

September 27, 2021

Marysville City Council Meeting
7:00 p.m.

City Hall

PUBLIC NOTICE:

Pursuant to Governor Inslee’s Proclamation 20-28, in an effort to curtail the spread of the COVID-19 virus, City Council Meetings and Work Sessions will take place by teleconference. Councilmembers and members of the public will not attend in person. Anyone wishing to provide written or verbal public comment, must pre-register at this link www.marysvillewa.gov/remotepubliccomment before noon on the day of the meeting.

To listen to the meeting without providing public comment:

Join Zoom Meeting
<https://zoom.us/j/92977133971>

Or
Dial by your location
1-888-475-4499 US Toll-free
Meeting ID: 929 7713 3971

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Approval of the Agenda

Presentations

A. City Equity Program Update

Audience Participation

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

- 1. Approval of the September 7, 2021 City Council Work Session Minutes
- 2. Approval of the September 13, 2021 City Council Meeting Minutes

Consent

3. Approval of the September 8, 2021 Claims in the Amount of \$4,033,477.23 Paid by EFT Transactions and Check Numbers 150251 through 150460 with Check Numbers 146116 and 149925 Voided

4. Approval of the September 10, 2021 Payroll in the Amount of \$1,534,817.14 Paid by EFT Transactions and Check Numbers 33627 through 33648

Marysville City Council Meeting**September 27, 2021****7:00 p.m.****City Hall**

16. Consider Approving the **Resolution** Authorizing a \$393,753.00 Interfund Loan from the General Fund 001 to the COVID 19 Fund 119 and Establishing a Payment Plan

17. Consider Approving the following **Ordinances** Updating the Downtown Master Plan, Design Regulations and Associated Amendments to the Marysville Municipal Code

17a. Consider Approving the **Ordinance** to Update the Downtown Master Plan and Design Regulations

17b. Consider Approving the **Ordinance** Amending Marysville Municipal Code 22E.040 *Downtown Planned Actions*

17c. Consider Approving the **Ordinance** Amending the Marysville Municipal Code, Related to Repealing the 2009 Downtown Master Plan

17d. Consider Approving the **Ordinance** Amending Marysville Municipal Code Chapter 3.103 *Multifamily Property Tax Exemptions*

17e. Consider Approving the **Ordinance** Amending Marysville Municipal Code Chapter 22C.160 *Signs*

Legal**Mayor's Business****Staff Business****Call on Councilmembers and Committee Reports****Adjournment/Recess****Executive Session**

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

Reconvene**Adjournment**

Special Accommodations: The City of Marysville strives to provide accessible meetings for people with disabilities. Please contact the City Clerk's office at (360) 363-8000 or

Marysville City Council Meeting

September 27, 2021

7:00 p.m.

City Hall

1-800-833-6384 (Voice Relay), 1-800-833-6388 (TDD Relay) two business days prior to the meeting date if any special accommodations are needed for this meeting.

Index #1

City Council



1049 State Avenue
Marysville, WA 98270

**Work Session
September 7, 2021**

Call to Order

Mayor Nehring called the September 7, 2021 City Council Work Session to order at 7:00 p.m.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Kelly Richards, Councilmember Steve Muller

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, Finance Director Sandy Langdon, City Attorney Jon Walker, Community Development Director Haylie Miller, Information Services Director Worth Norton, Human Resources Manager Teri Lester, Utility Manager Karen Latimer, City Engineer Jeff Laycock, Parks & Recreation Director Tara Mizell, Police Chief Erik Scairpon, Fire Chief Martin McFalls, Community Information Officer (CIO) Connie Mennie, Deputy City Attorney Burton Eggertsen, Planning Manager Chris Holland, Systems Analyst Mike Davis

Absent: Council President Kamille Norton, Councilmember Michael Stevens

Motion to excuse the absence of Councilmembers Kamille Norton and Michael Stevens moved by Councilmember Richards seconded by Councilmember Vaughan.

AYES: ALL

Approval of the Agenda

Motion to waive normal rules in order to take action on items 4, 5, 6, and 22 moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

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

AYES: ALL

Presentations

A. Downtown Master Plan Briefing (To Occur on September 7, 2021 Only)

Planning Manager Chris Holland made the presentation regarding the Downtown Master Plan. Highlights of the Plan include an expanded boundary; a Planned Action ordinance which will be adopted concurrently; a proposal to increase the residential capacity; new zones proposed; design regulations in the code; amendments to many sections of the Marysville Municipal Code; a proposal to amend the Multifamily Housing Property Tax Exemption to change the boundary to coincide with the DMP boundary and reducing the eligible project size from 20 to 10 units; and amendments to the sign code.

The goal of the form based code is to be an effective tool to implement the Downtown Master Plan, be easy to use and provide a good balance of predictability and flexibility. The Permitted Use matrix and Density and Dimensional Chart have been simplified. He pointed out that a minimum density of 45 units has been proposed on lots greater than 20,000 sf in the Downtown Core zone and the Mid-Rise Multifamily zone. He reviewed types of through-block connections which could be allowed. Design standards include block frontage requirements and active ground floor standards. Site planning standards include setbacks, opens space requirements, pedestrian aspects and design, service areas, and mechanical equipment. Building design standards build upon existing design standards and include building massing and articulation, building materials, and blank wall treatment.

A public hearing is planned next week before the Planning Commission. Staff hopes to bring this back before the Council on September 27 in order to meet the October 15 deadline for the grant money from the Department of Commerce.

Councilmember King asked if there has been any interest from developers in the downtown area. Planning Manager Holland replied that it has been just small infill projects so far.

Councilmember James asked if there are any other local cities using the form based code. Planning Manager Holland replied that Everett has used a form of this as well as other jurisdictions. He noted that Marysville also adopted a form based code, 88MU, years ago for 88th and State Avenue.

Councilmember Richards asked if parking and traffic have been factored in with the density increase. Planning Manager Holland reviewed parking requirements, but noted that there is a proposed slight reduction in the downtown area because of the Swift bus line. Any development that comes through the City is required to go through a traffic concurrency analysis.

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

1. Approval of the July 26, 2021 City Council Meeting Minutes
2. Approval of the August 3, 2021 Special City Council Meeting Minutes
3. Approval of the August 20, 2021 Special City Council Meeting Minutes

Consent

4. Approval of the July 28, 2021 Claims in the Amount of \$1,309,111.51 Paid by EFT Transactions and Check Numbers 149552 through 149674 (Action Requested 9/7/2021)

Motion to approve the July 28, 2021 Claims in the Amount of \$1,309,111.51 Paid by EFT Transactions and Check Numbers 149552 through 149674 moved by Councilmember King seconded by Councilmember Muller.

AYES: ALL

5. Approval of the August 4, 2021 Claims in the Amount of \$740,117.64 Paid by EFT Transactions and Check Numbers 149675 through 149803 (Action Requested 9/7/2021)

Motion to approve the August 4, 2021 Claims in the Amount of \$740,117.64 Paid by EFT Transactions and Check Numbers 149675 through 149803 moved by Councilmember James seconded by Councilmember Richards.

AYES: ALL

6. Approval of the August 10, 2021 Payroll in the Amount of \$1,482,713.81 Paid by EFT Transactions and Check Numbers 33583 through 33606 (Action Requested 9/7/2021)

Motion to approve the August 10, 2021 Payroll in the Amount of \$1,482,713.81 Paid by EFT Transactions and Check Numbers 33583 through 33606 moved by Councilmember Muller seconded by Councilmember King.

AYES: ALL

7. Approval of the August 11, 2021 Claims in the Amount of \$955,389.93 Paid by EFT Transactions and Check Numbers 149804 through 149975

8. Approval of the August 18, 2021 Claims in the Amount of \$478,764.59 Paid by EFT Transactions and Check Numbers 149976 through 150055
9. Approval of the August 25, 2021 Claims in the Amount of \$1,297,823.92 Paid by EFT Transactions and Check Numbers 150056 through 150250
10. Approval of the August 25, 2021 Payroll in the Amount of \$1,443,581.95 Paid by EFT Transactions and Check Numbers 33607 through 33626 with Check Number 112258 Voided

Review Bids

11. Consider the Rejection of the Opera House Exterior Repair and Painting Bid in the Amount of \$219,108.25

Utility Manager Latimer reviewed this item. Staff is recommending rejection of this bid and going out to bid again later this year in order to get more responses.

12. Consider the Comeford Reservoir Recoat Contract with Mericka Group, LLC in the Amount of \$447,911.40, and a Management Reserve of \$44,791.14, for a Total Allocation of \$492,702.54

Utility Manager Latimer reviewed background on this item. This project would include taking off the coating down to the bare steel, putting some coating back on, adding a couple lanyards to tie off, adding a hatch on the roof to get inside, adding holiday lighting, and disposing of the materials that come off the tank. She noted that the annual cost to keep the tank safe is about \$20,000-30,000 a year.

Councilmember James asked if Council could discuss the color that goes back on. Utility Manager Latimer explained they do have options for the colors.

Public Hearings

13. Consider an Ordinance Vacating the Unopened Public Right-of-Way and Waive Compensation for Said Vacation (Public Hearing to be held September 13, 2021)

Planning Manager Holland reviewed this item. There were no comments or questions.

New Business

14. Consider Scheduling a Public Hearing to Consider Adoption of Amendments to the Marysville Municipal Code Title 22C Concerning Enhanced Services Facilities

Director Miller reviewed the background on this code related to Enhanced Service Facilities (ESFs). Changes to the map based on the Economic Development Committee recommendations have been incorporated into the map. There also was discussion

about buffering to schools and daycares. Those have been shown on the map for information. Staff is proposing Council consider a buffer of 300 feet as a starting point for discussion. Staff is also recommending that a large area of General Commercial at the north end of the map be removed because staff is proposing rezoning that area to Light Industrial. She discussed how intersections of properties with the boundary line would be addressed. Staff is requesting that staff schedule a public hearing on this item on October 11.

Director Miller reviewed Exhibit 7 which shows the changes in downtown area based on the new zones. She asked Council preferences about allowing ESFs in the new zones.

Councilmember James asked if they could ever see one of these ESFs in a multifamily building. Director Miller replied that the way the code is written now it could happen in some areas. Councilmember James expressed concern about that. He also asked for clarification about the southern boundaries. Director Miller reviewed those.

Councilmember James requested that the maps be printed out. Councilmember James asked about recourse neighbors would have about placement of one of these facilities. Director Miller explained that the code requires a public notification to neighbors. If more than five people comment it goes to the Hearing Examiner. Councilmember James noted that this might be a moot point in a commercial area because there wouldn't be many neighbors.

Councilmember Muller commented that the City has to provide this zone. If the City gets too restrictive it can be challenged. Director Miller agreed. She noted it is an Essential Public Service Facility, and the City is required to provide for them. If the area is too small and too restrictive it could be an issue.

15. Consider the Auto Theft Task Force Interlocal Agreement with Snohomish County

Chief Scairpon reviewed the agreement for the Snohomish County Auto Theft Task Force. This has been a very effective crime fighting tool for the City and the region. This allows for the City to receive reimbursement from State funds for a detective provided to the task force.

Councilmember James asked about the general flow of stolen vehicles in the City. Chief Scairpon briefly reviewed what typically happens and highlighted the benefit of working with a regional team.

16. Consider the Licensing Agreement with Snohomish County Sheriff's Office for use of the Sheriff's Office Gun Range

Chief Scairpon reviewed the agreement with the Sheriff's Office to use their gun range.

17. Consider the Agreement with North Whidbey Sportsmen's Association for use of the North Whidbey Sportsmen's Association Gun Range

Chief Scairpon reviewed this business agreement to use another gun range on Whidbey Island.

18. Consider the Agreement with JA Brennan for Design Services at Comeford Park

Director Mizell reviewed this item to finish Civic Center design in the plaza area, to redo the restroom and to replace the lighting in Comeford Park.

Councilmember King commended Parks staff for the job they do in keeping the restrooms clean at that park. He asked if they will be keeping the original building. Director Mizell commented that the plan is to rebuild it. Councilmember King asked if they are considering the type of people that use that restroom. Director Mizell noted that they are looking with the architect at many options to figure out what will be best in that environment.

Councilmember Richards asked if they can add any parking to the park. Director Mizell deferred to CAO Hirashima. CAO Hirashima commented that it will be a pretty limited parking situation there. This contract will add seating around the plaza.

19. Consider the Memorandum of Agreement for a Demonstration Garden with Washington State University

Director Mizell reviewed this agreement to continue a partnership with WSU for a demonstration garden.

20. Consider the Strategic Energy Management Funding Agreement with Snohomish County PUD No. 1

Utility Manager Latimer reviewed the opportunity to partner with Snohomish County PUD and the drinking water system to look at energy saving opportunities.

21. Consider an Ordinance Authorizing the City to Use Eminent Domain to Acquire Property for the 80th Street NE Non-Motorized Project

City Attorney Walker reviewed reasons for considering the use of eminent domain to acquire property for the 80th Street Non-Motorized project.

Councilmember Richards expressed concern about reduced parking on 80th. City Engineer Laycock replied that it would remove all of the parking on 80th Street between State Avenue and 47th. He acknowledged that there will be some people who will be displaced with the current on-street parking.

22. Consider the Agreement with Washington State Employment Security Department for AmeriCorps Member Placement (Action Requested 9/7/2021)

CAO Hirashima explained this agreement is for the City's AmeriCorps Volunteer who will continue to work on the City's Emergency Management Program for an additional year.

Motion to authorize the Mayor to sign and execute the Agreement with Washington State Employment Security Department for AmeriCorps Member Placement moved by Councilmember Richards seconded by Councilmember King.

AYES: ALL

Legal

Mayor's Business

- Thanks to Council for the attending the short-notice Council meetings in the month of August, some nice ribbon-cuttings and other community events.
- The City's 9/11 20th Anniversary Memorial Event will be happening on Saturday at the library. Thanks to Chief McFalls for doing work on that every year.

Staff Business

Worth Norton commended one of the City's volunteers, Kyle Burgess, who is working on capacity in the operations radio equipment. He recently scaled the Sunnyside Water Tower to identify a point-to-point with the County so now there will be an emergency backup point-to-point with the County.

Director Miller had no further comments.

Director Mizell thanked Public Works for allocating funds to complete a long-term project at the golf course. Parks has received wonderful feedback about the Centennial Trail connector. They are making progress on the pickleball courts, and people are very excited for them. There are a lot of events happening at the Opera House this month.

CIO Mennie reported that there will be a live broadcast of the 9/11 ceremony. It will also be recorded for later viewing.

Chief Scairpon reported that the school resource officers and patrol officers are ready for the first day of school tomorrow.

Director Langdon commended Finance staff for putting together the budget document which received a Governmental Finance Officers Association (GFOA) budget award.

Chief McFalls commented that they have received tremendous support from countless people throughout the City related to 9/11. He expressed appreciation to the City on behalf of a grateful fire department for their continued support of the 9/11 memorial event.

Utility Manager Latimer shared that Marysville Water Department was selected to receive funding to do advanced testing for a toxic substance.

City Engineer Laycock reported that overlays are on schedule this year. Beacons will be flashing again due to schools being back in session. The spray park will be shut down for the end of summer season.

City Attorney Walker had no further comments.

CAO Hirashima had no further comments.

Call on Councilmembers and Committee Reports

Councilmember Vaughan reported that the Finance Committee met earlier today: They took a look at revenues and expenditures. Things are going according to plan. Sales tax revenue is up almost 23%. Construction sales tax is down about 10%. They also discussed utility billing shutoff data. Staffing and open vacancies were reviewed. Overall, things look good.

Councilmember Muller reported that the Economic Development Committee met tonight. The Economic Alliance Snohomish County made a presentation regarding their plans moving forward with new leadership. He asked if the cross country event would still be happening at the golf course. Director Mizell replied that as of now they are still planning on it. He commented that Civic Campus is looking awesome.

Councilmember Richards said he enjoyed having August off even though there were a few meetings and some great ribbon-cuttings and events. Thanks to Chief Scairpon for the ride-along which was a great experience.

Councilmember James also enjoyed events during August. He congratulated Finance for the GFOA award. He asked if there would be a Christmas parade this year. Mayor Nehring replied that they are planning one. Councilmember James spoke in support of the temporary sign code and restrictions which impact candidates.

Councilmember King also enjoyed the ribbon-cuttings, ground breakings, and the all-city garage sale. He commended the paving progress. He noted that he has noticed a lot of streetlights out. He asked if they are considering upgrading to LEDs. City Engineer Laycock replied they are looking into LEDs and will follow up with the lights.

Adjournment

Motion to adjourn moved by Councilmember James seconded by Councilmember Muller.

AYES: ALL

The meeting was adjourned at 8:30 p.m.

Approved this _____ day of _____, 2021.

Mayor
Jon Nehring

Index #2

City Council



**1049 State Avenue
Marysville, WA 98270**

**Regular Meeting
September 13, 2021**

Call to Order

Mayor Nehring called the September 13, 2021 City Council Meeting to order at 7:00 p.m.

Invocation

Pastor Aaron Thompson gave the invocation.

Pledge of Allegiance

Mayor Nehring led the Pledge of Allegiance.

Roll Call

Present:

Mayor: Jon Nehring

Council: Council President Kamille Norton, Councilmember Jeff Vaughan, Councilmember Tom King, Councilmember Mark James, Councilmember Kelly Richards, Councilmember Steve Muller

Staff: Chief Administrative Officer (CAO) Gloria Hirashima, Finance Director Sandy Langdon, Community Development Director Haylie Miller, Information Services Director Worth Norton, City Attorney Jon Walker, Community Information Officer (CIO) Connie Mennie, Utilities Manager Karen Latimer, City Engineer Jeff Laycock, Parks & Recreation Director Tara Mizell, Police Chief Erik Scairpon, Fire Chief Martin McFalls, Systems Analyst Mike Davis

Absent: Councilmember Michael Stevens

Motion to excuse the absence of Councilmember Stevens moved by Councilmember James seconded by Councilmember Muller.

AYES: ALL

Approval of the Agenda

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

AYES: ALL

Presentations

Audience Participation

In response to written communication received earlier, Director Miller gave an update on the Holbrook development. The City completed the environmental review a couple weeks ago, and there was an appeal by the HOA regarding the checklist related to traffic concerns. Staff has asked for additional information from the applicant. Once that is received, staff will fold that into its recommendation to the Hearing Examiner who will have the ultimate authority to decide on the appeal and the preliminary plat. She thanked citizens who have commented and encouraged them to continue to participate in the process.

Approval of Minutes

1. Approval of the July 26, 2021 City Council Meeting Minutes

Motion to approve the July 26, 2021 City Council Meeting Minutes moved by Councilmember King seconded by Council President Norton.

AYES: ALL

2. Approval of the August 3, 2021 Special City Council Meeting Minutes

Motion to approve the August 3, 2021 Special City Council Meeting Minutes moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

3. Approval of the August 20, 2021 Special City Council Meeting Minutes

Motion to approve the August 20, 2021 Special City Council Meeting Minutes moved by Councilmember James seconded by Councilmember King.

AYES: ALL

Consent

7. Approval of the August 11, 2021 Claims in the Amount of \$955,389.93 Paid by EFT Transactions and Check Numbers 149804 through 149975
8. Approval of the August 18, 2021 Claims in the Amount of \$478,764.59 Paid by EFT Transactions and Check Numbers 149976 through 150055

9. Approval of the August 25, 2021 Claims in the Amount of \$1,297,823.92 Paid by EFT Transactions and Check Numbers 150056 through 150250
10. Approval of the August 25, 2021 Payroll in the Amount of \$1,443,581.95 Paid by EFT Transactions and Check Numbers 33607 through 33626 with Check Number 112258 Voided
15. Consider Approving the Auto Theft Task Force Interlocal Agreement with Snohomish County
16. Consider Approving the Licensing Agreement with Snohomish County Sheriff's Office for use of the Sheriff's Office Gun Range
17. Consider Approving the Agreement with North Whidbey Sportsmen's Association for use of the North Whidbey Sportsmen's Association Gun Range
18. Consider Approving the Agreement with JA Brennan for Design Services at Comeford Park
19. Consider Approving the Memorandum of Agreement for a Demonstration Garden with Washington State University
20. Consider the Strategic Energy Management Funding Agreement with Snohomish County PUD No. 1

Motion to approve Consent Agenda items 7, 8, 9, 10, 15, 16, 17, 18, 19, and 20 moved by Councilmember Richards seconded by Councilmember Vaughan.

AYES: ALL

Review Bids

11. Consider the Rejection of the Opera House Exterior Repair and Painting Bid in the Amount of \$219,108.25

Utility Manager Latimer explained staff is recommending rejection of this bid and going out to bid again later this year when there is potentially a better bidding climate.

Motion to reject the Opera House Exterior Repair and Painting Bid in the Amount of \$219,108.25 moved by Councilmember King seconded by Councilmember Muller.

AYES: ALL

12. Consider the Comeford Reservoir Recoat Contract with Mericka Group, LLC in the Amount of \$447,911.40, and a Management Reserve of \$44,791.14, for a Total Allocation of \$492,702.54

Utility Manager Latimer reviewed this item. Staff is recommending award of the contract with Mericka Group for the recoat and minor repairs of the Comeford Park reservoir.

Motion to authorize the Mayor to sign and execute the Comeford Reservoir Recoat Contract with Mericka Group, LLC in the Amount of \$447,911.40, and a Management Reserve of \$44,791.14, for a Total Allocation of \$492,702.54 moved by Council President Norton seconded by Councilmember Vaughan.

AYES: ALL

Public Hearings

13. Consider an Ordinance Vacating the Unopened Public Right-of-Way and Waive Compensation for Said Vacation

Community Development Director Miller explained staff is recommending the City waive all compensation for the right-of-way. This portion of right-of-way is no longer needed. The developer will be constructing frontage improvements on it.

The public hearing was opened at 7:21 p.m. Public comments were solicited.

Jim Alt, who lives at south end of right-of-way, asked what would happen to the right-of-way now. Director Miller explained it would be relinquished back to the contractor as part of their development. She reviewed the background of this right-of-way and what would happen to it now.

Paul Levitt with Keystone Land stated he was representing the developer on this project and was available for questions.

Seeing no further comments the public hearing was closed at 7:26 p.m.

Council comments and questions: None

Motion to adopt Ordinance No. 3189 Vacating the Unopened Public Right-of-Way and Waive Compensation for Said Vacation moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

New Business

21. Consider an Ordinance Authorizing the City to Use Eminent Domain to Acquire Property for the 80th Street NE Non-Motorized Project

City Attorney Walker reviewed this item.

Motion to approve Ordinance No. 3190 Authorizing the City to Use Eminent Domain to Acquire Property for the 80th Street NE Non-Motorized Project moved by Councilmember King seconded by Council President Norton.

AYES: ALL

23. Consider Approving the Hotel/Motel Committee Members for 2021-2022

CAO Hirashima explained the four members represent Holiday Inn Express, La Quinta Inn and Suites, Downtown Merchants, and Marysville-Tulalip Chamber of Commerce. The Committee is expected to convene this fall to review applications.

Motion to approve the Hotel/Motel Committee Members for 2021-2022 as listed in the agenda bill moved by Councilmember Richards seconded by Councilmember Muller.

AYES: ALL

24. Consider Approving the Community Beautification Program Grant Review Committee's Recommendation on Award Funding

CAO Hirashima reviewed the Community Beautification Grant awards which represent various improvements around the city. Clarification questions followed. Councilmember King said he would like to see the projects when they are completed. CAO Hirashima replied that staff would notify the Council when these are complete. So far it has been a really good program.

Motion to approve the Community Beautification Program Grant Review Committee's Recommendation on Award Funding moved by Councilmember Richards seconded by Council President Norton.

AYES: ALL

Legal

Mayor's Business

- Thanks to Fire, Police, City Council, staff and everyone involved in the 9/11 anniversary ceremony on Saturday. It was very nicely done.
- He attended a reception that WSU Everett had with President Shultz. It was nice to see the offerings available there. This is a great opportunity for students to get a nice four-year degree locally.
- He is working with City Attorney Walker on a Memorandum of Understanding with a group out of Korea related to funding business development for Korean firms in the US.

Staff Business

Chief Scairpon reported on a couple legislative meetings he and Assistant Chief Lawless will be having with state representatives and senators related to law enforcement reforms that came out and recommendations for the future. He also reported that one of their officers had worked with state DOT and obtained trespass authorization on property that the DOT owns for the department to enforce trespassing issues more quickly.

Chief McFalls thanked everyone for the help with the 9/11 ceremony. He especially thanked Mayor Nehring for his inspiring remarks in remembrance of that day.

Director Miller reported that the Planning Commission is holding a public hearing tomorrow night on the Downtown Master Plan changes. This will be coming back to the Council soon.

City Engineer Laycock stated he would get in touch with Mr. Pearce directly to address his comments on the interchange at 4th Street. He gave an update on the State Avenue project. He is happy to see the WSU program in the area.

Utility Manager Latimer had no further comments.

CIO Mennie discussed an opportunity to buy a shirt to promote awareness around domestic violence awareness in October. People are being encouraged to wear the shirts on Tuesdays in October. She also noted that the City's new communications specialist, Amy Johnson, is a graduate of WSU Everett. It is nice to have a pool of folks from five miles up the road to draw from.

Director Mizell echoed the encouragement to help raise awareness around domestic violence. She spoke to the importance of continuing to discuss this issue. The first art night will be happening this week at the Opera House.

Director Norton had no comments.

Director Langdon had no comments.

City Attorney Walker stated the need for an executive session to discuss one item of pending litigation with action expected and one community bargaining update item with no action for a total of 15 minutes.

CAO Hirashima had no further comments.

Call on Councilmembers and Committee Reports

Councilmember Vaughan echoed appreciation for the 9/11 ceremony.

Councilmember Muller also appreciated the ceremony. He asked about getting the lower limbs cut on the trees surrounding the monument for better visibility. CAO Hirashima explained the monument would be moved to the new civic campus. Councilmember Muller was pleased to hear this.

Councilmember King said he was honored to attend the 9/11 ceremony on Saturday. He is pleased to see work progressing on the hotel at 116th Street. He attended an event at the Opera House recently and was impressed with the new sprinkler system. He is happy they are preserving the water tower.

Councilmember James also expressed appreciation for the 9/11 ceremony. He is looking forward to seeing the monument at the new campus.

Councilmember Richards reported on the recent Park Board meeting. They talked about the pump track which is moving forward. They are moving forward on an remote-controlled (RC) car track near Strawberry Fields. A scout showed up and discussed an Eagle Scout project which would place mason bee houses in Doleshel Park to help increase the bee population. The 9/11 ceremony was very moving, and he is glad the City does that.

Council President Norton asked City Engineer Laycock to forward his response to Robert Pearce. City Engineer Laycock indicated he would; he is also planning on talking directly with Mr. Pearce on the phone. Council President Norton was pleased to hear about the trespass order which will help keep the gateway to the city looking nice and welcoming. She thanked the Fire District and city staff for the 9/11 ceremony. She is also very appreciative that the city does this every year.

Adjournment/Recess

Council recessed at 7:51 for five minutes before reconvening in Executive Session.

Executive Session

Executive Session began at 7:56 and lasted 15 minutes to discuss two items.

- A. Litigation - one item related to pending litigation with action expected
- B. Personnel - one update on a community bargaining agreement
- C. Real Estate

Reconvene

Council reconvened the regular meeting at 8:11 p.m.

Motion to authorize the Mayor to sign a settlement agreement with plaintiff, Heather Hahn, moved by Councilmember Muller seconded by Councilmember James.

AYES: ALL

Adjournment

Motion to adjourn the meeting moved by Councilmember King seconded by Councilmember Richards.

AYES: ALL

The meeting was adjourned at 7:53 p.m.

Approved this _____ day of _____, 2021.

Mayor
Jon Nehring

Index #3

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

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 September 8, 2021 claims in the amount of \$4,033,477.23 paid by EFT transactions and Check No.'s 150251 through 150460 with check numbers 146116 and 149925 voided.
COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-9

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 **\$4,033,477.23 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 150251 THROUGH 150460 WITH CHECK NUMBER 146116 AND 149925 VOIDED**, 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 **27th DAY OF SEPTEMBER 2021.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150251	LYDIG CONSTRUCTION	CIVIC CENTER PAYMENT 19	CAPITAL EXPENDITURES	
150252	STRIDER CONSTRUCTION	PAY ESTIMATE #16	GMA - STREET	446,859.55
150253	PREMERA BLUE CROSS	CLAIMS PAID 8/22 - 8/28/21	MEDICAL CLAIMS	76,532.66
150254	PREMERA BLUE CROSS	CLAIMS PAID 9/1-9/4/21	MEDICAL CLAIMS	14,592.38
150255	PREMERA BLUE CROSS	CLAIMS PAID 8/29-8/31/21	MEDICAL CLAIMS	15,922.94
150256	4TUNATE 4EVER LLC	REFUND BUSINESS LICENSE	GENL FUND BUS LIC &	65.00
	4TUNATE 4EVER LLC		GENL FUND BUS LIC &	65.00
150257	A-ZAR OF WASHINGTON	TRANSCRIPTION FEE	POLICE INVESTIGATION	1,320.00
150258	ACLARA TECHNOLOGIES	FIELD PROGRAMMER	METER READING	1,138.76
150259	ADKINS, JAY	UB REFUND	WATER/SEWER OPERATION	262.18
150260	AHERN RENTALS, INC.	RENTAL ROLLER	GMA-PARKS	2,114.97
	AHERN RENTALS, INC.	KUBOTA TRACK HOE	SEWER MAIN COLLECTION	3,492.14
150261	ALS LABORATORY	LAB ANALYSIS	STORM DRAINAGE	1,630.00
150262	AMAZON CAPITAL	PENS, TAPE, METAL FILE CABINET	ENGR-GENL	5.41
	AMAZON CAPITAL		STORM DRAINAGE	10.35
	AMAZON CAPITAL		UTIL ADMIN	12.82
	AMAZON CAPITAL	SUPPLIES	POLICE INVESTIGATION	14.20
	AMAZON CAPITAL	CABLE TRACK	IS REPLACEMENT ACCOUNTS	17.48
	AMAZON CAPITAL	OFFICE SUPPLIES	POLICE INVESTIGATION	25.10
	AMAZON CAPITAL		OFFICE OPERATIONS	47.56
	AMAZON CAPITAL	SUPPLIES	POLICE INVESTIGATION	206.42
	AMAZON CAPITAL	PENS, TAPE, METAL FILE CABINET	METER READING	330.05
	AMAZON CAPITAL	OFFICE SUPPLIES	POLICE ADMINISTRATION	349.72
150263	AMERICAN CLEANERS	DRY CLEANING	DETENTION & CORRECTION	4.32
	AMERICAN CLEANERS		POLICE INVESTIGATION	4.32
	AMERICAN CLEANERS		DETENTION & CORRECTION	8.64
	AMERICAN CLEANERS		POLICE PATROL	22.90
	AMERICAN CLEANERS		POLICE PATROL	45.53
	AMERICAN CLEANERS		POLICE ADMINISTRATION	52.02
	AMERICAN CLEANERS		CRIME PREVENTION	118.58
	AMERICAN CLEANERS		POLICE ADMINISTRATION	122.75
150264	ANDERSON, KRISTEN	PROTEM SERVICE	MUNICIPAL COURTS	185.00
	ANDERSON, KRISTEN		MUNICIPAL COURTS	2,220.00
150265	ARAMARK UNIFORM	UNIFORM CLEANING	SMALL ENGINE SHOP	6.00
	ARAMARK UNIFORM		SMALL ENGINE SHOP	6.00
	ARAMARK UNIFORM		EQUIPMENT RENTAL	58.70
	ARAMARK UNIFORM		EQUIPMENT RENTAL	58.70
	ARAMARK UNIFORM	LINEN SERVICE	OPERA HOUSE	126.51
150266	ARIES BLDG SYSTEMS	PORTABLE BUILDING RENTAL	STORM DRAINAGE	524.64
	ARIES BLDG SYSTEMS		SEWER SERV MAINT	524.64
150267	ARLINGTON MACHINE &	ALUMINUM COLLECTOR COVERS	SOURCE OF SUPPLY	3,181.82
150268	ARLINGTON, CITY OF	ACCT #700033.31	WATER FILTRATION PLANT	34.45
150269	AVIS, TIMOTHY	UB REFUND	WATER/SEWER OPERATION	272.64
150270	BAJWA, DEEPINDER	REFUND PERMIT	PARKS-RECREATION	186.00
150271	BANK OF AMERICA	SUPPLIES	POLICE PATROL	38.38
	BANK OF AMERICA		POLICE PATROL	68.83
150272	BEACON PLUMBING	REFUND ELECTRICAL PERMIT	COMMUNITY DEVELOPMENT	150.00
150273	BENS CLEANER SALES	WASH RACK, SOCKET, SWITCH	WATER FILTRATION PLANT	255.86
150274	BHC CONSULTANTS	PROFESSIONAL SERVICE 7/24-8/20/21	SEWER CAPITAL PROJECTS	26,786.25
150275	BICKFORD FORD	TEMPERATURE SENSOR #J013	EQUIPMENT RENTAL	12.74
	BICKFORD FORD	REPAIR #J022	EQUIPMENT RENTAL	2,979.29
150276	BIOTECH SCREENING	DRUG SCREENING CUPS	DETENTION & CORRECTION	549.23
150277	BONNEVILLE	ADVERTISING	POLICE ADMINISTRATION	25.00
150278	BRAY, GERALD L	UB REFUND	WATER/SEWER OPERATION	14.32
	BRAY, GERALD L		WATER/SEWER OPERATION	14.32
150279	BROWNING, LAWRENCE		WATER/SEWER OPERATION	415.40
150280	CAPITAL INDUSTRIES	3 & 4 YRD DUMPSTERS	SOLID WASTE OPERATIONS	2,076.70
	CAPITAL INDUSTRIES		SOLID WASTE OPERATIONS	4,131.54

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150281	CARDWELL, IRATXE	INTERPRETER SERVICE	COURTS	100.00
	CARDWELL, IRATXE		COURTS	103.10
150282	CASCADE COLUMBIA	PAX XL8	WASTE WATER TREATMENT	13,244.69
	CASCADE COLUMBIA		WASTE WATER TREATMENT	13,394.17
150283	CASCADE NATURAL GAS	NATURAL GAS CHARGES	WATER FILTRATION PLANT	57.63
150284	CENTRAL WELDING SUPP	TRENCHING SHOVEL	ER&R	26.61
	CENTRAL WELDING SUPP	SAFETY VEST	ER&R	177.07
	CENTRAL WELDING SUPP		ER&R	234.45
	CENTRAL WELDING SUPP	SHACKLE PADLOCK	SOLID WASTE OPERATIONS	457.42
150285	CHAMPION BOLT	O-RING	EQUIPMENT RENTAL	4.72
150286	CHETS CABINET	CABINET	SUNNYSIDE FILTRATION	3,934.80
150287	CLIMB THE MOUNTAIN	YOUTH ADVOCACY COMMITTEE SPEAKER	EXECUTIVE ADMIN	720.00
150288	COASTAL FARM & HOME	FLEX HANDLE	STORM DRAINAGE	45.88
150289	COLACURCIO BROTHERS	PAY ESTIMATE #2	GMA - STREET	41,880.93
	COLACURCIO BROTHERS		GMA - STREET	373,221.95
150290	COLBY, DANIEL & SUSA	UB REFUND	WATER/SEWER OPERATION	113.59
150291	CONSTANT CONTACT	6 MONTH SUBSCRIPTION	EXECUTIVE ADMIN	1,180.44
150292	COOP SUPPLY	CAULK GUN	STORM DRAINAGE	4.36
	COOP SUPPLY	OVERSEED	MAINTENANCE	76.50
	COOP SUPPLY	RAT BAIT & STATION	PARK & RECREATION FAC	104.88
	COOP SUPPLY	SUPPLIES	WASTE WATER TREATMENT	215.82
150293	COOPER, LUELLA H	UB REFUND	WATER/SEWER OPERATION	241.24
150294	CORE & MAIN LP	PARTS FOR BO REPAIR STOCK	WATER DIST MAINS	992.09
150295	CORRECTIONS, DEPT OF	INMATE PAY - JULY 2021	ROADSIDE VEGETATION	86.18
150296	COUGAR TREE SERVICE	AFTER HOURS EMERGENCY TREE SERVICE	FORESTRY MAINTENANCE	1,639.50
150297	CUZ CONCRETE PROD	JET SET	STORM DRAINAGE	1,127.42
150298	DELL	LAPTOP DOCK STATIONS	IS REPLACEMENT ACCOUNTS	1,581.99
	DELL	LAPTOP DOCKS	IS REPLACEMENT ACCOUNTS	1,581.99
	DELL	LAPTOPS	IS REPLACEMENT ACCOUNTS	8,662.47
150299	DELL, KRISTEN	UB REFUND	WATER/SEWER OPERATION	111.94
150300	DICKS TOWING	TOWING 21-41642	POLICE PATROL	77.47
	DICKS TOWING	TOWING 21-41792	POLICE PATROL	77.47
	DICKS TOWING	TOWING 21-42218	POLICE PATROL	77.47
	DICKS TOWING	TOWING BZF8560	POLICE PATROL	77.47
	DICKS TOWING	TOWING SCOOTER	POLICE PATROL	77.47
150301	DK SYSTEMS, INC.	LABOR HVAC UNIT	PUBLIC SAFETY BLDG	390.75
	DK SYSTEMS, INC.	REPLACED #3 WITH TRANE	UTIL ADMIN	2,851.97
150302	DKJ INVESTMENTS INC	HYDRANT METER DEPOSIT/USAGE FEES	WATER-UTILITIES/ENVIRONMN	-603.85
	DKJ INVESTMENTS INC		WATER/SEWER OPERATION	1,150.00
150303	DMH INDUSTRIAL	REBUILD PUMP #2	SEWER LIFT STATION	2,108.16
	DMH INDUSTRIAL	PARTS FOR PUMP #1	SEWER LIFT STATION	8,784.00
150304	DUNLAP INDUSTRIAL	CHAIN, SHACKLE, LABOR	ROADWAY MAINTENANCE	188.45
	DUNLAP INDUSTRIAL	CHAIN, RATCHET BINDERS	ROADWAY MAINTENANCE	342.44
150305	E&E LUMBER	FASTENERS, BULB	OPERA HOUSE	10.23
	E&E LUMBER	HATCH LATCH REPAIR	WASTE WATER TREATMENT	14.68
	E&E LUMBER	OUTLET	MAINTENANCE	28.05
	E&E LUMBER	PVC UNION, ABS TEE	WATER DIST MAINS	30.70
	E&E LUMBER	HOSE SHUTOFF, CONNECTOR	WATER RESERVOIRS	37.53
	E&E LUMBER	PAINT, ROLLER FRAME	WASTE WATER TREATMENT	57.97
	E&E LUMBER	KEYS, ENTRY KNOB	OPERA HOUSE	75.31
	E&E LUMBER	MISC. MAINTENANCE SUPPLIES	WASTE WATER TREATMENT	243.51
150306	EAGLE FENCE	SOLID WASTE GATE REPAIR	SOLID WASTE OPERATIONS	81.98
	EAGLE FENCE	CHAIN LINK FENCE REPAIR	PARK & RECREATION FAC	1,782.22
150307	EAST JORDAN IRON WOR	SUPPLIES FOR OVERLAY ON 47TH & STATE	STORM DRAINAGE	3,508.97
150308	EAST JORDAN IRON WOR	VALVE LIDS, TOPS, BOX SUPPORT	WATER DIST MAINS	3,462.19
150309	ECKSTROM INDUSTRIES	CHUTE EXTENSION	WASTE WATER TREATMENT	5,958.85
150310	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	12.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	12.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150310	EDGE ANALYTICAL	LAB ANALYSIS	WATER QUAL TREATMENT	12.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	15.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	30.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	84.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	216.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	216.00
	EDGE ANALYTICAL		WATER QUAL TREATMENT	216.00
150311	ENTERPRISE, DEPT OF	REGULATORY FEE	MEDICAL CLAIMS	55.80
150312	ESTHER SKILLING	INTERPRETER SERVICE	COURTS	100.00
150313	EVERETT GOSPEL	POVERTY WORKSHOP	EXECUTIVE ADMIN	500.00
150314	EVERETT HYDRAULICS	MISC. ITEMS FOR #J006	EQUIPMENT RENTAL	537.01
150315	EVERETT OFFICE	SINGLE PEDESTAL DESK	PUBLIC SAFETY BLDG	333.37
150316	EVERETT STAMP WORKS	BLUE R400 NOTARY STAMP	CITY CLERK	55.63
150317	EVERETT TIRE & AUTO	TIRES	ER&R	1,840.43
150318	EVERETT, CITY OF	ANIMAL SHELTER	COMMUNITY SERVICES UNIT	300.00
	EVERETT, CITY OF		COMMUNITY SERVICES UNIT	4,400.00
	EVERETT, CITY OF	2020 OPERATIONS AGREEMENT	WASTE WATER TREATMENT	119,582.88
150319	EVERGREEN RURAL WATE	REGISTRATION CLASS - BRYANT	UTIL ADMIN	100.00
150320	EWING IRRIGATION	BARRIER, RANGER PRO	ROADSIDE VEGETATION	4,044.67
150321	FASTENAL COMPANY	RETURN HEX BOLTS	PARK & RECREATION FAC	-87.99
	FASTENAL COMPANY	HEX BOLTS	PARK & RECREATION FAC	157.92
150322	FCS GROUP	CD-COST OF SERVICE STUDY	COMMUNITY	1,710.00
	FCS GROUP	SOLID WASTE RATE STUDY	SOLID WASTE OPERATIONS	8,425.00
150323	FEDEX	SHIPPING	FINANCE-GENL	19.33
150324	FERGUSON, BRUCE	UB REFUND	WATER/SEWER OPERATION	118.50
150325	FERRELLGAS	PROPANE	ROADWAY MAINTENANCE	66.33
	FERRELLGAS		TRAFFIC CONTROL DEVICES	66.33
	FERRELLGAS		ROADWAY MAINTENANCE	174.69
	FERRELLGAS		TRAFFIC CONTROL DEVICES	174.69
150326	FRANSON, DINA & MICH	UB REFUND	WATER/SEWER OPERATION	215.55
150327	FRY, FRANK		WATER/SEWER OPERATION	257.78
150328	GALLS, LLC	UNIFORM	POLICE PATROL	91.98
	GALLS, LLC		POLICE PATROL	120.65
	GALLS, LLC		POLICE PATROL	120.68
	GALLS, LLC	VESTS	POLICE ADMINISTRATION	145.70
	GALLS, LLC	UNIFORM	POLICE PATROL	181.10
	GALLS, LLC		POLICE PATROL	204.44
	GALLS, LLC	VESTS	POLICE PATROL	291.34
150329	GEDDES, BRENDA	DOE STANDARDS SPEC. BOOK	UTIL ADMIN	107.21
150330	GEOTEST SERVICES INC	PAYMENT APPLICATION #18	CAPITAL EXPENDITURES	2,951.00
150331	GOVERNMENT PORTFOLIO	INVESTMENT SERVICE	CAPITAL EXPENDITURES	-504.30
	GOVERNMENT PORTFOLIO		GMA - STREET	-95.70
	GOVERNMENT PORTFOLIO		FINANCE-GENL	5,400.00
150332	GRAHAM, JEFFREY	REFUND MOVIE	PARKS-RECREATION	5.00
	GRAHAM, JEFFREY		PARKS-RECREATION	5.00
150333	GRAINGER	DISPOSABLE MASKS - COVID	FACILITY MAINTENANCE	46.56
	GRAINGER	CLEANING SUPPLIES	ER&R	222.92
150334	GRANITE CONST	NOTEBOOKS	ENGR-GENL	16.31
	GRANITE CONST	ASPHALT PATCHES	ROADWAY MAINTENANCE	213.45
	GRANITE CONST	PAVING AT CART WASH-GOLF COURSE	MAINTENANCE	3,050.25
150335	GREENHAUS PORTABLE	PORTABLE RESTROOM-BICKLEBALL	RECREATION SERVICES	130.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150336	GRENIER, PAUL	REFUND PICKLEBALL	PARKS-RECREATION	60.00
150337	GROSS, BRIAN & ANA	UB REFUND	WATER/SEWER OPERATION	278.14
150338	HAMACHER, SHARIE		WATER/SEWER OPERATION	142.81
150339	HAZEN, DANIEL EDWARD	CHAPLIN STIPEND	POLICE ADMINISTRATION	750.00
150340	HD FOWLER COMPANY	BRASS HOSE ADAPTER, UNION IMPORT	WASTE WATER TREATMENT	72.84
	HD FOWLER COMPANY	REPLACEMENT PART FOR HYDRANT	HYDRANTS	695.73
150341	HDR ENGINEERING	PROFESSIONAL SERVICE	GMA - STREET	1,024.07
	HDR ENGINEERING		GMA - STREET	10,097.12
150342	HEALTH, DEPT OF	STILLAGUAMISH SYSTEM IMPROVEMENT	ENTERPRISE D/S	10,007.90
	HEALTH, DEPT OF		ENTERPRISE D/S	222,397.82
150343	HOME DEPOT USA	OPERATING SUPPLIES	WASTE WATER TREATMENT	422.78
150344	HOME DEPOT USA	JANITORIAL SUPPLIES	CUSTODIAL SERVICES	76.60
	HOME DEPOT USA		CUSTODIAL SERVICES	377.22
	HOME DEPOT USA		CUSTODIAL SERVICES	474.64
	HOME DEPOT USA	WASP SPRAY, DEGREASER, RAGS	ER&R	634.96
150345	HOUSING AUTHORITY OF	UB REFUND	WATER/SEWER OPERATION	26.81
150346	HOUSING AUTHORITY OF	UB REFUND	WATER/SEWER OPERATION	102.25
150347	HUMAN SERVICES	2ND QTR LIQUOR PROFIT/TAXES	NON-DEPARTMENTAL	2,296.98
	HUMAN SERVICES		NON-DEPARTMENTAL	2,733.69
	HUMAN SERVICES	DCR WORKER	EMBEDDED SOCIAL WORKER	41,795.52
150348	HURSCH, STEVE	UB REFUND	WATER/SEWER OPERATION	79.56
150349	HYLARIDES, LETTIE	INTERPRETER SERVICE	COURTS	100.00
	HYLARIDES, LETTIE		COURTS	112.50
	HYLARIDES, LETTIE		COURTS	112.50
	HYLARIDES, LETTIE		COURTS	112.50
150350	INGRAM, RUTH	UB REFUND	WATER/SEWER OPERATION	49.36
150351	JOHNSON, BRYAN & JAN		WATER/SEWER OPERATION	260.97
150352	JP COOKE COMPANY,THE	LIFETIME ANIMAL LICENSES	GENERAL FUND	-8.07
	JP COOKE COMPANY,THE		COMMUNITY	94.82
150353	KANEHEN, GREGORY	CHAPLIN STIPEND	POLICE ADMINISTRATION	750.00
150354	KAR GOR INC	POWER SUPPLY	TRANSPORTATION	273.25
	KAR GOR INC		TRANSPORTATION	794.37
150355	KILEN, JOY	REFUND KINDERMUSIK	PARKS-RECREATION	144.00
150356	KOWALCZYK, TODD & DE	UB REFUND	WATER/SEWER OPERATION	96.12
150357	KUPRIYANOVA, SVETLAN	INTERPRETER SERVICE	COURTS	100.00
	KUPRIYANOVA, SVETLAN		COURTS	100.00
150358	LASTING IMPRESSIONS	SHIRTS FOR INVENTORY	ER&R	844.01
150359	LAW ENFORCE SEMINARS	REGISTRATION PITTS	POLICE TRAINING-FIREARMS	385.00
150360	LENNAR NORTHWEST INC	UB REFUND 8315 39TH ST NE	GARBAGE	197.98
150361	LES SCHWAB TIRE CTR	TRACTION CAP DRIVE AXEL	ER&R	296.19
150362	LOWES HIW INC	WATER, MEGALOC SEALANT	WATER FILTRATION PLANT	23.03
	LOWES HIW INC	PAINT	GMA-PARKS	834.29
150363	MANGUNE, ULYSSES L	INTERPRETER SERVICE	COURTS	130.00
	MANGUNE, ULYSSES L		COURTS	130.00
	MANGUNE, ULYSSES L		COURTS	130.00
150364	MARYSVILLE LITTLE LE	UB REFUND	WATER/SEWER OPERATION	186.82
150365	MARYSVILLE PRINTING	BUSINESS CARDS	COMMUNITY CENTER	122.88
	MARYSVILLE PRINTING	ENVELOPES	COMMUNITY	171.03
	MARYSVILLE PRINTING		PROBATION	729.92
	MARYSVILLE PRINTING		MUNICIPAL COURTS	2,189.77
150366	MARYSVILLE, CITY OF	3RD & STATE AVE	PARK & RECREATION FAC	24.53
	MARYSVILLE, CITY OF	60 STATE AVE	MAINT OF GENL PLANT	39.05
	MARYSVILLE, CITY OF	1049 STATE AVE	CITY HALL	77.87
	MARYSVILLE, CITY OF	1221 3RD ST	OPERA HOUSE	115.98
	MARYSVILLE, CITY OF	514 DELTA AVE RESTROOMS	PARK & RECREATION FAC	115.98
	MARYSVILLE, CITY OF	1218 1ST ST	PUBLIC SAFETY BLDG	128.07
	MARYSVILLE, CITY OF	1019 CEDAR AVE	PARK & RECREATION FAC	130.50
	MARYSVILLE, CITY OF	4TH & I-5 IRRIGATION	PARK & RECREATION FAC	158.36

