer began a summary of the proposed revisions to the Smokey Point Master Plan area. She described the goals of the proposed amendments, which included a cohesive and quality architectural design. Comparisons were done with the SW Everett/Paine Field Subarea and Bothell's Canyon Park. Ms. Gemmer then overviewed the details of each proposed amendment. She discussed the pre-fabricated building prohibition that was included.

Commissioner Toler questioned where "durable" was described in the code. Ms. Gemmer replied that it is a subjective word, but that a dictionary definition would be relied upon and ultimately it would be up to the director if it were to be questioned. There was discussion on how this term would affect the particular materials pointed out in the letter from Mr. Binford. Mr. Holland added that the intent is not to be cost prohibitive, but to provide for a quality and

aesthetically pleasing look and referred to SW Everett/Paine Field and Canyon Park examples. Commissioner Toler questioned if a field trip or photos could be provided to take a look at some examples of high quality industrial parks and give the Commission a better idea of what staff was looking for. Mr. Holland responded that a field trip was in the works.

Commissioner Andes questioned Mr. Binford's letter, and whether the guidelines in place and those proposed would make it cost prohibitive to develop in this area. Mr. Holland didn't feel that the changes being proposed would cause the area to be undesirable or too expensive to develop. He noted that other issues such as lack of fiber optic and storm water and drainage issues were probably more prohibitive at this point but that the city is working to address some of those issues.

Chair Leifer questioned if an outright exclusion of metal buildings was appropriate at this time. He felt that metal buildings could be very aesthetically pleasing, if done right, and wondered if outright excluding them was appropriate given their cost saving capability. Ms. Gemmer responded that metal buildings were not completely excluded, the prohibition was aimed at pre-fabricated metal buildings; adding that a variance could be allowed. Mr. Holland added that the corners, pedestrian access and the like would be subject to the guidelines, but that the entire building would not be subject to those guidelines. Chair Leifer replied that with Mr. Holland's explanation, this didn't appear to pose a problem. Commissioner Lebo questioned if these particulars would be discussed on a case by case basis once development began. Mr. Holland responded with an example of some acreage that had been developed in the area recently and outlined the process it followed. Commissioner Lebo felt that the proposed changes were very clean and well thought out.

Chair Leifer discussed space needed to maneuver big rigs and being mindful not to disallow certain types of accessibility which would create increased costs for the developer. He did not want loading requirements to end up costing a developer more in having to create larger parking areas because of restrictions in place based on design standards. He suggested adding language that would note where it would be appropriate on the smaller arterials for loading areas. Ms. Gemmer explained that the intent was to have parking for customers in front of the building and reserving the rear of the building for loading activities. Mr. Holland explained what portions of the code would allow for truck maneuverability.

Motion made by Commissioner Richards to recommend the proposed code amendments as written to Council for approval, seconded by Commissioner Toler. Motion carries, (6-0). Commissioner Lebo added that he really liked the proposed changes and was excited to see development in this area.

Seeing no one in the audience, Chair Leifer closed the public hearing.

OLD BUSINESS:

Chapter 22C.110 MMC Temporary Uses:

Mr. Holland described the concerns that the Commissioners had at the first workshop and discussed how he had addressed these; including the allowance of temporary real estate offices with no sunset clause. He then discussed the security provisions that would be

required for transitory accommodations and how it would be instituted; on an as needed basis. The issue of registering sex-offenders utilizing these types of accommodations lay with the offender individually, not with the City or the entity hosting the accommodation. Lastly, Mr. Holland explained that there would be no difference in how a religious organization would be treated in comparison to a private group when it came to hosting these types of accommodations. Chair Leifer wondered if it was appropriate for the city to be completely indemnified of any responsibility when it comes to housing the homeless as this is a very important issue. Mr. Holland responded that he didn't feel these requirements were intended for the City to "wash its hands" of transitory accommodations, but what it did was to put standards and protections in place in case these types accommodations were to show up. Mr. Holland also added that through the CDBG and other programs, the City was making attempts to aide these populations. Commissioner Lebo felt that these guidelines were enabling the city to keep order, not prohibit housing assistance or these types of accommodations. Mr. Holland stated that if Planning Commissioners approved of the proposal, a Public Hearing would be scheduled for March 12, 2013.

NEW BUSINESS:

Residential Site & Building Design Standards:

Ms. Gemmer discussed the proposed changes and noted that the existing standards had been in place for quite some time. She described the intent of each proposal and the details of each. The standards were not intended to be overly rigid. Chair Leifer was concerned about the language about entrances "facing the street". He questioned how entrances could meet these standards with interior streets. There was further discussion regarding the 50% restriction to street parking.

Commissioner Toler questioned the primary building entrance requirements and how it applied. Ms. Gemmer replied that it applies to multi-family developments. Commissioner Toler felt that having the primary entrance of a multi-family development facing the street was a good idea for emergency situations as well as for aesthetic and safety reasons.

Chair Leifer had concerns about the proposed lighting restrictions. He was concerned about the rigidity of the language regarding visible light and property lines. Ms. Gemmer responded that the intent was not to prohibit seeing the light, but to limit staring directly at the light source itself. Mr. Holland and Ms. Gemmer noted that they would adjust the language to be less prohibitive. Ms. Gemmer described that the intent of the lighting standards was to improve safety and security.

Chair Leifer requested clarification of the requirements of Item 6 (c). Ms. Gemmer responded that if a design meets requirements of one section, it could potentially satisfy another section of the standards.

Commissioner Richards questioned what the restrictions were on the use of chain-link fencing. Ms. Gemmer responded that the goal was to limit use of chain-link fencing, but not applicable in single family homes. Commissioner Richards pointed out that this type of fencing is very secure and also widely used.

Commissioner Andes questioned the requirement of landscape screening 60% of walls within 3 years and how this would be enforced. Ms. Gemmer described that there is an allowance for 2 growth seasons for this requirement to be met. Mr. Holland described some examples of how this standard would be enforced and gave examples of plans that had been approved; including plant size and density requirements. It was not a standard that is really enforceable, but a more of a goal.

Commercial Site & Building Design Standards:

Ms. Gemmer described the proposed changes and additions to this section of building standards. There was discussion regarding materials and colors. The intent was to have variation in materials and or color. Commissioner Andes questioned how restrictive these standards would be on a 40 foot wide lot in a downtown commercial zone. He was concerned with how forcing these standards might not fit with the surrounding buildings and neighborhood. He wondered if there could be language added regarding smaller Commercial lots. Ms. Gemmer responded that there was some language in section 3 about adjoining properties and neighborhood character. Any new development would be required to adhere to the existing design standards.

Chair Leifer felt that some sort of flexibility should be included in the code for smaller lots that don't really fit with the typical commercial site standards. Mr. Holland responded that many of these situations could be handled by an administrative variance or deviation. He noted that conditions could be added as well on a case by case basis.

Multi-Family Open Space Recreation Space:

Ms. Gemmer described the proposed changes and additions to this section of code. The open space requirement would allow for more flexibility. Mr. Holland explained that the goal was to allow for higher density in-fill in the downtown area. Chair Leifer noted that there was overlapping language in each of these sections. He thought that the real intent needed to be decided upon made clear. He gave some examples of how much room the open space requirements actually use in a real-life situation. Mr. Holland agreed that it would be good to look at the existing standards and the proposed and see really what was happening based on the requirements. Chair Leifer thought there was some confusion in the language on what standards applied to what type of development. Mr. Holland agreed that there was some confusion in the language and that it could be adjusted to be clearer.

Commissioner Andes questioned why rooftop open areas would not be included for open space requirements. He felt that there should be at least a partial allowance. Mr. Holland responded that he would go back and look at this. Chair Leifer thought Commissioner Andes made a good point.

There was further discussion regarding fencing requirements. Mr. Holland stated that he would take another look at fencing requirements.

Mr. Holland noted that there were two Public Hearings scheduled for the next meeting; the Temporary Use Code update and the Manufacturing Industrial Centers Comp Plan Amendment. He also noted that he would be bringing back information on some of the concerns that had been brought up tonight for a couple more workshops.

ADJOURNMENT:

Motion made by Commissioner Richards, seconded by Commissioner Lebo to adjourn the meeting at 8:51 p.m. Motion carries, (6-0).

NEXT MEETING:

March 12, 2013



*Chris Holland, Planning Manager, for
Amy Hess, Recording Secretary*

PLANNING
COMMISSION



MINUTES

March 12, 2013

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the March 12, 2013 meeting to order at 7:02 p.m. noting the absence of Marvetta Toler.

Chairman: Steve Leifer

Commissioners: Jerry Andes, Roger Hoen, Steve Lebo, Kelly Richards, Kay Smith, Marvetta Toler (arrived at 7:05 p.m.)

Staff: Senior Planner Chris Holland, Cheryl Dungan, Associate Planner Angela Gemmer,

Absent: None

APPROVAL OF MINUTES:

February 26, 2013

Motion made by Commissioner Richards, seconded by Commissioner Andes, to approve the minutes as presented. Motion passed unanimously (6-0).

AUDIENCE PARTICIPATION:

None

PUBLIC HEARINGS:

Chapter 22C.110 MMC Temporary Uses

The hearing was opened at 7:03 p.m. Mr. Holland reviewed the amendments to Chapter 22C.110-MMC, *Temporary Use Code*. He stated he put together a draft ordinance with three exhibits for the review of the Planning Commission. Exhibit A is the draft recommendation. Exhibit B is the proposed amendments. Exhibit C is the amendment regarding the fee structures. Mr. Holland summarized the proposed amendments regarding *Exempted Temporary Uses* and *Permitted Temporary Uses*. The new section

regarding *Transitory Accommodations* provides a process for the City to allow something like a tent city while providing for the safety and welfare of the citizens. He generally reviewed the site performance criteria including the longevity (90 days), setbacks, screening, parking, and safety provisions. He also reviewed changes discussed at the last meeting relating to security provisions in section 6(c) and section 7 regarding indemnification.

Discussion:

Chair Leifer referred to item 12 in 22C.110.030 *Exempted Temporary Uses* and stated that he thought that the manufactured home should be allowed to remain on the site for the full length of the construction project. Ms. Gemmer noted that you could apply for an extension if needed. Mr. Holland stated that changes had been proposed for item 9, but not 12. He commented that they could add something to number 12 if desired. Commissioner Toler recalled that she had brought up the issue of mobile homes being used as offices for new construction sites. She wondered if that would be addressed in this code. Mr. Holland explained that was under a different section. After some discussion, there was consensus to leave the language in item 12 as it is.

Commissioner Hoen referred to item 7(d)(i) of 22C.110.050 regarding accommodations and commented that he didn't think the burden should be on the childcare facilities and schools, but instead should be on the organization putting in the transitory accommodations. Senior Holland noted that per the WAC, transitory accommodations cannot be disallowed, but certain procedures can be included for review and to make sure citizens are protected.

Commissioner Hoen referred to the required minimum insurance amount of \$1 million per occurrence/aggregate for personal injury and property damage as stated in section 7(c) of 22C.110.050. He asked if staff has information about the cost of providing that level of insurance. Mr. Holland said he did not have that information available. Commissioner Hoen discussed a campground he ran at the Gorge amphitheater where he learned about the Connie Francis factor which switched the liability to the innkeeper from the individual and caused insurance rates to dramatically increase. Mr. Holland stated that this is standard contract language for the City. Commissioner Toler thought a \$1 million rider would cost approximately \$100 a day and is a typical requirement for a one-day event to cover the public. Ms. Dungan concurred that this is typical of what is required by the City. Commissioner Toler suggested they ask the City Attorney if this is sufficient for this type of situation where people would be sleeping over.

Chair Leifer remarked that with all these regulations, there is not a great amount of incentive for any benevolent citizen/organization to want to jump into this sort of thing. Unfortunately, as it becomes more and more technical and involved, it becomes less and less likely that people will become involved.

Motion made by Commissioner Toler, seconded by Commissioner Richards, to recommend the adoption of the amendments to Chapter 22C.110 MMC, *Temporary Uses* as presented. Motion passed unanimously (7-0)

The Commission requested that additional information about insurance requirements be brought back for information purposes only.

The public hearing was closed at 7:26 p.m.

Manufacturing Industrial Centers Comp Plan Amendment

The hearing was opened at 7:27 p.m. Cheryl Dungan pointed out that copies of presentations regarding the *Marysville Waterfront Workshop Development Program and Recommendations* and the *Arlington-Marysville Manufacturing/Industrial Center* had been distributed to the Planning Commission.

She explained that a hearing was held previously to discuss establishing a Manufacturing/Industrial Center (MIC). This is a proposal to amend the Comprehensive Plan text to designate a local MIC as well as to help qualify for a future regional MIC jointly with the City of Arlington. Currently the Comprehensive Plan has some existing policies in place for centers, but staff felt some additional supplemental policies and establishing an actual boundary would be beneficial. The proposed amendments update goals and policies and discuss support for the future regional Marysville-Arlington MIC designation.

Discussion:

Chair Leifer referred to section III(a)(i) *Criteria and Standards* under *Land Uses* and asked why bodywork was excluded from this industrial zone. Ms. Dungan did not know why this would not be included. She suggested that they check the permitted use matrix. Mr. Holland looked in the City's Zoning Code and stated that the permitted use matrix is very broad in nature. Primary metal industries are allowed in both the Light Industrial and General Industrial zones. Fabricated Metal Products are allowed in the Business Park, Light Industrial and General Industrial zones. Motor Vehicle and Bicycle Manufacturing is allowed in the Light Industrial and General Industrial Zones. He stated it appears that body shops would be allowed in the industrial zones. There was consensus to strike the language prohibiting bodywork. Mr. Holland suggested checking to make sure this doesn't affect the uses allowed in the Smokey Pt. Master Plan boundary. Chair Leifer proposed that if it is allowed in the Smokey Pt. Master Plan, the exclusion should be stricken here. Staff concurred.

Commissioner Toler asked about section III *Industrial* under *Single Site Industrial* where it discusses uses that *might* be permitted. Ms. Dungan explained that this is existing language in the Comprehensive Plan. She explained that the Comprehensive Plan is a general guide for staff to develop a zoning code so it contains only general recommendations. Specifics are then laid out in the zoning code. She thought that in the actual zoning code, these uses are allowed.

Commissioner Hoen asked what spot developing is. Ms. Dungan explained that it is when a piece of property is developed out of character with the rest of the area. Mr. Holland further explained that spot zoning is also not allowed.

Commissioner Hoen referred to LU 16 regarding protecting small farms and agricultural uses in rural area and noted that this does not seem to be consistent with this plan. Ms. Dungan explained that it actually is consistent. Because the City has done a lot of annexations over the years, a Small Farm zone was developed. People can apply for this overlay zoning which is designed to offer small farms some protection from development adjacent to them.

Commissioner Hoen asked if there is anything that keeps the reservation from being part of the MIC so their development could be included in the jobs numbers. Ms. Dungan stated that they are not within the proposed boundary. She did not know if being on the reservation had anything to do with whether or not the Tribes could participate, but she thought they would be more of a retail center rather than a Manufacturing/Industrial Center.

Commissioner Toler asked what types of planes can land at the Arlington airport. Ms. Dungan replied that it could handle Lear jets and also B52's for firefighting. She wasn't sure if larger planes could be accommodated.

Commissioner Andes asked if Arlington's codes are similar to Marysville's. Ms. Dungan thought that they are fairly similar, but not identical. She is aware of Mixed Use zoning that Arlington has adopted in that area recently. The cities will be working together for the transportation system to make sure roads align and things like that. She reviewed the status of this process. Staff is pretty confident they will get the regional MIC zoning, but one of the biggest hurdles is the jobs number requirement of 10,000 jobs. Together they have approximately 4400 jobs, but there is a huge amount of capacity. They have the ability to be the second largest center in Snohomish County just behind Paine Field.

Chair Leifer then referred to section III(a)(i) *Criteria and Standards, Development Criteria* under *Planned Industry* and wondered why there would need to be an increase in buffers and open space. Ms. Dungan explained that what Chair Leifer was looking at was existing language in the Comprehensive Code which is not being proposed for change. Basically this was to guide staff in what the Zoning code should be.

Chair Leifer expressed concern about language regarding a requirement for a minimum of 80% non-retail in the MIC. He thought that this would interfere with the overall plan they have established with retail on the 152nd/156th Corridor and the 500-foot overlay they have on the Urban Corridor of State Avenue. Ms. Dungan concurred, but explained that this is PSRC criteria for a regional designation. More detail will be brought back as they move on in this process. She noted that 80% has to be manufacturing. Retail, unless it is associated with the businesses that are there, wouldn't be allowed in the MIC per PSRC criteria. Chair Leifer felt that people need to be able to access retail in this corridor. Ms. Dungan did not think it would entirely preclude retail development as this could be interpreted rather broadly. Chair Leifer summarized that they would need to continue working on this in the future. Staff concurred.

Commissioner Richards asked if we should switch the boundary over to keep Smokey Point out of the MIC. Ms. Dungan explained that they had expanded the boundary for existing jobs. Commissioner Richards suggested updating the map to include the 156th Street overcrossing. Staff concurred.

Mr. Holland summarized that in order to adopt a zoning code, the policies need to be included in the Comprehensive Plan. That is the reason for the broad language in the Comprehensive Plan.

Commissioner Toler indicated she was excited to see the MIC happen.

Chair Leifer noted that there was no one in the audience for the public hearing.

Motion made by Commissioner Richards, seconded by Commissioner Toler, to accept this as proposed and forward it to Council.

The hearing was closed at 7:55 p.m.

PREVIOUS WORKSHOP ITEMS:

Residential Site and Building Design Standards – DRAFT 2

Ms. Gemmer stated that the first proposed change was to make the orientation of the buildings more flexible than was proposed last time. For example, the primary building entrances do not need to be oriented toward the street if not feasible due to site conditions. Similarly, ground floor entries should be oriented toward the street, but different configurations are possible. The language used is *should* so it is not mandatory on ground floor entries, but dependent on different criteria.

On p.2, language was added to clarify the restriction that no more than 50% of the parking should be located between the building and a *public* street. Also, if there are multiple frontages, the restriction only applies to the road from which the main access is obtained.

In response to a concern by Commissioner Andes at a previous meeting, Mr. Holland pointed out that the existing language on page 2, section 3(a), deals with visual continuity between the proposed and existing development with respect to building setbacks, placement of structures, location of pedestrian and vehicle facilities and spacing from adjoining buildings. This is included in the language to ensure that we are looking at the surrounding areas.

On page 4, there had been some questions about lighting. Ms. Gemmer discussed research she had done with the Dark Sky Society in order to incorporate certain standards in this section. The language used is *should* so it will not be mandatory. She discussed some of the methods for achieving light control.

Finally, some language was added to clarify that if chain link fencing is integrated into the design of the site, it can be utilized. Mr. Holland pointed out that the actual section is under *Building Materials* and has more to do with the design of a building.

Chair Leifer thanked staff for being responsive to the issues raised by the Planning Commission.

Commercial Site and Building Design Standards – DRAFT 2

Angela Gemmer reviewed a change on page 3 at the bottom which clarifies that this applies when you are adjacent to a public street and only applies to the frontage where access is obtained. On page 4, section 3, Ms. Gemmer reviewed a change regarding visual continuity of infill structure(s) with existing structures when existing structures are consistent with the comprehensive plan desired community character. On page 7, the same lighting standards that were incorporated into the residential lighting standards were incorporated here.

Commissioner Lebo asked how the City Hall complies with these standards. Commissioner Richards explained it was built under the older standards.

Commercial and Multi-Family Site and Open Space Standards Memo and Open Space Chart

Ms. Gemmer reviewed that Chair Leifer had expressed concern that 20% open space would be too much in addition to the other requirements. She reviewed a spreadsheet showing three projects (AHM Smokey Point Mixed Use, Villas at Lakewood, and Lakewood Station Phase 1) to compare current open space requirements and actual open space provided on recent projects. For these projects the developers actually provided an excess of open space to what was required by the current code. In addition they provided other amenities such as a rec room and pool. Another chart compared proposed open space requirements applied to recent projects and actual open space provided. Ms. Gemmer stated that the requirements are higher, but there is much more flexibility with credit being given for things such as patios, balconies, ponds, natural areas, and wetlands. In each of the three cases, the developers have provided in excess of what either code would require. Mr. Holland commended Angela for putting all this open space information together.

Commissioner Leifer asked if there is any overlap with landscaping and open area requirements. Ms. Gemmer thought it would depend on where that is located. She thought that it might apply for certain areas, but not in areas that are not usable for recreation space. There was discussion about trails through landscaping applying for the credit.

Multi-family Open Space and Recreation Space – DRAFT 2

Ms. Gemmer explained there had been concern expressed by the Commission about not allowing roofs or rooftops to be used for open space. Staff added language to clarify

that if you are going to have usable amenities that the residents can get to, then the rooftop can contribute to the open space requirements. Item j on page 2 clarifies that areas that are dedicated for parking shouldn't be used for open space. Item 2 clarifies the credits regarding balconies, stormwater facilities, and wetland facilities resulting in a 50% reduction of dedicated open space. The goal is to make things flexible, but still have space that can actually be usable to residents. On page 3, active recreation facilities were added back in as a possibility to contribute in lieu of open space. This would include amenities such as tennis courts and swimming pools. This was accidentally excluded previously.

Commissioner Toler asked what would prevent someone from doing the active recreation facilities instead of just open space. Mr. Holland noted that all the new developments are providing that amenity even though it isn't required in order to get the rents they want and the usability of their space. Providing common indoor areas also seems to be very popular.

Commissioner Hoen asked if it seems that developers are seeing something on the horizon with Marysville. Mr. Holland said there has been a flood of development applications now that the economy seems to be changing. Residential has been steady in Marysville even with the economic downturn. He commented that Lynnwood is starting a big mixed use development, but otherwise between Seattle and Marysville there is very little land available for multi-family developments.

Commissioner Lebo commented on the general trend toward multifamily housing especially in downtown Seattle where 9 of the 18 cranes are for multifamily buildings. Commissioner Toler commented that the fact a lot of people have lost their homes has contributed to that. Chair Leifer thought they were probably anticipating Amazon's growth of 3 million square feet in downtown Seattle. Mr. Holland noted that the younger generation likes the condos and multifamily-type developments.

Commercial Open Space and Recreation Space - DRAFT 2

Ms. Gemmer explained that the changes reviewed earlier for the residential open space standards are incorporated in the commercial open space standards as well. One key change states that vertical mixed use developments (where commercial and multi-family uses are contained in the same building) shall not be subject to the 20% open space requirement.

Commissioner Lebo asked if there is a minimum amount of retail required for the vertical mixed use standards to apply. Ms. Gemmer stated that there is a not a requirement, but the assumption is that the ground floor would be retail. Mr. Holland further elaborated on this. Commissioner Lebo commented that there is a six-story multifamily building going up in downtown Seattle with just one small portion of the first floor as retail. Mr. Holland noted that they could strengthen the language to state that the ground floor would be exclusively commercial uses or at least a high percentage. Mr. Holland indicated staff would look at some options to bring back to the Commission.

COMMENTS FROM COMMISSIONERS:

Commissioner Hoen asked if press releases are ever done for the hearings. Mr. Holland replied that the City is required to advertise in the paper, at the library, at city hall, at the Public Works building, on the website and other requirements.

Commissioner Lebo informed the Commission that he would be out of town the second Tuesday in April.

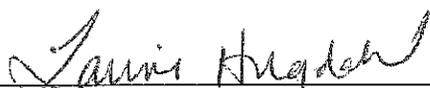
ADJOURNMENT:

Motion made by Commissioner Lebo, seconded by Commissioner Toler, to adjourn at 8:49 p.m.

NEXT MEETING:

March 26, 2013

- Manufactured Home Park Rezones (public hearing)
- Capital Facilities Plan (workshop)
- Multi-family/Commercial Design and Open Space Standards (workshop, if necessary)



Laurie Hugdahl, Recording Secretary

PLANNING COMMISSION



MINUTES

March 26, 2013

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the March 26, 2013 meeting to order at 7:04 p.m.

Chairman: Steve Leifer

Commissioners: Jerry Andes, Roger Hoen, Steve Lebo, Kay Smith, Kelly Richards

Staff: Cheryl Dungan, Gloria Hirashima

Absent: None

APPROVAL OF MINUTES:

March 12, 2013

Motion made by Commissioner Richards, seconded by Commissioner Andes, to approve the minutes as presented. *Motion* passed unanimously (6-0).

AUDIENCE PARTICIPATION:

Peter Cowley, PO Box 191, Marysville, WA 98270, discussed issues surrounding the new Lakewood Station/White-Leasure Development. He distributed a photo of a project White-Leasure is developing and expressed concern about the placement of a mailbox receptacle on 27th going into Lakewood Commons Condominiums which he believes is inconsiderate and dangerous. There is one lane in on 27th and one lane out with no place for people to park while trying to access the mailbox. He asked the City to approach the post office about placing it somewhere else. He stated that there are now three roads that surround his home. He does not think there should be any access to the new development off 27th due to already problematic traffic backups. He recommended widening the road to three lanes in each direction with a nice median as well as undergrounding of utilities to beautify the area. He suggested that there needs to be more protection of single family residences from new development. At a minimum he recommended a decent sound wall when new projects go in next to residential areas. The code only requires a 6-foot high wooden fence separating the project, but he does not feel that even this is adequate. Next to Lakewood Commons, his development, Lakewood Station, is going to be building 396 apartments, and they are allowed to place

those apartments within twenty feet of the property line. Additionally the developer is raising the grade by three feet in order to have adequate drainage. In Mr. Cowley's opinion this affects the daylight plane, the amount of sunlight that comes in, and the amount of noise. He expressed concern about the proximity and the height of new development next to existing residences. He suggested that the apartments next to single family residences/condos be limited two stories. For future developments he requested stronger consideration of sound walls, the height of buildings, and setbacks based on adjacent building heights.

Commissioner Andes asked if the mailbox is for the new development. Mr. Cowley affirmed that it is.

Chair Leifer stated that all the issues brought up by Mr. Cowley, except for the sound wall, have been addressed by the code. Cheryl Dungan noted that noise issues are typically reviewed during the project review when the noise expert will make recommendations for sound walls where necessary. She stated that a noise study was done for Costco and Lakewood Point which resulted in a noise barrier being built for truck loading and unloading. She assumes this will be taken care of through SEPA with this project as well. Mr. Cowley pointed out that behind Costco on 27th there is a two-story home with a wooden fence where thousands of cars go past every day. He thinks that the developers should have paid for a sound wall next to that home because it negatively affected the residential property owner.

Commissioner Hoen brought up plans he had seen elsewhere for tripartite articulation on the façade and wondered if that was applied in Marysville. Ms. Dungan explained that tripartite articulation is part of the code for multifamily and commercial zones to break up the façade. Also within the Comprehensive Plan and Zoning Code is a provision to take a look at adjacent uses. Particularly with residential, you can limit the height of a multifamily structure because of an adjacent single family use. Typically this is used when there is a divide between zones such as single family and multi-family zones. In this case both properties are zoned multifamily, but she thinks it is still something that could be brought up with the Hearing Examiner for review.

Commissioner Toler concurred. Chair Leifer recalled that horizontal modulation was required on another development. Ms. Dungan stated that this is frequently done when the new development is adjacent to lower buildings or different uses. There are other methods used such as increased setbacks for height increases to reduce impacts from taller buildings.

Chair Leifer asked if the City has any impact with the postmaster regarding Mr. Cowley's concerns about the mailboxes. Ms. Dungan indicated they could bring this up with the postmaster to see if they would be willing to have it placed somewhere else. Commissioner Richards noted that the City could require the developer to make parking for the mailboxes. Ms. Dungan pointed out that this development is already constructed. Commissioner Hoen noted that this type of mail receptacle is built for the efficient distribution of mail by the postal carrier. He rarely sees any kind of provision for people to access the mailboxes from their car. In his neighborhood he only sees people walking

to the mailboxes. Mr. Cowley concurred and noted that the way the box is set up, it is necessary to stand in the street and open it with a key from there.

PUBLIC HEARINGS:

Manufactured Home Park Rezones

Chair Leifer opened the hearing at 7:25.

Staff Presentation:

Cheryl Dungan delivered a PowerPoint presentation (contained in the Planning Commission packet) which reviewed the background of the Residential Manufactured Home Park (R-MHP) zone and mobile home parks in Washington. Park closures and evictions result in serious hardship on tenants which is why the City adopted an R-MHP zone back in 2010. There are currently 13 manufactured home parks with approximately 1130 rental spaces. Six of those parks are currently in commercial zones, and those are not proposed for rezone tonight. It was decided in the Comprehensive Plan that MHPs in commercial zones should be allowed to redevelop when the owners are ready. MHPs under consideration tonight for rezone are: Crystal Tree Village, Emerald Hills Estates, Glenwood Mobile Estates, La Tierra, Cedar Lane Park, Kellogg Village, and Country Mobile Estates totaling approximately 740 homes.

Recommendations on individual parks:

- Glenwood Mobile Estates: Apply R-MHP zone designation. It complies with comprehensive plan goals and policies for MHP preservation.
- Emerald Hills Estates: Apply R-MHP zone designation. It complies with comprehensive plan goals and policies for MHP preservation.
- Crystal Tree Village: Apply R-MHP zone designation. It complies with comprehensive plan goals and policies for MHP preservation.
- La Tierra: Apply R-MHP zone designation. It complies with comprehensive plan goals and policies for MHP preservation.
- Cedar Lane Park: No action. The park is small. The majority of the homes are single wides and fairly close together. It is unlikely double wides would "fit" in resulting in a decrease in density.
- Kellogg Village: No action. This is already protected under Planned Residential Development approval under Snohomish County.
- Country Mobile Estates: No action. It was established in Snohomish County prior to annexation and is a legal non-conforming use.

Commissioner Hoen asked if the one-year notification requirement would still be required for those MHPs that are not rezoned. Ms. Dungan replied that the one-year notice is a state requirement and not one the City governs; whether the park is rezoned or not, that requirement would continue. The rezone simply adds a layer for public review for the city process.

Public Testimony:

Ishbel Dickens, 3306 E John Street, Seattle, WA 98112, Executive Director of the National Manufactured Home Owners Association, spoke in favor of the recommendations, but encouraged the City to go beyond staff recommendations. She believes all 13 manufactured housing communities in the City of Marysville deserve the same protection. She stressed that the homeowners that are located in commercial zones are probably the most vulnerable to lose their homes through redevelopment and the least likely to be able to protect themselves. As housing and development starts to pick up again, she believes the people in MHPs on commercial corridors will be the first ones to lose their homes. She stated that even with the one-year notice residents generally cannot afford to move their homes. She encouraged the City to consider expanding the zone to include those in commercial areas. Failing that, she would like to see that all MHPs with residential zoning of any type are covered by the zone. When the staff originally put together the zoning ordinance in 2010 and it was passed by the Planning Commission, she believes that Cedar Lane was recommended for inclusion. She is not sure why they took that one out of the zone this time since it has similar zoning to three of the communities that are included in the recommendation. Additionally, Country Mobile Estates should be protected since it is also a residential zone. Otherwise, she believes the City will open themselves up to potential questioning by community owners if they start doing a spot zone approach to the zoning. She reviewed the 9th Circuit Court of Appeals decision that said the City of Tumwater's ordinance is constitutional under both the federal constitution and the state constitution even though the community owners argued against it. She stated that the zoning also has an exemption clause whereby if the community owner at any time can show that their business is no longer economically viable, they have a right to come before the city to request a rezone. This is a protection for both the community owner and the homeowner to have longer term security of tenure. She spoke in support of preserving MHPs as they meet a lot of the state's Growth Management Goals. They preserve existing neighborhoods, provide for a density of housing, provide affordable housing, and provide a housing option for seniors or low income families. She believes protecting and preserving MHPs is a worthwhile goal for the City.

Commissioner Hoen asked if there is a restriction on how much landlords can increase the rent for MHP residents. Ms. Dickens stated that Washington does not have a rent fairness statute. Landlords in Washington State are entitled to raise the rents as much as they want once a year on the anniversary date of someone's tenancy provided they give them three months' notice in writing prior to the rent being raised. Commissioner Hoen noted that this appears to be a backdoor way to force residents out. Ms. Dickens concurred and noted that on some occasions, owners have been economically evicted. She reiterated that the MHP owners are very vulnerable. The zoning ordinance is not an ideal solution, but it is better than what currently exists.

Margaret Hopkins, 5900 - 64th Street NE #90, Marysville, WA, a resident of Glenwood Estates Mobile Home Park, noted that there was already a pre-scheduled outing with the Fire Department and Red Cross which is why many of the residents were not able to come. She thanked the City for creating the zone, but asked them to apply the zone to all parks so that all MHP residents have some security.

Rita Anderson, Cedar Lane Park owner, stated she has mixed feelings about this. She and her husband bought the park as a retirement investment with the option of doing what they felt was necessary when the time came. She stated that now her husband has dementia, and the cost of maintaining the park has increased dramatically. She doesn't think restricting the commercial parks is right since the owners have invested their hard-earned money and approached this as an investment.

Ms. Dungan pointed out that Planning Commission action was restricted on this item to considering the MHPs that are not in commercial zones. The way the zone was written and adopted it does not expand to commercial zones. Commissioner Richards asked if the Planning Commission could revisit the MHPs in commercial zones later if they wanted. Ms. Dungan responded that they could consider it, but those MHPs are in commercial zones and the intended use is to eventually convert to commercial uses. She pointed out that the City has been through much discussion of this topic, and she doesn't know if they would be up for bringing this back since it is against the City's Comprehensive Plan policies. She emphasized that the rezone doesn't offer full protection to parks; it just gives another layer of public review and an opportunity for the park residents to speak in a public format regarding the potential rezone of MHPs. The best way to protect a park is for someone to own it that wants to keep it a park forever, but this is not something that can be required under code. She noted that one solution would be for the residents or some another entity, such as Snohomish County Housing Authority, to purchase the park for long-term preservation.

Chair Leifer stated that the Commission has spent a lot of time and energy in the past reviewing this issue. He shed some light on the history of past Planning Commission discussions. He stated that, unfortunately, if people had realized where this was leading when they moved into an MHP they could have bargained for long-term lease agreements with the owner if possible. Had those long-term lease agreements been available, it would have resolved the issue. In the future, new parks could be required to be a park forever and they wouldn't have to be a MHP if they didn't want to. He doesn't have an issue doing something like that going forward even though he is a very strong property rights advocate. However, looking back to park owners that have had the expectation that they might someday change the use, it is difficult to impose a standard after the fact that disallows that. The Planning Commission and staff tried to come up with a solution that would protect both the park owners and the homeowners, and this is the best they could come up with at the time. He thinks staff has tried to diligently comply with the principles of zoning as well as the requirements of the Comprehensive Plan.

Commissioner Andes agreed that staff has done a good job of trying to resolve this issue to the best of their ability.

Motion made by Commissioner Andes, seconded by Commissioner Richards, to approve the recommendation as presented. **Motion** passed unanimously (6-0).

The public hearing was closed at 8:00 p.m.

PREVIOUS WORKSHOP ITEMS:

Multi-family/Commercial Design and Open Space Standards

Peter Cowley, PO Box 191, Marysville, WA 98270, reiterated his previous concerns. He is very concerned with Lakewood Station. His home will be right next to the new commercial section of the development. He expressed concern about the architectural relief going down the sides, the commercial access for delivery trucks, and the aesthetics of the building. He referred to a Fred Meyer in Lake Oswego/Tigard, Oregon that has a very nice design. He hopes the City will have a higher standard of design with the new developments.

Chair Leifer stated that the Commission has been working on the Smokey Point Master Plan with an emphasis on design quality and street appeal. He stated that Mr. Cowley's concern is well taken.

Mr. Cowley asked about trying to get a median in the middle of the roadway with some vegetation on it and three lanes going in each direction. Ms. Dungan replied that WSDOT would be responsible for that road as it is a state highway. Mr. Cowley stated he thinks this would be very important.

Chair Leifer referred to a memo from Angela Gemmer in response to a concern raised previously by Commissioner Lebo with two possible alternatives. Commissioner Toler spoke in support of Alternative 1. Chair Leifer asked about consideration for housing for handicapped. Other commissioners thought that elevator access would be sufficient. Commissioner Lebo was comfortable with either alternative presented in the memo as long as it is clear. There was consensus to take action on this at the hearing on April 23.

NEW BUSINESS:

Capital Facilities Plan – DRAFT 1

Ms. Dungan reviewed the Draft Capital Facilities Plan (CFP) for years 2013-2018 which communicates the City's plan for capital construction and purchases for a six-year period as required by the Growth Management Act. While the CFP does not cover routine maintenance, it does include construction, engineering, administration, permitting taxes and interest. Capital improvements that are included in the CFP are generally defined as any structures, improvements, equipment, or other major assets, including land that have a useful life of at least ten years. She stated that she was available to answer questions and hopefully set a date for a public hearing. She added that a lot of time and effort is involved with putting the CFP together as it requires coordination between departments and multiple discussions. She also noted that while a lot of the projects are in the unfunded category, in order to qualify for funding they need to be listed in the CFP as an improvement project.

Chair Leifer asked for an update on grants. CAO Hirashima replied that staff has been stepping up efforts citywide to apply for grants and has been pretty successful even

though it is very competitive. Staff received grant funding to do improvements on State Avenue around 88th Street this year and next year. Generally, they have been the most successful with grants for transportation projects. There is rarely grant funding available for parks grants, although they have obtained some minor funds for things like community center improvements. The City makes the most they can out of the locally available funds such as the Hotel Motel Fund and the Community Development Block Grant (CDBG) program through the City. Some seed money was obtained through the CDBG for a spray park because this was located in a lower income area of the downtown area. There is also some funding available for stormwater grants. The City received about \$8,000 for a decant facility for the stormwater program over the past year. She commended staff for their hard work applying for the funds they can. The Capital Facilities Plan update was a grant that Cheryl Dungan applied for in order to fund the update. In terms of capital facilities, transportation is the area staff will continue to focus on.

Chair Leifer asked how the City might receive funds through the offsetting mitigation due to the coal trains. CAO Hirashima stated that the City is very actively applying for this, but BNSF frequently says they are *limited by federal law* to only provide up to 5% of a project's funding through mitigation. As a result, the City has made the appeal to the federal delegation because if BNSF is limited to 5%, then the other mitigation would have to come from city, state, and federal sources. Since the federal law is what regulates much of the railroads, it would seem like a viable option to appeal to the federal government to see if they can supplement the 5% that the railroads can provide. Some of the feedback received from the federal representatives indicates that money is provided to the state for transportation, and that might be something to pursue. The state could identify coal and rail impacts as one of the criteria for allocating the state funds that are received from the federal government. The City will continue to raise this issue.

Commissioner Toler asked what was being done for private investment. CAO Hirashima said the City has looked at doing public-private partnerships on some road/facility projects. They have also looked at doing a Request for Proposal on city-owned property to see if they can attract a developer to that site.

Commissioner Hoen pointed out that the coal companies are the main ones who are benefiting from the transport of the coal. CAO Hirashima concurred and noted the federal government could look at the proponents for the coal companies as a potential source of revenue for transportation projects.

Ms. Dungan noted that there is another phase to the grant. Besides the adoption of the CFP, there will be some Comprehensive Plan amendments for the downtown area coming forward and perhaps a revised park plan within the next few months.

Commissioner Hoen referred to page 12-5: *Funds Available for Capital Projects* and asked why the funding sources go into zeroes for a few years. Ms. Dungan replied that some of the money has already been committed for debt for previous years. CAO Hirashima explained that when they financed some projects loans were taken out with

interest only initially and then the principal kicks in in later years. This schedule on page 12-5 integrates the debt schedule. Also, with regard to the General Fund, the City budgets year-to-year so as you go further out it is difficult to make projections. The Finance department, especially, is reluctant to make a lot of projections for the purpose of spending future money. On the other hand, the numbers projected by Public Works for grants tend to be more optimistic. Commissioner Hoen thought that some of the funding sources disallowed the use of funds for paying debt. CAO Hirashima explained they are allowed to use it for debt directly related a specific road improvement.

Cheryl Dungan noted that staff would like to set a hearing date for April 23. There was consensus to move forward with this date.

Commissioner Hoen asked about the \$10 million city campus listed in the CFP. CAO Hirashima pointed out that this has been under discussion for many years. She reviewed the history of it and suggested that now they are gravitating toward the site next to Public Works building and an effort to consolidate facilities. Chair Leifer noted that this could kick start the waterfront development. CAO Hirashima concurred and stated that this is what they are thinking.

COMMENTS FROM COMMISSIONERS:

CAO Hirashima solicited agenda topics for the upcoming joint meeting with Lake Stevens. Staff is considering sharing plans for Smokey Point, the waterfront plan recommendations, and possibly the Whiskey Ridge/Sunnyside area plans.

- Chair Leifer indicated he would be curious what competing interests Lake Stevens might have that Marysville should consider for future development near 92 and Highway 9.
- Commissioner Hoen asked if Lake Stevens is looking at light industry plans like Marysville is. CAO Hirashima did not think they were.
- Commissioner Lebo suggested discussion surrounding Marysville's waterfront plans.
- Chair Leifer thought that transportation plans would be a good subject for discussion.

CAO Hirashima noted that the topic of medicinal marijuana dispensaries would need to be addressed soon. She gave an update on the handling of this issue by local cities.

ADJOURNMENT:

Motion made by Commissioner Andes, seconded by Commissioner Richards, to adjourn at 8:43 p.m. **Motion** passed unanimously.

NEXT MEETING:

April 9, 2013 - Joint meeting with Lake Stevens Planning Commission at Marysville City Hall



Laurie Hugdahl, Recording Secretary

PLANNING COMMISSION



MINUTES

April 23, 2013

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the April 23, 2013 meeting to order at 7:02 p.m. noting the absence of Marvetta Toler.

ATTENDANCE

Chairman: Steve Leifer

Commissioners: Roger Hoen, Jerry Andes, Kelly Richards, Kay Smith, Steven Lebo

Staff: Senior Planner Cheryl Dungan, Associate Planner Angela Gemmer

Absent: Marvetta Toler

APPROVAL OF MINUTES

April 9, 2013 Meeting Minutes

Motion made by Commissioner Smith, seconded by Commissioner Richards, to approve the minutes as presented. **Motion** passed unanimously (6-0).

AUDIENCE PARTICIPATION - None

PUBLIC HEARINGS

Capital Facilities Plan

Chair Leifer noted that there was no one present in the audience. The hearing was opened at 7:03 p.m.

Senior Planner Cheryl Dungan noted that the Capital Facilities Plan is a six-year plan that communicates the City's plans for capital construction and purchases as required by the Growth Management Act. Things that are generally included in the CFP are structures, improvements, pieces of equipment, or other major assets including land which have a useful life of at least ten years. The City has received one comment from WSDOT who stated that they are basically in agreement the Capital Facilities Plan, but indicated that the City needs to help lobby the legislature for additional funding for the ramps at SR 529 and the 1st Street bypass area. An Interchange Justification Report would also be required before the interchange at 156th could be approved by WSDOT.

Chair Leifer said he noticed that according to the CFP the 116th to 136th project appears to have funding available to it for 2013 with completion in 2014. He wondered if that was accurate. Ms. Dungan stated that it has gone through several reviews through the Public Works Department and through the City Engineer, so it should be accurate.

Commissioner Hoen said he read in the paper that there are three Snohomish County projects in the current state budget including 116th. Senior Planner Dungan noted that the projects were in one of the drafts, but she hadn't heard that they had been approved.

Commissioner Lebo asked for an explanation of the score. Ms. Dungan discussed how the ranking system works. There is a database used to update the CFP each year with certain criteria based on policy decisions. The number indicates the number of policy decisions that were supported for that project; the higher the score the better. Cheryl Dungan noted that this was prepared as a result of the City receiving a grant from the Department of Commerce for \$45,000 to update the Capital Facilities Plan. There were some ranking criteria that were required as part of the grant. The City is still in the process of refining the ranking system.

Commissioner Andes referred to page 27 where it talks about 152nd Street NE between Smokey Point and 43rd Ave NE and noted that the description refers to 88th Street. Cheryl Dungan indicated she would make that correction.

Chair Leifer asked if the regional pond referred to in the document is adjacent to the one that the City already has up there. Ms. Dungan affirmed that it is. Chair Leifer asked for an update on the one that is projected just east of 51st and south of 152nd. Senior Planner Dungan explained that one is part of the Edgecomb/Lakewood/Smokey Point Master Plan. The City currently has an application in with the Army Corps of Engineers for the north end and is still working on that process. The submittal was finally accepted as complete last year. One of the issues is that because of the decline in the economy, property ownership has changed and now a lot of the property out there is owned by banks or has reverted back to previous owners. The City is informing the new property

owners about the project and garnering their support for it before it goes further. She commented on the importance of property owner support. Chair Leifer asked if there is much interest right now. Ms. Dungan replied that there is some interest, but mostly questions about how this would benefit them in the long run. She discussed details of the project and summarized that the City is working toward obtaining a Corps permit right now and talking to property owners in the area. With Pond 2 they are further along. They also have an application in with the Corps and are supposed to be getting a Wetland Determination from the Army Corps of Engineers by the end of April for that.

Chair Leifer asked if there has been any grant money earmarked for the 156th interchange. Senior Planner Dungan stated that she is not aware of any. This is one of the City's higher priorities, but they recognize that it will take a lot of money. They also need to have an interchange justification report written to convince WSDOT that the interchange can be constructed at 156th and not negatively impact 172nd or 116th. This will be completed when the City has the funding to do it.

Commissioner Richards asked if there is a priority given to either 156th or the 529 interchange. Senior Planner Dungan replied that they are both desirable, but 156th is key for the industrial development in that area. It is critical for attracting the big companies the City would like to see out there.

Chair Leifer wondered if there are any funds available through any of the various agencies related to the MIC designation. Ms. Dungan stated that just by designating the local MIC, it opened up some county and local money to help with infrastructure. Once they get the rezone designation from PSRC she thinks it will open up even more opportunities for more funding. She added that Arlington has received their local designation as well so it is basically a joint MIC boundary now.

Commissioner Andes asked if Arlington has submitted anything to the state about what they want to do as far as an interchange north of the rest areas. Cheryl Dungan stated that she had no knowledge about that.

Commissioner Lebo referred to page 9 relating to the Doleshel Tree Farm which states that it will be starting this year and ending next year. He noted that they actually started renovating this several years ago, and he thought that the park would open this year. Cheryl Dungan stated that in 2013 there is \$15,000 scheduled for improvements. In 2014, there is an additional \$30,000 scheduled so it looks like it won't be completely done until 2014. Commissioner Smith stated that she sits on the Parks and Recreation Advisory Board, and they haven't talked about this yet. There isn't a name yet, but the public is submitting suggestions. The board will be voting on May 8. She will know more about this after May 8 and will bring back information to the Planning Commission. Commissioner Lebo commented that he has been involved in service projects out there

for the last three years and was told it would be opening this year. Commissioner Smith gave an update on the naming process and noted that they probably couldn't dedicate it until they had a name.

Commissioner Lebo referred to the Trunk "G" Rehabilitation - Cedar to Columbia project on page 18 and asked if the new line would be put in parallel to the existing one. Cheryl Dungan replied that they would be replacing approximately 450 feet and would probably do a temporary bypass while they are replacing it.

Motion made by Commissioner Richards, seconded by Commissioner Andes, to approve the Capital Facilities Plan with the minor correction on page 27 as discussed above and forward to the Council with a recommendation for approval. **Motion** passed unanimously (6-0).

The hearing was closed at 7:24 p.m.

Multi-family/Commercial Design and Open Space Standards

The hearing was opened at 7:24 p.m.

Associate Planner Angela Gemmer stated that the goal of the Multi-family/Commercial Site and Building Design Standards is to strengthen the existing architectural design standards. There are also some additional standards that pertain to lighting and orientation of the site. On the Open Space Standards, the primary change is to shift from having a square footage requirement based on unit type to a requirement that 20% of the gross floor area of the building be provided as open space. To afford some relief from that there is the option to use open space areas, balconies, and other amenities as a means of reducing the total dedicated open space area. One concern that was raised was with respect to Mixed Use zoning which had a multifamily building with minimal ground floor commercial. The memo from staff dated March 20, 2013 has two different alternatives to strengthen that language. The first alternative would require the entire ground floor of the building to be devoted to commercial use in order for the open space provisions to not be required. The second alternative would require that the equivalent of 75% of the ground floor space be devoted to commercial use and that the street wall is maintained with a commercial use. Staff's recommendation is Alternative 2, which they feel is more concrete and offers more flexibility.

Commissioner Richards thought that the requirement should be higher than 75%, but it doesn't need to be all of it. He suggested that 80% of the ground floor space should be required to be commercial on the ground floor.

Chair Leifer asked for the justification for disallowing a residential use that would have a view of the main street or main corridor. Associate Planner Gemmer stated that the goal is to have retail and service type uses on the pedestrian corridor. The higher floors would still be able to have the street orientation. Senior Planner Dungan added that multifamily is already permitted outright in the Mixed Use zone, and there are opportunities to have ground floor level apartments outright in this zone. What is being discussed here relates to the reduction in recreation space.

Commissioner Andes asked where the open space would typically be located, for example, on the Jubie property. Ms. Gemmer replied that on the Jubie building the entire ground floor is commercial with some apartments upstairs. In that case they wouldn't have to provide the open space. The Open Space provisions only apply in the Mixed Use zone, and generally they try to get the open space toward the center of the site unless it isn't feasible. Senior Planner Dungan stated that staff's intent is to make the Mixed Use zone more consistent with the other commercial zones.

Commissioner Andes asked about the location of Mixed Use zones in the City. Ms. Gemmer replied that in addition to the downtown area, there are several strips such as Grove Street, around 116th, and 172nd Street. Primarily it's in the downtown area and the Lakewood area.

Commissioner Richards solicited comments on the percentage requirement for ground level commercial in order to be exempt from the open space requirements. Chair Leifer stated that he was in favor of leaving this up to the developer who would have to worry about the market factors. Commissioner Lebo said he didn't care what the number was he just wanted to have a concrete number. Commissioner Hoen asked if someone could seek a variance from this number. Ms. Gemmer explained that the Director is allowed latitude, and variances can be applied for.

Motion made by Commissioner Richards, seconded by Commissioner Andes, to change the amount to 80%. **Motion** passed unanimously (6-0).

Motion made by Commissioner Richards, seconded by Commissioner Andes, to accept the Multifamily/Commercial Design and Open Space Standards with the change to 80% as discussed above and forward to the Council with a recommendation for their approval. **Motion** passed unanimously (6-0).

The hearing was closed at 7:49

COMMENTS FROM COMMISSIONERS - None

ADJOURNMENT

Motion made by Commissioner Smith, seconded by Commissioner Richards, to adjourn at 7:49 p.m. **Motion** passed unanimously (6-0).

NEXT PLANNING COMMISSION MEETING:

May 14, 2013



Angela Gemmer, Associate Planner for
Laurie Hugdahl, Recording Secretary

CITY OF MARYSVILLE

Marysville, Washington
 ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING MARYSVILLE MUNICIPAL CODE SECTIONS 22C.010.290; 22C.010.320; 22C.010.330; 22C.010.340; 22C.010.350 RELATING TO DEVELOPMENT REGULATIONS; MMC 22C.010.360 RELATING TO RESIDENTIAL ZONES; MMC 22C.020.240; 22C.020.250; 22C.020.270; 22C.020.280; 22C.020.290; 22C.020.300; AND 22C.020.310 RELATING TO COMMERCIAL, INDUSTRIAL, RECREATION AND PUBLIC INSTITUTIONAL ZONES; MMC 22A.010.160 RELATING TO GENERAL ADMINISTRATION AND TRACKING AMENDMENTS TO THE CITY'S UNIFORM DEVELOPMENT CODE; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the State Growth Management Act, RCW Chapter 36.70A mandates that cities periodically review and amend development regulations which include but are not limited to zoning ordinances and official controls; and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, the State Growth Management Act 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, the City Council of the City of Marysville 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 public meetings on February 26, 2013, March 12, 2013, March 26, 2013, and April 23, 2013, the Planning Commission discussed proposed amendments to MMC Sections 22C.010.290; 22C.010.320; 22C.010.330; 22C.010.340; 22C.010.350; 22C.010.360; 22C.020.240; 22C.020.250; 22C.020.270; 22C.020.280; 22C.020.290; 22C.020.300; and 22C.020.310; and

WHEREAS, after providing notice to the public as required by law, on April 23, 2013, the Marysville Planning Commission held a Public Hearing on the proposed amendments to the City's development regulations; and

WHEREAS, on April 23, 2013 the Planning Commission adopted written Findings and Conclusions and made a Recommendation to the City Council for the adoption of the proposed amendments to MMC Sections 22C.010.290; 22C.010.320; 22C.010.330; 22C.010.340; 22C.010.350; 22C.010.360; 22C.020.240; 22C.020.250; 22C.020.270; 22C.020.280; 22C.020.290; 22C.020.300; and 22C.020.310; and

WHEREAS, at a public meeting on _____, 2013, the Marysville City Council reviewed and considered the Planning Commission's Recommendation and proposed amendments to the development regulations; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on April 2, 2013, as required by RCW 36.70A.106;

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

Section 1. Approval of Planning Commission's Recommendation and Adoption of Findings and Conclusions. The Planning Commission's April 23, 2013 Recommendation regarding the proposed development regulation revisions, including the Findings and Conclusions contained therein, as set forth in the attached **Exhibit "A"**, is hereby adopted and incorporated herein by this reference.

Section 2. Required Findings. In accordance with MMC 22G.010.500, the following findings are made regarding the development regulation amendments set forth in this ordinance:

- (1) The amendments are consistent with the purposes of the Marysville comprehensive plan;
- (2) The amendments are consistent with the purpose of Title 22 MMC;
- (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 22C.010.290, entitled "Site and building design standards" is hereby amended to read as follows:

22C.010.290 Site and building design standards.

(1) Applicability.

(a) Prior to submitting a building permit application, all development to which these standards apply shall be required to submit a site plan and elevations addressing the standards in this section for administrative review and approval by the community development director.

(b) The site and building design standards of this section apply to ~~institutional, commercial, and multiple-family~~ multifamily developments, whereas only subsections (2) and ~~(3)~~(4) of this section apply to single-family and condominium developments.

(c) The crime prevention through environmental design (CPTED) provisions of this section apply to all new ~~commercial developments of over 12,000 square feet in building area,~~ multifamily developments of 10 or more units, and planned residential developments.

(2) Relationship of Buildings(s) to Site and Street Front.

(a) The site shall be ~~planned to~~ oriented and designed to create an attractive street edge and accommodate pedestrian access. ~~Examples of ways that a development meets the requirements of this provision are to:~~ The following provisions apply:

(i) ~~Define the~~ The street edge shall be defined with buildings, landscaping or other features.

~~(ii) Provide for building entrances that are visible from the street.~~

(ii) Primary building entrance(s) shall face the street unless it is not feasible due to parcel size, topography, environmental conditions, or other factors as determined by the director, and alternate design elements are incorporated into the façade which enliven the streetscape. Alternatively, for multi-family projects, building entries that face onto a courtyard which is oriented towards the street are acceptable.

(iii) Buildings with individual ground floor entries should face the street to the extent possible. Alternatively, for multi-family projects, configurations where entries face onto a courtyard or open space that is oriented to the street are acceptable.

(iv) Buildings shall provide windows that face the street to provide "eyes on the street" for safety. To meet this requirement, at least 15 percent of the façade facing the street shall be occupied by transparent windows or doors.

~~(v)(iii)~~ Provide for a sidewalk at least five feet wide if there is not space in the public ROW right-of-way.

~~(vi)(iv)~~ Provide building entries that are accessed from the sidewalk; preferably these access ways should be separated from the parking and drive aisles. If access traverses the parking lot, then it should be raised and clearly marked.

~~(v)~~ Provide for businesses that require outdoor display oriented to the street, such as nurseries and auto sales, to have such display be raised and clearly marked.

~~(b)(e)~~ The development shall provide site development features that are visible and pedestrian-accessible from the street. These features could include plazas, open space areas, employee lunch and recreational areas, architectural focal points, and access lighting.

~~(c)(b)~~ The development shall create a well-defined streetscape to allow for the safe movement of pedestrians. Whenever possible, building setbacks shall be minimized and parking and drive-through passageways shall be relegated to the side and rear of buildings.

(d) For multi-family residences, no more than 50 percent of the total parking spaces may be located between the building and the primary public street (street from which primary access is obtained) unless it is not feasible due to parcel size, topography, environmental conditions, or other facts as determined by the director. Where the property fronts on more than one public street, this provision applies to only one street frontage.

(e) For multi-family residences, parking lots shall not be located at the intersection of public streets unless no feasible alternative location exists.

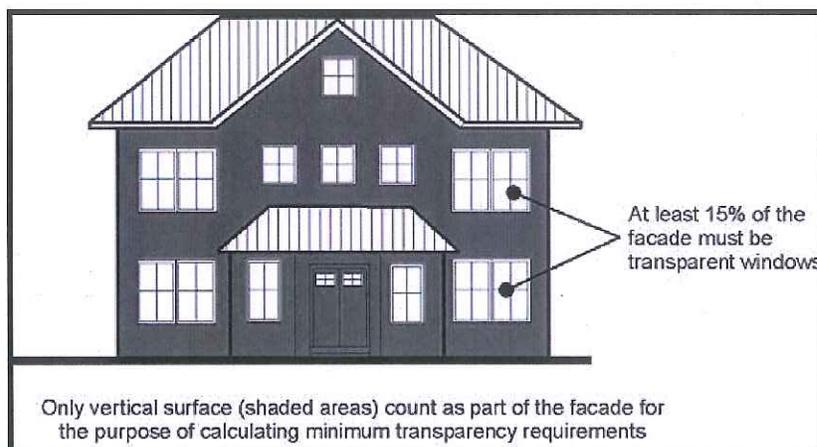


Figure 1 – Illustration of façade transparency requirements which enhance safety and the relationship to the street front.

(3) Relationship of Buildings(s) and Site to Adjoining Area.

(a) Where adjacent buildings and neighborhoods are consistent with the comprehensive plan and desired community character, new buildings and structures should consider the visual continuity between the proposed and existing development with respect to building setbacks, placement of structures, location of pedestrian/vehicular facilities and spacing from adjoining buildings. Solar access of the subject and adjacent properties should be considered in building design and location.

(b) Harmony in texture, lines and masses is encouraged.

(c) Attractive landscape transition to adjoining properties shall be provided.

(d) Public and quasi-public buildings and structures shall be consistent with the established neighborhood character.

(4) Landscape and Site Treatment.

(a) Parking lot screening and interior landscaping shall be provided consistent with Chapter 22C.130 MMC. The following criteria shall guide review of plans and administration of the landscaping standards in ~~this title~~ the zoning code:

(i) The landscape plan shall demonstrate visual relief from large expanses of parking areas.

(ii) The landscape plan shall provide some physical separation between vehicular and pedestrian traffic.

(iii) The landscape plan shall provide decorative landscaping as a focal setting for signs, special site elements, and/or pedestrian areas.

(iv) In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards or other devices.

(v) Where building sites limit planting, the placement of trees or shrubs in parkways or paved areas is encouraged.

(vi) Screening of outdoor service yards and other places which tend to be unsightly shall be accomplished by use of walls, fencing, planting, berms or combinations of these.

(vii) Landscaping should be designed to create definition between public and private spaces.

(viii) Where feasible, the landscape plan shall coordinate the selection of plant material to provide a succession of blooms, seasonal color, and a variety of textures.

(ix) The landscape plan shall provide a transition in landscaping design between adjacent sites, within a site, and from native vegetation areas in order to achieve greater continuity.

(x) The landscape plan shall use plantings to highlight significant site features and to define the function of the site, including parking, circulation, entries, and open spaces.

(xi) Where feasible, the landscape plan shall integrate natural approaches to storm water management, including featured low impact development techniques.

(b) Street Landscaping. Where the site plan includes streetscape plantings, the following guidelines apply:

(i) Sidewalks and pathways should be separated from the roadway by planting strips with street trees wherever possible.

(ii) Planting strips should generally be at least five feet in width. They should include evergreen shrubs no more than four feet in height and/or ground cover in accordance with the city of Marysville landscape standards (Chapter 22C.120 MMC) and Marysville administrative landscaping guidelines.

(iii) Street trees placed in tree grates may be more desirable than planting strips in key pedestrian areas.

(iv) Use of trees and other plantings with special qualities (e.g., spring flowers and/or good fall color) are strongly encouraged to unify development.

~~(c) Plaza/Pedestrian Area Landscaping Within Shopping Centers and Mixed Use Site Plans:~~

~~(i) A range of landscape materials—trees, evergreen shrubs, ground covers, and seasonal flowers—shall be provided for color and visual interest.~~

~~(ii) Planters or large pots with small shrubs and seasonal flowers may be used to create protected areas within the plaza for sitting and people watching.~~

~~(iii) Creative use of plant materials, such as climbing vines or trellises, and use of sculpture groupings or similar treatments are encouraged.~~

~~(iv) All landscaping plans shall be submitted during site plan review for approval.~~

~~(c)(d) Exterior lighting, when used, shall be part of the architectural concept. Lighting shall enhance the building design and adjoining landscaping. It should provide adequate lighting. Appropriate lighting levels shall be provided in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, circulation areas, and other open space are in order to ensure safety and security; enhance and encourage evening~~

activities; and, when warranted by the adjoining streetscape theme, provide a distinctive character to the area. In addition, the following shall be addressed: New developments shall provide a lighting site plan which identifies lighting equipment, locations and standards, and implements the following design standards:

(i) All public areas shall be lighted with average minimum and maximum levels as follows:

- (A) Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
- (B) Moderate (for moderate or high volume pedestrian areas) of 1 to 2 foot candles; and
- (C) Maximum (for high volume pedestrian areas and building entries) of 4 foot candles.

(ii) Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.

(iii) Parking lot lighting shall be subject to the provisions set forth in MMC Section 22C.130.050(3)(d).

(iv) Pedestrian-scale lighting (light fixtures no taller than 15 feet) is encouraged in areas with high anticipated pedestrian activity. All fixtures over 15 feet in height shall be fitted with a full cut-off shield, be dark sky rated, and mounted no more than 25 feet above the ground with lower fixtures preferable so as to maintain a human scale. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety.

(v) Light levels at the property line should not exceed 0.1 footcandles (fc) adjacent to business properties, and 0.05 footcandles adjacent to residential properties. All building lights shall be directed onto the building itself and/or the ground immediately adjacent to it. The light emissions should not be visible above the roofline of the building. Light fixtures other than traditional cobra heads are encouraged.

(vi)(i) The site plan shall identify lighting equipment and standards. Uplighting on trees and provisions for seasonal lighting are encouraged.

(vii)(ii) Accent lighting on architectural and landscape features is encouraged to add interest and focal points.

(iii) Parking area lighting shall not exceed 25 feet in height and shall be shielded to minimize glare and spillage into the surrounding community.

(5) Building Scale Standards. All elements of building design should form an integrated development, harmonious in scale, line, and mass to ensure that buildings are based on human scale (i.e., the relationship of the size of the building's features to the people that use the building). Design elements should also ensure that large buildings reduce their apparent mass and bulk on elevations visible from streets or pedestrian routes through such methods as facade modulation and architectural detailing, roof treatment, colors, materials, and other special features:

(a) Integration. Large buildings should integrate features along their facades visible from the public right of way and pedestrian routes and entries to reduce the apparent building mass and achieve an architectural scale consistent with other nearby structures.

(b) Facade Modulation. Building facades visible from public streets and public spaces should be stepped back or projected forward at intervals to provide a minimum of 40 percent facade modulation. The minimum depth of modulation should be one foot, and the minimum width should be five feet.

(c) Articulation. Buildings should be articulated to reduce the apparent scale of buildings. Architectural details that are used to articulate the structure may include color, arrangement of facade elements, or change in building materials.

(i) Tripartite Articulation. Buildings should provide tripartite building articulation

(building top, middle, and base) to provide pedestrian scale and architectural interest.

(d) Window Treatments. Buildings should provide ample articulated window treatments in facades visible from streets and public spaces for architectural interest and human scale.

Windows should be articulated with mullions, recesses, awnings, etc., as well as applying complementary articulation around doorways and balconies.

(e) ~~Architectural Elements.~~ The mass of long or large scale buildings can be made more visually interesting by incorporating architectural elements, such as arcades, balconies, bay windows, dormers, and/or columns.

(f) ~~Rooflines.~~ A distinctive roofline can reduce perceived building height and mass, increase compatibility with smaller scale and/or residential development, and add interest to the overall design of the building.

(i) ~~Rooflines with alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval are encouraged.~~

(ii) ~~Roofs that incorporate a variety of vertical dimensions such as multi-planed and intersecting rooflines are encouraged.~~

(iii) ~~Flat-roofed designs should include architectural details such as cornices and decorative facings to provide interest to the roofline.~~

(g) ~~When there is a change in the building plane, a change in the building materials, colors or patterns should also be considered.~~

(h) ~~Landscaping.~~ The landscape plan should provide a trellis, tree or other landscape feature within each interval.

(i) ~~Upper Story Setback.~~ Setting back upper stories helps to reduce the apparent bulk of a building and promotes human scale.

(j) ~~Small Scale Additions.~~ In retail areas, small scale additions to a structure can reduce the apparent bulk by articulating the overall form. Clustering smaller uses and activities around entrances on street facing facades also allows for small retail or display spaces that are inviting and add activity to the streetscape.

~~(5)~~(8) Site Design Utilizing Crime Prevention through Environmental Design (CPTED) Principles.

Development that is subject to this section shall incorporate the following CPTED strategies into building design and site layout:

(a) ~~Access Control.~~ Guidance of people coming and going from a building or site by placement of real and perceived barriers. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas that are not readily observable.

(b) ~~Surveillance.~~ Placement of features, uses, activities, and people to maximize visibility. Provision of natural surveillance helps to create environments where there is plenty of opportunity for people engaged in their normal behavior to observe the space around them.

(c) ~~Territoriality/Ownership.~~ Delineation of private space from semi-public and public spaces that creates a sense of ownership. Techniques that reduce the perception of areas as "ownerless" and, therefore, available for undesirable uses.

Examples of ways in which a proposal can comply with CPTED principles are outlined in the CPTED Guidelines for Project Design and Review, prepared by the city.

~~(6) Building Details, Materials, and Colors.~~

~~(a) The building should provide visual interest and distinct design qualities, and promote compatibility and improvement within surrounding neighborhoods and community development through effective architectural detailing and the use of traditional building techniques and materials.~~

~~(b) Design Criteria:~~

~~(i) Building materials and building techniques should be of high durability and high quality. For commercial and residential uses, the use of brick is encouraged on walls or as accents on walls. Large areas of rough-cut wood, wide rough-cut lap siding, or large areas of T-111, plywood, or similar materials are prohibited. Vinyl siding is prohibited on the ground floor of commercial buildings.~~

~~(ii) Buildings should be enhanced with appropriate details. The following elements are examples of techniques used on buildings to provide detail:~~

(A) Ornate rooflines, including use of ornamental molding, entablature, frieze, or other roofline devices.

(B) Overhead weather protection along sidewalks.

(C) Detailed treatment of windows and doors, including use of decorative lintels, sills, glazing, door design, molding or framing details around all windows and doors located on facades facing or adjacent to public streets or parks. Window treatment should be sized as follows:

1. Windows should not have individual glass panes with dimensions greater than five feet by seven feet.
2. Windows should be surrounded by trim, molding and/or sill at least four inches wide. Commercial buildings with no trim or molding should have window frames at least two inches wide.
3. Individual window units should be separated from adjacent window units by at least six inches of the building's exterior finish material.

(6) Building Design – Human-Scale Standards.

The human-scale standards are intended to encourage the use of building components that relate to the size of the human body, and to add visual interest to buildings. "Human-scale" addresses the relationship between a building and the human body. Generally, buildings attain a good human-scale when they feature elements or characteristics that are sized to fit human activities, such as doors, porches, and balconies. A minimum of three of the following human-scale building elements shall be incorporated into the new development:

(a) Balconies or decks in upper stories, at least one balcony or deck per upper floor on the façades facing streets, provided they are integrated into the architecture of the building;

(b) Bay windows or other window treatments that extend out from the building face;

(c) At least 150 square feet of pedestrian-oriented space for each 100 lineal feet of building façade;

(d) First floor individual windows, generally less than 32 square feet per pane and separated from the windows by at least a 6" molding;

(e) A porch or covered entry;

(f) Spatially defining building elements, such as a trellis, overhang, canopy, or other element, that defines space that can be occupied by people;

(g) Upper story setbacks, provided one or more of the upper stories are set back from the face of the building at least 6 feet;

(h) Composing smaller building elements near the entry of pedestrian-oriented street fronts of large buildings;

(i) Landscaping components that meet the intent of these standards; and/or

(j) The director may consider other methods to provide human-scale elements not specifically listed here. The proposed methods must satisfy the intent of these standards.



Figure 2– An example of balconies that have been integrated into the architecture of the building.

~~(7) Public or Private Open Space. Where feasible and appropriate, larger (over 10 acres) commercial and residential developments should incorporate open spaces into the site design to provide community gathering space and neighborhood meeting areas. These areas should provide outdoor spaces for relaxing, eating, socializing, and recreating. The following standards apply to these outdoor areas:~~

~~(a) Plazas and Gathering Places:~~

~~(i) Areas should be sized between 5,000 and 10,000 square feet.~~

~~(ii) Plazas and gathering places should be able to serve as a center for daily activities.~~

~~(iii) Paving should be unit pavers or concrete with special texture, pattern, and/or decorative features.~~

~~(iv) Pedestrian amenities should be provided, including features such as seating, plants, drinking fountains, artwork, and such focal points as sculptures or water features.~~

~~(v) Lighting fixtures should be approximately 10 to 15 feet above the surface. The overall lighting in the plaza should average at least two foot-candles.~~

~~(b) Open Spaces and Project Details. The listed literature resources in MMC~~

~~22C.010.260(2)(a) provide smaller scale concepts for integrating public gathering places and open spaces into the project design.~~

(7) Building Design – Architectural Scale

The architectural scale standards are intended to encourage compatibility of structures with nearby structures, to help the building fit in with its context, and to add visual interest to buildings.

(a) Vertical Façade Modulation. All new residential buildings shall provide modulation (measured and proportioned inflexion or setback in a building's façade) on facades facing a street, common open space, public area, or common parking area as follows:

(i) Buildings with facades that are 30 feet or longer shall provide vertical modulation of the exterior wall that extends through all floors; provided, that where horizontal modulation is used different stories may be modulated at different depths;

(ii) The minimum modulation depth shall be five feet and the minimum modulation width for each modulation shall be 10 feet. On façades that are 100 feet or longer, the minimum depth of modulation shall be 10 feet and the minimum width for each modulation shall be 20 feet.

(iii) The minimum modulation depth identified in subsection (ii) above may be reduced to 2 feet if tied to a change in color or building materials, and/or roofline modulation as defined in Section (c) below.

(iv) The director may consider departures from these standards, provided the proposed treatment meets or exceeds the intent of these standards.

(b) Façade Articulation. All new residential buildings shall include two of the following articulation features at intervals of no more than 30 feet along all façade facing a street, common open space, public area, and common parking areas:

(i) Repeating distinctive window patterns at intervals of no more than 30 feet (see Figure 3 below for an example);

(ii) Horizontal modulation (upper level step-backs) (see Figure 4). To qualify for this measure, the minimum horizontal modulation shall be five feet.

(iii) Balconies that are recessed or projected from the facade at least 18 inches and integrated with the building's architecture as determined by the director.

(iv) Change of building materials.

(v) Articulation of the building's top, middle, and bottom. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline (see Figure 3 and 4.)

(c) Roofline Modulation. Roofline modulation can be used in order to articulate the structure:

(i) In order to qualify as an articulation element in Section (b) above or in this section, the roofline shall meet the following modulation requirement (see Figure 5):

(A) For flat roofs or façades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques described in section (a) above. Otherwise, the minimum vertical dimension of roofline modulation is the greater of 4 feet or 0.2 multiplied by the wall height.

(B) Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components at the interval required per the applicable standard above.

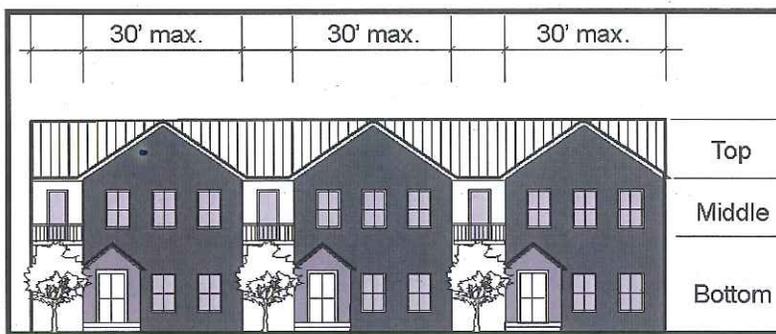


Figure 3 – Note the repeating distinctive window patterns and the articulation of the buildings top, middle, and bottom.



Figure 4 – An example of articulating a building’s top, middle, and bottom by utilizing brick on the ground floor, defined window patterns and articulation treatments on upper floors, and a distinctive roofline.

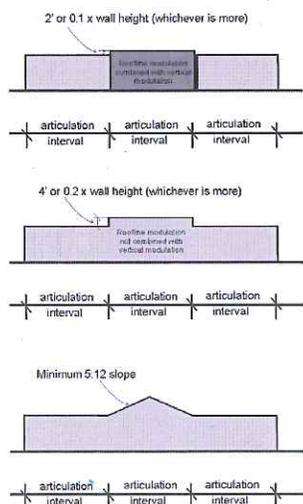


Figure 5 – Roofline modulation standards.

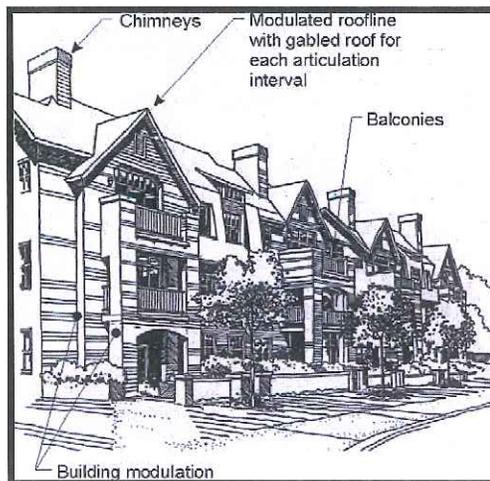


Figure 6 - Example of good articulation for a multifamily building.

(8) Building Design – Entrances

The intent of the building entrances standards is to ensure that buildings are inviting and accessible, and to encourage pedestrian activity. The principal building entrances of all buildings shall feature the following improvements, unless the director determines an alternate technique better addresses the intent of these standards:

(a) A distinct entry feature that provides weather cover that is at least 3 feet deep, must be provided for the primary entrance(s) to residential units. Figures 7 and 8 demonstrate this requirement.

(b) Access to Residential Units. Ground floor residential units facing a street or common open space shall be directly accessible from the applicable street or open space.

(c) Townhouse Entrances. Townhomes and all other multifamily dwelling units with private exterior ground-floor entries shall provide at least 20 square feet of landscaping adjacent to the entry. This is particularly important for units where the primary entrance is next to private garages off an interior access road. Such landscaping areas soften the appearance of the building and highlight individual entries. See Figures 8 for an example of what is desired and Figure 9 for an example of what is unacceptable.



Figure 7 – Weather protection that articulates the front façade is provided.

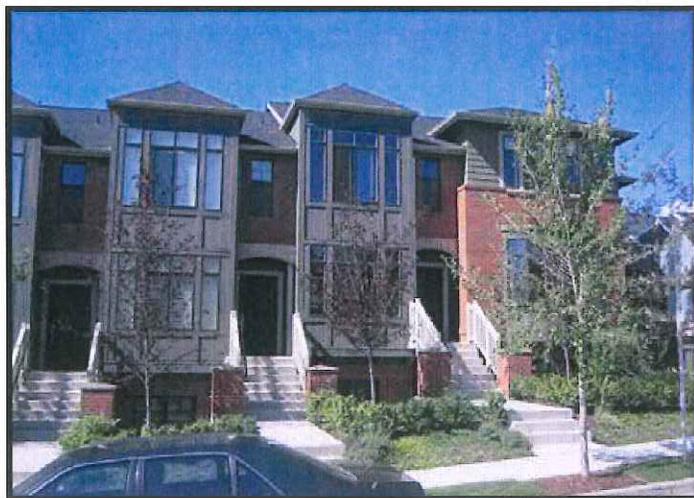


Figure 8 – Ground floor residential units directly accessible to the street with landscaping defining the entry.



Figure 9 – An example of unacceptable townhouse design where there is no landscaping adjacent to the entries.

(9) Building Design – Details

The building design details standards are intended to ensure that buildings have design interest at all observable distances and to enhance the architecture of multi-family buildings. At closer distances, the most important aspects of a building are its design details, texture of materials, quality of its finishes, and small, decorative elements. Multi-family building façades shall incorporate four architectural details, except that if option e below is used, only three architectural details must be used. Chosen details shall be compatible with the chosen architectural character of the building. Detail options include:

- (a) Decorative porch design with distinct design and use of materials.
- (b) Decorative treatment of windows and doors such as decorative molding/framing details around all ground floor windows and doors, bay windows, decorative glazing, or door designs and/or unique window designs.
- (c) Landscaped trellises or other decorative element that incorporates landscaping near the building entry or entries.
- (d) Decorative light fixtures with a diffuse visible light source, such as a globe or "acorn" that is non-glaring or a decorative shade or mounting for each building entry on the façade.
- (e) Brick or stonework covering more than 10 percent of the façade.
- (f) Decorative building materials that add visual interest, including:
 - (i) Individualized patterns or continuous wood details.
 - (ii) Decorative moldings, brackets, wave trim or lattice work.
 - (iii) Decorative brick or stonework (may be in addition to the brick or stonework credits noted above if they are arranged in a decorative manner that add visual interest to the façade).
 - (iv) Other materials with decorative or textural qualities as approved by the director. The applicant must submit architectural drawings and material samples for approval.
- (g) Decorative roofline design, including multiple gables and/or dormers or other design that adds distinct visual interest.
- (h) Decorative railings, grill work, or terraced landscape beds integrated along the façade of the building.
- (i) Decorative balcony design, such as distinctive railings.
- (j) Other details that meet the intent of the standards as approved by the director.



Figure 10 – This building uses brick for more than 10% of the facade, a decorative mix of materials and colors, decorative entries, and decorative windows to add visual interest.

(10) Window Design for Residential Uses.

Building facades shall employ techniques to recess or project individual windows above the ground floor at least two inches from the façade, or incorporate window trim at least four inches in width that features color that contrasts with the base building color. Exceptions will be considered by the director where buildings employ other distinctive windows or façade treatments that add visual interest to the building.



ACCEPTABLE
Recessed window treatment.

UNACCEPTABLE
No distinctive window treatment.

ACCEPTABLE
Window treatment incorporates trim and grids on panes.

Figure 11 – Acceptable and unacceptable window treatments.

(11) Building Materials.

The building materials standards are intended to encourage the use of a variety of high-quality, durable materials that will enhance the visual image of the city; provide visual interest and distinct design qualities; and promote compatibility and improvement within surrounding neighborhoods through effective architectural detailing and the use of traditional building techniques and materials. The following standards apply:

(a) Building exteriors shall be constructed from high quality, durable materials. Building materials such as masonry, stone, lap-siding, and wood are encouraged.

(b) The following materials are prohibited in visible locations unless an exception is granted by the director based on the integration of the material into the overall design of the structure.

(i) Plywood siding (including T-111 or similar plywood). Board and batten is an exception.

(ii) Corrugated fiberglass.

(iii) Non-corrugated and highly reflective sheet metal.

(iv) Chain link fencing provided that the director may approve chain link fencing when it is integrated into the overall site design (chain link fencing is also allowed for temporary purposes such as a construction site, or as a gate for a refuse enclosure).

(12) Blank Walls.

The blank wall standards are intended to: reduce the visual impact of large, undifferentiated walls; reduce the apparent size of large walls through the use of various architectural and landscaping treatments; enhance the character and identity of the city; and ensure that all visible sides of buildings provide visual interest. Blank walls visible from a public street, sidewalk, trail, interior pathway, or parking lot are prohibited.

(a) A wall (including building facades and other exterior building walls, retaining walls, and fences are defined as a blank wall if:

(i) A ground floor wall or portion of a ground floor wall over 4 feet in height has a horizontal length greater than 15 feet and does not include a transparent window or door; or

(ii) Any portion of a ground floor wall having a surface area of 400 square feet or greater does not include a transparent window or door.

(b) All blank walls visible from a public street, sidewalk, trail, interior pathway, or parking lot, shall be treated in one or more of the following measures:

(i) Incorporate transparent windows or doors;

(ii) Install a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years. For large blank wall areas, the trellis must be used in conjunction with other treatments described below;

(iii) Provide a landscaped planting bed at least 5 feet wide, or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Plant materials must be able to obscure or screen at least 60 percent of the wall's surface within 3 years;

(iv) Provide artwork (mosaic, mural, sculpture, relief, etc.) over at least 50 percent of the blank wall surface; and/or

(v) Other method as approved by the director. For example, landscaping or other treatments may not be necessary on a wall that employs high quality building materials (such as brick) and provides desirable visual interest.

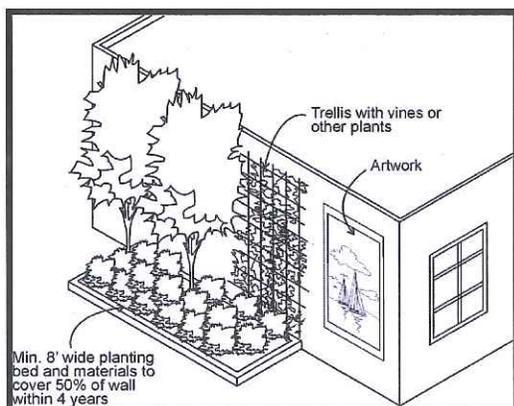


Figure 12 – Blank wall treatments.



Figure 13 – Terraced planting beds effectively screen a large blank wall.

Section 4. MMC Section 22C.010.320, entitled "On-site recreation – Space required", is hereby amended to be entitled "Open Space and Recreation Space Required," and shall read as follows:

~~22C.010.320 On-site recreation – Space required.~~

~~(1) Except when fees in lieu of commonly owned recreation space are provided pursuant to MMC 22C.010.350 and 22C.010.360, multiple-family developments in the R-12 through R-28, P/I, or mixed use zones shall provide outdoor or active recreation space, or a combination thereof, in accordance with the following chart:~~

Type of Dwelling Unit	Outdoor Open Space	Active 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

~~(2) Any recreation space located outdoors 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) Have no dimensions less than 30 feet (except trail segments);~~
- ~~(e) In an apartment or townhome development, have a street, roadway or parking area frontage along 10 to 50 percent of the recreation space perimeter (except trail segments); and~~
- ~~(f) Be centrally located and accessible and convenient to all residents within the development.~~

~~(3) Indoor recreation areas may be credited towards the total recreation space requirement, when the city determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.~~

~~(4) Active recreation facilities may include, but are not limited to, exercise rooms, sport courts, swimming pools, tennis courts, game rooms, or community centers. Outdoor open space shall not include areas devoted to parking or vehicular access, and should be one continuous tract.~~

22C.010.320 Open Space and Recreation Space Required.

The on-site open space and recreation space standards are intended to provide usable, accessible, and inviting open space for residents that enhance residential areas. Multifamily residential uses shall provide open space equivalent to at least 20 percent of the building's gross floor area. The required area may be satisfied with one or more of the elements listed below:

- (1) 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 multi-purpose 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 area per the director. For example, long narrow spaces less than 20 feet wide rarely, if ever, can function as usable common open space.
- (b) Consider space as a focal point of development.
- (c) Open 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.
- (f) Separate common space from ground floor windows, streets, service areas and parking lots with landscaping and/or low-level fencing, where desirable.
- (g) Space shall 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 open space requirement.
- (i) Rooftops or rooftop decks shall not be considered as common open space for the purpose of calculating minimum open space area; provided, that the director may consider rooftops or rooftop decks as common open space where usable open space amenities are provided and available to all residents.
- (j) Outdoor open space shall not include areas devoted to parking or vehicular access.

(2) The following amenities may be used to satisfy up to 50 percent of the open space requirement. A combination of these amenities may be provided in different ratios provided that (i) the total credit for any combination of the following amenities may not exceed 50 percent of the open space requirement, and (ii) the amount of the amenity provided is sufficient to achieve the purpose of the amenity as determined by the director:

- (a) Individual balconies that provide a space usable for human activity. To qualify, the balconies shall be at least 35 square feet and have no dimension less than 4 feet.
- (b) Natural areas that function as an amenity to the development, subject to the following requirements and recommendations:
 - (i) 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.
 - (ii) 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.
- (c) Stormwater retention areas 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.

(3) Children's play equipment and recreational activity space for children and/or teens that include parent seating areas are required in residential complexes with 20 or more units. Exceptions: Age-restricted senior citizen housing; mixed-use developments; developments reserved for student housing; infill lots within the Downtown Master Plan area; and developments located within a ¼ mile of safe walking distance to a public park that features a play area.

(4) Active recreation facilities may be provided instead of common open space, subject to the following:

(a) Active recreation facilities may include, but are not limited to, exercise rooms, sports courts, swimming pools, tennis courts, game rooms, or community centers; and

(b) Indoor recreation areas may be credited towards the total recreation space requirement, when the director determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.



Figure 14 - Balconies provide private, usable open space for residents.



Figure 15 - A residential courtyard providing semi-private patio spaces adjacent to individual units.



Figure 16 - Children's play area incorporated into a multifamily development.

Section 5. MMC 22C.010.330, entitled "On-site recreation – Play areas required", is hereby amended to be entitled "Townhouse Open Space", and shall read as follows:

~~22C.010.330 On-site recreation – Play areas required.~~

~~(1) All apartment and townhome development, excluding senior citizen apartments, shall provide tot/children play areas within the recreation space on-site, except when facilities are available within one-quarter mile that are developed as public parks or playgrounds and are accessible without the crossing of arterial streets.~~

~~(2) If any play apparatus is provided in the play area, the apparatus shall meet Consumer Product Safety Standards for equipment, soft surfacing and spacing, and shall be located in an area that:~~

- ~~(a) Is at least 400 square feet in size with no dimension less than 20 feet;~~
- ~~(b) Is adjacent to main pedestrian paths or near building entrances; and~~
- ~~(c) Provides visual access from adjacent residential structures.~~

22C.010.330 Townhouse Open Space. Townhouses and other ground based multi-family 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 Section 22C.010.320(a) may substitute for up to 50% of each unit's required private or semi-private open space on a square foot per square foot basis.



Figure 17 - Common open space for a townhouse development.



Figure 18 - These townhouses provide balconies and semi-private yard space.

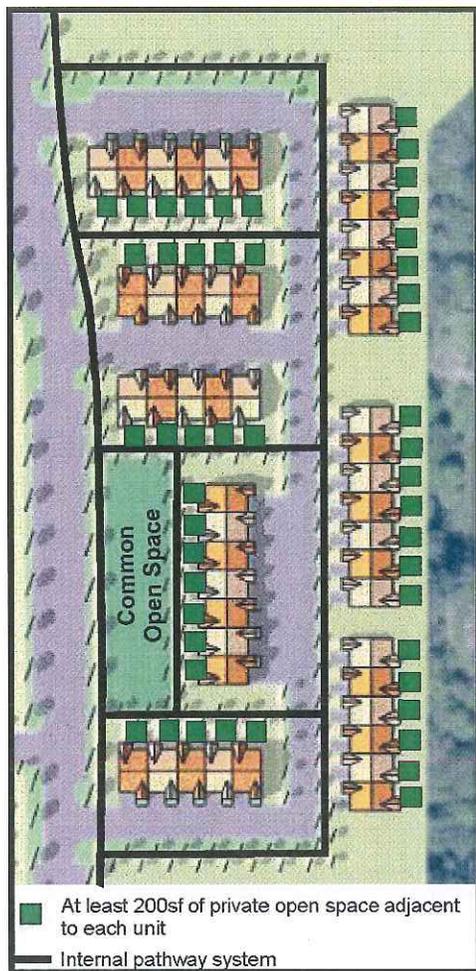


Figure 19 - Example townhouse configuration with a combination of private open spaces adjacent to units and larger common open space accessible to all units.

Section 6. Section 22C.010.340, entitled "Maintenance or dedication of recreation space", of MMC Chapter 22C.010, Residential Zones, is hereby amended to be entitled "Maintenance or dedication of open space and recreation space", and shall read as follows:

22C.010.340 Maintenance or dedication of open space and recreation space.

(1) Unless the open space or recreation space is dedicated to the city pursuant to subsection (2) of this section, maintenance of any open space or recreation space retained in private ownership shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the city.

(2) Open space or recreation space may be dedicated as a public park when the following criteria are met:

- (a) The dedicated area is at least one and one-half acres in size, except when adjacent to an existing or planned public park;
- (b) The dedicated land provides one or more of the following:
 - (i) Shoreline access;
 - (ii) Regional trail linkages;
 - (iii) Habitat linkages;
 - (iv) Recreation facilities; or
 - (v) Heritage sites;
- (c) The entire dedicated area is located less than one mile from the project site.

Section 7. MMC 22C.010.350, entitled "On-site recreation – Fee in lieu of recreation space", is hereby amended to be entitled "On-site recreation – Fee in lieu of open space or recreation space", and shall read as follows:

22C.010.350 On-site recreation – Fee in lieu of open space or recreation space.

Nothing herein shall prohibit voluntary agreements with the city that allow a payment in lieu of providing on-site open space or recreation space when a proposed development is located within ~~1,000 feet~~ ¼ mile of an existing or proposed recreational facility.

Section 8. MMC 22C.010.360 entitled "On-site recreation – Acceptance criteria for fee in lieu of recreation space", is hereby amended to read as follows:

22C.010.360 On-site recreation – Acceptance criteria for fee in lieu of recreation space.

~~The city of Marysville City~~ acceptance of this payment is discretionary, and may be permitted if:

- (1) The proposed on-site recreation space does not meet the criteria of MMC 22C.010.340(2); or
- (2) The recreation space provided within a public park in the vicinity will be of greater benefit to the prospective residents of the development.

Section 9. Section 22C.020.240, "Commercial, industrial, recreation and public institutional zones design requirements – Applicability and interpretations", of MMC Chapter 22C.020, "Commercial, Industrial, Recreation and Public Institutional Zones", is hereby amended to read as follows:

22C.020.240 Commercial, industrial, recreation and public institutional zones design requirements – Applicability and interpretations.

(1) The intent of these design standards is to:

- (a) Provide building design that has a high level of design quality and creates comfortable human environments;
- (b) Incorporate design treatments that add interest and reduce the scale of buildings;
- (c) Encourage building design that is authentic and responsive to site conditions; and
- (d) Encourage functional, durable, and environmentally responsible buildings.

~~(2)~~(1) Applicability.

(a) These design standards apply to all new ~~multifamily structures in any zone, and commercial and residential~~ development within the following zones: general commercial (GC), community business (CB), neighborhood business (NB), downtown commercial (DC), mixed use (MU).

(b) 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, commercial, industrial, office 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.

(c) These standards are intended to supplement the zoning standards in the Marysville Municipal Code. Where these standards and the zoning ordinance standards conflict, the city shall determine which regulation applies based on which is more in the public interest and more consistent with the comprehensive plan.

~~(3)~~(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. 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).

(b) Many of these site and building design standards call for a building or site to feature one or more elements from a menu of items. In these cases, a single element, feature, or detail may satisfy multiple objectives. For example, a specially designed or fabricated covered entry with attractive detailing might be counted toward requirements for human-scale, building corners, and building details.

(c)(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.

Section 10. MMC 22C.020.250, entitled "Site and building design standards", is hereby amended to read as follows:

22C.020.250 Site and building design standards.

(1) Applicability.

(a) Prior to submitting a building permit application, all development to which these standards apply shall be required to submit a site plan and elevations addressing the standards in this section for administrative review and approval by the community development director.

(b) The site and building design standards of this section apply to institutional, and commercial and multiple-family developments.

(c) The crime prevention through environmental design (CPTED) provisions of this section apply to all new commercial developments of over 12,000 square feet in building area and multifamily developments of 10 or more units.

(2) Relationship and Orientation of Buildings(s) to Site and Street Front.

(a) The site shall be planned to create an attractive street edge and accommodate pedestrian access. Examples of ways that a development meets the requirements of this provision are to:

(i) Define the street edge with buildings, landscaping or other features (see Figures 1).

(ii) Provide for building entrances that are visible from the street.

(iii) Provide for a sidewalk at least five feet wide if there is not space in the public right-of-way ROW.

(iv) Provide building entries that are accessed from the sidewalk; preferably these access ways should be separated from the parking and drive aisles. If access traverses the parking lot, then it should be raised and clearly marked.

~~(v) Provide for businesses that require outdoor display oriented to the street, such as nurseries and auto sales, to have such display be raised and clearly marked.~~

(b)(e) The development shall provide site development features that are visible and pedestrian-accessible from the street. These features could include plazas, open space areas, employee lunch and recreational areas, architectural focal points, and access lighting.

(c)(b) The development shall create a well-defined streetscape to allow for the safe movement of pedestrians. ~~Whenever possible, building setbacks shall be minimized and drive-through passageways shall be relegated to the side or rear of buildings.~~

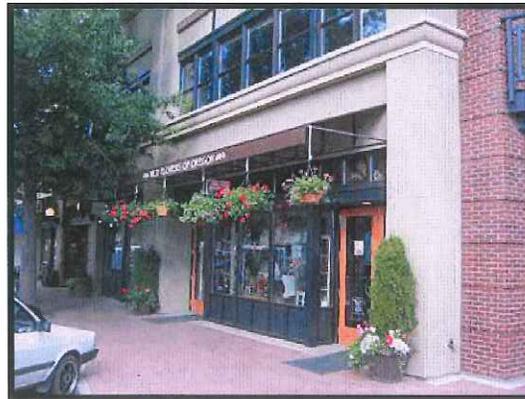
(d) Commercial and mixed use buildings must be oriented towards at least one street. For sites that front multiple streets, commercial and mixed use buildings are encouraged to orient towards both streets; provided, that priority shall be given to streets that are more visible and/or provide a better opportunity for increased pedestrian activity.

(e) Commercial and mixed use building facades facing the street must have transparent windows or door covering at least 25 percent of the ground floor façade between 4 to 8 feet above the level of the sidewalk. Departures will be considered by the director provided that the proposed building configuration and design enhances the pedestrian environment.

(f) No more than 50 percent of total project parking spaces may be located between the building's façade and the primary public street (street from which primary access is obtained) unless it is not feasible due to parcel size, topography, environmental conditions, or other factors as determined by the director. Where the property fronts on more than one public street, this provision applies to only one street frontage.

(g) Parking lots may not be located on corner locations adjacent to public streets unless no feasible on-site alternative exists.

(h) For large commercial and mixed use sites (over 2 acres) that feature multiple buildings, developments shall configure buildings to create focal points for pedestrian activity on the site. However, no more than 50 percent of the street frontage may be occupied by vehicular access or parking. Exceptions: An increased percentage of parking or vehicular access along the street-front may be allowed where the configuration allows the development to better meet the intent of these standards. For example, if the configuration allows for a centralized plaza surrounded by a concentration of retail uses, an increase in the percentage of parking along the street-front would be allowed.



Figures 1 – Examples of buildings that provide a well-defined streetscape.

(3) Relationship of Buildings(s) and Site to Adjoining Area

(a) Where adjacent buildings and neighborhoods are consistent with the comprehensive plan and desired community character, new buildings and structures should consider the visual continuity between the proposed and existing development with respect to building setbacks, placement of structures, location of pedestrian/vehicular facilities and spacing from adjoining buildings. Solar access of the subject and adjacent properties should be considered in building design and location.

(b) Harmony in texture, lines and masses is encouraged.

(c) Attractive landscape transition to adjoining properties shall be provided.

(d) Public and quasi-public buildings and structures shall be consistent with the established neighborhood character.

(4) Landscape and Site Treatment.

(a) Parking lot screening and interior landscaping shall be provided consistent with Chapter [22C.120](#) MMC. The following criteria shall guide review of plans and administration of the landscaping standards in the zoning code:

(i) The landscape plan shall demonstrate visual relief from large expanses of parking areas.

(ii) The landscape plan shall provide some physical separation between vehicular and pedestrian traffic.

(iii) The landscape plan shall provide decorative landscaping as a focal setting for signs, special site elements, and/or pedestrian areas.

(iv) In locations where plants will be susceptible to injury by pedestrian or motor traffic, they shall be protected by appropriate curbs, tree guards or other devices.

(v) Where building sites limit planting, the placement of trees or shrubs in parkways or paved areas is encouraged.

(vi) Screening of outdoor service yards and other places which tend to be unsightly shall be accomplished by use of walls, fencing, planting, berms or combinations of these.

(vii) Landscaping should be designed to create definition between public and private spaces.

(viii) Where feasible, the landscape plan shall coordinate the selection of plant material to provide a succession of blooms, seasonal color, and a variety of textures.

(ix) The landscape plan shall provide a transition in landscaping design between adjacent sites, within a site, and from native vegetation areas in order to achieve greater continuity.

(x) The landscape plan shall use plantings to highlight significant site features and to define the function of the site, including parking, circulation, entries, and open spaces.

(xi) Where feasible, the landscape plan shall integrate natural approaches to storm water management, including featured low impact development techniques.

(b) Street Landscaping. Where the site plan includes streetscape plantings, the following guidelines apply:

(i) Sidewalks and pathways should be separated from the roadway by planting strips with street trees wherever possible.

(ii) Planting strips should generally be at least five feet in width. They should include evergreen shrubs no more than four feet in height and/or ground cover in accordance with the city of Marysville landscape standards (Chapter [22C.120](#) MMC) and Marysville administrative landscaping guidelines.

(iii) Street trees placed in tree grates may be more desirable than planting strips in key pedestrian areas.

(iv) Use of trees and other plantings with special qualities (e.g., spring flowers and/or good fall color) are strongly encouraged to unify development.

(c) Plaza/Pedestrian Area Landscaping Within Shopping Centers and Mixed Use Site Plans.

(i) A range of landscape materials – trees, evergreen shrubs, ground covers, and seasonal flowers – shall be provided for color and visual interest.

(ii) Planters or large pots with small shrubs and seasonal flowers may be used to create protected areas within the plaza for sitting and people watching.

(iii) Creative use of plant materials, such as climbing vines or trellises, and use of sculpture groupings or similar treatments are encouraged.

(iv) All landscaping plans shall be submitted during site plan review for approval.

(d) Exterior lighting, ~~when used,~~ shall be part of the architectural concept. Lighting shall enhance the building design and adjoining landscaping. ~~It should provide adequate lighting.~~ Appropriate lighting levels shall be provided in all areas used by pedestrians or automobiles, including building entries, walkways, parking areas, circulation areas, and other open space areas in order to ensure safety and security; enhance and encourage evening activities; and, when warranted by the adjoining streetscape theme, provide a distinctive character to the area. In addition, the following shall be addressed: New developments shall provide a lighting site plan which identifies lighting equipment, locations and standards, and implements the following design standards:

(i) All public areas shall be lighted with average minimum and maximum levels as follows:

(A) Minimum (for low or non-pedestrian and vehicular traffic areas) of

0.5 foot candles;

foot candles; and

of 4 foot candles.

(B) Moderate (for moderate or high volume pedestrian areas) of 1 to 2

(C) Maximum (for high volume pedestrian areas and building entries)

(ii) Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.

(iii) Parking lot lighting shall be subject to the provisions set forth in MMC Section 22C.130.050(3)(d).

(iv) Pedestrian-scale lighting (light fixtures no taller than 15 feet) is encouraged in areas with high anticipated pedestrian activity. All fixtures over 15 feet in height shall be fitted with a full cut-off shield, be dark sky rated, and mounted no more than 25 feet above the ground with lower fixtures preferable so as to maintain a human scale. Lighting shall enable pedestrians to identify a face 45 feet away in order to promote safety.

(v) Light levels at the property line should not exceed 0.1 footcandles (fc) adjacent to business properties, and 0.05 footcandles adjacent to residential properties.

All building lights shall be directed onto the building itself and/or the ground immediately adjacent to it. The light emissions should not be visible above the roofline of the building. Light fixtures other than traditional cobra heads are encouraged.

(vi)(i) The site plan shall identify lighting equipment and standards. Uplighting on trees and provisions for seasonal lighting are encouraged.

(vii)(ii) Accent lighting on architectural and landscape features is encouraged to add interest and focal points.

(iii) Parking area lighting shall not exceed 25 feet in height and shall be shielded to minimize glare and spillage into the surrounding community.

~~(5) Building Scale Standards. All elements of building design should form an integrated development, harmonious in scale, line, and mass to ensure that buildings are based on human scale (i.e., the relationship of the size of the building's features to the people that use the building). Design elements should also ensure that large buildings reduce their apparent mass and bulk on elevations visible from streets or pedestrian routes through such methods as facade modulation and architectural detailing, roof treatment, colors, materials, and other special features.~~

(a) Integration. Large buildings should integrate features along their facades visible from the public right-of-way and pedestrian routes and entries to reduce the apparent building mass and achieve an architectural scale consistent with other nearby structures.

(b) Facade Modulation. Building facades visible from public streets and public spaces should be stepped back or projected forward at intervals to provide a minimum of 40 percent facade modulation. The minimum depth of modulation should be one foot, and the minimum width should be five feet.

(c) Articulation. Buildings should be articulated to reduce the apparent scale of buildings. Architectural details that are used to articulate the structure may include color, arrangement of facade elements, or change in building materials.

(i) Tripartite Articulation. Buildings should provide tripartite building articulation

(building top, middle, and base) to provide pedestrian scale and architectural interest.

(d) Window Treatments. Buildings should provide ample articulated window treatments in facades visible from streets and public spaces for architectural interest and human scale. Windows should be articulated with mullions, recesses, awnings, etc., as well as applying complementary articulation around doorways and balconies.

(e) Architectural Elements. The mass of long or large scale buildings can be made more visually interesting by incorporating architectural elements, such as arcades, balconies, bay windows, dormers, and/or columns.

(f) Rooflines. A distinctive roofline can reduce perceived building height and mass, increase compatibility with smaller scale and/or residential development, and add interest to the overall design of the building.

(i) Rooflines with alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval are encouraged.

(ii) Roofs that incorporate a variety of vertical dimensions such as multi-planed and intersecting rooflines are encouraged.

(iii) Flat-roofed designs should include architectural details such as cornices and decorative facings to provide interest to the roofline.

(g) When there is a change in the building plane, a change in the building materials, colors or patterns should also be considered.

(h) Landscaping. The landscape plan should provide a trellis, tree or other landscape feature within each interval.

(i) Upper Story Setback. Setting back upper stories helps to reduce the apparent bulk of a building and promotes human scale.

(j) Small Scale Additions. In retail areas, small scale additions to a structure can reduce the apparent bulk by articulating the overall form. Clustering smaller uses and activities around entrances on street-facing facades also allows for small retail or display spaces that are inviting and add activity to the streetscape.

(5)(8) Site Design Utilizing Crime Prevention through Environmental Design (CPTED) Principles.

Development that is subject to this section shall incorporate the following CPTED strategies into building design and site layout:

(a) Access Control. Guidance of people coming and going from a building or site by placement of real and perceived barriers. Provision of natural access control limits access and increases natural surveillance to restrict criminal intrusion, especially into areas that are not readily observable.

(b) Surveillance. Placement of features, uses, activities, and people to maximize visibility. Provision of natural surveillance helps to create environments where there is plenty of opportunity for people engaged in their normal behavior to observe the space around them.

(c) Territoriality/Ownership. Delineation of private space from semi-public and public spaces that creates a sense of ownership. Techniques that reduce the perception of areas as "ownerless" and, therefore, available for undesirable uses.

Examples of ways in which a proposal can comply with CPTED principles are outlined in the CPTED Guidelines for Project Design and Review, prepared by the city.

(6) Building Details, Materials, and Colors.

~~(a) The building should provide visual interest and distinct design qualities, and promote compatibility and improvement within surrounding neighborhoods and community development through effective architectural detailing and the use of traditional building techniques and materials.~~

~~(b) Design Criteria:~~

~~(i) Building materials and building techniques should be of high durability and high quality. For commercial and residential uses, the use of brick is encouraged on walls or as accents on walls. Large areas of rough-cut wood, wide rough-cut lap siding, or large areas of T-111, plywood, or similar materials are prohibited. Vinyl siding is prohibited on the ground floor of commercial buildings.~~

~~(ii) Buildings should be enhanced with appropriate details. The following elements are examples of techniques used on buildings to provide detail:~~

~~(A) Ornate rooflines, including use of ornamental molding, entablature, frieze, or other roofline devices.~~

~~(B) Overhead weather protection along sidewalks.~~

~~(C) Detailed treatment of windows and doors, including use of decorative lintels, sills, glazing, door design, molding or framing details around all windows and doors located on facades facing or adjacent to public streets or parks. Window treatment should be sized as follows:~~

~~1. Windows should not have individual glass panes with dimensions greater than five feet by seven feet.~~

~~2. Windows should be surrounded by trim, molding and/or sill at least four inches wide. Commercial buildings with no trim or molding should have window frames at least two inches wide.~~

~~3. Individual window units should be separated from adjacent window units by at least six inches of the building's exterior finish material.~~

(6) Building Design – Human-Scale Standards

The human-scale standards are intended to encourage the use of building components that relate to the size of the human body and to add visual interest to buildings. "Human-scale" addresses the relationship between a building and the human body. Generally, buildings attain a good human-scale when they feature elements or characteristics that are sized to fit human activities, such as doors, porches, and balconies. A minimum of three of the following human-scale building elements shall be incorporated into the new development:

(a) Balconies in upper stories, at least one balcony per upper floor on the façades facing streets, provided they are integrated into the architecture of the building;

(b) Bay windows or other window treatments that extend out from the building face;

(c) At least 150 square feet of pedestrian-oriented space for each 100 lineal feet of building façade;

(d) First floor individual windows, generally less than 32 square feet per pane and separated from the windows by at least a 6" molding;

(e) Spatially defining building elements, such as a trellis, overhang, canopy, or other element, that defines space that can be occupied by people;

(f) Upper story setbacks, provided one or more of the upper stories are set back from the face of the building at least 6 feet;

(g) Composing smaller building elements near the entry of pedestrian-oriented street fronts of large buildings (see Figure 4);

(h) The director may consider other methods to provide human-scale elements not specifically listed here. The proposed methods must satisfy the intent of these standards.

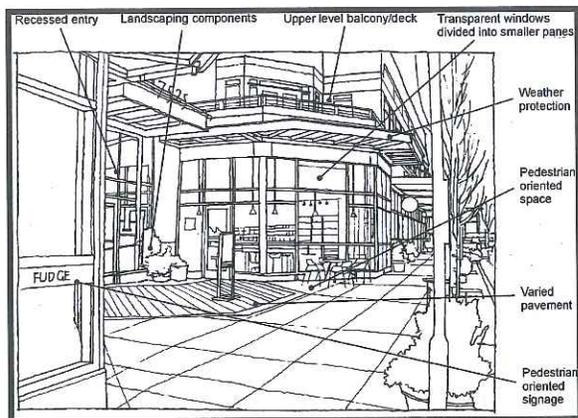


Figure 2 – Illustrating a variety of human-scale components on a building.



Figure 3 – This mixed-use building incorporates decks, upper level setbacks, trellises, and landscaping to meet human-scale guidelines.

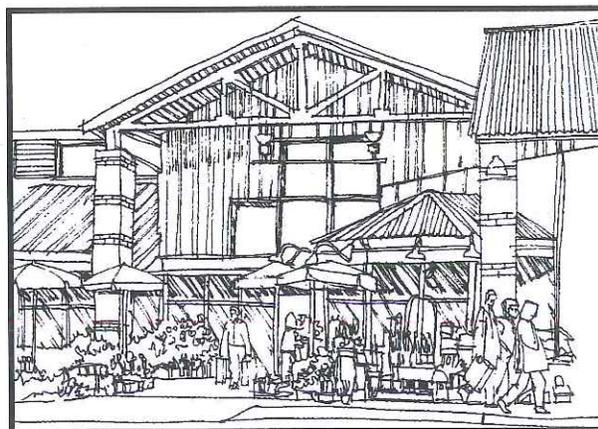


Figure 4 – Example of composing smaller building elements near the entry of large buildings.

(7) Public or Private Open Space. Where feasible and appropriate, larger (over 10 acres) commercial and residential developments should incorporate open spaces into the site design to provide community gathering space and neighborhood meeting areas. These areas should provide outdoor spaces for relaxing, eating, socializing, and recreating. The following standards apply to these outdoor areas:

(a) Plazas and Gathering Places.

(i) Areas should be sized between 5,000 and 10,000 square feet.

(ii) Plazas and gathering places should be able to serve as a center for daily activities.

(iii) Paving should be unit pavers or concrete with special texture, pattern, and/or decorative features.

(iv) Pedestrian amenities should be provided, including features such as seating, plants, drinking fountains, artwork, and such focal points as sculptures or water features.

(v) Lighting fixtures should be approximately 10 to 15 feet above the surface. The overall lighting in the plaza should average at least two foot-candles.

(b) Open Spaces and Project Details. The listed literature resources in MMC [22C.020.240\(2\)\(a\)](#) provide smaller scale concepts for integrating public gathering places and open spaces into the project design.

(7) Building Design – Architectural Scale

The architectural scale standards are intended to encourage compatibility of structures with nearby commercial areas, to help the building fit in with its context, and to add visual interest to buildings. All façades shall be given equal design consideration. Some flexibility may be given by the director for alley or other façades that are not visible from streets, parks, parking lots, or other uses.

(a) Façade Modulation. All new buildings shall provide modulation (measured and proportioned inflexion or setback in a building's façade) on façades facing a street, common open space, public area, or common parking area as follows:

(i) Buildings with façades that are 30 feet or longer shall provide modulation of the exterior wall that extends through all floors;

(ii) The minimum modulation depth shall be five feet and the minimum modulation width for each modulation shall be 10 feet. On façades that are 100 feet or longer, the minimum depth of modulation shall be 10 feet and the minimum width for each modulation shall be 20 feet.

(iii) The minimum modulation depth detailed in subsection (ii) above may be reduced to 2 feet if tied to a change in color or building materials, and/or roofline modulation as defined in Section (d) below.

(iv) The director may consider departures from these standards, provided the proposed treatment meets or exceeds the intent of these standards.

(b) Streetfront Articulation. All building façades fronting directly on a street must include at least two of the following articulation features at intervals no greater than 30 feet (see figure 5 below).

(i) Use of window and/or entries that reinforce the pattern of small storefront spaces.

(ii) Use of weather protection features that reinforce the pattern of small storefronts. For example, for a business that occupies three lots, use three separate awnings to break down the scale of the storefronts. Alternating colors of the awnings may be useful as well.

(iii) Change of roofline.

(iv) Articulation of the building's top, middle, and bottom for multi-story buildings. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.

(v) Change in building material or siding style.

(vi) Other methods that meet the intent of these standards.

(c) Articulation for Façades not Fronting Directly on a Street.

All façades fronting on a street, or containing a pedestrian entrance, that are not subject to section (a) above must include at least three of the following articulation features at intervals no greater than 70 feet.

(i) Use of window and/or entries that reinforce the pattern of small storefront spaces.

(ii) Vertical building modulation. The minimum depth and width of modulation shall be 2 and 4 feet, respectively (preferably tied to a change in roofline, building material or siding style).

(iii) Use of weather protection features that reinforce the pattern of small storefronts.

(iv) Change of roofline.

(v) Change in building material or siding style.

(vi) Providing lighting fixtures, trellis, tree, or other landscape feature within each interval.

(vii) Articulation of the building's top, middle, and bottom for multi-story buildings. This typically includes a distinctive ground floor or lower floor design, consistent articulation of middle floors, and a distinctive roofline.

(viii) Other methods that meet the intent of these standards.

Exception: Alternative articulation methods will be considered by the director provided such treatment meets the intent of the standards and guidelines. For example, use

of high quality building materials (such as brick or stone) with attractive detailing may allow a building to meet the intent of the standards using greater articulation intervals. Also, where the articulated features are more substantial in terms of effectively breaking up the facade into smaller components, then a greater distance between architectural intervals may be acceptable.

(d) Roofline Modulation.

(i) In order to qualify as an articulation element in Section (a) and (b) above or in this section, the roofline shall meet the following modulation requirement (see Figure 8):

(A) For flat roofs or façades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of 2 feet or 0.1 multiplied by the wall height (finish grade to top of the wall) when combined with vertical building modulation techniques described in section (b) above. Otherwise, the minimum vertical dimension of roofline modulation is the greater of 4 feet or 0.2 multiplied by the wall height.

(B) Buildings with pitched roofs must include a minimum slope of 5:12 and feature modulated roofline components at the interval required per the applicable standard above.

(ii) For large scale retail uses (with at least 50,000 square feet of floor area and façades greater than 150 feet in width), the storefront shall integrate a prominent entry feature combining substantial roofline modulation with vertical building modulation and a distinctive change in materials and/or colors (see Figure 10). The minimum vertical dimension of roofline modulation is the greater of 6 feet or 0.3 multiplied by the wall height (finished grade to top of the wall). The director will consider alternative treatments provided they meet the intent of these standards.

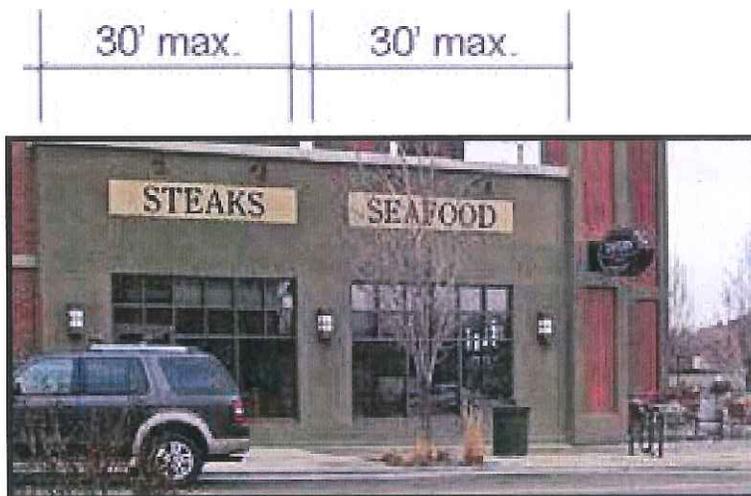


Figure 5 – For commercial buildings built up to the sidewalk, provide facade articulation features at no more than 30-foot intervals.

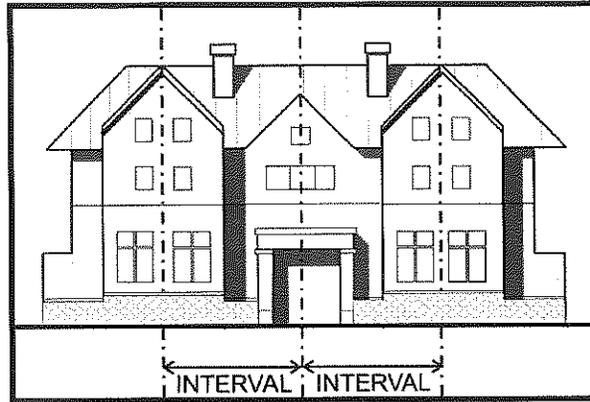


Figure 6 – Building articulation.

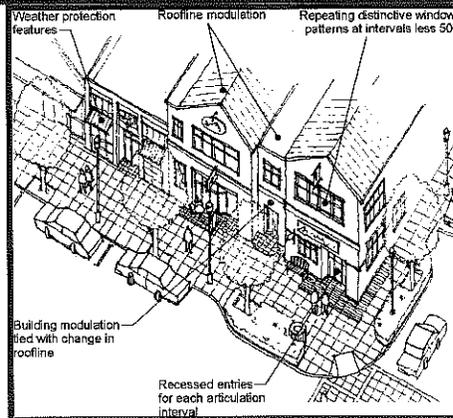


Figure 7 – These buildings illustrate a combination of horizontal building modulation, roofline modulation, and building articulation to reduce the architectural scale and provide visual interest.

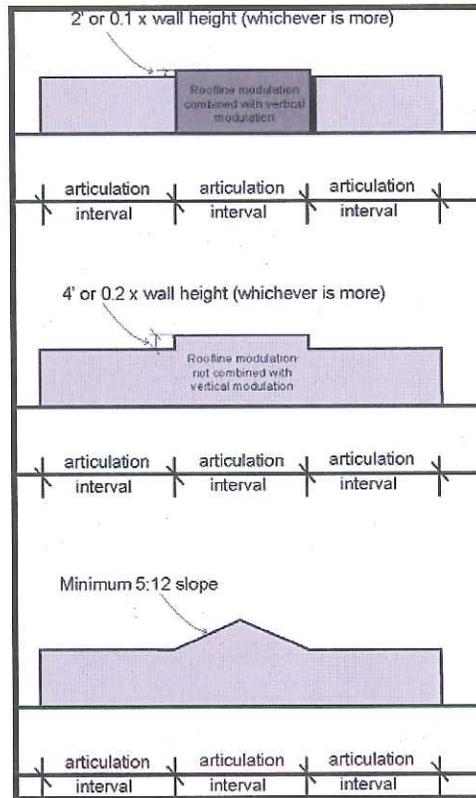


Figure 8 – Roofline modulation standards.



Figure 9 – This development uses a variety of roof forms and heights, different weather protection features, changing building materials and colors, and a modest amount of horizontal building modulation to reduce the overall architectural scale into smaller “storefront” components.



Figure 10 – Good examples of prominent pedestrian entries for large-scale retail uses. Note height change, vertical modulation, use of building materials, colors, and detailing to add interest and emphasis.

(8) Building Corners

The building corners standards are intended to architecturally accentuate building corners at street intersections, to create visual interest, and to increase activity, where appropriate. All new buildings located within 15 feet of a property line at the intersection of streets are required to employ one or more of the following design elements or treatments to the building corner facing the intersection:

(a) Provide at least 100 square feet of pedestrian-oriented space between the street corner and the building(s). To qualify for this option, the building(s) must have direct access to the space;

(b) Provide a corner entrance to courtyard, building lobby, atrium, or pedestrian pathway;

(c) Include a corner architectural element such as:

(i) Bay window or turret.

(ii) Roof deck or balconies on upper stories.

(iii) Building core setback "notch" or curved façade surfaces.

(iv) Sculpture or artwork, either bas-relief, figurative, or distinctive use of

materials.

(v) Change of materials

(vi) Corner windows.

(vii) Special lighting.

(d) Special treatment of the pedestrian weather protection canopy at the corner of the building; and/or

(e) Other similar treatment or element approved by the director.