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150366	MARYSVILLE, CITY OF	1218 1ST ST	PUBLIC SAFETY BLDG	199.44
	MARYSVILLE, CITY OF	1049 STATE AVE IRRIGATION	CITY HALL	199.88
	MARYSVILLE, CITY OF	1529 2RD ST IRRIGATION	WATER SERVICES	213.95
	MARYSVILLE, CITY OF	80 COLUMBIA AVE	MAINT OF GENL PLANT	216.75
	MARYSVILLE, CITY OF		ROADWAY MAINTENANCE	221.64
	MARYSVILLE, CITY OF	61 STATE AVE	PARK & RECREATION FAC	225.33
	MARYSVILLE, CITY OF	7115 GROVE ST	GOLF ADMINISTRATION	291.66
	MARYSVILLE, CITY OF	80 COLUMBIA AVE	EQUIPMENT RENTAL	394.34
	MARYSVILLE, CITY OF	1225 3RD ST	OPERA HOUSE	693.35
	MARYSVILLE, CITY OF	1049 STATE AVE	CITY HALL	774.97
	MARYSVILLE, CITY OF	80 COLUMBIA AVE	WASTE WATER TREATMENT	1,146.30
	MARYSVILLE, CITY OF	7007 GROVE ST	GOLF ADMINISTRATION	1,170.76
	MARYSVILLE, CITY OF	100 ALDER AVE	GMA - STREET	1,880.96
	MARYSVILLE, CITY OF	80 COLUMBIA AVE	WASTE WATER TREATMENT	2,181.66
	MARYSVILLE, CITY OF	1015 STATE AVE	COURT FACILITIES	2,270.06
	MARYSVILLE, CITY OF	80 COLUMBIA AVE	MAINT OF GENL PLANT	2,882.68
	MARYSVILLE, CITY OF	514 DELTA AVE	PARK & RECREATION FAC	11,576.86
	MARYSVILLE, CITY OF	6810 84TH ST NE	GOLF ADMINISTRATION	16,685.63
150367	MATLOCK, KEITH	UB REFUND	WATER/SEWER OPERATION	48.77
150368	MCCUTCHEN, COURTNEY		WATER/SEWER OPERATION	319.87
150369	MCDONALD, KEVIN D	HEARING EXAMINER-AUG 2021	COMMUNITY	560.00
150370	MCKENNA, DAVID	CRASH RECONSTRUCTION TRAINING	TRAFFIC UNIT	1,092.00
150371	MCLOUGHLIN & EARDLEY	SPOTLIGHT ASMY	ER&R	380.05
150372	MEETSMA, MIKE & SHEI	UB REFUND	GARBAGE	162.01
150373	MOUNTAIN MIST	WATER COOLER/BOTTLED WATER	WASTE WATER TREATMENT	20.44
	MOUNTAIN MIST		SOLID WASTE OPERATIONS	20.44
	MOUNTAIN MIST		SEWER MAIN COLLECTION	20.44
150374	MOYNAHAN, JOHN & DOR	UB REFUND	WATER/SEWER OPERATION	173.76
150375	MPMA	RE-ISSUE LOST CHECK	PAYROLL CLEARING	500.00
150376	NAPA AUTO PARTS	SPARK PLUGS #V011	EQUIPMENT RENTAL	6.16
	NAPA AUTO PARTS	HEADLIGHT SOCKET	EQUIPMENT RENTAL	13.19
	NAPA AUTO PARTS	TRANSMISSION FILTER KIT #P179	EQUIPMENT RENTAL	39.99
	NAPA AUTO PARTS	IGNITION COIL #V011	EQUIPMENT RENTAL	63.40
	NAPA AUTO PARTS	OIL/AIR FILTERS	ER&R	281.57
150377	NAVIA BENEFIT	PARTICIPANT FEES-AUG 2021	PERSONNEL ADMINISTRATION	161.85
150378	NCSI	VOLUNTEER SCREENING AUG 2021	PERSONNEL ADMINISTRATION	37.00
	NCSI	EMPLOYMENT SCREENING AUG 2021	PERSONNEL ADMINISTRATION	148.00
150379	NELSON PETROLEUM	OIL	ER&R	1,312.72
150380	NORTH COAST ELECTRIC	LEFT/RIGHT END CAP	SOURCE OF SUPPLY	100.52
	NORTH COAST ELECTRIC	MICROLOGIX MEMORY MODULE	WATER RESERVOIRS	265.29
	NORTH COAST ELECTRIC	POWER SUPPLY	SOURCE OF SUPPLY	583.49
	NORTH COAST ELECTRIC	ANALOG INPUT MODULE	SOURCE OF SUPPLY	1,192.51
150381	NORTHSTAR CHEMICAL	SODIUM HYDROCHLORITE	WASTE WATER TREATMENT	2,754.36
150382	NORTHWEST CORROSION	2021 CATHODIC PROTECTION	WATER SUPPLY MAINS	3,200.00
150383	NW ASSESSMENT SERVIC	INCIDENT STRESS DEBRIEFING	POLICE ADMINISTRATION	1,200.00
150384	OFFICE DEPOT	TONER, POST IT NOTES	ENGR-GENL	4.58
	OFFICE DEPOT	SUPPLIES	POLICE PATROL	7.91
	OFFICE DEPOT		POLICE PATROL	28.13
	OFFICE DEPOT	TONER, POST IT NOTES	UTIL ADMIN	66.74
	OFFICE DEPOT	SUPPLIES	COMMUNITY	90.20
	OFFICE DEPOT	OFFICE SUPPLIES	EXECUTIVE ADMIN	96.76
	OFFICE DEPOT	SUPPLIES	POLICE PATROL	160.10
150385	ONO, SHARON	UB REFUND	GARBAGE	23.77
150386	OREILLY AUTO PARTS	PINION SEAL #V016	EQUIPMENT RENTAL	9.96
	OREILLY AUTO PARTS	DISCONNECT SUNNYSIDE PLANT	SUNNYSIDE FILTRATION	10.36
	OREILLY AUTO PARTS	CERAMIC PADS, BRAKE ROTORS #V016	EQUIPMENT RENTAL	222.50
150387	PACIFIC TOPSOILS	BRUSH DUMP EMISSIONS HAUL OUT	ROADSIDE VEGETATION	122.40
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	122.40

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150387	PACIFIC TOPSOILS	BRUSH DUMP EMISSIONS HAUL OUT	ROADSIDE VEGETATION	163.20
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	204.00
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	204.00
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	204.00
150388	PAPE MACHINERY	FILTER/OIL	STORM DRAINAGE	1,028.21
150389	PARTNER CONST PROD	DEERY PATCH SEAL	ROADWAY MAINTENANCE	3,916.69
150390	PEACE OF MIND	SPECIAL MEETING 8/3 & 8/20/21	CITY CLERK	105.40
150391	PEARL DJANGO, LLC	MUSIC SEPT 12, 2021	OPERA HOUSE	1,700.00
150392	PENWAY LTD	LAND USE SIGNAGE	COMMUNITY	501.03
150393	PETROCARD SYSTEMS	FUEL CONSUMED	COMPUTER SERVICES	49.78
	PETROCARD SYSTEMS		EQUIPMENT RENTAL	83.93
	PETROCARD SYSTEMS		FACILITY MAINTENANCE	118.05
	PETROCARD SYSTEMS		STORM DRAINAGE	126.37
	PETROCARD SYSTEMS		DEVELOPMENT SERVICES	167.74
	PETROCARD SYSTEMS		COMMUNITY	209.72
	PETROCARD SYSTEMS		PARK & RECREATION FAC	1,436.99
	PETROCARD SYSTEMS		GENERAL	3,801.94
	PETROCARD SYSTEMS		MAINT OF EQUIPMENT	5,179.48
	PETROCARD SYSTEMS		SOLID WASTE OPERATIONS	5,406.71
	PETROCARD SYSTEMS		POLICE PATROL	7,576.05
150394	PGC INTERBAY LLC	REIMBURSEMENT TO GOLF	PRO-SHOP	129.50
	PGC INTERBAY LLC		PRO-SHOP	154.58
	PGC INTERBAY LLC		PRO-SHOP	180.00
	PGC INTERBAY LLC		PRO-SHOP	219.00
	PGC INTERBAY LLC		MAINTENANCE	404.86
	PGC INTERBAY LLC		MAINTENANCE	1,739.01
	PGC INTERBAY LLC		MAINTENANCE	2,015.57
	PGC INTERBAY LLC		MAINTENANCE	2,170.71
	PGC INTERBAY LLC		GOLF COURSE	2,597.31
150395	HELPS, DANIEL	UB REFUND	WATER/SEWER OPERATION	25.25
150396	PHIPPS, NATE & CATEY		WATER/SEWER OPERATION	326.24
150397	PICKRELL, CYNTHIA		WATER/SEWER OPERATION	215.66
150398	PILCHUCK RENTALS	KUBOTA LOADER RENTAL	PARK & RECREATION FAC	513.71
	PILCHUCK RENTALS	EQUIPMENT RENTAL	PARK & RECREATION FAC	601.15
150399	PLATT ELECTRIC	CREDIT INVOICE #1Q47602	PARK & RECREATION FAC	-54.04
	PLATT ELECTRIC	BREAKER MOUNTS, FILLER PLATES	WATER/SEWER OPERATION	-3.74
	PLATT ELECTRIC	ITEMS FOR LK GOODWIN HYPO PUMPS	WATER/SEWER OPERATION	-3.39
	PLATT ELECTRIC	WIRE, REPLACEMENT BITS	SOURCE OF SUPPLY	15.53
	PLATT ELECTRIC		SEWER LIFT STATION	15.54
	PLATT ELECTRIC		WASTE WATER TREATMENT	15.54
	PLATT ELECTRIC	SAT LED FOR OPERA HOUSE	OPERA HOUSE	26.36
	PLATT ELECTRIC	UR BEL GEL CONNECTORS	METER READING	49.19
	PLATT ELECTRIC		METER READING	81.98
	PLATT ELECTRIC	EMERGENCY LIGHT - COURTS	COURT FACILITIES	86.12
	PLATT ELECTRIC	WIRE/FITTINGS-EDWARD WEN	SOURCE OF SUPPLY	122.16
	PLATT ELECTRIC	WIRE, REPLACEMENT BITS	SEWER LIFT STATION	147.43
	PLATT ELECTRIC		WASTE WATER TREATMENT	147.43
	PLATT ELECTRIC		SOURCE OF SUPPLY	147.43
	PLATT ELECTRIC	FUSE HOLDER	SEWER LIFT STATION	275.81
	PLATT ELECTRIC	UR BEL GEL CONNECTORS	METER READING	360.69
	PLATT ELECTRIC	SUPPLIES FOR MTV REPAIRS	METER READING	1,057.98
	PLATT ELECTRIC	ITEMS FOR LK GOODWIN HYPO PUMPS	PUMPING PLANT	1,233.19
	PLATT ELECTRIC	BREAKER MOUNTS, FILLER PLATES	WASTE WATER TREATMENT	1,363.28
150400	POLICE & SHERIFFS PR	ID CARDS	GENERAL FUND	-3.03
	POLICE & SHERIFFS PR		DETENTION & CORRECTION	35.58
150401	POLLARDWATER	LPD DECHLOR TAB-FLUSHING	WATER DIST MAINS	707.25
150402	PONCIANO-AHUE, KELCY	UB REFUND	WATER/SEWER OPERATION	36.32
150403	POSTAL SERVICE	POSTAGE FOR MAILERS - 8	PROBATION	1,000.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150403	POSTAL SERVICE	POSTAGE FOR METER	MUNICIPAL COURTS	3,000.00
150404	PREMIER GOLF CENTERS	MANAGEMENT SERVICES	GOLF ADMINISTRATION	9,016.15
150405	PRICE, JAMES	UB REFUND	WATER/SEWER OPERATION	350.00
150406	PUBLIC SAFETY TESTIN	POLYGRAPHS	POLICE ADMINISTRATION	1,480.00
150407	PUD	ACCT #205283641	STREET LIGHTING	10.61
	PUD	ACCT #205026479	STREET LIGHTING	11.57
	PUD	ACCT #204933311	PUMPING PLANT	13.61
	PUD	ACCT #202177861	PUMPING PLANT	14.04
	PUD	ACCT #200998532	PARK & RECREATION FAC	14.74
	PUD	ACCT #222871949	PARK & RECREATION FAC	16.44
	PUD	ACCT #201672136	SEWER LIFT STATION	16.56
	PUD	ACCT #202031134	PUMPING PLANT	16.60
	PUD	ACCT #205136245	SEWER LIFT STATION	16.96
	PUD	ACCT #221100092	GMA - STREET	17.10
	PUD	ACCT #202461034	UTIL ADMIN	17.28
	PUD	ACCT #202368551	PARK & RECREATION FAC	18.07
	PUD	ACCT #205026479	STREET LIGHTING	18.10
	PUD	ACCT #204584361	STREET LIGHTING	18.24
	PUD	ACCT #201931193	PARK & RECREATION FAC	19.28
	PUD	ACCT #202791166	PUMPING PLANT	19.34
	PUD	ACCT #201668043	PARK & RECREATION FAC	21.02
	PUD	ACCT #221303498	STREET LIGHTING	21.47
	PUD	ACCT #201380995	PUMPING PLANT	21.54
	PUD	ACCT #202476438	SEWER LIFT STATION	23.35
	PUD	ACCT #201610185	TRANSPORTATION	23.66
	PUD	ACCT #202499489	COMMUNITY EVENTS	23.68
	PUD	ACCT #204584361	STREET LIGHTING	24.18
	PUD	ACCT #202178158	SEWER LIFT STATION	29.21
	PUD	ACCT #202140489	TRANSPORTATION	30.96
	PUD	ACCT #201670890	TRANSPORTATION	31.06
	PUD	ACCT #202694337	TRANSPORTATION	32.02
	PUD	ACCT #203005160	STREET LIGHTING	35.35
	PUD	ACCT #200650745	TRANSPORTATION	36.94
	PUD	ACCT #220761803	OPERA HOUSE	38.77
	PUD	ACCT #200800704	STREET LIGHTING	39.98
	PUD	ACCT #202426482	PUBLIC SAFETY BLDG	41.27
	PUD	ACCT #220792733	STREET LIGHTING	42.02
	PUD	ACCT #202368536	TRANSPORTATION	42.21
	PUD	ACCT #202102190	TRANSPORTATION	44.08
	PUD	ACCT #220298624	STREET LIGHTING	44.83
	PUD	ACCT #200571842	TRANSPORTATION	44.94
	PUD	ACCT #203430897	STREET LIGHTING	45.60
	PUD	ACCT #202368544	TRANSPORTATION	46.55
	PUD	PUD FEES MOTHER NATURE'S WINDOW	PARK & RECREATION FAC	51.68
	PUD	ACCT #204879134	TRAFFIC CONTROL DEVICES	52.34
	PUD	ACCT #200869303	TRANSPORTATION	53.48
	PUD	ACCT #200625382	SEWER LIFT STATION	54.12
	PUD	ACCT #202183679	TRANSPORTATION	57.06
	PUD	ACCT #200827277	TRANSPORTATION	57.82
	PUD	ACCT #220153100	TRANSPORTATION	58.30
	PUD	ACCT #202000329	PARK & RECREATION FAC	58.51
	PUD	ACCT #202012589	PARK & RECREATION FAC	58.60
	PUD	ACCT #202557450	STREET LIGHTING	59.31
	PUD	ACCT #220339238	TRAFFIC CONTROL DEVICES	63.04
	PUD	ACCT #202143111	TRANSPORTATION	64.74
	PUD	ACCT #202689105	WASTE WATER TREATMENT	66.66
	PUD	ACCT #202463543	SEWER LIFT STATION	70.20
	PUD	ACCT #201021698	PARK & RECREATION FAC	70.80

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150407	PUD	ACCT #203231006	TRANSPORTATION	77.54
	PUD	ACCT #202490637	SEWER LIFT STATION	80.52
	PUD	ACCT #200790061	PARK & RECREATION FAC	84.14
	PUD	ACCT #202294336	STREET LIGHTING	94.38
	PUD	ACCT #222592917	PARK & RECREATION FAC	96.40
	PUD	ACCT #202572327	STREET LIGHTING	98.02
	PUD	ACCT #202368197	PUMPING PLANT	103.64
	PUD	ACCT #220731285	STREET LIGHTING	104.16
	PUD	ACCT #220761175	OPERA HOUSE	114.61
	PUD	ACCT #202030078	TRANSPORTATION	122.19
	PUD	ACCT #220838882	TRAFFIC CONTROL DEVICES	127.58
	PUD	ACCT #203223458	PARK & RECREATION FAC	127.81
	PUD	ACCT #202576112	STREET LIGHTING	128.49
	PUD	ACCT #201021607	PARK & RECREATION FAC	152.62
	PUD	ACCT #200164598	SOURCE OF SUPPLY	172.02
	PUD	ACCT #200084150	TRANSPORTATION	176.87
	PUD	ACCT #202309720	TRAFFIC CONTROL DEVICES	189.98
	PUD	ACCT #203344585	STREET LIGHTING	203.39
	PUD	ACCT #200070449	TRANSPORTATION	210.19
	PUD	ACCT #201065281	PARK & RECREATION FAC	210.96
	PUD	ACCT #201639630	GOLF ADMINISTRATION	412.54
	PUD	ACCT #202689287	WASTE WATER TREATMENT	444.59
	PUD	ACCT #220824148	WASTE WATER TREATMENT	548.84
	PUD	ACCT #200586485	SEWER LIFT STATION	617.47
	PUD	ACCT #223003021	CAPITAL EXPENDITURES	915.10
	PUD	ACCT #202604203	STREET LIGHTING	1,756.20
	PUD	ACCT #201098969	PUMPING PLANT	1,955.70
	PUD	ACCT #202576112	STREET LIGHTING	2,441.47
	PUD	ACCT #202604203	STREET LIGHTING	2,634.32
	PUD	ACCT #202882098	STREET LIGHTING	8,849.11
	PUD		STREET LIGHTING	13,840.92
150408	PUGET SOUND ENERGY	ACCT #220002768939	PUBLIC SAFETY BLDG	12.12
	PUGET SOUND ENERGY	ACCT #220015485349	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #220015485380	OPERA HOUSE	35.61
	PUGET SOUND ENERGY	ACCT #200007052364	MAINT OF GENL PLANT	38.76
	PUGET SOUND ENERGY	ACCT #200004804056	COURT FACILITIES	38.80
	PUGET SOUND ENERGY	ACCT #220015485703	OPERA HOUSE	39.82
	PUGET SOUND ENERGY	ACCT #220009207345	OPERA HOUSE	42.95
	PUGET SOUND ENERGY	ACCT #200007781657	GOLF ADMINISTRATION	47.16
	PUGET SOUND ENERGY	ACCT #200023493808	CITY HALL	53.62
	PUGET SOUND ENERGY	ACCT #200013812314	MAINT OF GENL PLANT	75.91
	PUGET SOUND ENERGY	ACCT #200010703029	PUBLIC SAFETY BLDG	104.53
150409	PUGET SOUND SECURITY	CYLINDER COMBINATION CHANGE	OPERA HOUSE	32.79
150410	QUADIENT LEASING USA	INK	MUNICIPAL COURTS	213.04
150411	QUIGLEY, DENA	REFUND PICKLEBALL	PARKS-RECREATION	50.00
150412	REECE TRUCKING	DUMP CLEAN ASPHALT	WATER DIST MAINS	67.38
	REECE TRUCKING	LARGE MILL WATER MAIN PAVE	WATER DIST MAINS	4,000.00
150413	REPENN, RYAN	OUTDOOR SPEAKER SERIES	OPERA HOUSE	100.00
150414	RH2 ENGINEERING INC	SEWER COMP PLAN UPDATE	SEWER CAPITAL PROJECTS	2,298.92
	RH2 ENGINEERING INC	PROFESSIONAL SERVICE	WATER CAPITAL PROJECTS	12,053.46
150415	ROMAINE ELECTRIC	ALTERNATOR #J013	EQUIPMENT RENTAL	226.99
150416	ROSEMOUNT ANALYTICAL	CREDIT INV #947390	SUNNYSIDE FILTRATION	-1,036.16
	ROSEMOUNT ANALYTICAL	CHLORINE ANALYZER	SUNNYSIDE FILTRATION	1,170.81
150417	RUDD, JASON	REFUND LIVE MUSIC	PARKS-RECREATION	15.00
150418	RUDD, PATRICIA		PARKS-RECREATION	15.00
150419	SAFeway INC.	KICKOFF MEETING SUPPLIES	EXECUTIVE ADMIN	20.97
150420	SAFeway INC.	WATER/INMATE MEDS/JAIL SUPPLIES	DETENTION & CORRECTION	15.05
	SAFeway INC.		POLICE PATROL	30.56

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150420	SAFEWAY INC.	WATER/INMATE MEDS/JAIL SUPPLIES	DETENTION & CORRECTION	46.09
	SAFEWAY INC.		DETENTION & CORRECTION	92.31
	SAFEWAY INC.		DETENTION & CORRECTION	358.22
150421	SENE, ABOUBAKRINE	UB REFUND	WATER/SEWER OPERATION	176.48
150422	SISKUN POWER EQUIPME	PIPE ASMY	SMALL ENGINE SHOP	184.75
	SISKUN POWER EQUIPME	HOSE, CHAINSAW PARTS	SMALL ENGINE SHOP	225.40
150423	SNO CO AUDITOR	REPLENISHMENT ACCT #1532	DEVELOPMENT SERVICES	106.50
	SNO CO AUDITOR		DEVELOPMENT SERVICES	106.50
150424	SNO CO TREASURER	INMATE MEDICAL AT SCJ	DETENTION & CORRECTION	1,307.23
150425	SNOHOMISH CO 911	DISPATCH	COMMUNICATION CENTER	88,026.43
150426	SOLID WASTE SYSTEMS	SWITCH PANEL	ER&R	1,742.18
150427	SOLIS, JAMES & PATRI	UB REFUND	WATER/SEWER OPERATION	176.48
150428	SONICSOLUTIONS ALGAE	QUATTRO HEAD CABLE	WATER/SEWER OPERATION	-519.27
	SONICSOLUTIONS ALGAE		WASTE WATER TREATMENT	6,102.81
150429	SONITROL	MONITORING	NON-DEPARTMENTAL	134.00
	SONITROL		STORM DRAINAGE	143.00
	SONITROL		UTIL ADMIN	144.56
	SONITROL		PUBLIC SAFETY BLDG	202.72
	SONITROL		SUNNYSIDE FILTRATION	239.00
	SONITROL		OPERA HOUSE	277.00
	SONITROL		PARK & RECREATION FAC	287.04
	SONITROL		MAINT OF GENL PLANT	315.12
	SONITROL		CITY HALL	361.92
	SONITROL		WASTE WATER TREATMENT	576.04
150430	SOUND SAFETY	BEN GUNN PANTS	UTIL ADMIN	96.87
	SOUND SAFETY	REPLACEMENT BOOTS	GENERAL	138.34
150431	SPRINGBROOK NURSERY	WOOD DEBRIS	STORM DRAINAGE	96.00
	SPRINGBROOK NURSERY	SUPER SOLO TRUCKING	PARK & RECREATION FAC	697.50
	SPRINGBROOK NURSERY		ROADWAY MAINTENANCE	697.50
	SPRINGBROOK NURSERY		GMA-PARKS	1,487.50
150432	STAPLES	TONER	MUNICIPAL COURTS	34.89
	STAPLES	PENS, BOXES	MUNICIPAL COURTS	43.96
	STAPLES	STAPLER	MUNICIPAL COURTS	50.27
	STAPLES	LYSOL, PENS	MUNICIPAL COURTS	72.62
	STAPLES	INK CARTRIDGES, PENS	WATER QUAL TREATMENT	419.30
150433	STILLAGUAMISH TRIBAL	UB REFUND	WATER/SEWER OPERATION	80.94
150434	SUN BADGE CO	COMMAND HAT BADGES	GENERAL FUND	-74.28
	SUN BADGE CO		POLICE ADMINISTRATION	873.03
150435	SUPERIOR RESTROOMS	JUNE, JULY, AUG SERVICE	WATER RESERVOIRS	426.30
150436	SWOBODY, RONALD & LO	UB REFUND	WATER/SEWER OPERATION	22.13
150437	TACOMA SCREW PRODUCT	PAINT	ER&R	251.19
150438	TAYLOR, CHRIS	SCRIPT PURCHASE REIMBURSEMENT	OPERA HOUSE	157.05
150439	THOMPSON, WILLIAM	UB REFUND	WATER/SEWER OPERATION	184.74
150440	TRAFFIC SAFETY SUPPL	DELINEATOR FOR STORM PIPE	STORM DRAINAGE	1,839.80
150441	TRANSCO GROUP	PROFESSIONAL SERVICE	GMA - STREET	11,412.21
	TRANSCO GROUP		GMA - STREET	13,260.54
150442	TRIVETT, MARK A	PROTEM SERVICE	MUNICIPAL COURTS	185.00
150443	TYLER TECHNOLOGIES	PACE TRAINING/CONNECT PASSES	COMPUTER SERVICES	6,063.75
150444	UNITED PARCEL SERVIC	SHIPPING	POLICE PATROL	78.12
150445	UNITED RENTALS	STORAGE RENTAL	COMMUNITY CENTER	109.30
150446	US MOWER	MOWER BLADES	STORM DRAINAGE	107.96
150447	UTTER, DAVID R	INTERPRETER SERVICE	COURTS	100.00
150448	WALKER, REX	LAMINATION REFUND	POLICE-SECURITY	5.00
	WALKER, REX	CPL REFUND	INTERGOVERNMENTAL	32.00
150449	WASTE MANAGEMENT	YARD WASTE/RECYCLING SERVICE	RECYCLING OPERATION	142,940.63
150450	WEBCHECK	WEBCHECK SERVICE AUG	UTILITY BILLING	2,671.29
150451	WESTERN EQUIPMENT	TINE-SOLID PARKS FOR VERIFICATION	SMALL ENGINE SHOP	233.01
150452	WHATCOM CO PARK &	RANGE RENTAL Item 3 - 11	POLICE TRAINING-FIREARMS	12,868.22

DATE: 9/10/2021
TIME: 8:48:15AM

**CITY OF MARYSVILLE
INVOICE LIST**

PAGE: 106

FOR INVOICES FROM 9/8/2021 TO 9/8/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150453	WILLIAM, SAMUEL	REFUND DAMAGE FEE	GENERAL FUND	250.00
150454	WILLIAMS, TIFFANY	UB REFUND	WATER/SEWER OPERATION	115.75
150455	YP INTERPRETER & TRA	INTERPRETER SERVICE	COURTS	120.00
150456	ZIPLY FIBER	ACCT #3606534741	WASTE WATER TREATMENT	56.96
	ZIPLY FIBER	ACCT #3606583358	POLICE PATROL	58.32
	ZIPLY FIBER	ACCT #3606577075	POLICE PATROL	58.47
	ZIPLY FIBER	ACCT #3606580924	PUBLIC SAFETY BLDG	61.05
	ZIPLY FIBER	ACCT #4253359912	SUNNYSIDE FILTRATION	66.31
	ZIPLY FIBER	ACCT #3606537208	OPERA HOUSE	86.99
150457	ZIPLY FIBER	ACCT #3606517319	TRAFFIC CONTROL DEVICES	56.96
150458	ZIPLY FIBER	ACCT #3606577108	STREET LIGHTING	58.32
150459	ZIPLY FIBER	ACCT #3606594398	PUBLIC SAFETY BLDG	106.27
150460	ZIPLY FIBER	ACCT #3606534028	CITY HALL	108.24

WARRANT TOTAL: 4,060,244.14

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED


WARRANT TOTAL: \$4,060,244.14

Index #4

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

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

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the September 10, 2021 payroll in the amount \$1,534,817.14, paid by EFT Transactions and Check No. 33627 through 33648.

COUNCIL ACTION:

Index #5

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

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 September 15, 2021 claims in the amount of \$1,187,589.73 paid by EFT transactions and Check No.'s 150461 through 150600.

COUNCIL ACTION:

BLANKET CERTIFICATION
CLAIMS
FOR
PERIOD-9

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 **\$1,187,589.73 PAID BY EFT TRANSACTIONS AND CHECK NO.'S 150461 THROUGH 150600**, 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 **27th DAY OF SEPTEMBER 2021.**

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/15/2021 TO 9/15/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150461	PREMERA BLUE CROSS	CLAIMS PAID 9/5-9/11/21	MEDICAL CLAIMS	50,610.34
150462	911 SUPPLY INC.	UNIFORM LAWLESS	POLICE ADMINISTRATION	303.86
	911 SUPPLY INC.	UNIFORM STEWART	POLICE PATROL	596.46
150463	AADVANTAGE PEST CONT	WASP/ YELLOW JACKET REMOVAL	ROADSIDE VEGETATION	213.14
150464	ALLEN, DAVID	FAAA PART 107 TESTING	POLICE PATROL	175.00
150465	ALLOSSERY, JESSICA	INAUGURATION	OPERA HOUSE	150.00
150466	AMAZON CAPITAL	SUPPLIES	POLICE INVESTIGATION	21.86
	AMAZON CAPITAL	PICTURE HANGING NAILS	OPERA HOUSE	40.77
	AMAZON CAPITAL	SPRINKLER HEAD TRIMMER	PARK & RECREATION FAC	66.51
	AMAZON CAPITAL	OFFICE SUPPLIES	COMPUTER SERVICES	69.37
	AMAZON CAPITAL	REPLACEMENT KEYBOARD	IS REPLACEMENT ACCOUNTS	75.25
	AMAZON CAPITAL	OFFICE SUPPLIES	COMPUTER SERVICES	80.12
	AMAZON CAPITAL	MASKS	POLICE PATROL	85.20
	AMAZON CAPITAL	TRAVEL BAG	ROADSIDE VEGETATION	93.88
	AMAZON CAPITAL	AIR PURIFIER	COMMUNITY SERVICES UNIT	98.36
	AMAZON CAPITAL	OFFICE SUPPLIES	COMPUTER SERVICES	112.66
	AMAZON CAPITAL		COMPUTER SERVICES	153.96
	AMAZON CAPITAL		COMPUTER SERVICES	229.53
	AMAZON CAPITAL		IS REPLACEMENT ACCOUNTS	245.70
	AMAZON CAPITAL	AIR PURIFIER	POLICE ADMINISTRATION	295.11
	AMAZON CAPITAL		POLICE INVESTIGATION	295.11
	AMAZON CAPITAL		DETENTION & CORRECTION	295.11
	AMAZON CAPITAL		OFFICE OPERATIONS	295.11
	AMAZON CAPITAL		POLICE ADMINISTRATION	422.99
	AMAZON CAPITAL	VARIDESK PLUS	COMPUTER SERVICES	541.04
150467	AMERICAN FAMILY INS	REIMBURSEMENT CLAIM	RISK MANAGEMENT	928.03
150468	AMERICAN SAFETY & HE	CPR/AED COMBO CARDS	EXECUTIVE ADMIN	502.78
150469	ANDERSON, KRISTEN	PROTEM SERVICE 9/7/21	MUNICIPAL COURTS	370.00
150470	ANSELME, KIERA	REFUND OUR TIME	PARKS-RECREATION	144.00
150471	APEX HYDROVAC TOOLS	FOLD DOWN PIPE HATCH	STORM DRAINAGE	785.86
	APEX HYDROVAC TOOLS		SEWER MAIN COLLECTION	785.87
150472	ARAMARK UNIFORM	UNIFORM CLEANING	SMALL ENGINE SHOP	6.00
	ARAMARK UNIFORM		SMALL ENGINE SHOP	6.00
	ARAMARK UNIFORM		EQUIPMENT RENTAL	58.70
	ARAMARK UNIFORM		EQUIPMENT RENTAL	58.70
	ARAMARK UNIFORM	LINEN SERVICE	OPERA HOUSE	126.51
	ARAMARK UNIFORM		OPERA HOUSE	126.51
150473	ATLAS PHONES	MITEL PHONES	COMPUTER SERVICES	1,897.60
150474	AV CAPTURE ALL, INC.	LEASE POSTAGE MACHINE	PROBATION	1,305.04
	AV CAPTURE ALL, INC.		MUNICIPAL COURTS	3,915.13
150475	AWWA	FALL WATERWORKS WORKSHOP	UTIL ADMIN	180.00
150476	BANK OF AMERICA	WATER/ICE	POLICE PATROL	12.52
150477	BANK OF AMERICA	MEAL REIMBURSEMENT	POLICE INVESTIGATION	64.88
150478	BANK OF AMERICA	SUPPLIES	FINANCE-GENL	10.32
	BANK OF AMERICA		COMMUNITY	87.44
	BANK OF AMERICA		COMPUTER SERVICES	276.01
	BANK OF AMERICA		COMMUNITY	401.11
150479	BANK OF AMERICA	YOUTH ACADEMY/ADVERTISING	EXECUTIVE ADMIN	292.87
	BANK OF AMERICA		EXECUTIVE ADMIN	838.74
150480	BICKFORD FORD	REAR BRAKE PAD, ROTORS	ER&R	196.73
150481	BOMAR, RICK	REFUND PICKLEBALL	RECREATION SERVICES	168.00
	BOMAR, RICK		RECREATION SERVICES	252.00
	BOMAR, RICK		RECREATION SERVICES	252.00
	BOMAR, RICK		RECREATION SERVICES	252.00
	BOMAR, RICK		RECREATION SERVICES	252.00
	BOMAR, RICK		RECREATION SERVICES	252.00
	BOMAR, RICK		RECREATION SERVICES	252.00
	BOMAR, RICK		RECREATION SERVICES	252.00
	BOMAR, RICK		RECREATION SERVICES	252.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/15/2021 TO 9/15/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150516	GRIFFEN, CHRIS	PROFESSIONAL SERVICE	PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
	GRIFFEN, CHRIS		PUBLIC DEFENSE	300.00
150517	HANSEN, ALETHEA	REFUND KINDERMUSIK	PARKS-RECREATION	144.00
150518	HD FOWLER COMPANY	BACKFLOW ASMY, BRASS BUSHINGS	SOURCE OF SUPPLY	416.42
150519	HEWLETT PACKARD	PRINTER TONER AND MAINTENANCE	LEGAL - PROSECUTION	0.10
	HEWLETT PACKARD		SEWER MAIN COLLECTION	11.18
	HEWLETT PACKARD		STORM DRAINAGE	11.18
	HEWLETT PACKARD		UTIL ADMIN	11.43
	HEWLETT PACKARD		PARK & RECREATION FAC	13.54
	HEWLETT PACKARD		WATER QUAL TREATMENT	15.67
	HEWLETT PACKARD		COMMUNITY SERVICES UNIT	26.04
	HEWLETT PACKARD		WASTE WATER TREATMENT	61.67
	HEWLETT PACKARD		CITY CLERK	65.53
	HEWLETT PACKARD		FINANCE-GENL	65.53
	HEWLETT PACKARD		MUNICIPAL COURTS	84.38
	HEWLETT PACKARD		UTILITY BILLING	103.09
	HEWLETT PACKARD		COMPUTER SERVICES	326.26
150520	HOME DEPOT USA	NITRILE/ KEY CHAIN	CUSTODIAL SERVICES	22.62
	HOME DEPOT USA		CUSTODIAL SERVICES	408.56
150521	HYLARIDES, LETTIE	INTERPRETER SERVICE	COURTS	137.50
150522	J2 CLOUD SERVICES	MONTHLY E-FAX	COMPUTER SERVICES	725.00
150523	KAISER PERMANENTE	PRE-EMPLOYMENT	POLICE ADMINISTRATION	1,456.00
150524	KENDALL CHEVROLET	CREDIT FOR WRONG TAX RATE	ER&R	-507.71
	KENDALL CHEVROLET		ER&R	-322.29
	KENDALL CHEVROLET		ER&R	-143.20
	KENDALL CHEVROLET	RELAY	ER&R	143.20
	KENDALL CHEVROLET	ROTOR	ER&R	322.29
	KENDALL CHEVROLET	PAD KIT, ROTOR	ER&R	507.71
	KENDALL CHEVROLET	RELAY, PAD KIT, ROTOR	ER&R	975.89
150525	KIM, JAMIE S.	PROFESSIONAL SERVICE	PUBLIC DEFENSE	300.00
150526	KINISON, JILL	REFUND PICKLEBALL	PARKS-RECREATION	20.00
150527	KUPRIYANOVA, SVETLAN	INTERPRETER SERVICE	COURTS	100.00
150528	LAB/COR, INC.	LAB ANALYSES	STORM DRAINAGE	72.00
	LAB/COR, INC.		STORM DRAINAGE	120.00
150529	LABOR & INDUSTRIES	LICENSE RENEWAL	POLICE PATROL	75.00
150530	LOOMIS	ARMORED TRUCK SERVICE	COMMUNITY	67.79
	LOOMIS		UTIL ADMIN	67.79
	LOOMIS		UTILITY BILLING	135.58
	LOOMIS		GOLF ADMINISTRATION	176.69
	LOOMIS		POLICE ADMINISTRATION	271.16
	LOOMIS		MUNICIPAL COURTS	271.16
150531	LOPEZ, CARLA	REFUND ZUMBA	PARKS-RECREATION	20.00
150532	LOWES HIW INC	CORDLESS VINYL BLINDS	STORM DRAINAGE	31.54
	LOWES HIW INC	PLUMBING SUPPLIES	SOURCE OF SUPPLY	52.42
	LOWES HIW INC	REPAIR ITEMS FOR SCREEN HOUSE	SOURCE OF SUPPLY	66.89
150533	LUKETICH, ANTHONY	REIMBURSEMENT CLAIM	RISK MANAGEMENT	385.08
150534	MACH PUBLISHING CO	NOTICE OF PUBLISHING	GMA - STREET	157.50
150535	MARYSVILLE FIRE	EMERGENCY AID SERVICES	FIRE-EMS	27,587.54
150536	MARYSVILLE PRINTING	PRINTER	POLICE PATROL	181.22
	MARYSVILLE PRINTING	PRINTING SERVICES	POLICE PATROL	1,368.22
150537	MARYSVILLE SCHOOL	SCHOOL FACILITY RENTAL	RECREATION SERVICES	50.00
	MARYSVILLE SCHOOL		RECREATION SERVICES	60.00
	MARYSVILLE SCHOOL		RECREATION SERVICES	85.50
	MARYSVILLE SCHOOL		RECREATION SERVICES	108.00
	MARYSVILLE SCHOOL		RECREATION SERVICES	180.00