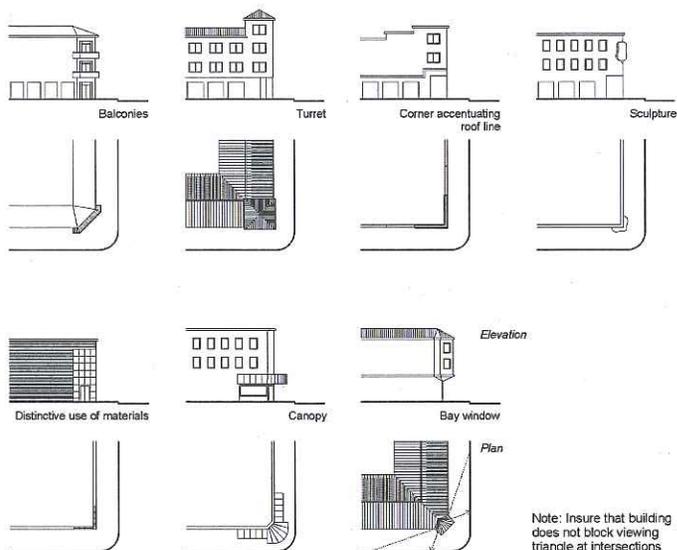


Figure 11 – Corner building treatments.



Figure 12 – Decorative use of windows, change of materials, and special lighting creates a statement at this corner location.

(9) Building Design Details

The building design details standards are intended to ensure that buildings have design interest at all observable distances; to enhance the character and identity of the city; and to encourage creative design. At closer distances, the most important aspects of a building are its design details, texture of materials, quality of its finishes, and small, decorative elements. All new commercial buildings and individual storefronts shall include at least one detail element from each of the three categories below. Other mixtures of detail elements will be considered provided they meet the intent of these standards. The applicant must demonstrate how the amount, type, and mix of details meet the intent of these standards. For example, a large building with multiple storefronts will likely need more than one decorative sign, transom window, and decorative kickplate to meet the intent of these standards.

(a) Window and/or entry treatment:

Special treatment of windows and doors, other than standard metal molding/framing details, around all ground floor windows and doors, decorative glazing, or door designs.

(i) Display windows divided into a grid of multiple panes.

(ii) Transom windows.

(iii) Roll-up windows/doors.

(iv) Other distinctive window treatment that meets the intent of the standards

and guidelines.

- (v) Recessed entry.
- (vi) Decorative door.
- (vii) Arcade.
- (viii) Landscaped trellises or other decorative element that incorporates landscaping near the building entry.
- (ix) Other decorative entry treatment that meets the intent of these standards.

(b) Decorative facade attachments:

- (i) Decorative weather protections element such as a steel canopy, decorative cloth awning, or retractable awning.
- (ii) Decorative, custom hanging, sculptural, or hand-crafted sign(s).
- (iii) Decorative building-mounted light fixtures with a diffuse visible light source or unusual fixture.
- (iv) Decorative or special railings, grill work, or landscape guards.

(c) Building materials and other facade elements:

- (i) Decorative building materials/use of building materials such as decorative masonry, shingle, tile, brick, or stone.
- (ii) Individualized patterns or continuous wood details, such as fancy butt shingles (a shingle with the butt end machined in some pattern, typically to form geometric designs), decorative moldings, brackets, trim or lattice work, ceramic tile, stone, glass block, carrera glass, or similar materials. The applicant must submit architectural drawings and material samples for approval.
- (iii) Distinctive rooflines, such as an ornamental molding, entablature, frieze, or other roofline device visible from the ground level. If the roofline decoration is in the form of a linear molding or board, then the molding or board must be at least 8" wide.
- (iv) Decorative artwork on the building such as a mosaic mural, bas-relief sculpture, light sculpture, water sculpture, or other similar artwork. Painted murals or graphics on signs or awnings do not qualify.
- (v) Decorative kick-plate, pier, belt course, or other similar facade element.
- (vi) Special building elements, such as pilasters, entablatures, wainscots, canopies, or marquees, that exhibit nonstandard designs.
- (vii) Other details that meet the intent of the standards and guidelines as determined by the Director.
- (viii) Decorative elements referenced above must be distinct "one-of-a-kind" elements or unusual designs that require a high level of craftsmanship as determined by the director.

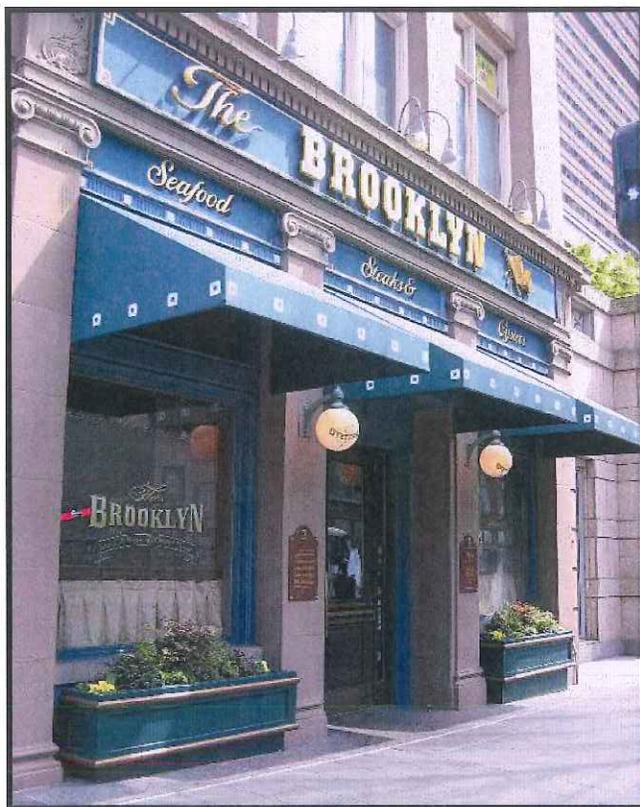


Figure 13 – The building provides a number of details that enhance the pedestrian environment, including decorative lighting, planter boxes, decorative awnings, historical plaques, and decorative façade elements.

(10) Building Materials.

The building materials standards are intended to encourage the use of a variety of high-quality, durable materials that will enhance the visual image of the city; provide visual interest and distinct design qualities; and promote compatibility and improvement within surrounding neighborhoods through effective architectural detailing and the use of traditional building techniques and materials. The following standards apply:

(a) Building exteriors shall be constructed from high quality, durable materials. Building materials such as concrete, masonry, tile, stone and wood are encouraged;

(b) Metal siding, when used for walls that are visible from a public street, public park or open space, pathway, or pedestrian route must:

(i) Have visible corner moldings and trim and incorporate masonry, stone, or other durable permanent materials within two feet of the ground level;

(ii) Incorporate multiple colors or siding materials when the façade is wider than 40 feet;

(iii) Alternative standards may be approved by the director, provided that the design quality and permanence meets the intent of this section.

(c) Concrete masonry units (CMU) or cinder block walls, when used for walls that are visible from a street, public park or open space, or pedestrian route, shall be architecturally treated in one or more of the following ways:

(i) Use in conjunction with other permitted exterior materials.

(ii) Use of a combination of textured surfaces such as split face or grooved to create distinct banding or other design.

(iii) Use of other masonry types, such as brick, glass block, or tile in conjunction with concrete blocks.

(iv) Use of decorative coursing to break up blank wall areas.

(v) Use of matching colored mortar where color is an element of architectural treatment for any of the options above.

(vi) Other treatment approved by the director.

- (d) Exterior Insulation and Finish System (EIFS) and similar troweled finishes must:
- (i) Be trimmed in wood or masonry, and should be sheltered from extreme weather by roof overhangs or other methods in order to avoid deterioration. Weather-exposed horizontal surfaces must be avoided.
 - (ii) Be limited to no more than 50 percent of the façade area.
 - (iii) Incorporate masonry, stone, or other durable material for the first two feet above ground level.
- (e) Prohibited materials in visible locations unless an exception is granted by the director based on the integration of the material into the overall design of the structure:
- (i) Highly tinted or mirrored glass (except stained glass) covering more than 10 percent of the exterior of any building, or located at the ground level along the street.
 - (ii) Corrugated fiberglass.
 - (iii) Plywood siding, including T-111 and similar siding. Board and batten is an exception.
 - (iv) Non-corrugated and highly reflective sheet metal.
 - (v) Any sheet materials, such as wood or metal siding, with exposed edges or unfinished edges, or made of nondurable materials as determined by the director.

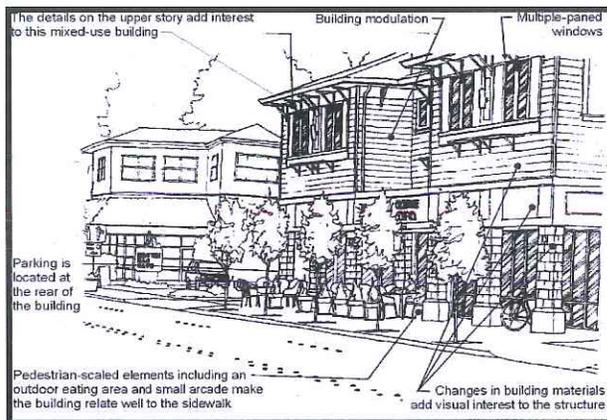


Figure 14 – The use of different building materials, window treatments, and roofline brackets add to the visual interest of this building.

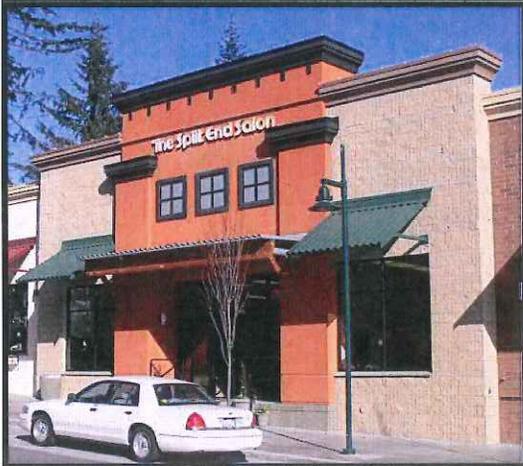


Figure 15 – This storefront effectively combines EIFS and concrete block with wood trim and metal detailing.

(11) Blank Walls.

(a) The blank wall standards are intended to: reduce the visual impact of large, undifferentiated walls; reduce the apparent size of large walls through the use of various architectural and landscaping treatments; enhance the character and identity of the city; and ensure that all visible sides of buildings provide visual interest. Blank walls visible from a public street, sidewalk, trail, interior pathway, or parking lot are prohibited. A wall (including

building façades and other exterior building walls, retaining walls, and fences are defined as a blank wall if:

(i) A ground floor wall or portion of a ground floor wall over 4 feet in height has a horizontal length greater than 15 feet and does not include a transparent window or door; or

(ii) Any portion of a ground floor wall having a surface area of 400 square feet or greater does not include a transparent window or door.

(b) All blank walls visible from a public street, sidewalk, trail, interior pathway, or parking lot, shall be treated in one or more of the following measures:

(i) Incorporate transparent windows or doors and/or display windows;

(ii) Install a vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60 percent of the wall's surface within 3 years. For large blank wall areas, the trellis must be used in conjunction with other treatments described below;

(iii) Provide a landscaped planting bed at least 5 feet wide, or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Plant materials must be able to obscure or screen at least 60 percent of the wall's surface within 3 years;

(iv) Provide artwork (mosaic, mural, sculpture, relief, etc.) over at least 50 percent of the blank wall surface; and/or

(v) Other method as approved by the director. For example, landscaping or other treatments may not be necessary on a wall that employs high quality building materials (such as brick) and provides desirable visual interest.

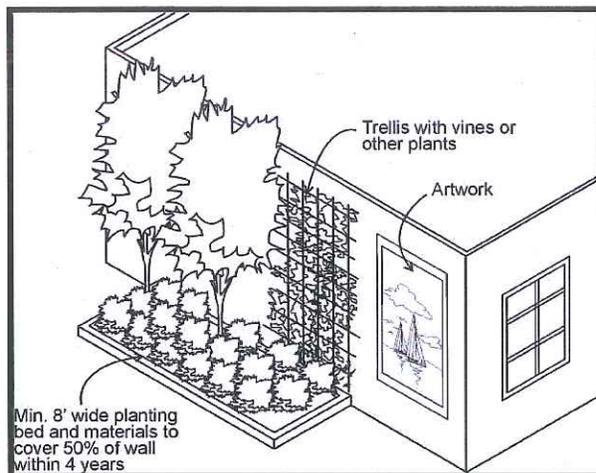


Figure 16 - Blank wall treatments.



Figure 17 - Terraced planting beds effectively screen a large blank wall.

(12) Building Entrances.

The intent of the building entrances standards is to ensure that buildings are inviting and accessible, that entrances are easy to locate, and that pedestrian activity is encouraged.

(a) Primary Building Entrances. The principal building entrances of all buildings shall feature the following improvements, unless the director determines an alternate solution better addresses the guideline's intent:

(i) Weather protection. Weather protection at least 5 feet deep and at least 8 feet above ground level is required over the primary entrance to all commercial buildings. Entries may satisfy this requirement by being set back into the building façade.

(ii) Lighting. Pedestrian entrances must be lit to at least four foot-candles as measured on the ground plane for commercial buildings.

(iii) Visibility and Accessibility. Building entrances must be prominent and visible from the surrounding streets and must be connected by a walkway to the public sidewalk. Pedestrian pathways from public sidewalks to primary entrances or from parking

lots to primary entrances, shall be accessible, conforming to federal and state Americans with Disabilities Act requirements, and shall be clearly delineated.

(iv) Transparency. Entries must feature glass doors, windows, or glazing (window area) near the door so that the visitor and occupant can view people opening the door from the other side.



Figure 18 – A distinct, weather-protected primary building entrance.

(b) Secondary Public Access for Commercial Buildings. Buildings with “secondary” entrances off of a parking lot shall comply with the following measures to enhance secondary public access (applies only to entries used by the public):

(i) Weather protection at least 3 feet deep and at least 8 feet above the ground is required over each secondary entry.

(ii) Two or more of the design elements must be incorporated within or adjacent to the secondary entry:

- (A) A transparent window or door to allow visibility into the building;
- (B) A landscape bed, trellis, or other permanent landscape element adjacent to the entry;
- (C) Decorative architectural treatments that add visual interest to the entry;
- (D) Outdoor dining or pedestrian-oriented space;
- (E) Decorative lighting; or
- (F) Other design elements that meet the intent of these standards as determined by the director.



Figures 19 – Examples of secondary public access. Note the planters, window signs, and awnings.

Section 11. MMC 22C.020.270, entitled "On-site recreation - Space Required", is hereby amended to be entitled "Open Space and Recreation Space Required", and shall read as follows:

~~22C.020.270 On-site recreation - Space required.~~

~~(1) Except when fees in lieu of commonly owned recreation space are provided pursuant to MMC 22C.020.300 and 22C.020.310, multiple family developments in the mixed use zones shall provide outdoor or active recreation space, or a combination thereof, in accordance with the following chart:~~

Type of Dwelling Unit	Outdoor Open Space	Active 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

~~(2) Any recreation space located outdoors 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) Have no dimensions less than 30 feet (except trail segments);~~
- ~~(e) In an apartment or townhome development, have a street, roadway or parking area frontage along 10 to 50 percent of the recreation space perimeter (except trail segments); and~~
- ~~(f) Be centrally located and accessible and convenient to all residents within the development.~~

~~(3) Indoor recreation areas may be credited towards the total recreation space requirement, when the city determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.~~

~~(4) Active recreation facilities may include, but are not limited to, exercise rooms, sport courts, swimming pools, tennis courts, game rooms, or community centers. Outdoor open space shall not include areas devoted to parking or vehicular access, and should be one continuous tract.~~

22C.020.270 Open Space and Recreation Space Required.

The on-site open space and recreation space standards are intended to provide usable, accessible, and inviting open space for residents that enhance residential areas. Multifamily residential uses in the Mixed Use zone shall provide open space equivalent to at least 20 percent of the building's gross floor area; vertical mixed use developments (where commercial and multi-family uses are contained in the same building) shall not be subject to this requirement provided that at least 80 percent of the ground floor is exclusively dedicated

to commercial uses and residential uses shall be limited to walls not oriented or located along the street. The required area may be satisfied with one or more of the elements listed below:

(1) 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 multi-purpose 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 area per the director. For example, long narrow spaces less than 20 feet wide rarely, if ever, can function as usable common open space.

(b) Consider space as a focal point of development.

(c) Open 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.

(f) Separate common space from ground floor windows, streets, service areas and parking lots with landscaping and/or low-level fencing, where desirable.

(g) Space shall 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 open space requirement.

(i) Rooftops or rooftop decks shall not be considered as common open space for the purpose of calculating minimum open space area; provided, that the director may consider rooftops or rooftop decks as common open space where usable open space amenities are provided and available to all residents.

(j) Outdoor open space shall not include areas devoted to parking or vehicular access.

(2) The following amenities may be used to satisfy up to 50 percent of the open space requirement. A combination of these amenities may be provided in different ratios provided that (i) the total credit for any combination of the following amenities may not exceed 50 percent of the open space requirement, and (ii) the amount of the amenity provided is sufficient to achieve the purpose of the amenity as determined by the director:

(a) Individual balconies that provide a space usable for human activity. To qualify, the balconies shall be at least 35 square feet and have no dimension less than 4 feet.

(b) Natural areas that function as an amenity to the development, subject to the following requirements and recommendations:

(i) 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.

(ii) 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.

(c) Stormwater retention areas 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.

(3) Children's play equipment and recreational activity space for children and/or teens that include parent seating areas are required in residential complexes with 20 or more units. Exceptions: Age-restricted senior citizen housing; mixed-use developments (combined commercial and residential in same building); developments reserved for

student housing; infill lots within the Downtown Master Plan area; and developments located within a ¼ mile of safe walking distance to a public park that features a play area.

(4) Active recreation facilities may be provided, subject to the following:

(a) Active recreation facilities may include, but are not limited to, exercise rooms, sports courts, swimming pools, tennis courts, game rooms, or community centers; and

(b) Indoor recreation areas may be credited towards the total recreation space requirement, when the city determines that such areas are located, designed and improved in a manner which provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors.



Figure 20 - Balconies provide private, usable open space for residents.



Figure 21 - A residential courtyard providing semi-private patio spaces adjacent to individual units.



Figure 22 - Children's play area incorporated into a multifamily development.

Section 12. MMC 22C.020.280, entitled "On-site recreation – Play areas required", is hereby amended to be entitled "Townhouse Open Space", and shall read as follows:

22C.020.280 On-site recreation — Play areas required:

(1) All apartment and townhome development, excluding senior citizen apartments, shall provide tot/children play areas within the recreation space on site, except when facilities are available within one-quarter mile that are developed as public parks or playgrounds and are accessible without the crossing of arterial streets.

(2) If any play apparatus is provided in the play area, the apparatus shall meet Consumer Product Safety Standards for equipment, soft surfacing and spacing, and shall be located in an area that is:

- (a) At least 400 square feet in size with no dimension less than 20 feet;
- (b) Adjacent to main pedestrian paths or near building entrances; and
- (c) Visual access from adjacent residential structures is provided.

22C.020.280 Townhouse Open Space. Townhouses and other ground based multi-family residential units in 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 Section 22C.010.320(a) may substitute for up to 50% of each unit's required private or semi-private open space on a square foot per square foot basis.



Figure 23 - Common open space for a townhouse development.



Figure 24 - These townhouses provide balconies and semi-private yard space.

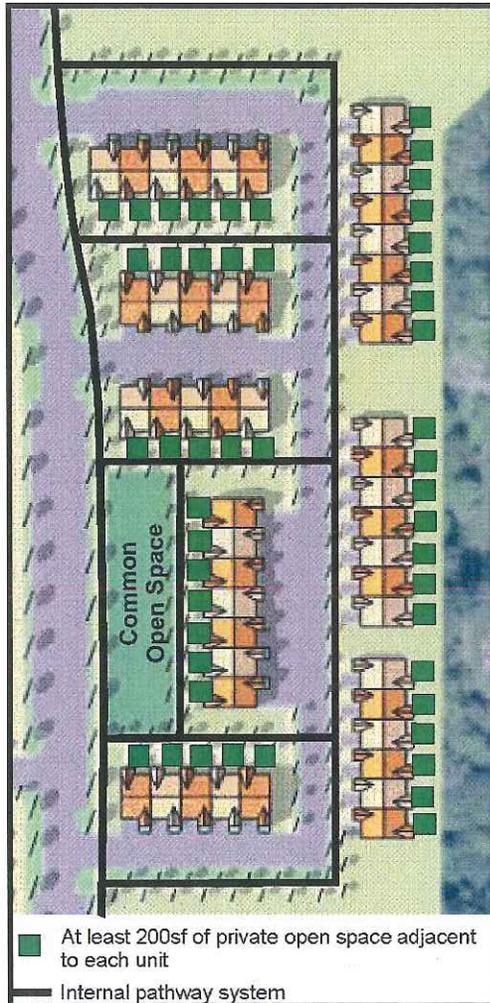


Figure 25 - Example townhouse configuration with a combination of private open spaces adjacent to units and larger common open space accessible to all units.

Section 13. MMC 22C.020.290, entitled "On-site recreation - Maintenance of recreation space or dedication", is hereby amended to be entitled "Maintenance or dedication of open space and recreation space", and shall read as follows:

22C.020.290 On-site recreation—Maintenance of recreation space or dedication. Maintenance or dedication of open space and recreation space.

(1) Unless the open space or recreation space is dedicated to the city of Marysville pursuant to subsection (2) of this section, maintenance of any open space or recreation space retained in private ownership shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the city.

(2) Open space or recreation space may be dedicated as a public park when the following criteria are met:

- (a) The dedicated area is at least one and one-half acres in size, except when adjacent to an existing or planned public park;
- (b) The dedicated land provides one or more of the following:

- (i) Shoreline access;
 - (ii) Regional trail linkages;
 - (iii) Habitat linkages;
 - (iv) Recreation facilities; or
 - (v) Heritage sites;
- (c) The entire dedicated area is located less than one mile from the project site.

Section 14. Section 22C.020.300, "On-site recreation - Fee in lieu of recreation space", of MMC Chapter 22C.020, "Commercial, Industrial, Recreation and Public Institutional Zones", is hereby amended to be entitled "On-site recreation - Fee in lieu of open space or recreation space", and shall read as follows:

22C.020.300 On-site recreation - Fee in lieu of open space or recreation space.

Nothing herein shall prohibit voluntary agreements with the city that allow a payment in lieu of providing on-site recreation space when a proposed development is located within ~~1,000~~ feet 1/4 mile of an existing or proposed recreational facility.

Section 15. MMC 22C.020.310, entitled "On-site recreation - Acceptance criteria for fee in lieu of recreation space", is hereby amended to be entitled "On-site recreation - Acceptance criteria for fee in lieu of open space or recreation space", and shall read as follows:

22C.020.310 On-site recreation - Acceptance criteria for fee in lieu of open space or recreation space.

The City of Marysville's acceptance of this payment is discretionary, and may be permitted if:

- (1) The proposed on-site open space or recreation space does not meet the criteria of MMC 22C.020.290(2); or
- (2) The open space or recreation space provided within a public park in the vicinity will be of greater benefit to the prospective residents of the development.

Section 16. MMC 22A.010.160, entitled "Amendments", is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code:

22A.010.160 Amendments.

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

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
" _____	Site and building design & open space standards	_____, 2013"

Section 17. Severability. If any section, subsection, sentence, clause, phrase or work 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 18. Effective Date. This ordinance shall become effective five days after the date of its adoption and publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2013.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Index #8

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: PA13008 – Trivett Rezone	AGENDA SECTION: New business	
PREPARED BY: Angela Gemmer, Associate Planner	APPROVED BY:	
ATTACHMENTS: 1. Adopting ordinance 2. Legal description – Exhibit A 3. Site plan 4. Hearing Examiner’s Recommendation 5. Staff Recommendation 6. SEPA Determination		
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

DESCRIPTION:

The subject proposal is a “non-project” action Rezone of the property 8021 State Avenue which is presently split-zoned General Commercial and R-6.5 Single Family, High Density. The rezone request is to rezone the east portion of the site from R-6.5 Single Family, High Density to General Commercial so that the entire property will be zoned General Commercial.

A duly advertised public hearing before the Hearing Examiner (HE) was held on April 25, 2013 to review the proposal, and the HE received testimony from staff and the applicant. There was no public testimony at the public hearing. Following the public hearing, the HE made a recommendation to the Marysville City Council for approval and adoption of the rezone by ordinance.

RECOMMENDED ACTION:

Affirm the Hearing Examiner’s Recommendation and approve the rezone of the subject property, by Ordinance.

COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AFFIRMING
THE RECOMMENDATION OF THE HEARING EXAMINER AND REZONING THE
EASTERN PORTION OF 8021 STATE AVENUE TO GENERAL COMMERCIAL,
AMENDING THE OFFICIAL ZONING MAP OF THE CITY.**

WHEREAS, Larry and Teresa Trivett own approximately 0.41 acres of property within the City of Marysville generally located at 8021 State Avenue, said property being legally described in **Exhibit A** attached hereto; and

WHEREAS, Larry and Teresa Trivett submitted an application to the City of Marysville requesting a site specific NON-PROJECT action Rezone requesting a rezone classification of the eastern portion of the of the property from R-6.5, Single Family, High Density to General Commercial so that if approved, the entire property will be zoned General Commercial; and

WHEREAS, following notice as required by law, the City of Marysville Hearing Examiner held a public hearing on said rezone application on April 25, 2013 and adopted Findings, Conclusions and Recommendation recommending approval of the rezone request subject to one condition; and

WHEREAS, the Marysville City Council held a public meeting on said rezone on June 10, 2013 and concurred with the Findings, Conclusions and Recommendation of the Hearing Examiner;

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

Section 1. The Findings, Conclusions and Recommendation of the Hearing Examiner with respect to the above-referenced rezone are hereby approved, and the property described in the attached **Exhibit A** is hereby rezoned from R-6.5, Single Family, High Density to General Commercial.

Section 2. The zoning classification for the property described in **Exhibit A** shall be perpetually conditioned upon strict compliance with the condition set forth in the Findings, Conclusions and Recommendation of the Hearing Examiner all of which are incorporated herein by this reference. Violation of the condition of said decision may result in reversion of the property to the previous zoning classification and/or may result in enforcement action being brought by the City of Marysville.

Section 3. The official zoning map of the City of Marysville is hereby amended to reflect the reclassification of the property described in **Exhibit A**.

Section 4. This decision shall be final and conclusive with the right of appeal by any aggrieved party to Superior Court of Snohomish County by filing a Land Use Petition pursuant to the Land Use Petition Act within twenty-one (21) days after passage of this ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or work 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, clause, phrase or word of this ordinance.

Section 6. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2013.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

EXHIBIT A

THE WEST 196.00 FEET OF THE SOUTH HALF OF THE FOLLOWING DESCRIBED TRACT:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE
NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 30 NORTH,
RANGE 5 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON;
THENCE SOUTH 89°48'48" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF
THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER FOR 329.81 FEET;
THENCE NORTH 1°17'34" WEST FOR 166.99 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUE ON THE SAME STRAIGHT LINE NORTH 1°17'34" WEST FOR 182.53 FEET;
THENCE SOUTH 89°50'41" WEST FOR 597.21 FEET TO AN INTERSECTION WITH THE EASTERLY
MARGIN OF PACIFIC HIGHWAY RIGHT-OF-WAY;
THENCE SOUTHERLY ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1880.1
FEET AND CONSUMING AN ANGLE OF 1°33'35" FOR AN ARC DISTANCE OF 51.18 FEET;
THENCE SOUTH 1°24'50" EAST FOR 131.35 FEET;
THENCE NORTH 89°50'41" EAST FOR 597.51 FEET TO THE TRUE POINT OF BEGINNING.

ALSO KNOWN AS PARCEL 2 OF BOUNDARY LINE ADJUSTMENT NO. 01-005 RECORDED ON
DECEMBER 10, 2001 AS RECORDING NO. 200112105004, IN THE OFFICIAL RECORDS OF
SNOHOMISH COUNTY, WASHINGTON.

APN: 300521-003-105-00

CITY OF MARYSVILLE
Hearing Examiner
Findings, Conclusions and Recommendation

APPLICANT: Larry and Teresa Trivett

CASE NO.: PA 13008

LOCATION: 8021 State Ave.

APPLICATION: Rezone of a property presently split-zoned General Commercial and R-6.5 Single Family, High Density to be zoned entirely General Commercial.

SUMMARY OF RECOMMENDATION:

Planning Staff Recommendation: Approve with one condition

Hearing Examiner Decision: Approve with one condition

PUBLIC HEARING:

After reviewing the official file, which included the Staff Advisory Report, and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the application was opened at 7:00 p.m., April 25, 2013, in the Council Chambers, Marysville, Washington, and closed at 7:06. p.m. Participants at the public hearing are listed in the minutes of the hearing. A verbatim recording of the hearing and more complete minutes are available in the Planning Department. A list of exhibits offered and entered at the hearing and a list of parties of record are attached to this report.

HEARING COMMENTS:

As noted in the minutes of the hearing, comments were offered by:

Angela Gemmer, Associate Planner

Larry Trivett, Applicant

WRITTEN COMMENTS:

No correspondence was received from members of the general public.

FINDINGS CONCLUSIONS AND DECISION:

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

A. FINDINGS AND CONCLUSIONS:

1. The information contained in Section II of the Staff Advisory Report (Hearing Examiner Exhibit 20) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and by this reference is adopted as portion of the Hearing Examiner's findings and conclusions. A copy of said report is available in the Community Development Department.
2. The minutes of the meeting accurately summarize the testimony offered at the hearing and by this reference are entered into the official record.
3. The applicant expressed frustration with the fact the property had been split zoned by the City, but complimented staff for the work done on this application, and concurred with the oner recommended conclusion.

B. RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions, it is recommended that the request for a rezone to General Commercial be approved, subject to the following condition:

1. In order to utilize the existing garage for commercial purposes, the applicant shall be required to apply for a change of occupancy from residential to commercial use. Future change of occupancy proposals shall be required to comply with all of the applicable development standards outlined in the Marysville Municipal Code (MMC), including but not limited to, density and dimensions, building design, parking and loading, landscaping, stormwater and building codes.



Ron McConnell, FAICP
Hearing Examiner

RECONSIDERATION:

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the director within fourteen (14) days of the final written decision. The request shall comply with MMC 15.11.020(3). The examiner shall consider the request within seven (7) days of filing the same. The request may be decided without public comment or argument by the party filing the request. If the request is denied, the previous action shall become final. If the request is granted, the hearing examiner may immediately revise and reissue its decision. Reconsideration should be granted only when a legal error has occurred or a material factual issue has been overlooked that would change the previous decision.

COUNCIL ACTION:

Recommendations by the Examiner on rezones or shoreline conditional use permits will constitute a final action by the City unless a timely written request for a closed record appeal is filed with the City Council within 14 days after issuance of the recommendation. In the event of a timely appeal, the City Council will conduct a closed record hearing of this case. Closed record hearings shall be on the record and no new evidence may be presented. The City Council's action will be the final action of the City.

JUDICIAL APPEAL:

- (1) Appeals from the final decision of the hearing examiner, or other city board or body involving MMC Titles 15 to 20 and for which all other appeals specifically authorized have been timely exhausted, shall be made to Snohomish County superior court pursuant to the Land Use Petition Act, RCW 36.70C within 21 days of the date the decision or action became final, unless another applicable appeal process or time period is established by state law or local ordinance.
- (2) Notice of the appeal and any other pleadings required to be filed with the court shall be served as required by law within the applicable time period. This requirement is jurisdictional.
- (3) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The record of the proceedings shall be prepared by the City or such qualified person as it selects. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.

EXHIBITS:

The following exhibits were offered and entered into the record:

1. 24 x 36 Site Plan
2. Land Use Permit Application, 03.05.13
3. Rezone Checklist
4. Letter explaining purchased responsibility for Rezone app, 03.06.13
5. Arial view map, 03.05.13
6. Applicants response to Comprehensive Plan requirements, 03.05.13
7. Applicants response to MMC 22G.10.420, 03.05.13
8. Rezone cover letter, 03.05.13
9. Receipt
10. 8 ½ x 11 parcel map
11. Statutory Warranty Deed.
12. First American- Title report, 03.05.13
13. Environmental Checklist, 03.05.13
14. Letter of Completeness, 03.22.13
15. Affidavit of Posting- NOA
16. RFR and Agency responses
17. Affidavit of Posting- DNS
18. DNS, 03.26.13
19. Affidavit of Posting- NOH
20. Staff Recommendation, 04.19.13

PARTIES of RECORD:

Larry & Teresa Trivett
7604 83rd Ave. NE
Marysville, WA 98270

Planning Department



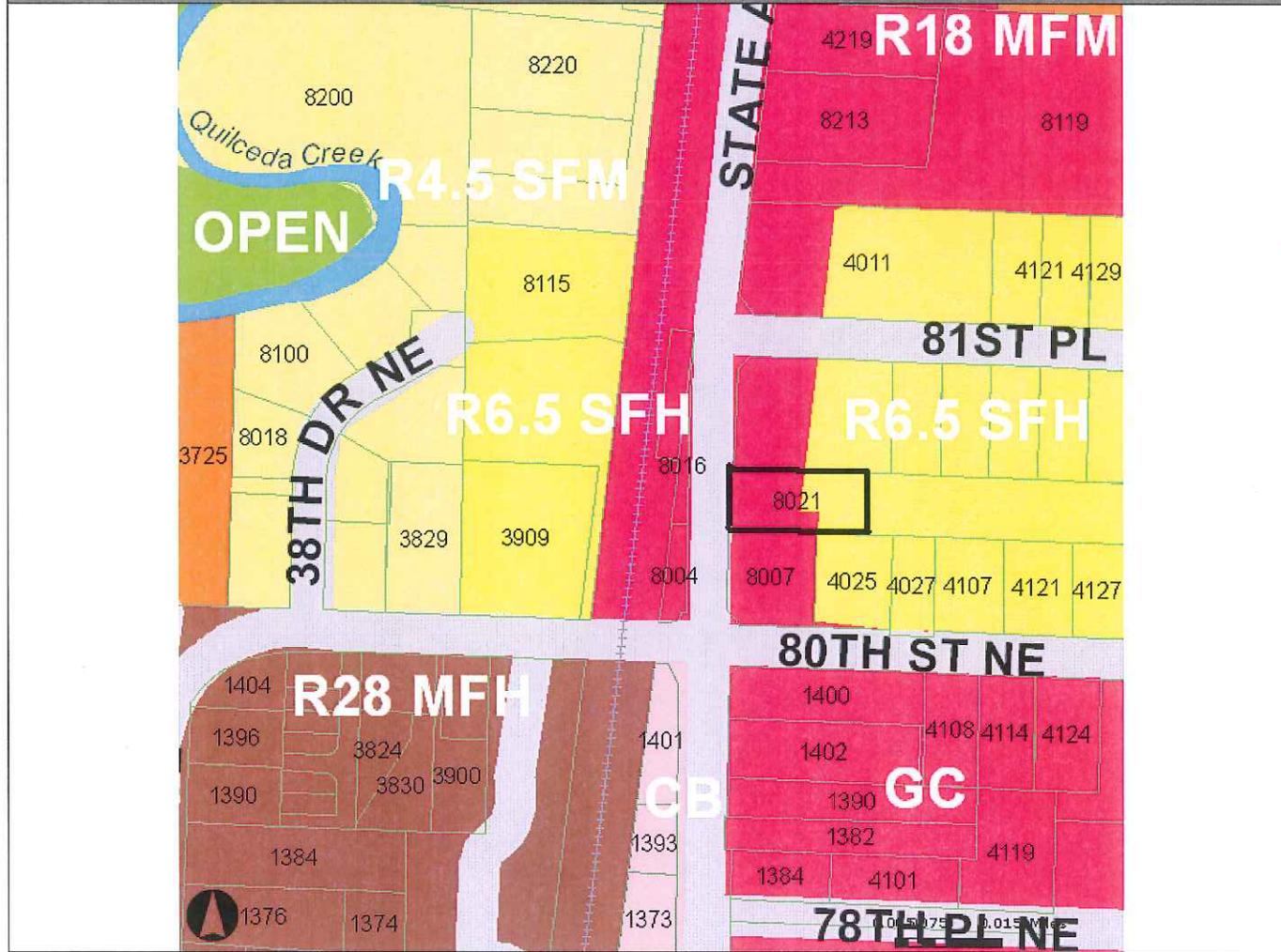
STAFF RECOMMENDATION

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION										
Project Title	Trivett Rezone				Date of Report	April 18, 2013				
File Number	PA13008				Attachments	Site plan				
Administrative Recommendation	Approve the request to rezone the east portion of the site from R-6.5, Single Family, High Density to General Commercial.									
BACKGROUND SUMMARY										
Owner/Applicant	Larry and Teresa Trivett									
Request	Non-project action rezone in order to rezone the east portion of the site from R-6.5, Single Family, High Density to General Commercial so that the entire property is zoned General Commercial.									
SEPA Status	Determination of Non-Significance issued March 26, 2013; appeal period expired April 10, 2013 with no appeal filed.									
Site Address	8021 State Avenue			APN(s)	30052100310500					
Legal Description (abbreviated)	PAR 2 CITY OF MAR BLA 01-005 REC AFN 200112105004			Section	21	Township	30	Range	05	
Comprehensive Plan	GC & SFH	Zoning	GC & R-6.5	Shoreline Environment			N/A			
Water Supply	Current	Proposed		Sewer Supply	Current		Proposed			
	City	City			City	City				
Present Use of Property	Vacant single family residence which had been converted to an office in the past and a garage.									
REVIEWING AGENCIES										
Marysville	Local Agencies & Districts			State & Federal		County		Other		
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Land Development <input checked="" type="checkbox"/> Planning <input type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input type="checkbox"/> Arlington (city) <input type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Frontier <input type="checkbox"/> Lake Stevens (city) <input type="checkbox"/> Lake Stevens SD 4 <input type="checkbox"/> Lakewood SD 306 <input type="checkbox"/> Marysville SD 25 <input type="checkbox"/> PUD No. 1			<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input type="checkbox"/> DOE <input type="checkbox"/> WDFW <input type="checkbox"/> WSDOT <input type="checkbox"/> WUTC		<input type="checkbox"/> Health District <input type="checkbox"/> Planning <input type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works		<input type="checkbox"/> Tulalip Tribes <input type="checkbox"/> Stillaguamish Tribe		
ACTION										
<input type="checkbox"/> Administrative <input type="checkbox"/> City Council <input checked="" type="checkbox"/> Quasi-Judicial <input type="checkbox"/> Planning Commission										
Date of Hearing	April 25, 2013			<input type="checkbox"/> Approved		<input type="checkbox"/> Denied		<input type="checkbox"/> Continued		
STAFF										
Name	Angela Gemmer		Title	Associate Planner		Phone	360.363.8240		E-mail	agemmer@marysvillewa.gov

SURROUNDING USES			
	Comprehensive Plan	Zoning	Land Use
Site	General Commercial and Single family, high density	GC & R-6.5	Vacant office (single family residence converted to office use) and garage.
North	General Commercial and Single family, high density	GC & R-6.5	Church assembly building.
East	Single family, high density	R-6.5	Vacant land owned by adjacent church.
South	General Commercial and Single family, high density	GC & R-6.5	Convenience store, gas station and strip mall on GC parcel; office and automotive repair and service on R-6.5.
West	General Commercial	GC	State Avenue right-of-way and automotive canopy sales shop.

Vicinity Map



- | | | | |
|-----------------------|-------------------------|---------------------------------|---------------------------|
| General Commercial | 88 - Mixed Use | R12 Multi-Family Low | R4.5 Single Family Medium |
| Downtown Commercial | General Industrial | R6-18 Multi-Family Low | Public-Institutional |
| Community Business | Light Industrial | R8 Single Family High Small Lot | Recreation |
| Neighborhood Business | R28 Multi-Family High | R6.5 Single Family High | Open |
| Mixed Use | R18 Multi-Family Medium | R4-8 Single Family High | |

I. EVALUATION

1. Description of Proposal: The applicant is proposing a NON-PROJECT action, requesting a Rezone of the eastern portion (approximately 43% of the site square footage or 0.18 acres) of the subject property from R-6.5, Single Family, High Density to General Commercial. Rezoning the property would allow future commercial utilization of the site, under a separate application, upon granting of a favorable decision on the rezone.

2. Location of Proposal: The subject property is located on the east side of State Avenue one parcel north of 80th Street NE at a site address of 8021 State Avenue, on Assessor's Parcel Number 30052100310500.

3. Site Description: The subject property is approximately 0.41 acres and is developed with an office, which was originally a single family residence, and a garage. Topography of the site is flat. According to the Soil Survey of Snohomish County, on-site soils are identified as Ragnar fine sandy loam.

4. Critical Areas: There are no critical areas on-site and no known critical areas within a 400 foot radius of the subject property.

5. Project History: An application was submitted on March 5, 2013 and deemed complete on March 8, 2013. Notice of application was provided in accordance with MMC Section 22G.010.090. Written comments on the application were solicited; however, no written comments or phone calls from the public were received as of the date of this report.

6. Traffic and Circulation: The proposed rezone is a NON-PROJECT action and will not create any additional daily vehicular trips nor have an adverse impact on the adjacent street traffic. However, future project actions will be required to be reviewed in accordance with Chapter 22D.030, *Traffic Impact Fees and Mitigation*.

7. City of Marysville Comprehensive Plan: The proposed project is located within Planning Area 6 – Pinewood Neighborhood. This Planning Area is bounded by 76th Street NE to the south, Interstate 5 to the west, 100th Street to the north when west of Quilceda Creek, and 92nd Street to the east of Quilceda Creek and by Allen Creek to the west. The majority of commercial in this Planning Area is General Commercial. It is located along State Avenue, primarily on the east side, and between Quilceda Creek and State Avenue north of 88th Street NE.

General Commercial is the primary zoning within the immediate vicinity to the north, west and south of the property proposed to be rezoned, and R-6.5, Single Family, High Density is the primary zoning to the immediate east. As conditioned herein, the proposed non-project action rezone and future uses of the property will be consistent with the pertinent development policies outlined in the Marysville Comprehensive Plan.

8. Title 22 MMC, Unified Development Code. MMC Section 22G.010.420(1) requires the applicant to demonstrate that the proposal is consistent with the Comprehensive Plan, and applicable functional plans, and complies with the following criteria:

- (a) There is a demonstrated need for additional zoning as the type proposed;
- (b) The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties;

- (c) There have been significant changes in the circumstances of the property to be rezoned, or surrounding properties, to warrant a change in classification; and
- (d) The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

The applicant submitted a written response to the rezone criteria outlined above (Exhibit 7). After evaluation of the applicant's written response, and other supporting documentation and application materials, the proposed rezone, as conditioned herein complies with the rezone criteria and applicable development standards outlined in Title 22 MMC, *Unified Development Code*.

9. Comprehensive Plan Rezone Criteria. Pursuant to MMC Section 22G.010.420(2), properties at the edges of land use districts can make application to rezone property to the bordering zone without applying for a Comprehensive Plan map amendment if the proponent can demonstrate the following:

- (a) The proposed land use district will provide a more effective transition point and edge for the proposed land use district than strict application of the comprehensive plan map would provide due to neighboring land uses, topography, access, parcel lines or other property characteristics;
- (b) The proposed land use district supports and implements the goals, objectives, policies and text of the comprehensive plan more effectively than strict application of the comprehensive plan map; and
- (c) The proposed land use change will not affect an area greater than 10 acres, exclusive of critical areas.

The applicant submitted written responses to the criteria outlined above (Exhibit 6). After evaluation of the applicant's written response, and other supporting documentation and application materials, the proposed rezone, as conditioned herein, will be consistent with the applicable development goals and policies outlined in the Marysville Comprehensive Plan.

10. Conformance with State Environmental Policy Act: After evaluation of the environmental checklist, and review of information on file with the City, a Determination of Non-Significance (DNS) was issued on February 25, 2008. No appeals on the DNS were filed on or before the April 10, 2013 deadline. This determination is hereby adopted by reference as part of this report.

II. FINDINGS AND CONCLUSIONS

1. The applicant is proposing a NON-PROJECT action, requesting a rezone of approximately 0.18 acres from R-6.5 to General Commercial.
2. Rezoning the property would allow a future administrative project action proposal in order to develop the portion of the site with the garage and vacant land for commercial purposes.
3. The proposed rezone would have no impacts to critical areas.
4. The rezone application was submitted on March 5, 2013 and deemed complete on March 8, 2013.
5. Future project actions will be required to be reviewed in accordance with Chapter 22D.030, *Traffic Impact Fees and Mitigation*.
6. The proposed rezone, as conditioned herein, will be consistent with the pertinent development goals and policies outlined in the Comprehensive Plan.

7. The proposed rezone, as conditioned herein, complies with the rezone criteria and pertinent development standards outlined in Title 22, *Unified Development Code*.
8. A DNS was issued on March 26, 2013. No appeals on the DNS were filed on or before the April 10, 2013 deadline.
9. The public hearing for the proposed rezone was advertised in accordance with MMC Section 22G.010.110, *Notice of public hearing*.
10. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed non-project action rezone is beneficial to the public health, safety and welfare and is in the public interest.
11. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed non-project action rezone does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the Comprehensive Plan.

III. STAFF RECOMMENDATION

Based on the foregoing findings and conclusions, the Community Development Department recommends **APPROVAL** of the site specific NON-PROJECT action rezone from R-6.5, Single Family, High Density to General Commercial, subject to the following condition:

In order to utilize the existing garage for commercial purposes, the applicant shall be required to apply for a change of occupancy from residential and commercial use. Future change of occupancy proposals shall be required to comply with all of the applicable development standards outlined in the Marysville Municipal Code (MMC), including but not limited to, density and dimensions, building design, parking and loading, landscaping, stormwater and building codes.

Prepared by: ADG
 Reviewed by: CL



COMMUNITY DEVELOPMENT DEPARTMENT
 80 Columbia Avenue ♦ Marysville, WA 98270
 (360) 363-8100 ♦ (360) 651-5099 FAX

DETERMINATION OF NONSIGNIFICANCE

File Number: PA13-008

Proponent/Contact: Larry and Teresa Trivett
 7604 83rd Avenue NE
 Marysville, WA 98270

Lead Agency: City of Marysville
 Community Development Department

SEPA Contact: Angela Gemmer, Associate Planner
 360.363.8240 or agemmer@marysvillewa.gov

Description of Proposal: The applicant is proposing a NON-PROJECT action requesting a rezone of the eastern portion of a split-zoned property from R-4.5, Single Family, Medium Density to General Commercial so that the entire property will be zoned General Commercial. Rezoning of the property would allow a future administrative project action in order to convert the entire property to commercial use, under a separate action, upon granting of a favorable decision on the rezone.

Location of Proposal: The proposed rezone project is located at 8021 State Avenue and is also identified as Assessor's Parcel Number (APN) 30052100310500.

Site Description: The proposed rezone is of the eastern portion of a 0.41 acre site. The site is developed with a house which was previously converted to a commercial office, a garage, and a paved parking area. The subject property is flat. According to the soil survey of Snohomish County, on-site soils are identified as Ragnar fine sandy loam. Permeability of the Ragnar soil is moderately rapid. Runoff is medium, and the hazard of water erosion is moderate.

Surrounding uses consist of a church to the north, vacant residentially-zoned land to the east, a convenience store and strip retail to the south, and right-of-way to the west.

Critical Areas: There are no known regulated critical areas on or within 400 feet of the subject property.

Threshold Determination: The lead agency has determined that this proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is NOT required under RCW 43.21C.030(2)(c). This decision was made after review by the City of Marysville of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.

Prepared by: ADG

Reviewed by: CDG

This DNS is issued under WAC 197-11-355; there is no comment period for this DNS.

Responsible Official: Gloria Hirashima
Position: Community Development Director
Address: 80 Columbia Avenue, Marysville, WA 98270

Date: 3/26/13

Signature: 
 Chris Holland, Planning Manager, for responsible official

The issuance of this Determination of Non-Significance should not be interpreted as acceptance or approval of the subject proposal as presented. The City of Marysville reserves the right to deny or approve said proposal subject to conditions if it is determined to be in the best interests of the City and/or necessary to the general health, safety and welfare of the public to do so. For further information, contact the Marysville Planning Department at 360.363.8100.

Distribution:

State Agencies:

Department of Ecology – Olympia SEPA register
 Department of Commerce

City Government:

City of Everett – Planning and Community Development Department
 City of Lake Stevens – Department of Planning and Community Development
 City of Marysville – Public Works Department

Tribal Government:

Tulalip Tribes

Private Parties:

Larry and Teresa Trivett, applicants

News Media:

Marysville Globe

SEPA Appeal Procedure:

A fee of \$500.00 must accompany all SEPA appeals that require a separate public hearing.

MMC Section 22E.030.180, *Appeals*.

(1) Any agency or aggrieved person may appeal the procedures or substance of an environmental determination of the responsible official under SEPA as follows:

(a) Only one administrative appeal of a threshold determination or of the adequacy of an EIS is allowed; successive administrative appeals on these issues within the same agency are not allowed.

This limitation does not apply to administrative appeals before another agency.

(b) A DNS. Written notice of such an appeal shall be filed with the responsible official within 15 days after the date of issuance of the DNS. The appeal hearing shall be consolidated with the hearing(s) on the merits of the governmental action for which the environmental determination was made.

- (c) A DS. Written notice of the appeal shall be filed with the responsible official within 15 days after the date of issuance of the DS. The appeal shall be heard by the city council within 30 days thereafter.
- (d) The Adequacy of an EIS. Written notice of appeal shall be filed with the responsible official within 15 days after the issuance of the final EIS. The appeal hearing shall be consolidated with the hearing(s) on the merits of the governmental action for which the EIS was issued.
- (e) Appeals of intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) shall not be allowed.
- (f) For any appeal under this section, the city shall provide for a record that shall consist of the following:
 - (i) Findings and conclusions;
 - (ii) Testimony under oath; and
 - (iii) A taped or written transcript.
- (g) Determination by the responsible official shall carry substantial weight in any appeal proceeding.

Index #9

CITY OF MARYSVILLE
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: PA 12014 Lakewood Station BSP/Rezone	AGENDA SECTION: New Business	
PREPARED BY: Chris Holland, Planning Manager	APPROVED BY:	
ATTACHMENTS: 1. Adopting Ordinance, including: <ul style="list-style-type: none"> • Exhibit A – HE Recommendation • Exhibit B – Rezone Boundary Map 2. HE Minutes 3. Staff Recommendation 4. Preliminary BSP	MAYOR	CAO
	BUDGET CODE:	AMOUNT:

DESCRIPTION:

Smokey Point Commercial, LLC, submitted a Binding Site Plan (BSP) and concurrent Rezone application proposing to subdivide 39.4-acres of property into 11-lots and construct between 170,000 – 290,000 SF of commercial space and approximately 350 multi-family units and concurrently Rezone a portion of the property in order to increase the acreage of Mixed Use zoning from 13-acres to approximately 16.6-acres, with the remaining acreage to retain General Commercial zoning. The proposed project is generally located north of 172nd Street NE (SR 531) on either side of 25th Avenue NE.

The Hearing Examiner held a public hearing on the BSP and concurrent Rezone application on March 28, 2013 and adopted Finding and Conclusions approving the preliminary BSP request, subject to twelve (12) conditions, and recommended approval of the Rezone request to Marysville City Council, as set forth in Exhibit A of the attached ordinance.

The proposed layout of the preliminary BSP will require a street vacation of 25th Avenue NE. Street vacations are processed pursuant to Chapter 12.32 MMC, *Vacation of Streets and Alleys*, and will be reviewed by Marysville City Council under a separate application, once the final road configuration has been determined and access to SR 531 has been approved by WSDOT.

RECOMMENDED ACTION:

Affirm the recommendation of the Hearing Examiner, rezoning a portion of the preliminary BSP from General Commercial to Mixed Use, and authorize the Mayor to sign the ordinance amending the official zoning map of the City.

COUNCIL ACTION:

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AFFIRMING THE RECOMMENDATION OF THE HEARING EXAMINER FOR THE LAKEWOOD STATION BINDING SITE PLAN AND SITE SPECIFIC REZONE, INCREASING THE ACREAGE OF MIXED USE ZONING FROM 13 TO APPROXIMATELY 16.6-ACRES, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY.

WHEREAS, Smokey Point Commercial, LLC, submitted a Binding Site Plan (BSP) and concurrent Rezone application proposing to subdivide 39.4-acres of property into 11-lots and construct between 170,000 – 290,000 SF of commercial space and approximately 350 multi-family units and concurrently Rezone a portion of the property in order to increase the acreage of Mixed Use zoning from 13-acres to approximately 16.6-acres, with the remaining acreage to retain General Commercial zoning; and

WHEREAS, following notice as required by law, the Hearing Examiner held a public hearing on the BSP and concurrent Rezone application on March 28, 2013 and adopted Finding and Conclusions approving the preliminary BSP request, subject to twelve (12) conditions, and recommended approval of the Rezone request to Marysville City Council, as set forth in the attached **Exhibit A**; and

WHEREAS, Marysville City Council held a public meeting on said rezone on June 10, 2013 and concurred with the Findings, Conclusions and Recommendation of the Hearing Examiner;

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

Section 1. The Findings, Conclusions and Recommendation of the Hearing Examiner, as set forth in the attached **Exhibit A**, are hereby approved and adopted by this reference, and the City Council hereby finds as follows:

- (1) The rezone is consistent with the purposes of the Marysville Comprehensive Plan;
- (2) The rezone is consistent with the purpose of Title 22 MMC;
- (3) There have been significant changes in the circumstances to warrant the rezone; and
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the rezone.

Section 2. The areas depicted in attached **Exhibit B** are hereby rezoned from General Commercial to Mixed Use.

Section 3. The zone classification for the property depicted in attached **Exhibit B** shall be perpetually conditioned upon strict compliance with the conditions of the preliminary BSP as provided in the Findings, Conclusions and Recommendation of the Hearing Examiner, as set forth in the attached **Exhibit A**. Violation of any condition of said decision may result in reversion of the property to the previous zoning classification and/or may result in enforcement action being brought by the City of Marysville.

Section 4. The official zoning map of the City of Marysville is hereby amended to reflect the reclassification of the property from the zoning designation General Commercial to Mixed Use as depicted in **Exhibit B**.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or work 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.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2013.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
SANDY LANGDON, CITY CLERK

Approved as to form:

By: _____
GRANT K. WEED, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____

CITY OF MARYSVILLE
Hearing Examiner
Findings and Conclusions
Preliminary Binding Site Plan Decision/Rezone Recommendation

APPLICANT: Smokey Point Commercial, LLC

FILE NO.: PA12014

LOCATION: North of 172nd Street NE (SR 531) east and west of 25th Avenue NE
 2609 172nd St NE, Marysville, WA 98270

APPLICATION: Preliminary Binding Site Plan and concurrent Rezone in order to subdivide 39.4 acres into 11 lots and construct between 170,000 – 290,000 square feet of commercial space and approximately 350 multifamily dwelling units.

SUMMARY OF DECISION:

Staff Recommendation: Approve the Preliminary Binding Site Plan request, with conditions
 Recommend Approval of the Rezone request to the Marysville City Council

Hearing Examiner Decision: Approve the Preliminary Binding Site Plan request, with conditions
 Recommend approval of the Rezone request to the Marysville City Council

PUBLIC HEARING:

After reviewing the official file, which included the Marysville Community Development Department Staff Recommendation; and after visiting the site, the Hearing Examiner conducted a public hearing on the request for the Preliminary Binding Site Plan and concurrent Rezone. These are two separate requests for which the hearing was held concurrently and for which the Hearing Examiner will issue a decision on the Preliminary Binding Site Plan and a recommendation to the City Council on the Rezone. The combined hearing on the Preliminary Binding Site Plan and the Rezone was opened at 7:15 p.m., March 28, 2013, in the Council Chambers, Marysville, Washington, and closed at 8:28 p.m. Participants at the public hearing included representatives of the City of Marysville, the applicant, and neighborhood residents, and are listed below and in the minutes of the hearing. E-mail correspondence from the Washington State Department of Transportation was submitted for the record. A verbatim

recording of the hearing and summary minutes are available in the Community Development Department. A list of exhibits offered and entered into the record at the hearing and a list of parties of record are attached at the end of this report.

HEARING COMMENTS AND TESTIMONY:

The Hearing Examiner noted for the record that the issue under consideration is the combined application for a Preliminary Binding Site Plan and a Rezone. Substantive issues related to the Marysville Municipal Code (MMC) are as follows:

1. MMC 22G.100 sets forth the factors to be considered in review of a proposed binding site plan, and provides for the process to include a public hearing before the hearing examiner
2. MMC 22G.010.420 sets forth the criteria applicable to a request for a zone reclassification
3. MMC 22G.010.430(2) provides for a concurrent process for a preliminary binding site plan and a rezone

Testimony was provided by the City of Marysville, the applicant and neighborhood residents. A summary of the testimony is as follows:

City of Marysville, Community Development Department – Chris Holland, Planning Manager

Mr. Holland reviewed the applicant's current request and the history of the proposed Preliminary Binding Site Plan and Rezone as summarized here and documented in the Staff Recommendation (Exhibit 69):

- A Rezone is requested to adjust the zoning boundaries on the subject 39.4 acre site to increase the acreage of the Mixed Use (MU) zoning by 3.6 acres, resulting in approximately 16.6 acres of MU zoning, with the balance of the 22.8 acres being zoned General Commercial (GC).
- A Preliminary Binding Site Plan is requested to define the proposed site development layout and plan for utilities, access and circulation, subject to conditions and allowing for design flexibility to address emerging issues and refinements prior to the administrative issuance of a Final Binding Site Plan.
- A Mitigated Determination of Non-Significance (MDNS) was issued on February 25, 2013, with 20 conditions intended to mitigate potential adverse environmental impacts. The MDNS appeal period ended on March 4, 2013 with no comments or appeals.
- Mr. Holland entered into the record, Exhibits 70 – 76 that document correspondence with the Washington State Department of Transportation (WSDOT), adopted land use and transportation plan maps, and a memorandum to the Hearing Examiner regarding 172nd Street NE and 25th Avenue NE.
- Mr. Holland noted that WSDOT had not provided comments regarding the SEPA threshold determination, the appeal period for which ended on March 4, 2013. WSDOT is now requesting widening of 172nd Street NE (SR 531) from 5 to 8 lanes, and disallowing a proposed traffic signal at 25th Avenue NE due to signal spacing standards that require .5 mile spacing between signals.

- While the spacing between the existing signal at 27th Avenue NE and the proposed signal at 25th Avenue NE – which is an existing street that would be improved with redevelopment of the site – does not meet WSDOT spacing standards, traffic impact analysis conducted for the proposed development demonstrated adequate level of service along 172nd Street NE would be maintained with the signal as proposed at 25th Avenue NE.
- Mr. Holland acknowledged that WSDOT must approve any roadway channelization and signalization plans, and pointed out the City of Marysville's adopted plans that call for the build-out of 25th Avenue NE as a north-south arterial. The intersection of 25th Avenue NE and 172nd Street NE warrants appropriate traffic control. The specific width and channelization of 172nd Street NE and the location of the intersection and the type of traffic control at 25th Avenue NE may be subject to negotiations with WSDOT. Mr. Holland expressed that MDNS condition #8 provides the necessary flexibility to design 172nd Street NE to meet WSDOT specifications. In Exhibit 76, Mr. Holland offered alternate language to MDNS Condition NO. 14 that would accommodate alternate traffic control such as a roundabout at the 25th Avenue NE/172nd Street NE intersection.
- Staff recommends the Hearing Examiner approve the proposed Preliminary Binding Site Plan request, and recommend approval to the City Council of the proposed Rezone, subject to conditions as provided in the staff recommendation.

Applicant – Dan Eernisse

As a representative of the applicant Mr. Eernisse reviewed the evolution of the proposed Preliminary Binding Site Plan and Rezone, and acknowledged ongoing conversations with the neighbors regarding specific site and building design concerns and with the Washington State Department of Transportation regarding the location and traffic control for NE 25th Street and 172nd Avenue NE intersection. Mr. Eernisse requested the Hearing Examiner approve the Preliminary Binding Site Plan and Rezone request, and concurs with the conditions of approval recommended by staff.