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/15/2021 TO 9/15/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150538	MARYSVILLE, CITY OF	6802 84TH ST NE	GOLF ADMINISTRATION	218.07
	MARYSVILLE, CITY OF	TUSC RIDGE IRRIGATION	PARK & RECREATION FAC	232.88
	MARYSVILLE, CITY OF	1010 BEACH AVE	PARK & RECREATION FAC	382.10
150539	MATIA CONTRACTORS	PAY ESTIMATE #1	GMA-PARKS	-4,943.28
	MATIA CONTRACTORS		GMA-PARKS	108,060.14
150540	MILES SAND & GRAVEL	CEMENT	PARK & RECREATION FAC	783.97
150541	MOBILEGUARD, INC.	TEXT MESSAGE ARCHIVING	COMPUTER SERVICES	-14.75
	MOBILEGUARD, INC.		MUNICIPAL COURTS	7.85
	MOBILEGUARD, INC.		COMMUNITY	7.85
	MOBILEGUARD, INC.		CRIME PREVENTION	7.85
	MOBILEGUARD, INC.		COMMUNITY SERVICES UNIT	7.85
	MOBILEGUARD, INC.		PROPERTY TASK FORCE	7.85
	MOBILEGUARD, INC.		RECREATION SERVICES	7.85
	MOBILEGUARD, INC.		LEGAL-GENL	7.85
	MOBILEGUARD, INC.		PERSONNEL ADMINISTRATION	7.85
	MOBILEGUARD, INC.		SOLID WASTE CUSTOMER	7.85
	MOBILEGUARD, INC.		FACILITY MAINTENANCE	7.85
	MOBILEGUARD, INC.		YOUTH SERVICES	15.70
	MOBILEGUARD, INC.		OFFICE OPERATIONS	23.55
	MOBILEGUARD, INC.		COMMUNITY SERVICES UNIT	23.55
	MOBILEGUARD, INC.		WATER QUAL TREATMENT	23.55
	MOBILEGUARD, INC.		PARK & RECREATION FAC	31.40
	MOBILEGUARD, INC.		CUSTODIAL SERVICES	31.40
	MOBILEGUARD, INC.		STORM DRAINAGE	39.25
	MOBILEGUARD, INC.		LEGAL - PROSECUTION	47.10
	MOBILEGUARD, INC.		COMMUNITY	47.10
	MOBILEGUARD, INC.		GENERAL	47.10
	MOBILEGUARD, INC.		DETENTION & CORRECTION	62.80
	MOBILEGUARD, INC.		EXECUTIVE ADMIN	70.65
	MOBILEGUARD, INC.		POLICE INVESTIGATION	70.65
	MOBILEGUARD, INC.		ENGR-GENL	78.50
	MOBILEGUARD, INC.		WASTE WATER TREATMENT	86.35
	MOBILEGUARD, INC.		UTIL ADMIN	102.05
	MOBILEGUARD, INC.		POLICE ADMINISTRATION	141.30
	MOBILEGUARD, INC.		POLICE PATROL	384.65
150542	MOTOR TRUCKS	SOLENOID A & B	EQUIPMENT RENTAL	207.80
	MOTOR TRUCKS	SYNTHETIC ALLISON TES	EQUIPMENT RENTAL	297.87
150543	MOUNTAIN MIST	WATER COOLER/BOTTLED WATER	WASTE WATER TREATMENT	17.78
	MOUNTAIN MIST		SOLID WASTE OPERATIONS	17.78
	MOUNTAIN MIST		SEWER MAIN COLLECTION	17.78
150544	NORTHSTAR CHEMICAL	SODIUM HYPOCHLORITE	WATER QUAL TREATMENT	890.40
150545	OFFICE DEPOT	OFFICE SUPPLIES	POLICE TRAINING-FIREARMS	1.32
	OFFICE DEPOT		COMMUNITY	34.52
	OFFICE DEPOT		POLICE TRAINING-FIREARMS	56.61
	OFFICE DEPOT	NAME PLATES	UTIL ADMIN	62.28
	OFFICE DEPOT	OFFICE SUPPLIES	OFFICE OPERATIONS	71.26
	OFFICE DEPOT		OFFICE OPERATIONS	106.90
	OFFICE DEPOT		POLICE PATROL	123.17
	OFFICE DEPOT		POLICE PATROL	182.42
150546	OLIPHANT, GINGER	REFUND ZUMBA	PARKS-RECREATION	7.50
150547	OLSON, ANDREA	REFUND PICKLEBALL	PARKS-RECREATION	30.00
	OLSON, ANDREA		PARKS-RECREATION	30.00
	OLSON, ANDREA		PARKS-RECREATION	60.00
150548	PACIFIC POWER BATTER	BATTERIES	OPERA HOUSE	39.96
150549	PACIFIC TOPSOILS	BRUSH DUMP	PARK & RECREATION FAC	81.60
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	81.60
	PACIFIC TOPSOILS		PARK & RECREATION FAC	81.60
	PACIFIC TOPSOILS		ROADSIDE VEGETATION	81.60

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/15/2021 TO 9/15/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150550	PALAMERICAN SECURITY	SECURITY SERVICE	PROBATION	1,013.25
	PALAMERICAN SECURITY		MUNICIPAL COURTS	3,039.75
150551	PAPE MACHINERY	OIL FILTER, FILTER ELEM	STORM DRAINAGE	747.88
150552	PEACE OF MIND	HEARING EXAMINER MINUTES	COMMUNITY	68.00
150553	PERTEET ENGINEERING	PROFESSIONAL SERVICES	STORM DRAINAGE	1,522.50
150554	PETROV, ALEKSEY	HYDRANT METER DEPOSIT	WATER/SEWER OPERATION	1,150.00
150555	PGC INTERBAY LLC	REIMBURSEMENT FOR GOLF COURSE	PRO-SHOP	64.25
	PGC INTERBAY LLC		MAINTENANCE	132.51
	PGC INTERBAY LLC		GOLF ADMINISTRATION	140.77
	PGC INTERBAY LLC		PRO-SHOP	180.93
	PGC INTERBAY LLC		MAINTENANCE	201.29
	PGC INTERBAY LLC		MAINTENANCE	202.43
	PGC INTERBAY LLC		PRO-SHOP	287.80
	PGC INTERBAY LLC		MAINTENANCE	393.48
	PGC INTERBAY LLC		PRO-SHOP	434.74
	PGC INTERBAY LLC		PRO-SHOP	653.00
	PGC INTERBAY LLC		PRO-SHOP	710.46
	PGC INTERBAY LLC		MAINTENANCE	742.28
	PGC INTERBAY LLC		PRO-SHOP	872.08
	PGC INTERBAY LLC		MAINTENANCE	1,391.44
	PGC INTERBAY LLC		MAINTENANCE	1,846.67
	PGC INTERBAY LLC		MAINTENANCE	2,839.17
	PGC INTERBAY LLC		GOLF COURSE	5,269.38
	PGC INTERBAY LLC	PAYROLL REIMBURSEMENT GOLF	MAINTENANCE	12,429.08
	PGC INTERBAY LLC		PRO-SHOP	12,816.07
150556	PILCHUCK RENTALS	COR DRILL W/PRESS	SOURCE OF SUPPLY	109.96
	PILCHUCK RENTALS	KUBOTA TRACTOR RENTAL	PARK & RECREATION FAC	614.27
150557	PLATT ELECTRIC	RDC BUSH STL	WASTE WATER TREATMENT	86.38
	PLATT ELECTRIC	FUSES, CONNECTORS	SEWER LIFT STATION	192.18
150558	PLAY-WELL TEKNOLOGIE	INSTRUCTOR PAYMENT	RECREATION SERVICES	1,188.00
	PLAY-WELL TEKNOLOGIE		RECREATION SERVICES	1,980.00
150559	PUD	ACCT #201142098	PARK & RECREATION FAC	8.10
	PUD	ACCT #200061463	PARK & RECREATION FAC	18.54
	PUD	ACCT #205481823	GOLF ADMINISTRATION	19.84
	PUD	ACCT #204829691	STREET LIGHTING	28.59
	PUD	ACCT #201142155	TRANSPORTATION	28.70
	PUD	ACCT #221610405	STREET LIGHTING	44.64
	PUD	ACCT #200660439	STREET LIGHTING	46.67
	PUD	ACCT #203996343	STREET LIGHTING	56.54
	PUD	ACCT #223075938 EMISSIONS BLDG	PARK & RECREATION FAC	77.78
	PUD	ACCT #220020531	STREET LIGHTING	178.66
	PUD	ACCT #200812808	PUMPING PLANT	260.04
	PUD	ACCT #202461554	SEWER LIFT STATION	287.66
	PUD	TRANSFORMER FEE	CAPITAL EXPENDITURES	727.00
	PUD	PHONE LINE FOR CIVIC CENTER	CAPITAL EXPENDITURES	4,167.95
150560	PUGET SOUND ENERGY	ACCT #220026412746	CAPITAL EXPENDITURES	36.79
	PUGET SOUND ENERGY	ACCT #220026419946	CAPITAL EXPENDITURES	56.97
150561	PUGET SOUND SECURITY	KEYS	POLICE PATROL	4.10
	PUGET SOUND SECURITY		COURT FACILITIES	21.86
150562	R&R PRODUCTS INC	TRIMER LINE, HONDA PARTS	SMALL ENGINE SHOP	746.25
150563	RANDHAWA, MOHINDER	INTERPRETER SERVICE	COURTS	100.00
150564	REECE TRUCKING	WASHED UTILITY SAND	SIDEWALK MAINTENANCE	240.17
	REECE TRUCKING	DUMP ASPHALT	WATER DIST MAINS	265.44
150565	RH2 ENGINEERING INC	EMERGENCY RESPONSE PLAN	UTIL ADMIN	728.01
150566	SAFEWAY INC.	SUMMER CAMP SUPPLIES	RECREATION SERVICES	7.00
	SAFEWAY INC.		RECREATION SERVICES	9.80
	SAFEWAY INC.		RECREATION SERVICES	14.95
	SAFEWAY INC.		WATER QUAL TREATMENT	19.18

**CITY OF MARYSVILLE
 INVOICE LIST
 FOR INVOICES FROM 9/15/2021 TO 9/15/2021**

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150566	SAFEWAY INC.	SUMMER CAMP SUPPLIES	RECREATION SERVICES	19.92
	SAFEWAY INC.		RECREATION SERVICES	21.94
	SAFEWAY INC.		RECREATION SERVICES	26.21
	SAFEWAY INC.		RECREATION SERVICES	26.21
	SAFEWAY INC.		RECREATION SERVICES	30.55
	SAFEWAY INC.		RECREATION SERVICES	30.69
	SAFEWAY INC.		RECREATION SERVICES	32.19
	SAFEWAY INC.		RECREATION SERVICES	77.28
	SAFEWAY INC.		RECREATION SERVICES	111.36
150567	SCORE	INMATE TRANSPORT	DETENTION & CORRECTION	292.50
	SCORE		DETENTION & CORRECTION	325.00
	SCORE	SCORE BILLING	DETENTION & CORRECTION	19,840.00
150568	SHELL EXCAVATING	PAY ESTIMATE #1	SEWER MAIN COLLECTION	3,854.15
	SHELL EXCAVATING		STORM DRAINAGE	3,854.16
	SHELL EXCAVATING		MAINTENANCE	16,325.00
150569	SNO CO PUBLIC WORKS	2020 BOND PAYMENT	STORM DRAINAGE	13,000.18
150570	SNO CO TREASURER	CRIME VICTIM/WITNESS FUNDS	CRIME VICTIM	709.99
150571	SOUND PUBLISHING	LEGAL ADVERTISEMENT	GMA-PARKS	201.60
150572	SOUND PUBLISHING	ADVERTISING IN EVERETT HERALD	OPERA HOUSE	345.25
150573	SOUND PUBLISHING	LEGAL ADS	COMMUNITY	592.20
150574	STAPLES	INVISIBLE TAPE	UTIL ADMIN	3.66
	STAPLES		ENGR-GENL	3.66
	STAPLES	HAND WIPES	ENGR-GENL	17.17
	STAPLES		UTIL ADMIN	17.18
	STAPLES	HP INK CARTRIDGE	ENGR-GENL	43.69
	STAPLES	POST IT NOTES	STORM DRAINAGE	68.16
	STAPLES	HP INK CARTRIDGE	UTIL ADMIN	75.40
	STAPLES	DESK CALENDARS	COMMUNITY CENTER	77.52
	STAPLES	HP INK CARTRIDGE	CUSTODIAL SERVICES	97.38
	STAPLES	FLEX FIT MESH CHAIR	UTIL ADMIN	185.80
150575	STATE AUDITORS OFFIC	AUDIT PERIOD 2020	NON-DEPARTMENTAL	13,798.20
	STATE AUDITORS OFFIC		UTIL ADMIN	13,798.20
150576	STATE PATROL	FINGERPRINT ID SERVICES	INTERGOVERNMENTAL	596.25
150577	STRATEGIES 360	MILEAGE REIMBURSEMENT	GENERAL	31.92
	STRATEGIES 360		WASTE WATER TREATMENT	31.92
	STRATEGIES 360		UTIL ADMIN	42.56
	STRATEGIES 360	SERVICES FOR AUGUST 2021	GENERAL	1,050.00
	STRATEGIES 360		WASTE WATER TREATMENT	1,050.00
	STRATEGIES 360		UTIL ADMIN	1,400.00
150578	STRAWBERRY LANES	INSTRUCTOR SERVICE	RECREATION SERVICES	294.00
	STRAWBERRY LANES		RECREATION SERVICES	392.00
150579	SUPERION LLC	TRAKIT INSTALLATION	COMMUNITY	18,595.30
150580	THYSSENKRUPP ELEVATO	PLATINUM FULL MAINTENANCE	PUBLIC SAFETY BLDG	335.50
	THYSSENKRUPP ELEVATO		CITY HALL	335.50
150581	TRANSPO GROUP	PROFESSIONAL SERVICE	GMA - STREET	1,273.88
	TRANSPO GROUP		GMA - STREET	1,963.63
	TRANSPO GROUP		GMA - STREET	3,327.04
	TRANSPO GROUP		GMA - STREET	3,623.55
150582	TRANSPORTATION SOLUT		GMA - STREET	625.07
150583	TULALIP CHAMBER	AUGUST BBH	EXECUTIVE ADMIN	23.00
	TULALIP CHAMBER		CITY COUNCIL	69.00
150584	TYLER TECHNOLOGIES	PCARD FOR IMPLEMENTATION	FINANCE-GENL	1,480.00
	TYLER TECHNOLOGIES	EXECUTIME IMPLEMENTATION	NON-DEPARTMENTAL	2,220.00
	TYLER TECHNOLOGIES		UTIL ADMIN	2,220.00
	TYLER TECHNOLOGIES	COMBINED LICENSE/SUPPORT MUNIS	COMPUTER SERVICES	118,009.25
150585	UNITED PARCEL SERVIC	SHIPPING	POLICE PATROL	47.20
150586	US BANK	PARKS COSTCO'S	OPERA HOUSE	190.33
150587	UTILITIES UNDERGROUN	EXCAVATION NOTIFICATION 576	UTILITY LOCATING	887.04

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/15/2021 TO 9/15/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150588	VARI SALES CORP	VARIDESK CUBE PLUS	STORM DRAINAGE	452.50
150589	VERIZON	VERIZON WIRELESS SERVICES	UTILITY BILLING	22.75
	VERIZON		PURCHASING/CENTRAL	22.75
	VERIZON		PROPERTY TASK FORCE	41.70
	VERIZON		CRIME PREVENTION	41.98
	VERIZON		FACILITY MAINTENANCE	51.84
	VERIZON		PERSONNEL ADMINISTRATION	53.28
	VERIZON		YOUTH SERVICES	83.40
	VERIZON		EQUIPMENT RENTAL	97.34
	VERIZON		OFFICE OPERATIONS	125.10
	VERIZON		FINANCE-GENL	136.43
	VERIZON	WIRELESS MODEMS	COMMUNITY SERVICES UNIT	160.17
	VERIZON	VERIZON WIRELESS SERVICES	COMMUNITY SERVICES UNIT	176.94
	VERIZON		CUSTODIAL SERVICES	178.29
	VERIZON		SEWER LIFT STATION	200.30
	VERIZON		TRANSPORTATION	200.44
	VERIZON		RECREATION SERVICES	234.69
	VERIZON		LEGAL-GENL	257.37
	VERIZON		WATER QUAL TREATMENT	258.29
	VERIZON		PARK & RECREATION FAC	285.68
	VERIZON		SOLID WASTE CUSTOMER	296.60
	VERIZON		MUNICIPAL COURTS	321.23
	VERIZON		DETENTION & CORRECTION	323.65
	VERIZON		WATER SUPPLY MAINS	360.22
	VERIZON	AMR LINES	METER READING	362.05
	VERIZON	VERIZON WIRELESS SERVICES	LEGAL - PROSECUTION	364.44
	VERIZON		POLICE INVESTIGATION	375.30
	VERIZON	WIRELESS MODEMS	OFFICE OPERATIONS	480.14
	VERIZON	VERIZON WIRELESS SERVICES	EXECUTIVE ADMIN	554.56
	VERIZON		COMMUNITY	585.68
	VERIZON		WASTE WATER TREATMENT	654.24
	VERIZON		STORM DRAINAGE	663.09
	VERIZON		POLICE ADMINISTRATION	778.35
	VERIZON		COMPUTER SERVICES	787.06
	VERIZON		GENERAL	976.57
	VERIZON		ENGR-GENL	1,297.87
	VERIZON		UTIL ADMIN	1,779.84
	VERIZON		POLICE PATROL	2,118.18
	VERIZON	WIRELESS MODEMS	POLICE PATROL	2,400.79
150590	WA STATE TREASURER	JULY PUBLIC SAFETY/REVENUE	INTERGOVERNMENTAL	196.00
	WA STATE TREASURER	PUBLIC SAFETY/REVENUE	INTERGOVERNMENTAL	769.50
	WA STATE TREASURER		GENERAL FUND	39,162.43
150591	WAVEDIVISION HOLDING	INTERNET SERVICES	WATER QUAL TREATMENT	111.20
	WAVEDIVISION HOLDING	OPERA HOUSE FIBER IRU MAINT.	CENTRAL SERVICES	111.30
	WAVEDIVISION HOLDING	INTERNET SERVICES	CENTRAL SERVICES	513.24
	WAVEDIVISION HOLDING		COMPUTER SERVICES	1,438.20
150592	WEISSE, CARRIE	REFUND PICKLEBALL	PARKS-RECREATION	50.00
150593	WELSH COMMISSIONING	COMMISSIONING MEETING	CAPITAL EXPENDITURES	2,227.50
150594	WEST PAYMENT CENTER	CHARGES 8/1 TO 8/31	LEGAL-GENL	392.44
	WEST PAYMENT CENTER		LEGAL - PROSECUTION	392.44
150595	WESTERN SYSTEMS	ETHERNET SWITCH	TRANSPORTATION	5,784.44
150596	WET RABBIT EXPRESS	CAR WASHING	POLICE PATROL	299.00
150597	WHITE CAP CONSTRUCT	SEALANT	ROADWAY MAINTENANCE	337.68
150598	WIDE FORMAT COMPANY	SEPTEMBER BASE CHARGE	UTIL ADMIN	130.07
150599	ZIPLY FIBER	ACCT #3606589493	POLICE INVESTIGATION	33.93
	ZIPLY FIBER		RECREATION SERVICES	33.93
	ZIPLY FIBER	ACCT #3606515033	EXECUTIVE ADMIN	36.42
	ZIPLY FIBER	ACCT #3606585202	PERSONNEL ADMINISTRATION	72.36

**CITY OF MARYSVILLE
 INVOICE LIST**

FOR INVOICES FROM 9/15/2021 TO 9/15/2021

<u>CHK #</u>	<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ITEM AMOUNT</u>
150599	ZIPLY FIBER	ACCT #3606575532	OPERA HOUSE	201.91
	ZIPLY FIBER	ACCT #3606585292	MUNICIPAL COURTS	289.42
150600	ZIPLY FIBER	LOCAL AND LD LINES	CRIME PREVENTION	9.88
	ZIPLY FIBER		PROPERTY TASK FORCE	9.88
	ZIPLY FIBER		SOLID WASTE CUSTOMER	9.88
	ZIPLY FIBER		PURCHASING/CENTRAL	9.88
	ZIPLY FIBER		FACILITY MAINTENANCE	9.88
	ZIPLY FIBER		YOUTH SERVICES	19.76
	ZIPLY FIBER		WATER QUAL TREATMENT	29.64
	ZIPLY FIBER		STORM DRAINAGE	29.64
	ZIPLY FIBER		COMMUNITY SERVICES UNIT	39.52
	ZIPLY FIBER		PARK & RECREATION FAC	39.52
	ZIPLY FIBER		LEGAL-GENL	39.52
	ZIPLY FIBER		LEGAL - PROSECUTION	49.40
	ZIPLY FIBER		PERSONNEL ADMINISTRATION	49.40
	ZIPLY FIBER		EQUIPMENT RENTAL	49.40
	ZIPLY FIBER		GENERAL	59.28
	ZIPLY FIBER		UTILITY BILLING	59.28
	ZIPLY FIBER		RECREATION SERVICES	69.16
	ZIPLY FIBER		FINANCE-GENL	79.05
	ZIPLY FIBER		POLICE INVESTIGATION	88.93
	ZIPLY FIBER		COMPUTER SERVICES	88.95
	ZIPLY FIBER		EXECUTIVE ADMIN	98.81
	ZIPLY FIBER		WASTE WATER TREATMENT	98.81
	ZIPLY FIBER		POLICE ADMINISTRATION	108.69
	ZIPLY FIBER		MUNICIPAL COURTS	118.57
	ZIPLY FIBER		OFFICE OPERATIONS	118.57
	ZIPLY FIBER		DETENTION & CORRECTION	148.21
	ZIPLY FIBER		UTIL ADMIN	158.09
	ZIPLY FIBER		COMMUNITY	167.97
	ZIPLY FIBER		ENGR-GENL	207.49
	ZIPLY FIBER		POLICE PATROL	464.39

WARRANT TOTAL: 1,187,589.73

REASON FOR VOIDS:

INITIATOR ERROR

CHECK LOST/DAMAGED

WARRANT TOTAL: \$1,187,589.73

Index #6

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

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

RECOMMENDED ACTION:

The Finance and Executive Departments recommend City Council approve the September 24, 2021 payroll in the amount \$1,670,413.79, paid by EFT Transactions and Check No. 33649 through 33667 with Check No. 33373 voided.


COUNCIL ACTION:

Index #7

CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

AGENDA ITEM: CDBG – Program Year 2020 Consolidated Annual Performance and Evaluation Report (CAPER)	AGENDA SECTION: Public Hearing	
PREPARED BY: Amy Hess, Senior Planner	APPROVED BY: 	
ATTACHMENTS: 1. Accomplishment Summary 2. Program Year 2020 Draft CAPER		
	MAYOR	CAO
BUDGET CODE:	AMOUNT:	

DESCRIPTION:

As a recipient of CDBG Program funding, the City of Marysville is required to submit to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2020, or the first year of the City's Five Year Consolidated Plan for 2020-2024. The City of Marysville Community Development Department is responsible for preparing and organizing the CAPER as administrator of the CDBG Program.

The CAPER provides HUD and the residents of the City an opportunity to evaluate the overall progress of the CDBG Program in carrying out priorities and specific objectives identified in the Consolidated Plan and PY2020 Annual Action Plan. It also describes actions, changes, and accomplishments during the PY2020 resulting from the CDBG Program funded through HUD.

On September 1, 2021 the Community Development Department provided notice that the City would be accepting written and oral comments from the public prior to and at the Public Hearing scheduled for September 27, 2021. Any additional comments received at the hearing will be incorporated as appropriate.

RECOMMENDED ACTION:

Approve the Community Development Block Grant Program Year 2020 Consolidated Annual Performance and Evaluation Report and direct Staff to provide a summary of, and response to any comments received during the public hearing into the Report, and forward to the U.S. Department of Housing and Urban Development.

COUNCIL ACTION:



MARYSVILLE
COMMUNITY
DEVELOPMENT

Community Development Block Grant Program Year 2020 Accomplishment Summary

As a recipient of CDBG Program funding, the City of Marysville is required to submit to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Annual Performance and Evaluation Report (CAPER). A total of \$385,261 was allocated to the City for Program Year 2020 (PY2020) which began on July 1, 2020 and ended June 30, 2021. These funds were awarded to subrecipients to carry out Public Service and Capital Facilities Projects.

Of the Public Service projects funded, most met or exceeded their goals. For those that did not meet their goals, it was in large part due to restrictions/limitations related to the COVID-19 pandemic. The Cedar Field Capital Project was completed on time and under budget. The Boys and Girls capital upgrades project was completed on time and provided much needed improvements and upgrades to the facility, which is in a low-moderate income census tract.

The U.S. Department of Housing and Urban Development allocated a cumulative total of \$587,033 in Community Development Block Grant funds to be used to prevent, prepare for, and respond to COVID-19. This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis. As of the date of this report, the City has expended just under \$301,800 of the total CDBG-CV allocation. This allocation was able to assist approximately 20 microenterprises that were negatively impacted by the shutdown related to COVID-19. Each of these businesses are located within Marysville City limits, have been in operation for at least a year prior to the pandemic, and have 5 or fewer employees. Many are minority or female owned businesses.

Approximately \$75,500 was awarded and expended by Volunteers of America, Seattle Goodwill, Domestic Violence Services, and Vision Church were awarded CDBG-CV funds and were able to cumulatively assist over 30 Marysville households with rental assistance; provide over 300 meals, 85 boxes of food, 94 hygiene kits, and 68 units of clothing to those negatively impacted by the pandemic. Funds were also provided for utility assistance and employment services to over 400 Marysville residents. Housing Hope assisted residents at its Marysville housing sites that were negatively impacted by COVID-19 to match rent payments in the amount each tenant can afford and help prevent homelessness due to the pandemic. Additional funds continue to be expended by subrecipients to assist those most impacted by the pandemic.

In the Non-Homeless Special Needs category, the subrecipients nearly met or exceeded the expected outcomes. Feedback from the community of the services provided has been very positive. These services allow low income seniors and disabled adults to remain in their homes and retain their independence, provide in home meals to those with food insecurity and at risk populations, and provide meals both during and after school to low income children and those impacted by COVID-19 throughout the City. These services were even more important during the pandemic allowing

(360) 363-8100

Community
Development
80 Columbia Avenue
Marysville, WA 98270

vulnerable populations to stay home and healthy. Subrecipients were able to adapt to ever-changing circumstances related to the pandemic and provide services to those most in need.

Housing Hope, which provides housing and supportive services for homeless and at risk of homelessness families, exceeded its goal for the seventh year in a row by serving families in the Beachwood apartments. This subrecipients aids in preventing homelessness by providing low-income housing along with supportive services to ensure residents can obtain steady and stable employment and stable finances, allowing them to obtain more permanent housing.

Overall, the goals and objectives outlined in the 2020-2024 Consolidated Plan, as well as the Program Year 2020, and its associated amendments. Subrecipients were able to adapt in a very challenging environment and continue to provide important services to vulnerable populations in Marysville.



MARYSVILLE

WASHINGTON

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

PROGRAM YEAR 2020 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

Release Date: September 1, 2021
Comments Due: September 27, 2021
Public Hearing: September 27, 2021
Council Approval: September 27, 2021

Community Development Department ♦ 80 Columbia Avenue
<http://marysvillewa.gov> ♦ 360.363.8100

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

Of the Public Services projects funded, all but one met or exceeded their goals. The activity that was not able to quite meet their goals only fell short by a small amount. This was due to the COVID-19 Pandemic and the restrictions put in place by the Governor's Office. Housing Hope Beachwood Apartments was unable to expend all of the funds they were awarded, but only by a small amount. While not all funds were expended, they were still able to meet their goals. The Capital Facilities project for the Cedar Field project was completed on time and came in under budget. The other two capital facilities projects were also completed in a timely manner and met goals.

Prior year funds that were unexpended for a multitude of reasons were reallocated to PY2020 projects. To date, \$409,740.89 in CDBG funds have been expended by the City of Marysville CDBG Program. The activities and operations of these organizations have been vital to the City fulfilling its goals and objectives in assistance to Homeless Needs and Community Development Needs.

The U.S. Department of Housing and Urban Development allocated a cumulative total of \$587,033 in Community Development Block Grant funds to be used to prevent, prepare for, and respond to COVID-19. This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis (CDBG-CV). CDBG-CV funds continued to be dispersed during the Program Year 2020. As of the date of this report, the City has expended just under \$301,800 of the total CDBG-CV allocation. This allocation was able to assist approximately 20 microenterprises that were negatively impacted by the shutdown related to COVID-19. Each of these businesses are located within Marysville City limits, have been in operation for at least a year prior to the pandemic, and have 5 or fewer employees. Many are minority or female owned businesses. Approximately \$75,500 has been awarded and expended for one time emergency rental/mortgage assistance for those negatively impacted by the pandemic, and the remaining balance expended to date has been expended in a multitude of ways to assist Marysville citizens negatively impacted by the pandemic.

In the Non-Homeless Special needs category, the subrecipients nearly met or exceeded the expected outcomes. Feedback from the community on the services provided has been very positive. These services allow low income seniors and disabled adults to remain in their homes and retain their independence, provide in-home meals to those with food insecurity, and provides meals both during and after school to low income and homeless children throughout the schools which serve the City. These services were more important than usual during the pandemic and

associated restrictions and shut downs. The subrecipients track the number of individuals served to determine the accomplishments of the programs as well as surveying those served to determine the level of satisfaction and success of the programs.

Housing Hope, which provides housing and supportive services for homeless and at risk of homelessness families, exceeded its goals for the seventh consecutive year. PY2020 proved especially challenging given the restrictions put in place in response to COVID-19, and while the subrecipient was not able to expend all funds due to these restrictions, they still met or exceeded their goals and only fell short of expending all funds by a nominal amount. This subrecipient aids in preventing homelessness by providing low-income housing along with supportive services to ensure residents can obtain steady employment and stable finances, allowing them to obtain more permanent housing. Families and individuals are tracked by the subrecipient to determine whether outcomes and goals of the program are being met.

Overall, the goals and objectives outlined in the 2020-2024 Consolidated as well as the Program Year 2020 Annual Action Plan are being met or exceeded, despite the challenges encountered related to the COVID-19 pandemic.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Community Development	Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	5000	1065	21.30%	5000	1065	21.30%
Homelessness	Homeless	CDBG: \$	Homelessness Prevention	Persons Assisted	70	0	0.00%	70	0	0.00%
Housing	Affordable Housing Public Housing Non-Homeless Special Needs	CDBG: \$	Homeowner Housing Rehabilitated	Household Housing Unit	75	75	100.00%	105	75	71.43%
Non-homeless Special Needs	Non-Homeless Special Needs	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	565	1830	323.89%	565	1830	323.89%

Non-homeless Special Needs	Non-Homeless Special Needs	CDBG: \$	Homeless Person Overnight Shelter	Persons Assisted	0	0		0	0	
Planning and Administration	Planning and Administration	CDBG: \$	Other	Other	1	0	0.00%	1	0	0.00%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

In pursuing the strategies and objectives outlined in the Consolidated Plan, the City anticipates increasing the affordability and condition of decent rental and owned housing units for Marysville’s low- and moderate-income residents, as well as the availability and accessibility of decent housing for people who are homeless or have special needs. The availability, accessibility, and sustainability of a suitable living environment for low- and moderate-income residents should increase due to infrastructure and public facilities improvements and support for public services, and support for employment-related public services. Collectively, these strategies should enhance the availability and accessibility of economic opportunities for those in need.

The City of Marysville allotted \$110,000 of its annual CDBG allocation for the rehabilitation of approximately 75 residential units. This activity supports the Affordable Housing strategy identified in the PY2020 Annual Action Plan (AAP).

In support of the Homeless Needs strategy identified in the 2020 AAP, about \$21,000 was awarded to assist homeless and at risk of homelessness individuals and families with affordable housing and supportive services, which enable them to obtain and maintain stable housing and employment. In all, 26 families were assisted by these funds, exceeding the goal of 20.

Capital projects, which will provide residents of a low-income areas with improved access to upgraded facilities, received funding in PY2020, supporting the non-housing Community Development Need identified in the 2020 AAP. The projects were completed, one coming in under budget, and provide access to upgraded facilities.

Just over \$44,000 of the PY2020 allocation was awarded in support of the Non-Homeless Special Needs strategy to agencies that serve low-income seniors and persons with disabilities as well as youth. These funds provided low-income senior and disabled households to receive services, which allowed them to retain their current housing, and reduce the feeling of isolation and assist in providing in-home meals. A program provided by the local food bank to provide meals to low income/homeless students, had to adapt the program in response to school closures based on state guidance in response to COVID-19. The program was able to still meet its expected goals. These programs were impacted by the COVID-19 pandemic, restricting their abilities to serve those in great need. The Food for Thought Backpack program was forced to adapt to serving students that were no longer in the classroom and the Meals on Wheels program had to implement additional safety protocols to ensure the safety of staff and clients alike.

Funds were awarded to prevent, prepare, and response to the COVID-19 pandemic. Seattle Goodwill has expended nearly \$36,000 in mortgage/rental assistance as well as services to assist low-income individuals with job training and securing employment.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	1,818
Black or African American	59
Asian	134
American Indian or American Native	147
Native Hawaiian or Other Pacific Islander	20
Total	2,178
Hispanic	654
Not Hispanic	1,524

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The City works to provide funding to agencies that serve racially and ethnically diverse individuals and families. The City encourages subrecipients to reach out to groups that may be isolated in ways such as translating informational materials to the languages other than English that are most commonly spoken in the area. Families served were all low-income or at risk of homelessness and/or of racially and ethnically diverse populations.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	396,227	409740.89

Table 3 - Resources Made Available

Narrative

The City received a total of \$385,246.00 in CDBG funds for PY2020. Prior year funds that were not expended for a variety of reasons, totaling \$32,123.18, were reallocated to PY2020 projects. \$409,740.89 was expended for PY2020 projects and activities as of the date of this report. An additional \$587,033 was allocated to the City to prepare, prevent and respond to Coronavirus through the Federal CARES Act. To date, the City has received three rounds of funding.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
City of Marysville	64		
Downtown Marysville	36		

Table 4 – Identify the geographic distribution and location of investments

Narrative

The Public Service projects funded by CDBG funds (Homage Senior Services of Snohomish County Minor Home Repair and Meals on Wheels) serve individuals and families City-wide. Some of the residents served may be in the Downtown area, though it is not a requirement to be eligible for the service. The City does not track whether clients are located in Downtown Marysville, therefore, the percentages above may not provide an entirely clear representation. Only funds awarded to projects that are specific to the Downtown area are included in the numbers above. Much of the downtown area falls within low-moderate income census tracts.

The Beachwood apartments are located within the Downtown area. Housing Hope, which operates the facility, was awarded and expended \$19,404.27 at this location. The Cedar Field upgrade project and Boys and Girls Club Capital upgrade project were completed within the Downtown Area.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City has actively sought funding sources in addition to CDBG to leverage its resources. Grant funds from Transportation Benefit District, Marysville Sunrise Rotary, United Way, HUD-CoC, Older Americans Act, Nutrition Services Incentive Program, and others were used for multiple projects throughout the City. By securing CDBG funds, subrecipients were able to leverage additional funds from the above referenced resources.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of homeless households to be provided affordable housing units		26
Number of non-homeless households to be provided affordable housing units		
Number of special-needs households to be provided affordable housing units		
Total		

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through rental assistance		
Number of households supported through the production of new units		
Number of households supported through the rehab of existing units		75
Number of households supported through the acquisition of existing units		
Total		

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

During the 2020 program year, subrecipients exceeded their expected outcomes, with only one coming just short, even with the complications of COVID-19. More individuals were provided affordable housing, 26 families (82 individuals), exceeding the goal of 20 families. More homes were rehabbed but fewer residents were provided in-home services and meals due to restrictions put in place in response to COVID-19 health concerns. While these programs fell short, they were very close to their expected outcomes. Subrecipients have successfully worked

to modify and adapt services to be in compliance with recommended Health Department guidelines and will continue to work with existing clients to ensure safe delivery of services.

Discuss how these outcomes will impact future annual action plans.

Based on the outcomes, the City will likely continue to work with these agencies as the goals and outcomes are being met, nearly met, or exceeded, and there is clearly a need in the community. The City was encouraged by the agencies abilities to adapt in a difficult and unprecedented time. The goals seem attainable based on the funding available, and the City will likely continue with similar goals assuming similar funding levels. The limited amount of funds the City receives may limit the number of agencies that apply for City CDBG funds, so we generally see applications from the same agencies. These agencies serve a great need within the City, and their ability to not only meet but also exceed their goals lends itself to continued likely funding in the future. The City will work on outreach to connect with other agencies that may provide needed services in the City. The City will also work with subrecipients on outreach to the public to increase awareness of the services and programs available.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	50	0
Low-income	23	0
Moderate-income	2	0
Total	75	0

Table 7 – Number of Households Served

Narrative Information

The Public Services activities funded by CDBG funds have a requirement that recipients of services qualify as extremely low, low, or moderate-income. CDBG-CV funds awarded are required to serve those that have been negatively impacted by COVID-19.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)
Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The Marysville Police Department (MPD) continues to visit homeless camps and reach out to the homeless population regularly with the embedded social worker program to assess needs and offer services and resources. A North County unit of the Office of Neighborhoods was launched in March of 2018 in collaboration with Snohomish County and City of Arlington. The unit teams up with MPD and social workers go out into the field to identify, locate, and connect with homeless and vulnerable populations. The Social workers help individuals locate and navigate social and health services in an effort to foster long-term relationships and break the cycle of homelessness, mental health, and/or chemical dependency. Dozens of individuals have been placed in assessments for treatment, many have gotten in to treatment, and some have graduated treatment and training programs. The model has been so successful that other agencies are implementing similar programs.

The City works with Snohomish County, which has refined its outreach aimed at engagement of persons living in encampments or other places not meant for human habitation, particularly those who are chronically homeless, with its partner agencies: the Compass Health PATH Program, Volunteers of America and Catholic Community Services. These agencies conduct coordinated entry intake and assessment for this population to ensure access to homeless housing and services. A single number to call (2-1-1, available 24 hours a day) for reporting encampments/locations and services, and tracking in HMIS. All persons reported as living in encampments or places not meant for habitation are assessed with common tools and entered into the coordinated entry HMIS. Recent system enhancements also include the addition of behavioral health navigators to increase outreach and engagement of homeless persons with current, problematic mental health and/or substance abuse barriers. 2-1-1 provides assistance and flexible funding to help first responders meet the needs of homeless persons in crisis situations. These additions result in increased expertise and system capacity to engage homeless persons as well as the availability of more services that are tailored to the unique needs of individual households.

We issue/distribute information to a large e-mail distribution list that includes agency staff serving homeless and other vulnerable populations. This provides a useful vehicle for agency staff and outreach workers to stay informed of community resources or other opportunities that might assist in their work connecting homeless persons with housing and services. Standardized assessment of needs occurs through the outreach and engagement team referenced above as well as homeless housing navigators specializing in different areas. Youth outreach workers engage and assess homeless youth throughout Snohomish County. Cocoon House opened a youth center in 2019 that provides resources for people ages 12 to 24 and their families. The facility provides direct access to mental health and substance abuse

services, educational opportunities and vocational resources and has been quite successful serving this population.

The Veterans Homeless Committee and navigators provide assessment and outreach to homeless veterans. DVS of Snohomish County provides coordinated entry assessment and navigation to families experiencing domestic violence. Mental health navigators and outreach and encampment team staff work to engage the chronically homeless with coordinated entry assessment and services. Assessment allows referral and connection to tailored services based upon need and leads to individualized action plans that include housing stability, services tailored and specific to the identified needs, and more specialized assessments (mental health, chemical dependency, etc.) as needed.

The number of individuals and families at risk of homelessness or experiencing homelessness has risen as a result of the pandemic, associated job loss, and limitations to services. Agencies are working to adapt to this ever changing landscape to ensure those with the greatest need have access to programs and services.

Addressing the emergency shelter and transitional housing needs of homeless persons

Housing Hope received CDBG funds in PY2020 to provide not only low-income housing, but supportive services that include adult education, life skills training, such as money management, cooking, parenting and decision making, and case management that aid in transitioning to stable, permanent housing. These services resulted in 82 individuals (26 families) maintaining current housing or moving on to permanent stable housing, increasing their ability to obtain and maintain employment, and completing steps towards securing disability related income where appropriate.