Public Comment

- Peter Cowley. Concerned that the neighborhood received inadequate notice regarding the SEPA threshold determination, noting that signs posted on the site had fallen down and that mailed notice arrived only 5 days prior to the end of the SEPA comment/appeal period. Expressed concerns about drainage, noise impacts, increases in traffic, and the height of proposed apartment buildings, and offered that roadway infrastructure be expanded to address projected traffic volume.
- Julie Workman. Member of the Lakewood Homeowners Association. Commented about inadequate and untimely notice, traffic impacts, and the height of future apartment buildings adjacent to the single family neighborhood.
- Kermit (Rob) Metcalf. Adjacent property owner to the north. Supports the proposal and requests that utilities be designed in such a way so as to allow for extensions beyond the site to serve potential future development.

WRITTEN COMMENTS:

No written comments were to the record at the public hearing, other than those introduced by Mr. Holland. However Mr. Cowley introduced 5 photographs that are included collectively in the record as Exhibit 77.

FINDINGS, CONCLUSIONS AND DECISION/RECOMMENDATION:

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

A. FINDINGS AND CONCLUSIONS:

1. The information contained in the Community Development Department Staff Recommendation (Exhibit 69) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and is by this reference adopted as portion of the Hearing Examiner's findings and conclusions. A copy of the Staff Recommendation is available in the Marysville Community Development Department.
2. The minutes of the hearing are an accurate summary of the testimony offered at the hearing and are by this reference entered into the official record.
3. Specific Findings and Conclusions with respect to the Preliminary Binding Site Plan and Rezone are as follows:
 - a. FINDINGS:
 - Reconfiguration of the zoning (Rezone) for the Mixed Use (MU) component of the site plan provides for multi-family housing opportunities at a suitable location and provides for a transition from commercial uses to adjacent residential development.
 - Per MMC 22G.100.110, approval of the Preliminary Binding Site Plan constitutes authorization for the applicant to take the necessary steps to meet the conditions imposed by the City before commencing the final binding site plan review process.
 - A mitigated determination of non-significance (MDNS) was issued by the City of Marysville on February 15, 2013, with 20 conditions or mitigation measures. The MDNS was subject to a 15-day comment/appeal period that expired on March 4, 2013. Public Notice for the SEPA threshold determination and the open record public hearing for the proposed Preliminary Binding Site Plan and concurrent Rezone was provided in accordance with MMC 22E.030.120 and MMC 22G.010.110.
 - The City received no timely comments or appeals of the MDNS.
 - Per MMC 22E.030.090(5)(c). Mitigation measures identified in an MDNS are considered conditions of permit approval.
 - MDNS Condition No. 8 provides for the necessary right-of-way for 172nd Street NE (SR 531) to be approved by WSDOT and the City Engineer prior to civil construction plan approval.

- MDNS Condition No. 14, as proposed to be amended per Exhibit 76 provides reasonable flexibility for the parties (City of Marysville, applicant, WSDOT) to determine to their mutual satisfaction the location and traffic control measures for the proposed roadway intersection of 172nd Street NE at 25th Avenue NE.
- Exhibit 73 – City of Marysville Comprehensive Plan Land Use Map identifies General Commercial, Mixed Use and Multi-Family as the predominant planned land uses in the Lakewood neighborhood. Exhibit 75 – City of Marysville Transportation Element plan for Connector Roads identifies a southward extension of 25th Avenue NE across 172nd Street NE. Together, these two exhibits provide a clear indication of the City of Marysville intent for an integrated land use and transportation plan that includes an intersection on 172nd Street NE that would be located at the approximate existing southern terminus of 25th Avenue NE. Plans do not specify what, if any traffic control mechanism would be appropriate for that intersection.
- Exhibit 72 expresses the WSDOT disapproval of a proposed signalized intersection at 172nd Street NE (SR 531) and 25th Avenue NE due to the close spacing (680 feet) from the existing signalized intersection at 27th Avenue NE. WSDOT standards provide for .5 mile spacing on highways of the classification of 172nd Street NE, with a possible reduction to .25 mile spacing under certain conditions. WSDOT proposes that a signalized intersection could be permitted on the western edge of the property, or, a roundabout could be allowed at 25th Avenue NE if feasible.
- An alternate location for a signalized intersection at the western edge of the property would not be supported by the City of Marysville, as articulated in a City of Marysville memorandum to the Hearing Examiner - Exhibit 76.
- Exhibit 76 provides alternate language for MDNS Condition No. 14 regarding the 25th Avenue NE/172nd Street NE intersection that the City believes would be satisfactory to WSDOT.
- As of the close of the public hearing on March 28, the Hearing Examiner was not aware of a response from WSDOT of the City's proposed alternate language to MDNS Condition No. 14.
- Site-specific design and development approval will occur in the Final Binding Site Plan. Conversations and negotiations with adjacent property owners regarding issues of concern identified at the public hearing, such as utility location, building height, fence height and materials, traffic and noise mitigation and others that may emerge will be addressed as administrative decisions, in accordance with MMC 22G.100.
- Per MMC 22G.010.170(3)(a-e) the Hearing Examiner finds the proposal, as conditioned, is consistent with adopted development codes, plans and regulations.

- Per MMC 22G.010.420 the Hearing Examiner finds the proposal complies with the criteria for approval of a Rezone, and incorporates the request for a street vacation of 25th Avenue NE in the recommendation to the City Council.

b. CONCLUSIONS:

- Staff recommended MDNS conditions adequately mitigate identified potential adverse environmental impacts of the proposal.
- MDNS Condition No. 14 is hereby amended per Exhibit 76 and incorporated in Section B below.
- Staff recommended conditions for the Preliminary Binding Site Plan adequately address site specific development conditions.
- The applicant has satisfactorily demonstrated that the proposal is consistent with the Comprehensive Plan and has addressed the criteria for approval of a zone reclassification (Rezone) MMC 22G.010.420.

B. DECISION ON PRELIMINARY BINDING SITE PLAN/RECOMMENDATION FOR REZONE:

Based upon the foregoing findings of fact and conclusions, the Hearing Examiner APPROVES the Preliminary Binding Site Plan request, and RECOMMENDS APPROVAL of the Rezone request with conditions per the staff recommendation for the Preliminary Binding Site Plan/Concurrent Rezone and the SEPA MDNS mitigation as follows:

PRELIMINARY BINDING SITE PLAN/CONCURRENT REZONE

1. The preliminary Binding Site Plan (BSP) received by the Community Development Department on March 1, 2013 (Exhibit 66) shall be the approved preliminary BSP layout.
2. The Rezone proposal identifying the revised boundary between MU zoning and GC zoning received by the Community Development on March 1, 2013 (Exhibit 67) shall be the zoning configuration recommended to the City Council for approval. This recommendation for Rezone approval includes the request for street vacation of 25th Avenue NE.
3. Project design shall comply with the condition of the Comprehensive Plan Map Amendment and concurrent rezone Ordinance No. 2755, requiring two (2) east-west road connections, one located at approximately the 17300 Block and the other located at approximately the 17500 Block.
4. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or lines shall be placed underground either by direct burial or by means of conduit or ducts providing service to each building.
5. A six (6) to eight (8) foot CMU wall shall be installed along the east perimeter of the development from 173rd Street NE to the northeast property corner, separating the multi-family and commercial uses from the Lakewood Commons single-family condominium development. This detail shall be provided on the on the civil construction, and/or architectural plans.

6. The following design elements shall be incorporated into the commercial portion of the BSP:
- a. Public entrances for the buildings located along 25th Avenue NE, 27th Avenue NE, 172nd Street NE (SR 531) and 173rd Street NE shall be visible and accessible from public streets and sidewalks. Preferably these access ways should be separated from the parking and drive aisles. If access traverses the parking lot, then it should be raised and clearly marked.
 - b. Pedestrian-oriented space shall be required at intersections and street corners leading directly to a building entry or entries, such as:
 - i. Pedestrian access to the abutting structures from the street;
 - ii. Paved walking surfaces of either concrete or approved unit paving;
 - iii. Pedestrian scaled lighting (no more than 15' in height) at a level averaging at least 2 foot candles throughout the space;
 - iv. Landscaping components that add seasonal interest to the space;
 - v. Pedestrian amenities, such as a water feature, drinking fountain, tables, and/or distinctive paving or artwork.
 - vi. A pedestrian-oriented building façade.
 - vii. If providing pedestrian oriented space is not feasible or desirable per the director, consider the following:
 - A. Install substantial landscaping (at least 30 x 30' or 900 SF of ground surface area with trees, shrubs, and or groundcover). The space may include a special architectural element, such as a trellis, to add identity or demarcation of the area. Such an architectural element may have a sign incorporated into it (as long as such sign does not identify an individual business or businesses).
 - B. Other treatments will be considered by the Director, provided they meet the intent of the standards and guidelines outlined above.
 - c. Blank walls shall not be allowed on elevations facing a public or private road. A blank wall is a ground floor wall, or portion of a ground floor wall, over 4' in height having a horizontal length greater than 15' that does not include a transparent window or door, or, any portion of a ground floor wall having a surface area of 400 SF or greater that does not include a transparent window. Design Treatments to eliminate blank walls shall include, but shall not be limited to:
 - i. Transparent windows or doors;
 - ii. Display windows;
 - iii. Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting

- areas shall include planting materials that are sufficient to obscure or screen at least 60% of the wall's surface within 3 years;
- iv. Installing vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60% of the wall's surface within 3 years. For large areas, trellises should be used in conjunction with other blank wall treatments.
 - v. Other methods such as murals or special building material treatments that meet the intent of the standards outlined above may be approved by the director.
- d. Street furniture, including the following elements, shall be provided and strategically located throughout:
- i. Trash Receptacles: Ironsites Series S-20 as manufactured by Victor Stanley; Powdercoating Victor Stanley, or comparable.
 - ii. Ash Urn: Ironsites Series S-20 as manufactured by Victor Stanley; Powdercoating Victor Stanley, or comparable.
 - iii. Benches: Victor Stanley RB-28 steel sides bench or Timber Form Renaissance Model 2806-5, 5'-1" length with arm rest; Powdercoat over galvanized zinc, or comparable.
- e. Plazas and gathering places for relaxing, eating, socializing and recreating shall be provided and designed, as follows:
- iv. Sized between 5,000 to 10,000 SF.
 - v. Able to serve as a center for daily activities.
 - vi. Paving should be unit pavers or concrete with special texture, pattern, and/or decorative features.
 - vii. Pedestrian amenities should be provided, including features such as seating, plants, drinking fountains, artwork, and such focal points as sculptures or water features.
7. Detailed recreational site amenities and boundaries of proposed recreational facilities shall be provided on the civil construction, architectural, or landscape plans for the multi-family portion of the site in accordance with MMC 22C.020.270 & MMC 22C.020.280. Recreational amenities shall be reviewed and approved by the Parks Director.
8. A detail of the bicycle parking spaces shall be provided on the civil construction or architectural plans, and designed in accordance with MMC 22C.130.060.
9. A lighting plan and details for parking lot illumination locations, materials and fixture design shall be provided on the civil construction or architectural plans. Lighting shall comply with the following design standards:
- a. 25' maximum height.

- b. Fixtures shall be full cut-off, dark sky rated, with lower fixtures preferable so as to maintain a human scale.
 - c. Parking lot lighting shall be designed to provide security lighting to all parking spaces.
 - d. 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.
 - e. Fixture design shall incorporate unique design features that coincide with the architectural design of the development.
 - f. Pedestrian scale lighting (light fixtures no taller than 15') is required in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45' away in order to promote safety.
 - g. Exterior lighting shall be part of the architectural concept. Lighting shall enhance the building design and adjoining landscaping. It should provide adequate lighting to ensure safety and security, and enhance and encourage evening activities. In addition, the following shall be addressed:
 - i. The site plan shall identify lighting equipment and standards. Uplighting on trees and provisions for seasonal lighting are encouraged.
 - ii. Accent lighting on architectural and landscape features is encouraged to add interest and focal points.
10. Prior to civil construction plan approval, a detailed landscaping plan depicting all of the applicable elements outlined in MMC 22C.120.030 will be required to be submitted for review and approval. The landscape plan shall incorporate the following design elements, as outlined in Chapter 22C.120 MMC:
- a. All landscaped areas shall be provided with an irrigation system or a readily available water supply with at least 1 outlet located within 50' of all plant material.
 - b. Water conservation measures shall be applied as outlined in MMC 22C.120.050.
 - c. The proposed and existing residential structures shall be buffered from commercial structures and adjoining parking lots by use of vegetation, landscaping, fencing, walls, berms or other similar methods which are deemed under the circumstances to create effective and aesthetically pleasing screens or buffers between such diverse land uses.
 - d. Site development shall be sensitive to the preservation of native trees, where applicable.
 - e. A 20' L1 landscape buffer, plus a quality 6' minimum height, sight-obscuring fence or wall, is required to be installed to create a buffer between the

- commercial portion of the site and the existing single-family residential properties.
- f. A 10' L1 landscape buffer, plus a quality 6' minimum height, sight-obscuring fence or wall, is required to be installed to create a buffer between the multi-family portion of the site and the existing single-family residential properties.
 - g. A 10' L2 landscape buffer, plus a quality 6' minimum height, sight-obscuring fence or wall, is required to be installed to create a buffer between the commercial portion of the site and the proposed multi-family residential properties.
 - h. A 15' L3 landscape buffer is required between off-street parking and drive-aisles and 172nd Street NE (SR 531).
 - i. A 10' L3 landscape buffer is required between off-street parking and drive-aisles and 27th Avenue NE, 25th Avenue NE, 173rd Street NE and 174th Street NE.
 - j. The development shall create a well-defined streetscape to allow for the safe movement of pedestrians. Whenever possible, building setbacks shall be minimized and parking and drive-through passageways shall be relegated to the side and rear of buildings.
 - k. Attractive landscape transition to adjoining properties shall be provided.
 - l. Where buildings are not located along the street frontages, enhanced landscaping shall be required in order to create an attractive street edge.
 - m. Ten (10%) percent of the required parking areas shall be landscaped with L4 landscaping, provided that:
 - i. No parking stall shall be located more than 45' from a landscaped area;
 - ii. All landscaping must be located between parking stalls, at the end of parking columns, or between stalls and the property line;
 - iii. All individual planting areas within parking lots shall be planted with at least one tree, be a minimum of 5' in width and 120 SF in size, and in addition to the required trees, shall be planted with a living groundcover;
 - iv. All landscaped areas shall be protected from vehicle damage by a 6" protective curbing. Wheel stops may be substituted when required to allow storm water to pass.
 - v. A minimum 2' setback shall be provided for all trees and shrubs where vehicles overhang into planted areas.
 - n. Pursuant to MMC 22C.130.050(6), screening in the form of a solid masonry wall, architectural fence or dense coniferous hedge shall be effected or planted and maintained to a height of not less than 5' where a parking lot has a common boundary line with any residentially developed property.
 - o. Street trees are required to be planted along all public streets and access roads/easements and comply with the following:

- i. Street trees shall be planted between the curb and the walking path of the sidewalk. Either 5' x 5' pits with tree grates or a continuous planting strip with groundcover that is at least 5' wide may be used. Where planting strips are not incorporated into the design, street trees shall be located behind the sidewalk.
 - ii. Street trees shall meet the most recent ANSI standards for a 1 ½" caliper tree at the time of planting, and shall be spaced to provide a continuous canopy coverage within 10-years.
 - p. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility to the public. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.
 - q. Additional landscaping design standards related to site and building design are outlined in MMC 22C.020.250.
11. The following calculations and design elements for storage space and collection points for recyclables shall be provided on the civil construction or architectural plans and approved by the Sanitation Division:
- a. Residential:
 - i. 1 ½ SF per dwelling unit.
 - ii. The storage area shall be dispersed in collection points throughout the site.
 - iii. Minimum of 1 collection point for every 30 dwelling units.
 - iv. Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.
 - v. Collection points located in separate buildings/structures or outdoors shall be no more than 200' from a common entrance of a residential building.
 - vi. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
 - b. Commercial:
 - i. 5 SF per every 1,000 SF of commercial GFA.
 - ii. Storage space may be allocated to a centralized collection point.
 - iii. Outdoor collection points shall not be located in any required setback areas.
 - iv. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.

- v. Access to collection points may be limited, except during regular business hours and/or specified collection hours.
- c. Generally:
 - i. Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
 - ii. Architectural design of any structure enclosing an outdoor collection point, or any building primarily used to contain a collection point, shall be consistent with the design of the primary structure(s) on the site.
 - iii. Collection points shall be identified by signs not exceeding 2 SF.
 - iv. A 6' wall or fence shall enclose any outdoor collection point.
 - v. Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12' wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12'.
 - vi. Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.
- 12. The following solid waste details will be required to be provided on the civil construction, architectural, or landscape plans:
 - a. Service elements shall be located to minimize the negative visual, noise, odor, and physical impacts to the street environment, adjacent (on and off-site) residents or other uses, and pedestrian areas.
 - b. The designated spot for service elements shall be paved with concrete.
 - c. Appropriate enclosure of the common trash and recycling elements shall be required, as determined by the Director. Requirements and considerations:
 - i. A 6-foot fence constructed of concrete block or brick enclosing trash and recycling receptacles is required. Coordination with the current franchise hauler is required. The sides and rear of the enclosure must be screened with Type L1, L2, L3, or L4 Landscaping at least 5' deep in visible locations, as determined by the director, to soften the views of the screening element and add visual interest.
 - ii. Preferably, service enclosures are integrated into the building itself.

SEPA MITIGATED DETERMINATION OF NON-SIGNIFICANCE

A Mitigated Determination of Non-Significance (MDNS) was issued on February 15, 2013. The following mitigation measures are imposed to minimize the probable significant adverse environmental impacts of the proposed Preliminary Binding Site Plan and concurrent Rezone for Lakewood Station (Note Amended Condition No. 14):

1. The applicant/contractor shall adhere to the recommendation outlined in Geotechnical Engineering Study, prepared by Earth Solutions NW, LLC, dated May 21, 2012, or as amended.
2. *Prior to civil construction plan approval*, the applicant shall submit a more detailed noise analysis in order to determine the extent of required mitigation, as recommended in the preliminary noise analysis, prepared by The Greensbusch Group, Inc., dated December 5, 2012. This noise analysis shall include, but not be limited to, a review of any external mechanical equipment, delivery and loading areas, parking lot traffic, street sweeping lot parking lots, as well as recommendations to mitigate any noise impacts the proposed commercial development will have on the adjacent single-family (existing) and multi-family (proposed) properties.
3. The applicant shall be required to replace the off-site stormwater culvert under 172nd Street NE, which is located at 2131 172nd Street NE. Additionally, the applicant shall be required to analyze the peak flows for this system to ensure that the new culvert and existing ditch can convey developed peak flows.
4. The applicant shall obtain all necessary state and federal authorizations for wetland impacts prior to beginning any ground disturbing activities within the wetland areas or associated buffers.
5. The existing on-site sewage system(s) shall be abandoned by having the septic tank(s) pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void (WAC 246-272A-0300). Documentation demonstrating completion of this work shall be submitted *prior to final BSP approval*.
6. The existing on-site well(s) shall be decommissioned in accordance with WAC 173-160-381. A copy of the well contractor's decommissioning report(s) shall be submitted *prior to final BSP approval*.
7. A street vacation for 25th Avenue NE shall be required to be approved by Marysville City Council in accordance with Chapter 12.32 MMC. The street vacation shall be reviewed by Marysville City Council concurrently with the Hearing Examiner's Recommendation on the proposed rezone.
8. Public right-of-way (ROW) shall be dedicated along 172nd Street NE (SR 531) in order to accommodate the 90' principal arterial 5-lane public ROW section (EDDS SP3-201-002), in accordance with MMC 12.02A.110(1)(c), unless additional ROW is required to be dedicated by Washington State Department of Transportation (WSDOT). The City Engineer and WSDOT shall review and approve the required ROW dedication, *prior to civil construction plan approval*.
9. Thirty-feet (30') of public ROW shall be dedicated along 174th Street NE, west of 25th Avenue NE, in order to accommodate the half-street 60' neighborhood collector public ROW section (EDDS SP3-202-001) in accordance with MMC 12.02A.110(1)(c).

10. Public ROW shall be dedicated along 25th Avenue NE and 27th Avenue NE, in order to accommodate the 60' collector arterial/commercial access street public ROW section (EDDS SP3-201-003) in accordance with MMC 12.02A.110(1)(c).
11. 173rd Street NE is approved as a private road. 173rd Street NE shall be designed and constructed to the public road standard, including two 11' travel lanes, two 5' bicycle lanes, curbs & gutter per EDDS Section 3-514, two 5' planter strips and two 5' sidewalks. A public utility and access easement for the private road shall be reviewed and approved by the City Engineer and *recorded concurrently with the BSP*.
12. The applicant shall be required to construct frontage improvements along 172nd Street NE (SR 531), 173rd Street NE (private), 174th Street NE, 25th Avenue NE and 27th Avenue NE, in accordance with MMC 12.02A.090, *prior to recording the BSP*. Frontage improvements shall include street lighting and signal communications conduit. Roadway improvements, channelization and site access plans will be required to be reviewed and approved by the City Engineer and WSDOT (SR 531 and traffic signals) *prior to construction plan approval*.
13. Frontage improvements along 172nd Street NE (SR 531) shall be credited against the traffic impact fees in accordance with Section 22D.030.070(5) MMC. The amount of credit for improvements to 172nd Street NE (SR 531) shall be approved by the City Engineer.
14. The applicant shall construct a traffic signal at the intersection of 25th Avenue NE and 172nd Street NE (SR 531) *prior to recording the BSP*. Traffic signal design shall consider both the short-term (one eastbound through lane) and long-term (two eastbound through lanes) at this location. Signal design shall include protected phasing for the eastbound left-turn. Signal construction plans shall be reviewed and approved by the City Engineer and WSDOT *prior to civil construction plan approval*. Credit towards traffic impacts fees shall not be given for any work related to design and construction of the signal.

If a signal permit at the intersection of 25th Avenue NE and 172nd Street NE (SR 531) cannot be obtained from WSDOT, and the applicant can provide an alternative traffic control method, such as a roundabout, and meet the adopted level-of-service standards in the Transportation Element of the Marysville Comprehensive Plan, and said alternative is approved by WSDOT, the signal at the intersection of 25th Avenue NE and 172nd Street NE (SR 531) shall not be required.

15. The applicant shall conduct a detailed analysis in order to understand street system operations and queuing along 27th Avenue NE between the site access and 172nd Street NE *prior to civil construction plan approval*. The evaluation shall consider impacts to the neighborhood north and east of the site. Analysis shall determine if dual southbound left-turn lanes and/or access management is necessary to provide adequate operations and minimize neighborhood impacts. After review of the

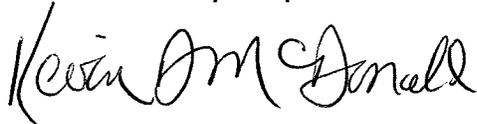
analysis, the City Engineer shall determine whether or not signal improvements or access management on 27th Avenue NE will be required.

16. The applicant shall install Lemec Renaissance Series color BRTX street luminaire fixtures along 172nd Street NE (SR 531), 173rd Street NE (private), 174th Street NE, 25th Avenue NE and 27th Avenue NE. Street illumination shall be designed in accordance with Section 3-506 of the Marysville Engineering Design and Development Standards (EDDS).
17. The applicant shall install a 6' wide by 16' long concrete pad on the back side of the sidewalk at the existing Community Transit bus stop on the northwest corner of 172nd Street NE (SR 531) and 27th Avenue NE for the future installation of a bus shelter.
18. The applicant shall install a 6' wide by 16' long concrete pad on the back side of the sidewalk for a future Community Transit bus stop on the northwest corner of 172nd Street NE (SR 531) and 25th Avenue NE for the future installation of a bus shelter.
19. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. Traffic impact fees shall be vested at a rate of \$3,290.00 per multi-family unit and \$1,870.00 per commercial PM Peak Hour Trip (PMPHT).
20. Pursuant to the ILA with Snohomish County, the applicant is obligated to pay traffic mitigation based on 20% of the average daily trips generated from the proposed project multiplied by the County mitigation fee of \$46.00 per new average daily trip (ADT) for the multi-family phase and \$39.00 per new ADT for the commercial phases. The applicant submitted a signed traffic mitigation offer to Snohomish County, in the amount of \$69,404.20, calculated as follows:

USE	ADT	RATE (20%)	IMPACT FEE
Multi-Family (348-units)	1493	\$9.20	\$13,735.60
Commercial	7137	\$7.80	\$55,668.60
TOTAL			\$69,404.20

Snohomish County reserves the right to adjust the impact fee if there is a change of use or building size within the development.

Dated this 8nd day of April 2013.



Kevin D. McDonald, AICP
Hearing Examiner Pro Tem

RECONSIDERATION (MMC 22G.010.190):

A party to a public hearing may seek reconsideration only of a final decision by filing a written request for reconsideration with the director within fourteen (14) days of the final written decision. The request shall comply with MMC 22.010.530(3). The hearing examiner shall consider the request within seven (7) days of filing the same. The request may be decided without public comment or argument by the party filing the request. If the request is denied, the previous action shall become final. If the request is granted, the hearing examiner may immediately revise and reissue its decision. Reconsideration should be granted only when a legal error has occurred or a material factual issue has been overlooked that would change the previous decision.

JUDICIAL APPEAL (MMC 22G.010.540):

- (1) Appeals from the final decision of the hearing examiner, or other city board or body involving MMC Title 22 and for which all other appeals specifically authorized have been timely exhausted, shall be made to Snohomish County superior court pursuant to the Land Use Petition Act, Chapter 36.70C RCW, within 21 days of the date the decision or action became final, unless another applicable appeal process or time period is established by state law or local ordinance.
- (2) Notice of the appeal and any other pleadings required to be filed with the court shall be served as required by law within the applicable time period. This requirement is jurisdictional.
- (3) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The record of the proceedings shall be prepared by the City or such qualified person as it selects. The appellant shall post with the city clerk prior to the preparation of any records an advance fee deposit in the amount specified by the city clerk. Any overage will be promptly returned to the appellant.

EXHIBITS:

The following exhibits were offered and entered into the record:

1. Receipt
2. Land Use Application
3. BSP and Rezone Submittal Checklist
4. Legal Description
5. Rezone Criteria Response Letter, Dan Eernisse, 05.29.12
6. Smokey Point Commercial Rezone Staff Rec (PA 08001-2)
7. Smokey Point Commercial Rezone Ordinance 2755
8. First American- Title Report

9. Environmental Checklist (also see Exhibit 59)
10. 8 ½ x 11 Vicinity Map
11. Wakefield- BSP/Rezone Cover letter, 05.31.12
12. Critical Areas Report (CAR), Talasaea Consultants, Inc., 03.27.12
13. CAR & Mitigation Plan, Talasaea Consultants, Inc. 03.21.12 SUPERSEDED
14. Earth Solutions NW- Geotechnical Engineering Study, 05.21.12
15. TraffEx- Traffic Impact Analysis, 05.18.12
16. 24 x 36 Critical Areas Enhancement Plan, 06.12.12 SUPERSEDED
17. 24 x 36 ARCH Site Plan and Conceptual Elevation Plan, 06.12.12 SUPERSEDED
18. 11x 17 Preliminary BSP, 06.12.12 SUPERSEDED
19. 24 x 36 Preliminary BSP, 06.12.12 SUPERSEDED
20. 11 x 17 Conceptual Landscape Plan, 06.12.12
21. 24 x 36 Conceptual Landscape Plan, 06.12.12
22. 11 x 17 Phasing Plan, 06.12.12 SUPERSEDED
23. 24 x 36 Phasing Plan, 06.12.12 SUPERSEDED
24. 11 x 17 Preliminary Civil Plan, 06.12.12 SUPERSEDED
25. 24 x 36 Preliminary Civil Plan, 06.12.12 SUPERSEDED
26. 24 x 36 Architectural Site Plan, 06.12.12 SUPERSEDED
27. Color Vicinity map
28. Preliminary Drainage report, June 2012 SUPERSEDED
29. 11 x 17 Subdivision Plan, 06.19.12 SUPERSEDED
30. 24 x 36 Subdivision Plan, 06.19.12 SUPERSEDED
31. Letter of Complete application, 06.20.12
32. Scott & Debbie Hackworth Email String, 07.10.12
33. RFR Checklist
34. Affidavit of Posting- NOA
35. 1st Technical Review (TR) Comments, 08.02.12
36. Omega Engineering – 1st TR response letter, 10.15.12
37. TraffEx-Response Letter, 09.20.12
38. TraffEx-Revised Impact Fees Letter, 10.04.12
39. ADAPT- Phase 1 Environmental Site Assessment, 02.15.12
40. 11 x 17 Site Plan, 10.22.12 SUPERSEDED
41. Earth Solutions- Phase 1 ESA, 11.09.07
42. Preliminary Drainage Report, Joseph M. Smeby, June 2012, Revised Oct. '12
43. 24 x 36 Site Plan, 10.22.12 SUPERSEDED
44. RFR Checklist
45. 2nd Technical Review Comments, 11.09.12
46. TraffEx- Response to add'l comments on the TIA, 11.27.12
47. The Greenbusch Group- Preliminary Noise Study, 12.05.12
48. 24 x 36 Site Plan, 12.05.12 SUPERSEDED
49. Transpo Group- TIA review, 01.25.13
50. Amendment to SEPA Checklist, 01.29.13 (also see Exhibit 59)
51. 11 x 17 Site Plan, 01.29.13 SUPERSEDED

52. 24 x 36 Architectural Site Plan, 01.29.13 SUPERSEDED
53. 24 x 36 Site Plan, 01.29.13 SUPERSEDED
54. TraffEx- Response to Transpo and Revised Trip Generation, 01.31.13
55. Critical Areas report and Detailed Mitigation Plan, 02.03.13
56. Traffic Concurrency Recommendation, Kevin Nielsen, 02.11.13
57. 3rd Technical Review, 02.13.13
58. Traffic Concurrency Acceptance Letter, Steve Malsam, 02.13.13
59. MDNS, 02.15.13, w/EC (Exhibit 9) & Amendment to EC (Exhibit 50)
60. Affidavit of posting- MDNS
61. Affidavit of posting – NOH
62. Technical Review 3 response letter-Dan Fernissee, 02.21.13
63. 11 x 17 Architectural Site Plan(sheets A1, A101, A102) DDG, 03.01.13
64. 24 x 36 Architectural Site Plan, (sheets A1, A101, A102) DDG 03.01.13
65. 11 x 17 Site Plan (sheets 1-10) Omega , 03.01.13
66. 24 x 36 Site Plan (sheets 1-10) Omega, 03.01.13
67. 8 ½ x 11 Rezone Boundary map
68. Snohomish County RODO for Mitigation of Impacts to County Roads
69. Staff Recommendation
70. E-mail correspondence thread: WSDOT - Marysville
71. E-mail correspondence thread: WSDOT – Marysville
72. E-mail correspondence thread: WSDOT – Marysville
73. Marysville Land Use Plan Map
74. Marysville Lakewood Neighborhood Land Use Designations Map
75. Marysville Planned Connector Roads Map
76. Memo to Hearing Examiner from Chris Holland, Planning Manager
77. Photographs submitted by Mr. Cowley

PARTIES of RECORD:

City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270

Peter Cowley
P.O. Box 191
Marysville, WA 98270

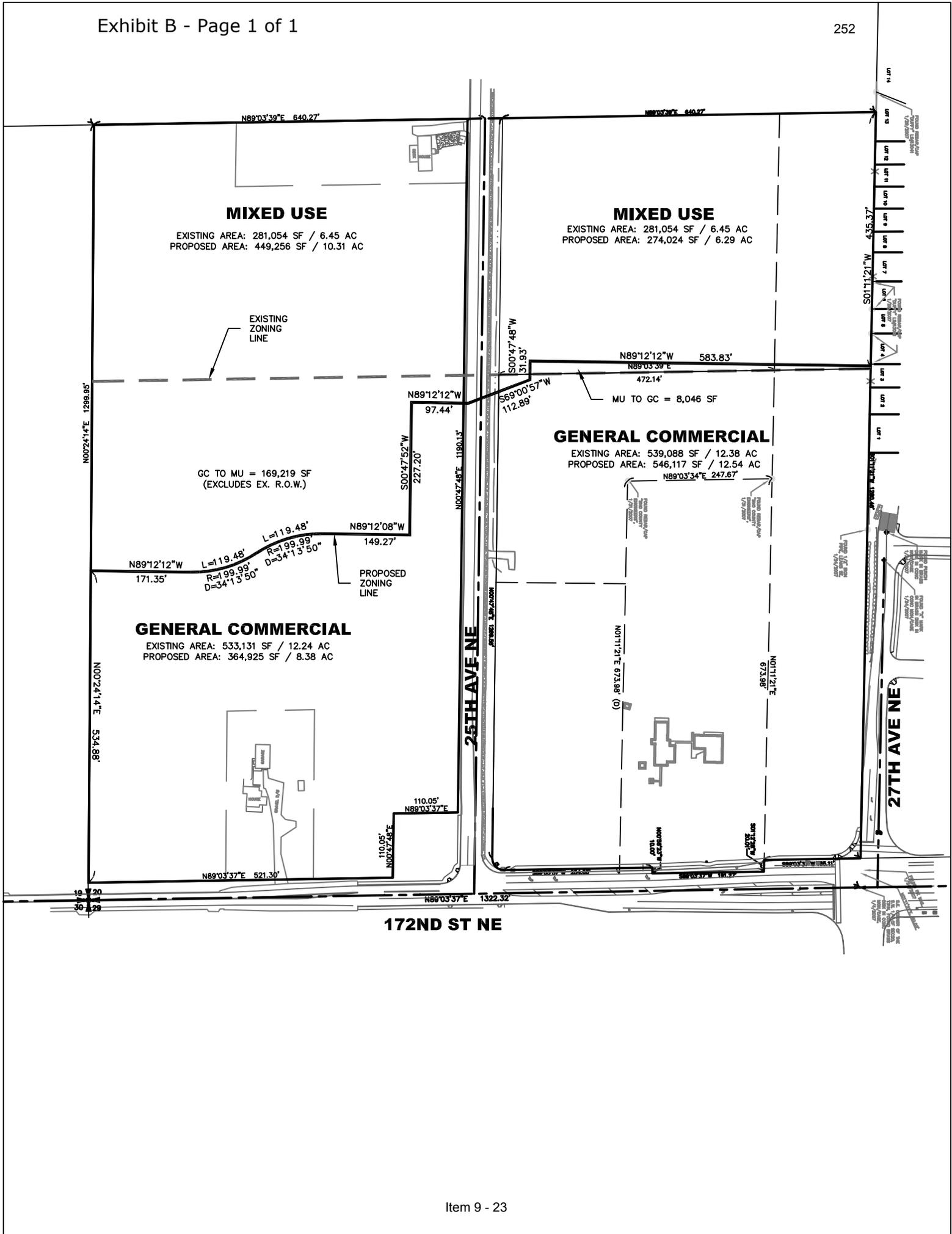
Kermit R. Metcalf
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Dan Eernissee
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Seattle, WA 98105

Julie Workman
17516 27th Ave NE
Marysville, WA 98271

Ramin Pazooki
WSDOT
P.O. Box 330310
Seattle, WA 98133-9710

Steve Benenati
WSDOT
P.O. Box 330310
Seattle, WA 98133-9710



MIXED USE

EXISTING AREA: 281,054 SF / 6.45 AC
PROPOSED AREA: 449,256 SF / 10.31 AC

MIXED USE

EXISTING AREA: 281,054 SF / 6.45 AC
PROPOSED AREA: 274,024 SF / 6.29 AC

EXISTING ZONING LINE

GC TO MU = 169,219 SF
(EXCLUDES EX. R.O.W.)

MU TO GC = 8,046 SF

GENERAL COMMERCIAL

EXISTING AREA: 539,088 SF / 12.38 AC
PROPOSED AREA: 546,117 SF / 12.54 AC

GENERAL COMMERCIAL

EXISTING AREA: 533,131 SF / 12.24 AC
PROPOSED AREA: 364,925 SF / 8.38 AC

25TH AVE NE

27TH AVE NE

172ND ST NE

HEARINGEXAMINER

Hearing Examiner Meeting
 March 28, 2013

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Hearing Examiner Pro Tem Kevin McDonald at Marysville City Hall.

Also Present: Planning Manager Chris Holland, Associate Planner Angela Gemmer, and Recording Secretary Laurie Hugdahl.

PUBLIC HEARING

PA13006 – Ottawa Variance- a variance from MMC Section 22C.010.070(11)(a) in order to allow a manufactured home that is more than five years old to be installed on an existing residential lot.

Applicant: Cynthia and Vern Ottaway
Location: 4505 79th Ave NE

Hearing Examiner McDonald explained that Cynthia and Vern Ottaway were requesting a variance from Marysville code that requires a manufactured home to be less than five years old on a residential lot. He stated that he has received and read the materials provided by staff and also visited the site. He entered Exhibits 1-12, with Exhibit 12 being the staff report, into the record. This issue relates to a variance from the code to allow for the installation of a manufactured code that was constructed in 1999, and therefore is approximately 14 years old. The code requires that a manufactured home be five years old or less, but it provides for a variance from the strict application of the code provided that each of nine provisions is met.

Staff Testimony:

Angela Gemmer, Associate Planner, stated the property is presently developed with a 1969 mobile home which has deteriorated in condition. The property owners would like to have a newer, good quality manufactured home placed on the site as a replacement for the older one. They have requested relief from the restriction of manufactured homes to be five years old or less because it makes the home cost prohibitive. Ms. Gemmer explained that the intent of the five-year restriction was to balance the state requirement of not discriminating against manufactured homes with preserving the integrity of subdivisions so that property values don't deteriorate.

Staff feels a variance is merited in this case because it is an improvement from the current condition. It will be a much nicer, contemporary home. The east side of 79th Avenue is heavily encumbered with critical areas so staff does not anticipate that this home will be placed in a subdivision. There is also a PUD corridor on the east side that precludes development to the east side. Additionally, the subject property is a panhandle lot and set back a fair distance from the road. Due to critical areas buffers, there is buffering afforded by the existing trees and shrubs around the two streams that border the property. Additionally, there are already a number of manufactured homes in the neighborhood so it would be compatible with the neighborhood. In summary, the request merits approval based on the acceptable response to all of the variance conditions. No comments have been received on this item.

Hearing Examiner McDonald noted that the recommendation from staff, in addition to approval, is for the new manufactured home to be installed approximately in the same location as the existing manufacture home. He asked if that situation was acceptable to the applicant.

Applicant Testimony:

Ms. Ottaway stated it is her intent to put the replacement home in the same location as the existing home except it will be larger.

Public Testimony: None

Seeing applicant's concurrence with the conditions of approval, the hearing on the Ottaway variance was closed at 7:12 p.m.

PA12014 - Lakewood Station- Preliminary Binding Site Plan and concurrent Rezone in order to subdivide 39.4-acres into 11-lots and construct between 170,000-290,000 SF of commercial space and approximately 350 multi-family units.

Applicant: Smokey Point Commercial, LLC
Location: 2609 172nd St NE

Hearing Examiner McDonald stated that there are two issues at hand with the Lakewood Station application. It is an application for Preliminary Binding Site Plan and concurrent rezone in order to subdivide 39.4 acres into 11 lots and construct between 170,000 and 290,000 square feet of commercial space and approximately 350 multi-family residential units. He has received the staff report and Exhibits 1-69 which have been entered into the record. Additionally, Exhibits 70-76 have been received in his desk packet tonight and were added to the record.

Staff Testimony:

Planning Manager Chris Holland reviewed the request as contained in the packet. He explained that in 2008 the applicant proposed a Comprehensive Plan amendment and concurrent rezone which designated the northern portion of the development site to Mixed Use. That Mixed Use zoning designation encompasses about 13 acres and was adopted by City Council by Ordinance 2755. For the subject rezone, after review of site conditions and the proposed development, the applicant has proposed shifting the lines a little bit to accommodate the proposed layout. The increase in commercial area would go from about 13 to approximately 16.6 acres. Staff has reviewed all of the pertinent information submitted by the applicant and has determined that it complies with the provisions of the rezone criteria and with the applicable provisions of the design criteria in the Marysville Municipal Code. Staff is recommending, as conditioned in Section 2.0 of the staff recommendation, that the Hearing Examiner approve the Binding Site Plan and recommend approval of the rezone to Marysville City Council for their consideration and adoption by formal ordinance.

Mr. Holland stated he had several new exhibits he wanted to read into the record and provide some clarification on. He read Exhibit 70, which was an email string from Steve Benenati with WSDOT received on Monday, March 25. The City had requested that WSDOT review and provide comments throughout the review process on this application, including the Notice of Application process. Comments were not received until Monday, March 25. A SEPA threshold determination was issued on February 15 with 20 conditions, and the appeal period expired on March 4. There were no comments from WSDOT or any other agencies or private citizens. In Exhibit 70, WSDOT requested that the City amend the MDNS Conditions 8 and 14. Specifically they are requesting additional right-of-way for construction of 172nd from a five-lane to an eight-lane arterial. They are also requesting that the City amend Condition 14 disallowing a signal at 25th Avenue NE. Mr. Holland pointed out that in the January 12 email from Steve Benenati, under item 4, WSDOT specifically stated that:

"It is imperative that the location of any public access point be planned carefully to ensure adequate signal progression. Where feasible, major intersecting roadways that might ultimately require signalization are planned with a minimum of half-mile spacing. The addition of all new public or private access points that may require signalization will require an engineering analysis that is signed and sealed by a qualified professional engineer . . ."

25th Avenue is an existing roadway that provides access to Carroll's Creek Landing so it is not a new intersection. He noted that the applicant provided a traffic impact analysis as well as several supplemental signal warrants demonstrating that a signal at 25th can meet the Level of Service (LOS) standards even though it would not meet the half-mile spacing from 27th Avenue NE.

Exhibit 71 is an email string from Chris Holland to the WSDOT that was sent on Monday, March 25 stating that the City had not received any comments during the public review process or during the public comment period and appeal period for the

issuance of the determination of non-significance on this project. The City also disagreed that Condition 8 of the MDNS needs to be amended. This condition specifically states that if the five-lane roadway isn't acceptable to WSDOT, they can require additional right-of-way. Sr. Holland pointed out that WSDOT owns the road, and they will have to approve any channelization and signal plans for this development along SR 531. Condition 14 of the MDNS specifically states that signal construction plans shall be reviewed and approved by the city engineer and WSDOT prior to civil construction plan approval. Again, approval by WSDOT is already required for the development to move forward.

Exhibit 71 is an email from WSDOT received this afternoon, March 28, further stating that WSDOT will not allow a signal at 25th because it doesn't meet the half-mile spacing requirement; however, they would consider a reduction to a quarter-mile spacing based on certain analysis. They would also entertain a signal at the western edge of the proposed development site. They would also entertain a roundabout at 25th or at the western edge of the proposed development site. WSDOT went on to state that in the City's Transportation Element and Comprehensive Plan it doesn't specifically state that there are signals planned for 25th or any other intersections along 172nd. Planning Manager Holland agreed, but stated that planned road connections are clearly identified in the Comprehensive Plan. Also, in the Transportation Element signals are installed as warranted.

Exhibits 73-75 are land use maps clearly showing the future road extensions of 25th to the south of the subject property and connecting to 169th. They also show the future road extension west of this site which would provide access all the way down to 156th Street which would be a principal access point to the existing and newly constructed 156th Street overpass and potential future interchange at 156th.

Exhibit 76 is a memo from Chris Holland to the Hearing Examiner outlining what staff has reviewed from WSDOT and their thoughts on WSDOT's comments this week. He reiterated that staff does not believe there any change is warranted to the MDNS Condition number 8. On MDNS Condition 14 staff is respectfully requesting the Hearing Examiner amend to add the following or similar language or add to the conditions of the Binding Site Plan:

"If a signal permit at the intersection of 25th Avenue NE and 172nd Street NE cannot be obtained from WSDOT and the applicant can provide an alternative traffic control method such as a roundabout and meet the adopted Level of Service standards in the Transportation Element of the Marysville Comprehensive Plan and said alternative is approved by WSDOT, the signal at the intersection of 25th Avenue NE and 172nd Street shall not be required."

This allows for an alternative that can meet concurrence and LOS standards. Lastly, Mr. Holland stated that Marysville would not be in support of a signalized intersection on the western side of the proposed development as it would not support the half-mile or even a variance for a quarter-mile separation for the City's future signalization further west of

this development which would provide the primary access south down to the 156th/I-5 overpass.

Hearing Examiner McDonald referred to the right-of-way width that would be required by WSDOT along 172nd, and asked if the state is looking for right-of-way enough to provide for an eight-lane section. Senior Planner Holland affirmed this, but stated he believes what they are actually asking for is a deceleration lane, not for the entire section from 25th to 27th to be an eight-lane section. WSDOT recently installed brand new signal poles, curbs, gutters, sidewalks, and planter strips on the north side of 172nd all the way to 25th. With the way the curb lines exist and where the signal poles are they would not be able to widen at the intersection of 27th and 172nd. Hearing Examiner McDonald asked if the transit pullout would cease to exist and become part of the right turn lane into 25th. Chris Holland didn't think the curb line would change where the bus pullout is. He thinks it would change halfway in the block between 25th and 27th for a right deceleration lane. Hearing Examiner McDonald commented that the point of a deceleration lane would be irrelevant if a signal at that intersection was allowed or if some alternative intersection control would be installed. Mr. Holland concurred and stated he does not believe that WSDOT has reviewed all of the traffic impact analysis or the subsequent information submitted by the professional engineer for the project manager.

Hearing Examiner McDonald asked what the requirement for additional right-of-way would do to the configuration of the Lakewood Station site development. Mr. Holland thought that if additional right-of-way ultimately is required, the applicant would come back to the City for a minor amendment to change the location of some of the buildings and the parking layout. He doesn't think it would warrant any additional mitigation measures or additional conditions as proposed in the Staff Recommendation. Hearing Examiner McDonald asked if approval of the Preliminary Binding Site Plan would preclude such rearrangement of building pads, driving, or parking circulation. Senior Planner Holland stated that it would not.

Hearing Examiner McDonald asked if there would be pedestrian crossings at 25th if there is any sort of traffic control. Mr. Holland replied that there would be pedestrian connections to the south on both the east and the west legs.

Applicant Testimony:

Dan Eernisse, 5509 17th Ave NE, Seattle, 98105, spoke in support of the request. He noted that Larry Hobbs, the traffic engineer; Joseph Smede, the engineer; and Steve Molson, an owner, were present to answer any questions that might arise. He stated that the rezone of the site from Commercial Business to Mixed Use is now five years old. He reviewed some of the background of this project and the justification for the rezone. He stated that the applicant had always intended to come back at some point once they had a site layout that worked well with the commercial and the residential site. Most recently, the SEPA appeal/public opinion process went through without comments or appeals. They have tried their best to get together with anyone who had any issues with the proposed site plan. He met with the Lakewood Commons

Homeowners Association prior to the MDNS being issued to talk about their concerns and hasn't heard from them since. One of the biggest concerns raised was the type of fencing used. The developer agreed to put in a 6 or 8-foot CMU wall instead of a wood fence based on the residents' preference. Mr. Eernisse stated that if the Hearing Examiner would elect to keep the record open, the developer would be open to responding to any issues that might come up, especially to the neighbors at Lakewood Commons. Regarding the roundabout/signal at 25th, the applicant will continue to work with staff, but they agree that the Binding Site Plan decision shouldn't be constrained or held up based on that issue. The applicant fully understands that they need to work this out with WSDOT.

Public Testimony:

Peter Cowley, PO Box 191, Marysville, WA 98270, expressed concern about the mailings regarding the SEPA threshold determination. He stated that he received his postcard on February 28. The deadline to file an appeal was March 4 so he received five days notification of this. Three of the four signs posted at the site were blown down or fell down. He feels the neighborhood should have had an opportunity to review all of the determination. He thanked Lakewood Station developers for meeting with the homeowners and the board recently. It is helpful that they are addressing concerns with a cement wall rather than a wooden fence. He expressed concern about the raising of the grade of the soil by two to three feet to promote adequate drainage because this will create a height discrepancy between the parcels. He had additional concerns about drainage issues this might create. Also, he expressed concern about access of traffic from the mixed use sections through the development and exiting on 172nd. He wants them to exit on 25th because of the traffic issues that are already a problem. Backups already occur now that the Everett Clinic and the White-Leasure development are there. He is also concerned about the noise. He stated that the noise studies are done in an office setting and not actually on site. He lives on the corner of 27th and one of the proposed entrances. He spoke against access going into the development from 27th. He stated that the Lakewood area is growing at a tremendous rate. The fact that WSDOT is recommending eight lanes is very astute on their part. He feels that this is necessary for the long-term benefit of the community. He would also like to see a planter strip separating traffic westbound and eastbound on 172nd. He feels this would beautify the neighborhood. Finally, Mr. Cowley reiterated that the residents are not happy with the failure of someone to get the notices out in a timely manner. Five photos from Mr. Cowley were entered as part of the record.

Hearing Examiner McDonald commented that it is not in his purview to make any design recommendations for 172nd.

Julie Workman, 17516 27th Ave NE, Marysville, WA 98271, stated she is part of the board of the Lakewood Home Owners Association concurred with Mr. Cowley's comments. She also was upset they did not have notice in a timely manner to respond. She expressed concern about the traffic. If they do dump onto 27th, she expressed concern about emergency access. Also, she thinks a decision should be postponed until WSDOT can properly review the proposal. She stated that the neighbors are concerned

with the height of the apartment proposed (three stories) because of the proximity and privacy issues.

Kermit (Rob) Metcalf, Ryan Northwest II, LLC, 18904 – 86th Place West, Edmonds, WA 98026, spoke in support of the project. As an adjacent property owner, he shares a common northern boundary within the UGA. He requested that the final design for utilities serving the project would contain the ability to serve the maximum UGA possible to the north. His conversations with city officials have indicated that there are means to accomplish this and to maximize the servicing of the UGA area. He wants to make sure the slopes and sizing of pipes within the design are adequate to extend the sewer and make it available to other properties north of this project.

Chris Holland explained that the sewer main on 172nd street is not very deep. There is another main on 27th Avenue NE that is a little deeper. As you head north, and install a main within 25th Avenue NE it will shallow up and ultimately get to the surface where it may not necessarily serve all of the properties further north of this development. The applicant has proposed to extend the sewer from the deeper main within 27th Avenue NE behind the proposed commercial buildings and stub it out at the north line. Staff does not know yet how much further north it can be extended, but it will be extended as far north as possible. Also, regarding the public notice requirements, he clarified that there are two different public notice requirements for this project. One is the Mitigated SEPA Threshold Determination Notice. The other is the public hearing notice. Staff did a combined notice to the area. The Mitigated SEPA determination notice is required to be posted on site, published in the paper, published on the City's website, published at City Hall, and with the US Postal Service. As shown in Exhibit 60, those items were accomplished. The MDNS notice typically is not, nor is it required to be mailed to the surrounding property owners; however, Notice of Application and Notice of Public Hearing notices are required to be sent to the 300-foot surrounding property owners as well as all parties of record. To clarify, the City did a combined notice which meant the Notice of the SEPA Threshold Determination with comments and appeal periods had an expiration date. It also had a date for when the public hearing would be held. He feels there is confusion over process and what was required to go out. He believes the residents did receive their notification as surrounding property owners in accordance with the public hearing notices. Mr. Holland pointed out that Mr. Cowley, as a party of record, was also emailed the MDNS and the Notice of Public Hearing either on the 15th or on the 18th of February. This was done as a courtesy and was not required.

Peter Cowley further discussed height concerns related to the new apartments which would be adjacent to approximately 14 existing homes. He requested that the apartments be only two stories where they are adjacent to those homes and then step up in height further back from the property line. He added that due to the county development years ago, some of the existing two-story residences are only five feet from the property line.

Hearing Examiner McDonald commented that a major concern he has heard from the community seems to be the use of 27th. He asked staff or the project's traffic engineer to describe the outcome for the level of service analysis for that intersection. Planning

Manager Holland explained that, as conditioned in the MDNS Condition 15, additional analysis of that intersection is required to ensure that it will function at an acceptable level of service. Staff has requested additional information to see whether or not a dual left out would be necessary. There may be some signal design that needs to be done there. There may also be some restrictions about left turns if there is stacking. Staff has requested additional information and would not approve a construction plan for the project until there is further analysis. Hearing Examiner McDonald asked if staff feels that it would be appropriate to keep the hearing open until additional traffic analysis is done. Mr. Holland replied that in his opinion, as it's laid out, it meets the level of service as they've analyzed with future projection and with the existing commercial shopping center. However, staff has concerns that the first southerly access which is proposed on 27th might cause some queuing issues. This could require a minor site plan modification that wouldn't affect the overall level of service of the intersection function that is acceptable in the Transportation Element of the Comprehensive Plan. Hearing Examiner McDonald stated that typically it is better to have more access points to improve LOS issues and traffic flow. He asked for confirmation that the configuration of the intersection can be done at a subsequent point in the process without requiring a modification to the Preliminary Binding Site Plan. Planning Manager affirmed this and added that those would all be reviewed in concurrence with the civil construction plans. No development permit would be issued until those issues are identified and approved.

Hearing Examiner McDonald referred to 25th and noted that the planning maps show approximate future roadway layouts. He asked if 25th on the Lakewood Station site were to be shifted or if the traffic control of that intersection were to be non-signalized, would that affect the long-term infrastructure planning for this portion of Marysville. Mr. Holland said it would not, but if the road were to shift west the City would like to ensure, through the review and approval process that the civil plans for the channelization improvements along 172nd, that they have the opportunity to have an intersection further west. Staff will continue to review this along with DOT, but it would not have any effect or bearing on the overall Binding Site Plan or the effectiveness of that roadway corridor.

Hearing Examiner McDonald asked the approximate distance between 25th and 27th. Mr. Holland stated that it is approximately 690 feet. Hearing Examiner McDonald noted that this is less than a quarter mile and below the DOT threshold of a half mile. Planning Manager Holland concurred. He added that it is not uncommon with state highways of this classification to have multiple signalizations within a closer proximity than a half mile or a quarter mile. Hearing Examiner McDonald commented that in an urban setting, the character, movement, and speed of traffic tends to be different than a more rural character where there is less friction and more unimpeded flow. The character of the area around Lakewood Station will change and the character of the roadway that serves those neighborhoods would probably need to be changed as well to reflect more of an urban character. There may be an argument there for looking at closer signal spacing than is typically part of the WSDOT state highway system standards.

Hearing Examiner McDonald asked if any of the access points via 27th would be proposed to be signalized. Mr. Holland said 27th would maintain a through-road

character, and traffic approaching from the west to access 27th would be stop-controlled.

Hearing Examiner McDonald noted that, based on the photographs and the testimony, it appears that at some points in the day queuing on the north leg of the 27th Ave intersection progresses quite a distance to the north. He asked if the traffic analysis indicates that traffic loading from Lakewood Station would significantly increase that queuing and result in driveway blockage along 27th. Mr. Holland stated that this is why staff is requiring additional information to make sure that does not occur. However, as reflected in Condition 15, staff believes that the dual left out at that location would clear this queue much more rapidly.

Hearing Examiner McDonald referred to the eastbound transit pullout on the far side of the intersection of 27th. He asked if there is any proposal to include an additional transit stop along the frontage of Lakewood Station. Mr. Holland said there have been two requested pad locations from Community Transit. The first one would be close to the intersection of 27th (near Building E) and 172nd (near Building K). The second one would be close to the intersection of 25th and 172nd. Both of those are shown on the site plan as cement pads for future installation of bus shelters. This is conditioned in the MDNS. Hearing Examiner McDonald if there would be a complementary bus stop on the south side of the street for eastbound pickup and drop off. Planning Manager Holland stated that they anticipate there will eventually be one closer to 25th on the south side, but that would occur as improvements to the south side of 172nd would occur.

Hearing Examiner McDonald asked the applicant if there is concurrence with the conditions proposed by staff with respect to the Preliminary Binding Site Plan and Rezone. Mr. Eernisse stated that that the applicant is in concurrence with each of the conditions.

Hearing Examiner McDonald stated that he was not inclined to leave the record open. With respect to the design of the fence that would separate Lakewood Station from the existing single-family neighborhood, he believes this is a design issue that can be dealt with in the course of finalizing the plan. With respect to the design capacity and intersection configuration of 25th, he believes that the City, the applicant, and WSDOT can work out the issues of access and signal control to the mutual satisfaction of all the parties. He summarized that some access from 172nd will be required; the precise location of that will remain to be determined in the final negotiations with the Binding Site Plan. Planning Manager Holland agreed with this.

Additional Public Comments:

Peter Cowley stressed that a signal light is needed at 25th. There are a lot of young families that live in the navy housing in the back. He said he will be talking to WSDOT about this item and encouraging them to consider this. He stated that this is not a primary highway by his definition even though it is labeled as a state route. He also feels that now is the time to increase the road width as it will be much more expensive

later. The costs can be shared with future development in that area. He is not convinced that two left turn lanes will address all the traffic issues there.

Seeing no further comments, the hearing was closed at 8:28 p.m. Hearing Examiner McDonald stated that he would report his recommendations to the City within 15 calendar days.

ADJOURNMENT

The meeting was adjourned at 8:28 p.m.

 FOR:
Laurie Hugdahl, Recording Secretary



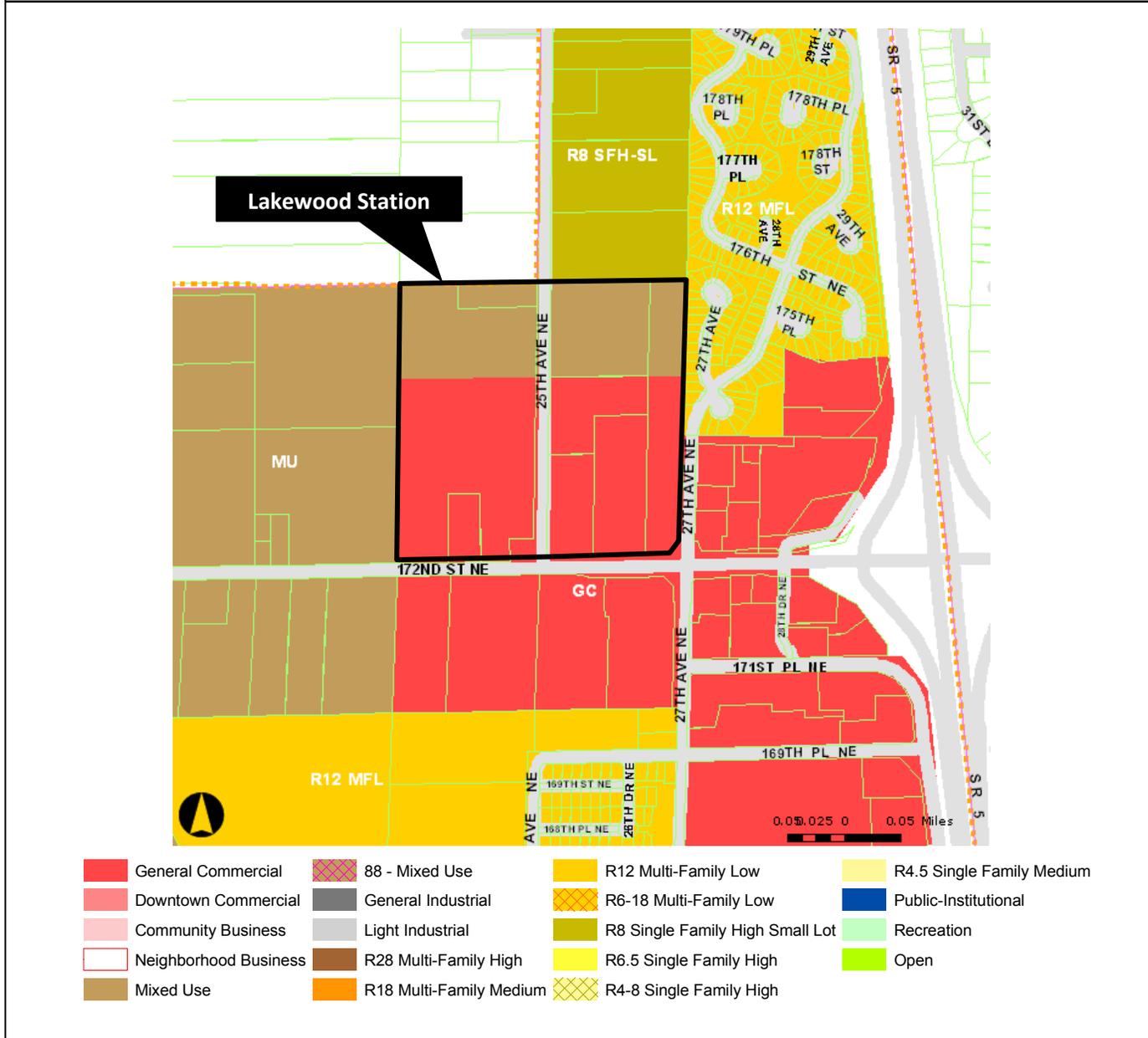
STAFF RECOMMENDATION

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Mon - Fri 7:30 AM - 4:00 PM

PROJECT INFORMATION							
Project Title	Lakewood Station		Date of Report	March 19, 2013			
File Number	PA 12014		Attachments	Rezone boundary map (Exhibit 67)			
Staff Recommendation	Approve the preliminary <i>Binding Site Plan</i> and forward a recommendation of approval of the <i>Rezone</i> to Marysville City Council, for Lakewood Station, subject to the conditions contained in Section 2.0 of this Staff Recommendation.						
BACKGROUND SUMMARY							
Applicant	Smokey Point Commercial, LLC						
Request	Preliminary <i>Binding Site Plan</i> approval and concurrent <i>Rezone</i> in order to subdivide 39.4-acres into 11-lots and construct between 170,000 – 290,000 SF of commercial space and approximately 350 multi-family units. The applicant is also seeking approval of a Street Vacation of 25 th Avenue NE that will be considered under a separate application, reviewed by Marysville City Council.						
SEPA Status	A SEPA Threshold Determination of Non-Significance (DNS) was issued on February 15, 2013. The appeal period for the DNS expired on March 4, 2013. No appeals were filed.						
General Location	North of 172 nd Street NE (SR 531) on either side of 25 th Avenue NE		APN(s)	31052000302400, 31052000304600, 31052000303600, 31052000302600, 31052000302800, 31052000302900, 31052000302500, 31052000302700			
Acreage (SF)	39.4 (1,716,264 SF)		Section	20	Township	31N Range 05E	
Comprehensive Plan	MU & GC	Zoning	MU & GC	Shoreline Environment		N/A	
Water Supply	Current	Proposed		Sewer Supply	Current	Proposed	
	Marysville	Marysville			Private (septic)	Marysville	
Present Use of Property	The majority of the site is vacant undeveloped land. There is a single-family home and associated outbuildings located on the east side of 25 th Avenue NE and a single-family residence and mobile home on the west side of 25 th Avenue NE.						
REVIEWING AGENCIES							
Marysville	Local Agencies & Districts	State & Federal		County	Other		
<input checked="" type="checkbox"/> Building <input checked="" type="checkbox"/> Fire District <input checked="" type="checkbox"/> Land Development <input type="checkbox"/> Parks <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works	<input checked="" type="checkbox"/> Arlington (city) <input type="checkbox"/> Arlington Airport <input checked="" type="checkbox"/> Community Transit <input type="checkbox"/> Everett (city) <input type="checkbox"/> Lake Stevens (city) <input checked="" type="checkbox"/> Lakewood SD 306 <input checked="" type="checkbox"/> PUD No. 1 (electric)	<input type="checkbox"/> US Army Corps of Engineers <input type="checkbox"/> BNSF <input checked="" type="checkbox"/> DOE <input type="checkbox"/> WDFW <input checked="" type="checkbox"/> WSDOT <input type="checkbox"/> WUTC <input type="checkbox"/>		<input checked="" type="checkbox"/> Health District <input type="checkbox"/> Planning <input checked="" type="checkbox"/> Public Works - Land Development <input type="checkbox"/> Public Works <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> Tulalip Tribes <input checked="" type="checkbox"/> Stillaguamish Tribe <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
ACTION							
<input type="checkbox"/> Administrative	<input type="checkbox"/> City Council	<input checked="" type="checkbox"/> Quasi-Judicial		<input type="checkbox"/> Planning Commission			
Date of Hearing	March 28, 2013	<input type="checkbox"/> Approved		<input type="checkbox"/> Denied	<input type="checkbox"/> Continued		
STAFF CONTACT							
Name	Chris Holland	Title	Planning Manager	Phone	360.363.8207	E-mail	cholland@marysvillewa.gov

SURROUNDING USES			
	Comprehensive Plan	Zoning	Land Use
Site	Mixed Use; General Commercial	MU; GC	Majority of site is vacant, with two single-family residences
North	Single-family, High Density-small lot	R-8	Vacant land and large lot single-family residences
East	Multi-family, Low Density; General Commercial	R-12; GC	Lakewood Commons single-family Condo's; Lakewood Pointe Shopping Center
South	General Commercial	GC	Vacant; Lakewood Crossing Shopping Center is located to the southeast
West	Mixed Use	MU	Large lot single-family residences; farming

Vicinity Map



1.0 FINDINGS AND CONCLUSIONS

1. Smokey Point Commercial, LLC (applicant), has requested preliminary *Binding Site Plan (BSP)* approval and a concurrent *Rezone* in order to subdivide 39.4-acres into 11-lots and construct between 170,000 – 290,000 SF of commercial space and approximately 350 multi-family units.
2. The application was determined to be complete on June 19, 2012 (Exhibit 31).
3. Marysville City Council adopted Ordinance No. 2755 (Exhibit 7) on November 24, 2008, amending the Marysville Comprehensive Plan map and concurrently zoning approximately 13 of the 39.4-acre site to Mixed Use (MU). The remaining 26.4-acres retained the General Commercial (GC) zoning designation.
4. A condition of the Comprehensive Plan Map Amendment and concurrent rezone, Ordinance No. 2755, was that future project actions will be required to incorporate into project design, two (2) east-west road connection, one located at approximately the 17300 Block and the other located at approximately the 17500 Block. These two connections are shown on the preliminary BSP (Exhibit 65 & 66), satisfying the condition of Ordinance No. 2755.
5. The applicant is proposing a concurrent rezone in order to increase the acreage of MU zoning from 13 to approximately 16.6-acres, with the rest of the 22.8-acres to remain GC (see Exhibit 67).
6. The proposed layout of the preliminary BSP will require a street vacation of 25th Avenue NE. Street vacations are processed pursuant to Chapter 12.32 MMC, *Vacation of Streets and Alleys*, and will be reviewed by Marysville City Council under a separate application.
7. The proposed site consists of eight (8) parcels totaling approximately 39.4-acres. The majority of the site is vacant undeveloped land. There is a single-family home and associated outbuildings located on the east side of 25th Avenue NE and a single-family residence and mobile home on the west side of 25th Avenue NE. The overall site topography is relatively flat. On-site vegetation is generally moderate to heavy, with mature species of deciduous and evergreen trees, combined with some open areas consisting of field grass.
8. Primary access to the site is proposed via commercial driveways located off of 25th Avenue NE. Secondary access is proposed from 27th Avenue NE. Direct access to the site is prohibited from 172nd Street NE (SR 531).
9. According to the Traffic Impact Analysis (TIA) prepared by TraffEx, dated May 18, 2012 (Exhibit 15), and supplemental information submitted by TraffEx dated September 20, 2012 (Exhibit 37), October 4, 2012 (Exhibit 38) and November 27, 2012 (Exhibit 46), the development, as currently proposed, would generate 8,630 average daily trips (ADT) and 895 PM peak hour trips (PMPHT).
10. The Public Works Director reviewed the TIA and supplemental information submitted by TraffEx and issued a written concurrency recommendation, dated February 11, 2013 (Exhibit 56), informing the developer of the project impacts and mitigation obligation pursuant to Chapter 22D.030 MMC, *Traffic Impact Fees and Mitigation*. Pursuant to MMC 22D.030.070(1)(d), an applicant is required to make a written proposal for mitigation of the impacts to the Public Works Director, based on the concurrency recommendation. The applicant submitted a written mitigation offer to the Public Works Director dated February 13, 2013 (Exhibit 58).

The Public Works Director reviewed the written mitigation offer and made a final concurrency determination, the conditions of which are reflected in mitigation measures 7 – 20 of the Mitigated SEPA Threshold Determination of Non-Significance (MDNS). The mitigation measures are referenced in Section 3.0 of this Staff Recommendation.

11. Pursuant to MMC 22D.030.070, the traffic concurrency determination and the project's impacts and mitigation obligations shall expire on February 15, 2019 (6-years from the date the MDNS was issued). If concurrency expires prior to building permit issuance, the Public Works Director shall, at the request of the developer, consider evidence from the applicant that conditions have not significantly changed and make a new concurrency determination.
12. Pursuant to Chapter 14.15 MMC, a stormwater pollution prevention plan (SWPPP) and subsequent installation of an approved stormwater management system on the site is required. Potential significant adverse environmental impacts associated with increased stormwater runoff from the proposed development are adequately mitigated by compliance with this regulation.
13. A Critical Areas Report (CAR) for the properties located west of 25th Avenue NE was prepared by Talasaea Consultants, Inc., dated March 27, 2012 (Exhibit 12), and a CAR and Detailed Conceptual Mitigation Plan for the properties located east of 25th Avenue NE was prepared by Talasaea Consultants, Inc., dated March 21, 2012 (Exhibit 13) and revised on February 4, 2013 (Exhibit 55).

According to the CAR (Exhibit 12), one 31,929 SF artificially created pond and one drainage ditch were identified on the properties located west of 25th Avenue NE. The pond and ditch are artificially created wetlands and are, therefore, exempt from the provisions of Chapter 22E.010 MMC *Critical Areas Management*. The artificially created pond is proposed to be retained and maintained as open space for the development, and the vegetative community around the pond is proposed to be enhanced per the CAR.

According to the revised CAR and Detailed Conceptual Mitigation Plan (Exhibit 55), one 31,923 SF Category III wetland was identified on the properties located east of 25th Avenue NE. In July 2011, an enforcement letter from the Washington State Department of Ecology (DOE) was issued to Smokey Point Commercial, LLC (applicant) regarding clearing and grading activity that has occurred within the wetland without DOE permit approval. The CAR and Detailed Conceptual Mitigation Plan has been prepared in order to obtain an "after-the-fact" approval for wetland impacts and to address mitigation for impacts to the wetland. Proposed mitigation includes on-site wetland and buffer restoration and purchasing an appropriate amount of credits at a certified mitigation bank for the indirect (paper-fill) wetland impacts. Prior to beginning any ground disturbing activities within the wetland areas or associated buffers, the applicant shall obtain all necessary state and federal authorizations for wetland impacts.

14. A preliminary noise study was prepared by The Greenbusch Group, Inc., dated December 5, 2012 (Exhibit 47). The preliminary analysis provides a rough estimation of predicted sound levels associated with mechanical equipment, parking lot activity, deliver trucks, and sweepers. *Prior to civil construction plan approval*, the applicant shall submit a more detailed noise analysis in order to determine the extent of required mitigation, as recommended in the preliminary noise analysis. This noise analysis shall include, but not be limited to, a review of any external mechanical equipment, delivery and loading areas, parking lot traffic, street sweeping lot parking lots, as well as recommendations to mitigate any noise impacts the proposed commercial development will have on the adjacent single-family (existing) and multi-family (proposed) properties.
15. Public notice of the development application was provided in accordance with MMC 22G.010.090 (Exhibit 34).
16. During the public review and comment period, the City received a letter from Marie A. Ryan (Exhibit 35), who is the managing partner of 5-acres located directly north of the proposed BSP (APN 31052000300100); an e-mail from Scott & Debbie Hackworth (Exhibit 32); and a phone call from Peter Cowley, owner of the adjacent single-family residence located at 17408 27th Avenue NE (see exhibit 45 for phone call synopsis). Concerns and questions raised during the public review and comment period include the following:

- a. Request that the new sewer line, required to be installed within 25th Avenue NE, be deep enough to serve additional properties along 25th Avenue NE.

Staff Comment: Due to the limited depth of the existing sewer main within 172nd Street NE (SR 531), the applicant is proposing to extend the sewer main within 27th Avenue NE, west to 25th Avenue NE, in order to provide properties north of the proposed development, along 25th Avenue NE, adequate sanitary sewer service in the future.

- b. General questions about the types of stores proposed, critical areas, height allowances, whether or not the proposed multi-family units are apartments (rentals) or condos (owned), will water and sewer service be extended along the entire length of 25th Avenue NE, and when will the project begin construction and approximate completion date.

Staff Comment: All of these general questions were responded to via e-mail, with an acknowledgement of receipt from Scott & Debbie Hackworth (see Exhibit 32).

- c. Added motor vehicle traffic to the area.

Staff Comment: The applicant submitted a Traffic Impact Analysis (TIA), prepared by TraffEx, dated May 18, 2012 (Exhibit 15), and supplemental information submitted by TraffEx dated September 20, 2012 (Exhibit 37), October 4, 2012 (Exhibit 38) and November 27, 2012 (Exhibit 46). The City of Marysville contracted with TranspoGroup to conduct an independent analysis of the TIA and supplemental information submitted by TraffEx (Exhibit 49).

The Public Works Director reviewed the TIA and supplemental information prepared by TraffEx and the independent analysis conducted by TranspoGroup, and made a final traffic concurrency determination, the conditions of which are reflected in mitigation measures 7 – 20 of the Mitigated SEPA Threshold Determination of Non-Significance (MDNS) referenced in Section 3.0 of this Staff Recommendation.

Although traffic in the area will increase due to the proposed development, it has been determined by the Public Work Director, as conditioned, that all affected intersections and roadway corridors in the area will comply with the adopted level-of-service (LOS) standards established in the Transportation Element of the Comprehensive Plan.

- d. Thirty (30) to forty (40) foot building heights.

Staff Comment: Pursuant to MMC 22C.020.080(2), the base height allowed in the Mixed Use (MU) zone is 45' and the base height allowed in the General Commercial (GC) zone is 35'. In both zones, heights may be increased when portions of the structure or building 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.

MMC 22C.120.120 requires new development to provide a minimum 20' L1 landscape buffer, plus a 6', sight-obscuring fence or wall between the commercial portion of the site and existing single-family residential properties. Additionally, a minimum 10' L1 landscape buffer, plus a 6' sight-obscuring fence or wall is required between the multi-family portion of the site and existing single-family residential properties. An L1 landscape buffer is required to be opaque from the ground to a height of at least 6' with intermittent visual obstructions from the opaque portion to a height of at least 20'. The L1 screen is intended to exclude all visual contact between uses and to create a strong impression of spatial separation.

The landscape buffers and sight-obscuring fencing required in the MMC should provide adequate spatial separation between the existing single-family residences and proposed multi-family and commercial uses.

- e. City code should require an 8' cement wall separating the commercial and multi-family from the existing single-family homes.

Staff Comment: The applicant has offered to install a split-face CMU wall between the proposed project and the Lakewood Commons single-family condominium development to the west. The applicant has requested that the Lakewood Commons Homeowners Association determine if they would prefer a 6' or 8' CMU wall (6' minimum required).

- f. City should not allow a left hand turn into the development off of 27th Avenue NE. The concern is that this would add to much traffic, light and noise to the existing single-family homes.

Staff Comment: Primary access to the site is proposed via commercial driveways located off of 25th Avenue NE. Secondary access is proposed from 27th Avenue NE via two commercial access driveways. Fifteen (15%) percent, or 134 trips, are proposed to utilize 27th Avenue NE during the critical PM peak hour (4:00 – 6:00 PM).

Condition No. 15 of the MDNS, referenced in Section 3.0 of this Staff Recommendation, requires the applicant to conduct a detailed analysis in order to understand street system operations and queuing along 27th Avenue NE between the site access and 172nd Street NE *prior to civil construction plan approval*. The evaluation shall consider impacts to the neighborhoods north and east of the site. Analysis shall determine if dual southbound left-turn lanes and/or access management is necessary to provide adequate operations and minimize neighborhood impacts. After review of the analysis, the City Engineer shall determine whether or not signal improvements or access management on 27th Avenue NE will be required.

17. A Request for Review of the proposed development was sent to the following Local, County, State & Federal Agencies and Districts:

- a. *City of Arlington:* No comments received.
- b. *Community Transit:* Community Transit (CT) requested a 6' x 16' concrete pad be constructed on the back side of the sidewalk at the northwest corner of 172nd Street NE (SR 531) and 27th Avenue NE, and on the northwest corner of 172nd Street NE (SR 531) and 25th Avenue NE for future bus shelter installation (Exhibit 35).

Staff Comment: A detail of the requested bus shelters has been provided on the preliminary BSP. Additionally, the application has been conditioned to provide the concrete pad for future installation of bus shelters, as reflected in MDNS Condition(s) 17 & 18, referenced in Section 3.0 of this Staff Recommendation.

- c. *Lakewood School District 306:* Lakewood School District No. 306 provided general comments regarding bus service and an assumption that the project would be required to provide sidewalks for students utilizing bus service (Exhibit 35).

Staff Comment: Sidewalks are required to be constructed along 25th Avenue NE, 27th Avenue NE and 172nd Street NE (SR 531) in accordance with MMC 12.02A.090.

- d. *Public Utilities District (PUD) No. 1 of Snohomish County:* No comments received.
- e. *Washington State Department of Ecology (DOE)*

Staff Comment: Staff forwarded the initial application, including the Critical Areas Reports and amendments to DOE. No written comments have been received from DOE. However, based on phone conversations Staff had with Paul S. Anderson, PWS, DOE Wetland Specialist, the project was conditioned to obtain all necessary state and federal authorizations for wetland impacts prior to beginning any ground disturbing activities within the wetland areas or associated buffers, as reflected in MDNS Condition No. 4, as referenced in Section 3.0 of this Staff Recommendation.

- f. *Washington State Department of Transportation (WSDOT):* No comments received.
- g. *Snohomish Health District:* Snohomish Health District recommended the existing onsite sewage system(s) be abandoned in accordance with WAC 246-272A-0300 and

the existing well(s) be decommissioned in accordance with WAC 173-160-381 (Exhibit 35).

Staff Comment: The onsite sewage systems and wells were conditioned to be abandoned/decommissioned, as reflected in MDNS Condition(s) 5 & 6, referenced in Section 3.0 of this Staff Recommendation.

- h. *Snohomish County Department of Public Works:* Snohomish County Department of Public Works requested the applicant provide a traffic mitigation offer in accordance with the ILA between the City of Marysville and Snohomish County based on 20% of the average daily trips generated from the proposed project multiplied by the County mitigation fee of \$46.00 per new average daily trip (ADT) for the multi-family phase, and \$39.00 per new ADT for the commercial phases (Exhibit 35).

Staff Comment: The applicant submitted a signed traffic mitigation offer to Snohomish County in the amount of \$69,404.20. The traffic mitigation offer was approved by Snohomish County through a Record of Developer Obligations for Mitigation of Impacts to the County Road (Exhibit 68).

- i. *Stillaguamish Tribe:* No comments received.

- j. *Tulalip Tribes:* No comments received.

18. MMC 22G.100.100(3) requires the City to determine whether or not the BSP complies with the following criteria:

- a. Whether the proposed BSP and development of the parcel(s) relate to all elements of the Marysville Comprehensive Plan.

Staff Comment: The Comprehensive Plan designation for the subject property is Mixed Use and General Commercial. The proposed development and subsequent use of the property will be consistent with the pertinent development policies outlined in the Marysville Comprehensive Plan, as conditioned herein.

The following development policies outlined in the Comprehensive Plan that are specifically pertinent to this request, and were used to establish appropriate conditions, are as follows:

LAND USE ELEMENT

General Development Land Use Policies

Policies: LU-3, LU-4, LU-5, LU-6, LU-7, LU-8, LU-9, LU-11

Commercial Land Use Policies

Policies: LU-58, LU-59, LU-60, LU-64, LU-67, LU-68, LU-69, LU-72, LU-76, LU-81

General Commercial

Policies: LU-98

Mixed Use

Policies: LU-154, LU-156, LU-157, LU-158, LU-163

HOUSING ELEMENT

Housing Policies

Policies: HO-21, HO-26

ENVIRONMENTAL ELEMENT

Environmentally Sensitive Lands Policies

Policies: EN-9, EN-12, EN-13, EN-15

Earth Goals and Policies

Policies: EN-19, EN-21

Water: Quality, Wetland and Watershed Protection, Storm Water Runoff, Drainage, Shoreline Goals and Policies

Policies: EN-27, EN-29, EN-32, EN-38

TRANSPORTATION ELEMENT

Transportation System Efficiency and Safety

Policies: T-7, T-8, T-9, T-11

Public Involvement and Agency Coordination

Policies: T-13

Mobility Options

Policies: T-24, T-25, T-26, T-27, T-28, T-30

Sustainable Transportation Systems and the Environment

Policies: T-34, T-38

Level of Service Standards and Concurrency

Policies: T-40, T-41

Financing and Implementation

Policies: T-44, T-45, T-46

UTILITIES ELEMENT

Policies: UT-1, UT-3, UT-8, UT-9

PUBLIC FACILITIES & SERVICES ELEMENT

Police, Fire, Library

Policies: PS-1, PS-3, PS-9, PS-10, PS-11

Schools

Policies: SC-8

Water, Sewer, Storm Drainage, Solid Waste

Policies: PF-1, PF-2, PF-7, PF-18, PF-19, PF-20, PF-26

- b. Whether the proposed BSP meets the zoning regulations.

Staff Comment: Approximately 13 of the 39.4-acres is currently zoned Mixed Use (MU). The remaining 26.4-acres is zoned General Commercial (GC). The applicant is proposing a rezone in order to increase the acreage of MU zoning from 13 to 16.6-acres, with the remaining 22.8-acres to retain GC zoning.

The purpose of the MU zone is to provide for pedestrian- and transit-oriented high-density employment uses, together with limited complementary retail and higher density residential development, in locations within activity centers where the full range of commercial activities is not desirable.

The purpose of the GC zone is to provide for the broadest mix of commercial, wholesale, service and recreation/cultural uses with compatible storage and fabrication uses, serving regional market areas and offering significant employment.

After review of the preliminary BSP, and other supporting documentation and materials submitted with the application the preliminary BSP and concurrent Rezone, as conditioned herein, shall comply with all of the applicable development standards outlined in Title 22 MMC, *Unified Development Code*.

- c. Whether the binding site plan properly takes into account the topography, drainage, vegetation, soils and any other relevant physical elements of the site.

Staff Comment: A Phase I Environmental Site Assessment (ESA) was prepared by Adapt Engineering, Inc., dated February 15, 2012 (Exhibit 39) for the entire 39.4-acre project site. A Phase I ESA was also prepared by Earth Solutions NW, dated November 9, 2007 (Exhibit 41), for the 19-acres located east of 25th Avenue NE. The Phase 1 ESAs were prepared in order to identify recognized environmental conditions in connection with the subject property. According to the ESAs, no evidence or recognized environmental conditions in connection with the property were revealed.

A Geotechnical Engineering Study (GES) was prepared by Earth Solutions NW, LLC (Exhibit 14), in order to evaluate: the subsurface conditions and characterization of the soil and groundwater conditions; recommendations for site grading, drainage and structural fill placement; recommendations for soil bearing capacity, subgrade preparation, foundations and pavements; and preliminary geotechnical recommendations for stormwater infiltration and pervious pavements. The applicant/contractor shall adhere to the recommendations outlined in the GES, dated May 21, 2012, or as amended.

d. Public Services:

i. Adequate water supply

Staff Comment: A 12" ductile-iron water main is located in 25th Avenue NE, an 8" DI water main is located in 27th Avenue NE, and a 12" cast-iron water main is located within 172nd Street NE (SR 531). The applicant is proposing to tap the existing mains and loop the water service throughout the development in order to provide service to each building and provide adequate fire flow. The existing water main located within 25th Avenue NE shall be required to be relocated in order to vacate a portion of 25th Avenue NE.

Water improvements will be designed in accordance with the applicable provisions of the MMC, which will be specifically addressed during civil construction plan review.

ii. Adequate sewage disposal

Staff Comment: A 6" sewer force main is located in 25th Avenue NE, which serves the townhome development to the north, known as Carol's Creek Landing. The applicant shall not be allowed to connect to the existing force main. A 10" PVC sewer main is located in 25th Avenue NE and 172nd Street NE (SR 531). The applicant is proposing to extend the sewer mains within 25th Avenue NE and 172nd Street NE (SR 531) to serve the development. However, due to the limited depth of the existing sewer main within 172nd Street NE (SR 531), the applicant is proposing to extend the sewer main within 27th Avenue NE, west to 25th Avenue NE, in order to provide properties north of the proposed development, along 25th Avenue NE, adequate sanitary sewer service in the future.

Sewer improvements will be designed in accordance with the applicable provisions of the MMC and specifically addressed during civil construction plan review.

iii. Appropriate storm drainage improvements

Staff Comment: A Preliminary Drainage Report (PDR), dated June 2012 (Exhibit 28), and revised on October 2012 (Exhibit 42), was prepared by Joseph M. Smeby, PE. According to the PDR, roof runoff from the new buildings is proposed to be connected to individual infiltration systems, or will be collected and conveyed to one of the on-site wetlands to provide flows to maintain their current function. Road runoff and the parking lot run-off is proposed to be directed to catch basins and infiltration trenches spread out around the site.

Storm drainage improvements will be designed in accordance with the Stormwater Management Manual for Western Washington (SMMWW) and applicable provisions of the MMC. Storm drainage improvements will be specifically addressed during civil construction plan review.

iv. Adequate fire hydrants

Staff Comment: In a memo dated November 6, 2012 (Exhibit 45), Assistant Fire Marshall, David Vanbeek, commented that the size and locations of water mains appears to be generally adequate. The locations of some hydrants exceed the City standard for spacing between hydrants. Standard hydrant spacing for the proposed use is 300 feet. Some hydrants should be

relocated, or additional hydrants provided, to improve their spacing. Further evaluation of hydrant locations will be part of the civil plan review and approval process.

- v. Appropriate access to all anticipated uses within the site
Staff Comment: After review of the preliminary BSP, it has been determined that, as conditioned herein, the proposed motor vehicle and pedestrian accesses generally comply with the applicable provisions outlined in the MMC and the Marysville Engineering Design and Development Standards (EDDS). Final motor vehicle and pedestrian accesses improvements will be specifically addressed during civil construction plan review.
- vi. Provisions for all appropriate deeds, dedications, and/or easements
Staff Comment: Final deeds, dedication, and/or easements shall be required in accordance with the applicable provisions in the MMC and reviewed and approved, prior to recording the final BSP.
- vii. Examination of the existing streets and utilities and how the proposed BSP relates to them.
Staff Comment: After review of the preliminary BSP, it has been determined that, as conditioned herein, the proposed streets and utilities generally comply with the applicable provisions outlined in the MMC and the Marysville Engineering Design and Development Standards (EDDS). Final street and utility improvements will be specifically addressed during civil construction plan review.

- e. Examination of the project through the SEPA process and a determination of whether the proposed binding site plan complies with the SEPA requirements.

Staff Comment: After evaluation of the applicant's environmental checklist submitted with the application, and other supporting documentation and application materials, a Mitigated Environmental Threshold Determination of Non-Significance (MDNS) was issued on February 15, 2012 (Exhibit 59). The appeal period for the MDNS expired on March 4, 2013. No appeals were filed.

- f. Binding site plans shall comply with the critical areas land division requirements of MMC 22E.010.350.

Staff Comment: The proposed lots within the BSP contain at least one building site, including access that is suitable for development and is not within the critical areas or its associated setback in accordance with MMC 22E.010.350(1). Prior to recording the final BSP, the critical areas and associated buffers and setbacks shall be placed in a separate tract on which development is prohibited in accordance with MMC 22E.010.350(2).

- 19. MMC 22G.010.420(1) requires the applicant to demonstrate that the proposal is consistent with the comprehensive plan, and applicable functional plans, and complies with the following criteria:

- a. There is a demonstrated need for additional zoning as the type proposed;
- b. The zone reclassification is consistent and compatible with uses and zoning of the surrounding properties;
- c. There have been significant changes in the circumstances of the property to be rezoned, or surrounding properties, to warrant a change in classification; and
- d. The property is practically and physically suited for the uses allowed in the proposed zone reclassification.

The applicant submitted a written response to the rezone criteria outlined above (Exhibit 5). After evaluation of the applicant's written response, and other supporting documentation and application materials, the proposed rezone, as conditioned herein, complies with the rezone criteria and applicable development standards outlined in Title 22 MMC, *Unified Development Code*.

20. Pursuant to MMC 22G.010.420(2), properties at the edges of land use districts can make application to rezone property to the bordering zone without applying for a comprehensive plan map amendment if the proponent can demonstrate, the following:
- a. The proposed land use district will provide a more effective transition point and edge for the proposed land use district than strict application of the comprehensive plan map would provide due to neighboring land uses, topography, access, parcel lines or other property characteristics;
 - b. The proposed land use district supports and implements the goals, objectives, policies and text of the comprehensive plan more effectively than strict application of the comprehensive plan map; and
 - c. The proposed land use change will not affect an area greater than 10 acres, exclusive of critical areas.

The applicant submitted a written response to the rezone criteria outlined above (Exhibit 5). After evaluation of the applicant's written response, and other supporting documentation and application materials, the proposed rezone, as conditioned herein, will be consistent with the applicable development goals and policies outlined in the Marysville Comprehensive Plan.

21. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed development is beneficial to the public health, safety and welfare and is in the public interest.
22. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the proposed development does not lower the level of service of transportation and/or neighborhood park facilities below the minimum standards established within the comprehensive plan.
23. After evaluation of the application materials and other supporting documentation available to the City, Staff concludes that, as conditioned, the area, location and features of land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.

2.0 RECOMMENDATION

Based on the foregoing findings and conclusions, review of the environmental documents submitted by the applicant, and the City's regulatory authority to implement the policies, standards, and regulations of the Marysville Comprehensive Plan and MMC, the Community Development Department hereby recommends the Hearing Examiner **APPROVE** the preliminary BSP and forward a recommendation of **APPROVAL** of the Rezone, for Lakewood Station, to Marysville City Council, subject to the following conditions:

1. The preliminary BSP received by the Community Development Department on March 1, 2013 (Exhibit 66) shall be the approved preliminary BSP layout.
2. Project design shall comply with the condition of the Comprehensive Plan Map Amendment and concurrent rezone Ordinance No. 2755, requiring two (2) east-west road connections, one located at approximately the 17300 Block and the other located at approximately the 17500 Block.
3. All power lines, telephone wires, television cables, fire alarm systems and other communication wires, cables or lines shall be placed underground either by direct burial or by means of conduit or ducts providing service to each building.
4. A six (6) to eight (8) foot CMU wall shall be installed along the east perimeter of the development from 173rd Street NE to the northeast property corner, separating the multi-family and commercial uses from the Lakewood Commons single-family condominium development. This detail shall be provided on the on the civil construction, and/or

architectural plans.

5. The following design elements shall be incorporated into the commercial portion of the BSP:
 - a. Public entrances for the buildings located along 25th Avenue NE, 27th Avenue NE, 172nd Street NE (SR 531) and 173rd Street NE shall be visible and accessible from public streets and sidewalks. Preferably these access ways should be separated from the parking and drive aisles. If access traverses the parking lot, then it should be raised and clearly marked.
 - b. Pedestrian-oriented space shall be required at intersections and street corners leading directly to a building entry or entries, such as:
 - i. Pedestrian access to the abutting structures from the street;
 - ii. Paved walking surfaces of either concrete or approved unit paving;
 - iii. Pedestrian scaled lighting (no more than 15' in height) at a level averaging at least 2 foot candles throughout the space;
 - iv. Landscaping components that add seasonal interest to the space;
 - v. Pedestrian amenities, such as a water feature, drinking fountain, tables, and/or distinctive paving or artwork.
 - vi. A pedestrian-oriented building façade.
 - vii. If providing pedestrian oriented space is not feasible or desirable per the director, consider the following:
 - A. Install substantial landscaping (at least 30 x 30' or 900 SF of ground surface area with trees, shrubs, and or groundcover). The space may include a special architectural element, such as a trellis, to add identity or demarcation of the area. Such an architectural element may have a sign incorporated into it (as long as such sign does not identify an individual business or businesses).
 - B. Other treatments will be considered by the Director, provided they meet the intent of the standards and guidelines outlined above.
 - c. Blank walls shall not be allowed on elevations facing a public or private road. A blank wall is a ground floor wall, or portion of a ground floor wall, over 4' in height having a horizontal length greater than 15' that does not include a transparent window or door, or, any portion of a ground floor wall having a surface area of 400 SF or greater that does not include a transparent window. Design Treatments to eliminate blank walls shall include, but shall not be limited to:
 - i. Transparent windows or doors;
 - ii. Display windows;
 - iii. Landscape planting bed at least 5 feet wide or a raised planter bed at least 2 feet high and 3 feet wide in front of the wall. Such planting areas shall include planting materials that are sufficient to obscure or screen at least 60% of the wall's surface within 3 years;
 - iv. Installing vertical trellis in front of the wall with climbing vines or plant materials sufficient to obscure or screen at least 60% of the wall's surface within 3 years. For large areas, trellises should be used in conjunction with other blank wall treatments.
 - v. Other methods such as murals or special building material treatments that meet the intent of the standards outlined above may be approved by the director.
 - d. Street furniture, including the following elements, shall be provided and strategically located throughout:
 - i. Trash Receptacles: Ironsites Series S-20 as manufactured by Victor Stanley; Powdercoating Victor Stanley, or comparable.
 - ii. Ash Urn: Ironsites Series S-20 as manufactured by Victor Stanley; Powdercoating Victor Stanley, or comparable.

- iii. Benches: Victor Stanley RB-28 steel sides bench or Timber Form Renaissance Model 2806-5, 5'-1" length with arm rest; Powdercoat over galvanized zinc, or comparable.
 - e. Plazas and gathering places for relaxing, eating, socializing and recreating shall be provided and designed, as follows:
 - iv. Sized between 5,000 to 10,000 SF.
 - v. Able to serve as a center for daily activities.
 - vi. Paving should be unit pavers or concrete with special texture, pattern, and/or decorative features.
 - vii. Pedestrian amenities should be provided, including features such as seating, plants, drinking fountains, artwork, and such focal points as sculptures or water features.
- 6. Detailed recreational site amenities and boundaries of proposed recreational facilities shall be provided on the civil construction, architectural, or landscape plans for the multi-family portion of the site in accordance with MMC 22C.020.270 & MMC 22C.020.280. Recreational amenities shall be reviewed and approved by the Parks Director.
- 7. A detail of the bicycle parking spaces shall be provided on the civil construction or architectural plans, and designed in accordance with MMC 22C.130.060.
- 8. A lighting plan and details for parking lot illumination locations, materials and fixture design shall be provided on the civil construction or architectural plans. Lighting shall comply with the following design standards:
 - a. 25' maximum height.
 - b. Fixtures shall be full cut-off, dark sky rated, with lower fixtures preferable so as to maintain a human scale.
 - c. Parking lot lighting shall be designed to provide security lighting to all parking spaces.
 - d. 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.
 - e. Fixture design shall incorporate unique design features that coincide with the architectural design of the development.
 - f. Pedestrian scale lighting (light fixtures no taller than 15') is required in areas of pedestrian activity. Lighting shall enable pedestrians to identify a face 45' away in order to promote safety.
 - g. Exterior lighting shall be part of the architectural concept. Lighting shall enhance the building design and adjoining landscaping. It should provide adequate lighting to ensure safety and security, and enhance and encourage evening activities. In addition, the following shall be addressed:
 - i. The site plan shall identify lighting equipment and standards. Uplighting on trees and provisions for seasonal lighting are encouraged.
 - ii. Accent lighting on architectural and landscape features is encouraged to add interest and focal points.
- 9. Prior to civil construction plan approval, a detailed landscaping plan depicting all of the applicable elements outlined in MMC 22C.120.030 will be required to be submitted for review and approval. The landscape plan shall incorporate the following design elements, as outlined in Chapter 22C.120 MMC:
 - a. All landscaped areas shall be provided with an irrigation system or a readily available water supply with at least 1 outlet located within 50' of all plant material.
 - b. Water conservation measures shall be applied as outlined in MMC 22C.120.050.

- c. The proposed and existing residential structures shall be buffered from commercial structures and adjoining parking lots by use of vegetation, landscaping, fencing, walls, berms or other similar methods which are deemed under the circumstances to create effective and aesthetically pleasing screens or buffers between such diverse land uses.
- d. Site development shall be sensitive to the preservation of native trees, where applicable.
- e. A 20' L1 landscape buffer, plus a quality 6' minimum height, sight-obscuring fence or wall, is required to be installed to create a buffer between the commercial portion of the site and the existing single-family residential properties.
- f. A 10' L1 landscape buffer, plus a quality 6' minimum height, sight-obscuring fence or wall, is required to be installed to create a buffer between the multi-family portion of the site and the existing single-family residential properties.
- g. A 10' L2 landscape buffer, plus a quality 6' minimum height, sight-obscuring fence or wall, is required to be installed to create a buffer between the commercial portion of the site and the proposed multi-family residential properties.
- h. A 15' L3 landscape buffer is required between off-street parking and drive-aisles and 172nd Street NE (SR 531).
- i. A 10' L3 landscape buffer is required between off-street parking and drive-aisles and 27th Avenue NE, 25th Avenue NE, 173rd Street NE and 174th Street NE.
- j. The development shall create a well-defined streetscape to allow for the safe movement of pedestrians. Whenever possible, building setbacks shall be minimized and parking and drive-through passageways shall be relegated to the side and rear of buildings.
- k. Attractive landscape transition to adjoining properties shall be provided.
- l. Where buildings are not located along the street frontages, enhanced landscaping shall be required in order to create an attractive street edge.
- m. Ten (10%) percent of the required parking areas shall be landscaped with L4 landscaping, provided that:
 - i. No parking stall shall be located more than 45' from a landscaped area;
 - ii. All landscaping must be located between parking stalls, at the end of parking columns, or between stalls and the property line;
 - iii. All individual planting areas within parking lots shall be planted with at least one tree, be a minimum of 5' in width and 120 SF in size, and in addition to the required trees, shall be planted with a living groundcover;
 - iv. All landscaped areas shall be protected from vehicle damage by a 6" protective curbing. Wheel stops may be substituted when required to allow storm water to pass.
 - v. A minimum 2' setback shall be provided for all trees and shrubs where vehicles overhang into planted areas.
- n. Pursuant to MMC 22C.130.050(6), screening in the form of a solid masonry wall, architectural fence or dense coniferous hedge shall be effected or planted and maintained to a height of not less than 5' where a parking lot has a common boundary line with any residentially developed property.
- o. Street trees are required to be planted along all public streets and access roads/easements and comply with the following:
 - i. Street trees shall be planted between the curb and the walking path of the sidewalk. Either 5' x 5' pits with tree grates or a continuous planting strip with groundcover that is at least 5' wide may be used. Where planting strips are not incorporated into the design, street trees shall be located behind the sidewalk.
 - ii. Street trees shall meet the most recent ANSI standards for a 1 1/2" caliper tree at the time of planting, and shall be spaced to provide a continuous canopy coverage within 10-years.

- p. Utility meters, electrical conduit, and other service utility apparatus shall be located and/or designed to minimize their visibility to the public. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features.
 - q. Additional landscaping design standards related to site and building design are outlined in MMC 22C.020.250.
10. The following calculations and design elements for storage space and collection points for recyclables shall be provided on the civil construction or architectural plans and approved by the Sanitation Division:
- a. Residential:
 - i. 1 ½ SF per dwelling unit.
 - ii. The storage area shall be dispersed in collection points throughout the site.
 - iii. Minimum of 1 collection point for every 30 dwelling units.
 - iv. Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.
 - v. Collection points located in separate buildings/structures or outdoors shall be no more than 200' from a common entrance of a residential building.
 - vi. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
 - b. Commercial:
 - i. 5 SF per every 1,000 SF of commercial GFA.
 - ii. Storage space may be allocated to a centralized collection point.
 - iii. Outdoor collection points shall not be located in any required setback areas.
 - iv. Collection points shall be located in a manner so that hauling trucks do not obstruct pedestrian or vehicle traffic on-site, or project into any public right-of-way.
 - v. Access to collection points may be limited, except during regular business hours and/or specified collection hours.
 - c. Generally:
 - i. Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
 - ii. Architectural design of any structure enclosing an outdoor collection point, or any building primarily used to contain a collection point, shall be consistent with the design of the primary structure(s) on the site.
 - iii. Collection points shall be identified by signs not exceeding 2 SF.
 - iv. A 6' wall or fence shall enclose any outdoor collection point.
 - v. Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12' wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12'.
 - vi. Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.
11. The following solid waste details will be required to be provided on the civil construction, architectural, or landscape plans:
- a. Service elements shall be located to minimize the negative visual, noise, odor, and physical impacts to the street environment, adjacent (on and off-site) residents or other uses, and pedestrian areas.
 - b. The designated spot for service elements shall be paved with concrete.

- c. Appropriate enclosure of the common trash and recycling elements shall be required, as determined by the Director. Requirements and considerations:
 - i. A 6-foot fence constructed of concrete block or brick enclosing trash and recycling receptacles is required. Coordination with the current franchise hauler is required. The sides and rear of the enclosure must be screened with Type L1, L2, L3, or L4 Landscaping at least 5' deep in visible locations, as determined by the director, to soften the views of the screening element and add visual interest.
 - ii. Preferably, service enclosures are integrated into the building itself.

3.0 MDNS CONDITIONS

A Mitigated Determination of Non-Significance (MDNS) was issued on February 15, 2013. The mitigation measures imposed to minimize the probable significant adverse environmental impacts of the proposed BSP and concurrent Rezone for Lakewood Station are referenced below:

1. The applicant/contractor shall adhere to the recommendation outlined in Geotechnical Engineering Study, prepared by Earth Solutions NW, LLC, dated May 21, 2012, or as amended.
2. *Prior to civil construction plan approval*, the applicant shall submit a more detailed noise analysis in order to determine the extent of required mitigation, as recommended in the preliminary noise analysis, prepared by The Greensbusch Group, Inc., dated December 5, 2012. This noise analysis shall include, but not be limited to, a review of any external mechanical equipment, delivery and loading areas, parking lot traffic, street sweeping lot parking lots, as well as recommendations to mitigate any noise impacts the proposed commercial development will have on the adjacent single-family (existing) and multi-family (proposed) properties.
3. The applicant shall be required to replace the off-site stormwater culvert under 172nd Street NE, which is located at 2131 172nd Street NE. Additionally, the applicant shall be required to analyze the peak flows for this system to ensure that the new culvert and existing ditch can convey developed peak flows.
4. The applicant shall obtain all necessary state and federal authorizations for wetland impacts prior to beginning any ground disturbing activities within the wetland areas or associated buffers.
5. The existing on-site sewage system(s) shall be abandoned by having the septic tank(s) pumped by a certified pumper, then having the top of the tank removed or destroyed and filling the void (WAC 246-272A-0300). Documentation demonstrating completion of this work shall be submitted *prior to final BSP approval*.
6. The existing on-site well(s) shall be decommissioned in accordance with WAC 173-160-381. A copy of the well contractor's decommissioning report(s) shall be submitted *prior to final BSP approval*.
7. A street vacation for 25th Avenue NE shall be required to be approved by Marysville City Council in accordance with Chapter 12.32 MMC. The street vacation shall be reviewed by Marysville City Council concurrently with the Hearing Examiner's Recommendation on the proposed rezone.
8. Public right-of-way (ROW) shall be dedicated along 172nd Street NE (SR 531) in order to accommodate the 90' principal arterial 5-lane public ROW section (EDDS SP3-201-002), in accordance with MMC 12.02A.110(1)(c), unless additional ROW is required to be dedicated by Washington State Department of Transportation (WSDOT). The City Engineer and WSDOT shall review and approve the required ROW dedication, *prior to civil construction plan approval*.

9. Thirty-feet (30') of public ROW shall be dedicated along 174th Street NE, west of 25th Avenue NE, in order to accommodate the half-street 60' neighborhood collector public ROW section (EDDS SP3-202-001) in accordance with MMC 12.02A.110(1)(c).
10. Public ROW shall be dedicated along 25th Avenue NE and 27th Avenue NE, in order to accommodate the 60' collector arterial/commercial access street public ROW section (EDDS SP3-201-003) in accordance with MMC 12.02A.110(1)(c).
11. 173rd Street NE is approved as a private road. 173rd Street NE shall be designed and constructed to the public road standard, including two 11' travel lanes, two 5' bicycle lanes, curbs & gutter per EDDS Section 3-514, two 5' planter strips and two 5' sidewalks. A public utility and access easement for the private road shall be reviewed and approved by the City Engineer and *recorded concurrently with the BSP*.
12. The applicant shall be required to construct frontage improvements along 172nd Street NE (SR 531), 173rd Street NE (private), 174th Street NE, 25th Avenue NE and 27th Avenue NE, in accordance with MMC 12.02A.090, *prior to recording the BSP*. Frontage improvements shall include street lighting and signal communications conduit. Roadway improvements, channelization and site access plans will be required to be reviewed and approved by the City Engineer and WSDOT (SR 531 and traffic signals) *prior to construction plan approval*.
13. Frontage improvements along 172nd Street NE (SR 531) shall be credited against the traffic impact fees in accordance with Section 22D.030.070(5) MMC. The amount of credit for improvements to 172nd Street NE (SR 531) shall be approved by the City Engineer.
14. The applicant shall construct a traffic signal at the intersection of 25th Avenue NE and 172nd Street NE (SR 531) *prior to recording the BSP*. Traffic signal design shall consider both the short-term (one eastbound through lane) and long-term (two eastbound through lanes) at this location. Signal design shall include protected phasing for the eastbound left-turn. Signal construction plans shall be reviewed and approved by the City Engineer and WSDOT *prior to civil construction plan approval*. Credit towards traffic impacts fees shall not be given for any work related to design and construction of the signal.
15. The applicant shall conduct a detailed analysis in order to understand street system operations and queuing along 27th Avenue NE between the site access and 172nd Street NE *prior to civil construction plan approval*. The evaluation shall consider impacts to the neighborhood north and east of the site. Analysis shall determine if dual southbound left-turn lanes and/or access management is necessary to provide adequate operations and minimize neighborhood impacts. After review of the analysis, the City Engineer shall determine whether or not signal improvements or access management on 27th Avenue NE will be required.
16. The applicant shall install Lemec Renaissance Series color BRTX street luminaire fixtures along 172nd Street NE (SR 531), 173rd Street NE (private), 174th Street NE, 25th Avenue NE and 27th Avenue NE. Street illumination shall be designed in accordance with Section 3-506 of the Marysville Engineering Design and Development Standards (EDDS).
17. The applicant shall install a 6' wide by 16' long concrete pad on the back side of the sidewalk at the existing Community Transit bus stop on the northwest corner of 172nd Street NE (SR 531) and 27th Avenue NE for the future installation of a bus shelter.
18. The applicant shall install a 6' wide by 16' long concrete pad on the back side of the sidewalk for a future Community Transit bus stop on the northwest corner of 172nd Street NE (SR 531) and 25th Avenue NE for the future installation of a bus shelter.
19. In order to mitigate impacts upon the future capacity of the road system, the applicant shall be required to submit payment to the City of Marysville, on a proportionate share cost of the future capacity improvements as set forth in MMC 22D.030.070(3), for the development. Traffic impact fees shall be vested at a rate of \$3,290.00 per multi-family unit and \$1,870.00 per commercial PM Peak Hour Trip (PMPHT).
20. Pursuant to the ILA with Snohomish County, the applicant is obligated to pay traffic mitigation based on 20% of the average daily trips generated from the proposed project multiplied by the County mitigation fee of \$46.00 per new average daily trip (ADT) for the

multi-family phase and \$39.00 per new ADT for the commercial phases. The applicant submitted a signed traffic mitigation offer to Snohomish County, in the amount of \$69,404.20, calculated as follows:

USE	ADT	RATE (20%)	IMPACT FEE
Multi-Family (348-units)	1493	\$9.20	\$13,735.60
Commercial	7137	\$7.80	\$55,668.60
TOTAL			\$69,404.20

Snohomish County reserves the right to adjust the impact fee if there is a change of use or building size within the development.

Index #10

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: PA 13-007 'Capital Facilities Plan Update'	AGENDA SECTION:	
PREPARED BY: Cheryl Dungan, Senior Planner	AGENDA NUMBER:	
ATTACHMENTS: 1. Marysville <i>DRAFT</i> Capital Facilities Plan 2013-2018 2. Planning Commission Minutes	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

The Marysville Planning Commission (PC) completed their review and recommendation for the Marysville Capital Facilities Plan 2013-2018 (CFP). The CFP is the document that communicates the City's plan for capital construction and purchases for a six-year period as required by the Growth Management Act (GMA). While the CFP does not cover routine maintenance, it does include construction, engineering, administration, permitting, taxes and interest. Capital improvements that are included in the CFP are generally defined as any structure, improvement, piece of equipment or other major asset, including land that has useful life of at least ten years.

The PC held a public workshop on March 26, 2013 and held a Public Hearing on April 23rd, 2013 to accept public comment and to review the CFP following public notice. The PC recommendation is reflected in the April 23rd, 2013 public hearing minutes attached hereto.

The GMA allows jurisdictions to amend the Comprehensive Plan *not more than once* per calendar year. The statutory exceptions, contained in GMA, to the once per year adoption of amendments to the Comprehensive Plan are either:

1. It needs to be part of the budget process; or
2. It needs to be an emergency.

Therefore, the CFP will need to be adopted by emergency ordinance or with an upcoming budget amendment.

RECOMMENDED ACTION: Staff recommends the Council affirm the Planning Commission's recommendation on the Marysville Capital Facilities Plan 2013-2018, and formerly adopt by Ordinance with an upcoming budget amendment.
COUNCIL ACTION:

XII. CAPITAL FACILITIES PLAN

INTRODUCTION

The Washington State Growth Management Act requires that the City of Marysville develop a Comprehensive Plan that includes five mandatory planning elements, and suggests the inclusion of *optional* elements. The mandatory elements are:

- 1) *Capital facilities element*, with a six year plan for financing identified capital needs.
- 2) Land use element.
- 3) Housing element.
- 4) Utilities element.
- 5) Transportation element.

The City of Marysville's Comprehensive Plan also includes an Economic Development, Parks and Open Space, Public Services & Facilities and Environmental & Resource Management elements.

The Capital Facilities Plan (CFP) is the document that communicates the City's plan for capital construction and purchases for six-years and beyond as required by the Growth Management Act. Capital projects included in the 6-year CFP are grouped by the following departments: **Public Works** (transportation and roadway, water, sewer, storm drainage), **City Facilities** and **Parks & Open Space**. Additionally, the City of Marysville adopted the Capital Facilities Plans for the Marysville, Lake Stevens and Lakewood School Districts as referenced herein.

What are Capital Facilities, and Why Do We Need to Plan for Them?

Capital facilities are the public facilities we use on a daily basis. Presently the City of Marysville is responsible for providing facilities and services, which include police, water and sewer service, streets, parks, library, and solid waste collection. In order to be fiscally responsible, it is imperative that a realistic Capital Facilities Plan (CFP) be formulated, adopted, and reviewed to ensure the acquisition, maintenance, and construction of the capital facilities needed to sustain the residents, businesses and industries at an acceptable level of service, while protecting the health, welfare, and safety of the community as a whole.

While the CFP does not cover routine maintenance, it does include construction, engineering, administration, permitting, taxes, and interest. Capital improvements that are included in the CFP are generally defined as any structure, improvement, piece of equipment or other major asset, including land that has a useful life of at least ten years.

All of these facilities must be planned for years in advance to assure that they will be available and adequate to serve all who need or desire to utilize them. Such planning involves determining not only where the facilities will be needed, but when; and not only how much they will cost, but how they will be paid for.

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Financial planning and implementation of capital facilities cannot be effectively carried out on an annual basis, since their financing requires multi-year commitments of fiscal resources. Thus the CFP becomes a long term planning and budgeting tool with a planning period of six years and beyond.

The CFP is an important link between the City's planning budgetary processes, allowing us to determine the projects that are needed to achieve the goals of the Comprehensive Plan and directly related to growth management and plan implementation. If the funding for new capital improvement falls short of the assumed levels, and phasing or other methods do not resolve the shortfall, the City will reassess the land use to bring the plan and its required funding into balance.

Concurrency and Levels-of-Service Requirements

The Growth Management Act (GMA) requires jurisdictions to have capital facilities in place and readily available when new development occurs or a service area population grows. This concept is known as *concurrency*. The GMA requires concurrency for transportation facilities and also requires all other public facilities to be "adequate." Specifically, this means that:

- 1) All public facilities needed to serve new development and/or a growing service area population must be in place at the time of initial need. If the facilities are not in place, a financial commitment must have been made to provide the facilities within six years of the time of the initial need; and
- 2) Such facilities must be of sufficient capacity to serve the service area population without decreasing service levels below locally established minimum levels, known as *levels-of-service*.

Levels-of-service are quantifiable measures of capacity, such as acres of parkland per capita, vehicle capacity of a roadway, or gallons per customer per day utilizing the city's water system.

Minimum standards are established at the local level. Factors that influence local standards are citizen, city council and planning commission recommendations, national standards, federal and state mandates, and the standards of neighboring jurisdictions.

The GMA stipulates that if a jurisdiction is unable to provide or finance capital facilities in a manner that meets concurrency and level-of-service requirements, it must either:

- (a) adopt and enforce ordinances which prohibit approval of proposed development if such development would cause levels-of-service to decline below locally established standards, or
- (b) lower established standards for levels-of-service.

Determining Where, When and How Capital Facilities Will be Built

In planning for future capital facilities, several factors have to be considered. Many are unique to the type of facility being planned. Sources of financing can only be used for certain types of projects. This capital facilities plan, therefore, is actually the product of many separate but coordinated planning documents, each focusing on a specific type of facility. Future sewer requirements are addressed via a sewer plan; parks facilities through a parks and recreation plan; storm drainage facility needs through stormwater basin plans; water facility needs through a water plan; and transportation needs through a transportation plan.

In addition, the recommendations of local citizens, the advisory boards, and the Planning Commission are considered when determining types and locations of projects. Some capital needs of the City are not specifically included in a comprehensive plan. Nonetheless, many of these projects are vital to the quality of life in Marysville. However, these projects do meet the growth management definition of capital facilities because of the nature of the improvement, its cost or useful life.

Capital Facilities Not Provided by the City

In addition to planning for public buildings, streets, parks, trails, water systems, sewer systems, and storm drainage systems, the GMA requires that jurisdictions plan for public school facilities. These facilities are planned for and provided throughout the UGA by the Marysville, Lake Stevens and Lakewood School Districts. Each county and city must also provide a process for identifying and citing "essential public facilities" within our area. Such facilities could include major regional facilities that are needed but difficult to site, such as airports, state educational facilities, solid-waste handling facilities, substance abuse and mental health facilities, group homes and others. The City of Marysville adopted Chapter 22G.070 MMC, *Siting Process For Essential Public Facilities*, in order to establish procedures for siting of essential public facilities in accordance with the Washington Administrative Code (WAC) and Revised Code of Washington (RCW).

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DESCRIPTION OF REVENUE SOURCES

Below is a description of the various revenue sources used to fund Capital Facilities. The City Council must appropriate all revenue sources before they are used on a capital project.

Method of Funding	Description
General Fund	General Fund appropriations are "operating" funds appropriated by the City Council from the City's General Fund. General Fund revenues mainly support general government services, security of persons and property, and parks. Sources of general fund revenue include property taxes, sales tax, fines, fees, charges for services, and investment earnings.
Secured Debt	Secured Debt provides long-term (10-30 years) financing for capital projects. Repayment of this long-term debt is usually from General Fund Revenues for G.O. and Councilmanic. Utility rates and user fees are typical sources for repaying Revenue Bonds.
LID's	Local Improvement District (LID) is a special tax assessment fund for projects that benefit a specific geographic area and a specific needed improvement. The City issues bonds for the improvements and liens/bills the benefiting properties for their portions of the assessment.
Proprietary Funds	Proprietary Funds include the following funds: Water/Sewer Utility, Surface Water Management, Solid Waste, and Golf Course Operating. Each of these proprietary funds has a dedicated source of revenue that may be appropriated by the City Council for capital projects. Sources of proprietary funds include fees, charges for services rendered, taxes, grants, impact fees, and investment earnings.
Special Revenue Funds	Special Revenue Funds, like the General Fund, derive revenue from taxes, charges for services, and other general governmental sources such as state shared revenues. Unlike the General Fund, Special Revenue Fund expenditures are limited by statute or ordinance to specific purposes. Examples are the Streets, Arterial Streets, Hotel/Motel Tax, and Tribal Gaming Funds.
Impact/Mitigation Fees	These fees are assessed to offset the costs of growth to the public facilities of the City. This is accomplished by requiring developers to pay for improvements based on the impact of their development upon the City's infrastructure and corresponding comprehensive plans. Examples of impact fees are Transportation, Parks, and Traffic mitigation fees. These fees are collected at the time building permits are issued.
REET I & II	Real Estate Excise Taxes (REET) are taxes applied to sale of real estate. The City collects an amount equal to 0.5% of the transaction. The proceeds are divided equally between REET I and REET II. These funds must be used for capital projects, which includes planning, acquisition, construction, reconstruction, repair or improvement of streets, roads, sidewalks, street and road lighting systems, traffic signals, bridges, domestic water systems, storm and sanitary sewer systems, parks, recreational facilities, fire protection facilities, trails, libraries, and administrative and judicial facilities. REET II can not be used for new construction of park, recreational, trails, law enforcement facilities, fire protection facilities, libraries, and administrative and judicial facilities.
Grants	Grants are amounts received from the federal and state government and other entities in response to a grant application from the City. Grants usually fund a specific project or type of project within a given type of facility. For example, the City regularly applies for and receives grants to fund portions of specific road projects.
Other/Miscellaneous	This designation of funding for CIP projects includes specific funds that are not specifically identified in the CIP because of their size. Revenues from these funds must meet the same tests as other fund sources for revenue adequacy.
Private Funding (developer driven)	This designation of funding for CIP projects include CIP project improvements funded and constructed by private developers as a result of project construction

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FUNDS AVAILABLE FOR CAPITAL PROJECTS

The following table represents funding sources for the six-year financial planning period. These amounts are anticipated, but are subject to change.