There is not an emergency shelter located in Marysville City limits. The City coordinates with the County, which has developed a decentralized coordinated entry system for access to housing and services that has streamlined referrals to housing programs and ensures that those who are most vulnerable and have the highest service needs are prioritized and matched with appropriate interventions. Given the impact of COVID-19, the City has shifted focus to serving those negatively impacted by COVID-19 in an effort to keep individuals in their current housing.

The inventory of emergency shelter includes facilities for families, single men, and single women as well as emergency motel vouchers, cold weather shelters and emergency shelter and services for households experiencing domestic violence. To ensure equitable and efficient access to housing and services, shelter residents are entered into coordinated entry.

The County and Continuum of Care (CoC) continues to work with shelter providers to strategize about how to decrease shelter stays and increase exits to permanent housing as well as assessing and meeting the various service needs of shelter residents. One key strategy has been to expand housing assistance in shelters. A second key strategy that has been prioritized and promoted by the CoC is a housing-first policy for all funded rental assistance projects. Providers are expected to house all eligible

households as quickly as possible and without program prerequisites or service requirements.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

Funds were awarded to Housing Hope, which provides transitional housing in conjunction with comprehensive supportive services and permanent supportive housing to families and individuals who are homeless or at risk of becoming homeless. In PY2020, Housing Hope expected to serve 20 families, but exceeded that goal and served 26. All of the 26 homeless or at risk of homelessness families served, maintained their current rental housing or moved to other permanent stable housing, exceeding the expected 20 of 25 families. Individuals also exceeded expectations in the areas of increasing their ability to obtain and maintain employment as well as securing additional disability related income.

Supportive services provided by Housing Hope provide clients with education, skill building, parenting classes, job training, and more which allows them to obtain and maintain employment, stabilize family units, as well as secure income.

Seattle Goodwill was awarded \$32,971 in PY2020 to assist low-income individuals negatively impacted by the pandemic with rental/mortgage assistance, as well as job training and assistance securing employment to help avoid losing housing during this challenging time.

Funds awarded to Homage Senior Services of Snohomish County provide services to low income seniors and disabled adults. Many of the repairs provided, result in individuals being able to stay in their homes and retain their independence rather than becoming homeless or being forced into assisted living establishments. The Meals on Wheels program provided 16 unduplicated Marysville residents meals delivered to their homes, improving their health and independence. The entire program served 180 residents 292,944 meals. The Meals on Wheels program was even more important in recent times due to the vulnerability of the population it serves to COVID-19.

CDBG-CV funds were awarded and expended for rental assistance for those negatively impacted by COVID-19 in an effort to assist in maintaining current housing during the pandemic and to assist at risk populations negatively impacted by COVID-19 with rental assistance.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals

and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City allocated approximately \$20,000 of CDBG funds that provided supportive services that address the needs of the homeless population. Specifically, funds were utilized by the organization for transitional housing with supportive services and permanent supportive housing to aid families in the transition to self-sufficiency. In PY2020, 100% of those served by these funds were able to maintain their housing or obtain other permanent stable housing. Thirty nine percent of those served increased their ability to obtain and maintain employment. This goal fell short of the goal of 80%, due to challenges of obtaining employment due to COVID-19 restrictions.

Case Managers meet with residents weekly at the facility Marysville CDBG funds aid in supporting, Beachwood Apartments. Case managers address daily problems, reinforce successes and offer guidance including basic education, access to child support, legal remedies, quality childcare, and preparation for employment. Residents can utilize rent subsidies they have earned during their successful stay in the Transitional Living Program when they move on to permanent housing. This program has been, and continues to be successful, continually exceeding its annual goals.

Using the CDBG funds available, the City will continue to work to reduce and work toward ending homelessness in Marysville by providing funds to nonprofit organizations such as Housing Hope that provide transitional housing with supportive services for families.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The City works in conjunction with HASCO to achieve its public housing goals. HASCO owns 354 rental units in the City, 84 of which serve senior/disabled households. HASCO transferred ownership of the group home, Maud's House, with eight beds of short-term transitional housing for homeless families with children in Marysville to Volunteers of America.

During the 2020 program year, the Housing Authority of Snohomish County (HASCO) continued to administer HUD Section 8 Voucher programs that provide rental assistance to very low-income and extremely low-income households in Snohomish County. HASCO completed disposition of its public housing units as described below and continued to manage other units of assisted affordable housing in Snohomish County.

In November 2015, HASCO completed a Section 18 disposition of its public housing unit. HASCO provided tenant protection vouchers to all of HASCO's public housing residents, who could choose to stay in their current unit or move with their voucher and continue to pay an affordable rent. HASCO operates the 30-unit development designated for people that are elderly and/ or have disabilities as rent-subsidized project-based voucher housing and operates the remaining units as affordable housing with below-market rents. The additional rental revenue received at those properties under that operating model allows HASCO to address the current and future capital needs of the properties, as well as increase the energy and water efficiency of the properties. In addition, HASCO plans to undertake property maintenance activities to provide safety, energy-efficiency, and accessibility.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

During the 2019 program year, HASCO undertook the following activities to encourage its program residents to become more involved in management and participate in homeownership programs:

- Continued to have a resident Commissioner on its six-member Board of Commissioners which provides an important voice on the Board and represents the interests of residents.
- Continued to convene the Resident Advisory Board, comprised of Section 8 Housing Choice Voucher program participants, to assist in the development of the annual Public Housing Agency Plan.
- Continued to print and distribute a holiday quarterly newsletter for Section 8 Housing Choice Voucher Program participants. The newsletter is designed to inform residents of activities at HASCO and to provide information on ways residents can become involved in

HASCO activities, such as the resident Board Commissioner position and the Resident Advisory Board. Newsletters also feature articles about home safety and available resources in the community, which could provide supplemental support to families who qualify.

- Continued to provide homeownership opportunities at three manufactured housing communities in Snohomish County. Continued to collaborate with HomeSight to provide purchase assistance and homeownership education and counseling for purchasers of homes at these properties.
- Continued to provide the Manufactured Home Replacement Program at two senior (55+) manufactured housing communities. The program replaces outdated pre-HUD code homes with HUD-code, energy-efficient manufactured homes.
- Continued to have its Community Services Manager make referrals to classes on homeownership offered by HomeSight, Housing Hope, or other agencies.
- The Community Services Department has increased to provide additional support to clients and members of the public by hosting Lobby Days once ~~twice~~ a week in the main office. A staff member from the Community Services Department is available to answer questions, make referrals, and share resources with individuals and families who qualify.

Actions taken to provide assistance to troubled PHAs

The only PHA active in Marysville is Housing Authority of Snohomish County (HASCO). HASCO has proven to be a vital asset not only to Marysville, but also to the County as a whole in providing affordable housing and adapting to the changing needs of the populations it serves.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

During the 2020 program year, the City worked to reduce barriers to affordable housing by awarding CDBG funds to projects that help develop or maintain decent and safe affordable housing for low-to-moderate-income persons in our community. The City offers Residential Density Incentives, which allow developers increased density in exchange for rental housing permanently priced to serve nonelderly low-income households or designed and permanently priced to serve low-income senior citizens. These incentives are currently being reviewed to determine if revisions are necessary to encourage developers to take advantage of them or if alternative incentives should be developed.

The Snohomish County Assessor's Office administers a number of programs that help reduce property taxes for property owners with limited income. This includes a property tax exemption program for senior citizens and disabled persons with limited incomes and tax deferment programs for senior citizens, disabled persons, and other homeowners with limited incomes. Property tax exemptions are also available through the Washington State Department of Revenue for some types of affordable housing projects.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The leading obstacle to meeting underserved needs is the limited funding available to address all of the needs in the community. This has become an even greater obstacle in the past few years as the number of homeless and at risk of homelessness individuals and families has risen and availability of affordable housing has not increased proportionately. Additionally, with the negative impacts from the pandemic, more and more individuals and populations are in need of assistance.

Lack of overnight and emergency shelters has been identified as an ongoing problem as has the lack of affordable housing. The City has explored options and worked with local stakeholders to determine the best way to address these needs. City staff are part of a committee that will evaluate and score proposed projects to be funded with the 9% Low Income Housing Tax Credit Incentive in Snohomish County to support increasing affordable housing options in the County and hopefully the City.

The City participates in the countywide partnership to end homelessness, which helps research, and identify trends and causes of homelessness and chronic homelessness. The Committee is working to finalize its 5-year strategic plan, and identify milestones reached in the first year, as well as changing needs and priorities due to the pandemic.

The Housing Authority of Snohomish County administers new rental housing vouchers Countywide that

were awarded and brought on-line in the past few years for veterans and for families with children in, or at risk of being placed in foster care and for young adults exiting foster care.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The City continues to pursue the Lead-based Paint Strategy and Anti-poverty Strategy as described in the Strategic Plan to evaluate and reduce the number of housing units containing lead-based paint hazards and reduce the number of poverty level families. The City has worked with Subrecipients to ensure that clients are provided information regarding Lead-based Paint upon application for services.

The City requires subrecipients to notify clients of hazards of lead-based paint. These requirements are outlined in the Subrecipient Agreement. The subrecipient achieves this by giving each client a Lead Based Paint pamphlet and having them sign an acknowledgment of receipt. These documents are available for review upon HUD's request. This document is added to each client's permanent file. In addition, each client file folder has the below acknowledgment for staff:

Home built after 1978 - LBP Requirements are not required.

Home built before 1978 - Each work order will include the following statement:

"The repair work does not exceed the threshold necessary for additional LBP testing. (If the work exceeds the threshold, and CDBG funds will be utilized, the necessary requirements will be followed and documented.)"

Included in their Program Guidelines Manual are specifics of the hazards lead-based paint poses, how it can become airborne, HUD's regulations, and the subrecipient's specific practices for dealing with lead-based paint. The City has access to these client files upon monitoring visits. The City continues to ensure that this information is provided to clients by the subrecipient.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Service projects funded provide case management, employment and training support, and other supportive services that assist low-income and homeless persons obtain the skills, income, and other resources necessary to move towards self-sufficiency. Twenty-six families were served by CDBG funds during PY2020, 26 of whom were able to maintain their current housing or transition to permanent housing and increase their ability to obtain and maintain employment.

Outreach during the challenges posed by the pandemic has continued. The city has worked to identify where the greatest need in our community lies and continues to work to connect those in need with available resources including rental/mortgage assistance, and employment training for obtaining employment during the pandemic.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Steps to increase communication and notice related to the CDBG application process have continued to be implemented this year. A brochure which highlights the ways in which CDBG funds have been utilized to enhance the community as well as how other private industry, nonprofit organizations, community and faith-based organizations, philanthropic organizations, and public institutions can apply for CDBG funds is developed and distributed annually. The City continues to add to its database of contacts to distribute CDBG related funding material to.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City strives to continue local coordination efforts that link housing and service providers. Coordination is achieved through participation in various community partnerships and collaborative efforts, such as the Housing Authority of Snohomish County, and the Snohomish County Continuum of Care. The City has a representative on the Partnership to End Homelessness committee, which is dedicated to increasing coordination between housing, health and Homeless liaison agencies. These partnerships and collaborations provide ongoing opportunities for public and private agencies to coordinate and align efforts around housing, homelessness, direct services, and enhancing systems coordination. The Systems Coordination Committee of the Partnership to End Homelessness Governance Board has worked to develop a services crosswalk from a life domains matrix that is used by housing agencies to assess their clients' level of self-sufficiency in multiple areas such as mental health, employment, healthcare, etc. This crosswalk will ensure that housing agencies are connecting their clients to the services that are appropriate to meet their needs.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The major impediments to fair housing opportunities identified in Snohomish County and the City of Marysville included the lack of information and referrals of housing complaints to appropriate agencies; a likely pattern of discrimination against people with disabilities; limited transit options for low income, disabled, senior residents and refugees; and a likely pattern of mortgage lending discrimination against people of color. The City is working with Community Transit on adding additional routes and stops in areas of need and in areas with large expected population increase.

The City works to raise public awareness and understanding of fair housing choice by posting brochures and resources in public City spaces, displaying educational posters, and providing information on the City's website. Social media is another tool the City has implemented for outreach. Outreach and education materials are also available thru the Housing Authority of Snohomish County's (HASCO) webpage.

The City has taken steps to improve knowledge of and access to resources related to Fair Housing

utilizing its website, public access cable channel, as well as in public buildings, social media, and at City Sponsored functions.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Organizations selected to provide services utilizing CDBG funds sign an agreement, which outlines roles and obligations of the City and subrecipient, and provides a framework for monitoring. Organizations awarded funds are required to provide quarterly reports as well as other reports throughout the year as determined by the specific type of project. All CDBG funded activities, which qualify under Low/Mod Limited Clientele (LMC) benefit, are required to collect data and report the number of clients served by income, race/ethnicity, and head of household.

Quarterly reports are analyzed upon receipt to ensure that the subrecipients are progressing toward their goals and expected outcomes in a timely manner. During PY2020, all quarterly reports received demonstrated that subrecipients were progressing in a timely manner towards meeting their goals and expending funds. Some of the subrecipients reached out to the City requesting additional time to expend funds given the challenges posed by the pandemic. This request was accepted by the City, and the subrecipient expended funds within the requested extension of 30 days.

The City provides technical assistance throughout the completion of the activity to ensure that program requirements are being met and funds are expended in a timely way. Staff reaches out to subrecipients if it does not appear that they are making progress towards their goals, or if an extended amount of time passes with no requests for reimbursement are received.

Based upon review of the City's performance and accomplishments during the past year, the City is meeting the objectives outlined in the 2020-2024 Con. Plan. Staff has taken an active role addressing the special needs populations within the community and actively pursued the resources identified in its 2020-2024 Con. Plan and 2020 AAP that it would use to carry out the programs and activities. Target populations were assisted in ways which allowed them to increase the safety and livability of their homes, increase food security, as well the availability of training and resources to enable them to obtain and maintain jobs and more permanent income and housing. Gaps in infrastructure and safety in key areas were addressed. Assistance to those negatively impacted by the COVID-19 pandemic has continued throughout the year.

The City funded agencies that assist low-moderate income and special needs populations. Based on reports obtained as a result of monitoring, we were able to see that many of the agencies funded continue to surpass their goals and serve an ever growing and changing need in the community.

The minor home repair program was very successful in serving senior and special needs populations and enabling them to remain in their homes and feel less isolated and more independent, which is even

more important during the COVID-19 pandemic. The Meals on Wheels program assisted low-income seniors and disabled adults in improving their health and maintaining their independence and increasing safety for these vulnerable populations during a national pandemic. Food security for local low-income students by providing meals during school closures was improved. The Cedar Field and Boys and Girls Club projects improved access and availability to improved facilities in low-income neighborhoods.

Staff has continued to work with subrecipients to ensure timely submittal of required reports. Review of these reports gives staff the opportunity to ensure that the City is progressing towards the goals and objectives outlined in the 2020-2024 Consolidated Plan as well as the 2020 Annual Action Plan.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

Notice of a public comment period and public hearing were posted in the local paper, on the City's webpage, social media pages, and a 'News Flash' was released inviting comments and participation at the scheduled public hearing. Those signed up for notifications from the City webpage will also receive an email. Notice of the public comment period and public hearing were provided in accordance with the Citizen Participation Plan and City public hearing notice requirements.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

No changes are proposed for the program objectives. The result of recent experiences has proven that those receiving Marysville CDBG funds are expending them in a timely fashion, and supporting populations and needs identified in the 2020-2024 Consolidated plan and 2020 Annual Action Plan. Subrecipients have also proven that they can adapt and identify vulnerable populations amid the ever-changing landscape of a global pandemic.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

N/A

Index #8

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

AGENDA ITEM:	
Acceptance of the Solid Waste Management Local Solid Waste Financial Assistance Agreement with the Department of Ecology (DOE)	
PREPARED BY:	DIRECTOR APPROVAL:
JR Myers, Solid Waste/Fleet Supervisor	<i>Karen Fetimer</i>
DEPARTMENT:	
Public Works	
ATTACHMENTS:	
DOE Grant Agreement	
BUDGET CODE:	AMOUNT:
41046290.541000	\$92,240.00
SUMMARY:	

Staff is requesting authorization to sign a Local Solid Waste Financial Assistance grant from the State of Washington Department of Ecology. The grant will be used to support efforts to clean up homeless encampments throughout the City on publicly owned sites.

Total grant amount is \$92,240.00. Department of Ecology's share is 75% or \$69,180.00 and the City's share is 25% or \$23,060.00. Department of Ecology will reimburse the City for funds expended. City funds will be paid from the Solid Waste Division operating budget.

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to sign and execute the Local Solid Waste Financial Assistance Grant Agreement No. SWMLSWFA-2021-MaryPW-00008 between the State of Washington Department of Ecology and City of Marysville.

RECOMMENDED MOTION:

I move to authorize the Mayor to sign and execute the Local Solid Waste Financial Assistance Grant Agreement No. SWMLSWFA-2021-MaryPW-00008 between the State of Washington Department of Ecology and City of Marysville.



Agreement No. SWMLSWFA-2021-MaryPW-00008

SOLID WASTE MANAGEMENT LOCAL SOLID WASTE FINANCIAL ASSISTANCE AGREEMENT

BETWEEN

THE STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

AND

CITY OF MARYSVILLE

This is a binding Agreement entered into by and between the state of Washington, Department of Ecology, hereinafter referred to as "ECOLOGY," and CITY OF MARYSVILLE, hereinafter referred to as the "RECIPIENT," to carry out with the provided funds activities described herein.

GENERAL INFORMATION

Project Title:	City of Marysville
Total Cost:	\$92,240.00
Total Eligible Cost:	\$92,240.00
Ecology Share:	\$69,180.00
Recipient Share:	\$23,060.00
The Effective Date of this Agreement is:	07/01/2021
The Expiration Date of this Agreement is no later than:	06/30/2023
Project Type:	Planning & Implementation

Project Short Description:

City of Marysville will spend \$92,240.00 to clean up homeless encampments throughout the City.

Project Long Description:

See the Scope of Work section for more detailed information related to individual Tasks.

Overall Goal:

Provide regional solutions and intergovernmental cooperation; prevent or minimize environmental contamination through planning and project implementation; and comply with state and local solid and hazardous waste management plans and laws.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

RECIPIENT INFORMATION

Organization Name: CITY OF MARYSVILLE

Federal Tax ID: 91-6001459

DUNS Number: 076658673

Mailing Address: 80 Columbia Ave.
Marysville, WA 98270

Physical Address: 80 Columbia Ave.
Marysville, Washington 98270

Contacts

State of Washington Department of Ecology

Agreement No: SWMLSWFA-2021-MaryPW-00008

Project Title: City of Marysville

Recipient Name: CITY OF MARYSVILLE

Project Manager	JR Myers Solid Waste Supervisor 80 Columbia Ave. Marysville, Washington 98270 Email: jrmyers@marysvillewa.gov Phone: (360) 363-8173
Billing Contact	Suzanne Soule Financial Analyst 80 Columbia Ave. Marysville, Washington 98270 Email: ssoule@marysvillewa.gov Phone: (360) 363-8100
Authorized Signatory	JR Myers Solid Waste Supervisor 80 Columbia Ave. Marysville, Washington 98270 Email: jrmyers@marysvillewa.gov Phone: (360) 363-8173

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

ECOLOGY INFORMATION

Mailing Address: Department of Ecology
Solid Waste Management
PO BOX 47600
Olympia, WA 98504-7600

Physical Address: Solid Waste Management
300 Desmond Drive SE
Lacey, WA 98503

Contacts

Project Manager	Carolyn Bowie PO Box 330316 Shoreline, Washington 98133-9716 Email: CARB461@ecy.wa.gov Phone: (425) 698-3722
Financial Manager	Carolyn Bowie PO Box 330316 Shoreline, Washington 98133-9716 Email: CARB461@ecy.wa.gov Phone: (425) 698-3722

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

AUTHORIZING SIGNATURES

RECIPIENT agrees to furnish the necessary personnel, equipment, materials, services, and otherwise do all things necessary for or incidental to the performance of work as set forth in this Agreement.

RECIPIENT acknowledges that they had the opportunity to review the entire Agreement, including all the terms and conditions of this Agreement, Scope of Work, attachments, and incorporated or referenced documents, as well as all applicable laws, statutes, rules, regulations, and guidelines mentioned in this Agreement. Furthermore, the RECIPIENT has read, understood, and accepts all requirements contained within this Agreement.

This Agreement contains the entire understanding between the parties, and there are no other understandings or representations other than as set forth, or incorporated by reference, herein.

No subsequent modifications or amendments to this agreement will be of any force or effect unless in writing, signed by authorized representatives of the RECIPIENT and ECOLOGY and made a part of this agreement. ECOLOGY and RECIPIENT may change their respective staff contacts without the concurrence of either party.

This Agreement shall be subject to the written approval of Ecology’s authorized representative and shall not be binding until so approved.

The signatories to this Agreement represent that they have the authority to execute this Agreement and bind their respective organizations to this Agreement.

Washington State
Department of Ecology

CITY OF MARYSVILLE

By: _____

By: _____

Laurie Davies
Solid Waste Management
Program Manager
Date

JR Myers
Solid Waste Supervisor
Date

Template Approved to Form by
Attorney General's Office

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

Jon Nehring

Mayor, City of Marysville

Date

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

SCOPE OF WORK

Task Number: 1 **Task Cost: \$92,240.00**

Task Title: Homeless Encampment Response

Task Description:

ACTIVITY - CLEANUP

RECIPIENT employees will coordinate with other departments and local agencies to cleanup active and or abandoned encampments and continue to keep them clean. RECIPIENT employees may investigate active and or abandoned encampments to assess and prioritize cleanup. Cleanup and disposal are eligible on publicly-owned sites/locations only.

RECIPIENT may contract for assistance with this task. Reimbursement for costs incurred by contractors to perform work identified in this Task are subject to the same eligibility and reimbursement requirements as the RECIPIENT, and require ECOLOGY approval. RECIPIENT is encouraged to review the Master Contract provided by Department of Enterprise Services (DES) for information about vendors with experience to cleanup and dispose of materials that meet the RECIPIENT's specific circumstances and need.

ACTIVITY - INFRASTRUCTURE, PURCHASED SERVICES

RECIPIENT may purchase services to provide portable toilets and or garbage collection at shelter-in place locations and other locations where the RECIPIENT has previously assessed these services are practical. RECIPIENT employees and/or contractors will investigate active encampments to assess the level of infrastructure needed.

Costs eligible for reimbursement with supporting documentation include:

- Contracts, purchased services identified in the scope of work.
- Supplies for cleanup: bags, protective gear.
- Cleanup costs: time, transportation, and disposal of materials from encampments.
- Time: planning/coordination of cleanup.
- Costs not listed here but pre-approved in writing by Ecology.

Costs not eligible for reimbursement:

- Overtime compensation (all hours are calculated at the regular rate of pay).
- Costs not specifically identified or pre-approved in writing by Ecology.

Task Goal Statement:

The goal of the task is to protect the environment through cleanup and prevent continued environmental harm at encampments.

Task Expected Outcome:

RECIPIENT estimates 60,000 pounds of garbage are cleaned up from 10 encampments and 20 cleanups over the two year grant period with the Task Cost.

RECIPIENT will track and report the pounds of garbage cleaned and properly disposed.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

Anticipating multiple cleanups at the same encampment, RECIPIENT will track and report quarterly, the number of encampments cleaned and the number of cleanups performed at each encampment.

Recipient Task Coordinator: JR Myers

Homeless Encampment Response

Deliverables

Number	Description	Due Date
1.1	Task Expected Outcomes are the deliverables and achieved incrementally throughout the biennium.	

State of Washington Department of Ecology
 Agreement No: SWMLSWFA-2021-MaryPW-00008
 Project Title: City of Marysville
 Recipient Name: CITY OF MARYSVILLE

Funding Distribution Summary

Recipient / Ecology Share

Funding Distribution Name	Recipient Match %	Recipient Share	Ecology Share	Total
City of Marysville	25.00 %	\$ 23,060.00	\$ 69,180.00	\$ 92,240.00
Total		\$ 23,060.00	\$ 69,180.00	\$ 92,240.00

AGREEMENT SPECIFIC TERMS AND CONDITIONS

N/A

SPECIAL TERMS AND CONDITIONS

If the scope of this Agreement includes recycling activity managed or performed by the RECIPIENT at a recycling center (such as a transfer station or drop box location) or other locations, Ecology will not reimburse disposal costs for materials collected or advertised as collected for recycling/reuse or marketed for recycling/reuse under this Agreement, unless approved in writing by Ecology. RECIPIENT must immediately notify ECOLOGY when the RECIPIENT becomes aware that disposal of materials occurred or may occur due to the market conditions for recycled/reused materials. ECOLOGY may deny new costs or require repayment of costs already reimbursed or remove the task from the Agreement or terminate the Agreement.

Ecology will conduct a risk assessment of all Local Solid Waste Financial Assistance recipients. The level of risk determines the level of oversight required by Ecology throughout the biennium. If the RECIPIENT’s performance or project circumstances change, Ecology may reassess risk and notify the RECIPIENT of any changes to administrative requirements.

RECIPIENT shall update the Spending Plan and Outcomes Data Collection form at least quarterly. The Spending Plan and Outcomes Data Collection form must be completed concurrent with the submittal of each payment Request/Progress Report. RECIPIENT shall report outcomes in a manner consistent with instructions in the Local Solid Waste Financial Assistance guidelines.

RECIPIENT must submit within thirty (30) days after the expiration date of this Agreement, all financial (including payment requests), performance, and other reports required by this Agreement. Ecology shall have the right to deny reimbursement of payment requests received after this date.

GENERAL FEDERAL CONDITIONS

If a portion or all of the funds for this agreement are provided through federal funding sources or this agreement is used to match a federal grant award, the following terms and conditions apply to you.

A. CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY EXCLUSION:

1. The RECIPIENT/CONTRACTOR, by signing this agreement, certifies that it is not suspended, debarred, proposed for debarment, declared ineligible or otherwise excluded from contracting with the federal government, or from receiving contracts paid for with federal funds. If the RECIPIENT/CONTRACTOR is unable to certify to the statements

State of Washington Department of Ecology

Agreement No: SWMLSWFA-2021-MaryPW-00008

Project Title: City of Marysville

Recipient Name: CITY OF MARYSVILLE

- contained in the certification, they must provide an explanation as to why they cannot.
2. The RECIPIENT/CONTRACTOR shall provide immediate written notice to ECOLOGY if at any time the RECIPIENT/CONTRACTOR learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
 3. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact ECOLOGY for assistance in obtaining a copy of those regulations.
 4. The RECIPIENT/CONTRACTOR agrees it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under the applicable Code of Federal Regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
 5. The RECIPIENT/CONTRACTOR further agrees by signing this agreement, that it will include this clause titled "CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY EXCLUSION" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
 6. Pursuant to 2CFR180.330, the RECIPIENT/CONTRACTOR is responsible for ensuring that any lower tier covered transaction complies with certification of suspension and debarment requirements.
 7. RECIPIENT/CONTRACTOR acknowledges that failing to disclose the information required in the Code of Federal Regulations may result in the delay or negation of this funding agreement, or pursuance of legal remedies, including suspension and debarment.
 8. RECIPIENT/CONTRACTOR agrees to keep proof in its agreement file, that it, and all lower tier recipients or contractors, are not suspended or debarred, and will make this proof available to ECOLOGY before requests for reimbursements will be approved for payment. RECIPIENT/CONTRACTOR must run a search in <<http://www.sam.gov>> and print a copy of completed searches to document proof of compliance.

B. FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) REPORTING

REQUIREMENTS:

CONTRACTOR/RECIPIENT must complete the FFATA Data Collection Form (ECY 070-395) and return it with the signed agreement to ECOLOGY.

Any CONTRACTOR/RECIPIENT that meets each of the criteria below must report compensation for its five top executives using the FFATA Data Collection Form.

- Receives more than \$25,000 in federal funds under this award.
- Receives more than 80 percent of its annual gross revenues from federal funds.
- Receives more than \$25,000,000 in annual federal funds.

Ecology will not pay any invoices until it has received a completed and signed FFATA Data Collection Form. Ecology is required to report the FFATA information for federally funded agreements, including the required DUNS number, at www.fsr.gov <<http://www.fsr.gov>> within 30 days of agreement signature. The FFATA information will be available to the public at www.usaspending.gov <<http://www.usaspending.gov>>.

For more details on FFATA requirements, see www.fsr.gov <<http://www.fsr.gov>>.

C. FEDERAL FUNDING PROHIBITION ON CERTAIN TELECOMMUNICATIONS OR VIDEO SURVEILLANCE

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

SERVICES OR EQUIPMENT:

As required by 2 CFR 200.216, federal grant or loan recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain; or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that use covered telecommunications equipment, video surveillance services or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232 <https://www.govinfo.gov/content/pkg/PLAW-115publ232/pdf/PLAW-115publ232.pdf>, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

Recipients, subrecipients, and borrowers also may not use federal funds to purchase certain prohibited equipment, systems, or services, including equipment, systems, or services produced or provided by entities identified in section 889, are recorded in the System for Award Management (SAM) <https://sam.gov/SAM/> exclusion list.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

GENERAL TERMS AND CONDITIONS

Pertaining to Grant and Loan Agreements With the state of Washington, Department of Ecology

GENERAL TERMS AND CONDITIONS
For DEPARTMENT OF ECOLOGY GRANTS and LOANS
06/24/2021 Version

1. ADMINISTRATIVE REQUIREMENTS

- a) RECIPIENT shall follow the "Administrative Requirements for Recipients of Ecology Grants and Loans – EAGL Edition." (<https://fortress.wa.gov/ecy/publications/SummaryPages/1701004.html>)
- b) RECIPIENT shall complete all activities funded by this Agreement and be fully responsible for the proper management of all funds and resources made available under this Agreement.
- c) RECIPIENT agrees to take complete responsibility for all actions taken under this Agreement, including ensuring all subgrantees and contractors comply with the terms and conditions of this Agreement. ECOLOGY reserves the right to request proof of compliance by subgrantees and contractors.
- d) RECIPIENT’s activities under this Agreement shall be subject to the review and approval by ECOLOGY for the extent and character of all work and services.

2. AMENDMENTS AND MODIFICATIONS

This Agreement may be altered, amended, or waived only by a written amendment executed by both parties. No subsequent modification(s) or amendment(s) of this Agreement will be of any force or effect unless in writing and signed by authorized representatives of both parties. ECOLOGY and the RECIPIENT may change their respective staff contacts and administrative information without the concurrence of either party.

3. ACCESSIBILITY REQUIREMENTS FOR COVERED TECHNOLOGY

The RECIPIENT must comply with the Washington State Office of the Chief Information Officer, OCIO Policy no. 188, Accessibility (<https://ocio.wa.gov/policy/accessibility>) as it relates to “covered technology.” This requirement applies to all products supplied under the Agreement, providing equal access to information technology by individuals with disabilities, including and not limited to web sites/pages, web-based applications, software systems, video and audio content, and electronic documents intended for publishing on Ecology’s public web site.

4. ARCHAEOLOGICAL AND CULTURAL RESOURCES

RECIPIENT shall take all reasonable action to avoid, minimize, or mitigate adverse effects to archaeological and historic archaeological sites, historic buildings/structures, traditional cultural places, sacred sites, or other cultural resources, hereby referred to as Cultural Resources.

The RECIPIENT must agree to hold harmless ECOLOGY in relation to any claim related to Cultural Resources discovered, disturbed, or damaged due to the RECIPIENT’s project funded under this Agreement.

RECIPIENT shall:

- a) Contact the ECOLOGY Program issuing the grant or loan to discuss any Cultural Resources requirements for their project :
 - Cultural Resource Consultation and Review should be initiated early in the project planning process and must be completed prior to expenditure of Agreement funds as required by applicable State and Federal requirements.
 - * For state funded construction, demolition, or land acquisitions, comply with Governor Executive Order 21-02, Archaeological and Cultural Resources.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

- For projects with any federal involvement, comply with the National Historic Preservation Act of 1966 (Section 106).
- b) If required by the ECOLOGY Program, submit an Inadvertent Discovery Plan (IDP) to ECOLOGY prior to implementing any project that involves field activities. ECOLOGY will provide the IDP form.

RECIPIENT shall:

- Keep the IDP at the project site.
- Make the IDP readily available to anyone working at the project site.
- Discuss the IDP with staff, volunteers, and contractors working at the project site.
- Implement the IDP when Cultural Resources or human remains are found at the project site.
- c) If any Cultural Resources are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.
 - Immediately stop work and notify the ECOLOGY Program, who will notify the Department of Archaeology and Historic Preservation at (360) 586-3065, any affected Tribe, and the local government.
- d) If any human remains are found while conducting work under this Agreement, follow the protocol outlined in the project IDP.
 - Immediately stop work and notify the local Law Enforcement Agency or Medical Examiner/Coroner's Office, the Department of Archaeology and Historic Preservation at (360) 790-1633, and then the ECOLOGY Program.
- e) Comply with RCW 27.53, RCW 27.44, and RCW 68.50.645, and all other applicable local, state, and federal laws protecting Cultural Resources and human remains.

5. ASSIGNMENT

No right or claim of the RECIPIENT arising under this Agreement shall be transferred or assigned by the RECIPIENT.

6. COMMUNICATION

RECIPIENT shall make every effort to maintain effective communications with the RECIPIENT's designees, ECOLOGY, all affected local, state, or federal jurisdictions, and any interested individuals or groups.

7. COMPENSATION

- a) Any work performed prior to effective date of this Agreement will be at the sole expense and risk of the RECIPIENT. ECOLOGY must sign the Agreement before any payment requests can be submitted.
- b) Payments will be made on a reimbursable basis for approved and completed work as specified in this Agreement.
- c) RECIPIENT is responsible to determine if costs are eligible. Any questions regarding eligibility should be clarified with ECOLOGY prior to incurring costs. Costs that are conditionally eligible require approval by ECOLOGY prior to expenditure.
- d) RECIPIENT shall not invoice more than once per month unless agreed on by ECOLOGY.
- e) ECOLOGY will not process payment requests without the proper reimbursement forms, Progress Report and supporting documentation. ECOLOGY will provide instructions for submitting payment requests.
- f) ECOLOGY will pay the RECIPIENT thirty (30) days after receipt of a properly completed request for payment.
- g) RECIPIENT will receive payment through Washington State's Office of Financial Management's Statewide Payee Desk. To receive payment you must register as a statewide vendor by submitting a statewide vendor registration form and an IRS W-9 form at website, <https://ofm.wa.gov/it-systems/statewide-vendorpayee-services>. If you have questions about the vendor registration process, you can contact Statewide Payee Help Desk at (360) 407-8180 or email PayeeRegistration@ofm.wa.gov.
- h) ECOLOGY may, at its sole discretion, withhold payments claimed by the RECIPIENT if the RECIPIENT fails to satisfactorily comply with any term or condition of this Agreement.
- i) Monies withheld by ECOLOGY may be paid to the RECIPIENT when the work described herein, or a portion thereof, has been completed if, at ECOLOGY's sole discretion, such payment is reasonable and approved according to this Agreement, as appropriate, or upon completion of an audit as specified herein.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

j) RECIPIENT must submit within thirty (30) days after the expiration date of this Agreement, all financial, performance, and other reports required by this Agreement. Failure to comply may result in delayed reimbursement.

8. COMPLIANCE WITH ALL LAWS

RECIPIENT agrees to comply fully with all applicable federal, state and local laws, orders, regulations, and permits related to this Agreement, including but not limited to:

- a) RECIPIENT agrees to comply with all applicable laws, regulations, and policies of the United States and the State of Washington which affect wages and job safety.
- b) RECIPIENT agrees to be bound by all applicable federal and state laws, regulations, and policies against discrimination.
- c) RECIPIENT certifies full compliance with all applicable state industrial insurance requirements.
- d) RECIPIENT agrees to secure and provide assurance to ECOLOGY that all the necessary approvals and permits required by authorities having jurisdiction over the project are obtained. RECIPIENT must include time in their project timeline for the permit and approval processes.

ECOLOGY shall have the right to immediately terminate for cause this Agreement as provided herein if the RECIPIENT fails to comply with above requirements.

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

9. CONFLICT OF INTEREST

RECIPIENT and ECOLOGY agree that any officer, member, agent, or employee, who exercises any function or responsibility in the review, approval, or carrying out of this Agreement, shall not have any personal or financial interest, direct or indirect, nor affect the interest of any corporation, partnership, or association in which he/she is a part, in this Agreement or the proceeds thereof.

10. CONTRACTING FOR GOODS AND SERVICES

RECIPIENT may contract to buy goods or services related to its performance under this Agreement. RECIPIENT shall award all contracts for construction, purchase of goods, equipment, services, and professional architectural and engineering services through a competitive process, if required by State law. RECIPIENT is required to follow procurement procedures that ensure legal, fair, and open competition.

RECIPIENT must have a standard procurement process or follow current state procurement procedures. RECIPIENT may be required to provide written certification that they have followed their standard procurement procedures and applicable state law in awarding contracts under this Agreement.

ECOLOGY reserves the right to inspect and request copies of all procurement documentation, and review procurement practices related to this Agreement. Any costs incurred as a result of procurement practices not in compliance with state procurement law or the RECIPIENT's normal procedures may be disallowed at ECOLOGY's sole discretion.

11. DISPUTES

When there is a dispute with regard to the extent and character of the work, or any other matter related to this Agreement the determination of ECOLOGY will govern, although the RECIPIENT shall have the right to appeal decisions as provided for below:

- a) RECIPIENT notifies the funding program of an appeal request.
- b) Appeal request must be in writing and state the disputed issue(s).
- c) RECIPIENT has the opportunity to be heard and offer evidence in support of its appeal.
- d) ECOLOGY reviews the RECIPIENT's appeal.
- e) ECOLOGY sends a written answer within ten (10) business days, unless more time is needed, after concluding the review.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

The decision of ECOLOGY from an appeal will be final and conclusive, unless within thirty (30) days from the date of such decision, the RECIPIENT furnishes to the Director of ECOLOGY a written appeal. The decision of the Director or duly authorized representative will be final and conclusive.

The parties agree that this dispute process will precede any action in a judicial or quasi-judicial tribunal.

Appeals of the Director's decision will be brought in the Superior Court of Thurston County. Review of the Director's decision will not be taken to Environmental and Land Use Hearings Office.

Pending final decision of a dispute, the RECIPIENT agrees to proceed diligently with the performance of this Agreement and in accordance with the decision rendered.

Nothing in this Agreement will be construed to limit the parties' choice of another mutually acceptable method, in addition to the dispute resolution procedure outlined above.

12. ENVIRONMENTAL DATA STANDARDS

a) RECIPIENT shall prepare a Quality Assurance Project Plan (QAPP) for a project that collects or uses environmental measurement data. RECIPIENTS unsure about whether a QAPP is required for their project shall contact the ECOLOGY Program issuing the grant or loan. If a QAPP is required, the RECIPIENT shall:

- Use ECOLOGY's QAPP Template/Checklist provided by the ECOLOGY, unless ECOLOGY Quality Assurance (QA) officer or the Program QA coordinator instructs otherwise.
- Follow ECOLOGY's Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies, July 2004 (Ecology Publication No. 04-03-030).
- Submit the QAPP to ECOLOGY for review and approval before the start of the work.

b) RECIPIENT shall submit environmental data that was collected on a project to ECOLOGY using the Environmental Information Management system (EIM), unless the ECOLOGY Program instructs otherwise. The RECIPIENT must confirm with ECOLOGY that complete and correct data was successfully loaded into EIM, find instructions at:

<http://www.ecy.wa.gov/eim>.

c) RECIPIENT shall follow ECOLOGY's data standards when Geographic Information System (GIS) data is collected and processed. Guidelines for Creating and Accessing GIS Data are available at:

<https://ecology.wa.gov/Research-Data/Data-resources/Geographic-Information-Systems-GIS/Standards>. RECIPIENT, when requested by ECOLOGY, shall provide copies to ECOLOGY of all final GIS data layers, imagery, related tables, raw data collection files, map products, and all metadata and project documentation.

13. GOVERNING LAW

This Agreement will be governed by the laws of the State of Washington, and the venue of any action brought hereunder will be in the Superior Court of Thurston County.

14. INDEMNIFICATION

ECOLOGY will in no way be held responsible for payment of salaries, consultant's fees, and other costs related to the project described herein, except as provided in the Scope of Work.

To the extent that the Constitution and laws of the State of Washington permit, each party will indemnify and hold the other harmless from and against any liability for any or all injuries to persons or property arising from the negligent act or omission of that party or that party's agents or employees arising out of this Agreement.

15. INDEPENDENT STATUS

The employees, volunteers, or agents of each party who are engaged in the performance of this Agreement will continue to be employees, volunteers, or agents of that party and will not for any purpose be employees, volunteers, or agents of the other party.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

16. KICKBACKS

RECIPIENT is prohibited from inducing by any means any person employed or otherwise involved in this Agreement to give up any part of the compensation to which he/she is otherwise entitled to or receive any fee, commission, or gift in return for award of a subcontract hereunder.

17. MINORITY AND WOMEN'S BUSINESS ENTERPRISES (MWBE)

RECIPIENT is encouraged to solicit and recruit, to the extent possible, certified minority-owned (MBE) and women-owned (WBE) businesses in purchases and contracts initiated under this Agreement.

Contract awards or rejections cannot be made based on MWBE participation; however, the RECIPIENT is encouraged to take the following actions, when possible, in any procurement under this Agreement:

- a) Include qualified minority and women's businesses on solicitation lists whenever they are potential sources of goods or services.
- b) Divide the total requirements, when economically feasible, into smaller tasks or quantities, to permit maximum participation by qualified minority and women's businesses.
- c) Establish delivery schedules, where work requirements permit, which will encourage participation of qualified minority and women's businesses.
- d) Use the services and assistance of the Washington State Office of Minority and Women's Business Enterprises (OMWBE) (866-208-1064) and the Office of Minority Business Enterprises of the U.S. Department of Commerce, as appropriate.

18. ORDER OF PRECEDENCE

In the event of inconsistency in this Agreement, unless otherwise provided herein, the inconsistency shall be resolved by giving precedence in the following order: (a) applicable federal and state statutes and regulations; (b) The Agreement; (c) Scope of Work; (d) Special Terms and Conditions; (e) Any provisions or terms incorporated herein by reference, including the "Administrative Requirements for Recipients of Ecology Grants and Loans"; (f) Ecology Funding Program Guidelines; and (g) General Terms and Conditions.