FUNDING SOURCE	2013	2014	2015	2016	2017	2018	Beyond	Total
<i>General Fund</i>	\$800,000	\$750,000	\$3,642,000	\$0	\$0	\$0	\$0	\$5,192,000
<i>Secured Debt</i>	\$585,000	\$3,437,500	\$0	\$9,100,000	\$1,171,517	\$0	\$0	\$14,294,017
<i>Proprietary Funds</i>	\$530,000	\$4,255,000	\$6,800,000	\$4,355,000	\$4,075,000	\$4,090,000	\$0	\$25,405,000
<i>GMA Impact fees Streets</i>	\$700,000	\$1,500,000	\$125,000	\$0	\$0	\$3,250,000	\$0	\$5,575,000
<i>GMA Impact Fees Parks</i>	\$200,000	\$817,000	\$0	\$250,000	\$0	\$0	\$0	\$1,267,000
<i>REET I</i>	\$800,000	\$1,500,000	\$125,000	\$0	\$0	\$3,250,000	\$0	\$5,575,000
<i>Grants</i>	\$1,972,500	\$1,070,000	\$0	\$200,000	\$10,000,000	\$10,000,000	\$0	\$23,242,500
<i>Private Funding (developer driven)</i>	\$2,440,000	\$5,000,000	\$4,000,000	\$4,400,000	\$15,950,000	\$12,700,000	\$0	\$44,490,000
<i>Funding Needed</i>	\$4,300,000	\$800,000	\$8,897,596	\$7,108,483	\$61,315,500	\$113,398,500	\$115,250,000	\$211,070,079
TOTAL	\$1,885,000	\$15,080,000	\$15,692,000	\$32,689,596	\$17,485,000	\$91,340,500	\$115,250,000	\$336,110,596

Note: Table above represents estimates. All estimates are depending upon financial capacity, financing markets, and other expenditures and revenues

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SUMMARY OF ANTICIPATED CITY EXPENDITURES

The following tables represent a summary of anticipated city expenditures, by individual department, for the six-year financial planning period that appear in each of the subsequent sections. Marysville, Lake Stevens and Lakewood School Districts are presented in a separate section entitled 'Schools.'

TRANSPORTATION	2013	2014	2015	2016	2017	2018	Beyond	TOTAL
<i>General Fund</i>	\$800,000	\$750,000	\$1,142,000	\$0	\$0	\$0	\$0	\$2,692,000
<i>Secured Debt</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Impact Fees</i>	\$700,000	\$1,500,000	\$125,000	\$0	\$0	\$3,250,000	\$0	\$5,575,000
<i>REET I</i>	\$700,000	\$1,500,000	\$125,000	\$0	\$0	\$3,250,000	\$0	\$5,575,000
<i>Grants</i>	\$1,100,000	\$450,000	\$0	\$0	\$10,000,000	\$10,000,000	\$0	\$21,550,000
<i>Funding Needed</i>	\$4,200,000	\$650,000	\$3,592,000	\$0	\$55,135,500	\$95,748,500	\$4,250,000	\$163,576,000
<i>Private Funding (developer driven)</i>	\$2,440,000	\$5,000,000	\$4,000,000	\$4,400,000	\$15,590,000	\$12,700,000	\$0	\$44,490,000
TOTAL	\$9,940,000	\$9,850,000	\$8,984,000	\$4,400,000	\$81,085,500	\$124,948,500	\$4,250,000	\$243,458,000

WATER	2013	2014	2015	2016	2017	2018	Beyond	TOTAL
<i>General Fund</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Secured Debt</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Proprietary Funds</i>	\$200,000	\$2,200,000	\$3,260,000	\$2,210,000	\$2,770,000	\$1,560,000	\$0	\$13,500,000
<i>Special Revenue Funds</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Impact Fees</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>REET I & II</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Grants</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>LID</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Funding Needed</i>	\$0	\$0	\$5,305,596	\$6,280,000	\$5,180,000	\$9,500,000	\$11,000,000	\$37,265,596
TOTAL	\$200,000	\$2,200,000	\$8,565,596	\$8,490,000	\$7,950,000	\$11,060,000	\$11,000,000	\$50,765,000

SEWER	2013	2014	2015	2016	2017	2018	Beyond	TOTAL
<i>General Fund</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Secured Debt</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Proprietary Funds</i>	\$330,000	\$2,055,000	\$3,540,000	\$2,145,000	\$1,305,000	\$2,530,000	\$0	\$11,905,000
<i>Special Revenue Funds</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Impact Fees</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>REET I & II</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Grants</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>LID</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Funding Needed</i>	\$0	\$0	\$0	\$0	\$0	\$6,570,000	\$0	\$6,570,000
TOTAL	\$330,000	\$2,055,000	\$3,540,000	\$2,145,000	\$1,305,000	\$9,100,000	\$0	\$11,065,000

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SURFACE WATER	2013	2014	2015	2016	2017	2018	Beyond	TOTAL
General Fund	\$0	\$0	\$0	\$828,483	\$1,000,000	\$1,580,000	\$0	\$3,408,483
Secured Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Proprietary Funds	\$3,437,500	\$0	\$1,600,000	\$1,171,517	\$0	\$0	\$0	\$6,794,017
Special Revenue Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Impact Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
REET I & II	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Grants	\$862,500	\$0	\$0	\$0	\$0	\$0	\$0	\$862,500
LID	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$4,300,000	\$0	\$1,600,000	\$2,000,000	\$1,000,000	\$1,580,000	\$0	\$11,065,000

CITY FACILITIES	2013	2014	2015	2016	2017	2018	Other	TOTAL
General Fund	\$0	\$0	\$2,500,000	\$0	\$0	\$0	\$0	\$2,500,000
Secured Debt	\$0	\$0	\$7,500,000					\$7,500,000
Proprietary Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Special Revenue Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Impact Fees	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
REET I & II	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
LID	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL	\$0	\$0	\$10,000,000	\$0	\$0	\$0	\$20	\$10,000,000

PARKS	2013	2014	2015	2016	2017	2018	Other	TOTAL
General Fund	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Secured Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Proprietary Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Special Revenue Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Impact Fees	\$200,000	\$817,000	\$0	\$250,000	\$750,000	\$0	\$0	\$1,267,000
REET I & II	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Grants	\$10,000	\$650,000	\$0	\$200,000	\$750,000	\$0	\$0	\$830,000
LID	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Funding Needed	\$100,000	\$150,000	\$0	\$0	\$0	\$0	\$0	\$250,000
TOTAL	\$325,000	\$1,617,000	\$0	\$450,000	\$1,500,000	\$0	\$0	\$2,347,000

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ALL CAPITAL PROJECTS	2013	2014	2015	2016	2017	2018	Beyond	Total
<i>General Fund</i>	\$800,000	\$750,000	\$3,642,000	\$0	\$0	\$0	\$0	\$5,207,000
<i>Secured Debt</i>	\$3,437,500	\$0	\$9,100,000	\$1,171,517	\$0	0	\$0	\$14,294,017
<i>Proprietary Funds</i>	\$530,000	\$4,255,000	\$6,800,000	4,355,000	\$4,075,000	4,090,000	0	\$25,405,000
<i>Special Revenue Funds</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<i>Impact Fees-Streets</i>	\$700,000	\$1,500,000	\$125,000	\$0	\$0	\$3,250,000	\$0	\$5,575,000
<i>Impact Fees-Parks</i>	\$200,000	\$817,000	\$0	\$250,000	\$750,000	\$0	\$0	\$2,017,000
<i>REET I</i>	\$700,000	\$1,500,000	\$125,000	\$0	\$0	\$3,250,000	\$0	\$5,575,000
<i>Grants</i>	\$1,972,500	\$1,100,000	\$0	\$200,000	\$10,750,000	\$10,000,000	\$0	\$24,022,500
<i>Private Funding (developer driven)</i>	\$2,440,000	\$5,000,000	\$4,000,000	\$4,400,000	\$15,950,000	\$12,700,000	\$0	\$44,490,000
<i>Funding Needed</i>	\$4,300,000	\$800,000	\$8,897,596	\$7,108,483	\$61,315,500	\$113,398,500	\$15,250,000	\$211,070,079
TOTAL	\$15,089,500	\$15,722,000	\$32,689,596	\$17,485,500	\$92,840,500	\$146,688,500	\$15,250,000	\$337,655,596

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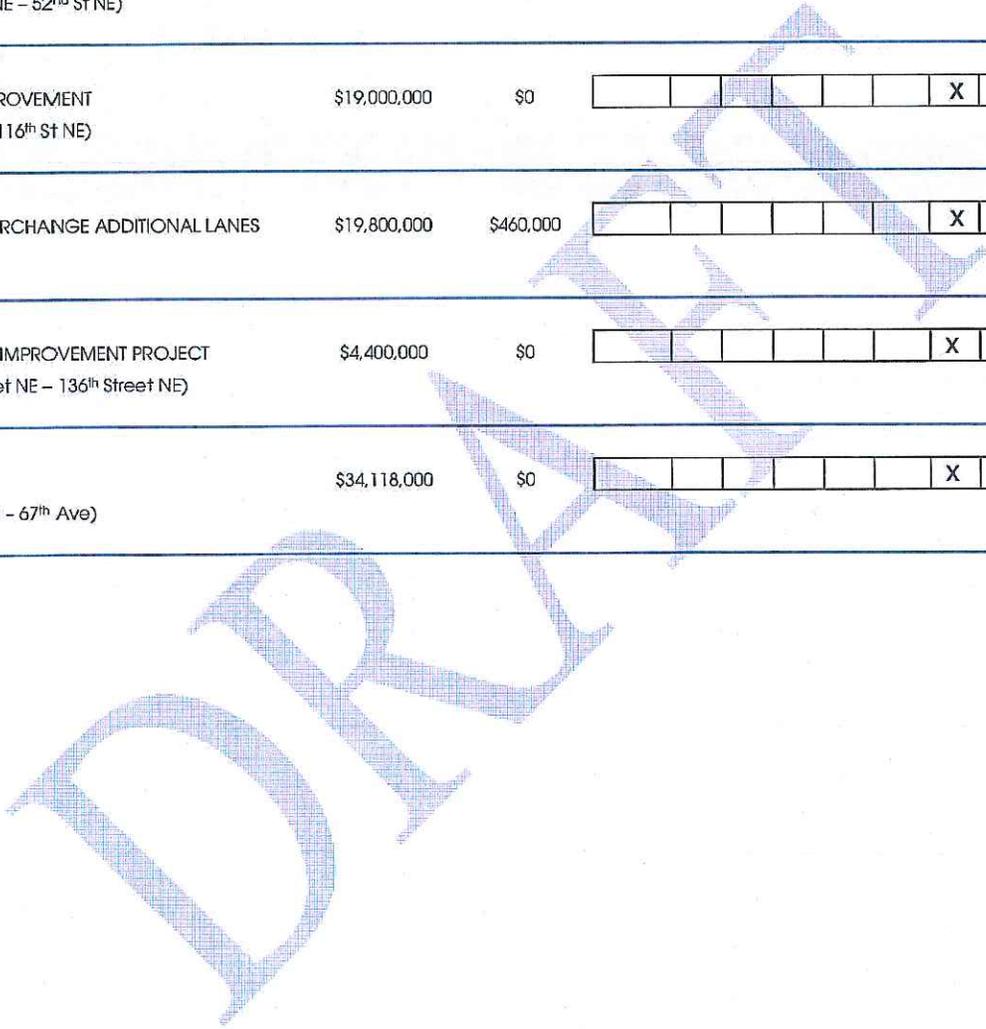
PROJECT STATUS REPORT AND LOCATION

This section of the CFP represents all of the ongoing and proposed capital projects grouped by project type. Some of the projects are on-going capital projects that have been funded prior to the 2013 - 2018 financial planning period. Additionally, provided in this section are vicinity maps of each departments ongoing and proposed capital projects.

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
TRANSPORTATION PROJECTS											
40 th STREET NE (83 rd Ave - SR9)	\$18,000,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
SR 528 and 53 rd STREET INTERSECTION SIGNAL	\$250,000	\$0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2014				
SR 529/INTERSTATE 5 INTERCHANGE EXPANSION	\$55,000,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
27 th AVE NE EXTENSION FROM 156 th ST NE to 166 th ST NE	\$11,800,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
FIRST STREET BYPASS	\$10,650,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
152 ND STREET NE (Smokey Point Blvd - 43 rd Ave NE)	\$4,250,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
156 th ST NE INTERCHANGE	\$41,500,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
40 th STREET (Sunnyside Blvd - SR 9)	\$11,440,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2015

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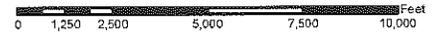
PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
TRANSPORTATION PROJECTS (continued)											
SUNNYSIDE BOULEVARD (47 th Ave NE – 52 nd St NE)	\$13,250,000	\$0							X		2018
STATE AVE IMPROVEMENT (100 th St – 116 th St NE)	\$19,000,000	\$0							X		2018
SR 528/1-5 INTERCHANGE ADDITIONAL LANES	\$19,800,000	\$460,000							X		2018
STATE AVENUE IMPROVEMENT PROJECT (116 th Street NE – 136 th Street NE)	\$4,400,000	\$0							X		2014
88 th STREET NE (State Ave – 67 th Ave)	\$34,118,000	\$0							X		2018



City of Marysville

Six Year Capitol Facilities Plan Transportation Projects

Marysville City Limits Tulalip Indian Reservation Arterials

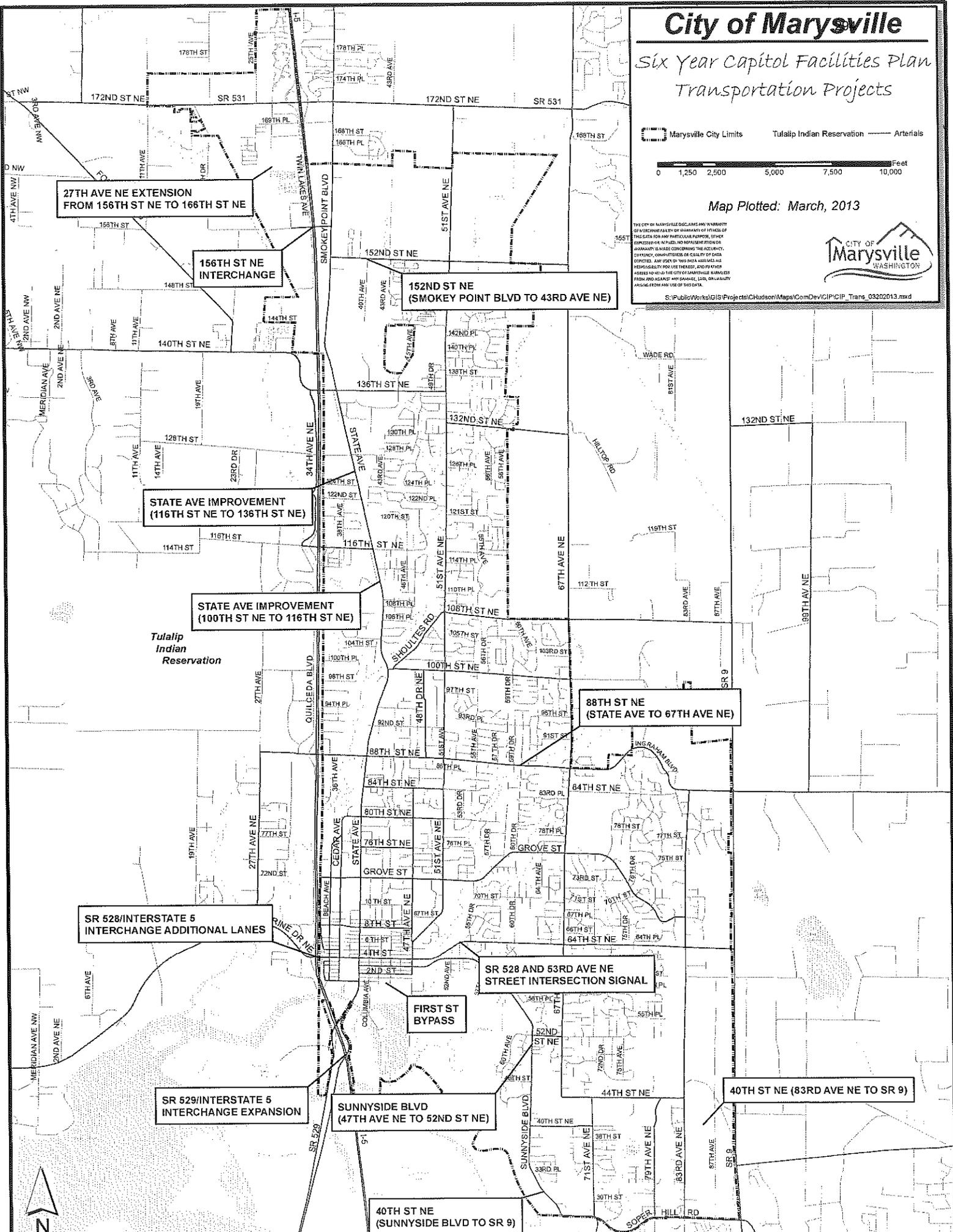


Map Plotted: March, 2013

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CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
WATER PROJECTS											
SOPER HILL RESERVOIR (Whiskey Ridge)	\$4,360,000	\$1,300,000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2015
NORTH 510 RESERVOIR	\$5,180,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2017
SOPER HILL PUMP STATION (Whiskey Ridge)	\$1,060,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2016
NORTH 510 ZONE PUMP STATION	\$1,360,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
STATE AVE (102 nd to 116 th)	\$2,970,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2016
67 th AVENUE NE (100 th St to 132 nd St)	\$4,889,596	\$0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2015
67 th AVENUE WATERMAIN (52 nd Street NE- 64 th St NE)	\$2,416,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2015
67 th AVENUE NE, 44 th ST NE & 71 st AVE NE (44 th to 52 nd) (67 th to 71 st) (to Sunnyside Reservoir)	\$2,570,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2017
45 ROAD WATERMAIN-140 th PL NE, NORTH ON 23 rd AVE NE, NORTHWEST ON THE 45 ROAD (23 rd to I-5)	\$4,500,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2018
SOPER HILL RESERVOIR WATERLINE (Whiskey Ridge)	\$2,010,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2016

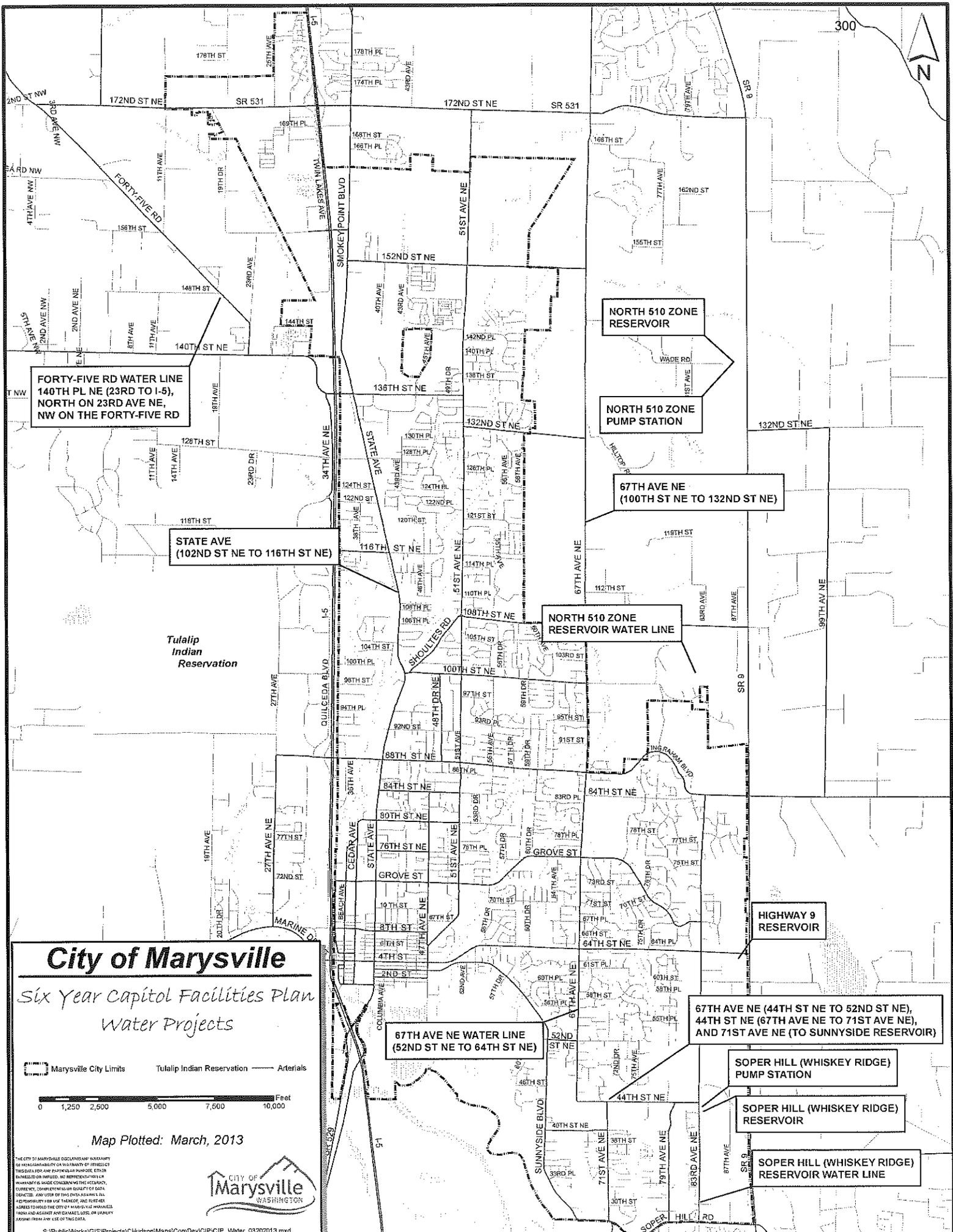
CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
WATER PROJECTS (continued)											
NORTH 510 ZONE RESERVOIR WATERLINE	\$16,000,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
HIGHWAY 9 RESERVOIR	\$2,250,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2016
WATERMAIN REHABILITATION & REPLACEMENT	\$990,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2018
WATERMAIN OVERSIZING	\$210,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2018

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CITY OF MARYSVILLE • COMPREHENSIVE PLAN

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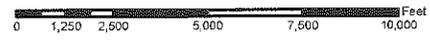


City of Marysville

Six Year Capitol Facilities Plan

Water Projects

Marysville City Limits
 Tulip Indian Reservation
 Arterials



Map Plotted: March, 2013



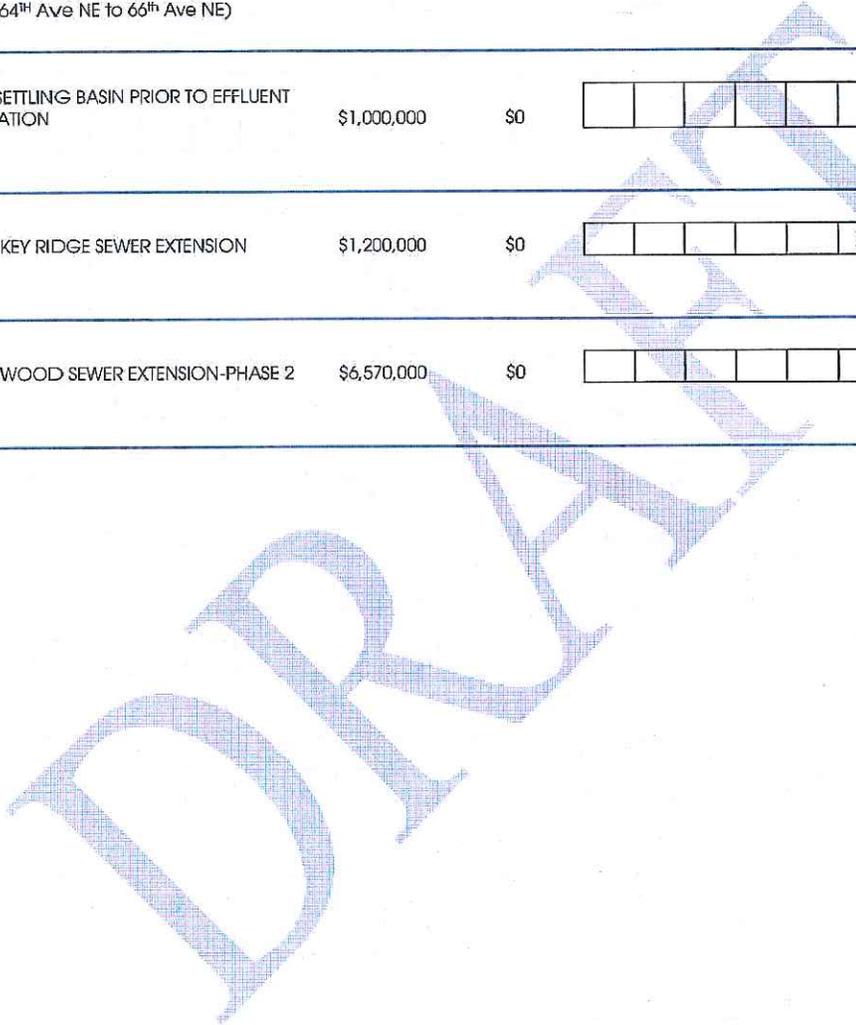
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CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
SEWER PROJECTS											
BIOSOLIDS REMOVAL	\$3,400,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
WHISKEY RIDGE SEWER PUMP STATION & FORCE MAIN	\$1,000,000	\$0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2014				
UPSIZING OF THE FILTER REJECT WET WELL & PUMP STATION	\$500,000	\$0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2015				
SEWER MAIN OVERSIZING	\$180,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
RENEWALS & REPLACEMENTS	\$1,800,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2018
WEST TRUNK PUMP STATION - PUMP UPSIZING	\$225,000	\$0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2014				
SCREEN REPLACEMENT FOR MECHANICAL SCREENS	\$500,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2017
CARROLL'S CREEK PUMP STATION EMERGENCY GENERATOR INSTALLATION	\$175,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2016
TRUNK 'G' REHABILITATION (Cedar to Columbia)	\$1,340,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2016

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
SEWER PROJECTS											
71 ST STREET IRE SEWER UPSIZING (64 TH Ave NE to 66 TH Ave NE)	\$410,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2015				
PRE-SETTLING BASIN PRIOR TO EFFLUENT FILTRATION	\$1,000,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2015				
WHISKEY RIDGE SEWER EXTENSION	\$1,200,000	\$0	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2013
LAKWOOD SEWER EXTENSION-PHASE 2	\$6,570,000	\$0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2018				



City of Marysville

Six Year Capitol Facilities Plan Sewer Projects

Marysville City Limits Tulalip Indian Reservation Arterials

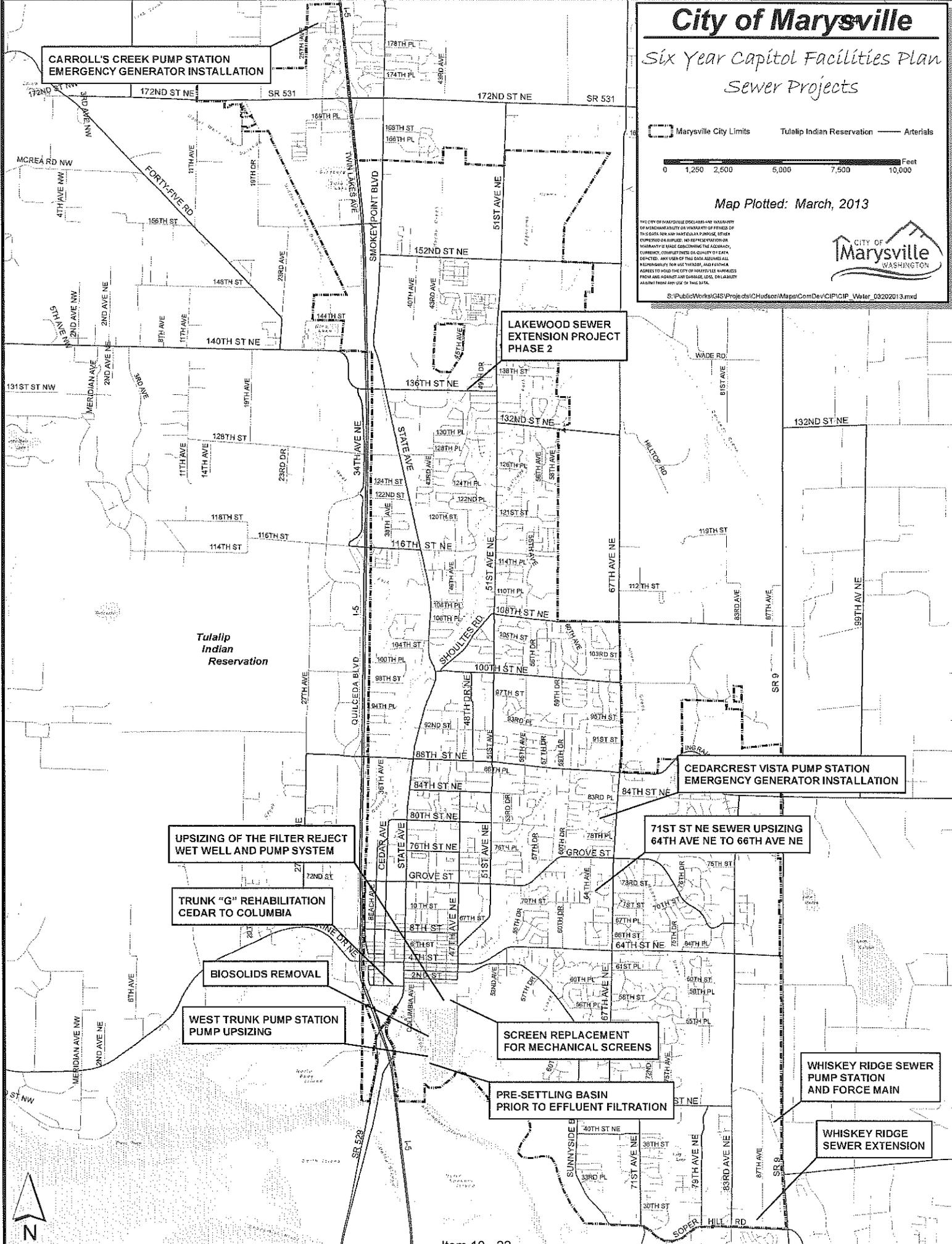
0 1,250 2,500 5,000 7,500 10,000 Feet

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CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
SURFACE WATER PROJECTS											
NORTH MARYSVILLE REGIONAL POND NO. 2 (40 th Ave south of 152 nd ST NE)	\$3,735,000	\$485,000	X	X					X		2013
MUNSON CREEK HABITAT RESTORATION	\$1,580,000	\$0							X		2018
NORTH MARYSVILLE PROJECT	\$3,000,000	\$0		X					X		2017
GEDDES MARINA BROWNFIELD CLEANUP STORMWATER FACILITY	\$1,600,000	\$0	X	X					X		2018
DECANT RETROFIT PROJECT	\$1,150,000	\$0	X	X					X		2013
DOWNTOWN MARYSVILLE CONVEYANCE IMPROVEMENT	\$1,600,000	\$0	X						X		2016

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

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City of Marysville

Six Year Capitol Facilities Plan Surfacewater Projects

Marysville City Limits Tulalip Indian Reservation Arterials

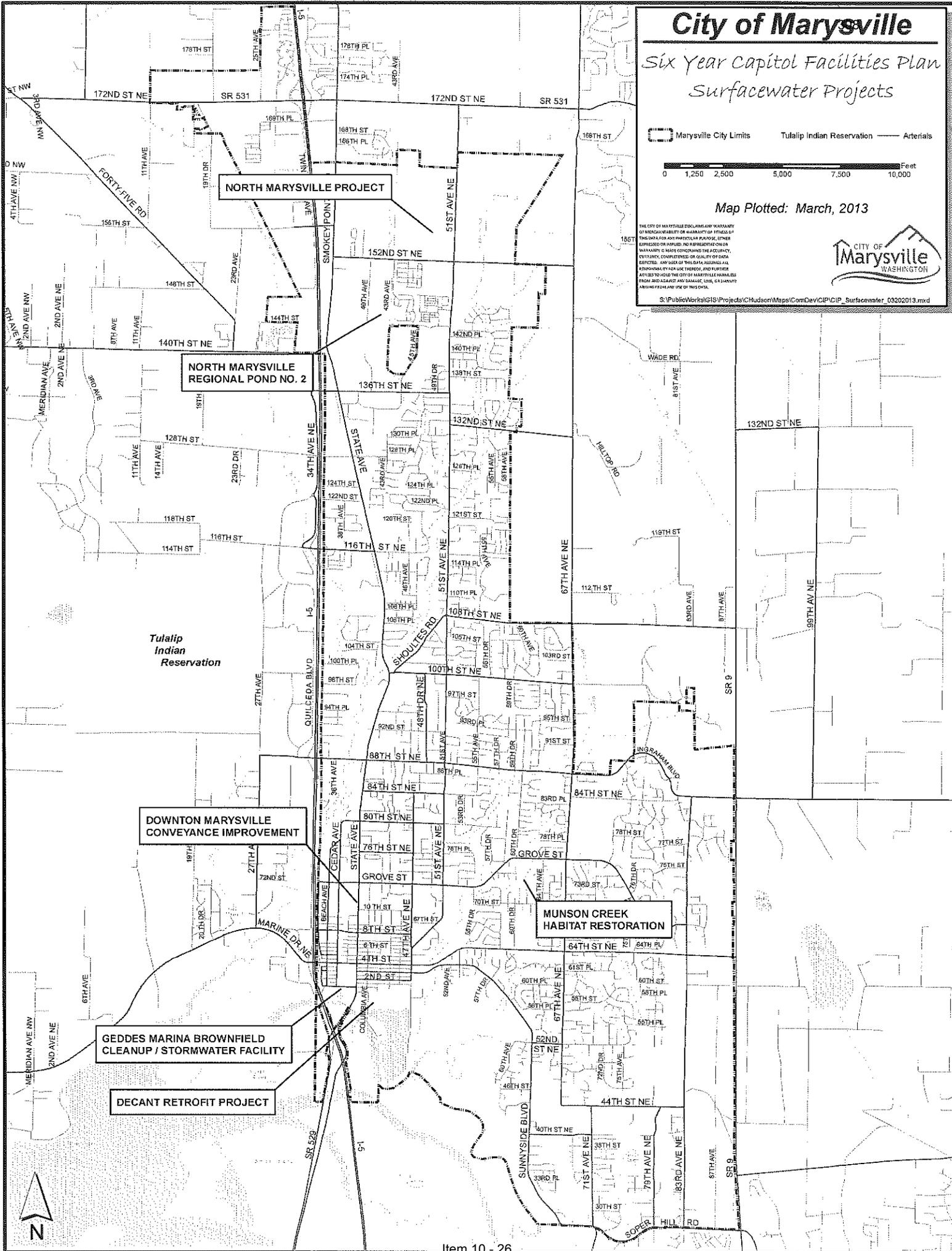
0 1,250 2,500 5,000 7,500 10,000 Feet

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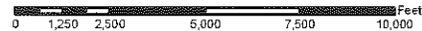
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City of Marysville

Six Year Capitol Facilities Plan Facilities Projects

Marysville City Limits Tulalip Indian Reservation Arterials

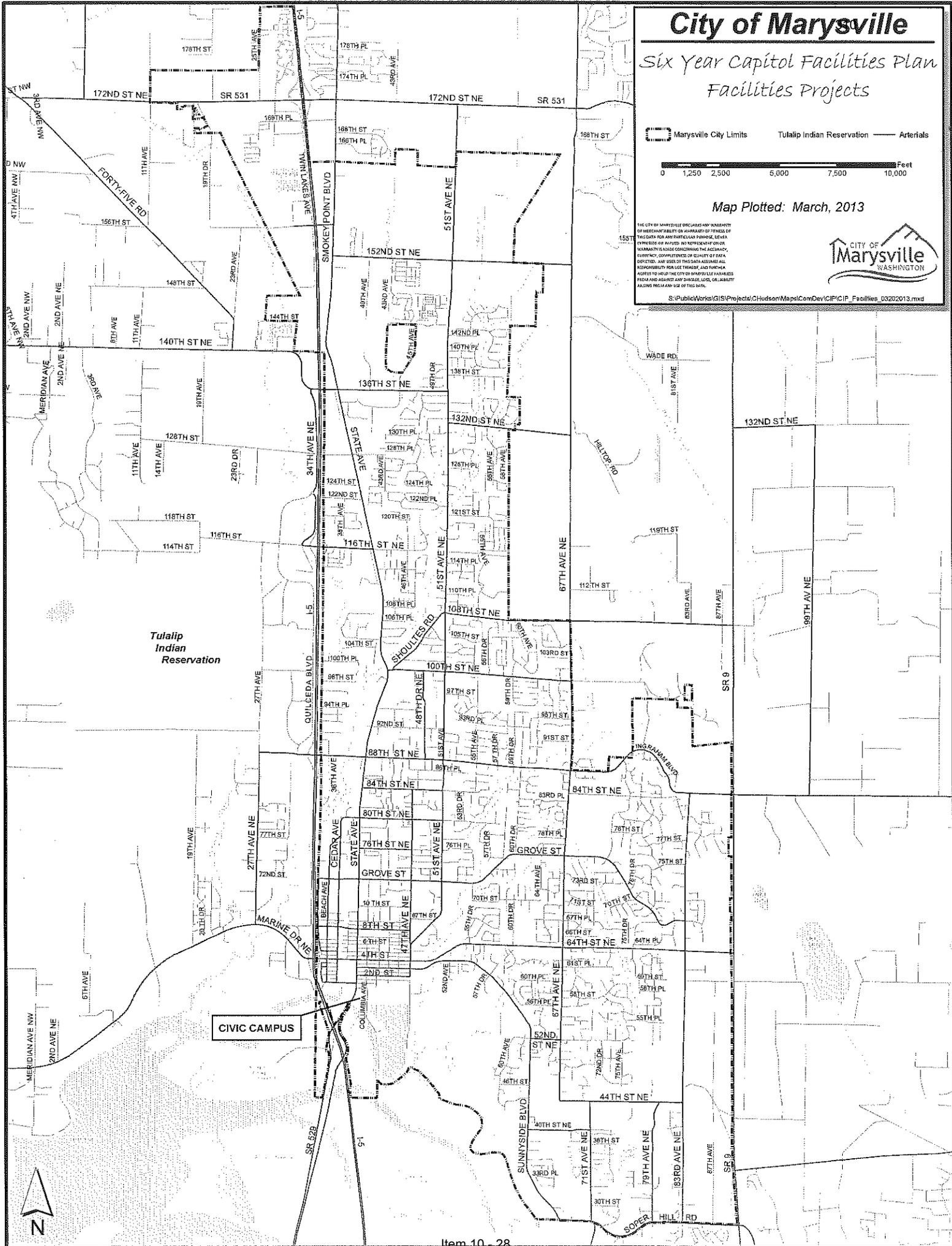


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CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
CITY FACILITIES PROJECTS											
CITY HALL CIVIC CENTER	\$10,000,000	\$0	X	X							2015

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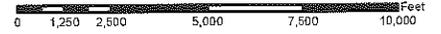
CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT	TOTAL COST	PRIOR FUNDS	Prop. Acquired	Pre-design	Final design	Contract award	Const phase	Completed	Ongoing	Withdrawn	ANTICIPATED COMPLETION
PARK PROJECTS											
BAYVIEW/WHISKEY RIDGE TRAIL SOUTH	\$450,000	\$0	X						X		2017
FOOTHILLS PARK EQUIPMENT REPLACEMENT	\$17,000	\$0							X		2014
BAYVIEW TRAIL PHASE II	\$100,000	\$0		X							2014
COMMUNITY SPRAY PARK	\$400,000	\$0	X	X							2014
ROTARY RANCH CLASSROOM	\$30,000	\$0							X		2014
GWULOOLT TRAIL ACCESS	\$1,200,000	\$0	X	X					X		2014
DOWNTOWN TRAILHEAD	\$250,000	\$0	X	X	X						2017
DOLESHEL TREE FARM	\$15,000	\$0	X	X	X						2014
MOTHER NATURE'S WINDOW	\$1,500,000	\$0	X						X		2017

City of Marysville

Six Year Capitol Facilities Plan Parks Projects

Marysville City Limits Tulalip Indian Reservation Arterials

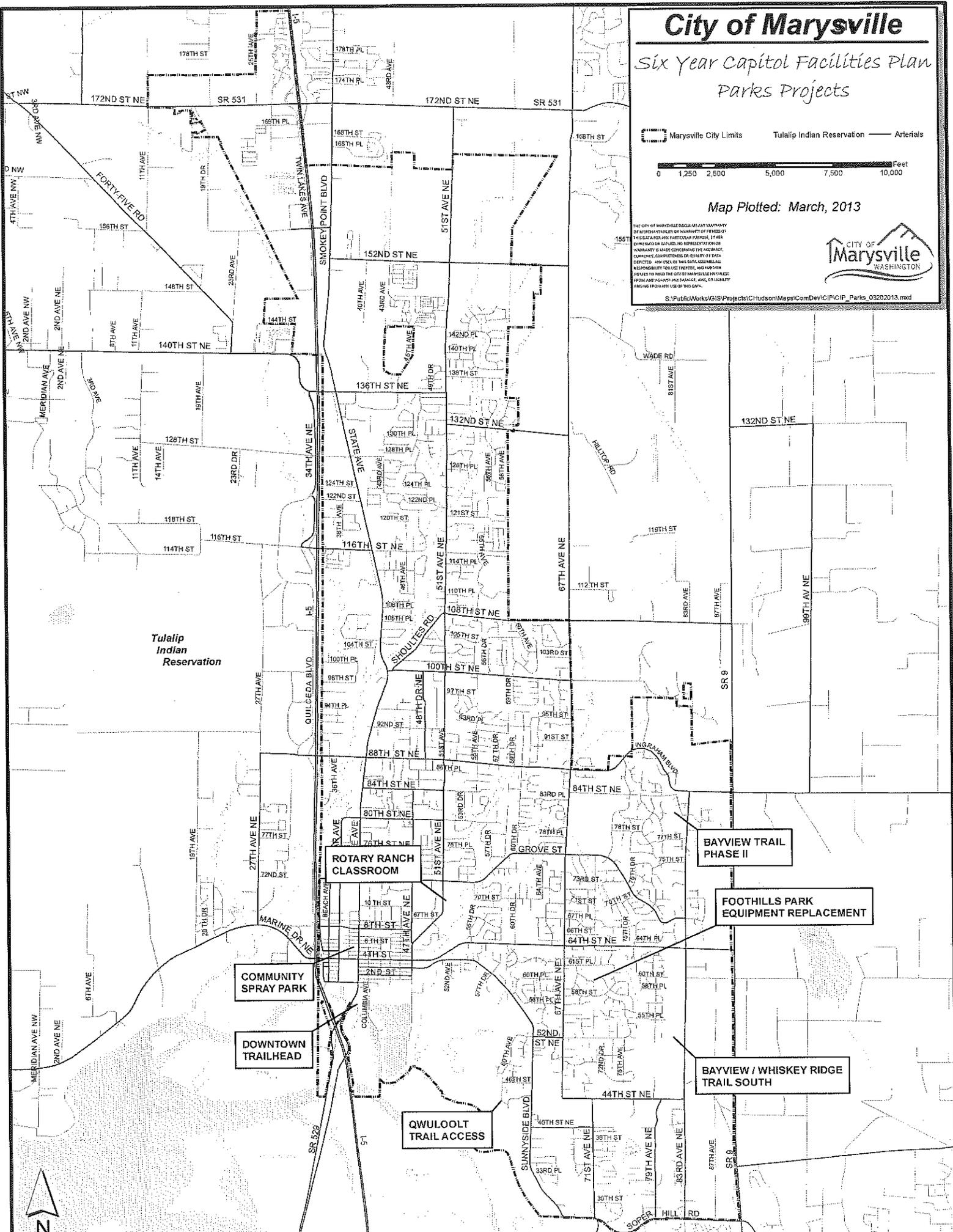


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Tulalip
Indian
Reservation

ROTARY RANCH
CLASSROOM

BAYVIEW TRAIL
PHASE II

FOOTHILLS PARK
EQUIPMENT REPLACEMENT

COMMUNITY
SPRAY PARK

DOWNTOWN
TRAILHEAD

QWULOOLT
TRAIL ACCESS

BAYVIEW / WHISKEY RIDGE
TRAIL SOUTH



PROJECT DESCRIPTIONS

This section of the CFP is grouped by project type and gives a detailed description of each project outlined in the prior section of the CFP. The following project descriptions provide a snapshot of each CFP projects location, prioritization, justification and a summary of the total project cost from each funding source appropriated each year.

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CFP - Project Descriptions

Facilities

Project Name: Civic Campus

Project Number: **Total Cost:** \$10,000,000 **Begin Year:** 2013 **Target Completion Year:**

Description: Construction of a new City Center which would consolidate City services in a visible site and add vitality to Downtown Planning Area 1.

Location: To be determined

Justification: Expand public facilities and services and utilities so they do not hinder growth, while also encouraging growth to occur in a manner that will not strain the City's ability and resources to provide basic community services such as but not limited to the street system, water and sewer utilities, stormwater system, park and recreation, schools, police, fire and other general administrative functions.
Encourage major governmental agencies to locate in Planning Area 1.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
001 - General	\$0	\$0	\$0	\$2,500,000	\$0	\$0	\$0	\$0	\$2,500,000
Secured Debt	\$0	\$0	\$0	\$7,500,000	\$0	\$0	\$0	\$0	\$7,500,000
Total:	\$0	\$0	\$0	\$10,000,000	\$0	\$0	\$0	\$0	\$10,000,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Decreases demand on Operations & Maintenance resources.

Affects all customers within the City by changing the way the City delivers services or does business.

Score: 3

Parks

Project Name: Foothills Park Equipment Replacement

Project Number: 2014A4 **Total Cost:** \$17,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: This project will provide funding to replace a 22 year old play system at Foothills Park.

Location: Foothills Park

Justification: Evaluate existing park sites for potential enhancements.
Continue to place emphasis on maintaining existing facilities at a higher level through funding support.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
310 - GMA Parks	\$0	\$0	\$17,000	\$0	\$0	\$0	\$0	\$0	\$17,000
Total:	\$0	\$0	\$17,000	\$0	\$0	\$0	\$0	\$0	\$17,000

Costs:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Acquisition	\$0	\$0	\$16,000	\$0	\$0	\$0	\$0	\$0	\$16,000
Construction	\$0	\$0	\$1,000	\$0	\$0	\$0	\$0	\$0	\$1,000
Total:	\$0	\$0	\$17,000	\$0	\$0	\$0	\$0	\$0	\$17,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Eliminates hazards or risks at a neighborhood level.

Preserves or extends the life of an existing asset.

Score: 3

CFP - Project Descriptions

Parks

Project Name: Qwuloolt Trail Access

Project Number: 2013A3 **Total Cost:** \$1,200,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: This project will provide shoreline access and new trails throughout the Qwuloolt Estuary. The project includes trail development on Tribal property in concert with the restoration of the estuary by the Tulalip Tribes. Trails are anticipated to connect east Marysville and Sunnyside area(s) to downtown.

Environmental Considerations: The project is managed by the Army Corps of Engineers and Tulalip Tribe Trustees which include several federal agencies.

Challenges: Easement acquisition, meeting construction schedule prior to actual breach of the existing dike which may prohibit over water construction.

Location: Sunnyside Blvd.

Justification: Develop a pedestrian and bike system throughout the greater Marysville area. As possible, use creek corridors and the slough dike for a portion of these trails. These trails should connect all the Planning Areas, activity centers, park facilities, and open space system.
Develop recreational facilities to provide accommodations for users of the area's recreational amenities.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
310 - GMA Parks	\$0	\$100,000	\$500,000	\$0	\$0	\$0	\$0	\$0	\$600,000
Grant Award	\$0	\$0	\$500,000	\$0	\$0	\$0	\$0	\$0	\$500,000
Total:	\$0	\$100,000	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,100,000
Costs:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Design	\$0	\$200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$200,000
Construction	\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,000,000
Total:	\$0	\$200,000	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,200,000

Policy Decisions:

Meets all environmental compliance requirements.

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 3

CFP - Project Descriptions

Parks

Project Name: Bayview Trail Phase II

Project Number: 2013A2 **Total Cost:** \$100,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: This project will provide Phase II construction of the Bayview Community Trail with furnishings. The trail is approximately .75 miles in length and located north of the current Bayview Trail corridor.

Location: Powerline Corridor

Justification: Develop a pedestrian and bike system throughout the greater Marysville area. As possible, use creek corridors and the slough dike for a portion of these trails. These trails should connect all the Planning Areas, activity centers, park facilities, and open space system.

Develop recreational facilities to provide accommodations for users of the area's recreational amenities.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
310 - GMA Parks	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000
Total:	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000
Costs:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Construction	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000
Total:	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Parks

Project Name: Community Spray Park

Project Number: 2013A1 **Total Cost:** \$400,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: This project will provide for construction of a new community spray park facility approximately 10,000 sf in size with miscellaneous site furnishings.

Location: Comeford Park - State Ave

Justification: Develop a neighborhood and community park system that provides a variety of active and passive facilities. Develop recreational facilities to provide accommodations for users of the area's recreational amenities. Acquire, preserve, and develop land, water, and waterfront areas for public recreation (i.e. trails and parkds) based on an area demand, public support, and use potential.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
310 - GMA Parks	\$0	\$0	\$300,000	\$0	\$0	\$0	\$0	\$0	\$300,000
Grant Award	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
Total:	\$0	\$0	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Costs:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Construction	\$0	\$0	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000
Total:	\$0	\$0	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Affects all customers within the City by changing the way the City delivers services or does business.

Score: 3

CFP - Project Descriptions

Parks

Project Name: Rotary Ranch Classroom

Project Number: 2013A4 **Total Cost:** \$30,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: This project will provide funding to the Rotary Ranch for classroom and rental facility capability.

Location: Jennings Park - 6915 Armar Road

Justification: Encourage and promote cultural facilities and social services, compatible with recreational use to be developed on or contiguous to park areas and designated buffer zones.
Encourage development in areas where parks, recreation, and open space are already available before developing areas where new parks, recreation, and open space would be required. Provide urban level parks, recreation, open space only in Urban Growth Area.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Grant Award	\$0	\$10,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$30,000
Total:	\$0	\$10,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$30,000
Costs:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Construction	\$0	\$10,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$30,000
Total:	\$0	\$10,000	\$20,000	\$0	\$0	\$0	\$0	\$0	\$30,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Parks

Project Name: Bayview/Whiskey Ridge Trail South

Project Number: 2016A1 **Total Cost:** \$450,000 **Begin Year:** 2013 **Target Completion Year:** 2017

Description: This project will provide funding to continue regional trail development of the Bayview and Whiskey Ridge trail system.

Environmental Considerations: Wetland Study and Mitigation Requirements.

Location: Powerline Corridor

Justification: Develop a pedestrian and bike system throughout the greater Marysville area. As possible, use creek corridors and the slough dike for a portion of these trails. These trails should connect all the Planning Areas, activity centers, park facilities, and open space system.
Develop recreational facilities to provide accommodations for users of the area's recreational amenities.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
310 - GMA Parks	\$0	\$0	\$0	\$0	\$250,000	\$0	\$0	\$0	\$250,000
Grant Award	\$0	\$0	\$0	\$0	\$200,000	\$0	\$0	\$0	\$200,000
Total:	\$0	\$0	\$0	\$0	\$450,000	\$0	\$0	\$0	\$450,000
Costs:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Preliminary Engineering	\$0	\$0	\$0	\$0	\$10,000	\$0	\$0	\$0	\$10,000
Design	\$0	\$0	\$0	\$0	\$20,000	\$0	\$0	\$0	\$20,000
Acquisition	\$0	\$0	\$0	\$0	\$15,000	\$0	\$0	\$0	\$15,000
Construction	\$0	\$0	\$0	\$0	\$405,000	\$0	\$0	\$0	\$405,000
Total:	\$0	\$0	\$0	\$0	\$450,000	\$0	\$0	\$0	\$450,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Parks

Project Name: Mother Nature's Window

Project Number: **Total Cost:** \$1,500,000 **Begin Year:** 2015 **Target Completion Year:** 2017

Description: Development of unimproved property for passive recreational uses. Public access, parking, utilities, trails, lighting, irrigation and drainage systems, site furnishings within 30 acre facility.

Location: 55th Ave NE and 100th St NE

Justification: City acquired land through annexation for future development.
 Develop a pedestrian and bike system throughout the greater Marysville area. As possible, use creek corridors and the slough dike for a portion of these trails. These trails should connect all the Planning Areas, activity centers, park facilities, and open space system.
 Develop recreational facilities to provide accommodations for users of the area's recreational amenities.

Funds:	<i>Prior</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>Beyond</i>	<i>Totals</i>
310 - GMA Parks	\$0	\$0	\$0	\$0	\$0	\$750,000	\$0	\$0	\$750,000
Grant Award	\$0	\$0	\$0	\$0	\$0	\$750,000	\$0	\$0	\$750,000
Total:	\$0	\$0	\$0	\$0	\$0	\$1,500,000	\$0	\$0	\$1,500,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Meets all environmental compliance requirements.
- Increases infrastructure capacity to alleviate existing service deficiencies.
- Maintains or Improves Level of Service standards.

Score: 4

Parks

Project Name: Downtown Trailhead

Project Number: **Total Cost:** \$250,000 **Begin Year:** 2013 **Target Completion Year:**

Description: Design development & construction of Downtown trailhead for the Ebey Waterfront trail.

Location: Downtown Planning Area 1

Justification: Develop a pedestrian and bike system throughout the greater Marysville area. As possible, use creek corridors and the slough dike for a portion of these trails. These trails should connect all the Planning Areas, activity centers, park facilities, and open space system.
 Develop recreational facilities to provide accommodations for users of the area's recreational amenities.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$100,000	\$150,000	\$0	\$0	\$0	\$0	\$0	\$250,000
Total:	\$0	\$100,000	\$150,000	\$0	\$0	\$0	\$0	\$0	\$250,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Parks

Project Name: Doeshel Tree Farm

Project Number: *Total Cost:* \$45,000 *Begin Year:* 2013 *Target Completion Year:* 2014

Description: Development funding for public use of 4.6 acres including parking area, trail improvements, site fixtures and utilities.

Location: Armar Road

Justification: Develop a pedestrian and bike system throughout the greater Marysville area. As possible, use creek corridors and the slough dike for a portion of these trails. These trails should connect all the Planning Areas, activity centers, park facilities, and open space system.

Develop recreational facilities to provide accommodations for users of the area's recreational amenities.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
001 - General	\$0	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$15,000
Grant Award	\$0	\$0	\$30,000	\$0	\$0	\$0	\$0	\$0	\$30,000
<i>Total:</i>	<i>\$0</i>	<i>\$15,000</i>	<i>\$30,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$45,000</i>

Policy Decisions:

Maintains or Improves Level of Service standards.

Meets all environmental compliance requirements.

Increases infrastructure capacity to alleviate existing service deficiencies.

Score: 3

CFP - Project Descriptions

Sewer

Project Name: Lakewood Sewer Extension Project – Phase 2

Project Number: **Total Cost:** \$6,570,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Construction of a new 36" pipeline along 136th Street NE from Smokey Point Blvd. to 51st Ave. to connect to Trunk A. This project includes installation of 6,010 feet of 36" gravity sewer pipe along 136th and also includes replacement of 1,350 feet of existing 30" (Trunk A) with 36" pipe from 136th St. NE to 132nd St. NE.

Location: Within existing right-of-way on 136th Street NE from Smokey Point Blvd. to 51st Ave., and within existing right-of-way on 51st Avenue from 136th Street NE to 132nd Street NE.

Justification: Provide relief for the capacity problems with Trunk "F".
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$6,570,000	\$0	\$6,570,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$6,570,000</i>	<i>\$0</i>	<i>\$6,570,000</i>

Policy Decisions:

Maintains or Improves Level of Service standards.

Preserves or extends the life of an existing asset.

Increases infrastructure capacity to meet future growth needs.

Score: 3

City of Marysville

Six Year Capitol Facilities Plan Sewer Projects

Marysville City Limits Tulalip Indian Reservation Arterials

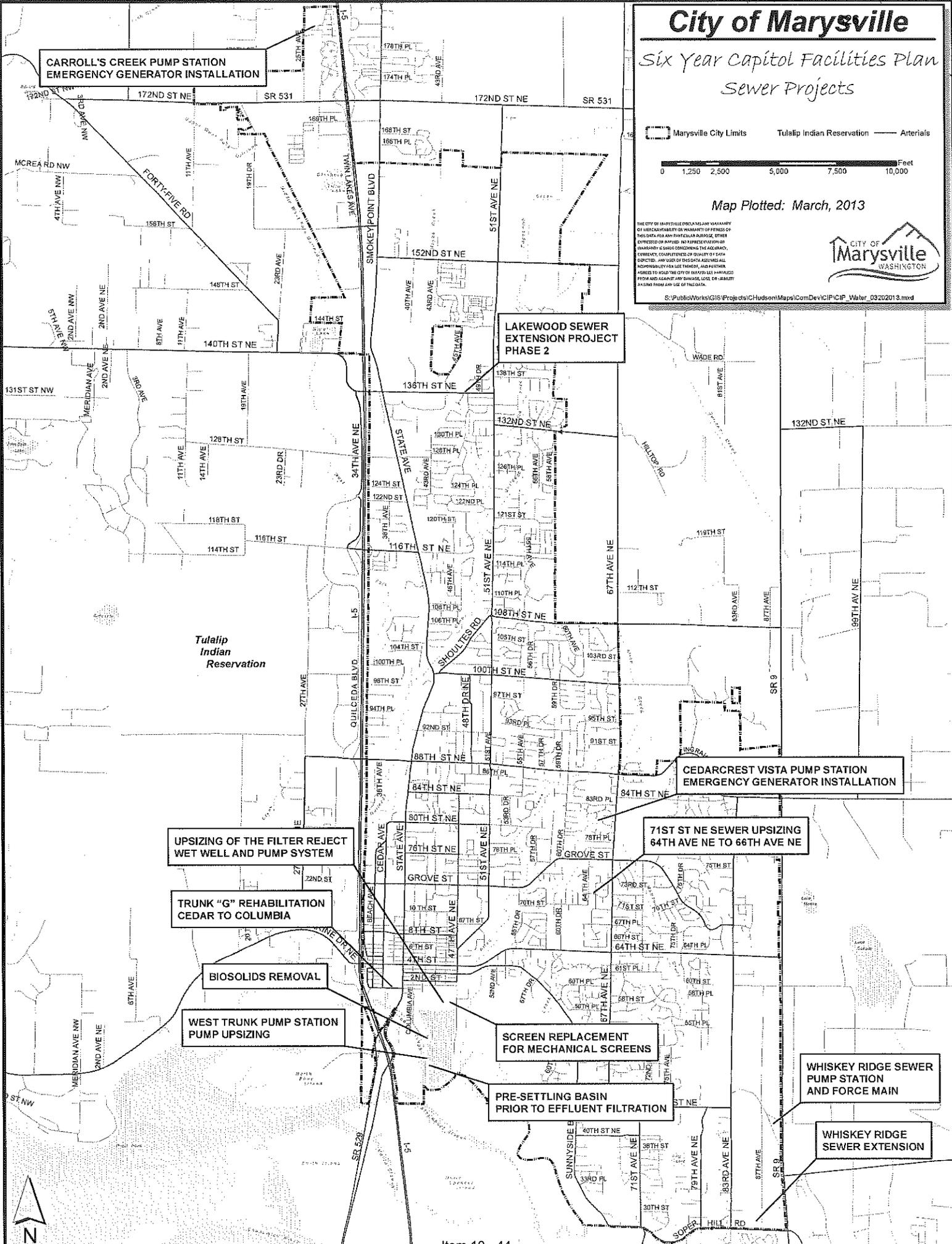
0 1,250 2,500 5,000 7,500 10,000 Feet

Map Plotted: March, 2013

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CFP - Project Descriptions

Sewer

Project Name: Pre-Settling Basin Prior to Effluent Filtration

Project Number: **Total Cost:** \$1,000,000 **Begin Year:** 2013 **Target Completion Year:** 2015

Description: This project would construct a pre-settling basin ahead of the existing effluent sand filters to allow flocculation and settling prior to the filtration process.

Location: Wastewater Treatment Plant

Justification: Reduction in chemical costs and ability to treat higher flows in the future.
Encourage new techniques or innovative systems for sewage and sludge disposal, while also considering health and environmental concerns.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000
Total:	\$0	\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000

Policy Decisions:

- Uses innovative solutions, approaches, or use technology in creative ways.
- Preserves or extends the life of an existing asset.
- Affects all customers within the City by changing the way the City delivers services or does business.