19. PRESENTATION AND PROMOTIONAL MATERIALS

ECOLOGY reserves the right to approve RECIPIENT's communication documents and materials related to the fulfillment of this Agreement:

- a) If requested, RECIPIENT shall provide a draft copy to ECOLOGY for review and approval ten (10) business days prior to production and distribution.
- b) RECIPIENT shall include time for ECOLOGY's review and approval process in their project timeline.
- c) If requested, RECIPIENT shall provide ECOLOGY two (2) final copies and an electronic copy of any tangible products developed.

Copies include any printed materials, and all tangible products developed such as brochures, manuals, pamphlets, videos, audio tapes, CDs, curriculum, posters, media announcements, or gadgets with a message, such as a refrigerator magnet, and any online communications, such as web pages, blogs, and twitter campaigns. If it is not practical to provide a copy, then the RECIPIENT shall provide a description (photographs, drawings, printouts, etc.) that best represents the item.

Any communications intended for public distribution that uses ECOLOGY's logo shall comply with ECOLOGY's graphic requirements and any additional requirements specified in this Agreement. Before the use of ECOLOGY's logo contact ECOLOGY for guidelines.

RECIPIENT shall acknowledge in the communications that funding was provided by ECOLOGY.

20. PROGRESS REPORTING

Template Version 12/10/2020

State of Washington Department of Ecology

Agreement No: SWMLSWFA-2021-MaryPW-00008

Project Title: City of Marysville

Recipient Name: CITY OF MARYSVILLE

- a) RECIPIENT must satisfactorily demonstrate the timely use of funds by submitting payment requests and progress reports to ECOLOGY. ECOLOGY reserves the right to amend or terminate this Agreement if the RECIPIENT does not document timely use of funds.
- b) RECIPIENT must submit a progress report with each payment request. Payment requests will not be processed without a progress report. ECOLOGY will define the elements and frequency of progress reports.
- c) RECIPIENT shall use ECOLOGY's provided progress report format.
- d) Quarterly progress reports will cover the periods from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31. Reports shall be submitted within thirty (30) days after the end of the quarter being reported.
- e) RECIPIENT must submit within thirty (30) days of the expiration date of the project, unless an extension has been approved by ECOLOGY, all financial, performance, and other reports required by the Agreement and funding program guidelines. RECIPIENT shall use the ECOLOGY provided closeout report format.

21. PROPERTY RIGHTS

- a) Copyrights and Patents. When the RECIPIENT creates any copyrightable materials or invents any patentable property under this Agreement, the RECIPIENT may copyright or patent the same but ECOLOGY retains a royalty free, nonexclusive, and irrevocable license to reproduce, publish, recover, or otherwise use the material(s) or property, and to authorize others to use the same for federal, state, or local government purposes.
- b) Publications. When the RECIPIENT or persons employed by the RECIPIENT use or publish ECOLOGY information; present papers, lectures, or seminars involving information supplied by ECOLOGY; or use logos, reports, maps, or other data in printed reports, signs, brochures, pamphlets, etc., appropriate credit shall be given to ECOLOGY.
- c) Presentation and Promotional Materials. ECOLOGY shall have the right to use or reproduce any printed or graphic materials produced in fulfillment of this Agreement, in any manner ECOLOGY deems appropriate. ECOLOGY shall acknowledge the RECIPIENT as the sole copyright owner in every use or reproduction of the materials.
- d) Tangible Property Rights. ECOLOGY's current edition of "Administrative Requirements for Recipients of Ecology Grants and Loans," shall control the use and disposition of all real and personal property purchased wholly or in part with funds furnished by ECOLOGY in the absence of state and federal statutes, regulations, or policies to the contrary, or upon specific instructions with respect thereto in this Agreement.
- e) Personal Property Furnished by ECOLOGY. When ECOLOGY provides personal property directly to the RECIPIENT for use in performance of the project, it shall be returned to ECOLOGY prior to final payment by ECOLOGY. If said property is lost, stolen, or damaged while in the RECIPIENT's possession, then ECOLOGY shall be reimbursed in cash or by setoff by the RECIPIENT for the fair market value of such property.
- f) Acquisition Projects. The following provisions shall apply if the project covered by this Agreement includes funds for the acquisition of land or facilities:
 - 1. RECIPIENT shall establish that the cost is fair value and reasonable prior to disbursement of funds provided for in this Agreement.
 - 2. RECIPIENT shall provide satisfactory evidence of title or ability to acquire title for each parcel prior to disbursement of funds provided by this Agreement. Such evidence may include title insurance policies, Torrens certificates, or abstracts, and attorney's opinions establishing that the land is free from any impediment, lien, or claim which would impair the uses intended by this Agreement.
- g) Conversions. Regardless of the Agreement expiration date, the RECIPIENT shall not at any time convert any equipment, property, or facility acquired or developed under this Agreement to uses other than those for which assistance was originally approved without prior written approval of ECOLOGY. Such approval may be conditioned upon payment to ECOLOGY of that portion of the proceeds of the sale, lease, or other conversion or encumbrance which monies granted pursuant to this Agreement bear to the total acquisition, purchase, or construction costs of such property.

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

22. RECORDS, AUDITS, AND INSPECTIONS

RECIPIENT shall maintain complete program and financial records relating to this Agreement, including any engineering documentation and field inspection reports of all construction work accomplished.

All records shall:

- a) Be kept in a manner which provides an audit trail for all expenditures.
 - b) Be kept in a common file to facilitate audits and inspections.
 - c) Clearly indicate total receipts and expenditures related to this Agreement.
 - d) Be open for audit or inspection by ECOLOGY, or by any duly authorized audit representative of the State of Washington, for a period of at least three (3) years after the final grant payment or loan repayment, or any dispute resolution hereunder.
- RECIPIENT shall provide clarification and make necessary adjustments if any audits or inspections identify discrepancies in the records.

ECOLOGY reserves the right to audit, or have a designated third party audit, applicable records to ensure that the state has been properly invoiced. Any remedies and penalties allowed by law to recover monies determined owed will be enforced.

Repetitive instances of incorrect invoicing or inadequate records may be considered cause for termination.

All work performed under this Agreement and any property and equipment purchased shall be made available to ECOLOGY and to any authorized state, federal or local representative for inspection at any time during the course of this Agreement and for at least three (3) years following grant or loan termination or dispute resolution hereunder.

RECIPIENT shall provide right of access to ECOLOGY, or any other authorized representative, at all reasonable times, in order to monitor and evaluate performance, compliance, and any other conditions under this Agreement.

23. RECOVERY OF FUNDS

The right of the RECIPIENT to retain monies received as reimbursement payments is contingent upon satisfactory performance of this Agreement and completion of the work described in the Scope of Work.

All payments to the RECIPIENT are subject to approval and audit by ECOLOGY, and any unauthorized expenditure(s) or unallowable cost charged to this Agreement shall be refunded to ECOLOGY by the RECIPIENT.

RECIPIENT shall refund to ECOLOGY the full amount of any erroneous payment or overpayment under this Agreement.

RECIPIENT shall refund by check payable to ECOLOGY the amount of any such reduction of payments or repayments within thirty (30) days of a written notice. Interest will accrue at the rate of twelve percent (12%) per year from the time ECOLOGY demands repayment of funds.

Any property acquired under this Agreement, at the option of ECOLOGY, may become ECOLOGY's property and the RECIPIENT's liability to repay monies will be reduced by an amount reflecting the fair value of such property.

24. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, and to this end the provisions of this Agreement are declared to be severable.

25. STATE ENVIRONMENTAL POLICY ACT (SEPA)

RECIPIENT must demonstrate to ECOLOGY's satisfaction that compliance with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW and Chapter 197-11 WAC) have been or will be met. Any reimbursements are subject to this provision.

26. SUSPENSION

When in the best interest of ECOLOGY, ECOLOGY may at any time, and without cause, suspend this Agreement or any portion thereof for a temporary period by written notice from ECOLOGY to the RECIPIENT. RECIPIENT shall resume performance on the next business day following the suspension period unless another day is specified by ECOLOGY.

State of Washington Department of Ecology

Agreement No: SWMLSWFA-2021-MaryPW-00008

Project Title: City of Marysville

Recipient Name: CITY OF MARYSVILLE

27. SUSTAINABLE PRACTICES

In order to sustain Washington's natural resources and ecosystems, the RECIPIENT is fully encouraged to implement sustainable practices and to purchase environmentally preferable products under this Agreement.

a) Sustainable practices may include such activities as: use of clean energy, use of double-sided printing, hosting low impact meetings, and setting up recycling and composting programs.

b) Purchasing may include such items as: sustainably produced products and services, EPEAT registered computers and imaging equipment, independently certified green cleaning products, remanufactured toner cartridges, products with reduced packaging, office products that are refillable, rechargeable, and recyclable, 100% post-consumer recycled paper, and toxic free products.

For more suggestions visit ECOLOGY's web page, Green Purchasing,

<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Sustainable-purchasing>.

28. TERMINATION

a) For Cause

ECOLOGY may terminate for cause this Agreement with a seven (7) calendar days prior written notification to the RECIPIENT, at the sole discretion of ECOLOGY, for failing to perform an Agreement requirement or for a material breach of any term or condition. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Failure to Commence Work. ECOLOGY reserves the right to terminate this Agreement if RECIPIENT fails to commence work on the project funded within four (4) months after the effective date of this Agreement, or by any date mutually agreed upon in writing for commencement of work, or the time period defined within the Scope of Work.

Non-Performance. The obligation of ECOLOGY to the RECIPIENT is contingent upon satisfactory performance by the RECIPIENT of all of its obligations under this Agreement. In the event the RECIPIENT unjustifiably fails, in the opinion of ECOLOGY, to perform any obligation required of it by this Agreement, ECOLOGY may refuse to pay any further funds, terminate in whole or in part this Agreement, and exercise any other rights under this Agreement.

Despite the above, the RECIPIENT shall not be relieved of any liability to ECOLOGY for damages sustained by ECOLOGY and the State of Washington because of any breach of this Agreement by the RECIPIENT. ECOLOGY may withhold payments for the purpose of setoff until such time as the exact amount of damages due ECOLOGY from the RECIPIENT is determined.

b) For Convenience

ECOLOGY may terminate for convenience this Agreement, in whole or in part, for any reason when it is the best interest of ECOLOGY, with a thirty (30) calendar days prior written notification to the RECIPIENT, except as noted below. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

Non-Allocation of Funds. ECOLOGY's ability to make payments is contingent on availability of funding. In the event funding from state, federal or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to the completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the Agreement, in whole or part, or renegotiate the Agreement, subject to new funding limitations or conditions. ECOLOGY may also elect to suspend performance of the Agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification or restrictions, although ECOLOGY will make a reasonable attempt to provide notice.

In the event of termination or suspension, ECOLOGY will reimburse eligible costs incurred by the RECIPIENT through the effective date of termination or suspension. Reimbursed costs must be agreed to by ECOLOGY and the RECIPIENT. In no

State of Washington Department of Ecology
Agreement No: SWMLSWFA-2021-MaryPW-00008
Project Title: City of Marysville
Recipient Name: CITY OF MARYSVILLE

event shall ECOLOGY's reimbursement exceed ECOLOGY's total responsibility under the Agreement and any amendments. If payments have been discontinued by ECOLOGY due to unavailable funds, the RECIPIENT shall not be obligated to repay monies which had been paid to the RECIPIENT prior to such termination. RECIPIENT's obligation to continue or complete the work described in this Agreement shall be contingent upon availability of funds by the RECIPIENT's governing body.

c) By Mutual Agreement

ECOLOGY and the RECIPIENT may terminate this Agreement, in whole or in part, at any time, by mutual written agreement.

d) In Event of Termination

All finished or unfinished documents, data studies, surveys, drawings, maps, models, photographs, reports or other materials prepared by the RECIPIENT under this Agreement, at the option of ECOLOGY, will become property of ECOLOGY and the RECIPIENT shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials.

Nothing contained herein shall preclude ECOLOGY from demanding repayment of all funds paid to the RECIPIENT in accordance with Recovery of Funds, identified herein.

29. THIRD PARTY BENEFICIARY

RECIPIENT shall ensure that in all subcontracts entered into by the RECIPIENT pursuant to this Agreement, the state of Washington is named as an express third party beneficiary of such subcontracts with full rights as such.

30. WAIVER


Waiver of a default or breach of any provision of this Agreement is not a waiver of any subsequent default or breach, and will not be construed as a modification of the terms of this Agreement unless stated as such in writing by the authorized representative of ECOLOGY.

End of General Terms and Conditions

Index #9

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

AGENDA ITEM:	
Project Acceptance - 2018 Citywide Roadway Re-Striping	
PREPARED BY:	DIRECTOR APPROVAL:
Jesse Perrault	
DEPARTMENT:	
Public Works	
ATTACHMENTS:	
Notice of Physical Completion letter	
BUDGET CODE:	AMOUNT:
10110130.541000	\$94,218.88
SUMMARY:	

The 2018 Citywide Roadway Re-striping Project is an annual contract to re-stripe City streets for traffic control that includes approximately 988,100 lineal feet of 4 and 6-inch white and yellow pavement markings.

The City Council awarded the contract to Apply-A-Line, LLC. on May 14th, 2018 in the amount of \$94,218.88, and the project was completed for that cost.

Work performed under this contract was inspected by City staff, and determined to be physically complete in accordance with the approved plans and specifications, and a Notice of Physical Completion was issued on July 12, 2018.

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to accept the 2018 Citywide Roadway Re-striping Project, and starting the 45-day lien filing period for project closeout.

RECOMMENDED MOTION:

I move to authorize the Mayor accept the 2018 Citywide Roadway Re-striping Project, and start the 45-day lien filing period for project closeout.



PUBLIC WORKS
Kevin Nielsen, *Director*

80 Columbia Avenue
Marysville, Washington 98270
Phone (360) 363-8100
Fax (360) 363-8284

July 12, 2018

Apply-A-Line, LLC
Atten: Michael Susner
175 Roy Road SW Building D
Pacific WA 98047

Subject: 2018 Citywide Roadway Re-striping Project - PHYSICAL COMPLETION

Dear Mr. Susner

In accordance with the contract, this project is considered physically complete as of Friday, July 7, 2018.

This notification does not constitute final acceptance. Recommendation for final acceptance will be sent to the City Council for approval at the first available council meeting.

Upon obtaining acceptance by Council, a notice of completion of public works project will be sent to the following:

1. Certificate of Release from the Department of Revenue
2. Certificate of Release from the Employment Security Department
3. Certificate of Release from the Department of L&I

It has been a pleasure working with Apply-A-Line, LLC on this project. The City looks forward to working with you on future projects.

Sincerely,

A handwritten signature in cursive script that reads "Jesse Perrault".

CITY OF MARYSVILLE
Jesse Perrault
Street Division Supervisor
Public Works Department

Index #10

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

CITY COUNCIL MEETING DATE: 9/27/21

AGENDA ITEM:	
Termination of Easement Encroachment Agreement	
PREPARED BY:	DIRECTOR APPROVAL:
Jon Walker	
DEPARTMENT:	
Legal	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The City Council approved an Easement Encroachment Agreement in 2018. The situation involved a garage that was over the sewer line and a gazebo. The property owner removed the garage and since that time the site has been surveyed and it was determined that the gazebo encroached less than 18 inches into a city sewer easement and will not interfere with the city's maintenance of the easement. The property owner was granted a variance in accordance with MMC 22G.010.420, so that the gazebo may legally remain. Because the Easement Encroachment Agreement was recorded on title a termination should be recorded to provide a clear chain of title.

RECOMMENDED ACTION: Staff recommends that the Council consider authorizing the Mayor to terminate the Easement Encroachment Agreement.

RECOMMENDED MOTION: I move to authorize the Mayor to terminate the Easement Encroachment Agreement.

AFTER RECORDING MAIL TO:

City of Marysville
 Legal Department
 1049 State Avenue
 Marysville, WA 98270

TERMINATION OF EASEMENT ENCROACHMENT AGREEMENT

Grantor: City of Marysville
 Grantee: Trevor P. Trueax and Julie A. Trueax, husband and wife
 Abbreviated Legal: LOT 42, THE HILL
 Additional Legal on page: 3
 Assessor's Tax Parcel No(s): 00877600004200
 Related Documents: 201810230306

An Easement Encroachment Agreement between the parties concerning this parcel was recorded under AFN 201810230306. That Agreement is terminated and no longer of any force or effect. The previous encroachment has been addressed by a variance approved by the City of Marysville on August 11, 2021.

DATED this _____ day of _____, 2021.

CITY OF MARYSVILLE

By: _____
 Jon Nehring, Mayor

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that Jon Nehring is the person who appeared before me and said person acknowledged that he signed this instrument as the Mayor of City of Marysville and acknowledge it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this ____ day of _____, 20__

(Notary Signature)

(Print Name)

NOTARY PUBLIC in and for the State of Washington
Residing at (city): _____
My commission expires: _____

Exhibit A**Legal Description**

LOT 42, THE HILL, ACCORDING TO THE PLAT THEREOF RECORDED UNDER AUDITOR'S FILE NO. 9802275002, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

Index #11

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 9/27/2021

AGENDA ITEM:	
Memorandum of Understanding with the Port of Everett	
PREPARED BY:	DIRECTOR APPROVAL:
Gloria Hirashima, Chief Administrative Officer	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
<ol style="list-style-type: none"> 1. Proposed Memorandum of Understanding with the Port of Everett 2. 2018 Executed Memorandum of Understanding 	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The City and Port of Everett entered into a Memorandum of Understanding (“MOU”) in January 2018 pledging to work together on the Cascade Industrial Center and other economic development efforts in our city and region. The MOU expired in August 2021. The attached MOU would continue the relationship with the Port of Everett through 2023.

<p>RECOMMENDED ACTION: Authorize the Mayor to sign the Memorandum of Understanding with the Port of Everett.</p>

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (“*Memorandum*”) is made as of _____, 2021 by the undersigned parties (each a “*Party*” and together the “*Parties*”).

WHEREAS, City of Marysville, a Washington municipal corporation (the “*City*”), and Port of Everett, a Washington port district (the “*POE*”) work together and have ongoing collaborative interests and efforts between the jurisdictions related to economic development within the Cascade Industrial Center (CIC) and the City in general; and

WHEREAS, this Memorandum expresses the intention of the Parties to continue to work together to formalize these ongoing collaborative interests and efforts as well as explore other partnerships and opportunities in the future.

NOW, THEREFORE, the Parties hereby agree as follows:

1. The Parties will work together on collaborative interests and efforts including:
 - (a) Implementation of the CIC through supporting employer recruitment to the Cascade Industrial Center including assessment, financial consulting, and outreach;
 - (b) Evaluation of entering into a partnership agreement or lease regarding the CIC for job development;
 - (c) Evaluation of partnership opportunities in key growth industries including partnership with Washington State University to establish an incubator for the food processing and seafood industries and a partnership to establish a center of excellence in robotics and/or other advanced technology industries;
 - (d) Evaluation of expanding the boundary of the POE's district to include all or portions of the CIC; and
 - (e) Consideration of other interests and efforts deemed to provide economic development benefits to the City, the POE and Snohomish County.

2. This Memorandum shall be effective until August 31, 2023 unless sooner terminated as provided below in Section 4.

3. Neither Party will be obligated to incur any third-party costs and liabilities in performing the activities anticipated under this Memorandum. Both Parties shall incur all costs and liabilities of their own employees. The Memorandum is not intended to create any third-party benefit unless specifically agreed to in writing by the Parties.

4. Either Party may terminate this Memorandum prior to the expiration date by providing written notice to the other Party.

5. The terms as outlined herein are agreed to by both parties. This Memorandum is non-binding.

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the date first written above.

Port of Everett,
a Washington port district

City of Marysville,
a Washington municipal corporation

By:
Name: Jon Nehring
Title: Mayor_____

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("*Memorandum*") is made as of 1/8, 2019 by the undersigned parties (each a "*Party*" and together the "*Parties*").

WHEREAS, City of Marysville, a Washington municipal corporation (the "*City*"), and Port of Everett, a Washington port district (the "*POE*") work together and have ongoing collaborative interests and efforts between the jurisdictions related to economic development within the Cascade Industrial Center (CIC) and the City in general; and

WHEREAS, this Memorandum expresses the intention of the Parties to continue to work together to formalize these ongoing collaborative interests and efforts as well as explore other partnerships and opportunities in the future.

NOW, THEREFORE, the Parties hereby agree as follows:

1. The Parties will work together on collaborative interests and efforts including:
 - (a) Implementation of the CIC through supporting employer recruitment to the Cascade Industrial Center including assessment, financial consulting, and outreach;
 - (b) Evaluation of entering into a partnership agreement or lease regarding the CIC for job development;
 - (c) Evaluation of partnership opportunities in key growth industries including partnership with Washington State University to establish an incubator for the food processing and seafood industries and a partnership to establish a center of excellence in robotics and/or other advanced technology industries;
 - (d) Evaluation of expanding the boundary of the POE's district to include all or portions of the CIC; and
 - (e) Consideration of other interests and efforts deemed to provide economic development benefits to the City, the POE and Snohomish County.
2. This Memorandum shall be effective until August 31, 2021 unless sooner terminated as provided below in Section 4.
3. Neither Party will be obligated to incur any third-party costs and liabilities in performing the activities anticipated under this Memorandum. Both Parties shall incur all costs and liabilities of their own employees. The Memorandum is not intended to create any third-party benefit unless specifically agreed to in writing by the Parties.
4. Either Party may terminate this Memorandum prior to the expiration date by providing written notice to the other Party.


5. The terms as outlined herein are agreed to by both parties. This Memorandum is non-binding.


IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the date first written above.

Port of Everett,
a Washington port district

By: 
Name: Lisa Lefebvre
Title: CEO/Executive Director

City of Marysville,
a Washington municipal corporation

By: 
Name: Jon Nehring
Title: Mayor

Approved as to form

Jon Walker, City Attorney

Index #12

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

CITY COUNCIL MEETING DATE: 9/27/2021

AGENDA ITEM:	
First Amendment to Maryfest Lease	
PREPARED BY:	DIRECTOR APPROVAL:
Gloria Hirashima, Chief Administrative Officer	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
<ol style="list-style-type: none"> 1. Proposed First Amendment to Commercial Lease of 1408 1st Street. 2. Lease of 1408 1st Street 	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The City leases 1408 1st Street to Maryfest. The attached amendment continues the lease to Maryfest at the rate of \$1000 per month. The amendment reestablishes the responsibility of the lessee to pay leasehold excise tax of \$128.40. The City agreed in its last agreement (in recognition of the pandemic impact) to waive their responsibility to pay leasehold tax, resulting in the City paying the amount to the State. The agreement is an annual lease through September 2022, and continuing thereafter on a month to month tenancy. The City has the right to terminate with 60 days’ written notice. The lessee has the right to terminate with 30 days’ written notice.

RECOMMENDED ACTION: Authorize the Mayor to sign the First Amendment to the Commercial Lease with Maryfest,

FIRST AMENDMENT TO COMMERCIAL LEASE

THIS FIRST AMENDMENT TO COMMERCIAL LEASE AGREEMENT (hereinafter "Lease Agreement"), by and between CITY OF MARYSVILLE (hereinafter the "Lessor") and MARYFEST (hereinafter the "Lessee") is effective on the date of the last signature below.

WHEREAS, the parties entered a lease on _____ a copy of which is attached as Exhibit A.

WHEREAS, the parties wish to continue this lease on the same terms on a month-to-month basis and to modify the payment terms.

The parties agree that all terms of the lease attached as Exhibit A, remain in force except as follows:

3. TERM.

The initial term of the lease is for a one year period beginning on October 1, 2021, and ending on September 30, 2022. After that the lease will continue on a month-to-month basis. Either party may terminate the lease by giving 30 (thirty) days written notice.

4. RENT.

A. Rental Amount. Throughout the entire term of this Lease and any extension or holdover thereof, Lessee covenants and agrees to pay Lessor as rental for said premises the sum of ONE THOUSAND AND NO/100THS DOLLARS (\$1,000.00) per month.

B. Payments. Rent payments shall be due on the first day of each calendar month in advance and shall be paid at:

Marysville City Finance Officer
City of Marysville
1049 State Avenue
Marysville, WA 98270

Or at such other place as may be designated by Lessor.

C. Leasehold Excise Tax. Lessee will pay any leasehold excise tax. The current rate results in a monthly payment of \$1,128.40.

D. Late Charge. In the event Lessee should fail to pay any installment of rent or any sum due hereunder within ten (10) days after the date it is due, Lessee shall pay Lessor a late charge of 5% of the delinquent payment, which late charge shall constitute additional rent due hereunder.

IN WITNESS WHEREOF the parties hereto have executed this First Amendment to Lease the day and year last written below.

LESSOR:

CITY OF MARYSVILLE

JON NEHRING, Mayor

DATE: _____, 2021

<u>LESSEE:</u>
MARYFEST
_____ DATE: _____, 2021
Its: President

COMMERCIAL LEASE

THIS COMMERCIAL LEASE AGREEMENT (hereinafter "Lease Agreement"), is effective this 22nd day of May, 2020, by and between CITY OF MARYSVILLE (hereinafter the "Lessor") and MARYFEST (hereinafter the "Lessee") as follows:

WITNESSETH:

1. THE PREMISES.

The Lessor does hereby lease to Lessee, and Lessee does hereby lease from Lessor, three parcels situated in the City of Marysville, Snohomish County, Washington, described as follows:

PARCEL A:

West 33 feet of Lot 5 and the East 1/2 of Lot 6 in Block 9, D.A. Quinn's First Addition to Marysville, as per plat recorded in Volume 1 of Plats on page 69, records of Snohomish County.

PARCEL B:

Lot 3 in Block 9, D.A. Quinn's First Addition to Marysville, as per plat recorded in Volume 1 of Plats on page 69, records of Snohomish County.

PARCEL C:

Lot 4 and East 17 feet of Lot 5 in Block 9, D.A. Quinn's First Addition to Marysville, as per plat recorded in Volume 1 of Plats on page 69, records of Snohomish County.

Situate in the County of Snohomish, State of Washington.

Tax Parcel Number(s): 005511-009-005-00, 005511-009-003-00 and 005511-009-004-00

Commonly known as 1408 1st Street, Marysville, WA 98270

2. BUSINESS PURPOSE.

The Premises are to be used for the purpose of Maryfest offices, storing and maintaining the Maryfest parade float and related items and for no other business or purpose, without the written consent of Lessor.

3. TERM.

The term of the lease will begin on June 1, 2020, and continue for one year to May 31, 2021. Lessor may terminate the tenancy or modify the terms of the Agreement by giving the Lessee sixty (60) days' written notice. Lessee may terminate the tenancy by giving the Lessor thirty (30) days' written notice.

4. RENT.

A. Rental Amount. Throughout the entire term of this Lease and any extension or holdover thereof, Lessee covenants and agrees to pay Lessor as rental for said premises the sum of ONE THOUSAND AND NO/100THS DOLLARS (\$1,000.00) per month.

B. Payments. Rent payments shall be due on the first day of each calendar month in advance and shall be paid at:

Marysville City Finance Officer
 City of Marysville
 1049 State Avenue
 Marysville, WA 98270

Or at such other place as may be designated by Lessor.

C. Leasehold Excise Tax. Lessor will pay any leasehold excise tax.

D. Late Charge. In the event Lessee should fail to pay any installment of rent or any sum due hereunder within ten (10) days after the date it is due, Lessee shall pay Lessor a late charge of 5% of the delinquent payment, which late charge shall constitute additional rent due hereunder.

5. SECURITY DEPOSIT.

Prior to the commencement of this Lease, the Lessee shall deposit with the Lessor a security deposit in the sum of ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00), as security for the performance of all of the obligations of the Lessee under this Lease (the "Security Deposit"). The Security Deposit shall not be assigned, transferred, pledged, hypothecated or otherwise encumbered by the Lessee. The Lessor shall not be obligated to pay any interest on the Security Deposit unless required by valid Law, and may commingle the Security Deposit with any other security deposits made by any other Lessees of Lessor.

In the event the Lessee fails to perform any of its obligations under this Lease at the time and in the manner provided for in this Lease, the Lessor may without notice, immediately apply all or part of the Security Deposit to compensate the Lessor for all or part of the damages incurred by the Lessor as a result of such default by the Lessee. In such event, the Lessee shall make such additional deposit of money as may be required to replenish the Security Deposit within ten (10) days after demand by the Lessor. Lessor may apply the security deposit to the payment of any sums owing to Lessor in connection with this Lease including, but not limited to, unpaid rent, Lessee damage to the Lease Premises, normal wear and tear resulting from ordinary use of the premises excepted, Lessor's attorney's fees and costs in enforcing this Lease, and payment of any judgment obtained by Lessor in connection with the enforcement of this Lease or the eviction of Lessee; provided that nothing herein shall be construed as requiring Lessor to apply the Security Deposit to payment of any such judgment. In the event the Lessee has fulfilled all of its obligations under this Lease, no later than 30 days after the termination date, the applicable balance of the Security Deposit shall be remitted to the Lessee.

In the event the Lessor sells or assigns its interest in this Lease, the Lessor shall automatically be released from all liability for the Security Deposit upon the delivery or assignment of the Security Deposit to the purchaser or assignee.

6. REPAIRS.

The Premises have been inspected and are accepted by Lessee in their present condition, and Lessee will at all times keep the Premises neat, clean and in a sanitary condition, and will replace any glass of all windows and doors as may become cracked or broken, and except for reasonable wear and tear and damage by fire or other unavoidable casualty, will at all times preserve the Premises in as good repair as they now are or may hereafter be put to. All repairs shall be at Lessee's sole cost and expense, except outside walls, roof and foundation. ✕

7. UTILITIES.

The Lessee hereby covenants and agrees to pay all charges for heat, light, water and sewer, and for all other public utilities which shall be used in or charged against the Premises during the full term of this Lease.

8. INDEMNITY/HOLD HARMLESS.

E. Personal Property. All personal property on said leased Premises shall be at the risk of Lessee.

F. Lessor Not Liable. Lessor or Lessor's agents shall not be liable for any damage, either to person or property, sustained by Lessee or customers, caused by any defects now in said Premises or hereafter occurring therein, or due to the building in which the leased Premises are situated, or any part or appurtenance thereof, becoming in need of repair, or caused by fire or by bursting or leaking of water, gas, sewer or steam pipes, or from any act or neglect of employees, co-Lessee or other occupants of said building, or any other persons, including Lessor or Lessor's agent, or due to the happening of any accident from whatsoever cause in and about said building. In addition and except for claims arising out of the Lessor's negligence, wrongful act or omission, or breach of this Lease, the Lessor shall not be liable for injury to the Lessee's business or assets or any loss of income therefrom or for damage to the Lessee's employees, invitees, customers, or any other person in or about the Premises.

G. Indemnity. The Lessee agrees to defend, indemnify and hold Lessor and Lessor's agents harmless from any and all claims for damages suffered or alleged to be suffered in or about the Premises by any person, firm or corporation.

H. Waiver of Immunity. The Lessor and Lessee each specifically and expressly waive any immunity that each may be granted under the Washington State Industrial Insurance Act, title 51RCW. Neither party's indemnity obligations under this Lease shall be limited by any limitation on the amount or type of damages, compensation, or benefits payable to or for any third party under the Worker Compensation Acts, Disability Benefit Acts or other employee benefit acts.

I. Survival. The provisions of this Section 8 shall survive expiration or termination of this Lease.

9. CARE OF PREMISES.

The Lessor shall not be called upon to make any improvement or repair of any kind upon said Premises, and said Premises shall at all times be kept and used in accordance with the laws of the State of Washington, and in accordance with all directions, rules and regulations of the health officer, fire marshal, building inspector, or other proper officer of any pertinent and authorized public authority, at the sole cost and expense of said Lessee; and Lessee will permit no waste, damage or injury to the Premises, and at Lessee's own cost and expense, will keep all drainage pipes free and clear and open and will protect water, heating and other pipes so that they will not freeze or become clogged, and will repair all leaks, and will also repair all damages caused by acts or by reason of Lessee's failure to protect and keep free, open and unfrozen any of the pipes and plumbing on said Premises. Lessee shall be liable for the removal of rubbish, debris, ice, and snow from the sidewalks at front, rear, and sides of and about said Premises wherever Premises abut or have direct access to sidewalks or other public access.

10. USE.

The Lessee shall conduct and carry on in said Premises, continuously during each and every business day of the terms hereof, the business for which said Premises are leased, and shall not use the Premises for illegal purposes. The Lessee agrees that no stock of goods will be carried or anything done in or about the Premises which will increase the present rate of insurance, provided, however, if the Lessee shall engage in such business with the consent of the Lessor, which business shall increase insurance rates, Lessee shall pay such increase.

11. LIENS AND INSOLVENCY.

The Lessee shall keep the Premises and the property in which the Premises are situated free from any liens arising out of any work performed, materials furnished or obligations incurred by Lessee. In the event Lessee becomes insolvent, voluntarily or involuntarily bankrupt, or if a receiver, assignee or other liquidating officer is appointed for the business of the Lease, then the Lessor may cancel this Lease at Lessor's option.

12. ASSIGNMENT.

The Lessee shall not, without the written consent of the Lessor or Lessor's agents, let or sublet the whole or any part thereof, nor assign this Lease or any part thereof without the written consent of the Lessor, or Lessor's agents. In the event of any assignment so consented to, a minimum charge of 50% of one month's rent shall be made by Lessor for the services in transferring or assigning this Lease, and shall be paid by Lessee. This minimum charge shall have no effect on any commission agreement between the Lessee and any real estate broker. This Lease shall not be assignable by operation of law. If consent is once given by the Lessor to the assignment of this Lease, or any interest therein, Lessor shall not be barred from afterwards refusing to consent to any further assignment.

13. ACCESS.

The Lessee will allow Lessor or Lessor's agents free access at all reasonable times to the Premises for the purpose of inspection or of making repairs, additions or alterations to the Premises or any property owned by or under the control of Lessor, but this right shall not be

construed as an agreement on the part of the Lessor to make any repairs, all of such repairs to be made by the Lessee as aforesaid. Lessee agrees that at the expiration or sooner termination of this Lease, Lessee will quit and surrender the said Premises without notice, and in a neat and clean condition, and shall deliver up all keys belonging to said Premises to the Lessor or Lessor's agents. The Lessor shall have the right to place and maintain "For Rent" signs in a conspicuous place on said Premises 60 days prior to the expiration of this Lease. Lessor shall have the right to show the interior of the Premises to interested parties 90 days prior to the expiration of this Lease.

14. POSSESSION.

In the event of the inability of Lessor to deliver possession of the Premises, or any portion thereof, at the time of the commencement of the term of this Lease, neither Lessor nor Lessor's agents shall be liable for any damage caused thereby, nor shall this Lease thereby become void or voidable, nor shall the term herein specified be in any way extended; but in such event, Lessee shall not be liable for any rent until such time as Lessor can deliver possession. If the Lessor shall deliver possession of the Premises to the Lessee prior to the commencement of this Lease, Lessee agrees to accept same at such time and both Lessor and Lessee agree to be bound by all of the provisions and obligations hereunder during such prior period.

15. FIRE AND OTHER CASUALTY.

A. Fire. In the event the Premises are destroyed or damaged by fire, earthquake or other casualty to such an extent as to render the same unusable in whole or in a substantial part thereof, it shall be optional with the Lessor to rebuild or repair the same; and after the happening of any such contingency, the Lessee shall give Lessor or Lessor's agents immediate written notice thereof. Lessor shall have not more than 90 days after date of such notification to notify the Lessee in writing of Lessor's intentions to rebuild or repair said Premises, or the part so damaged as aforesaid, and if Lessor elects to rebuild or repair said Premises, Lessor shall prosecute the work of such rebuilding or repairing without unnecessary delay, and during such period the rent of said Premises shall be abated in the same ratio that that portion of the Premises rendered for the time being unfit for occupancy shall bear to the whole of the leased Premises. If the Lessor shall fail to give the notice aforesaid, Lessee shall have the right to declare this Lease terminated by written notice served upon the Lessor or Lessor's agents.

B. Condemnation. If the Premises are made unusable by eminent domain, or conveyed under a threat of condemnation, this Lease shall automatically terminate as of the earlier of the date title vests in the condemning authority or the condemning authority first has possession of the Premises and all Rents and other payments shall be paid to that date. In case of taking of a part of the Premises that does not render the Premises unusable, then this Lease shall continue in full force and effect and the base monthly rent shall be equitably reduced based on the proportion by which the floor area of any structures is reduced, such reduction in Rent to be effective as of the earlier of the date the condemning authority first has possession of such portion of title vests in the condemning authority. The Lessor shall be entitled to the entire award from the condemning authority attributable to the value of the Premises and the Lessee shall make no claim for the value of its leasehold. The Lessee shall be permitted to make a separate

claim against the condemning authority for moving expenses or damages resulting from interruption in its business, provided that in no event shall the Lessee's claim reduce the Lessor's award.

16. NOTICES.

Any notice required to be served in accordance with the terms of this Lease shall be sent by registered mail, the notice from the Lessee to be sent to: 1049 State Avenue, Marysville, WA 98270, or address later provided to the Lessee, and the notice from the Lessor and Personal Guarantor to be sent at the leased Premises.

17. GOVERNMENTAL FEES.

All fees due the City, County or State on account of any inspection made on said Premises by any officer thereof shall be paid by Lessee.

18. SIGNS.

All signs or symbols placed in the windows or doors or elsewhere about the Premises, or upon any exterior part of the building, by the Lessee shall be subject to the approval of the Lessor. In the event Lessee shall place signs or symbols on the exterior of said building, or in the windows or doors or elsewhere where they are visible from the street, that are not satisfactory to the Lessor, the Lessor may immediately demand the removal of such signs or symbols, and the refusal of the Lessee to comply with such demand within a period of 24 hours will constitute a breach of this Lease, and entitle the Lessor to immediately recover possession of said Premises in the manner provided by law. Any signs so placed on the Premises shall be so placed upon the understanding and agreement that Lessee will remove same at the termination of the tenancy herein created and repair any damage or injury to the Premises caused thereby, and if not so removed by Lessee then Lessor may have same removed at Lessee's expense.

19. ALTERATIONS.

The Lessee shall not make any alterations, additions or improvements in said Premises, without the consent of Lessor in writing first had and obtained, and all alterations, additions and improvements which shall be made, shall be at the sole cost and expense of lessee, and shall become the property of the Lessor, and shall remain in and be surrendered with the Premises as a part thereof at the termination of this Lease, without disturbance, molestation or injury. If the Lessee shall perform work with the consent of the Lessor, as aforesaid, lessee agrees to comply with all laws, ordinances, rules and regulations of the pertinent and authorized public authorities. The Lessee further agrees to save the Lessor free and harmless from damage, loss or expense arising out of the said work.

20. DEFAULT AND RE-ENTRY.

If any rents above reserved, or any part thereof, shall be and remain unpaid when the same shall become due, or if Lessee shall violate or default in any of the covenants and agreements herein contained, then the Lessor may cancel this Lease upon giving notice required by law, and re-enter said Premises, but notwithstanding such re-entry by the Lessor, the liability of the Lessee for the rent provided for herein shall not be extinguished for the balance of the terms of this Lease, and Lessee covenants and agrees to make good to the Lessor any deficiency

arising from a re-entry and re-letting of the Premises at a lesser rental than herein agreed to. The Lessee shall pay such deficiency each month as the amount thereof is ascertained by the Lessor.

21. COSTS AND ATTORNEY'S FEES.

If by reason of any default on the part of the Lessee it becomes necessary for the Lessor to employ an attorney or in case Lessor shall bring suit, to recover any rent due hereunder, or for breach of any provision of this Lease or to recover possession of the leased Premises, or if Lessee shall bring any action for any relief against Lessor, declaratory or otherwise, arising out of this Lease and Lessor shall prevail in such action, then and in any of such events Lessee shall pay Lessor a reasonable attorney's fee and all costs and expenses expended or incurred by the Lessor in connection with such default or action.

22. NON-WAIVER OF BREACH.

The failure of the Lessor to insist upon strict performance of any of the covenants and agreements of this Lease, or to exercise any option herein conferred in any one or more instances, shall not be construed to be a waiver or relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.

23. REMOVAL OF PROPERTY.

In the event of any entry in, or taking possession of, the leased Premises as aforesaid, the Lessor shall have the right, but not the obligation to remove from the leased Premises all personal property located therein, and may store the same in any place selected by the Lessor, including but not limited to a public warehouse, at the expense and risk of the owners thereof, with the right to sell such stored property, without notice to Lessee, after it has been stored for a period of Thirty (30) days or more, the proceeds of such sale to be applied first to the cost of such sale, second to the payment of the charges for storage, if any, and third to the payment of any other sums of money which may then be due from Lessee to Lessor under any of the terms hereof, the balance, if any, to be paid to Lessee.

24. HEIRS AND SUCCESSORS.

Subject to the provisions hereof pertaining to assignment and subletting, the covenants and agreements of this Lease shall be binding upon the heirs, legal representatives, successors and assigns of any or all of the parties hereto.

25. HOLD-OVER.

If the Lessee shall, with the written consent of Lessor, hold over after the expiration of the term of this Lease, such tenancy shall be for an indefinite period of time on a month-to-month tenancy, which tenancy may be terminated as provided by the Laws of the State of Washington. During such tenancy Lessee agrees to pay to the Lessor the same rate of rental as set forth herein, unless a different rate is agreed upon, and to be bound by all of the terms, covenants, and conditions as herein specified, so far as applicable.

26. COMMISSION.

There are no commissions due.

27. INSURANCE.

A. Liability Insurance. During the Lease term, the Lessee shall pay for and maintain commercial general liability insurance with broad form property damage and contractual liability endorsements. This policy shall name the Lessor and Lessor's lender(s) as an additional insured, and shall insure the Lessee's activities and those of the Lessee's employees, officers, contractors, licensees, agents, servants, guests, invitees or visitors with respect to the Premises against loss, damage or liability for personal injury or bodily injury (including death) or loss or damage to property with a combined single limit of not less than \$2,000,000.00, and a deductible of not more than \$5,000.00. The Lessee's insurance will be primary and noncontributory with any liability insurance carried by the Lessor.

B. Property Insurance. During the Lease term, the Lessee shall pay for and maintain special form cause of loss coverage property insurance (with coverage for earthquake and, if the Premises are in a flood plain, flood damage) for the Premises in the amount of their full replacement value, with a deductible of not more than \$5,000.00. The property insurance policy shall name the Lessee as the insured and the Lessor and the Lessor's lender(s) as additional insureds, with loss payable to the Lessor, the Lessor's lender(s), and the Lessee as their interests may appear.

C. Miscellaneous. Insurance required under this Section shall be with companies rated A-V or better in Best's Insurance Guide, and which are authorized to transact business in the State of Washington. No insurance policy shall be cancelled or reduced in coverage and each such policy shall provide that it is not subject to cancellation or a reduction in coverage except after thirty (30) days prior written notice to the Lessor. The Lessee shall deliver to the Lessor upon commencement of the Lease and from time to time thereafter, copies of the insurance policies or evidence of insurance and copies of endorsements required by this Section. In no event shall the limit of such policies be considered as limiting the liability of the Lessee under this Lease. If the Lessee fails to acquire or maintain any insurance or provide any policy or evidence of insurance required by this Section, the Lessor may, but shall not be required to, obtain such insurance for the Lessor's benefit and the Lessee shall reimburse the Lessor for the costs of such insurance upon demand. Such amounts shall be additional rent payable by the Lessee hereunder and in the event of non-payment thereof, the Lessor shall have the same rights and remedies with respect to such non-payment as it has with respect to any other non-payment of rent hereunder.

D. Waiver of Subrogation. The Lessor and Lessee hereby release each other and any other Lessee, their agents or employees, from responsibility for, and waive their entire claim of recovery for any loss or damage arising from any cause covered by insurance required to be carried or otherwise carried by each of them. Each party shall provide notice to the insurance carrier or carriers of this mutual waiver of subrogation, and shall cause its respective insurance carriers to waive all rights of subrogation against the other. This waiver shall not apply to the extent of the deductible amounts to any such policies or to the extent of liabilities exceeding the limits of such policies.

28. HAZARDOUS WASTE.

The Lessee shall not cause or permit any Hazardous Material to be brought upon, kept, or used in or about, or disposed of on the Premises by the Lessee, its agents, employees, contractors or invitees, except in strict compliance with all applicable federal, state and local laws, regulations, codes and ordinances. If the Lessee breaches the obligations stated in the preceding sentence, then the Lessee shall indemnify, defend and hold the Lessor harmless from any and all claims, judgments, damages, penalties, fines, costs, liabilities or losses including, without limitation, diminution in the value of the Premises, damages for the loss or restriction on use of rentable or usable space or of any amenity of the Premises, or elsewhere, damages arising from any adverse impact on marketing of space at the Premises, and sums paid in settlement of claims, attorneys' fees, consultant fees and expert fees incurred or suffered by the Lessor either during or after the Lease term. These indemnifications by the Lessee include, without limitation, costs incurred in connection with any investigation of site conditions or any clean-up, remedial, removal or restoration work, whether or not required by any federal, state or local governmental agency or political subdivision, because of Hazardous Material present in the Premises, or in soil or ground water on or under the Premises. The Lessee shall immediately notify the Lessor or any inquiry, investigation or notice that the Lessee may receive from any third party regarding the actual or suspected presence of Hazardous Material on the Premises.

Without limiting the foregoing, if the presence of any Hazardous Material brought upon, kept or used in or about the Premises by the Lessee, its agents, employees, contractors or invitees, results in any unlawful release of Hazardous Material on the Premises or any other property, the Lessee shall promptly take all actions, at its sole expense, as are necessary to return the Premises or any other property, to the condition existing prior to the release of any such Hazardous Material; provided that the Lessor's approval of such actions shall first be obtained, which approval may be withheld at Lessor's sole discretion.

As used herein, the term "Hazardous Material" means any hazardous, dangerous, toxic or harmful substance, material or waste including biomedical waste which is or becomes regulated by any local governmental authority, the State of Washington or the United States Government due to its potential harm to the health, safety or welfare of humans or the environment. The provisions of this Section shall survive expiration or termination of this Lease.

29. TRANSFER OF LESSOR'S INTEREST.

This Lease shall be assignable by the Lessor without the consent of the Lessee. In the event of any transfer or transfers of the Lessor's interest in the Premises, other than a transfer for security purposes only, upon the assumption of this Lease by the transferee, the Lessor shall be automatically relieved of obligations and liabilities accruing from and after the date of such transfer, except for any retained security deposit or prepaid rent, and the Lessee shall attorn to the transferee.

30. ENTIRE AGREEMENT.

This Lease contains all of the covenants and agreements between the Lessor and Lessee relating to the Premises. No prior or contemporaneous agreements or understanding pertaining to

the Lease shall be valid or of any force or effect and the covenants and agreements of this Lease shall not be altered, modified or added to except in writing signed by the Lessor and Lessee.

31. SEVERABILITY.

Any provision of this Lease which shall prove to be invalid, void or illegal shall in no way affect, impair or invalidate any other provision of this Lease.

32. FORCE MAJEURE.

Time periods for either party's performance under any provisions of this Lease (excluding payment of Rent) shall be extended for periods of time during which the party's performance is prevented due to circumstances beyond such party's control, including without limitation, fires, floods, earthquakes, lockouts, strikes, embargoes, governmental regulations, acts of God, public enemy, war or other strife.

33. GOVERNING LAW.

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

34. MEMORANDUM OF LEASE.

The Lessor may at its sole option, record a Memorandum of Lease in recordable form that identifies the Lessor and Lessee, the commencement and expiration dates of the Lease, and the legal description of the Premises.


35. AUTHORITY OF PARTIES.

Each party signing this Lease represents and warrants to the other that it has the authority to enter into this Lease, that the execution and delivery of this Lease has been duly authorized, and that upon such execution and delivery this Lease shall be binding upon and enforceable against the party on signing.

IN WITNESS WHEREOF the parties hereto have executed this Lease the day and year first above written.

LESSOR:

CITY OF MARYSVILLE



JON NEHRING, Mayor

LESSEE:

MARYFEST



Alice VanBeek
Its: President

Index #13

CITY OF MARYSVILLE AGENDA BILL**EXECUTIVE SUMMARY FOR ACTION****CITY COUNCIL MEETING DATE: September 27th, 2021**

AGENDA ITEM:	
Professional Services Agreement between City of Marysville and Strategies 360 for Consultant Services	
PREPARED BY:	DIRECTOR APPROVAL:
Gloria Hirashima, Chief Administrative Officer	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
1. Professional Services Agreement	
BUDGET CODE:	AMOUNT:
00100110 541000	\$174,000
SUMMARY:	

The proposed agreement establishes a professional services agreement for lobbying services for Strategies 360 Inc. to provide general government lobbyist services for the City's state and federal priorities. The proposed contract is a multi-year contract extending through the 2023 legislative session. Strategies 360 has provided general lobbying services for the city since 2007.

RECOMMENDED ACTION:

Approve proposed professional services agreement.

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF MARYSVILLE
AND STRATEGIES 360, INC.**

THIS AGREEMENT (“Agreement”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (“City”), and Strategies 360, Inc., a limited liability corporation, incorporated in Washington], organized under the laws of the state of Washington, located and doing business at 1505 Westlake Ave N, Suite 1000, Seattle, WA 98109 (“Consultant”).

In consideration of the terms, conditions, covenants, and performances contained herein, the parties hereto agree as follows:

- 1. SCOPE OF SERVICES.** The Consultant shall provide the work and services described in the attached **EXHIBIT A**, incorporated herein by this reference (the “Services”). All services and materials necessary to accomplish the tasks outlined in the Scope of Services shall be provided by the Consultant unless noted otherwise in the Scope of Services or this Agreement. All such services shall be provided in accordance with the standards of the Consultant’s profession.
- 2. TERM.** The term of this Agreement shall commence on September 1, 2021 and shall terminate at midnight on August 30, 2023. The parties may extend the term of this Agreement by executing a written supplemental amendment.
- 3. COMPENSATION.** The Consultant shall be paid by the City for Services rendered under this Agreement as described in **EXHIBIT A** and as provided in this section. In no event shall the compensation paid to Consultant under this Agreement exceed \$3500 per month for September through December 2021 (out of session rate) plus expenses and \$12500 per month for January through May (2022 Regular Legislative Session plus one month) and \$3500 per month June through December 2022 (out of session rate) plus expenses and \$3500 per month for July through December 2023. (**\$14,000 plus expenses for September -December 2021; \$87,000 plus expenses for 2022; \$73,000.00 plus expenses for January-August 2023**) within the term of the Agreement, including extensions, without the written agreement of the Consultant and the City. Such payment shall be full compensation for the Services and for all labor, materials, supplies, equipment, incidentals, and any other expenses necessary for completion.

The Consultant shall submit a monthly invoice to the City for Services performed in the previous calendar month in a format acceptable to the City. The Consultant shall maintain time and expense records and provide them to the City upon request.

The City will pay timely submitted and approved invoices received before the 20th of each month within thirty (30) days of receipt.

4. CONSULTANT'S OBLIGATIONS.

4.1 MINOR CHANGES IN SCOPE. The Consultant agrees to accept minor changes, amendments, or revisions to the scope of the Services, as may be required by the City, when such changes, amendments, or revisions will not have any impact on the cost of the Services or the proposed delivery schedule.

4.2 ADDITIONAL WORK. The City may desire to have the Consultant perform additional work or services which are not identified in the scope of the Services. If the parties agree to the performance of additional work or services, the parties will execute a written supplemental amendment detailing the additional work or services and compensation therefore. In no event will the Consultant be compensated for preparing proposals for additional work or services. In no event shall the Consultant begin work contemplated under a supplemental amendment until the supplemental amendment is fully executed by the parties.

4.3 WORK PRODUCT AND DOCUMENTS. The work product and all documents produced under this Agreement shall be furnished by the Consultant to the City, and upon completion of the Services shall become the property of the City, except that the Consultant may retain one copy of the work product and documents for its records. The Consultant will be responsible for the accuracy of the Services, the work product, and all documents produced under this Agreement, even though the Services have been accepted by the City.

In the event that the Consultant defaults on this Agreement or in the event that this Agreement is terminated prior to the completion of the Services or the time for completion, all work product and all documents and other materials produced under this Agreement, along with a summary of work as of the date of default or termination, shall become the property of the City. The summary of Services provided shall be prepared at no additional cost to the City. Upon request, the Consultant shall tender the work product, all documents, and the summary to the City within five (5) business days. Tender of said work product shall be a prerequisite to final payment under this Agreement.

The Consultant will not be held liable for reuse of work product or documents produced under this Agreement or modification of the work product or documents for any purpose other than those identified in this Agreement without the written authorization of the Consultant.

4.4 PUBLIC RECORDS ACT. Consultant acknowledges that the City is subject to the Public Records Act, chapter 42.56 RCW (the "PRA"). All records owned, used, or retained by the City are public records subject to disclosure unless exempt under the PRA, whether or not the records are in the possession or control of the City or Consultant. All exemptions to the PRA are narrowly construed.

a. **Confidential Information.** Any records provided to the City by the Consultant which contain information that the Consultant in good faith believes is not

subject to disclosure under the PRA shall be marked “Confidential” and shall identify the specific information that the Consultant in good faith believes is not subject to disclosure under the PRA and a citation to the statutory basis for non-disclosure.

b. **Responding to Public Records Requests.** The City shall exercise its sole legal judgment in responding to public records requests.

- (1) The City may rely upon the lack of notification from the Consultant in releasing any records that are not marked “Confidential.”
- (2) If records identified as “Confidential” by the Consultant are responsive to a PRA request, the City will seek to provide notice to Consultant at least ten (10) business days before the date on which the City anticipates releasing records. The City is under no obligation to assert any applicable exemption on behalf of the Consultant. The Consultant may seek, at its sole cost, an injunction preventing the release of information which it believes is protected. In no event will the City have any liability to Consultant for any failure of the City to provide notice prior to release.
- (3) If the City, in its sole legal judgment, believes that the Consultant possesses records that (1) are responsive to a PRA request and (2) were used by the City, the City will request the records from the Consultant. The Consultant will, within ten (10) business days:
 - i. Provide the records to the City in the manner requested by the City;
 - ii. Obtain a court injunction, in a lawsuit involving the requester, covering all, or any confidential portion of, the records and provide any records not subject to the court injunction; or
 - iii. Provide an affidavit, in a form acceptable to the City Attorney, specifying that the Consultant has made a diligent search and did not locate any requested documents.

c. **Indemnification.** In addition to its other indemnification and defense obligations under this Agreement, the Consultant shall indemnify and defend the City from and against any and all losses, penalties, fines, claims, demands, expenses (including, but not limited to, attorneys fees and litigation expenses), suits, judgments, or damages (collectively “Damages”) arising from or relating to any request for records related to this Agreement, to the extent such Damages are caused by action or inaction of the Consultant. This indemnification and defense obligation shall survive the expiration or termination of this Agreement.

4.5 MAINTENANCE/INSPECTION OF RECORDS. The Consultant shall maintain all books, records, documents, and other evidence pertaining to the costs and expenses allowable under this Agreement in accordance with generally accepted accounting practices. All

such books and records required to be maintained by this Agreement shall be subject to inspection and audit by representatives of the City and/or the Washington State Auditor at all reasonable times, and the Consultant shall afford the proper facilities for such inspection and audit. Representatives of the City and/or the Washington State Auditor may copy such books, accounts, and records where necessary to conduct or document an audit. The Consultant shall preserve and make available all such books of account and records for a period of three (3) years after final payment under this Agreement. In the event that any audit or inspection identifies any discrepancy in such financial records, the Consultant shall provide the City with appropriate clarification and/or financial adjustments within thirty (30) calendar days of notification of the discrepancy.

4.6 INDEMNITY.

a. **Indemnification and Hold Harmless.** The Consultant shall defend, indemnify, and hold the City, its officers, officials, employees, and volunteers harmless from any and all claims, injuries, damages, losses, or suits including attorney fees, arising out of or resulting from the acts, errors, or omissions of the Consultant in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.

b. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, hereunder shall be only to the extent of the Consultant's negligence.

c. The provisions of this Section 4.6 shall survive the expiration or termination of this Agreement.

d. The Consultant hereby knowingly, intentionally, and voluntarily waives the immunity of the Industrial Insurance Act, Title 51 RCW, solely for the purposes of the indemnity contained in subpart "a" of this Section 4.6. This waiver has been mutually negotiated by the parties.

_____ (City Initials) _____ (Contractor Initials)

4.7 INSURANCE.

a. **Insurance Term.** The Consultant 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 Services hereunder by the Consultant, its agents, representatives, or employees.

b. **No Limitation.** Consultant's maintenance of insurance as required by the Agreement shall not be construed to limit the liability of the Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available

at law or in equity.

c. **Minimum Scope of Insurance.** Consultant shall obtain insurance of the types and coverage 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.
- (2) Commercial General Liability insurance shall be at least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the Services performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
- (3) Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
- (4) Professional Liability insurance appropriate to the Consultant's profession.

d. **Minimum Amounts of Insurance.** Consultant 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.
- (3) Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.

e. **Other Insurance Provision.** The Consultant'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 self-insured pool coverage maintained by the City shall be excess of the Consultant's insurance and shall not contribute with it.

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

g. **Verification of Coverage.** The Consultant 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 Consultant before commencement of the Services.

h. **Notice of Cancellation.** The Consultant shall provide the City with written notice of any policy cancellation within two business days of the Consultant's receipt of such notice.

i. **Failure to Maintain Insurance.** Failure on the part of the Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days notice to the Consultant to correct the breach, immediately terminate the Agreement or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due the Consultant from the City.

j. **Insurance to be Occurrence Basis.** Unless approved by the City all insurance policies shall be written on an "Occurrence" policy as opposed to a "Claims-made" policy. The City may require an extended reporting endorsement on any approved "Claims-made" policy. Professional liability insurance may be written on a "Claims-made" basis if it is maintained for a period of three (3) years following completion of the services.

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

4.8 LEGAL RELATIONS. The Consultant shall comply with all federal, state, and local laws, regulations, and ordinances applicable to the Services to be performed under this Agreement. The Consultant represents that it and all employees assigned to perform any of the Services under this Agreement are in full compliance with the statutes of the State of Washington governing the Services and that all personnel to be assigned to the Services are fully qualified and properly licensed to perform the work to which they will be assigned.

4.9 INDEPENDENT CONTRACTOR.

a. The Consultant and the City understand and expressly agree that the Consultant is an independent contractor in the performance of each and every part of this Agreement. The Consultant expressly represents, warrants, and agrees that the Consultant's status as an independent contractor in the performance of the Services required under this Agreement is consistent with and meets the six-part independent contractor test set forth in RCW 51.08.195 or as hereafter amended. The Consultant, as an independent contractor, assumes the entire responsibility for carrying out and

accomplishing the Services required under this Agreement. The Consultant shall not make a claim of City employment and shall not claim any related employment benefits, social security, and/or retirement benefits.

b. The Consultant shall be solely responsible for paying all taxes, deductions, and assessments, including but not limited to federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement. In the event the City is assessed a tax or assessment as a result of this Agreement, the Consultant shall pay the same before it becomes due.

c. The City may, during the term of this Agreement, engage other independent contractors to perform the same or similar work to the Services that the Consultant performs under this Agreement.

d. Prior to commencement of Services, the Consultant shall obtain a business license from the City.

4.10 EMPLOYMENT.

a. The term “employee” or “employees” as used herein shall mean any officers, agents, or employee of the Consultant.

b. Any and all employees of the Consultant, while performing any Services under this Agreement, shall be considered employees of the Consultant only and not of the City. The Consultant shall be solely liable for: (1) any and all claims that may or might arise under the Workman’s Compensation Act, Title 51 RCW, on behalf of any said employees while performing any Services under this Agreement, and (2) any and all claims made by any third party as a consequence of any negligent act or omission on the part of the Consultant or its employees while performing any Services under this Agreement.

c. The Consultant represents, unless otherwise indicated below, that all employees of the Consultant that will perform any Services under this Agreement have never been retired from a Washington State retirement system, including but not limited to Teacher (TRS), School District (SERS), Public Employee (PERS), Public Safety (PSERS), law enforcement and fire fighters (LEOFF), Washington State Patrol (WSPRS), Judicial Retirement System (JRS), or otherwise. *(Please use initials to indicate No or Yes below.)*

_____ No, employees performing the Services have never been retired from a Washington state retirement system.

_____ Yes, employees performing the Services have been retired from a Washington state retirement system.

In the event the Consultant checks “no”, but an employee in fact was a retiree of a Washington State retirement system, and because of the misrepresentation the City is required to defend a claim by the Washington State retirement system, or to make contributions for or on account of the employee, or reimbursement to the Washington State retirement system for benefits paid, the Consultant hereby agrees to save, indemnify, defend and hold the City harmless from and against all expenses and costs, including reasonable attorney fees incurred in defending the claim of the Washington State retirement system and from all contributions paid or required to be paid, and for all reimbursement required to the Washington State retirement system. In the event the Consultant checks “yes” and affirms that an employee providing work has ever retired from a Washington State retirement system, every said employee shall be identified by the Consultant and such retirees shall provide the City with all information required by the City to report the employment with Consultant to the Department of Retirement Services of the State of Washington.

4.11 NONASSIGNABLE. Except as provided in **EXHIBIT B**, the Services to be provided by the Consultant shall not be assigned or subcontracted without the express written consent of the City.

4.12 SUBCONTRACTORS AND SUBCONSULTANTS.

a. The Consultant is responsible for all work or services performed by subcontractors or subconsultants pursuant to the terms of this Agreement.

b. The Consultant must verify that any subcontractors or subconsultants the Consultant directly hires meet the responsibility criteria for the Services. Verification that a subcontractor or subconsultant has proper license and bonding, if required by statute, must be included in the verification process. If the parties anticipate the use of subcontractors or subconsultants, the subcontractors or subconsultants are set forth in **EXHIBIT B**.

c. The Consultant may not substitute or add subcontractors or subconsultants without the written approval of the City.

d. All subcontractors or subconsultants shall have the same insurance coverage and limits as set forth in this Agreement and the Consultant shall provide verification of said insurance coverage.

4.13 CONFLICTS OF INTEREST. The Consultant agrees to and shall notify the City of any potential conflicts of interest in Consultant’s client base and shall obtain written permission from the City prior to providing services to third parties when a conflict or potential conflict of interest exists. If the City determines in its sole discretion that a conflict is irreconcilable, the City reserves the right to terminate this Agreement.

4.14 CITY CONFIDENCES. The Consultant agrees to and will keep in strict confidence, and will not disclose, communicate, or advertise to third parties without specific prior written consent from the City in each instance, the confidences of the City or any information regarding the City or the Services provided to the City.

4.15 DISCRIMINATION PROHIBITED AND COMPLIANCE WITH EQUAL OPPORTUNITY LEGISLATION. The Consultant agrees to comply with equal opportunity employment and not to discriminate against any client, employee, or applicant for employment or for services because of race, creed, color, religion, national origin, marital status, sex, sexual orientation, age, or handicap except for a bona fide occupational qualification with regard, but not limited to, the following: employment upgrading; demotion or transfer; recruitment or any recruitment advertising; layoff or terminations; rates of pay or other forms of compensation; selection for training; or rendition of services. The Consultant further agrees to maintain (as appropriate) notices, posted in conspicuous places, setting forth its nondiscrimination obligations. The Consultant understands and agrees that if it violates this nondiscrimination provision, this Agreement may be terminated by the City, and further that the Consultant will be barred from performing any services for the City now or in the future, unless a showing is made satisfactory to the City that discriminatory practices have been terminated and that recurrence of such action is unlikely.

4.16 UNFAIR EMPLOYMENT PRACTICES. During the performance of this Agreement, the Consultant agrees to comply with RCW 49.60.180, prohibiting unfair employment practices.

5. CITY APPROVAL REQUIRED. Notwithstanding the Consultant's status as an independent contractor, the Services performed pursuant to this Agreement must meet the approval of the City, which shall not be unreasonably withheld if the Services have been completed in compliance with the Scope of Services and City requirements.

6. GENERAL TERMS.

6.1 NOTICES. Receipt of any notice shall be deemed effective three (3) calendar days after deposit of written notice in the U.S. mail with proper postage and address.

Notices to the City shall be sent to the following address:

CITY OF MARYSVILLE
 Gloria Hirashima
 Chief Administrative Officer
 1049 State Avenue
 Marysville, WA 98270

Notices to the Consultant shall be sent to the following address:

STRATEGIES 360, INC.
 C/O Ron Dotzauer
 1505 Westlake Ave N, Suite 1000
 Seattle, WA 98109

6.2 TERMINATION. The City may terminate this Agreement in whole or in part at any time by sending written notice to the Consultant. As per Section 6.1, the Consultant is deemed to have received the termination notice three (3) calendar days after deposit of the termination notice in the U.S. mail with proper postage and address. The termination notice is deemed effective seven (7) calendar days after it is deemed received by the Consultant.

If this Agreement is terminated by the City for its convenience, the City shall pay the Consultant for satisfactory Services performed through the date on which the termination is deemed effective in accordance with payment provisions of Section 3, unless otherwise specified in the termination notice. If the termination notice provides that the Consultant will not be compensated for Services performed after the termination notice is received, the City will have the discretion to reject payment for any Services performed after the date the termination notice is deemed received.

6.3 DISPUTES. The parties agree that, following reasonable attempts at negotiation and compromise, any unresolved dispute arising under this Agreement may be resolved by a mutually agreed-upon alternative dispute resolution of arbitration or mediation.

6.4 EXTENT OF AGREEMENT/MODIFICATION. This Agreement, together with exhibits, attachments, and addenda, represents the entire and integrated Agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended, modified, or added to only by a written supplemental amendment properly signed by both parties.

6.5 SEVERABILITY.

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

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

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

6.7 FAIR MEANING. The terms of this Agreement shall be given their fair meaning and shall not be construed in favor of or against either party hereto because of authorship. This Agreement shall be deemed to have been drafted by both of the parties.

6.8 GOVERNING LAW. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

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

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

6.11 AUTHORITY TO BIND PARTIES AND ENTER INTO AGREEMENT. The undersigned represent that they have full authority to enter into this Agreement and to bind the parties for and on behalf of the legal entities set forth herein.

DATED this _____ day of _____, 20____.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

DATED this _____ day of _____, 20____.

STRATEGIES 360

By _____
Ron Dotzauer
Its:

ATTEST/AUTHENTICATED:

_____, Deputy City Clerk

Approved as to form:

Jon Walker, City Attorney

EXHIBIT A

Marysville Scope of Work – September 2021 thru August 2023

State Legislative Work (2022 session)

1. Marysville downtown/waterfront revitalization trail and park funding (Capital Budget Request)
2. Homeless, Mental Health and Opioid Addiction funding for County (County, Health District, Cities)
3. Connecting Washington – Support for existing transportation projects in Marysville area (SR 529 interchange, 4th Street Interchange improvements, 88th Street Interchange improvements, 156th Street Interchange, 172nd Street NE widening).
4. Grove Street Grade Separation (Transportation Budget Request)
5. 156th Street Overcrossing Grade Separation (Transportation Budget Request)
6. Cascade Industrial Center (CIC) continued recognition and support
7. Work on capital project funding for city projects including parks, trails, public safety and general city facilities.
8. Participate in efforts to advance the AWC legislative agenda to affect issues of interest for cities.
9. Participate in efforts to advance the Snohomish County cities legislative priorities.
10. Keep abreast of other legislation, policy issues and news that may affect the City.

Federal Legislative Work (2022 session)

1. Seek funding opportunities and advocate for transportation, environmental restoration, parks and trails (LWCF funds), public safety, and economic development projects within the City through the federal appropriations or grant processes.
2. Advocate for transportation mitigation projects and grade separation funding to mitigate the adverse impacts of increased train travel through Marysville.
3. Advocate to Congress and federal agencies on the behalf of Marysville as issues arise.
4. MIC Infrastructure support.
5. Downtown/waterfront revitalization plan
6. Community Development Block Grant funding through HUD – continued support for program.
7. Homeless/mental health funding.

Index #14

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27th, 2021

AGENDA ITEM:	
Memorandum of Understanding – Volunteer Reception Center (VRC) with Grove Church	
PREPARED BY:	DIRECTOR APPROVAL:
Kassidy Aldrich, Emergency Management Outreach Specialist (AmeriCorps)	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
Memorandum of Understanding	
BUDGET CODE:	AMOUNT:
SUMMARY:	

The City is proposing to establish a Memorandum of Understanding with the Grove Church located at 4705 Grove Street. The purpose is to designate their facility as a Volunteer Reception Center (VRC) in the event of a major disaster or emergency large enough to require the management of volunteers. This would be the designated facility for trained emergency management volunteers to report to and where the City’s volunteer management efforts would take place. In the event of a VRC activation, the City would reimburse the Grove Church for any food, supplies, utilities, or other such items used during response.

<p>RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to sign and execute the Memorandum of Understanding with the Grove Church regarding the use of its facility as a Volunteer Reception Center.</p> <p>RECOMMENDED MOTION: I move to authorize the Mayor to sign and execute _____.</p>

Memorandum of Understanding

This Memorandum of Understanding (“Memorandum”) is entered into by and between the City of Marysville (the “City”) and The Grove Church (“Grove Church”) as of the last signature date below.

RECITALS

WHEREAS, the City desires to designate certain facilities in the City to be volunteer reception centers in the event of a disaster or emergency; and

WHEREAS, the Grove Church owns and operates the property located at 4705 Grove St, Marysville, WA, 98270 (the “Property”); and

WHEREAS, the Property is ideally suited to act as a Volunteer Reception Center in the event of an emergency. A Volunteer Reception Center is a site that volunteers report to and that acts as a coordination center that directs volunteer activities throughout the city during an emergency; and

WHEREAS, the parties desire to designate the Property to be a Volunteer Reception Center, and to use the Property as the same in the event of an emergency.

NOW, THEREFORE, the City and Grove Church agree as follows:

MEMORANDUM

1. Purpose. The purpose of this Memorandum is to define the relationship between the City and the Grove Church during an emergency. Specifically, the Grove Church acknowledges the intent for the Property to serve as a Volunteer Reception Center. For the purposes of this Memorandum, “emergency” shall be considered an event or natural disaster that reasonably necessitates the provision of relief services to residents, and shall include but not be limited to: earthquakes, floods, landslides, terrorist attacks, or fires.
2. Term and Termination. The term of this Memorandum will be for 5 years unless either party terminates it earlier by providing the other forty-five (45) days advance written notice.
3. Use of Property.
 - a. The City may access and utilize the Property as a Volunteer Reception Center in the event of an emergency. Such use of the Property shall include the interior of buildings and the facilities/equipment located therein, such as:
 - i. Office equipment (including telephones, fax machines, computers, internet access, copy machines, and printers).
 - ii. Furniture (including tables, chairs, desks, cots, wheelchairs, and dollies).
 - iii. Building amenities (including restrooms, cafeterias, and water fountains).
 - iv. Meeting spaces (including offices and conference rooms).
 - v. Parking spaces for city employees and volunteers.

- b. The parties agree that the City may use the Property as a Volunteer Reception Center for as long as is reasonably necessary to respond to the emergency.
4. Access. In the event of an emergency, the parties agree that the City may access the Property upon two hours' notice to the Grove Church.
5. Grove Church Points of Contact. The Grove Church will designate one primary and one backup point of contact. These points of contact will all have access to the Property and be able to open/unlock any buildings. In the event the City needs to utilize the Property as a Volunteer Reception Center, it will attempt to first contact the primary contact, however if it is unable to reach that contact the City may instead contact the backup contact.
- a. Primary Point of Contact:
- Theresa Kerr
4705 Grove Street
360-659-2276
- b. Backup Contact:
6. City Point of Contact. The City's point of contact for this Memorandum shall be:
- Emergency Management Officer
1049 State Avenue
360-363-8000
7. Volunteer Reception Center Plan. The City may in the future develop a Volunteer Reception Center plan that will outline the City's intended use of the Property as a Volunteer Reception Center (for the purposes of this Section, the "Plan"). If the City does develop such a Plan, then the City will provide a draft of the Plan to the Grove Church so that it can provide any input, recommendations, or concerns to the City, and the City will attempt to develop a Plan that is acceptable to both parties.
8. City Obligations. In the event the Property is utilized as a Volunteer Reception Center during an emergency, the City will ensure the reimbursement or replacement to the Grove Church for any food, supplies, utilities, or other such items that are used by the City. The City will additionally ensure that any post-emergency cleanup is performed to return the Property to substantially the same condition it was in prior to its use as a Volunteer Reception Center.

9. Indemnification. The City shall defend, indemnify, and hold the Grove Church harmless from any and all claims, injuries, damages, losses, or suits including attorney fees, arising out of or in connection with the exercise of the City’s rights described by this memorandum, except for injuries and damages caused by the negligence or willful misconduct of the Grove Church.

10. Notices. Except for notice to access the Property as described in in Section 4, which may be provided in person, telephonically, by electronic mail, or by any other means reasonably calculated to provide notice, any notice or other communication required or permitted in this Memorandum will be in writing and will be deemed to have been made either (1) when delivered personally to the party to whom it is directed (or any officer or agent of such party); (2) upon being deposited in the United States' mail, postage prepaid, return receipt requested, and properly addressed to the other party; or (3) upon delivery by electronic mail. Either party may change their contact information by providing written notice to the other party.

11. Recitals. The recitals will be incorporated into and be considered a part of this Memorandum.

IN WITNESS WHEREOF, the parties have executed this memorandum as of the last date written below.

GROVE CHURCH:

By:

Date

Its:

CITY OF MARYSVILLE:

Jon Nehring, Mayor

Date

Approved as to form:

Jon Walker, City Attorney

Index #15

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

CITY COUNCIL MEETING DATE: September 27th, 2021

AGENDA ITEM:	
Marysville Civic Center Supplemental Tower TI Agreement & Funding Allocation	
PREPARED BY:	DIRECTOR APPROVAL:
Bryan Milligan	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
Supplemental Agreement No. 1	
BUDGET CODE:	AMOUNT:
	\$8,942,019.26
SUMMARY:	

This supplemental agreement will encompass all major aspects to complete the 37,239 square foot four story shelled-in City Hall portion of the ongoing Civic Center project. This agreement will include all interior structural and non-structural framing, electrical, mechanical, plumbing and all interior finishes over the four levels. The City Hall portion of the Civic Center will house our Executive, Legal, Human Resources, Finance, Information Services, Public Works Engineering, Community Development and Utility Billing Departments. This build out will complete the vision of the one stop shop for downtown Marysville by bringing all the customer orientated staff to a single location. It will also house an updated server room, communication rooms, Council Chambers & Workroom, as well as a secondary Emergency Operations Center for Marysville. This new contract would have +/- 4 months of overlap with the current phase of construction. We feel the direct continuation of work by all trades will result in the best possible conclusion of the overall project.

Included in the supplemental funding amount are costs for all associated permits to complete the TI project, development of the Delta Civic Plaza to the full extents of its design and the COVID-19 Impact Costs for the first phase of Construction. The plaza expansion will connect the new Civic Center to Comeford Park and create a community space that will lend itself to a vast array of event opportunities. The COVID-19 impact costs stem from the Contractors compliance with the Governor’s mandates that resulted in new regulations on the project that were not able to be anticipated at time of bidding. This satisfies all claims for cost recovery for the time period starting March 16, 2020 and ending June 30th, 2021.

(See Attached)

Tower TI Agreement:	\$ 7,014,140.00
Sales Tax @ 9.3%	\$ 652,315.02
Management Reserve @ 5%	\$ 383,322.75
Delta Civic Plaza Full Expansion	\$ 642,241.49
COVID-19 Impact Costs	<u>\$ 250,000.00</u>
Total Allocation	\$ 8,942,019.26

RECOMMENDED ACTION:

Staff recommends that Council authorize the Mayor to sign and execute the Marysville Civic Center Supplemental Agreement with Lydig Construction, Inc. in the amount of \$7,666,455.02 including Washington State Sales Tax and a management reserve of \$383,322.75. The supplemental Agreement includes an amendment to cover the full development of the Delta Civic Plaza and COVID-19 cost to be paid as a change order to ongoing MCC contract 18-1051 for a total allocation of \$8,942,019.26

RECOMMENDED MOTION:

I move to authorize the Mayor to sign and execute the Marysville Civic Center Supplemental Agreement for \$8,942,019.26.

**SUPPLEMENTAL AGREEMENT NO. 1 TO
PUBLIC WORKS CONTRACT BETWEEN
CITY OF MARYSVILLE
AND LYDIG CONSTRUCTION, INC.**

THIS SUPPLEMENTAL AGREEMENT NO. 1 (“Supplemental Agreement No. 1”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (“City”) and Lydig Construction, Inc., a Washington corporation (“Contractor”).

WHEREAS, the parties hereto have previously entered into an contract to complete the Marysville Civic Campus Project (the “Original Agreement”), said Original Agreement being dated January 13, 2020; and

WHEREAS, both parties desire to supplement the Original Agreement, by expanding the Scope of Services to provide for tenant improvements and to provide compensation therefore;

NOW THEREFORE, in consideration of the terms, conditions, covenants, and performances contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

1. The “SCOPE OF SERVICES” in Section I of the Original Agreement, shall be supplemented by Exhibit A-1, attached hereto and by this reference made part of this Supplemental Agreement No. 1, and a part of the Original Agreement. Documents referenced by Exhibit A-1 are also made part of this Supplemental Agreement No. 1 and the Original Agreement.

2. Section II of the Original Agreement, “TERM”, is amended to add that the parties agree to extend the term of the Original Agreement in regard to the tenant improvements identified in Exhibit A-1 so that 154 days are added to the deadline for substantial completion of the entire project. The deadline for substantial completion of the Public Safety and Jail portion of the project remains as set forth in the Original Agreement with occupancy of those portions expected prior to the tenant improvements being completed on the remainder of the project.

3. Section III of the Original Agreement, “COMPENSATION AND METHOD OF PAYMENT”, is amended to include the additional Contractor fee of \$7,014,140.00 (Seven Million, Fourteen Thousand, One Hundred Forty Dollars), excluding Washington State Sales Tax, and shall read as follows: “The lump sum/total itemized amount of the Contract is fifty five million, three hundred ten thousand, three hundred twenty five dollars and two cents (\$55,310,325.02) including Washington State Sales Tax.” The additional Contractor fee is based on the proposal/bid submitted by the Contractor dated September 10, 2021.

The total compensation payable to the Contractor is summarized as follows:

Original Agreement	\$47,643,870.00
Supplemental Agreement No.1	\$7,014,140.00 (7,666,455.02 w/tax)

Grand Total

\$ 55,310,325.02

4. Section 16.1 “CONTRACTOR’S RESPONSIBILITY FOR SAFETY” of the Construction Agreement Between Owner and Contractor, is amended to read: “Contractor shall at all times be responsible for all aspects of safety in connection with the Work, including initiating, maintaining and supervising all safety precautions and programs, including establishing and enforcing access restrictions such as exclusion zones required by applicable health and safety regulations, including COVID-related health and safety regulations. Such responsibility for safety includes, without limitation, the obligations set forth in the remainder of this Article 16. Contractor shall at all times perform the Work, or ensure that it is performed, in a manner to avoid the risk of bodily injury to persons or risk of damage to any property. Contractor shall promptly take all precautions which are necessary and adequate against any conditions that involve a risk of bodily harm to persons or a risk of damage to any property. Contractor shall continuously inspect all Work, materials and equipment to discover and determine the existence of any such conditions and shall be solely responsible for discovery, determination and correction of any such conditions.

5. Contractor will secure bonding for the additional contract amount as required by section IV. BONDING AND RETAINAGE of the Original Agreement.

6. Each and every provision of the Original Agreement dated January 13, 2020, shall remain in full force and effect, except as modified herein.

DATED this _____ day of _____, 2021.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

DATED this _____ day of _____, 2021.

LYDIG CONSTRUCTION, INC.

By _____
[Name]
Its: [Title]

ATTEST/AUTHENTICATED:

_____, Deputy City Clerk

Approved as to form:

Jon Walker, City Attorney

EXHIBIT A – 1
SUPPLEMENTAL AGREEMENT NO. 1



September 10, 2021

Mr. Bryan Milligan
80 Columbia Ave
Marysville, WA 98270

RE: Marysville Civic Center – Tenant Improvement Pricing

Dear Bryan,

Lydig Construction, Inc. is pleased to submit the attached Proposal for the Marysville Civic Center Tenant Improvements in Marysville, WA for the amount of **Seven Million, Fourteen Thousand, One Hundred Forty Dollars (\$7,014,140.00), excluding Washington State Sales Tax.**

The following information provides information and additional details for our estimate.

DOCUMENTS:

- Bid Set Drawings by BNH Architects, dated 8/6/2021
- Division 3-28 Specifications by BNH Architects, transmitted on 8/16/2021
- Addendum #1 by BNH Architects, dated 8/20/2021
- Addendum #2REV by BNH Architects, dated 8/27/2021
- Addendum #3 by BNH Architects, dated 9/1/2021

CLARIFICATIONS & ASSUMPTIONS:**General Conditions**

- Project duration is based on a 9-month construction schedule with a notice to proceed on September 22, 2021.
- Project construction will overlap by approximately by 4 months with the ongoing Civic Center work, which generates efficiencies with current general conditions.
- Pricing assumes parking lots will be utilized for laydown area as well as existing trailer lot will remain for use during this project duration.

Architectural & Structural

- We did not include any markerboards and tackboards
- Signage is assumed to be by Owner per original Civic Center scope of work
- Steel joist analysis work will not begin until NTP is received
- Alternate products/substitution requests:
 - 083300 - Coiling Fire & Smoke Rated Doors (Wayne Dalton in lieu of specified McKeon)

Mechanical, Electrical, Fire Protection, Security Electronics

- Based on the request from the City of Marysville, we solicited competitive bids from 3 electrical subcontractors. The following are the bid results:

▪ Ewing Electric	\$1,454,000.00
▪ D&S Electrical	\$1,695,600.00
▪ Milne	\$1,722,700.00
- We have included the costs from Ewing Electric within this proposal. We would anticipate similar results if other scopes were competitively bid out. Onsite subcontractors are able to provide less mobilization and start up costs, thus generating cost efficiencies for this tenant improvement scope.

Exclusions:

- Washington State Sales Tax
- Building permits and fees
- All Public Utility charges and fees
- Temporary power and water consumption fees
- Special or 3rd Party inspections
- 122413 - Roller Shades & Window Treatments
- Connection fees and assessments (paid for by the Owner)
- Builder's Risk Insurance (Provided by the Owner)
- OFOI furniture, cubicles, desks, chairs, etc.
- Residential and commercial appliances
- Site work
- FFE items

Lydig Construction, Inc. would like to thank you for the opportunity to work with the City of Marysville on this project. We feel that our expertise and capabilities will ensure an efficient and successful project, while continuing our efforts on the current Civic Center project. If you have any questions, please feel free to call.