Score: 3

Sewer

Project Name: Upsizing of the Filter Reject Wet Well and Pump System

Project Number: **Total Cost:** \$500,000 **Begin Year:** 2013 **Target Completion Year:** 2015

Description: This project would construct a larger wet well, upsize to larger pumps, and make improvements to wiring, controls, and telemetry systems at the station.

Location: Filter Reject Station at the Wastewater Treatment Plant

Justification: Provide the necessary pumping requirements for the extension of the filter reject line to complete mix cell 1A and maintain adequate capacity for filter reject flows into the future.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$500,000	\$0	\$0	\$0	\$0	\$500,000
Total:	\$0	\$0	\$0	\$500,000	\$0	\$0	\$0	\$0	\$500,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Preserves or extends the life of an existing asset.

Score: 2

CFP - Project Descriptions

Sewer

Project Name: Biosolids Removal

Project Number: **Total Cost:** \$3,400,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: This project will involve removal and disposal costs for biosolids removed from the city's wastewater treatment plant lagoons. \$300,000 is budgeted annually beginning in 2014 to help cover the overall costs of the removal.

Location: Wastewater Treatment Plant

Justification: Maintain future capacity of the treatment lagoons.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$300,000	\$300,000	\$300,000	\$300,000	\$2,200,000	\$0	\$3,400,000
Total:	\$0	\$0	\$300,000	\$300,000	\$300,000	\$300,000	\$2,200,000	\$0	\$3,400,000

Policy Decisions:

Preserves or extends the life of an existing asset.
Eliminates a risk or hazard to public health or safety.
Maintains or Improves Level of Service standards.
Score: 3

Sewer

Project Name: Cedarcrest Vista Pump Station Emergency Generator Installation

Project Number: **Total Cost:** \$175,000 **Begin Year:** 2013 **Target Completion Year:** 2017

Description: This project will include installation of an emergency generator, wiring, and automated transfer switch at the pump station.

Location: Cedarcrest Vista Pump Station

Justification: To provide emergency power to the station during prolonged power outages.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$0	\$0	\$175,000	\$0	\$0	\$175,000
Total:	\$0	\$0	\$0	\$0	\$0	\$175,000	\$0	\$0	\$175,000

Policy Decisions:

Affects all customers within a recognized neighborhood or area.
Maintains or Improves Level of Service standards.
Score: 2

CFP - Project Descriptions

Sewer

Project Name: Carroll's Creek Pump Station Emergency Generator Installation

Project Number: **Total Cost:** \$175,000 **Begin Year:** 2013 **Target Completion Year:** 2016

Description: This project will include installation of an emergency generator, wiring, and automated transfer switch at the pump station.

Location: Carroll's Creek Pump Station

Justification: To provide emergency power to the station during prolonged power outages.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	2013	2014	2015	2016	2017	2018	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$0	\$175,000	\$0	\$0	\$0	\$175,000
Total:	\$0	\$0	\$0	\$0	\$175,000	\$0	\$0	\$0	\$175,000

Policy Decisions:

Affects all customers within a recognized neighborhood or area.

Maintains or Improves Level of Service standards.

Score: 2

Sewer

Project Name: Sewer Main Oversizing

Project Number: **Total Cost:** \$180,000 **Begin Year:** 2013 **Target Completion Year:**

Description: In some cases, Marysville requires developers to install lines larger than necessary to serve solely their developments, in order to account for future growth in system capacity. An annual amount is shown through 2031.

Location: Various locations throughout the city as needed.

Justification: Improvement of collection system capacities.
Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	2013	2014	2015	2016	2017	2018	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$0	\$180,000
Total:	\$0	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$0	\$180,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Sewer

Project Name: West Trunk Pump Station – Pump Upsizing

Project Number: **Total Cost:** \$225,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: This project will involve installation of larger pumps and necessary improvements to the wiring and controls associated with the larger pumps.

Location: West Trunk Pump Station at the Wastewater Treatment Plant

Justification: To maintain capacity for future flows.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$225,000	\$0	\$0	\$0	\$0	\$0	\$225,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$225,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$225,000</i>

Policy Decisions:

Increases infrastructure capacity to alleviate existing service deficiencies.

Increases infrastructure capacity to meet future growth needs.

Preserves or extends the life of an existing asset.

Score: 3

CFP - Project Descriptions

Sewer

Project Name: Whiskey Ridge Sewer Pump Station and Force Main

Project Number: *Total Cost:* \$1,000,000 *Begin Year:* 2013 *Target Completion Year:* 2014

Description: A sewer pump station will be constructed along Densmore Rd. near the intersection of Densmore Rd. and the Sunnyside School Rd. to accommodate growth in the east Sunnyside/Whiskey Ridge area. Additionally, 1,500 feet of 4 inch diameter force main will be installed along Densmore Rd. to south SR92 where it will enter a 12 inch gravity main that is also scheduled to be installed in 2014.

Location: Approximate location for the pump station is near the intersection of Densmore Rd. and the Sunnyside School Road. Force main will be installed in existing right of way along Densmore Rd.

Justification: To accommodate growth in the Sunnyside/Whiskey Ridge area.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000
<i>Total:</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$1,000,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$1,000,000</i>

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Increases infrastructure capacity to alleviate existing service deficiencies.
- Attracts new businesses or helps retain existing businesses.

Score: 3

CFP - Project Descriptions

Sewer

Project Name: Renewals and Replacements

Project Number: **Total Cost:** \$1,800,000 **Begin Year:** 2013 **Target Completion Year:**

Description: The city has budgeted 300,000 annually beginning in 2013 to cover renewals and replacements of 8 inch or smaller pipes within the sewer collection system.

Location: Various locations throughout the collection system.

Justification: Ongoing renewal/replacement of the collection system.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$0	\$1,800,000
Total:	<i>\$0</i>	<i>\$300,000</i>	<i>\$300,000</i>	<i>\$300,000</i>	<i>\$300,000</i>	<i>\$300,000</i>	<i>\$300,000</i>	<i>\$0</i>	<i>\$1,800,000</i>

Policy Decisions:

Maintains or Improves Level of Service standards.

Preserves or extends the life of an existing asset.

Score: 2

Sewer

Project Name: 71st Street NE Sewer Upsizing – 64th Ave. NE to 66th Ave. NE

Project Number: **Total Cost:** \$410,000 **Begin Year:** 2013 **Target Completion Year:** 2015

Description: At 64th Avenue and approximately 71st Street, an existing 18 inch sewer line is connected to a 12 inch sewer line, causing surcharging at this connection point. This project will involve replacement of 510 feet of 18 inch sewer line to replace the existing 12 inch line.

Location: Same as above.

Justification: Increase future capacity of this line.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$410,000	\$0	\$0	\$0	\$0	\$410,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$410,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$410,000</i>

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Increases infrastructure capacity to alleviate existing service deficiencies.

Score: 3

CFP - Project Descriptions

Sewer

Project Name: Whiskey Ridge Sewer Extension

Project Number: **Total Cost:** \$1,200,000 **Begin Year:** 2013 **Target Completion Year:** 2013

Description: This project extends gravity sewer east on Soper Hill Road from 200 feet west of 83rd Ave. NE to Densmore Rd. and north on Densmore Rd. to the approximate intersection of State Route 92. It includes construction of 4,300 feet of 12 inch gravity sewer line.

Location: Within existing right-of-way on Soper Hill and on Densmore Rd.

Justification: Extension of sewer service area.
Provide urban level facilities and services only in Urban Growth Areas.
Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$1,200,000	\$0	\$0	\$0	\$0	\$0	\$1,200,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$1,200,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$1,200,000</i>

Policy Decisions:

- Increases infrastructure capacity to meet future growth needs.
 - Affects all customers within a recognized neighborhood or area.
 - Attracts new businesses or helps retain existing businesses.
- Score: 3

Sewer

Project Name: Screen Replacement for Mechanical Screens

Project Number: **Total Cost:** \$500,000 **Begin Year:** 2013 **Target Completion Year:** 2017

Description: This project would replace the existing mechanical bar screens with a spacing of 1 ½" with new bar screens with a spacing of 3/8" allowing us to screen out more debris as it enters the wastewater treatment plant through the headworks.

Location: Headworks at the Wastewater Treatment Plant

Justification: Removal of more debris from the influent flows, which will reduce damage to aerators, effluent filters, and effluent pumps.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$0	\$0	\$500,000	\$0	\$0	\$500,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$500,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$500,000</i>

Policy Decisions:

- Decreases demand on Operations & Maintenance resources.
 - Preserves or extends the life of an existing asset.
- Score: 2

CFP - Project Descriptions

Sewer

Project Name: Trunk "G" Rehabilitation – Cedar to Columbia

Project Number: **Total Cost:** \$1,340,000 **Begin Year:** 2013 **Target Completion Year:** 2016

Description: This project includes replacement of approximately 415 feet of 15 inch gravity sewer line and 1,000 feet of 21 inch sewer line, including piping that is located just east of the Burlington Northern crossing. The piping will be replaced with 1,415 feet of 24 inch PVC. In addition, the slope of 580 feet of the 24 inch pipe downstream of the existing 21 inch pipe will be revised to a more consistent slope to remove a known sag in the existing piping.

Location: Within the existing right of way on 1st Street between Cedar Avenue and Columbia Avenue.

Justification: Rehabilitation, upsizing for capacity, and removal of a known sag in the existing line. The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$0	\$1,340,000	\$0	\$0	\$0	\$1,340,000
Total:	\$0	\$0	\$0	\$0	\$1,340,000	\$0	\$0	\$0	\$1,340,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Preserves or extends the life of an existing asset.

Score: 2

CFP - Project Descriptions

Surface Water

Project Name: Downtown Marysville Conveyance Improvement

Project Number: **Total Cost:** \$1,600,000 **Begin Year:** 2013 **Target Completion Year:** 2016

Description: Increase the capacity of selected portions of the downtown Marysville conveyance system to reduce flooding frequency and increase safety for pedestrians, vehicles and structures within service area.

Location: State Ave from 76th St NE to Ebey Slough

Justification: The existing drainage conveyance system capacity in downtown Marysville is insufficient. Tidal influence creates tailwater conditions that further reduce conveyance capacity during high tides. The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	2013	2014	2015	2016	2017	2018	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$600,000	\$1,000,000	\$0	\$0	\$0	\$1,600,000
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total:	\$0	\$0	\$0	\$600,000	\$1,000,000	\$0	\$0	\$0	\$1,600,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Decreases demand on Operations & Maintenance resources.
- Increases infrastructure capacity to alleviate existing service deficiencies.
- Increases infrastructure capacity to meet future growth needs.

Score: 4

Surface Water

Project Name: Geddes Marina Brownfield Cleanup/Stormwater facility

Project Number: **Total Cost:** \$3,233,200 **Begin Year:** 2013 **Target Completion Year:**

Description: Clean up of identified brownfields site and construction of a regional stormwater facility.

Location: 1326 1st St NE

Justification: Cleanup an identified hazard, construct needed improvements for stormwater treatment in the Downtown.

Funds:	<i>Prior</i>	2013	2014	2015	2016	2017	2018	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total:	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Policy Decisions:

- Meets all environmental compliance requirements.
- Eliminates a risk or hazard to public health or safety.
- Fulfills Federal, State, County, or City mandates.

Score: 3

CFP - Project Descriptions

Surface Water

Project Name: Decant Retrofit Project

Project Number: **Total Cost:** \$1,150,000 **Begin Year:** 2013 **Target Completion Year:** 2013

Description: This Project will retrofit the City's existing decant facility to improve handling processes and storage areas, will cover material storage areas to eliminate pollution runoff, will install new stormwater conveyance lines to direct decant process liquids to the sanitary sewer, and will create new standard operating procedures that will increase the amount of material that can be handled at the facility and will shorten the length of time the material has to be processed.

Location: Public Works Building at 80 Columbia Avenue, Marysville, WA.

Justification: Improve decant processing procedures while improving water quality.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.
Provide urban level facilities and services only in Urban Growth Areas.
Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$100,000	\$187,500	\$0	\$0	\$0	\$0	\$0	\$0	\$287,500
Grant Award	\$0	\$862,500	\$0	\$0	\$0	\$0	\$0	\$0	\$862,500
Total:	\$100,000	\$1,050,000	\$0	\$0	\$0	\$0	\$0	\$0	\$1,150,000

Policy Decisions:

- Preserves or extends the life of an existing asset.
- Increases infrastructure capacity to alleviate existing service deficiencies.
- Increases infrastructure capacity to meet future growth needs.

Score: 3

CFP - Project Descriptions

Surface Water

Project Name: North Marysville Project

Project Number: **Total Cost:** \$3,000,000 **Begin Year:** 2013 **Target Completion Year:** 2017

Description: The City is applying for a Nationwide Permit 14 for the 156th/152nd Street NE Project, a Nationwide Permit 27 for the restoration of Hayho Creek, and an Individual Permit for the fill of wetlands and agricultural jurisdictional ditches for commercial development; fill wetlands and roadside jurisdictional ditches associated with principal arterial 51st Ave NW; fill of wetlands and roadside jurisdictional ditches associated with minor roads; fill of existing wetlands within the Edgcomb Creek realignment corridor; fill of the existing Edgcomb Creek channel; and fill of the existing Hayho Creek Channel. Edgcomb Creek will be realigned into a newly created 325' wide creek/floodplain corridor.

Location: Edgcomb Creek east and Hayho Creek west, north of 152nd Street NE, south of the city limits boundary.

Justification: Economic development and environmental improvements.
 Incorporate environmental measures such as wetland banking, stream restoration and enhancement into preferred land use concept.
 Incorporate stormwater and wetland mitigation into land use concepts. Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$1,000,000	\$171,517	\$0	\$0	\$0	\$1,171,517
Funding Needed	\$0	\$0	\$0	\$0	\$828,483	\$1,000,000	\$0	\$0	\$1,828,483
Total:	\$0	\$0	\$0	\$1,000,000	\$1,000,000	\$1,000,000	\$0	\$0	\$3,000,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Exceeds all environmental compliance requirements.
- Increases infrastructure capacity to meet future growth needs.
- Uses innovative solutions, approaches, or use technology in creative ways.

Score: 4

CFP - Project Descriptions

Surface Water

Project Name: North Marysville Regional Pond No. 2

Project Number: **Total Cost:** \$3,735,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: The design for Regional Pond #2 is being finalized by Osborn Consulting, Inc. Project construction is anticipated for the summer of 2013.
 The goals for the completed Pond #2 project are to:
 1) Provide regional detention and enhanced treatment for over 100 acres of commercial property in order to optimize the amount of buildable land within the drainage basin.
 2) Construct a regional facility that provides an efficient and cost-effective design that can stimulate area development by being sold to developers.
 3) Invest and support regional economic development that will increase local job opportunities and enhance the creation of tax based revenues for the community.

Location: North of 14400 Block, east of 40th Avenue NE, south of 152nd Street NE and west of 43rd Avenue NE, identified as APN 31053300300100

Justification: Facilitate economic development in North Marysville
 Where feasible regional detention facilities should be used as opposed to site or project specific detention ponds.
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	Prior	2013	2014	2015	2016	2017	2018	Beyond	Totals
402 - Utility Construction	\$0	\$485,000	\$3,250,000	\$0	\$0	\$0	\$0	\$0	\$3,735,000
Total:	\$0	\$485,000	\$3,250,000	\$0	\$0	\$0	\$0	\$0	\$3,735,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Increases infrastructure capacity to meet future growth needs.
- Attracts new businesses or helps retain existing businesses.

Score: 3

CFP - Project Descriptions

Transportation

Project Name: 40th Street NE (83rd Ave – SR 9)

Project Number: **Total Cost:** \$18,000,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Construct 3 lane roadway from 71st to 83rd Ave and 5 lane roadway from 83rd to SR 9 connecting to the new west leg of the SR 92 intersection.

Location: 40th St NE (83rd Ave – SR 9)

Justification: Improve safety, mobility and level-of-service.
improve safety and reduce traffic congestion.
Identify improvements and strategies needed to carry out the land use vision and meet the Level-of-Service requirements for transportation.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Private Funding (developer driven)	\$0	\$0	\$0	\$0	\$2,600,000	\$7,700,000	\$7,700,000	\$0	\$18,000,000
Total:	\$0	\$0	\$0	\$0	\$2,600,000	\$7,700,000	\$7,700,000	\$0	\$18,000,000

Policy Decisions:

Increases infrastructure capacity to meet future growth needs.

Attracts new businesses or helps retain existing businesses.

Score: 2

Transportation

Project Name: SR 528 and 53rd Street Intersection Signal

Project Number: **Total Cost:** \$250,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: Design and install a full function traffic signal at the intersection of SR 528 and 53rd Street, at the south Jennings Park entrance.

Location: SR 528 and 53rd Street

Justification: Improve safety and reduce traffic congestion.
Improve street safety and functions.
Provide a safe and convenient neighborhood access system that respects community needs and values.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
001 - General	\$0	\$50,000	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000
Grant Award	\$0	\$200,000	\$0	\$0	\$0	\$0	\$0	\$0	\$200,000
Total:	\$0	\$250,000	\$0	\$0	\$0	\$0	\$0	\$0	\$250,000

Policy Decisions:

Fulfills Federal, State, County, or City mandates.

Eliminates a risk or hazard to public health or safety.

Eliminates hazards or risks at a neighborhood level.

Score: 3

CFP - Project Descriptions

Transportation

Project Name: SR 529/Interstate 5 Interchange Expansion

Project Number: **Total Cost:** \$55,000,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Construct a new northbound off ramp from I-5 to SR 529 and a new southbound onramp from SR 529 to I-5. Initial phase completes the interchange justification report.

Location: SR 529 at Interstate 5

Justification: Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
 Identify improvements and strategies needed to carry out the land use vision and meet the LOS requirements for transportation.
 Coordinate with local, regional, state, and federal agencies in the development and operation of the transportation system that contribute to the relief of traffic congestion.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$1,500,000	\$0	\$0	\$0	\$5,000,000	\$48,500,000	\$0	\$55,000,000
Total:	\$0	\$1,500,000	\$0	\$0	\$0	\$5,000,000	\$48,500,000	\$0	\$55,000,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Increases infrastructure capacity to meet future growth needs.
- Attracts new businesses or helps retain existing businesses.

Score: 3

CFP - Project Descriptions

Transportation

Project Name: 27th Ave NE Extension from 156th St NE to 166th St NE

Project Number: **Total Cost:** \$11,800,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Construct a new 3 lane roadway between 156th St NE and 166th St NE along the west side of Twins Lakes park to better accommodate traffic flow within the Lakewood Triangle.

Location: Alignment to be finalized, between 156th St NE and 166th St NE

Justification: Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
 Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
 Identify improvements and strategies needed to carry out the land use vision and meet the Level-of-Service requirements for transportation.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Private Funding (developer driven)	\$0	\$0	\$0	\$0	\$1,800,000	\$5,000,000	\$5,000,000	\$0	\$11,800,000
Total:	\$0	\$0	\$0	\$0	\$1,800,000	\$5,000,000	\$5,000,000	\$0	\$11,800,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Increases infrastructure capacity to meet future growth needs.
- Attracts new businesses or helps retain existing businesses.
- Affects all customers within a recognized neighborhood or area.

Score: 4

CFP - Project Descriptions

Transportation

Project Name: First Street Bypass

Project Number: **Total Cost:** \$10,650,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Construct a new roadway alignment between SR 529 at 1st St and Sunnyside Blvd to better accommodate commute traffic around the downtown core.

Location: Alignment to be determined, between SR 529 and Sunnyside Blvd

Justification: Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
 Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
 Identify improvements and strategies needed to carry out the land use vision and meet the Level-of-Service requirements for transportation.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$200,000	\$450,000	\$0	\$5,000,000	\$5,000,000	\$0	\$10,650,000
Total:	\$0	\$0	\$200,000	\$450,000	\$0	\$5,000,000	\$5,000,000	\$0	\$10,650,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Attracts new businesses or helps retain existing businesses.

Score: 3

CFP - Project Descriptions

Transportation

Project Name: 152nd Street NE (Smokey Point Blvd – 43rd Ave NE)

Project Number: **Total Cost:** \$4,250,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Construct a 3-lane minor arterial consisting of 70' or right-of-way improvement including one EB lane, one WB lane and a two-way left turn lane with curb, gutter, sidewalk, bicycle lanes and streetscape.

Location: 152nd Street NE from Smokey Point Boulevard to 43rd Ave NE

Justification: Improve safety, mobility and level-of-service.
 Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
 Identify improvements and strategies needed to carry out the land use vision and meet the Level-of-Service requirements for transportation.
 Establish a non-motorized circulation system linking key community destinations.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$4,250,000	\$0	\$4,250,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$4,250,000</i>	<i>\$0</i>	<i>\$4,250,000</i>

Policy Decisions:

Maintains or Improves Level of Service standards.
 Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Transportation

Project Name: 156th St NE Interchange

Project Number: **Total Cost:** \$41,500,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Convert the new 156th St NE overcrossing to a full single point urban interchange. Phase I completes the interchange justification report.

Location: In the Lakewood Area in the vicinity of 156th Street NE & Twin Lakes Avenue.

Justification: Improve safety, mobility and level-of-service.
Identify improvements and strategies needed to carry out the land use vision and meet the LOS requirements for transportation.
Coordinate with local, regional, state, and federal agencies in the development and operation of the transportation system that contribute to the relief of traffic congestion.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
001 - General	\$0	\$750,000	\$750,000	\$0	\$0	\$0	\$0	\$0	\$1,500,000
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$10,000,000	\$10,000,000	\$0	\$20,000,000
Grant Award	\$0	\$0	\$0	\$0	\$0	\$10,000,000	\$10,000,000	\$0	\$20,000,000
Total:	\$0	\$750,000	\$750,000	\$0	\$0	\$20,000,000	\$20,000,000	\$0	\$41,500,000

Policy Decisions:

Maintains or Improves Level of Service standards.
Increases infrastructure capacity to meet future growth needs.

Score: 2

Transportation

Project Name: 40th Street (Sunnyside Blvd – SR 9)

Project Number: **Total Cost:** \$11,440,000 **Begin Year:** 2013 **Target Completion Year:** 2015

Description: Widen 40th Street NE to a minor arterial street classification consisting of 60' of right-of-way in order to provide east-west connectivity from 83rd Avenue NE to SR 9. The minor arterial includes a 3-lane roadway section with curb, gutter, sidewalk and streetscape.

Location: 40th Street NE from Sunnyside Boulevard to SR 9

Justification: Provide an alternate east-west connection to improve mobility of motor vehicles and pedestrians.
Improve safety and reduce traffic congestion.
Identify improvements and strategies needed to carry out the land use vision and meet the Level-of-Service requirements for transportation.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Private Funding (developer driven)	\$0	\$2,440,000	\$5,000,000	\$4,000,000	\$0	\$0	\$0	\$0	\$11,440,000
Total:	\$0	\$2,440,000	\$5,000,000	\$4,000,000	\$0	\$0	\$0	\$0	\$11,440,000

Policy Decisions:

Increases infrastructure capacity to meet future growth needs.
Attracts new businesses or helps retain existing businesses.

Score: 2

CFP - Project Descriptions

Transportation

Project Name: Sunnyside Boulevard (47th Ave NE – 52nd St NE)

Project Number: **Total Cost:** \$13,250,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Provide one general purpose lane in each direction with a middle dual left turn lane, bike lanes, curb, gutter and sidewalk and planter strips.

Location: Sunnyside Boulevard from 47th Avenue NE to 52nd Street NE

Justification: Improve safety and reduce traffic congestion.
 Improve street safety and functions.
 Provide a safe and convenient neighborhood access system that respects community needs and values.
 Establish a non-motorized circulation system linking key community destinations.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
305 - GMA Streets	\$0	\$0	\$0	\$125,000	\$0	\$0	\$3,250,000	\$0	\$3,375,000
110 - REET I	\$0	\$0	\$0	\$125,000	\$0	\$0	\$3,250,000	\$0	\$3,375,000
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$3,250,000	\$0	\$0	\$3,250,000
Private Funding (developer driven)	\$0	\$0	\$0	\$0	\$0	\$3,250,000	\$0	\$0	\$3,250,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$250,000</i>	<i>\$0</i>	<i>\$6,500,000</i>	<i>\$6,500,000</i>	<i>\$0</i>	<i>\$13,250,000</i>

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Transportation

Project Name: State Avenue Improvement (100th St NE – 116th St NE)

Project Number: **Total Cost:** \$19,000,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Widen State Avenue from a 2-lane to a 5-lane section with curb, gutter and sidewalk. The proposal also includes construction of a bridge, bank stabilization or culvert improvements over Quilceda Creek.

Location: State Avenue from 100th Street NE to 116th Street NE

Justification: Improve safety and reduce traffic congestion.
 Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
 Identify improvements and strategies needed to carry out the land use vision and meet the Level-of-Service requirements for transportation.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$2,000,000	\$0	\$8,500,000	\$4,250,000	\$4,250,000	\$19,000,000
Total:	\$0	\$0	\$0	\$2,000,000	\$0	\$8,500,000	\$4,250,000	\$4,250,000	\$19,000,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Increases infrastructure capacity to alleviate existing service deficiencies.
- Preserves or extends the life of an existing asset.

Score: 3

Transportation

Project Name: SR 528/I-5 Interchange Additional Lanes

Project Number: **Total Cost:** \$19,800,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: Phase I of the this proposal includes completion of Interchange Justification Report. Phase II includes construction of the preferred interchange improvements.

Location: I-5/4th Street interchange and necessary channelization

Justification: Existing interchanges operates at a LOS F during the AM & PM peak hours. The proposed project would improve safety and level of service.
 Continue to take a lead role in the planning design and implementation of state highway improvements within Marysville. Encourage multi-agency cooperation (such as WSDOT and Sound Transit) and ensure that improvements in Marysville are coordinated with adjacent communities.
 Coordinate with local, regional, state, and federal agencies in the development and operation of the transportation system that contribute to the relief of traffic congestion.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$1,800,000	\$0	\$0	\$0	\$9,000,000	\$9,000,000	\$0	\$19,800,000
Total:	\$0	\$1,800,000	\$0	\$0	\$0	\$9,000,000	\$9,000,000	\$0	\$19,800,000

Policy Decisions:

- Increases infrastructure capacity to alleviate existing service deficiencies.

Score: 1

CFP - Project Descriptions

Transportation

Project Name: State Avenue Improvement Project (116th St NE – 136th St NE)

Project Number: **Total Cost:** \$4,400,000 **Begin Year:** 2013 **Target Completion Year:** 2014

Description: Widen State Avenue from the current 3-lane configuration to a 5-lane section. Notable project objectives include the construction of a cohesive pedestrian network along the corridor, with sidewalks, added illumination and dedicated pedestrian crossings and signals.

Location: State Avenue from 116th Street NE to 136th Street NE.

Justification: Improve safety, reduce traffic congestion and provide for current and future economic and commercial/light industrial development.
Develop a transportation system that recognizes regional traffic needs while allowing Marysville to meet economic development goals.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
305 - GMA Streets	\$0	\$700,000	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$2,200,000
110 - REET I	\$0	\$700,000	\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$2,200,000
Total:	\$0	\$1,400,000	\$3,000,000	\$0	\$0	\$0	\$0	\$.00	\$4,400,000

Policy Decisions:

Fulfills Federal, State, County, or City mandates.
Increases infrastructure capacity to alleviate existing service deficiencies.
Score: 2

CFP - Project Descriptions

Transportation

Project Name: 88th Street NE (State Ave – 67th Ave)

Project Number: **Total Cost:** \$34,118,000 **Begin Year:** 2013 **Target Completion Year:**

Description: Construct a 5-lane principal arterial with curb, gutter, sidewalk, bicycle lanes and streetscape. Initial phase includes intersection improvements and ROW acquisition.

Location: 88th Street NE from State Avenue to 67th Avenue NE

Justification: Improve safety, mobility and level-of-service.
 Identify improvements and strategies needed to carry out the land use vision and meet the Level-of-Service requirements for transportation.
 Improve street safety and functions.
 Establish a non-motorized circulation system linking key community destinations.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
001 - General	\$0	\$0	\$0	\$1,142,000	\$0	\$0	\$0	\$0	\$1,142,000
Grant Award	\$0	\$900,000	\$450,000	\$0	\$0	\$0	\$0	\$0	\$1,350,000
Funding Needed	\$0	\$900,000	\$450,000	\$1,142,000	\$0	\$14,385,500	\$14,748,500	\$0	\$31,626,000
Total:	\$0	\$1,800,000	\$900,000	\$2,284,000	\$0	\$14,385,500	\$14,748,500	\$0	\$34,118,000

Policy Decisions:

Maintains or Improves Level of Service standards.
 Increases infrastructure capacity to meet future growth needs.
Score: 2

CFP - Project Descriptions

Water

Project Name: North 510 Reservoir

Project Number: **Total Cost:** \$5,180,000 **Begin Year:** 2013 **Target Completion Year:** 2017

Description: This project would include construction of a new 1 MG Reservoir to provide storage to the future North 510 zone.

Location: Exact location is unknown at this time.

Justification: To provide adequate storage for the new North 510 zone.
Provide urban level facilities and services only in Urban Growth Areas.
Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$5,180,000	\$0	\$0	\$5,180,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$5,180,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$5,180,000</i>

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Water

Project Name: Soper Hill (Whiskey Ridge) Reservoir

Project Number: **Total Cost:** \$4,360,000 **Begin Year:** 2013 **Target Completion Year:** 2015

Description: This project would include property acquisition costs prior to construction, and construction of a new 1 MG reservoir east of 83rd Avenue NE. This reservoir will provide storage to an area previously served by Snohomish County PUD.

Location: Exact location is unknown at this time.

Justification: To provide storage to the newly purchase area previously served by Snohomish County PUD.
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$1,300,000	\$0	\$0	\$3,060,000	\$0	\$0	\$0	\$0	\$4,360,000
Total:	\$1,300,000	\$0	\$0	\$3,060,000	\$0	\$0	\$0	\$0	\$4,360,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Water

Project Name: Soper Hill (Whiskey Ridge) Pump Station

Project Number: *Total Cost:* \$1,060,000 *Begin Year:* 2013 *Target Completion Year:* 2016

Description: This project would include installation of a new pump station to provide source capacity to the area to be served by the new Soper Hill (Whiskey Ridge) Reservoir.

Location: Exact location unknown at this time.

Justification: This pump station would replace the existing Cedarcrest Pump Station, which is currently used to fill the Highway 9 Reservoir and serve customers in the South 510 zone. Installation of this pump station will allow the city to pump from the JOA transmission line to the South 510 zone, which will save the city money in pumping costs.

Provide urban level facilities and services only in Urban Growth Areas.

Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.

Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$1,060,000	\$0	\$0	\$0	\$1,060,000
<i>Total:</i>	\$0	\$0	\$0	\$0	\$1,060,000	\$0	\$0	\$0	\$1,060,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Decreases demand on Operations & Maintenance resources.

Increases infrastructure capacity to meet future growth needs.

Score: 3

CFP - Project Descriptions

Water

Project Name: North 510 Zone Pump Station

Project Number: **Total Cost:** \$1,360,000 **Begin Year:** 2013 **Target Completion Year:** 2018

Description: This project would include construction of a new pump station to provide source capacity to the future North 510 zone.

Location: Exact location is unknown at this time.

Justification: To provide adequate source capacity to the future North 510 zone.
Provide urban level facilities and services only in Urban Growth Areas.
Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$1,360,000	\$0	\$1,360,000
Total:	\$0	\$0	\$0	\$0	\$0	\$0	\$1,360,000	\$0	\$1,360,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Score: 1

Water

Project Name: State Avenue (102nd to 116th)

Project Number: **Total Cost:** \$2,970,000 **Begin Year:** 2013 **Target Completion Year:** 2016

Description: Replacement of existing 12 inch Asbestos Cement (AC) distribution pipe with 4,578 feet of 18 inch Ductile Iron Pipe along State Avenue from 102nd Street NE to 116th Street NE.

Location: In the existing right of way on State Avenue between 102nd Street NE and 116th Street NE.

Justification: Increase capacity and update to Ductile Iron pipe.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$2,970,000	\$0	\$0	\$0	\$2,970,000
Total:	\$0	\$0	\$0	\$0	\$2,970,000	\$0	\$0	\$0	\$2,970,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Preserves or extends the life of an existing asset.

Score: 2

CFP - Project Descriptions

Water

Project Name: 67th Avenue NE (100th Street to 132nd Street)

Project Number: **Total Cost:** \$4,889,596 **Begin Year:** 2013 **Target Completion Year:** 2015

Description: This project would involve installation of 10,469 feet of 18 inch diameter ductile iron pipe along 67th Avenue NE, between 100th Street NE and 132nd Street NE. It would also include the installation of a pressure reducing valve (PRV) station and property easement acquisition for the pipeline.

Location:

Justification: This pipeline will provide a connection between our North and South water systems allowing us to provide blending of flows to lower purchased water costs.
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	Prior	2013	2014	2015	2016	2017	2018	Beyond	Totals
402 - Utility Construction	\$0	\$0	\$2,000,000	\$0	\$0	\$0	\$0	\$0	\$2,000,000
Funding Needed	\$0	\$0	\$0	\$2,889,596	\$0	\$0	\$0	\$0	\$2,889,596
Total:	\$0	\$0	\$2,000,000	\$2,889,596	\$0	\$0	\$0	\$0	\$4,889,596

Policy Decisions:

- Affects all customers within the City by changing the way the City delivers services or does business.
- Maintains or Improves Level of Service standards.
- Increases or generates additional revenue due to the efficiency of operation and maintenance.

Score: 3

CFP - Project Descriptions

Water

Project Name: 67th Avenue Watermain (52nd Street NE – 64th Street NE)

Project Number: **Total Cost:** \$2,416,000 **Begin Year:** 2013 **Target Completion Year:** 2015

Description: Replace existing 10" Cast Iron watermain with approximately 5,580 LF of 18" Ductile Iron watermain.

Location: Within the existing right of way of 67th Avenue NE from 52nd Street NE to 64th Street NE

Justification: Improve overall system distribution, pressure and fire flow.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$2,416,000	\$0	\$0	\$0	\$0	\$2,416,000
Total:	\$0	\$0	\$0	\$2,416,000	\$0	\$0	\$0	\$0	\$2,416,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Preserves or extends the life of an existing asset.

Score: 2

Water

Project Name: 67th Avenue NE (44th to 52nd), 44th Street NE (67th to 71st), and 71st Avenue NE (to Sunnyside Reservoir)

Project Number: **Total Cost:** \$2,570,000 **Begin Year:** 2013 **Target Completion Year:** 2017

Description: This project would include installation of 4,697 feet of 18 inch ductile iron pipe. This pipe is located in the right of way and will replace existing 10 inch pipe that carries water from the Sunnyside Reservoir into the distribution system. The pipeline starts at the reservoir heads west to 71st Avenue, heads north on 71st Avenue, heads west along 44th Street NE, then turns north on 67th Avenue and continues north on 67th Avenue to 52nd Street NE.

Location: Within existing right of ways on 71st Avenue NE, 44th Street NE, and 67th Avenue NE.

Justification: Water supply needed for anticipated growth in the area.
Provide urban level facilities and services only in Urban Growth Areas.
Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$0	\$0	\$2,570,000	\$0	\$0	\$2,570,000
Total:	\$0	\$0	\$0	\$0	\$0	\$2,570,000	\$0	\$0	\$2,570,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Water

Project Name: 45 Road Watermain - 140th Place NE (23rd to I-5), North on 23rd Avenue NE, Northwest on the 45 Road

Project Number: *Total Cost:* \$4,500,000 *Begin Year:* 2013 *Target Completion Year:* 2018

Description: Replacement of a 12 inch AC distribution pipe with 10,053 feet of 18 inch ductile iron pipe. The pipe starts on 140th Place NE (beginning 300 feet west of I-5) and goes west to where it turns north on 23rd Avenue NE, then turns northwest and follows the 45 Road to the intersection of 45 Road and 11th Avenue.

Location: Within existing right of ways on 140th Place NE, 23rd Avenue NE, and the 45 Road.

Justification: Completion of Asbestos Cement (AC) pipe replacement between Edward Springs and State Avenue. The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Provide urban level facilities and services only in Urban Growth Areas.

Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.

Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

<i>Funds:</i>	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$4,500,000	\$0	\$4,500,000
<i>Total:</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$4,500,000	\$0	\$4,500,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Water

Project Name: Soper Hill (Whiskey Ridge) Reservoir Waterline

Project Number: **Total Cost:** \$2,010,000 **Begin Year:** 2013 **Target Completion Year:** 2016

Description: This project would include installation of 4,378 feet of 12 inch ductile iron pipe. This pipeline will carry water from the proposed Soper Hill (Whiskey Ridge) Reservoir and Soper Hill (Whiskey Ridge) Pump Station into the existing Soper Hill area distribution system.

Location: Exact location unknown at this time.

Justification: Provide adequate water supply to the Soper Hill area distribution system.
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$0	\$0	\$0	\$2,010,000	\$0	\$0	\$0	\$2,010,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,010,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,010,000</i>

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Increases infrastructure capacity to meet future growth needs.
- Affects all customers within a recognized neighborhood or area.

Score: 3

CFP - Project Descriptions

Water

Project Name: North 510 Zone Reservoir Waterline

Project Number: *Total Cost:* \$16,000,000 *Begin Year:* 2013 *Target Completion Year:* 2018

Description: This project would include installation of 22,838 feet of 12 inch ductile iron pipe. This project comprises of proposed transmission lines for the area to be developed east of the existing North 240 zone. The north/south line is located within the 81st Avenue NE right of way from just south of where the right of way crosses the middle fork of Quilceda Creek to just north of where the right of way crosses 108th Street NE. The east/west line runs from the North 510 zone pump station located at the Wade Road Reservoir stie, continues east along Wade Road, and ends just west of the intersection of Wade Road and State Route 9.

Location: Existing right of way on 81st Avenue NE, and 108th Street, with future property easements unknown at this time.

Justification: Provide adequate water supply to the North 510 zone.
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$5,000,000	\$11,000,000	\$16,000,000
<i>Total:</i>	\$0	\$0	\$0	\$0	\$0	\$0	\$5,000,000	\$11,000,000	\$16,000,000

Policy Decisions:

- Maintains or Improves Level of Service standards.
- Affects all customers within a recognized neighborhood or area.
- Increases infrastructure capacity to alleviate existing service deficiencies.

Score: 3

CFP - Project Descriptions

Water

Project Name: Watermain Rehabilitation and Replacement (R&R)

Project Number: **Total Cost:** \$990,000 **Begin Year:** 2013 **Target Completion Year:**

Description: Routine annual replacement of undersized or aging pipelines, primarily aimed at the replacement of AC and CI pipe within the system

Location: Various locations throughout the city.

Justification: Replacement of undersized or aging pipelines with ductile iron.
The condition of infrastructure should be assessed at appropriate intervals, and be rehabilitated, repaired, or maintained as necessary.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$165,000	\$165,000	\$165,000	\$165,000	\$165,000	\$165,000	\$0	\$990,000
Total:	\$0	\$165,000	\$165,000	\$165,000	\$165,000	\$165,000	\$165,000	\$0	\$990,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Preserves or extends the life of an existing asset.

Score: 2

Water

Project Name: Watermain Oversizing

Project Number: **Total Cost:** \$210,000 **Begin Year:** 2013 **Target Completion Year:**

Description: In some cases, Marysville requires developers to install pipes larger than necessary to serve solely their developments, in order to account for future growth in system demands. This CIP item reflects an annual budget amount that covers the additional costs incurred on such projects.

Location: Various locations throughout the city.

Justification: To provide adequate water supply for future system demands.
Provide urban level facilities and services only in Urban Growth Areas.
Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
402 - Utility Construction	\$0	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$0	\$210,000
Total:	\$0	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$0	\$210,000

Policy Decisions:

Maintains or Improves Level of Service standards.

Increases infrastructure capacity to meet future growth needs.

Score: 2

CFP - Project Descriptions

Water

Project Name: Highway 9 Reservoir

Project Number: **Total Cost:** \$2,250,000 **Begin Year:** 2013 **Target Completion Year:** 2016

Description: This project would include construction of a second Highway 9 Reservoir (1.8 MG) to meet increasing storage volume requirements and provide redundancy in the South 510 zone.

Location: Highway 9 Reservoir Site.

Justification: Increase volume and provide redundancy in the South 510 zone.
 Provide urban level facilities and services only in Urban Growth Areas.
 Provide urban level facilities and services in Urban Growth Areas to avoid health hazards, enhance the quality of life, and maintain viable, efficient, and cost-effective delivery.
 Provide efficient construction of public services and facilities that are consistent with the comprehensive land use plan and available to serve the community concurrent with increased demand generated by new construction.

Funds:	<i>Prior</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>Beyond</i>	<i>Totals</i>
Funding Needed	\$0	\$0	\$0	\$0	\$2,250,000	\$0	\$0	\$0	\$2,250,000
Total:	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,250,000</i>	<i>\$0</i>	<i>\$0</i>	<i>\$0</i>	<i>\$2,250,000</i>

Policy Decisions:

- Maintains or Improves Level of Service standards.
 - Increases infrastructure capacity to meet future growth needs.
 - Affects all customers within a recognized neighborhood or area.
- Score:** 3

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

LONG RANGE CFP LIST

The Long-Range CFP List is a report that represents a partial list of projects that are anticipated in the future, but for which no funding has been identified within the six-year scope of the CFP. The following list of long-range CFP projects are grouped by project type.

PROJECT NAME	DESCRIPTION	ESTIMATED COST
TRANSPORTATION		
State Ave 100 th - 116 th	Widen to 5 lan3 roadway section	\$19,000,000
Sunnyside Blvd (47 th Ave NE to 52 nd St NE)	Widen to 5 lane road section	\$13,250,000
First Street Bypass (SR 529 to Sunnyside Blvd)	Construct new roadway alignment	\$10,650,000
156 th St NE interchange	Convert existing overcrossing to a single point urban interchange	\$41,500,000
88 th St NE (State Ave to 67 th)	Widen to a 5 lane roadway section	\$34,118,000
SR 529 interchange expansion	Complete the existing half interchange with new on/off ramps	\$55,000,000
SR 528/I-5 interchange additional lanes	Construct additional east and westbound lanes at the interchange	\$19,800,000
TOTAL (transportation)		\$193,318,000
WATER		
71 st Ave NE (52 nd to 72 nd)	Replace 10" AC to 12" DI (6,559 feet)	\$4,060,000
52 nd St NE (67 th to 73 rd)	Replace 10" with 12" DI (2,023 feet)	\$1,270,000
52 nd Dr NE (North from 81 st Pl)	Install 8" DI - Fire Flow (340 feet)	\$120,000
77 th Pl NE and 76 th St NE	Replace 6" with 8" DI (410 feet)	\$350,000
60 th Dr NE (80 th Pl to 98 rd Pl)	Replace 6" with 8" DI (3,842 feet)	\$1,400,000
61 st Dr NE and 84 th Pl NE	Replace 6" with 8" DI (758 feet)	\$300,000
87 th St (86 th to 87 th)	Replace 6" with 8" DI (3,842 feet)	\$240,000
86 th St NE (at 60 th Dr NE)	Replace 6" with 8" DI (855 feet)	\$320,000
50 th Ave NE and 92 nd St NE	Replace 6" with 8" DI (250 feet)	\$110,000
92 nd St NE and 55 th Ave NE	Replace 6" with 8" DI (561 feet)	\$250,000
134 th Pl NE (51 st to 54 th)	Replace 6" with 8" DI (1,502 feet)	\$520,000
140 th Pl NE and 29 th Ave NE	Replace 4" with 8" DI (305 feet)	\$120,000
TOTAL (water)		\$9,060,000

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PROJECT NAME	DESCRIPTION	ESTIMATED COST
SEWER		
88 th Street NE (Allen Creek)	Replace 12" sewer line (1,120 feet)	\$640,000
Sunnyside Blvd (53 rd to 60 th)	Replace 24" with 30" (3,150 feet)	\$3,590,000
169 th PI NE and 27 th PI NE	Replace 10" & 12" with 15" (3,035 feet)	\$1,290,000
152 nd (East from 51 st Ave NE)	Install 21" (2,625 feet)	\$2,300,000
51 st Pump Station Upsizing	Upsize pumps, wiring and controls	\$250,000
Soper Hill Pump Station Upsizing	Upsize pumps, wiring and controls	\$100,000
Biosolids Removal	Wastewater Treatment Plan	\$3,400,000
Alum Storage	Increase storage from 7500 to 10,000 gallons	\$35,000
Complete Mix Cells #7 and #8	Addition to meet NPDES limits	\$4,000,000
TOTAL (sewer)		\$15,605,000
STORM DRAINAGE		
North Marysville Regional Detention Facility No. 3	Acquisition of land, design and construction of a detention facility in order to facilitate economic development	\$6,000,000
North Marysville Regional Detention Facility No. 4	Acquisition of land, design and construction of a detention facility in order to facilitate economic development	\$6,000,000
TOTAL (storm drainage)		\$12,000,000
PARKS		
Mother Nature's Window	Design & construction of 30 acre park facility	\$1,500,000
Strawberry Fields Athletic Park	Field turf installation (3 field application)	\$250,000
Qwuloolt Trail Improvements	Access, paving trail, site furnishings	\$150,000
TOTAL (parks)		\$1,900,000

SCHOOLS

Marysville School District No. 25, Lake Stevens School District No. 4 and Lakewood School District No. 306 are described in Section 11 - Public Facilities and Services Chapter of the Marysville Comprehensive Plan. Each of the aforementioned school districts have boundaries within the City of Marysville Urban Growth Area, and have prepared and adopted a Capital Facilities Plan which outlines a schedule and financing program for capital improvements over a six year period.

Marysville School District No. 25

Marysville School District No. 25 Capital Facilities Plan for Fiscal Years 2012 – 2017 was adopted by the Board of Directors on September 17, 2012. The City Council of the City of Marysville has reviewed the CFP and adopted said plan, by Ordinance No. 2912, as a sub-element of the Marysville Comprehensive Plan, which shall become part of the City of Marysville's Capital Facilities Plan.

The Six-Year Finance Plan shown on the following table entitled '*MARYSVILLE SCHOOL DISTRICT 2012 – 2017 Capital Facilities Plan*' demonstrates how the Marysville School District intends to fund new construction and improvements to school facilities for the years of 2012 – 2017.

Lake Stevens School District No. 4

Lake Stevens School District No. 4 Capital Facilities Plan for Fiscal Years 2012 – 2017 was adopted by the Board of Directors on September 2012. The City Council of the City of Marysville has reviewed the CFP and adopted said plan, by Ordinance No. 2912, as a sub-element of the Marysville Comprehensive Plan, which shall become part of the City of Marysville's Capital Facilities Plan.

The Six-Year Finance Plan shown on the following table entitled '*LAKE STEVENS SCHOOL DISTRICT 2012 – 2017 Capital Facilities Plan*' demonstrates how the Lake Stevens School District intends to fund new construction and improvements to school facilities for the years of 2012 – 2017.

Lakewood School District No. 306

Lakewood School District No. 306 Capital Facilities Plan for Fiscal Years 2012-2017 was adopted by the Board of Directors on September 19, 2012. The City Council of the City of Marysville has reviewed the CFP and adopted said plan, by Ordinance No. 2912, as a sub-element of the Marysville Comprehensive Plan, which shall become part of the City of Marysville's Capital Facilities Plan.

The Six-Year Finance Plan shown on the following table entitled '*LAKWOOD SCHOOL DISTRICT 2012 – 2017 Capital Facilities Plan*' demonstrates how the Lakewood School District intends to fund new construction and improvements to school facilities for the years of 2012 – 2017.

Marysville School District

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Table 15
Capital Facilities Financing Plan

Improvements Adding Permanent Capacity (Costs in Millions)**

Project	2011	2012	2013	2014	2015	2016	2017	Total Cost	Bonds/ Local Funds	Projected State Match	Impact Fees ²
Elementary											
Cascade Addition ³				\$1.750	\$0.728			\$2,478	\$1,600	\$0.743	\$0.135
Liberty Addition ⁴				\$2.404	\$0.916			\$3,320	\$2,232	\$0.996	\$0.092
Middle School											
High School											
Land Purchase (for future growth)											
** All projects are growth-related.											

Total Capacity Improvements -- (Costs in Millions)**

	2011	2012	2013	2014	2015	2016	2017	Total Cost	Bonds/ Local Funds	Projected State Match	Impact Fees
Elementary											
Middle Level											
High School				\$4.154	\$1.644			\$5,798	\$3,832	\$1,739	\$0.227
Land Purchase											
TOTALS				\$4,154	\$1,644			\$5,798	\$3,832	\$1,739	\$0.227
** All projects are growth-related.											

² Fees in this column are based on amount of fees collected to date and estimated fees on future units. Estimated fees are based on recent fee collections and a review of projected fee amounts and known or anticipated future growth.
³ The cost estimate for Cascade is for a pro-rata (@ 12.39%) of the total estimated cost of construction. This corresponds to the additional capacity added to the replacement capacity for the school.
⁴ The cost estimate for Liberty is for a pro-rata (@ 16.60%) of the total estimated cost of construction. This corresponds to the additional capacity added to the replacement capacity for the school.

Lake Stevens School District

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Table 8 -- Capital Facilities Plan 2012-2017

Improvements Adding Student Capacity	Estimated Project Cost by Year - in \$ millions						Total Cost	Local Cost	State Match
	2012	2013	2014	2015	2016	2017			
Elementary Site Acquisition Elementary School				\$1.05	\$21.70		\$1.05 \$13.02		8.68
Middle Capacity Addition				500					
Mid-High Capacity Addition									
High School Capacity Addition									
Improvements Not Adding Student Capacity							Local		Match
Elementary									
Middle									
Mid-High									
High School									
District-wide Improvements									
Totals							Local	Match	
Elementary (including land acquisition)				\$22.75			\$14.07		\$8.68
Middle									
Mid-High									
High School									
District Wide									
Annual Total				\$22.75			\$14.07		\$8.68

* Local Cost includes amounts currently available to the District, future uncollected impact fees and bonds and levies not yet approved.

Lakewood School District

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**Table 8
Capital Facilities Plan**

Improvements Adding Permanent Capacity (Costs in Millions)

Project	2012	2013	2014	2015	2016	2017	Total Cost	Bonds/ Levy	State Match	Impact Fees
Elementary School										
Middle School										
Portables	\$6.000							X		X
High School										
Lakewood High Addition				\$4.208	\$12.623		\$16.832	X	X	X
Secondary										
Site Acquisition			\$4.500				\$4.500	X		X

Improvements Not Adding Capacity (Costs in Millions)

Project	2012	2013	2014	2015	2016	2017	Total Cost	Bonds/ Levy	State Match	Impact Fees
Elementary										
Middle School										
High School										
Lakewood High Modernization and Shop/Lab Replacement				\$7.436	\$22.269		\$29.705	X	X	
LHS Track Improvements					\$2.340		\$2.340	X	X	

Total Permanent Improvements (Costs in Millions)

	2012	2013	2014	2015	2016	2017	Total Cost	Bonds/ Levy	State Match	Impact Fees
TOTAL	\$6.000		\$4.500	\$11.644	\$37.232		\$59.377	X	X	X

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CITY OF MARYSVILLE • COMPREHENSIVE PLAN

CITY OWNED PROPERTIES INVENTORY

PARCEL ID	TYPE	CITY FACILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
00585600200100	CITY FACILITY	CEDAR FIELD	CEDAR FIELD, BOYS AND GIRLS CLUB	1010 BEACH AVE	2.48	\$1,376,400
30052800215600	CITY FACILITY	CITY HALL	CITY HALL	1049 STATE AVE	0.91	\$1,656,000
30052800215700	CITY FACILITY	CITY HALL	PARKING	1035 STATE AVE	0.99	\$660,500
30052100422900	CITY FACILITY	COCA COLA PLANT PROPERTY	UNDEVELOPED	4500 BLK 76TH ST NE	2.48	\$503,900
30052100423000	CITY FACILITY	COCA COLA PLANT PROPERTY	UNDEVELOPED	4500 BLK 76TH ST NE	2.78	\$566,100
30052800211900	CITY FACILITY	COURT HOUSE	COURT HOUSE, HR	1015 STATE AVE	2.72	\$3,207,900
30053300201200	CITY FACILITY	CROWN PROPERTY	SOLID WASTE FLEET DEPOT	60 STATE AVE	10.00	\$922,000
00576200100100	CITY FACILITY	DELTA BUILDING	UNDEVELOPED	601 DELTA ST	0.23	\$420,500
00576200100300	CITY FACILITY	DELTA BUILDING	UNDEVELOPED	601 DELTA ST	0.27	\$105,700
30053300203100	CITY FACILITY	MARINA	ADJACENT PARCEL	1326 1ST ST	0.25	\$444,500
00970300100800	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$1,100
00970300100900	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$1,200
00970300101000	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$1,700
00970300101100	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$1,400
00970300200700	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$700
00970300200800	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$800
0970300201100	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$900
00970300201200	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$900
00970300201500	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$700
00970300201600	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$700
00970300300400	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$2,200
00970300400400	CITY FACILITY	MARINA	AUX. ACCOUNT	1326 1ST ST	4.73	\$1,000
30053300202700	CITY FACILITY	MARINA	MAIN ACCOUNT	1326 1 ST ST	4.73	\$293,500
30052700104900	CITY FACILITY	MARYSVILLE PUBLIC LIBRARY	PUBLIC LIBRARY	6120 GROVE ST NE	5.84	\$2,744,200
00518500200100	CITY FACILITY	MAZA PROPERTY	UNDEVELOPED	1328 7TH ST	0.24	\$127,500
00518500200300	CITY FACILITY	MAZA PROPERTY	UNDEVELOPED	1322 7TH ST	0.12	\$83,000
30052800200500	CITY FACILITY	PUBLIC SAFETY BUILDING	POLICE DEPARTMENT, FIRE STATION	1635 GROVE ST NE	2.38	\$3,970,000
30053300101400	CITY FACILITY	PUBLIC WORKS AND COMMUNITY DEVELOPMENT	WETLANDS	80 COLUMBIA AVE	1.90	\$176,400
30053300101600	CITY FACILITY	PUBLIC WORKS AND COMMUNITY DEVELOPMENT	WETLANDS	80 COLUMBIA AVE	1.92	\$176,400
30053300105600	CITY FACILITY	PUBLIC WORKS AND COMMUNITY DEVELOPMENT	WETLANDS	80 COLUMBIA AVE	0.38	\$3,800
30053300200100	CITY FACILITY	PUBLIC WORKS AND COMMUNITY DEVELOPMENT	OFFICES, SHOP	80 COLUMBIA AVE	20.74	\$2,425,000
00576200600100	CITY FACILITY	WILLIAMS PROPERTY	UNDEVELOPED	1327 5TH ST	0.18	\$171,200

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PARCEL ID	TYPE	PARK FACILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
30052200103300	OPEN SPACE	DOSHEL TREE FARM	UNDEVELOPED	9028 67TH AVE NE	6.27	\$283,300
31052800300200	OPEN SPACE	FWL PROPERTY	UNDEVELOPED	16000 BLK SMOKEY POINT BLVD	15.09	\$580,000
31052800300100	OPEN SPACE	FWL PROPERTY	UNDEVELOPED	16000 BLK SMOKEY POINT BLVD	25.04	\$2,170,200
31052800300300	OPEN SPACE	FWL PROPERTY	UNDEVELOPED	16000 BLK SMOKEY POINT BLVD	4.93	\$1,366,100
30052300200700	OPEN SPACE	GRACE CREEK OPEN SPACE	GRACE CREEK	7300 BLK OF 88TH ST NE	8.60	\$8,600
30052300202500	OPEN SPACE	GRACE CREEK OPEN SPACE	GRACE CREEK	7300 BLK OF 88TH ST NE	0.54	\$500
30052700108900	OPEN SPACE	HOLMAN NATURE PARK	OPEN SPACE	67TH PL NE	3.06	\$3,100
01070800099800	OPEN SPACE	HOLMAN NATURE PARK	OPEN SPACE	6800 BLK 60TH DR NE	1.87	\$0
29050200302400	OPEN SPACE	KING PARK	WILDLIFE PROTECTION AREA	3100 BLK SUNNYSIDE BLVD	9.74	\$89,500
00782600099900	OPEN SPACE	MUNSON CREEK DIVISION 4	NATIVE GROWTH PROTECTION AREA	7700 BLK OF GROVE ST	1.10	\$1,000
00783100099800	OPEN SPACE	MUNSON CREEK DIVISIONS 5 AND 6 NGPA	NATIVE GROWTH PROTECTION AREA	7600 BLK OF 72ND DR	1.93	\$0
00783100099900	OPEN SPACE	MUNSON CREEK DIVISIONS 5 AND 6 NGPA	NATIVE GROWTH PROTECTION AREA	7600 BLK OF 72ND DR	4.30	\$0
30053200200100	OPEN SPACE	QUIL CEDA ESTUARY	UNDEVELOPED UTILITY	QUILCEDAR CREEK & EBEE SLOUGH	45.26	\$44,200
00773900099900	OPEN SPACE	QUILANE OPEN SPACE	UNDEVELOPED PARK	QUILCDA CREEK CORRIDOR	20.87	\$21,000
30053300400200	OPEN SPACE	QWULOOLT WETLAND RESERVE	WETLANDS	EBEE SLOUGH	16.63	\$37,900
30053400300800	OPEN SPACE	QWULOOLT WETLAND RESERVE	WETLANDS	JONES CREEK	3.39	\$1,000
30053300401000	OPEN SPACE	QWULOOLT WETLAND RESERVE	WETLANDS	EBEE SLOUGH	14.76	\$35,400
30053400200600	OPEN SPACE	ROSE PROPERTY	QWULOOLT OPEN SPACE	5900 BLK 57TH DR NE	11.33	\$185,300
30052700306000	OPEN SPACE	ROSE PROPERTY	QWULOOLT OPEN SPACE, ACCESS	5600 BLK 61ST ST NE	0.17	\$107,700
00629200005100	OPEN SPACE	SHERWOOD FOREST	UNDEVELOPED PARK	11900 BLK 47TH DR NE	2.78	\$2,800
00894600099500	OPEN SPACE	WHISKEY RIDGE PIPELINE CORRIDOR	FUTURE BAYVIEW TRAIL	PSP&L UTILITY	6.00	\$11,500
00756800010000	PARK	BAYVIEW TRAIL	PIPELINE CORRIDOR	8100 BLK 75TH ST NE	0.37	\$0
30052300300300	PARK	CEDARCREST GOLF COURSE	PUBLIC GOLF COURSE	6810 84TH ST NE	99.38	\$9,873,500
30052600200500	PARK	CEDARCREST RESERVOIR PARK	RESERVOIR	7420 71ST AVE NE	2.26	\$261,800
00861600099400	PARK	CEDARCREST VISTA PARK	PARK, DETENTION FACILITY	6400 BLK OF 83RD ST	1.91	\$0
00528701000000	PARK	COMEFORD PARK & SENIOR CENTER	CITY PARK, SENIOR CENTER	514 DELTA AVE	1.94	\$1,794,100
00590700011000	PARK	DEERING WILDFLOWER ACRES	CITY PARK	4708 79TH AVE NE	4.64	\$331,700
00590700013100	PARK	DEERING WILDFLOWER ACRES	CITY PARK	4708 79TH AVE NE	4.64	\$187,700
00590700013200	PARK	DEERING WILDFLOWER ACRES	CITY PARK	4708 79TH AVE NE	4.64	\$412,600
00590700013400	PARK	DEERING WILDFLOWER ACRES	CITY PARK	4708 79TH AVE NE	4.57	\$187,700
00590700015500	PARK	DEERING WILDFLOWER ACRES	CITY PARK	4708 79TH AVE NE	4.68	\$234,600

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PARCEL ID	TYPE	PARK FACILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
00590700015800	PARK	DEERING WILDFLOWER ACRES	CITY PARK	4708 79TH AVE NE	4.69	\$187,700
00883200099900	PARK	EBEY WATERWAY - UNDEVELOPED PARK	TRAIL ACCESS	5800 BLK OF 44TH PL	0.47	\$0
29050300108500	PARK	EBEY WATERWAY - UNDEVELOPED PARK	ROBERTS PROPERTY	4200 BLK SUNNYSIDE BLVD	2.62	\$135,500
29050300108400	PARK	EBEY WATERWAY - UNDEVELOPED PARK	HENDRICKSON PROPERTY	4200 BLK SUNNYSIDE BLVD	5.02	\$71,900
00790300099900	PARK	FOOTHILLS PARK	NEIGHBORHOOD PARK, OPEN SPACE, DETENTION FACILITIES	7200 BLK OF 57TH PL	5.35	\$0
00782900099900	PARK	FOOTHILLS PARK	NEIGHBORHOOD PARK	58TH STREET	0.60	\$600
00877900099900	PARK	FOOTHILLS PARK	NEIGHBORHOOD PARK	59TH ST NE	3.39	\$0
00821800099900	PARK	FOOTHILLS PARK	PARK, OPEN SPACE, DETENTION FACILITIES	6000 BLK OF 68TH DR	3.31	\$0
01010900099800	PARK	HARBOR VIEW PARK	CITY PARK	4700 60TH AVE NE	3.21	\$0
30053400300600	PARK	HARBOR VIEW PARK	CITY PARK	5810 49TH ST NE	0.50	\$42,000
30053400301100	PARK	HARBOR VIEW PARK	CITY PARK	5820 49TH ST NE	0.51	\$69,300
00918500099000	PARK	HARBOR VIEW PARK	CITY PARK	4700 60TH AVE NE	5.51	\$0
00723000011000	PARK	HICCOCK PARK	NEIGHBORHOOD PARK	SR 528 & 67TH AVE	0.80	\$174,600
30052700400300	PARK	HOLMAN NATURE PARK	WETLANDS	60TH DR & SR 528	20.84	\$708,400
30052700400500	PARK	HOLMAN NATURE PARK	ROW ACCESS	6100 BLK 64TH ST NE	0.19	\$100
30052700205300	PARK	JENNINGS PARK	CITY PARK	7027 51ST ST NE	7.43	\$635,200
00408900000702	PARK	JENNINGS PARK	CITY PARK	51ST AVE NE	11.51	\$1,149,100
00829900050100	PARK	JENNINGS PARK	69TH STREET ACCESS	55TH DR & 69TH ST	0.05	\$0
00797600050100	PARK	JENNINGS PARK	CITY PARK	6915 ARMAR ROAD	29.51	\$0
30052700302300	PARK	JENNINGS PARK	CITY PARK	6915 ARMAR ROAD	0.40	\$4,000
30052800405700	PARK	JENNINGS PARK	CITY PARK	6915 ARMAR ROAD	4.34	\$3,300
29050200205600	PARK	KIWANIS PARK	OFF-LEASE DOG AREA, WELL SITE	6700 BLK OF 47TH ST	5.05	\$542,500
30051500300800	PARK	MOTHER NATURE'S WINDOW	UNDEVELOPED PARK	5600 BLK 100TH ST NE	5.18	\$520,200
30051500300500	PARK	MOTHER NATURE'S WINDOW	UNDEVELOPED PARK	5600 BLK 100TH ST NE	10.03	\$1,045,200
30051500300700	PARK	MOTHER NATURE'S WINDOW	UNDEVELOPED PARK	5600 BLK 100TH ST NE	4.87	\$474,700
30051500300100	PARK	MOTHER NATURE'S WINDOW	UNDEVELOPED PARK	5600 BLK 100TH ST NE	6.33	\$670,000
30051500305100	PARK	MOTHER NATURE'S WINDOW	UNDEVELOPED PARK	5600 BLK 100TH ST NE	8.16	\$896,600
00841300099800	PARK	NORTHPOINTE EAST PARK	NEIGHBORHOOD PARK	8000 BLK OF 70TH ST	3.17	\$6,400
00905500098600	PARK	NORTHPOINTE EAST PARK	NEIGHBORHOOD PARK	PSP&L UTILITY	4.44	\$8,900
00864800099900	PARK	NORTHPOINTE EAST PARK	NEIGHBORHOOD PARK	70TH ST & 70TH DR	3.15	\$0
00770600002700	PARK	NORTHPOINTE PARK	NEIGHBORHOOD PARK	7300 BLK OF 71ST ST	0.89	\$900

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PARCEL ID	TYPE	PARK FACILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
00828200099800	PARK	NORTHPOINTE PARK	NEIGHBORHOOD PARK	7500 BLK OF 70TH ST	1.15	\$127,600
00782400010000	PARK	NORTHPOINTE PARK	NEIGHBORHOOD PARK	7300 BLK OF GROVE ST	2.26	\$2,300
30052600101700	PARK	NORTHPOINTE PARK	NEIGHBORHOOD PARK	7600 BLK OF GROVE ST	2.42	\$268,400
00828200099900	PARK	NORTHPOINTE PARK	NEIGHBORHOOD PARK	71ST PL & 71ST AVE	21.43	\$0
00779300010000	PARK	NORTHPOINTE PARK	NEIGHBORHOOD PARK	70TH ST & 70TH DR	2.86	\$2,900
01016100099800	PARK	PARKSIDE WAY	DETENTION FACILITY	64TH PL & 78TH AVE	1.86	\$0
01048400099800	PARK	PIPELINE CORRIDOR	UNDEVELOPED	8000 BLK SR 528	1.55	\$0
01031300099900	PARK	PIPELINE CORRIDOR	UNDEVELOPED	8100 BLK OF 60TH ST	1.68	\$0
01070000099900	PARK	PIPELINE CORRIDOR	UNDEVELOPED	5800 BLK 79TH AVE NE	2.53	\$0
00865600010300	PARK	SERENITY PARK DETENTION FACILITY	DETENTION FACILITY	84TH ST & 74TH DR	0.31	\$0
01115100099600	PARK	SHASTA RIDGE PARK	NEIGHBORHOOD PARK	3800 BLK 83RD AVE NE	1.56	\$0
30052800219500	PARK	SKATEBOARD PARK	SKATEBOARD FACILITY	1050 COLUMBIA AVE	0.79	\$300,500
31053400100400	PARK	STRAWBERRY FIELDS PARK	CITY PARK	6302 152ND ST NE	0.63	\$201,600
31053400100500	PARK	STRAWBERRY FIELDS PARK	CITY PARK	6302 152ND ST NE	39.18	\$1,343,000
31053400400500	PARK	STRAWBERRY FIELDS PARK	CITY PARK	6302 152ND ST NE	31.91	\$964,100
00468500006300	PARK	TIMBERBROOK/HEATHERGLEN	PARK, OPEN SPACE	5600 BLK 143RD PL NE	1.91	\$16,000
00406700006700	PARK	TIMBERBROOK/HEATHERGLEN	EDGEComb CREEK	14500 BLK TIMBERBROOK DR	1.73	\$5,000
00548300004900	PARK	TIMBERBROOK/HEATHERGLEN	EDGEComb CREEK	14500 BLK TIMBERBROOK DR	3.33	\$10,000
00857000099700	PARK	TUSCANY RIDGE PARK	PARK, OPEN SPACE, DETENTION FACILITY	84TH ST & 74TH DR	7.08	\$170,600
00835600099800	PARK	VERDE RIDGE PARK	NEIGHBORHOOD PARK	11601 44TH DR NE	1.44	\$158,400
00671600005000	PARK	WALTER'S MANOR	NEIGHBORHOOD PARK	12300 BLK 41ST AVE NE	0.33	\$41,000
00551100900100	PARK	WATERFRONT PARK	BOAT RAMP, REST ROOMS, DETENTION FACILITY, PLAYGROUND	1404 1ST ST	5.74	\$1,182,600
00894600099700	PARK	WHISKEY RIDGE PARK	DETENTION FACILITY	77TH ST & 83RD AVE	1.50	\$0
00405500099900	PARK	YOUTH PEACE PARK	NEIGHBORHOOD PARK	67TH AVE & GROVE ST	1.48	\$157,300

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PARCEL ID	TYPE	UTILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
31053300400300	UTILITY	144TH ST NE ROW	ROW	144TH ST E. OF 51ST AVE	0.53	\$2,000
31053200100100	UTILITY	156TH ST NE ROW	ROW	3308 156TH ST NE	0.40	\$143,600
31052900402400	UTILITY	156TH ST NE ROW	ROW	3300 BLK 156TH ST NE	0.40	\$100
31052900402300	UTILITY	156TH ST NE ROW	ROW	15800 BLK TWIN LAKES BLVD	0.41	\$147,800
30052100202400	UTILITY	3803 88TH ST NE DETENTION FACILITY	DETENTION FACILITY	3803 88TH ST NE	3.36	\$4,500
30052800400800	UTILITY	3RD STREET LIFT STATION	LIFT STATION	4900 BLK SS BLVD	0.04	\$1,500
00510700100600	UTILITY	4TH & CEDAR ROW	READER BOARD	4TH & CEDAR AVE	0.25	\$222,800
00551201001700	UTILITY	4TH STREET ROW	ROW	1930 4TH ST	0.12	\$101,400
30051000202900	UTILITY	51ST AVE LIFT STATION	LIFT STATION	1220 BLK 51ST AVE	0.36	\$165,800
30052200204800	UTILITY	51ST AVE NE ROW	ROW	51ST AVE & 88TH ST	0.37	\$157,000
00550700001300	UTILITY	51ST AVE NE ROW	ROW	51ST AVE & 88TH ST	0.29	\$168,800
00550700000400	UTILITY	51ST AVE NE ROW	ROW	51ST AVE & 88TH ST	0.40	\$187,800
30052100108100	UTILITY	51ST AVE NE ROW	ROW	51ST AVE & 88TH ST	0.62	\$217,900
00842100099800	UTILITY	75TH AVE NE DETENTION FACILITY	DETENTION FACILITY	5100 BLK 75TH AVE	0.16	\$0
30052800212200	UTILITY	ALDER AVE ACCESS	UTILITY ACCESS	GROVE & ALDER	0.06	\$1,000
01003800099900	UTILITY	ANISSA PLACE DETENTION FACILITY	DETENTION FACILITY	9700 BLK OF 47TH DR	0.07	\$0
00890200099900	UTILITY	ARIS RUN DETENTION FACILITY	DETENTION FACILITY	55TH PL & 73RD AVE	0.32	\$0
00777100099900	UTILITY	BAYVIEW RIDGE DIVISION NO 6 DETENTION FACILITY	DETENTION FACILITY	78TH ST & 77TH AVE	0.30	\$300
01052200099701	UTILITY	BERRYWOODS PHASE 1 DETENTION FACILITY	DETENTION FACILITIES (2)	7600 BLK 82ND AVE NE	1.09	\$0
01063400099800	UTILITY	BERRYWOODS PHASE 2 DETENTION FACILITY	DETENTION FACILITY	7909 87TH AVE NE	1.34	\$0
00832200099900	UTILITY	BEVERLY LANE DETENTION FACILITY	DETENTION FACILITY	5000 BLK OF 70TH DR	0.40	\$0
01036700099900	UTILITY	BIRCH CREEK COMMUNITY DETENTION FACILITY	DETENTION FACILITY	61ST PL & 73RD AVE	0.27	\$0
00816500099900	UTILITY	BRIGHTON PARK DETENTION FACILITY	DETENTION FACILITY	54TH PL & 75TH AVE	0.22	\$0
00918700099900	UTILITY	BRIGHTON PARK EAST DETENTION FACILITY	DETENTION FACILITY	55TH PL & 77TH AVE	0.55	\$0
00932100099900	UTILITY	BRIGHTON PARK RIDGE DETENTION FACILITY	DETENTION FACILITY, POWERLINE EASEMENT	5200 BLK 80TH AVE NE	5.32	\$0
00947400099800	UTILITY	CALLAN PLACE DETENTION FACILITY	DETENTION FACILITY	6600 BLK 78TH PL NE	0.68	\$0
00883300099400	UTILITY	CEDAR CREST GREENS DETENTION FACILITY	DETENTION FACILITY, UTILITY ACCESS	8000 BLK OF 65TH DR	0.35	\$0
00949200099700	UTILITY	CEDAR HILLS DETENTION FACILITY	DETENTION FACILITY	7400 BLK 56TH PL NE	0.27	\$0
30052300301700	UTILITY	CEDARCREST DETENTION FACILITY	DETENTION FACILITY	GROVE & 72ND ST	0.43	\$600
00887700099900	UTILITY	CEDARCREST PARK PRD DETENTION FACILITY	DETENTION FACILITY	8224 67TH AVE NE	0.43	\$0

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PARCEL ID	TYPE	UTILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
01031300099800	UTILITY	CEDARVIEW HEIGHTS DETENTION FACILITY	DETENTION FACILITY	61ST PL & 80TH AVE	0.36	\$0
00905100099700	UTILITY	CHATHAM COURT DETENTION FACILITY	DETENTION FACILITIES (2)	84TH ST & 74TH DR	0.63	\$0
00797300099900	UTILITY	CLOVERDALE DIVISION 1 DETENTION FACILITY	DETENTION FACILITY	67TH & 88TH	0.20	\$0
30052800216500	UTILITY	COLUMBIA AVE ROW	ROW, STREET	COLUMBIA FRM 10TH ST N	0.37	\$0
00915600099900	UTILITY	CROWN ESTATES DETENTION FACILITY	DETENTION FACILITY	7700 BLOCK 63RD ST	0.23	\$0
00913900099900	UTILITY	CRYSTAL HEIGHTS DIV 3 DF	DETENTION	60TH ST & 77TH	0.64	\$0
30052800211800	UTILITY	DELTA AVE ROAD EXTENSION	UTILITY ACCESS	S OF GROVE ALONG BNSF	1.28	\$294,000
00590700025800	UTILITY	DENSMORE RD ROW	ROW	4109 64TH AVE NE	0.17	\$400
00836900010000	UTILITY	EASTWOOD HILLS 4 DETENTION FACILITY	DETENTION FACILITY	50TH PL & 67TH AVE	0.18	\$0
00809000099900	UTILITY	EASTWOOD HILLS DETENTION FACILITY	DETENTION FACILITY	7000 BLK 49TH ST	0.53	\$0
00906300099800	UTILITY	EBEY LANDING DETENTION FACILITY	DETENTION FACILITY	61ST ST & 52ND AVE	0.12	\$0
00494600200500	UTILITY	EDWARD SPRINGS	RESERVOIR	3914 LAKEWOOD RD	90.86	\$1,010,200
31042600100100	UTILITY	EDWARD SPRINGS	RESERVOIR	FREESTAD RD & MCRAE RD	108.40	\$946,900
31042400300600	UTILITY	EDWARD SPRINGS	RESERVOIR	172ND ST & LAKEWOOD RD	52.50	\$597,400
31042300402300	UTILITY	EDWARD SPRINGS	RESERVOIR	172ND ST & LAKEWOOD RD	29.00	\$245,300
00907000099900	UTILITY	FOXWOOD DETENTION FACILITY	DETENTION FACILITY	63RD ST & 77TH PL	0.84	\$0
01040200090400	UTILITY	GETCHELL HILL DIVISION 1 DETENTION FACILITY	DETENTION FACILITY	7700 BLK OF 87TH ST NE	0.89	\$0
01057900080700	UTILITY	GETCHELL HILL DIVISION 2 DETENTION FACILITY	DETENTION FACILITIES (3)	8000 BLK 87TH PL NE	2.44	\$0
01097900070100	UTILITY	GETCHELL HILL DIVISION 4 DETENTION FACILITY	DETENTION FACILITY	8200 BLK 81ST DR NE	0.30	\$0
30051400400200	UTILITY	GETCHELL RESERVOIR	RESERVOIR	100TH ST & 67TH AVE	4.26	\$2,649,000
00459600000508	UTILITY	GRANNIS TRACTS DETENTION FACILITY	DETENTION FACILITY	3600 BLK 85TH ST NE	0.06	\$600
30052700106600	UTILITY	GROVE ST REGIONAL DETENTION FACILITY	DETENTION FACILITY	73RD PL & 64TH AVE	1.91	\$2,000
30053500306700	UTILITY	HERITAGE PLACE SP DETENTION FACILITY	DETENTION FACILITY	5100 BLK 67TH AVE	0.13	\$100
00833500099800	UTILITY	HICKOCK PARK SUBDIVISION DETENTION FACILITY	DETENTION FACILITY	64TH ST & 63RD PL	0.29	\$0
00833500099400	UTILITY	HICKOCK PARK SUBDIVISION UTILITY ACCESS	UTILITY ACCESS	7400 BLK OF 63RD PL	0.03	\$0
30052500302400	UTILITY	HIGHWAY 9 WELL	RESERVOIR	SR 528 & SR 9	4.52	\$725,300
01104300099800	UTILITY	JACQUELINE RIDGE, PH 1 DETENTION FACILITY	DETENTION FACILITY	8300 BLK 82ND ST NE	0.35	\$0
01104300099400	UTILITY	JACQUELINE RIDGE, PH 2 DETENTION FACILITY	DETENTION FACILITY	8200 BLK 86TH AVE NE	0.39	\$0
00911600099600	UTILITY	JEFFERSON HILL DETENTION FACILITY	DETENTION FACILITY	4800 BLK OF 46TH PL	0.28	\$0
30051500101900	UTILITY	KELLOGG MARSH STANDPIPE	RESERVOIR	6605 100TH ST NE	1.01	\$118,300
00784100009900	UTILITY	KELLOGG MEADOWS DIVISION 3 UTILITY ACCESS	UTILITY ACCESS	73RD ST & 66TH DR	0.08	\$3,000

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PARCEL ID	TYPE	UTILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
00951500099500	UTILITY	KELLOGG RIDGE LIFT STATION	LIFT STATION	6600 BLK 105TH ST NE	0.02	\$0
31042200303400	UTILITY	LAKE GOODWIN WELL	WELL SITE	3914 LAKEWOOD RD	9.68	\$124,300
00943000099900	UTILITY	LOGANS LANDING DETENTION FACILITY	DETENTION FACILITY	5800 BLK 57TH DR NE	0.16	\$0
30052900300700	UTILITY	MARYSVILLE WEST LIFT STATION	LIFT STATION	2516 MARINE DR NE	0.40	\$133,700
00922000099900	UTILITY	MISSION VIEW HEIGHTS DETENTION FACILITY	DETENTION FACILITY	69TH ST & 77TH AVE	0.33	\$0
01018400099700	UTILITY	MORGAN CROSSING DETENTION FACILITY	DETENTION FACILITY	51ST PL & 75TH AVE	0.17	\$0
00923000099600	UTILITY	MOUNTAINVIEW DETENTION FACILITY	DETENTION FACILITY	4900 BLK 67TH AVE	0.15	\$0
01027900099800	UTILITY	NORTH RIDGE PARK DETENTION FACILITY	DETENTION FACILITY	7600 BLOCK OF INGRAHAM BLVD	1.61	\$0
01001100099800	UTILITY	NORTHWEST CREST DETENTION FACILITY	DETENTION FACILITY	5900 BLK OF SUNNYSIDE BLVD	0.46	\$0
01023900099900	UTILITY	NORTHWEST PARK DETENTION FACILITY	DETENTION FACILITY	56TH PL & 76TH AVE	0.36	\$0
01050500010100	UTILITY	PALISADES DETENTION FACILITY	DETENTION FACILITY	5900 BLK 77TH DR NE	0.16	\$0
01057600010200	UTILITY	PALISADES DIVISION 2 DETENTION FACILITY	DETENTION FACILITY	5700 BLK 76TH AVE NE	0.19	\$0
01006100099800	UTILITY	PIPELINE CORRIDOR	DETENTION FACILITY	80TH AVE & 61ST PL	4.11	\$0
30053300106200	UTILITY	PUBLIC WORKS AND COMMUNITY DEVELOPMENT	ROW	80 COLUMBIA AVE	0.04	\$100
30051600103800	UTILITY	QUILCEDA CR. UTILITY ACCESS	UTILITY ACCESS	100TH & SMKY PNT BLVD	0.11	\$1,500
31053300300200	UTILITY	REGIONAL POND NO. 1	DETENTION FACILITY	14500 BLK 40TH AVE NE	8.80	\$18,100
31053300206300	UTILITY	REGIONAL POND NO. 1 STORMDRAIN EASEMENT	STORMDRAIN EASEMENT	14900 BLK 40TH AVE NE	0.60	\$600
31053300300100	UTILITY	REGIONAL POND NO. 2	UNDEVELOPED	14500 BLK 40TH AVE NE	18.98	\$2,396,000
01016000050000	UTILITY	ROCK CREEK DETENTION FACILITY	DETENTION FACILITY	GROVE & 83RD/86TH	1.22	\$0
00921800099900	UTILITY	RYAN COURT DETENTION FACILITY	DETENTION FACILITY	6400 BLK OF 78TH ST	0.37	\$0
30050400101900	UTILITY	SMOKEY POINT COMMERCE CENTER DETENTION POND	DETENTION POND	13800 BLK OF 45TH AVE	4.24	\$4,200
30052600405500	UTILITY	SP 00004 DETENTION FACILITY	DETENTION FACILITY	6300 BLK OF 79TH AVE	0.11	\$0
30052600407700	UTILITY	SP 02001 DETENTION FACILITY	DETENTION FACILITY	6200 BLK OF 75TH AVE	0.28	\$0
30052600406900	UTILITY	SP 03001 DETENTION FACILITY	DETENTION FACILITY	6200 BLK OF 80TH AVE	0.19	\$0
30052100422400	UTILITY	SP 04002 DETENTION FACILITY	DETENTION FACILITY	84TH ST & 47TH AVE	0.03	\$500
30052700310000	UTILITY	SP 04-010 DETENTION FACILITY	DETENTION FACILITY	6100 BLK 55TH AVE NE	0.24	\$0
30053500307700	UTILITY	SP 05004 DETENTION FACILITY	DETENTION FACILITY	47TH PL & 67TH AVE	0.19	\$0
00530200000203	UTILITY	SP 94-011 DETENTION FACILITY	DETENTION FACILITY	NORTH OF 67TH ON 52ND DR	0.11	\$100
30052600305300	UTILITY	SP 95002 DETENTION FACILITY	DETENTION FACILITY	64TH PL & 64TH AVE	0.10	\$100
30050900300600	UTILITY	STATE AVE DETENTION FACILITY	DETENTION FACILITY	11402 41ST DR NE	1.64	\$196,900

CITY OF MARYSVILLE • COMPREHENSIVE PLAN

PARCEL ID	TYPE	UTILITIES	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
30050900204500	UTILITY	STATE AVE ROW	ROW	12300 BLK STATE AVE	0.13	\$100
00827800099900	UTILITY	STATE AVENUE EAST DETENTION FACILITY	DETENTION FACILITY	4600 BLK 95TH AVE	0.26	\$0
31050500300700	UTILITY	STILLY PARK	WELL SITE	STILLAGUAMISH RIVER	0.00	\$0
00906600010000	UTILITY	STRAWBERRY HILL PH 3 DETENTION FACILITY	DETENTION FACILITY	59TH ST & 67TH AVE	0.24	\$0
01099000099900	UTILITY	SUNNYSIDE RIDGE DIVISION 2 DETENTION FACILITY	DETENTION FACILITY	4100 BLK 64TH AVE NE	0.34	\$0
29050200206500	UTILITY	SUNNYSIDE WELL	RESERVOIR	4200 BLK 71ST AVE NE	21.78	\$1,850,800
PARCEL ID	TYPE	UTILITIES (cont)	DESCRIPTION	LOCATION	ACRES	TOTAL ASSESSED VALUE
00874100099400	UTILITY	SUNNYSIDE WEST DETENTION FACILITY	DETENTION FACILITY	4800 BLK 75TH AVE	2.36	\$0
00824000099800	UTILITY	SUNSET MEADOWS DETENTION FACILITY	DETENTION FACILITY	9500 BLK 53RD AVE NE	1.21	\$0
00877600090100	UTILITY	THE HILL DETENTION FACILITY	DETENTION FACILITIES (3)	8300 BLK OF 76TH AVE	1.82	\$0
01047000099900	UTILITY	THOEMKE STATION DETENTION FACILITY	DETENTION FACILITY	116TH ST & 46TH AVE	0.25	\$0
31052900100700	UTILITY	TWIN LAKES AVE ACCESS	ROW	16400 BLK TWIN LAKES AVE	0.25	\$68,600
29050400200600	UTILITY	UNION SLOUGH TIDE LAND	ROW	UNION SLOUGH	0.09	\$300
00861800099900	UTILITY	VIKING ESTATES DETENTION FACILITY	DETENTION FACILITY	5600 BLK OF 61ST ST	0.18	\$0
31053500302300	UTILITY	WADE ROAD RESERVOIR	RESERVOIR	6900 BLK WADE RD	3.00	\$1,268,800
01074800099800	UTILITY	WALDOW HEIGHTS DETENTION FACILITY	DETENTION FACILITY	7415 49TH PL NE	0.28	\$0
30053300400400	UTILITY	WASTEWATER TREATMENT FACILITY	WASTEWATER TREATMENT	10 COLUMBIA AVE	0.39	\$1,800
30053300100500	UTILITY	WASTEWATER TREATMENT FACILITY	WASTEWATER TREATMENT	10 COLUMBIA AVE	55.29	\$277,000
30053300400600	UTILITY	WASTEWATER TREATMENT FACILITY	WASTEWATER TREATMENT	10 COLUMBIA AVE	48.55	\$236,400
30053300400500	UTILITY	WASTEWATER TREATMENT FACILITY	WASTEWATER TREATMENT	10 COLUMBIA AVE	2.64	\$5,500
31052100300600	UTILITY	WATER FILTRATION PLANT	WATER FACILITY	17906 43RD AVE NE	1.31	\$776,900
01113800099900	UTILITY	WEBER ESTATES	DETENTION FACILITY	7701 32ND ST NE	0.45	\$0
00866000099700	UTILITY	WHISKEY RIDGE DETENTION FACILITY	DETENTION FACILITY	76TH PL & 79TH DR	0.80	\$0
01018100099700	UTILITY	WHISPERING PINES DETENTION FACILITY	DETENTION FACILITY	GROVE & 81ST DR	0.44	\$0
00932000099900	UTILITY	WOODLAND GARDENS DETENTION FACILITY	DETENTION FACILITY	6700 BLK 49TH PL NE	0.32	\$0

PLANNING
COMMISSION



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MINUTES

April 23, 2013

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the April 23, 2013 meeting to order at 7:02 p.m. noting the absence of Marvetta Toler.

ATTENDANCE

Chairman: Steve Leifer

Commissioners: Roger Hoen, Jerry Andes, Kelly Richards, Kay Smith, Steven Lebo

Staff: Senior Planner Cheryl Dungan, Associate Planner Angela Gemmer

Absent: Marvetta Toler

APPROVAL OF MINUTES

April 9, 2013 Meeting Minutes

Motion made by Commissioner Smith, seconded by Commissioner Richards, to approve the minutes as presented. **Motion** passed unanimously (6-0).

AUDIENCE PARTICIPATION - None

PUBLIC HEARINGS

Capital Facilities Plan

Chair Leifer noted that there was no one present in the audience. The hearing was opened at 7:03 p.m.

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Senior Planner Cheryl Dungan noted that the Capital Facilities Plan is a six-year plan that communicates the City's plans for capital construction and purchases as required by the Growth Management Act. Things that are generally included in the CFP are structures, improvements, pieces of equipment, or other major assets including land which have a useful life of at least ten years. The City has received one comment from WSDOT who stated that they are basically in agreement the Capital Facilities Plan, but indicated that the City needs to help lobby the legislature for additional funding for the ramps at SR 529 and the 1st Street bypass area. An Interchange Justification Report would also be required before the interchange at 156th could be approved by WSDOT.

Chair Leifer said he noticed that according to the CFP the 116th to 136th project appears to have funding available to it for 2013 with completion in 2014. He wondered if that was accurate. Ms. Dungan stated that it has gone through several reviews through the Public Works Department and through the City Engineer, so it should be accurate.

Commissioner Hoen said he read in the paper that there are three Snohomish County projects in the current state budget including 116th. Senior Planner Dungan noted that the projects were in one of the drafts, but she hadn't heard that they had been approved.

Commissioner Lebo asked for an explanation of the score. Ms. Dungan discussed how the ranking system works. There is a database used to update the CFP each year with certain criteria based on policy decisions. The number indicates the number of policy decisions that were supported for that project; the higher the score the better. Cheryl Dungan noted that this was prepared as a result of the City receiving a grant from the Department of Commerce for \$45,000 to update the Capital Facilities Plan. There were some ranking criteria that were required as part of the grant. The City is still in the process of refining the ranking system.

Commissioner Andes referred to page 27 where it talks about 152nd Street NE between Smokey Point and 43rd Ave NE and noted that the description refers to 88th Street. Cheryl Dungan indicated she would make that correction.

Chair Leifer asked if the regional pond referred to in the document is adjacent to the one that the City already has up there. Ms. Dungan affirmed that it is. Chair Leifer asked for an update on the one that is projected just east of 51st and south of 152nd. Senior Planner Dungan explained that one is part of the Edgecomb/Lakewood/Smokey Point Master Plan. The City currently has an application in with the Army Corps of Engineers for the north end and is still working on that process. The submittal was finally accepted as complete last year. One of the issues is that because of the decline in the economy, property ownership has changed and now a lot of the property out there is owned by banks or has reverted back to previous owners. The City is informing the new property

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owners about the project and garnering their support for it before it goes further. She commented on the importance of property owner support. Chair Leifer asked if there is much interest right now. Ms. Dungan replied that there is some interest, but mostly questions about how this would benefit them in the long run. She discussed details of the project and summarized that the City is working toward obtaining a Corps permit right now and talking to property owners in the area. With Pond 2 they are further along. They also have an application in with the Corps and are supposed to be getting a Wetland Determination from the Army Corps of Engineers by the end of April for that.

Chair Leifer asked if there has been any grant money earmarked for the 156th interchange. Senior Planner Dungan stated that she is not aware of any. This is one of the City's higher priorities, but they recognize that it will take a lot of money. They also need to have an interchange justification report written to convince WSDOT that the interchange can be constructed at 156th and not negatively impact 172nd or 116th. This will be completed when the City has the funding to do it.

Commissioner Richards asked if there is a priority given to either 156th or the 529 interchange. Senior Planner Dungan replied that they are both desirable, but 156th is key for the industrial development in that area. It is critical for attracting the big companies the City would like to see out there.

Chair Leifer wondered if there are any funds available through any of the various agencies related to the MIC designation. Ms. Dungan stated that just by designating the local MIC, it opened up some county and local money to help with infrastructure. Once they get the rezone designation from PSRC she thinks it will open up even more opportunities for more funding. She added that Arlington has received their local designation as well so it is basically a joint MIC boundary now.

Commissioner Andes asked if Arlington has submitted anything to the state about what they want to do as far as an interchange north of the rest areas. Cheryl Dungan stated that she had no knowledge about that.

Commissioner Lebo referred to page 9 relating to the Doleshel Tree Farm which states that it will be starting this year and ending next year. He noted that they actually started renovating this several years ago, and he thought that the park would open this year. Cheryl Dungan stated that in 2013 there is \$15,000 scheduled for improvements. In 2014, there is an additional \$30,000 scheduled so it looks like it won't be completely done until 2014. Commissioner Smith stated that she sits on the Parks and Recreation Advisory Board, and they haven't talked about this yet. There isn't a name yet, but the public is submitting suggestions. The board will be voting on May 8. She will know more about this after May 8 and will bring back information to the Planning Commission. Commissioner Lebo commented that he has been involved in service projects out there

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for the last three years and was told it would be opening this year. Commissioner Smith gave an update on the naming process and noted that they probably couldn't dedicate it until they had a name.

Commissioner Lebo referred to the Trunk "G" Rehabilitation - Cedar to Columbia project on page 18 and asked if the new line would be put in parallel to the existing one. Cheryl Dungan replied that they would be replacing approximately 450 feet and would probably do a temporary bypass while they are replacing it.

Motion made by Commissioner Richards, seconded by Commissioner Andes, to approve the Capital Facilities Plan with the minor correction on page 27 as discussed above and forward to the Council with a recommendation for approval. **Motion** passed unanimously (6-0).

The hearing was closed at 7:24 p.m.

Multi-family/Commercial Design and Open Space Standards

The hearing was opened at 7:24 p.m.

Associate Planner Angela Gemmer stated that the goal of the Multi-family/Commercial Site and Building Design Standards is to strengthen the existing architectural design standards. There are also some additional standards that pertain to lighting and orientation of the site. On the Open Space Standards, the primary change is to shift from having a square footage requirement based on unit type to a requirement that 20% of the gross floor area of the building be provided as open space. To afford some relief from that there is the option to use open space areas, balconies, and other amenities as a means of reducing the total dedicated open space area. One concern that was raised was with respect to Mixed Use zoning which had a multifamily building with minimal ground floor commercial. The memo from staff dated March 20, 2013 has two different alternatives to strengthen that language. The first alternative would require the entire ground floor of the building to be devoted to commercial use in order for the open space provisions to not be required. The second alternative would require that the equivalent of 75% of the ground floor space be devoted to commercial use and that the street wall is maintained with a commercial use. Staff's recommendation is Alternative 2, which they feel is more concrete and offers more flexibility.

Commissioner Richards thought that the requirement should be higher than 75%, but it doesn't need to be all of it. He suggested that 80% of the ground floor space should be required to be commercial on the ground floor.

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PREVIOUS WORKSHOP ITEMS:

Multi-family/Commercial Design and Open Space Standards

Peter Cowley, PO Box 191, Marysville, WA 98270, reiterated his previous concerns. He is very concerned with Lakewood Station. His home will be right next to the new commercial section of the development. He expressed concern about the architectural relief going down the sides, the commercial access for delivery trucks, and the aesthetics of the building. He referred to a Fred Meyer in Lake Oswego/Tigard, Oregon that has a very nice design. He hopes the City will have a higher standard of design with the new developments.

Chair Leifer stated that the Commission has been working on the Smokey Point Master Plan with an emphasis on design quality and street appeal. He stated that Mr. Cowley's concern is well taken.

Mr. Cowley asked about trying to get a median in the middle of the roadway with some vegetation on it and three lanes going in each direction. Ms. Dungan replied that WSDOT would be responsible for that road as it is a state highway. Mr. Cowley stated he thinks this would be very important.

Chair Leifer referred to a memo from Angela Gemmer in response to a concern raised previously by Commissioner Lebo with two possible alternatives. Commissioner Toler spoke in support of Alternative 1. Chair Leifer asked about consideration for housing for handicapped. Other commissioners thought that elevator access would be sufficient. Commissioner Lebo was comfortable with either alternative presented in the memo as long as it is clear. There was consensus to take action on this at the hearing on April 23.

NEW BUSINESS:

Capital Facilities Plan – DRAFT 1

Ms. Dungan reviewed the Draft Capital Facilities Plan (CFP) for years 2013-2018 which communicates the City's plan for capital construction and purchases for a six-year period as required by the Growth Management Act. While the CFP does not cover routine maintenance, it does include construction, engineering, administration, permitting taxes and interest. Capital improvements that are included in the CFP are generally defined as any structures, improvements, equipment, or other major assets, including land that have a useful life of at least ten years. She stated that she was available to answer questions and hopefully set a date for a public hearing. She added that a lot of time and effort is involved with putting the CFP together as it requires coordination between departments and multiple discussions. She also noted that while a lot of the projects are in the unfunded category, in order to qualify for funding they need to be listed in the CFP as an improvement project.

Chair Leifer asked for an update on grants. CAO Hirashima replied that staff has been stepping up efforts citywide to apply for grants and has been pretty successful even

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though it is very competitive. Staff received grant funding to do improvements on State Avenue around 88th Street this year and next year. Generally, they have been the most successful with grants for transportation projects. There is rarely grant funding available for parks grants, although they have obtained some minor funds for things like community center improvements. The City makes the most they can out of the locally available funds such as the Hotel Motel Fund and the Community Development Block Grant (CDBG) program through the City. Some seed money was obtained through the CDBG for a spray park because this was located in a lower income area of the downtown area. There is also some funding available for stormwater grants. The City received about \$8,000 for a decant facility for the stormwater program over the past year. She commended staff for their hard work applying for the funds they can. The Capital Facilities Plan update was a grant that Cheryl Dungan applied for in order to fund the update. In terms of capital facilities, transportation is the area staff will continue to focus on.

Chair Leifer asked how the City might receive funds through the offsetting mitigation due to the coal trains. CAO Hirashima stated that the City is very actively applying for this, but BNSF frequently says they are *limited by federal law* to only provide up to 5% of a project's funding through mitigation. As a result, the City has made the appeal to the federal delegation because if BNSF is limited to 5%, then the other mitigation would have to come from city, state, and federal sources. Since the federal law is what regulates much of the railroads, it would seem like a viable option to appeal to the federal government to see if they can supplement the 5% that the railroads can provide. Some of the feedback received from the federal representatives indicates that money is provided to the state for transportation, and that might be something to pursue. The state could identify coal and rail impacts as one of the criteria for allocating the state funds that are received from the federal government. The City will continue to raise this issue.

Commissioner Toler asked what was being done for private investment. CAO Hirashima said the City has looked at doing public-private partnerships on some road/facility projects. They have also looked at doing a Request for Proposal on city-owned property to see if they can attract a developer to that site.

Commissioner Hoen pointed out that the coal companies are the main ones who are benefiting from the transport of the coal. CAO Hirashima concurred and noted the federal government could look at the proponents for the coal companies as a potential source of revenue for transportation projects.

Ms. Dungan noted that there is another phase to the grant. Besides the adoption of the CFP, there will be some Comprehensive Plan amendments for the downtown area coming forward and perhaps a revised park plan within the next few months.

Commissioner Hoen referred to page 12-5: *Funds Available for Capital Projects* and asked why the funding sources go into zeroes for a few years. Ms. Dungan replied that some of the money has already been committed for debt for previous years. CAO Hirashima explained that when they financed some projects loans were taken out with

DRAFT

interest only initially and then the principal kicks in in later years. This schedule on page 12-5 integrates the debt schedule. Also, with regard to the General Fund, the City budgets year-to-year so as you go further out it is difficult to make projections. The Finance department, especially, is reluctant to make a lot of projections for the purpose of spending future money. On the other hand, the numbers projected by Public Works for grants tend to be more optimistic. Commissioner Hoen thought that some of the funding sources disallowed the use of funds for paying debt. CAO Hirashima explained they are allowed to use it for debt directly related a specific road improvement.

Cheryl Dungan noted that staff would like to set a hearing date for April 23. There was consensus to move forward with this date.

Commissioner Hoen asked about the \$10 million city campus listed in the CFP. CAO Hirashima pointed out that this has been under discussion for many years. She reviewed the history of it and suggested that now they are gravitating toward the site next to Public Works building and an effort to consolidate facilities. Chair Leifer noted that this could kick start the waterfront development. CAO Hirashima concurred and stated that this is what they are thinking.

COMMENTS FROM COMMISSIONERS:

CAO Hirashima solicited agenda topics for the upcoming joint meeting with Lake Stevens. Staff is considering sharing plans for Smokey Point, the waterfront plan recommendations, and possibly the Whiskey Ridge/Sunnyside area plans.

- Chair Leifer indicated he would be curious what competing interests Lake Stevens might have that Marysville should consider for future development near 92 and Highway 9.
- Commissioner Hoen asked if Lake Stevens is looking at light industry plans like Marysville is. CAO Hirashima did not think they were.
- Commissioner Lebo suggested discussion surrounding Marysville's waterfront plans.
- Chair Leifer thought that transportation plans would be a good subject for discussion.

CAO Hirashima noted that the topic of medicinal marijuana dispensaries would need to be addressed soon. She gave an update on the handling of this issue by local cities.

ADJOURNMENT:

Motion made by Commissioner Andes, seconded by Commissioner Richards, to adjourn at 8:43 p.m. **Motion** passed unanimously.

*DRAFT***NEXT MEETING:**

April 9, 2013 - Joint meeting with Lake Stevens Planning Commission at Marysville City Hall

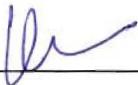
Laurie Hugdahl, Recording Secretary

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Index #15

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 6/10/2013

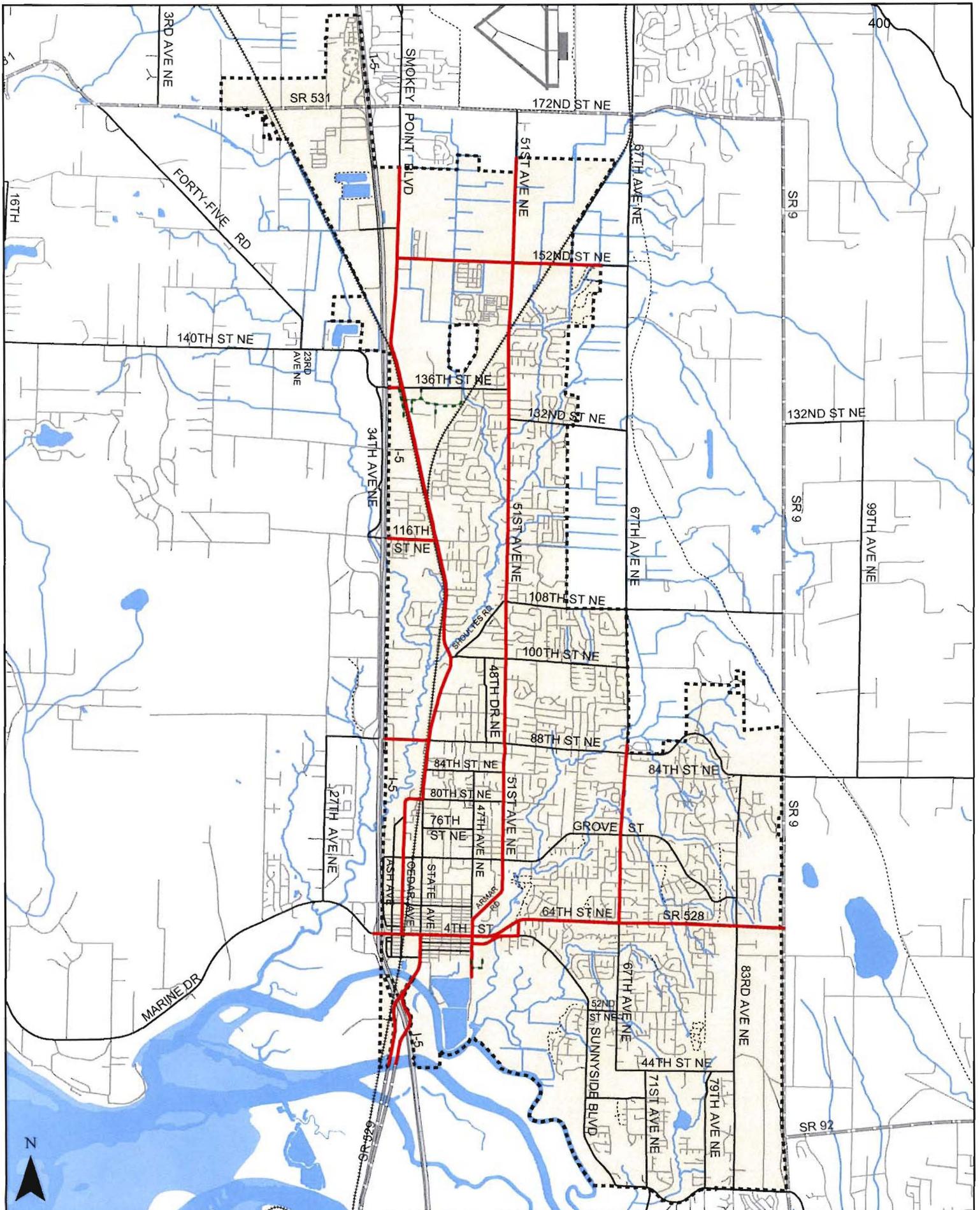
AGENDA ITEM: Truck Route Modification	
PREPARED BY: Jesse L. Hannahs, P.E., Traffic Engineer	DIRECTOR APPROVAL: 
DEPARTMENT: Public Works - Engineering	
ATTACHMENTS: Proposed Truck Routes & Truck Parking Map	
BUDGET CODE: 101111864-531000	AMOUNT: Estimated \$100 to \$500

SUMMARY:

Existing truck routes are present on the downtown area streets of 2nd Street from State Avenue (SR 529) to 47th Avenue NE, 1st Street and 60th Place NE from I-5 to State Avenue and Cedar Avenue from 1st Street to 4th Street (SR 528). In response to concerns regarding a lack of parking on 2nd Street within the commercial area near State Avenue (SR 529), 2nd Street was recently restriped by the Public Works Department to incorporate diagonal parking. The roadway was previously marked only with a centerline and parallel parking was allowed. With the restriping to diagonal parking, some concern was expressed regarding the changes and resulting interaction of parking and vehicular traffic with trucks. Due to the restriping, citizen concern and the nature of 2nd Street as a residential neighborhood, the Public Works Department desires to remove 2nd Street as a truck route. With the removal of 2nd Street as a truck route, trucks traveling to/from the south on SR 529 would need to change routes. Additional concern centers on trucks being routed through downtown area commercial and residential areas with the direction of removal of the truck route on 1st Street (including 60th Place NE) and Cedar Avenue between State Avenue (SR 529) and 4th Street (SR 528). With the 2nd Street removal, trucks traveling westbound on 4th Street (SR 528) intended to travel south on SR 529 would be directed to make a left turn at the signalized intersection of 4th Street (SR 528) & State Avenue (SR 529). Trucks entering the City northbound on SR 529 intending to travel east on 4th Street (SR 528) would be expected to travel onto I-5 and exit at the 4th Street (SR 528) interchange as trucks are not provided a large enough turning radius to make the northbound right turn from State Avenue to eastbound 4th Street (SR 528) and are likely to hit other vehicles, a building or a signal mast arm pole if this turn is attempted. Changes to the signing of the City streets will be included within the scope of the proposed truck route change. Staff presented this topic to the Public Works Committee on Friday May 3rd, 2013.

RECOMMENDED ACTION:

Staff recommends that Council authorizes the removal of the truck route from 2nd Street, 1st Street and Cedar Avenue.



City of Marysville
Truck Routes and Truck Parking
 Proposed
 Item 15-2

- - - Truck Parking
- Truck Routes

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CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE _____

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON,
 AMENDING MARYSVILLE MUNICIPAL CODE (MMC) 11.62.020
 REGARDING DESIGNATED TRUCK ROUTES.**

The City Council of the City of Marysville, Washington do ordain as follows:

Section 1. MMC 11.62.020 entitled “Truck routes designated.” is hereby amended to read as follows:

The city streets and avenues, or portions thereof, as designated below, shall constitute the exclusive truck routes in the city of Marysville:

- (1) North-South Traffic.
 Cedar Avenue from ~~4th Street (SR 528) 80th Street to 1st 80th Street N.E. Street;~~
Smokey Point Blvd./State Avenue from Grove Street to the northern city limits to
~~Grove Street;~~
 State Avenue from ~~southern city limits to 2nd 4th Street (SR 528) to the southern~~
~~city limits;~~
47th Avenue N.E. from 2nd Street to Armar Road;
Armar Road from 47th Avenue N.E. to 51st Avenue N.E.;
51st Avenue N.E. from Armar Road to northern city limits;
 53rd Drive N.E. from ~~3rd Street to 4th Street to 3rd Street;~~
 67th Avenue N.E. from 64th Street N.E. (SR 528) to the northern city limits. to
~~SR 528;~~
~~47th Avenue N.E. from 2nd Street to 4th Street.~~
- (2) East-West Traffic.
3rd Street from 47th Avenue N.E. to 53rd Drive N.E.;
4th Street/64th Avenue N.E. (SR 528) from I-5 interchange to the eastern city
limits; provided, that there shall be no turns permitted to/from State Avenue north
of 4th Street;
~~80th Street N.E. from Cedar Avenue to State Avenue to Cedar Avenue;~~
~~Grove Street from 67th Avenue to Cedar Avenue;~~
~~4th Street from the eastern city limits to the I-5 interchange; provided, that there~~
~~shall be no turns permitted onto State Avenue;~~
~~3rd Street from 53rd Drive N.E. to 47th Avenue;~~
~~2nd Street from 47th Avenue to State Avenue;~~
~~1st Street from State Avenue to Beach Avenue;~~
88th Street N.E., from I-5 interchange to State Avenue;
116th Street N.E., from I-5 interchange to State Avenue
136th Street N.E., from west city limits to Smokey Point Blvd./State Avenue;
 152nd Street N.E. from Smokey Point Boulevard ~~(State Avenue)~~ to east city
 limits;

~~136th Street N.E., from west city limits to State Avenue;
116th Street N.E., from I-5 freeway to east city limits (railroad tracks);
88th Street N.E., from I-5 freeway to State Avenue;
84th Street N.E., from 67th Avenue N.E. to 83rd Avenue N.E. (east city limits);
1st Street N.E., from Beach Avenue to west city limits.~~ (Ord. 2472, 2003; Ord. 2319, 2000; Ord. 1653 § 1, 1988; Ord. 1637, 1988; Ord. 1316, 1983; Ord. 1039 § 3, 1979).

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 _____, 2013.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

ATTEST:

By _____
April O'Brien, Deputy City Clerk

Approved as to form:

By _____
Grant Weed, City Attorney

Date of Publication: _____

Effective Date (5 days after publication): _____

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CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: Park Name Recommendations	
PREPARED BY: Jim Ballew	DIRECTOR APPROVAL:
DEPARTMENT: Parks and Recreation	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT: \$0.00

SUMMARY:

The Marysville Parks and Recreation Advisory Committee has forwarded three potential names for the pending park located at 9028 67th Ave NE adjacent to Kellogg Marsh Elementary School. The park has been known locally as the Doleshel Tree Farm. The Parks and Recreation Advisory Board developed a list of names and then asked staff to place them on-line in an unscientific survey module which provided the public to submit names and or select their preferred name.

At the conclusion of the survey period three names have been forwarded for consideration by the City Council.

Rita Matheny Park
Don Arndt Park
Doleshel Tree Farm Park

Staff has contacted the families of each park recommendation to verify interest and approval of the distinction.

RECOMMENDED ACTION:

Staff recommends the City Council approve a name for the park located at 9028 67 th Ave NE.
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CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: Ordinance Amending Chapter 16.20 –Appeals Commission for Dangerous Buildings	AGENDA SECTION: Legal	
PREPARED BY: Gloria Hirashima, Chief Administrative Officer	DIRECTOR APPROVAL:	
ATTACHMENTS: 1. Draft Ordinance.		
	MAYOR	CAO
BUDGET CODE:	AMOUNT: \$	

DESCRIPTION:

Staff is reviewing the abatement process to address nuisance conditions involving dangerous buildings. The current dangerous building code was adopted in 1967 and references a 3 member appeals commission. In more recent years the City has established a Board of Appeals to hear appeals concerning building and fire code issues. Rather than create another panel for appeals of this nature, it would seem appropriate to designate the Board of Appeals to hear appeals concerning dangerous buildings.

RECOMMENDED ACTION: Recommend approval of the ordinance amending Chapter 16.04 to establish the Board of Appeals as the appeal body for dangerous building issues.
COUNCIL ACTION:

ORDINANCE NO. _____
MARYSVILLE, WASHINGTON

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON
 AMENDING MARYSVILLE MUNICIPAL CODE SECTION 16.20.050 TO
 DESIGNATE THE BOARD OF APPEALS ESTABLISHED UNDER
 CHAPTER 16.04 MMC AND THE INTERNATIONAL BUILDING CODE
 AS THE APPEALS COMMISSION FOR DANGEROUS BUILDINGS
 UNDER CHAPTER 16.20 MMC DANGEROUS BUILDINGS**

WHEREAS, the City has established a Board of Appeals under Chapter 16.04 MMC and the International Building Code; and

WHEREAS, the City has appointed members to the Board of Appeals; and

WHEREAS, Chapter 16.20 MMC establishes an Appeals Commission to hear dangerous building appeals; and

WHEREAS, the City has no appointed members to the Appeals Commission; and

WHEREAS, RCW 35.80.030 authorizes a city to either establish or designate a municipal agency to serve as the appeals commission; and

WHEREAS, the City wishes to amend Section 16.20.050 to disestablish the Appeals Commission and to designate the Board of Appeals as the Appeals Commission,

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

Section 1. Marysville Municipal Code Section 16.20.050 is hereby amended to read as follows:

16.20.050 Board of Appeals designated Appeals Commission

The Board of Appeals established in Chapter 16.04 Marysville Municipal Code and the International Building Code is hereby designated as the Appeals Commission under this Chapter 16.20 Marysville Municipal Code. When acting as the Appeals Commission the Board of Appeals shall act in accordance with the requirements of Chapter 16.20 Marysville Municipal Code. All references in Chapter 16.20 Marysville Municipal Code to the Appeals Commission shall refer to the Board of Appeals as designated in this section.

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.

ADOPTED by the City Council and APPROVED by the Mayor this _____ day of _____, 2013.

CITY OF MARYSVILLE

By: _____
Jon Nehring, Mayor

ATTEST:

By: _____
April O'Brien, Deputy City Clerk

APPROVED AS TO FORM:

By: _____
Grant K. Weed, City Attorney

Update
Index #19

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT, entered into this _____ day of _____, 2013, by and between the CITY OF MARYSVILLE, a Washington municipal corporation (hereinafter referred to as the "City") and FELDMAN & LEE, P.S., a Washington corporation doing business at 19303 – 44th Avenue West, Lynnwood, WA (hereinafter referred to as the "Attorney").

WITNESSETH:

WHEREAS, the City entered into an Agreement with the Attorney dated March 8, 2010 for the provision of Public Defense Services (hereinafter the "Agreement"); and

WHEREAS, the City and the Attorney entered into an Amendment to the Agreement extending the term thereof through June 30, 2013; and

WHEREAS, the parties hereto wish to amend the Agreement by further extending the term thereof;

NOW, THEREFORE, the parties hereby amend the Agreement as follows:

A. Section 3.3 – Time of Performance of the Agreement is hereby amended to read as follows:

Unless terminated earlier pursuant to Section 3.7 below, the Attorney shall provide Services from June 30, 2013 at 12:01 a.m. through August 31, 2013, at 12:00 a.m.

B. All other terms and conditions of the Agreement shall remain the same.

CITY OF MARYSVILLE

FELDMAN AND LEE

By _____
Mayor Jon Nehring

By _____
James Feldman, President

Date _____

Date _____

Attest:

Sandy Langdon, City Clerk

Approved as to form:

Grant Weed, City Attorney

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CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: Memorandum of Understanding	AGENDA SECTION: Legal	
PREPARED BY: Gloria Hirashima, Chief Administrative Officer	DIRECTOR APPROVAL:	
ATTACHMENTS: 1. Memorandum of Understanding signed by Tulalip Tribes		
	MAYOR	CAO
BUDGET CODE:	AMOUNT: \$	

DESCRIPTION:

The Marysville City Council approved a memorandum of understanding (“MOU”) with the Tulalip Tribes on May 28, 2013. The MOU relates to an understanding that the Tribes and City are negotiating a purchase and sale to transfer lines west of Interstate 5 to the Tribes. The MOU also relates to connections that will happen in advance of the transfer. The Tribes made certain revisions to the agreement prior to signature, which are highlighted. Since the MOU has been revised, it will require review again by the Council to authorize the agreement.

RECOMMENDED ACTION: Recommend that Mayor be authorized to sign the revised MOU.
COUNCIL ACTION:

**MEMORANDUM OF UNDERSTANDING
BETWEEN TULALIP TRIBES AND CITY OF MARYSVILLE
REGARDING SALE OF WATER AND SEWER INFRASTRUCTURE
AND FUTURE SERVICES WITHIN THE CONTRACT AREA**

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is entered into by and between the City of Marysville ("City") and Tulalip Tribes of Washington ("Tribes").

WHEREAS, the City of Marysville **has an interest** in certain water and sewer infrastructure west of Interstate 5, in the vicinity of Marine Drive, on the Tulalip Tribes Indian Reservation.

WHEREAS, the City of Marysville desires to transfer their said infrastructure to the Tribes and the Tribes wish to purchase said infrastructure.

WHEREAS, a contract has been drafted and both parties intend to complete negotiations over the next several months to conclude and close said sale between City and Tribes.

WHEREAS, pending development applications require action by the City to approve or deny water and sewer connections, and the City wishes to ensure concurrence by the Tribes as the future owner of said connections.

NOW, THEREFORE, THE City and Tribes understand and agree as follows:

1. **WATER AND SEWER INFRASTRUCTURE.** The City and Tribes are currently reviewing a draft water and sewer infrastructure sale contract as well as a draft agreement for conveyance of treated wastewater for the area west of Interstate 5 in the vicinity of Marine View Drive described in said agreements. Subject to final negotiation of the agreements, both parties intend to conclude and close the sale over the next several months, resulting in transfer title and operational control of the system to the Tribes.
2. **PENDING SEWER CONNECTIONS IN SAID AREA.** The City and Tribes have reviewed two proposals to connect to sewer in the pending sale area. Roy Robinson Subaru has proposed a new facility at the northeast corner of 61st Place NE and 33rd Avenue NE. They will be applying to Marysville for a new sewer connection for their facility. Tribes have constructed a gas station at 6327 Marine Drive and wish to connect the facility to sewer. **Also, the Tribes intend to construct/remodel the Q Casino and wish to connect the facility to sewer.** These connections may occur in advance of the sale of the system to the Tribes. The City and Tribes concur that these connections will be consistent with and incorporated into the infrastructure to be sold and transferred to the Tribes upon purchase.
3. **CONNECTION FEES AND RATES.** New connections referenced herein that apply for connection to the City shall pay connection fees **in a pro-rata fashion to Marysville and the Tribes** and pay monthly service rates consistent with Chapter 14.07 of the Marysville Municipal Code. Connections shall be paid at "Outside City" charges and monthly utility rates shall be paid at

"Outside UGA" rates as long as the system remains under ownership by the City. Following sale and transfer of the utility system to the Tribes, the Tribes will determine monthly rates.

DATED this 1 day of June, 2013.

TULALIP TRIBES OF WASHINGTON

By: *Mel Sheldon*
Chairman

CITY OF MARYSVILLE

By: _____
Mayor

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CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: June 10, 2013

AGENDA ITEM: Appointment to the Salary Commission	AGENDA SECTION: Mayor's Business	
PREPARED BY: April O'Brien, Deputy City Clerk	AGENDA NUMBER:	
ATTACHMENTS: Appointment Form	APPROVED BY:	
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

Summary:

Mayor Nehring is requesting the appointment of Don Culbertson to fill Kamille Norton's unexpired term, serving until July 23, 2013.

RECOMMENDED ACTION: Mayor Nehring recommends the City Council confirm the appointment of Don Culbertson to the Salary Commission.
COUNCIL ACTION:

Office of the Mayor
Jon Nehring
1049 State Avenue
Marysville, WA 98020
Phone: 360-363-8000
Fax: 360-651-5033
marysvillewa.gov

APPOINTMENT

I, Jon Nehring, duly elected and acting Mayor of the City of Marysville, do hereby appoint Don Culbertson as a member of the **SALARY COMMISSION** of the City of Marysville, pursuant to the provisions of the Marysville Municipal Code 2.51; dated this 10 day of June, 2013.

M A Y O R

I do swear and affirm I will perform the duties assigned to me as a member of the **SALARY COMMISSION** of the City of Marysville in the manner required by law.

Dated this 10 day of June, 2013

Don Culbertson

This term of appointment expires the 23 day of July, 2013.