Sincerely,



Kevin McCarry
Senior Project Manager

Cc: Melody Cross, Andrew Johnson, Tim Casad

Attachments:

Marysville Civic Center TI Pricing Breakdown
All Subcontractor Proposals and Breakdowns
Marysville Civic Center TI CPM Schedule



Marysville Civic Center Tenant Improvements

Proposal
9/10/2021

Total SF
33,301

PRICING BREAKDOWN			PROJECT COSTS	\$/SF
Division 2 - EXISTING CONDITIONS				
	Lydig Self-Perform - Survey/Control, Demo Work	LCI	\$ 48,103	\$ 1.44
Division 3 - CONCRETE				
	030000 - CIP Concrete - Coring/Patching, Concrete, MEP Pac	w/ above	\$ 22,479	\$ 0.68
	033300 - Sealed Concrete Surfaces	Flooring Solutions	\$ 6,600	\$ 0.20
Division 5 - METALS				
	051200 - Structural Steel Framing	WA Iron Works	\$ 263,744	\$ 7.92
	052100 - Steel Joist Framing	ProSteel	\$ 7,500	\$ 0.23
	Lydig Self-Perform - Steel Counter & Dias Wall Supports	LCI	\$ 17,159	\$ 0.52
	054000 - Cold-Formed Metal Framing	w/ 092216	\$ -	\$ -
Division 6 - WOOD & PLASTICS				
	062000 - Rough Carpentry	LCI	\$ 42,188	\$ 1.27
	064023 - Interior Architectural Woodwork	Genothen	\$ 260,812	\$ 7.83
	066116 - Solid Surface Fabrication	w/ 064023	\$ -	\$ -
Division 7 - THERMAL & MOISTURE PROTECTION				
	071326 - Membrane Roofing Demo & Patch Back	Axiom D7	\$ 24,105	\$ 0.72
	078413 - Penetration Firestopping	w/ Trades	\$ -	\$ -
	079200 - Joint Sealants	LCI	\$ 10,000	\$ 0.30
Division 8 - DOORS & WINDOWS				
	081113 - HM Doors & Frames	Cascade Door	\$ 214,286	\$ 6.43
	081416 - Flush Wood Doors	w/ 081113	\$ -	\$ -
	Lydig Self-Perform - Inventory, Load/Sort, Hoisting	LCI	\$ 6,589	\$ 0.20
	083113 - Access Doors & Frames	LCI	\$ 4,500	\$ 0.14
	083300 - Coiling Fire & Smoke Rated Doors	OH Innovations	\$ 38,264	\$ 1.15
	087100 - Finish Hardware	w/ 081113	\$ -	\$ -
	088000 - Glazing	Seattle Glass	\$ 89,700	\$ 2.69
	088300 - Mirrors	w/ 088000	\$ -	\$ -
Division 9 - FINISHES				
	092216 - Non-Structural Metal Framing	Vanderlip	\$ 793,563	\$ 23.83
	092900 - Gypsum Board	w/ 092216	\$ -	\$ -
	093000 - Tiling	Quality Floors	\$ 113,776	\$ 3.42
	095000 - Wood Grille Ceiling Panels	Acoustical Design	\$ 389,013	\$ 11.68
	095100 - Acoustical Tile Ceilings	w/ 095000	\$ -	\$ -
	096500 - Resilient Flooring	Great Floors	\$ 302,646	\$ 9.09
	096513 - Resilient Base and Accessories	w/ 096500	\$ -	\$ -
	096816 - Carpet	w/ 096500	\$ -	\$ -
	097200 - Wall Coverings	Alba Painting	\$ 77,708	\$ 2.33
	097720 - Fiberglass Reinforced Wall Panels	Alba Painting	\$ 3,300	\$ 0.10
	098300 - Spray On Acoustical Finish Systems	Norkote	\$ 159,763	\$ 4.80
	098433 - Sound Absorbing Wall Units	SnapTex	\$ 6,250	\$ 0.19
	098436 - Sound Absorbing Ceiling Units	w/ 095000	\$ -	\$ -
	098453 - Sound Barrier Mullion Trim Cap	w/ 088000	\$ -	\$ -
	099123 - Interior Painting	Alba Painting	\$ 193,000	\$ 5.80
	099300 - Staining and Transparent Finishing	w/ 064023	\$ -	\$ -
Division 10 - SPECIALTIES				
	Lydig Self-Perform - Installation of Div 10 Supply Items	LCI	\$ 16,615	\$ 0.50
	102100 - Toilet Compartments	Li'I Chief Specialties	\$ 39,043	\$ 1.17
	102600 - Wall Protection	LCI	\$ 12,000	\$ 0.36
	105200 - Fire Protection Specialties	LCI	\$ 4,500	\$ 0.14
	108010 - Toilet and Bath Accessories	w/ 102100	\$ -	\$ -
Division 21				
	210000 - Fire Protection	Fireshield	\$ 130,049	\$ 3.91
Division 22-23				
	220000 - Plumbing	Pipe Construction	\$ 1,229,076	\$ 36.91
	230000 - HVAC	w/ 220000	\$ -	\$ -
Division 26-28				
	260000 - Electrical	Ewing Electric	\$ 1,482,546	\$ 44.52
	270000 - Telecom and AV	w/ 260000	\$ -	\$ -
	280000 - Security Electronics	CML Security	\$ 171,102	\$ 5.14
TOTALS			\$ 6,179,980	\$ 185.58

PROJECT COST OF WORK TOTAL		\$	6,179,980	\$	185.58
Lydig General Conditions		\$	419,700		
SUBTOTAL		\$	6,599,680	\$	198.18
Lydig Fee On Work	4.25%	\$	280,486		
Payment and Performance Bond	0.85%	\$	56,097		
General Liability Insurance	0.71%	\$	46,858		
B&O Tax	0.47%	\$	31,018		
ESTIMATE TOTAL		\$	7,014,140	\$	210.63

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

CITY COUNCIL MEETING DATE: September 27th, 2021

AGENDA ITEM:	
Budget Update: Funding for MCC Soft Costs & Associated Small Projects	
PREPARED BY:	DIRECTOR APPROVAL:
Bryan Milligan	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
BUDGET CODE:	AMOUNT:
	\$ 2,619,046.60
SUMMARY:	

In prior budget, the Council approved allocation of funding for soft costs for the Civic Center. Staff is providing additional budget update regarding small projects directly associated with the new Civic Center.

Soft Costs for MCC & TI (Contract specified Owner furnished items & furnishings)	\$ 1,750,000.00
MCC – Tower Rooftop Solar Array - Design & Construction (Anticipated 20 year ROI, 25 year Warranty on materials)	\$ 265,000.00
MCC – Perimeter Fence & Gates	\$ 170,000.00
MCC – Wayfinding Signage Package (Required for Certificate of Occupancy)	\$ 118,000.00
MCC – Facilities Storage Container/s (To house project spec'd Owner Stock items)	\$ 6,200.00
Public Parking Lot at 1405 5 th Street (Improvement costs outside grant eligibility)	\$ <u>87,000.00</u>
Subtotal	\$ 2,396,200.00
Sales Tax @ 9.3%	\$ 222,846.60

RECOMMENDED ACTION:
No action. This is an update only.

Index #16

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

CITY COUNCIL MEETING DATE: 09/27/2021

AGENDA ITEM:	
A RESOLUTION OF THE CITY OF MARYSVILLE AUTHORIZING A \$393,753.00 INTERFUND LOAN FROM THE GENERAL FUND 001 TO THE COVID 119 FUND 119, AND ESTABLISHING A PAYMENT PLAN	
PREPARED BY:	DIRECTOR APPROVAL:
Sandy Langdon, Finance Director	
DEPARTMENT:	
Finance	
ATTACHMENTS:	
Proposed Resolution	
BUDGET CODE:	AMOUNT:
SUMMARY:	

In the fourth quarter of 2020 the City entered into an agreement with Snohomish County to provide COVID-19 business relief grants to businesses within the city limits. The amount of the agreement was \$393,753.00 and a completion date of December 30, 2020.

The City granted the full amount of the agreement to businesses within the completion deadline and requested reimbursement from the County prior to the end of the year. Reimbursement funds were received on March 10, 2021, after the end of the year resulting in a negative cash balance.

To adjust the negative cash balance to be reflected properly in the financial statements requires an interfund loan. The proposed resolution establishes the interfund loan and provides for a payment plan.

<p>RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to sign and execute the Resolution Authorizing a \$393,753.00 Interfund Loan from the General Fund 001 to the COVID 19 Fund 119 and Establishing a Payment Plan.</p> <p>RECOMMENDED MOTION: I move to authorize the Mayor to sign and execute Resolution No. _____.</p>
--

CITY OF MARYSVILLE
Marysville, Washington

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF MARYSVILLE AUTHORIZING A
\$393,753.00 INTERFUND LOAN FROM THE GENERAL FUND 001
TO THE COVID 19 FUND 119, AND ESTABLISHING A PAYMENT PLAN.**

WHEREAS, the COVID 19 (Fund) was established in 2020, and

WHEREAS, the Fund receives federal funding on a reimbursement basis, and

WHEREAS, the pandemic created a higher need for disbursement of CARES Act funds, and

WHEREAS, the need for short-term financing is necessary and accordingly, establish an short-term inter-fund loan from the General Fund; and

WHEREAS, Code of Federal Regulations (CFR) Title 2, Sub-Section 200.449 – Interest identifies interest on use of non-Federal entity’s own funds is an unallowable cost; and

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

There is established an inter-fund loan in the amount of \$393,753.00 from the General Fund 001 to the COVID 19 Fund 119.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE that

The Loan shall be repaid from the COVID Fund 119 to the General Fund 001 on or before 10/1//2021.

ADOPTED by the City Council at an open public meeting this _____ day of _____, 2020.

CITY OF MARYSVILLE

By _____
Jon Nehring, MAYOR

Attest:

By _____
Jan Berg, CITY CLERK


Approved as to form:

By _____
Jon Walker, CITY ATTORNEY

Index #17

CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: September 27, 2021

AGENDA ITEM:	
Downtown Master Plan (PA19045)	
PREPARED BY:	DIRECTOR APPROVAL:
Chris Holland, Planning Manager	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
<ol style="list-style-type: none"> 1. PC Recommendation 2. PC Minutes (03.09.21, 06.08.21, 06.22.21, 07.13.21, 08.03.21 & 09.14.21 Draft) 3. Final Supplemental Environmental Impact Statement (FSEIS) 4. Ordinances: <ol style="list-style-type: none"> a. Downtown Master Plan and Design Regulations (MMC 22C.080) b. MMC 22E.040 <i>Downtown Planned Action</i> amendments c. General Amendments to the MMC, related to repealing 2009 DMP d. MMC Chapter 3.103 <i>Multifamily Property Tax Exemptions</i> amendments e. MMC Chapter 22C.160 <i>Signs</i> amendments 	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

The City received Engrossed Second Substitute House Bill (E2HSB) 1923 grant funding from Washington State Department of Commerce in order to update the 2009 Downtown Master Plan (DMP), including adoption of a Planned Action Final Supplemental Environmental Impact Statement (FSEIS) and Form Based Code (FBC). MAKERS Architecture & Urban Design, Transpo Group, BERK Consulting and Perteet, were retained by the City in order to assist with this effort.

Adoption of the update to the DMP would also require a number of amendments to the MMC to remove obsolete references from the 2009 DMP. Also proposed, are amendments to MMC Chapter 3.103 *Multifamily Housing Property Tax Exemption* increasing the boundary to coincide with the DMP boundary and reducing the minimum threshold of housing units from 20 to 10, and amendments to MMC Chapter 22C.160 *Signs* to incorporate sign regulations for the newly created zones within the updated DMP.

The Planning Commission held a duly advertised public hearing on September 14, 2021 and recommended City Council approve the proposed amendments to the City's comprehensive plan and adopt the update to the DMP, design regulations and associated amendments to the MMC.

RECOMMENDED ACTION:

Affirm the Planning Commission Recommendation adopting the 2021 Downtown Master Plan, design regulations and associated amendments to the MMC.

RECOMMENDED MOTIONS:

Move to adopt Ordinance No. ____, approving the update to the Downtown Master Plan and Design Regulations.

Move to adopt Ordinance No. ____, approving amendments to MMC 22E.040 *Downtown Planned Actions*.

Move to adopt Ordinance No. ____, approving general amendments to the MMC, related to repealing the 2009 Downtown Master Plan.

Move to adopt Ordinance No. ____, approving amendments to MMC Chapter 3.103 *Multifamily Property Tax Exemptions*.

Move to adopt Ordinance No. ____, approving amendments to MMC Chapter 22C.160 *Signs*.



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 FAX

PC Recommendation - Downtown Master Plan

The Planning Commission of the City of Marysville, having held a public hearing on September 14, 2021, in review of a NON-PROJECT Action update to the 2009 Downtown Master Plan (DMP) as an amendment to the 2015 Marysville Comprehensive Plan; and having concurrently considered adoption of a Supplemental Environmental Impact Statement (SEIS), amendments to MMC 22E.040 *Downtown Planned Actions*, MMC Chapter 22C.080 *Downtown Master Plan Area - Design Requirements*, general amendments to the MMC related to repealing the 2009 DMP, MMC Chapter 22C.160 *Signs* and MMC Chapter 3.103 *Multifamily Property Tax Exemption*; and having considered the exhibits and testimony presented, does hereby enter the following findings, conclusion and recommendation for consideration by Marysville City Council:

FINDINGS:

1. The Planning Commission held public work sessions in review of the DRAFT Downtown Master Plan, SEIS, Form Based Code and associated amendments to the MMC on March 9, 2021, June 8, 2021, June 22, 2021, July 13, 2021 and August 3, 2021.
2. The Community Development Department and consultant team conducted public engagement, including a survey distributed to the Growth Management Task Force (GMTF) in May 2020, and video-conference meetings with the GMTF in June, July and October 2020 and *Social PinPoint Interactive Map* survey distributed to Marysville residents and other interested parties in the Summer of 2020
3. The Community Development Department submitted the DRAFT Downtown Master Plan, SEIS, Form Based Code and associated amendments to the MMC to the State of Washington Department of Commerce for review pursuant to RW 36.70A.106.
4. The Planning Commission was provided public comments received throughout the review process and took into consideration testimony received from staff and the public at the duly-advertised public hearing held on September 14, 2021.

CONCLUSION:

At the public hearing, the Planning Commission recommended adoption of the NON-PROJECT Action update to the 2009 DMP as an amendment to the 2015 Marysville Comprehensive Plan; adoption of a Supplemental Environmental Impact Statement (SEIS), adoption of amendments to MMC 22E.040 *Downtown Planned Actions*, adoption of amendments to MMC Chapter 22C.080 *Downtown Master Plan Area - Design Requirements*, adoption of general amendments to the MMC related to repealing the 2009 DMP, adoption of amendments to MMC Chapter 22C.160 *Signs* and adoption of amendments to MMC Chapter 3.103 *Multifamily Property Tax Exemption*.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of Approval of the NON-PROJECT Action update to the 2009 DMP, SEIS, Form Based Code and associated amendments to the MMC, by the Marysville Planning Commission this 14th day of September, 2021.

By: _____

Steve Leifer, Planning Commission Chair

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
March 9, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the March 9, 2021 Planning Commission meeting to order via Zoom at 5:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Kevin Johnson, Commissioner Kristen Michal, Commissioner Roger Hoen, Commissioner Brandon Whitaker

Excused: Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Interim Community Development Director Allan Giffen, Project Specialist Janis Lamoureux, Recording Secretary Laurie Hugdahl

APPROVAL OF MINUTES

February 9, 2021 Planning Commission Minutes

Motion to approve the February 9, 2021 Planning Commission Meeting Minutes made by Commissioner Hoen, seconded by Commissioner Michal.

AYES: Leifer, Johnson, Michal, Hoen

ABSTAIN: Andes, Whitaker

February 23, 2021 Planning Commission Minutes

Vice Chair Andes referred to the last paragraph on page 3 and noted he had intended to say there were seven properties that could be impacted by this that could not be built as mini storage because of their small size.

Commissioner Whitaker referred to the same paragraph and noted that the last sentence should refer to Mr. Metcalf instead of Mr. Belmark.

Motion to approve the February 23, 2021 Planning Commission Meeting Minutes as amended made by Vice Chair Andes, seconded by Commissioner Whitaker.

AYES: ALL

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There were none.

NEW BUSINESS

Downtown Master Plan

Planning Manager Holland introduced this item. As of today he has received three mostly positive public comments. One individual asked about whether or not the City is contemplating tiny homes. Staff responded to the individual related to the work done by the Planning Commission and what was ultimately approved by Council. Council has approved the state-mandated amendment to allow tiny homes within RV parks.

Rachel Miller, Urban Designer and Planner, Makers, who is the consultant for the Downtown Master Plan, made the PowerPoint presentation. She reviewed existing conditions including assets and challenges. A study of housing needs was also done which found a need for affordable housing and accessible housing for older adults. With community engagement they have heard a lot about upgrading Town Center. They also heard about a wide range of improvements that people want. These were incorporated in the goals and objectives statements. Meetings with the Growth Management Task Force helped to clarify priorities, goals, and challenges. A Developer's Forum discussed the downtown Marysville story, assets, challenges, interest in waterfront sites as catalysts, and interest in lowering the cost of development through means such as multi-family tax exemptions (MFTEs), relaxing parking minimums, reviewing impact fees, doing the Planned Action Environmental Impact Statement (EIS), and looking at ground-floor as commercial requirements. Regarding upcoming engagement, the draft plan and Supplemental Environmental Impact Statement (SEIS) are out for public comment until March 29, 2021. The Cultural Task Force will be meeting to ensure Marysville's diverse voices are heard.

Ms. Miller summarized the Urban Design Framework and reviewed major recommendations of the Plan by major geographic areas. She reviewed the land use map with the proposed zones paired with street front designations and design standards.

Waterfront Area:

- Redevelopment strategies – promote sites, seek partners, facilitate catalyst projects, reduce minimum parking requirements, allow MFTEs for smaller developments, and focus on ground floor retail requirement.

- Along 60th Place NE – multiuse trail under I-5
- Ebey Waterfront Trail – as opportunities arise

Commissioner Whitaker referred to the Waterfront Area and asked about impacts of its proximity to the sewage treatment plant in bringing development to that location. Ms. Miller thought since it was a large site it wasn't a large concern with developers they have talked to. Planning Manager Holland agreed and added that access to the trails and parks, the beautiful views, access to I-5 and the proximity to the University were seen as overriding any negatives of the site.

Town Center:

- Long-term opportunity – as long-term leases expire, retail trends changing, city investments sparking interest
- Downtown Core zone designation – most intense mixed use zone
- Encourage infill and full development
- Allow commercial, residential, artisan/small workshop
- Connect Civic Center, Old Town, and Entertainment District

Commissioner Whitaker asked if there would be overlap with the design charette from the State Avenue Master Plan they did a few years ago. Planning Manager Holland explained that plan had been stalled and wasn't necessarily supported by elected officials. The intent was to improve the entire corridor, to put in nodes for SWIFT stations, and increase density around the nodes. Rather than allowing for additional densities outside of the downtown area, Council really wanted to focus on the downtown area. One of the things that came out of the State Avenue Master Plan process was identifying locations of future SWIFT stations and ensuring that engineering, design, and development standards will require adequate right-of-way for future stations. Ms. Miller added that right-of-way is constrained in certain areas. The proposed street designations require that if there is not enough space to accommodate a nice wide sidewalk plus landscaping, then the building would have to be set back far enough to accommodate that. The street designations would focus activity on key streets and ensure safety/comfort for people walking, biking and rolling. Through-block connections are planned with development.

Civic Center:

- The plan is to leverage the City's recent ongoing investment and the Swift BRT (Bus Rapid Transit) station
- Continue Comeford Park planning
- Delta Avenue/4th Intersection – important for safe pedestrian and bicycle crossings
- State Avenue appearance
- Downton Core
- Pro forma analysis showed that a building with 5 stories of residential over two stories of parking and ground story commercial is marginally feasible
- Encourage redevelopment by expanding MFTE and relaxing parking minimums

- Area between 5th and 4th and Delta and State is proposed as a 5 residential over two retail

Chair Leifer asked about the pro forma analysis. Ms. Miller explained that they took comps from similar places around the region and compared rents. Planning Manager Holland noted that a copy of this was on page 6 of Appendix C and is based on a square foot per month comparison.

Residential:

- Variations on missing middle housing
- Leverage recent/ongoing investment
- North-south bike route
- East-west bike route

Missing Middle Housing:

- not single family and not big multi-family types of housing such as duplex, triplex, fourplex, bungalow court, courtyard apartment, townhouse, multiplex, live/work buildings
- focus on affordability and walkability
- Pro forma analysis on a townhouse site used reduced parking, flexibility with fire access requirements and design standards

Planning Manager Holland noted that this pro forma analysis is also contained in Appendix C.

Alder/Quinn Bike Route:

- Buffered multi-use paths north of 8th Street
- West-side multi-use path and parking at Asbery Field
- Bicycle boulevard (“sharrows”) south of 4th Street
- Options south of 4th to better use existing HAWK signal

Totem Middle & Asberry Field:

- Mid-rise Multifamily opportunity
- Any redevelopment would reconnect north-south
- Active Edge facing Asbery Field
- Community vision for Asbery – build on ideas in interactive map (sports, exercise, social gathering)

8th Street Bike Route:

- Buffered multi-use paths
- Parallel parking
- Bike priority at BNSF
- Natural drainage
- Totem Middle School – bus parking/loading – direct bikes to north side in interim

Commissioner Whitaker asked about Totem Middle School not being needed in the future. Planning Manager Holland indicated the school is in disrepair. The District is planning to either redevelop at that location or consolidate at another location.

Armar Road:

- Continuous sidewalks
- Landscape strips
- Bike lanes with painted buffer

Grove Street Neighborhood:

- Downtown Core and Flex with Residential
- Encourage high intensity near transit
- Midblock connections are needed

Beach Ave Neighborhood:

- Flex and Flex with Residential Overlay – artisan, small workshop, residential
- No sensitive uses (daycare, schools, residences) near I-5 and BNSF
- North-south Beach Ave bike route
- 4th Street improvements with redevelopment

Chair Leifer asked about the reason for no sensitive uses in the Beach Avenue Neighborhood. Ms. Miller explained that this had to do with air quality issues.

Commissioner Whitaker asked about assumptions that there are archaeologically sensitive areas. Ms. Miller explained that archaeological risk maps from Department of Archaeology and Historic Preservation show that there were uses along the waterfront, but they aren't allowed to show specific locations.

Next Steps:

- Cultural Task Force Meeting
- Draft Plan and SEIS public period
- Draft form-based code
- Draft Planned Action Ordinance
- Final products
- PC/CC legislative process (adoption by October 15)

Commissioner Whitaker asked about the stated need for additional senior housing. Ms. Miller explained that additional accessible housing will be needed by the aging baby boomers. Planning Manager Holland explained that there are more aging facilities planned in all communities. Chair Leifer asked if assisted living facilities are being placed in the downtown area. Planning Manager Holland replied that it is all market-driven, but they would certainly be allowed.

Commissioner Michal asked if Town Center has one owner or multiple owners. Planning Manager Holland explained it is all one owner except the Verizon store. The challenge is that there are long-term leases by the businesses. Commissioner Michal asked about

ways to encourage change to happen a little faster. Ms. Miller indicated Marysville is doing a lot to push this process along with all the investment nearby and pretty dramatic change with the civic campus. When the first project comes in that shows higher rents are achievable, the development economics are expected to shift.

Staff Comments:

- There is nothing on the agenda for the meeting on the 23rd.
- The new Community Development Director, Hayley Miller, will be starting on Monday, March 29. Interim Director Giffen will be staying around for a few months to help with the transition.
- A new developer's map is on the City's webpage to see all the development going on around town.

Commissioner Whitaker asked about the number of homes in the new residential development going in off of Grove Street across from library. Planning Manager Holland replied that there will be 17 new single-family residences.

Chair Leifer asked for an update regarding boundary expansion discussions in the county. Planning Manager Holland replied that there hasn't been any information about that yet. Chair Leifer commented he was interested in seeing what parcels might become available if there is expansion of the boundaries. Interim Director Giffen noted that the countywide planning policies and the Vision 2050 Regional Growth Strategies have very strict policies about expansion of the Urban Growth Area boundaries. Governments have to look at reasonable measures and take actions to increase capacity within the existing Urban Growth Area boundaries before they can even consider expanding. The feedback received from the public and most jurisdictions was to hold the growth boundary pretty tight and not expand into what are currently rural or resource lands.

Chair Leifer asked if there is still plenty of usable land up on Sunnyside and Getchell. Interim Director Giffen commented that under the current Comprehensive Plan growth population targets there is enough land, but the new growth targets are not known yet and expected to increase. He expects that there will be a significant increase in growth targets for 2044.

ADJOURNMENT

Motion to adjourn at 6:17 p.m. moved by Commissioner Whitaker, seconded by Commissioner Michal.

AYES: ALL

Chris Holland

Chris Holland, Planning Manager for:
Laurie Hugdahl, Recording Secretary

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
June 8, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the June 8, 2021 Planning Commission meeting to order via Zoom at 5:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Kristen Michal, Commissioner Brandon Whitaker, Commissioner Tom Thetford

Absent: Commissioner Kevin Johnson, Commissioner Roger Hoen

Staff: Community Development Director Haylie Miller, Planning Manager Chris Holland, Project Specialist Janis Lamoureux, Minute Taker Laurie Hugdahl

Community Development Director Haylie Miller introduced herself to the Planning Commission.

APPROVAL OF MINUTES

March 9, 2021 Planning Commission Minutes

Motion to approve the March 9, 2021 Planning Commission Minutes as presented moved by Commissioner Whitaker, seconded by Commissioner Michal.

Ayes: Leifer, Andes, Michal, Whitaker

Nay: None

Abstain: Thetford

Motion passed.

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There were no comments.

NEW BUSINESS

A. Boundary Line Adjustment

Director Miller discussed issues and challenges associated with the way boundary line adjustments (BLAs) are being used by some applicants. Staff is proposing to require certain improvements for subdivisions or projects that would normally trigger it. She explained that the original intent of BLAs was to provide a legal method between property owners to make minor adjustments to their property boundaries. She reviewed examples of BLA situations which demonstrate how the current process is not always being used as originally intended. Instead it is sometimes used as a means to facilitate development and in some cases avoiding frontage improvements. If the frontage improvements are not made by the applicant, those costs would fall onto the taxpayer. The proposed changes would remedy this loophole and also provide consistency between applicants.

Chair Leifer expressed concern that this could be regressive and interfere with projects. Planning Manager Holland agreed that it is a balance in determining how much the development community should pay and how much should be left to the public. Chair Leifer commented that an argument could be made that those who are going to be receiving the common good should be the ones to pay for it.

Director Miller continued to review different examples of BLAs and their impacts on frontage improvements. Staff is proposing that if the lot line adjustment reduces a property's street frontage by 20% or less or up to 40 feet then the conditions for BLAs would apply. If it is being used as intended then there won't be any issues or frontage improvements required.

Chair Leifer asked about staff's response to Dylan Sluder's letter to the City on behalf of Master Builders. Director Miller replied that staff worked closely with the City's legal team on this, and they feel that this proposal is consistent with state law.

Commissioner Andes commented that "owner convenience" has been used in the past and currently to do a BLA. Director Miller agreed, but noted she did not believe the intent was to allow BLAs for development purposes; instead it was created to allow for minor adjustments. Commissioner Andes noted there is another RCW about Boundary Line Agreements which seem to him to be for the cases where simple boundary line adjustments need to be made. He questioned the City changing its philosophy on the way BLAs are used. Director Miller offered to bring this up again with the legal team for review. She noted that Marysville is not the first city to address this; staff reached out to many cities in this process.

Chair Leifer commented that this has been used for more than minor adjustments for a long time. He wondered if that makes a difference in how they address this. He expressed concern about the impact this could have on the marketplace.

Commissioner Whitaker asked about the number of examples that may have taken place over the past 15 years or so where the code has been circumvented. Director Miller stated that staff could follow up with that information.

Commissioner Michal asked for information about who it is that is using this in a way that is not intended. Director Miller indicated staff could bring that information back. Commissioner Michal asked if there is flexibility now for staff to deny those boundary line adjustments. Director Miller explained that this is limited to when someone tries to add a lot, make a nonconforming lot, or other specific circumstances.

Commissioner Andes discussed a scenario of a couple who might want to move boundary lines on their property to create short plats for their children. Director Miller replied that the way the code is written now is if the property frontage is adjusted more than 40 feet or greater than 20% the requirements would be triggered. She noted that staff does have built in discretion.

Commissioner Andes commented that it seems like the City is basically doing away with BLAs. Director Miller explained that if someone is using the BLA process to circumvent requirements that would otherwise be required, the City is asking that they not use the BLA process. Commissioner Andes thought this could be detrimental to development. There was some discussion about previous scenario he brought up.

Commissioner Whitaker commented that he is leaning towards staff's recommendation. He would like to know if the proposed code recommendations would be in line with what other municipalities are doing or if the City would be on the cutting edge with these changes.

Director Miller indicated she would bring back more info about previous examples, the numbers of times this has been used, who is using this, and trends they are seeing.

Chair Leifer referred to Exhibit 1, item 3(d) and asked about examples of split zones. Director Miller explained how this could happen. Planning Manager Holland showed examples of places in the city where there used to be split zones on properties. He thought that all the split zones had been reconciled with the 2015 update, and this wouldn't be an issue in the future.

Public Comments:

Dylan Sluder, Snohomish County Manager, Master Builders Association, expressed concerns about the legality of this, but noted that some progress had been made since he had written his letter. He commented on the housing availability crisis and the price sensitive nature of development. He disagreed that BLAs are generally being used to circumvent requirements. He recommended following the state code regarding BLAs and having some flexibility within that.

Chair Leifer expressed hope that there might be some kind of compromise to satisfy both interests. He thought that a mitigation fund might be a way to fill in the gaps and also to provide consistency in frontage improvement costs for development.

Staff indicated they would come back with information that had been requested.

B. Administration of MMC Title 22 *Unified Development Code*

Director Miller introduced this item which had been started by the Interim Community Development Director Allan Giffen. She stated that she had reviewed and agreed with the proposed changes. She briefly gave an overview of the proposed changes.

Chair Leifer stated that he fully supports this. Other commissioners concurred. There was consensus to schedule this item for a public hearing.

C. Sign Code – Downtown Master Plan

Planning Manager Holland reviewed the proposed changes as summarized in his memo to the Planning Commission dated June 2, 2021.

Chair Leifer questioned the restrictions for signage and the 10-foot setback requirement for signs on construction sites. Planning Manager Holland explained that staff isn't proposing any changes to that section of the code, and there haven't been any problems with this.

Commissioner Michal asked about height limitations for pole signs. Planning Manager Holland replied that anything under 12 feet is considered a monument sign. Anything over 12 feet is considered a pole or pylon sign. The table on page 21 shows the height limits in the different zones.

ADJOURNMENT

Motion to adjourn at 6:47 p.m. moved by Whitaker, seconded by Commissioner Andes.
AYES: ALL

Chris Holland

Chris Holland, Planning Manager for:
Laurie Hugdahl, Recording Secretary

Next Meeting – June 22, 2021

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
June 22, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the June 22, 2021 Planning Commission meeting to order via Zoom at 5:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Commissioner Kristen Michal, Commissioner Roger Hoen, Commissioner Brandon Whitaker, Commissioner Tom Thetford

Absent: Vice Chair Jerry Andes

Staff: Planning Manager Chris Holland, Community Development Director Haylie Miller, Project Specialist Janis Lamoureux

APPROVAL OF MINUTES

June 8, 2021 Planning Commission Minutes

Commissioner Hoen stated he would be abstaining because he wasn't at the June 8 meeting.

Motion to approve the June 8, 2021 Planning Commission Minutes moved by Commissioner Thetford seconded by Commissioner Whitaker.

VOTE: Motion Carried 4-0

AYES: LEIFER, MICHAL, WHITAKER, THETFORD

ABSTAIN: HOEN

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There were no comments.

COMMUNITY MEETING

Downtown Master Plan Planned Action

Planning Manager Holland showed a map of the Downtown Master Plan study area and reviewed the boundaries. He explained that as part of adopting a Planned Action the City is required to have a community meeting. Notice was required to be provided to all affected federally recognized tribal governments and agencies with jurisdiction over the future development anticipated for the planned action.

Planning Manager Holland reviewed the framework of the action alternative:

- Town Center infill and redevelopment
- 3rd/2nd Street Old Town small business support and public realm improvements
- Improve State Avenue and 4th Street streetscape/appearance
- Waterfront redevelopment
- Civic Center hub and area redevelopment
- Historic 3rd Street neighborhood housing opportunities in historic form
- Asbery Neighborhood School redevelopment, neighborhood infill, and amenity improvements
- Liberty Neighborhood infill and midblock connections
- North State Avenue/Grove Street redevelopment and midblock connections
- BNSF Sliver and Beach Avenue Neighborhood flexible uses
- Multimodal pedestrian/bicycle facilities

Planning Manager Holland reviewed the action alternative map and the proposed land use alternatives. The land use alternative includes new zones paired with streetfront designations and design standards. The impacts and mitigation measures that were analyzed in the Supplemental Environmental Impact Statements (SEIS) included surface water and water resources, land and shoreline use and aesthetics, socioeconomics, transportation, public service utilities. He reviewed next steps and solicited comments and informed the Commission that everything needs to be adopted by October 15.

Commissioner Whitaker asked how many comments the City has received on the draft plan. Planning Manager Holland replied that there have not been many. A lot of the comments were received in the initial online survey, and most of those have already been addressed in the draft plan.

Chair Leifer asked for more detail about the flex zone. Planning Manager Holland reviewed the uses that are allowed in this zone.

Commissioner Whitaker asked for more information about the Liberty infill element. Planning Manager Holland replied that there are several larger lots that would be available for more flexibility; for example, a triplex behind an existing house.

Planning Manager Holland commented on the need to have a meeting in August in order to meet the October 15 deadline and asked about any potential conflicts. Commissioner Whitaker indicated he would not be available the third week. No other conflicts were noted. There was general availability on Mondays and Tuesdays.

COMPREHENSIVE PLAN MAP AMENDMENT

Cascade Business Park

Planning Manager Holland introduced this item. He shared a map of the Cascade Business Park and discussed a proposed Comprehensive Plan Amendment related to rezone of a parcel at the south end for future industrial development. The parcel is currently in the Cascade Business Park, but outside the Cascade Industrial Center. The current designation is residential 4.5 single family medium and this map amendment would change the parcel to light industrial. Staff does not have a recommendation for this application yet.

Commissioners asked clarification questions about the location and the zoning.

Chair Leifer asked if there is any news about expansion of the GMA boundaries. Planning Manager Holland replied that the Buildable Lands Report has been recommended for approval by Snohomish County Tomorrow. If it gets approved, the County Council will have to allocate population to cities. That will give the City the opportunity to go through the reasonable use process to see if they can fit the employment and population capacity based on those numbers. Staff is anticipating getting those numbers in September and then doing the analysis.

Commissioner Whitaker asked if this property was pursued by earlier developers. Planning Manager Holland replied there has been nothing in the last 20 years or so; it has only been farmed.

Commissioner Hoen asked if there are any updates to the need for increased capacity on 51st Street. Planning Manager Holland replied that Arlington and Marysville just entered into an agreement with Transpo, a traffic engineering firm, to look at the road network up there to ensure the roads will support development.

Peter Condyles stated that the public meeting notice will be provided to the Planning Commission as soon as it is available.

Planning Manager Holland introduced Thane Smith of NorthPoint who is the applicant of the amendment under discussion. Mr. Smith briefly discussed plans for the parcel and the Cascade Business Park. He explained the developer is currently in the process realigning and relocating Edgecomb Creek as part of their habitat restoration project. Chair Leifer asked if there is a projected timeline for completion of the entire proposed project. Mr. Smith explained they will be building one spec building over the next year or so. They are also marketing the property. Once Edgecomb Creek is relocated they

expect there will be several build-to-suit projects as well. The developer has been working closely with the Tribes' and other agencies to ensure that the relocation and restoration of the stream and the culvert is done to their satisfaction. The developer expects that the whole project will be built out in six to ten years.

Other:

Community Development Director Miller gave an update on topics discussed with City Council recently:

- Residents of Berrywood have raised concerns about impacts of the Holbrook subdivision development which will be going to the Hearing Examiner. Some councilmembers have expressed concern about being left out of the loop in development issues so staff will be using the Economic Development Committee for some items in order to keep Council apprised earlier in the process.
- 4th of July has been a big topic. No fireworks are allowed in city limits, and police will be enforcing the law.
- A pallet shelter is being proposed at 83rd and 528 in the church parking lot. This is considered a transitory accommodation use which is allowed for 90 days. Some of the neighbors are not happy. This is a pilot program, and is a different kind of homeless shelter. People are heavily screened and there will be someone on site 24/7 monitoring it. They are potentially wanting to allow this as a permanent use so it may be coming to the Planning Commission in the next six months or so. Council is also very interested in this topic.
- The 6-Year Transportation Improvement Program was adopted by Council.
- City Council wants to look at the notification rules and the possibility of extending the notification area for some projects.

Commissioner Hoen asked if there is an update on the open Planning Commission position. Director Miller replied that the applications are still being reviewed.

ADJOURNMENT

Motion to adjourn at 6:05 p.m. moved by Commissioner Whitaker seconded by Commissioner Hoen.

AYES: ALL

Chris Holland

Chris Holland, Planning Manager for:
Laurie Hugdahl, Recording Secretary

Next Meeting – July 13, 2021

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
July 13, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the July 13, 2021 Planning Commission meeting to order via Zoom at 5:00 p.m. Director Miller called the roll.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Kristen Michal, Commissioner Roger Hoen, Commissioner Brandon Whitaker, Commissioner Tom Thetford

Staff: Community Development Director Haylie Miller, Project Specialist Janis Lamoureux

APPROVAL OF MINUTES

June 22, 2021 Planning Commission Minutes

Motion to approve the June 22, 2021 Planning Commission Minutes as presented made by Commissioner Thetford, seconded by Commissioner Hoen.

AYES: LEIFER, MICHAL, HOEN, WHITAKER, THETFORD

ABSTAIN: ANDES

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There was none.

PUBLIC HEARING

Administration of MMC Title 22 Unified Development Code

Director Miller introduced this item and reviewed proposed amendments to the Unified Development Code.

- Amending MMC 22A.010.070 Interpretation – Land Use - Staff is proposing allowing the director to consider uses that are similar in nature. This leaves room for flexibility as long as the use is similar to other uses in the code. The reference to other documents that the City looks at would provide more transparency with the public.
- Adding a new section 22A.010.075 Promulgation of Rules, Procedures and Interpretations – This would enable the director to generate interpretations for how the code is to be used. This would be useful especially as an interim measure that could provide guidance for staff and the public until the code can be amended.
- Adding a new section 22C.010.055 Modification of Use Regulations in Residential Zones – The proposed addition to the code would allow for an applicant to request a modification of a regulation contained in the Development Conditions, which would be considered by the director following notice to contiguous property owners. This process would be limited in its application to proposals where the applicant can meet the intent of the standard being modified by some other means.
- Adding a new section 22C.020.055 Modification of Use Regulations in Non-Residential Zones – Similar to above, but for Non-Residential Zones
- Adding a new section 22C.010.075 Adaptive Reuse of Nonresidential Buildings in Residential Zones - Similar to above, but would apply to the use of Non-Residential buildings in Residential zones.
- Adding a new section 22C.020.075 Adaptive Re-Use of Buildings in Non-residential zones - This proposed amendment would allow such a building in a non-residential zone to be considered for another use, with notice provided to contiguous property owners. The evaluation criteria focus on compatibility with, and minimizing or mitigating impacts on, surrounding uses.

The public hearing was opened at 5:12 p.m., and comments were solicited. Seeing none, the hearing was closed at 5:13 p.m.

Motion to close the hearing at 5:13 p.m. made by Commissioner Andes, seconded by Commissioner Whitaker. **Motion** passed unanimously.

Motion to forward this to the City Council with a recommendation for approval made by Commissioner Whitaker, seconded by Commissioner Andes. **Motion** passed unanimously.

NEW BUSINESS

MMC Chapter 3.103 Multifamily Housing Property Tax Exemption

Director Miller reviewed this item. Staff is proposing two changes to the chapter:

- Modify the Residential Target Area boundaries to match the proposed Downtown Master Plan Area boundaries
- Reduce the minimum threshold of 20 units to eight units or less. As a starting point the City of Everett has been used as an example. Staff believes that smaller multifamily projects may be more feasible at this time for development in the downtown area.

Discussion:

Chair Leifer asked if Everett limits this to a certain part of the city. Director Miller replied that it is limited to a certain area which is common when a city wants to incentivize a certain area. Chair Leifer referred to the Manufacturing Industrial Center and noted that this could be an area they might want to consider applying this to.

Commissioner Whitaker expressed concern about how this would work with the City's goals for the downtown area. He wondered if the lower number of residential numbers would be enough to draw the retail uses they want to see there. Also, he asked if the City is aiming to move up downtown or move out downtown with these units. Director Miller responded that the plan is to go up and not out in the downtown area even though they have recently expanded the area. She encouraged the group to consider the pros and cons of this. Just because the minimum is 8 doesn't mean the applicant has to do 8. Staff is hoping this can help as a catalyst for the first development in that area. Commissioner Whitaker expressed concern about low density could make the commercial uses less appealing.

Commissioner Andes asked what is included in the property tax exemption. Director Miller replied it applied to school district, fire district, city, county and state taxes. She calculated it came up to about \$1100 a year per unit in savings. Regarding the suggestion to apply this to the north end, she noted that there doesn't seem to be a problem getting development in the north end near the MIC, but there is in the downtown area. The taxes are capped 8 years for a market rate development and 12 years for development that offers affordable housing opportunity. Chair Leifer acknowledged that there are challenges for developers who want to develop in the downtown area.

Commissioner Hoen discussed the need to make State Avenue a more attractive place for people to mingle and live, similar to what Arlington is doing. Director Miller concurred. She thought there was something in the Downtown Master Plan regarding landscaping. She offered to check on this. Commissioner Andes commented that this was brought up several years ago. Most of the retailers and businesses there didn't support the idea.

Commissioner Michal wondered what Bothell did to encourage their substantial downtown mixed use development. Director Miller offered to look into that.

Chair Leifer reiterated that there are some issues with downtown, and he believes they will have to do everything they can to get things moving in that area. For this reason he would support a lower number of units to get things started.

Commissioner Andes thought it was worth a try to change things since what they have been doing for the past 12 years hasn't worked.

Commissioner Whitaker was hesitant to drop the numbers significantly because of its impact on the long-term goal.

Chair Leifer agreed with Commissioner Whitaker. He noted that they could readjust the numbers once they get a project or two started.

Commissioner Hoen asked how the industry would get notice of a change like this. Director Miller replied that the City tries to advertise as best as they can. They also share information with the Master Builders Association.

Director Miller asked for general direction about the number of units. She noted she was hoping to hold a public hearing in August or September.

Commissioner Whitaker remarked he was comfortable with an adjustment to 10 and reconsidering in a year. There was general consensus on this.

OLD BUSINESS

MMC 22C.160.230(1) –Construction Signs

Director Miller explained that the Planning Commission had asked staff to look at this more closely. So far there haven't been any recommendations for changes except for wording changes to item E. The revised verbiage states: "No sign shall be located closer than 10 feet to an internal property line unless attached to a fence. Signs attached to fences shall not extend higher than the fence and shall not create sight distance obstruction or any other safety hazard."

Chair Leifer commented that on big jobs subcontractors often like to get signs out. He didn't think a 4x8 sign on the road was adequate for their signage needs. Director Miller noted they could look at that later if desired.

OTHER

Commissioner Hoen said he had a conversation with Director Miller about how to access agenda documents online while also being online with Zoom. Chair Leifer agreed that this is an issue. He explained he ends up printing everything and making his notes on them as they go. He spoke in support of the City continuing to print things out and get them to commissioners. Commissioner Whitaker agreed it is nice to have a hard piece of paper to read before meetings and take notes on during the meetings. He

prefers getting the paper copy in the mail. Chair Leifer noted it is important to keep the paper copies in order to be able to refer back to that. Commissioner Andes noted that if the commissioners end up printing everything out it's not actually going paperless, it's just a matter of who pays for it. Commissioner Michal said she prefers paper, but she is trying to adapt. Director Miller replied that staff would continue to print documents for the commissioners. She suggested they could also look into getting some sort of electronic device for commissioner to assist in going paperless.

Director Miller asked everyone's comfort level with returning to in-person meetings. Most commissioner expressed interest in returning to in-person meetings. There was discussion about the potential time with various opinions. It seemed that 6:00 p.m. was the consensus. Director Miller indicated they would tentatively shoot for an in-person meeting at 6:00 p.m. starting in August.

Director Miller reported that a new planning commissioner had been selected, but not formally announced yet.

ADJOURNMENT

Motion to adjourn at 6:14 p.m. moved by Hoen, seconded by Commissioner Thetford.
AYES: ALL

Chris Holland

Chris Holland, Planning Manager for:
Laurie Hugdahl, Recording Secretary

Next Meeting – July 27, 2021

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
August 3, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the August 3, 2021 Planning Commission meeting to order via Zoom at 5:00 p.m. Planning Manager Holland called the roll. The Commission welcomed new commissioner, Sunshine Kapus, and introductions were made.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Kristen Michal, Commissioner Roger Hoen, Commissioner Sunshine Kapus

Absent/Excused: Commissioner Brandon Whitaker, Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Project Specialist Janis Lamoureux

APPROVAL OF MINUTES

July 13, 2021 Planning Commission Minutes

Motion to approve the July 13, 2021 Planning Commission Minutes as presented made by Commissioner Andes, seconded by Commissioner Michal.

AYES: KAPUS, MICHAL, ANDES, LEIFER

ABSTAIN: HOEN

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There was none.

NEW BUSINESS

A. Downtown Master Plan – Form Base Code

Planning Manager Holland introduced this item. A public hearing will be scheduled for August 31 with potentially another workshop prior to that on August 17. Bob Bangford from Makers Architecture made a presentation on the Draft Downtown Master Plan – Form Base Code and reviewed the format, key changes, and key issues of the Draft Plan.

Three main issues/considerations include:

- Single detached in residential zones?
 - Allow on existing lots; or
 - “existing” detached as permitted use
- Uses with outdoor storage in and activity
 - Very limited/accessory in Downtown Commercial
 - Conditional in flex?
- Very small-scale retail in MH1 and MH2?
 - 2500 sf max – including eating and drinking

DMP Use Reference – Density & Dimensional regulations

- Building height
 - Showing current limits for comparison
- Density (dwelling units/acre):
 - Max “base” (matching current standard)
 - Max with incentives
- Ties to current incentive bonus system
 - To be updated at a later date
- Note new minimum densities - Only for downtown commercial and multifamily housing.

Chair Leifer recalled the Planning Commission had a lengthy discussion at the previous meeting regarding reducing the minimum densities in the MMF zone. Commissioner Kapus commented that even getting the minimum density of 45 in the MMF zone could be challenging without a large assemblage. Chair Leifer thought this is where the Planning Commission had agreed to try reducing the minimum density to 10 in order to jumpstart some activity in this area. He commented that Commissioner Whitaker had expressed concerns about reducing it too much, but was in favor of some reduction. Planning Manager Holland indicated staff would take a closer look at minimum densities in the MMF zone and follow up. Mr. Bangford suggested including a threshold of when this minimum would apply.

- Lot area & Impervious surface standards – This was effectively addressed via other standards

- Front setbacks addressed via block frontage standards
- Side and rear setbacks: 0 or 5-15 depending on design.

Article 3 – Street Design, Circulation & Parking

- A map reviewed key streets and through-block connections (5 or 6 being proposed)
- Allow strategic design choices for through-block connections:
 - Street design
 - Woonerf design
 - Landscaped passageway design
 - Urban passageway design
 - A mixture of above designs

Article 4 – Block Frontages; Site Planning Design Standards; Building Design Standards

- Frontages
 - Active Ground Floor Frontages – storefronts directly on the sidewalk, pedestrian-friendly, parking in the back
 - Landscape Frontages for residential zones
 - Undesignated Frontages – more flexibility allowed
- Site Planning Design Standards
 - Side and rear yard setback
 - internal open space for multifamily and big commercial projects
 - lighting standards
 - internal pedestrian access
 - service elements
- Building Design Standards
 - Massing and articulation, details, materials and blank wall treatments

Commission Comments:

Chair Leifer referred to item C, on page 25 of Design Standards, and asked if this was assuming a site that has 25% existing structures on it. Mr. Bangford explained when and how this would apply to frontage requirements for redevelopment of large sites. It would allow a little flexibility, but would still ensure that the developer meets the intent.

Chair Leifer expressed support for the Director Decision option on page 21 as a way to handle this condition.

Commissioner Michal asked about historic design standards in the downtown area. Mr. Bangford discussed proposed regulations and asked for clarification about Planning Commission's intentions for the Character Area overlay area. Rachel from Makers clarified that there are two separate intents. There is a Character Area overlay which is a residential historic character overlay. The Main Street overlay was an intentional lowering of heights to try to reduce the development pressure on the existing Main Street character area. Commissioner Michal explained that her interest is in maintaining the character that is there through 3rd Street, whether it is the residential part or the commercial part. Planning Manager Holland thought that the Design Standards would do a good job with this.

Commissioner Kapus asked if the team had been out to see any of the downtown corridors/developments in Everett. Planning Manager Holland affirmed that they have and reviewed the process they have been through with this Plan.

B. Downtown Master Plan – Planned Action Ordinance

Lisa Gruter, BERK Consulting, discussed the background on this item and highlighted the proposed revised Planned Action Ordinance. She explained that they were recommending that the City be more explicit in the municipal code for ease of use for staff and developers. To this end the consultant suggested adding two subsections (map of boundaries and parameters of growth anticipated) and adding more detail in the mitigation section. She reviewed details of these proposed changes.

Chair Leifer recalled the original plan for downtown stormwater to run into a major receiving water without treatment and asked if this is still the plan. Ms. Gruter explained that they are not creating any new standards, but are working with Perteet to reinforce the City's existing water quality and treatment plans. Chair Leifer said he would like to know what the level of treatment will be. Planning Manager Holland indicated that Public Works staff could follow up on that. He thought that the plans are 90% done for the regional system at the Waterfront Park which will cover the entire Downtown Master Plan area. It is a filter treatment facility with direct discharge from all of the downtown area stormwater.

Commissioner Andes asked if any of this applies to the redevelopment of Waterfront Park. Planning Manager Holland explained that area has been handled separately.

Comprehensive Plan Map Amendment – Cascade Business Park

Planning Manager Holland gave an update on progress at the Cascade Business Park. He noted that culvert replacement efforts along 152nd Street NE will require closing the road in order to complete the project during the "in-water" work window.

OTHER

There was discussion about options for meeting in person again and also having a hybrid option. There was general availability of the commissioners on August 17 and 31 at 6:00 p.m. (Commissioner Michal stated she would be out of town on August 17.) Planning Manager Holland indicated a plan for a hearing on August 31 with another possible meeting on August 17.

ADJOURNMENT

Motion to adjourn at 6:48 p.m. moved by Andes, seconded by Commissioner Hoen.

AYES: ALL

Chris Holland

Chris Holland, Planning Manager for:
Laurie Hugdahl, Recording Secretary

Next Meeting – August 17, 2021

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
September 14, 2021**

CALL TO ORDER / ROLL CALL

Chair Leifer called the September 14, 2021 Planning Commission meeting to order via Zoom at 6:00 p.m. Planning Manager Chris Holland called the roll.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Jerry Andes, Commissioner Roger Hoen, Commissioner Tom Thetford, Commissioner Sunshine Kapus

Excused: Commissioner Kristen Michal, Commissioner Brandon Whitaker

Staff: Planning Manager Chris Holland, Community Development Director Haylie Miller, Assistant Planner Mara Wiltshire

APPROVAL OF MINUTES

August 3, 2021 Planning Commission Minutes

Motion to approve the August 3, 2021 Planning Commission Minutes as presented moved by Commissioner Kapus, seconded by Commissioner Andes.

AYES: ALL

AUDIENCE PARTICIPATION

Chair Leifer solicited audience participation on items not on the agenda. There were no comments.

PUBLIC HEARINGS

- a. **Downtown Master Plan (DMP)**
- b. **DMP –Supplemental Environmental Impact Statement (SEIS)**

- c. **MMC 22E.040 Downtown Planned Actions Amendments**
- d. **MMC Chapter 22C.080 Downtown Master Plan Area –Design Requirements Amendments**
- e. **DMP –General Amendments to the MMC related to repealing the 2009 Downtown Master Plan.**
- f. **MMC Chapter 22C.160 Signs Amendments**
- g. **MMC Chapter 3.103 Multifamily Property Tax Exemption Amendments**

Planning Manager Chris Holland reviewed highlights of the plan and associated amendments. There is an expanded boundary, Planned Action – supplemental Environmental Impact Statement (SEIS), new zones, increased residential capacity including “missing middle” housing, adoption of a form-based code, and increased boundary of Multifamily Housing Property Tax Exemption to coincide with the DMP boundary and reducing the eligible tax exemption project size from 20 to 10-units. He reviewed the DMP map including the new zones, adjusted boundary and through-block connections.

Downtown Planned Actions include minor amendments reflecting the new adopted DMP and final SEIS, a map identifying the Planned Action Area which coincides with the DMP boundary, a land use and transportation thresholds section and mitigation measures required to qualify as a Planned Action. Mitigation measures include: Surface Water/Water Resources; Land and Shoreline Use and Aesthetics; Socioeconomics; Transportation; Public Services; Utilities; Earth, Streams; Wetlands; Fish and Wildlife; and Environmental Health.

Form based code goals allow the code to be an effective tool to implement the Downtown Master Plan, be easy to use and provide a good balance of predictability and flexibility. Planning Manager Holland reviewed articles 2-6: Zoning; Street Design, Circulation & Parking; Design Standards – Block Frontages; Standards – Site Planning; and Standards – Building Design.

Article 2: Zoning – Permitted Use Chart – This has been streamlined with a shorter use list, no footnotes, synched with other use charts, and made easier to use. Density & Dimensions regulations for the downtown Marysville zones were briefly reviewed. Planning Manager Holland discussed changes in the requirements for developments to qualify for a tax exemption project. For sites over 20,000 square feet the minimum density will remain 45.

Article 3: Street Design, Circulation & Parking – Provides options for through-block connections via strategic design choices such as street design, Woonerf design, landscaped passageway design, urban passageway design or a mixture of all of them.

Planning Manager Holland reviewed amendments to parking and loading regulations which include amendments to the minimum required parking spaces within the DMP with slight reductions. Staff is requesting the Planning Commission direct staff to slightly amend the parking ratios to be compatible with the existing parking ratios in MMC Chapter 22C.130 - *Parking and Loading* and eliminate ratios in zones where the use is not permitted.

Article 4: Design Standards – Block Frontage requirements, Active Ground Floor standards

Article 5: Standards – Site Planning including setbacks, open space requirements, internal pedestrian aspects and design, service areas and mechanical equipment

Article 6: Standards – Building Design. This adds upon existing building design standards and includes building massing and articulation, building materials, building materials and blank wall treatment.

Planning Manager Holland also reviewed general amendments associated with the Downtown Plan. Council will review the Planning Commission's recommendation and potentially adopt an ordinance on September 27. The adoption deadline is October 15, 2021. He thanked all the consultants for their help on this project through this challenging time.

Questions:

Chair Leifer referred to changes to the backlit signs ordinance. He asked if internal lighting on signs would be allowed at all. Planning Manager Holland explained that only box cabinets are not allowed.

Commissioner Kapus referred to commercial uses that were not allowed in the downtown area with regard to the parking and asked if those uses are prohibited now or just in the future. Planning Manager Holland replied that the zones line up similarly as current zoning so uses that are currently allowed will also be allowed with the change in zoning. Consultant Rachel Miller of Makers added that the commercial uses in residential came down to a size limitation. Certain types of commercial uses are allowed if the size is appropriate.

Commissioner Hoen asked about a long-term vision for Marysville's future. Planning Manager Holland replied that these are 20-year plans. Any time amendments are made to the Comprehensive Plan they look at it twenty years out. He explained that long term planning ultimately comes down from Snohomish County Council and Vision 2050 through Puget Sound Regional Council in terms of what the growth and employment capacity needs to be. Commissioner Hoen asked if there has been any discussion about additional annexations. Planning Manager Holland replied that would be discussed in the next six months or so after Snohomish County Council provides updated projected growth numbers.

Commissioner Hoen asked for an update about the small cell towers. Planning Manager Holland explained that staff just got an inquiry about doing a small cell from AT&T. Some changes were made to the Wireless Communications Facilities plan as part of this plan update. Whatever the design standards are for a particular design zone would apply to the small cell towers.

Chair Leifer opened the public hearing at 6:43 p.m. for public comments. There were no comments.

Motion to close the public hearing at 6:43 p.m. made by Commissioner Andes, seconded by Commissioner Kapus.

AYES: ALL

Discussion:

Commissioner Kapus expressed appreciation for the ease of reading the charts and cross referencing things. She is looking forward to seeing the Downtown Master Plan adopted.

Commissioner Andes asked when some of the items in the Downtown Master Plan might be expanded north. Planning Manager Holland replied that is something the Council wanted to see early on. He noted that the Planning Commission could encourage the Council to consider expanding to the north if that is desired.

Motion to allow staff to work with the consultant to make corrections to the parking ratios to align with the existing code as discussed. Motion made by Commissioner Hoen, seconded by Commissioner Andes.

AYES: ALL

Motion to forward item 4 related to the Downtown Master Plan, items A-G to the City Council with a recommendation for approval made by Commissioner Andes, seconded by Commissioner Thetford.

AYES: ALL

Planning Manager Holland thanked the Planning Commission for their work on this project. Rachel Miller thanked everyone on behalf of the consultant team.

Commissioner Hoen asked about potential traffic impacts of the I-5 interchange. Planning Manager Holland explained that Public Works will be coming to the November 9 Planning Commission meeting to give an update on public works projects.

Community Development Director Miller expressed appreciation to all staff and consultants involved in this project. She referred to the projected numbers in Snohomish County and noted it looks like the City will need to plan for an additional 10,000 people

in the next 20-year planning period. More information will be coming to the Planning Commissioner early next year.

ADJOURNMENT

Motion to adjourn at 7:02 p.m. moved by Commissioner Andes, seconded by Commissioner Kapus.

AYES: ALL

Laurie Hugdahl, Recording Secretary

Next Meeting – September 28

DRAFT



Downtown Master Plan Update & Planned Action Final Supplemental EIS

City of Marysville – September 2021

Prepared by:

Makers Architecture and Urban Design

BERK Consulting, Inc.

Perteet

Transpo Group



COMMUNITY DEVELOPMENT DEPARTMENT
80 Columbia Avenue ♦ Marysville, WA 98270
(360) 363-8100 ♦ (360) 651-5099 Fax

September 15, 2021

Subject: Marysville Downtown Master Plan Update and Planned Action

Dear Reader,

The City of Marysville (City) proposes to update its Downtown Master Plan originally adopted in 2009 as well as adopt a form-based code that updates zoning and design standards. In addition to maintaining Downtown as a civic and commercial hub, the City desires to provide for mixed uses including housing types that offer affordable ownership and rental opportunities in proximity to the planned Swift Bus Rapid Transit (BRT). The City also intends to refresh its Planned Action Ordinance that facilitates environmental review for development that is consistent with the updated plan and form-based code. In February 2020, the City received a grant from the Washington Department of Commerce to support these initiatives.

The attached Final Supplemental Environmental Impact Statement (SEIS) evaluates a No Action Alternative that continues the current Comprehensive Plan and Zoning for the Downtown area established in 2009, an Action Alternative offering increased mixed use commercial and housing opportunities that recognize transportation and transit investments and build on efforts the City has made to revitalize the downtown and Ebey Waterfront, and a Preferred Alternative similar to the Action Alternative. For each alternative, environmental impacts and mitigation measures are addressed including for: surface water/water resources, land and shoreline uses, socioeconomics, transportation, public services, and utilities. The Final SEIS includes comments and responses on the Draft SEIS and evaluates the Preferred Alternative.

This Marysville Downtown Master Plan Update and Planned Action SEIS builds on the October 2009 SEIS for the Downtown and the 2005 Marysville Comprehensive Plan EIS. This 2021 SEIS adopts and supplements:

- Marysville Downtown Master Plan Final SEIS October 9, 2009 and associated Draft SEIS July 20, 2009
- Marysville Integrated 2005 Comprehensive Plan and Development Regulations Final Environmental Impact Statement (EIS) April 6, 2005 and associated Draft EIS January 13, 2005

The key issues facing decision makers include:

- Approval of the Downtown Master Plan Update including a vision, goals and policies, land use concept including changes to map designations, updated growth estimates, and consistency edits to the Comprehensive Plan;
- Approval of amendments to the Downtown planned action ordinance to help incentivize growth while mitigating impacts.
- Consideration of a new form-based code to ensure design quality and flexibility.

Please see the City website for more information at <https://www.marysvillewa.gov/358/Downtown-Master-Plan>. If you desire clarification or have questions please contact Chris Holland, Planning Manager, at cholland@marysvillewa.gov, or by phone at 360.363.8207.

Sincerely,



Haylie Miller, Community Development Director
SEPA Responsible Official
City of Marysville

Fact Sheet

Project Title

Marysville Downtown Master Plan Update and Planned Action

Proposed Action and Alternatives

The City of Marysville (City) proposes to update its Downtown Master Plan originally adopted in 2009 as well as adopt a form-based code that updates zoning and design standards. In addition to maintaining Downtown as a civic and commercial hub, the City desires to provide for mixed uses including housing types that offer affordable ownership and rental opportunities in proximity to the planned Swift Bus Rapid Transit (BRT). The City also intends to refresh its Planned Action Ordinance that facilitates environmental review for development that is consistent with the updated plan and form-based code. In February 2020, the City received a grant from the Washington Department of Commerce to support these initiatives.

This SEIS evaluates a No Action Alternative that continues the current Comprehensive Plan and Zoning for the Downtown area established in 2009, and an Action Alternative offering increased mixed use commercial and housing opportunities that recognize transportation and transit investments and build on efforts the City has made to revitalize the downtown and Ebey Waterfront. A Preferred Alternative was developed similar to the Action Alternative and with the same intent for mixed uses and added housing opportunities in concert with transportation investments.

Proponent and Lead Agency

The City of Marysville

Location

The Study Area is approximately 524 acres and is bounded by Grove Street on the north, Armar Road and 47th Avenue NE on the east, Ebey Slough on the south, and I-5 on the west.

Tentative Date of Implementation

October 2021

Responsible Official

Haylie Miller, Community Development Director,
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270

Contact Person

Chris Holland, Planning Manager
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270
360-363-8207 Direct Line
360-651-5099 Fax

cholland@marysvillewa.gov

Licenses or Permits Required

The proposals require a 60-day review by the State of Washington Department of Commerce and other state and regional agencies. Locally, the proposals have been considered by the Planning Commission and their recommendations forwarded to the City Council who will deliberate and determine approval.

Authors and Principal Contributors to the EIS

Under the direction of the Marysville Community Development Department, the consultant team prepared the SEIS as follows:

- [MAKERS](#): Subarea Plan Update, Alternatives, and Land Use and Aesthetics
- [BERK Consulting](#): SEPA and Planned Action Lead, Land Use and Socioeconomics and Public Services
- [Perteet](#): Surface Water/Water Resources and Utilities
- [Transpo](#): Transportation

Date of Draft SEIS Issuance

February 25, 2021

Draft SEIS Comment Period

The City of Marysville requested comments from citizens, agencies, tribes, and all interested parties on the Draft SEIS from February 25, 2021 to March 29, 2021.

Date of Final SEIS Issuance

September 15, 2021

Date of Final Action

September 27, 2021

Documents Supplemented and Adopted

This Marysville Downtown Master Plan Update and Planned Action Supplemental Environmental Impact Statement (SEIS) builds on the October 2009 SEIS for the Downtown and the 2005 Marysville Comprehensive Plan EIS. This 2021 SEIS adopts and supplements:

- Marysville Downtown Master Plan Final SEIS October 9, 2009 and associated Draft SEIS July 20, 2009
- Marysville Integrated 2005 Comprehensive Plan and Development Regulations Final Environmental Impact Statement (EIS) April 6, 2005 and associated Draft EIS January 13, 2005

Location of Background Data

You may review the City website for more information at <https://marysvillewa.gov/358/Downtown-Master-Plan>. If you desire clarification or have questions please refer to the Contact Person above.

Purchase/Availability of Draft SEIS

The Final SEIS is posted on the City website at <https://www.marysvillewa.gov/358/Downtown-Master-Plan>. See the Contact Person above if you are unable to access the documents on line; alternate formats may be available at cost. Notice of the Availability of the Draft SEIS was sent to the distribution list below and interested parties who provided comments during the Draft SEIS comment period.

Distribution List

Tribes

Stillaguamish Tribe

Tulalip Tribes

Federal Agencies

National Marine Fisheries Services

Natural Resources Conservation Services

US Army Corps of Engineers

US Environmental Protection Agency

US Fish & Wildlife

State of Washington Agencies

Department of Agriculture

Department of Archaeology & Historical Preservation

Department of Commerce

Department of Ecology

Department of Fish & Wildlife

Department of Natural Resources

Department of Social & Health Services

Department of Transportation

Dept of Health-Env. Health Division

Energy Office

Puget Sound Partnership

Regional Agencies

Puget Sound Clean Air Agency

Puget Sound Regional Council

Counties and Cities

City of Arlington

City of Everett

City of Everett- Public Works

City of Lake Stevens

Snohomish County Executive Office

Snohomish County Parks & Rec.

Snohomish County Public Works

Snohomish County Council

Snohomish County PDS

Districts, Services & Utilities

Community Transit

Fire District 8

Fire District 15

Fire District 21

Getchell Fire District 22

Lake Stevens School District

Lake Stevens Sewer District

Lakewood School District

Marysville Fire District

Marysville Public Library

Marysville School District

Puget Sound Energy

Snohomish County Health District

Snohomish Co. PUD- Water

Snohomish County EDC

Sound Transit Regional Transit Authority

Boards and Associations

Board of Realtors

Pilchuck Audubon Society

Snohomish /King County Master Builders

Snohomish/Camano Island Co.

Newspapers

Arlington Times

Marysville Globe

Seattle Times- North Bureau

The Everett Herald

Table of Contents

1.0. Summary	1-1
1.1. Purpose	1-1
1.2. Description of the Study Area.....	1-2
1.3. Planning Process	1-3
1.4. Public Comment Opportunities.....	1-4
1.5. Objectives and Alternatives.....	1-4
1.6. Key Issues and Options	1-19
1.7. Summary of Impacts and Mitigation Measures.....	1-19
2.0. Responses to Comments and Clarifications	2-1
2.1. Comments and Responses.....	2-1
2.2. Clarifications.....	2-26
3.0. Acronyms and References	3-1
3.1. Acronyms.....	3-1
3.2. References	3-1

Table of Exhibits

Exhibit 1-1. Study Area Map.....	1-2
Exhibit 1-2. Downtown Development Scenario and Transportation Improvements – Downtown Master Plan.....	1-5
Exhibit 1-3. Future Land Use Designations	1-6
Exhibit 1-4. Zoning Map	1-7
Exhibit 1-5. No Action 2007-2035 Growth.....	1-8
Exhibit 1-6. Action Alternative Framework.....	1-9
Exhibit 1-7. Zoning Description	1-10
Exhibit 1-8. Action Alternative Zoning	1-12
Exhibit 1-9. Action Alternative Growth and Comparison to No Action.....	1-13
Exhibit 1-10. Preferred Alternative Framework	1-14
Exhibit 1-11. Action Alternative and Preferred Alternative Zoning Classifications	1-15
Exhibit 1-12. Preferred Alternative Zoning.....	1-16
Exhibit 1-13. Comparison of Development Regulations	1-17
Exhibit 1-14. Alternative Growth Comparison.....	1-18
Exhibit 2-1. Written comments and response matrix.	2-1

1.0. Summary

1.1. Purpose

The City of Marysville (City) proposes to update its Downtown Master Plan originally adopted in 2009 as well as adopt a form-based code that updates zoning and design standards. In addition to maintaining Downtown as a civic and commercial hub, the City desires to provide for mixed uses including housing types that offer affordable ownership and rental opportunities in proximity to the planned Swift Bus Rapid Transit (BRT). The City also intends to refresh its Planned Action Ordinance that facilitates environmental review for development that is consistent with the updated plan and form-based code. In February 2020, the City received a grant from the Washington Department of Commerce to support these initiatives.

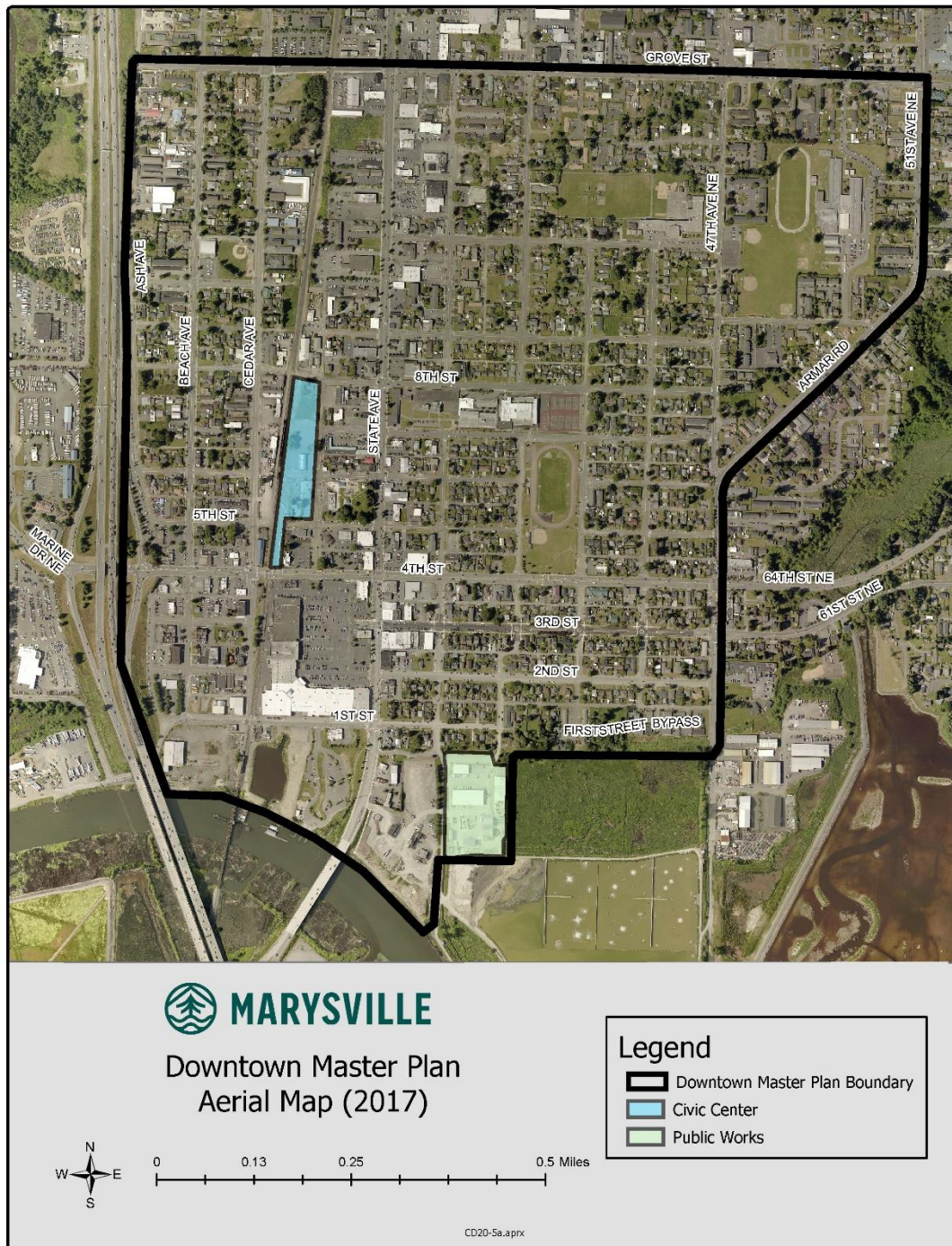
This Supplemental Environmental Impact Statement (SEIS) builds on the 2009 SEIS for the Downtown and the 2005 Marysville Comprehensive Plan EIS and helps the City fulfil its role as a High Capacity Transit Community in the Puget Sound Regional Council's VISION 2050 plan evaluated in the VISION 2050 Final Supplemental Environmental Impact Statement issued October 2020.

This SEIS evaluates a No Action Alternative that continues the current Comprehensive Plan and Zoning for the Downtown area established in 2009, and an Action Alternative offering increased mixed use commercial and housing opportunities that recognize transportation and transit investments and build on efforts the City has made to revitalize the downtown and Ebey Waterfront. The SEIS also addresses a Preferred Alternative developed after the Draft SEIS comment period and through the review of the Draft Downtown Master Plan Update and associated draft form-based code. It is similar to the Action Alternative in anticipated land uses, growth, and urban design.

1.2. Description of the Study Area

The Study Area is approximately 524 gross acres and is bounded by Grove Street on the north, Armar Road and 47th Avenue NE on the east, Ebey Slough on the south, and I-5 on the west. See Exhibit 1-1.

Exhibit 1-1. Study Area Map



Sources: City of Marysville, 2020.

1.3. Planning Process

In October 2009, the City of Marysville adopted a Downtown Master Plan intended to revitalize the downtown and downtown waterfront. The City developed a Planned Action Supplemental Environmental Impact Statement (SEIS) to its 2005 Marysville Comprehensive Plan EIS. Between 2009 and 2021, a number of investments have been made or are underway including:

- A waterfront redevelopment plan for residential/mixed-uses flanking Ebey Waterfront Park and has acquired and consolidated land to expand the park and attract investment.
- State Avenue Improvements.
- New SR 529 bridge, I-5 interchange, and 1st St bypass.
- Consolidating civic functions at a six-acre site on Delta Avenue marking a return to the town square of historic Marysville and converting Delta Ave to a shared, people-oriented street.
- In partnership with Community Transit, planning for the Swift bus rapid transit (BRT), along Cedar Avenue and State Avenue with potential stops located at Grove Street, 4th Street, 1st Street, and around Comford Park within Downtown.
- 2nd and 3rd St pedestrian/bicycle and natural drainage improvements.
- Regional stormwater facility.
- Grove St Overcrossing.
- Ebey Slough Trail

While there have been public investments, there has been limited private development, and virtually no change in the buildable land capacity results for housing and jobs between 2012 and 2020.

In 2020, the City initiated the Downtown Master Plan update, and has established a community engagement plan with several elements:

- Downtown Visioning Map and Surveys at a public input web center:
<https://makers.mysocialpinpoint.com/marysville-downtown-master-plan>
- Mayor’s Task Force on Growth Management Meetings
- Developers Forum
- Planning Commission meetings
- City Council Meetings

1.4. Public Comment Opportunities

With the publication of the Draft SEIS, a 30-day comment period was established. See the Fact Sheet for the methods to provide comments.

In addition, the Draft Subarea Plan was reviewed by the Planning Commission and City Council. See the project website (<https://www.marysvillewa.gov/358/Downtown-Master-Plan>) for the meetings and hearings associated with the project.

1.5. Objectives and Alternatives

SEPA requires the statement of objectives by which alternatives can be compared. Some general objectives for the proposal include:

- Maintain consistency with Growth Management Act (GMA) goals, county-wide planning policies for Snohomish County, and the applicable multicounty planning policies in VISION 2050.
- Provide for a civic, commercial, and mixed use hub providing an efficient land use plan supporting the City's Comprehensive Plan growth allocations for 2035 and for the future periodic review addressing the horizon year 2044.
- Provide multimodal transportation improvements and sufficient public services and infrastructure to support the land use vision.

In addition, the goals associated with the updated Subarea Plan are considered objectives (see Chapter 2 for more information).

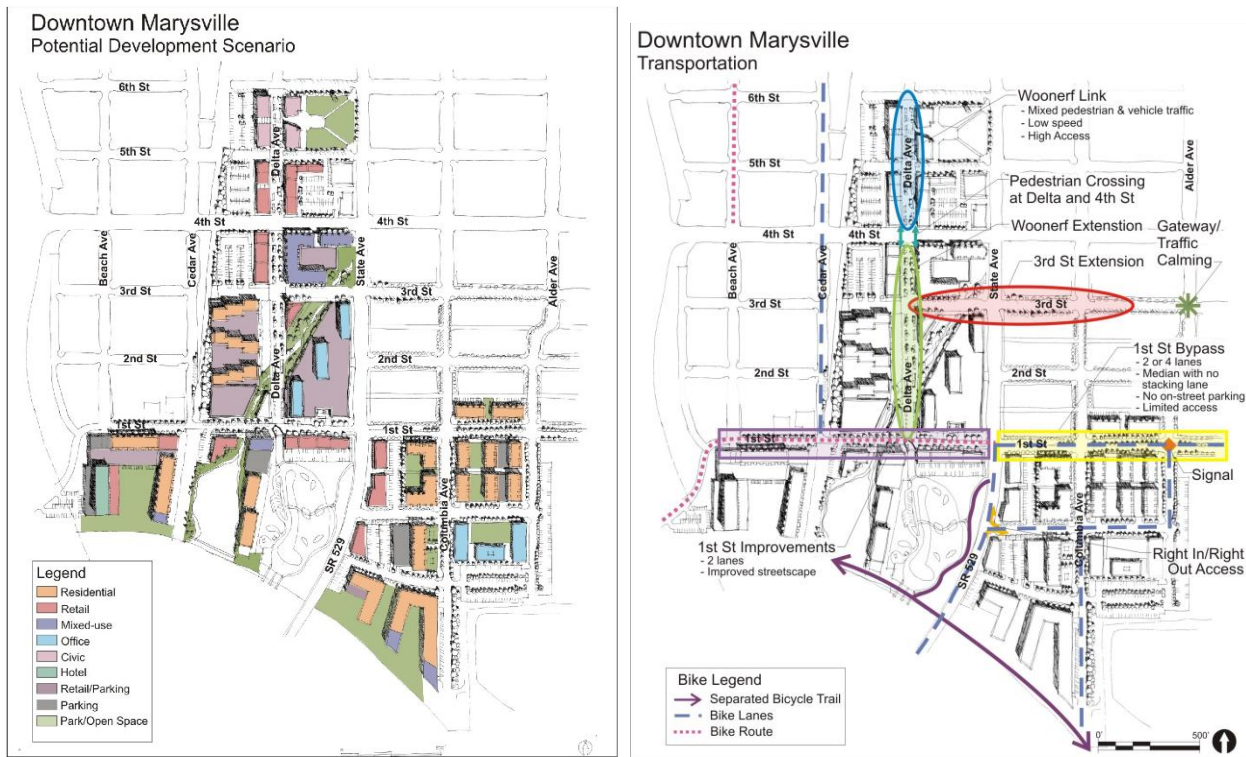
1.5.1. No Action Alternative

Land Use, Urban Design, and Transportation Concept

The Downtown Plan recommended increased residential densities and an incentive system in commercial zones; this has been implemented in current zoning code.

The Plan also identified transportation improvements including transit, pedestrian, and bicycle circulation improvements. The City has worked to acquire and consolidate waterfront property, and to improve transportation and circulation Downtown. However, the anticipated private development has not occurred to the extent anticipated. See Exhibit 1-2.

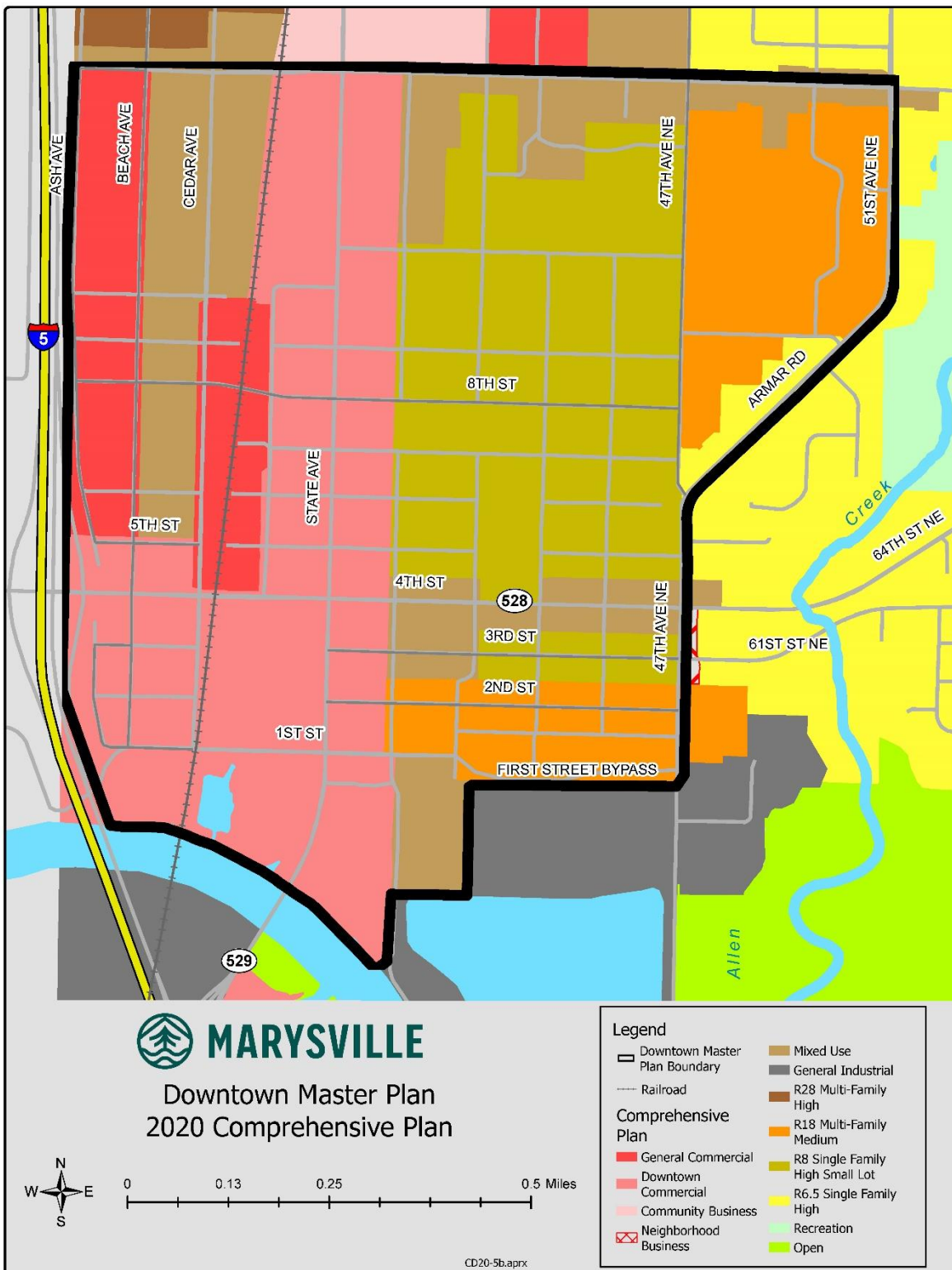
Exhibit 1-2. Downtown Development Scenario and Transportation Improvements – Downtown Master Plan



Source: Makers 2009.

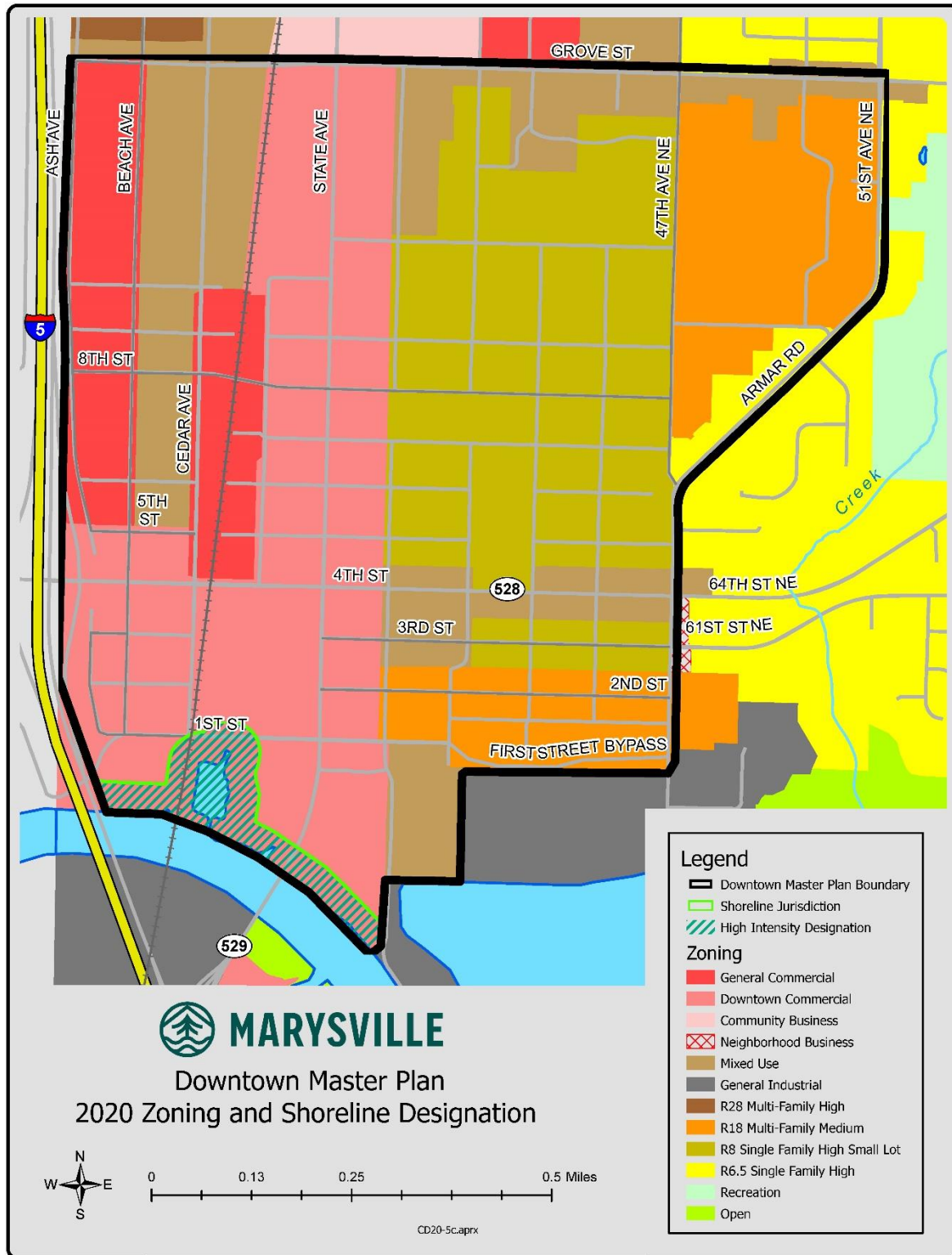
The western half of the study area is planned for Downtown Commercial, General Commercial, and Mixed Use. R-8 Single Family High and R18 Multi-Family Medium are predominantly shown on the eastern side of the study area. Zoning districts match closely with the Comprehensive Plan designations. See Exhibit 1-3 and Exhibit 1-4.

Exhibit 1-3. Future Land Use Designations



Source: City of Marysville, 2020.

Exhibit 1-4. Zoning Map



Source: City of Marysville, 2020.

Growth

For the core area, the development capacity of the Downtown Master Plan scenario (Exhibit 1-2) was a net increase of about 1,100 dwellings, and 350,000 square feet of retail, office, civic, and hospitality uses.

For the broader study area under review in 2020, the transportation model anticipated more growth from 2007-2035. See Exhibit 1-5.

Exhibit 1-5. No Action 2007-2035 Growth

Type	Net Increase
Residential Dwellings	1,885
Jobs	1,360

Source: Transpo Group, 2020.

1.5.2. Action Alternative

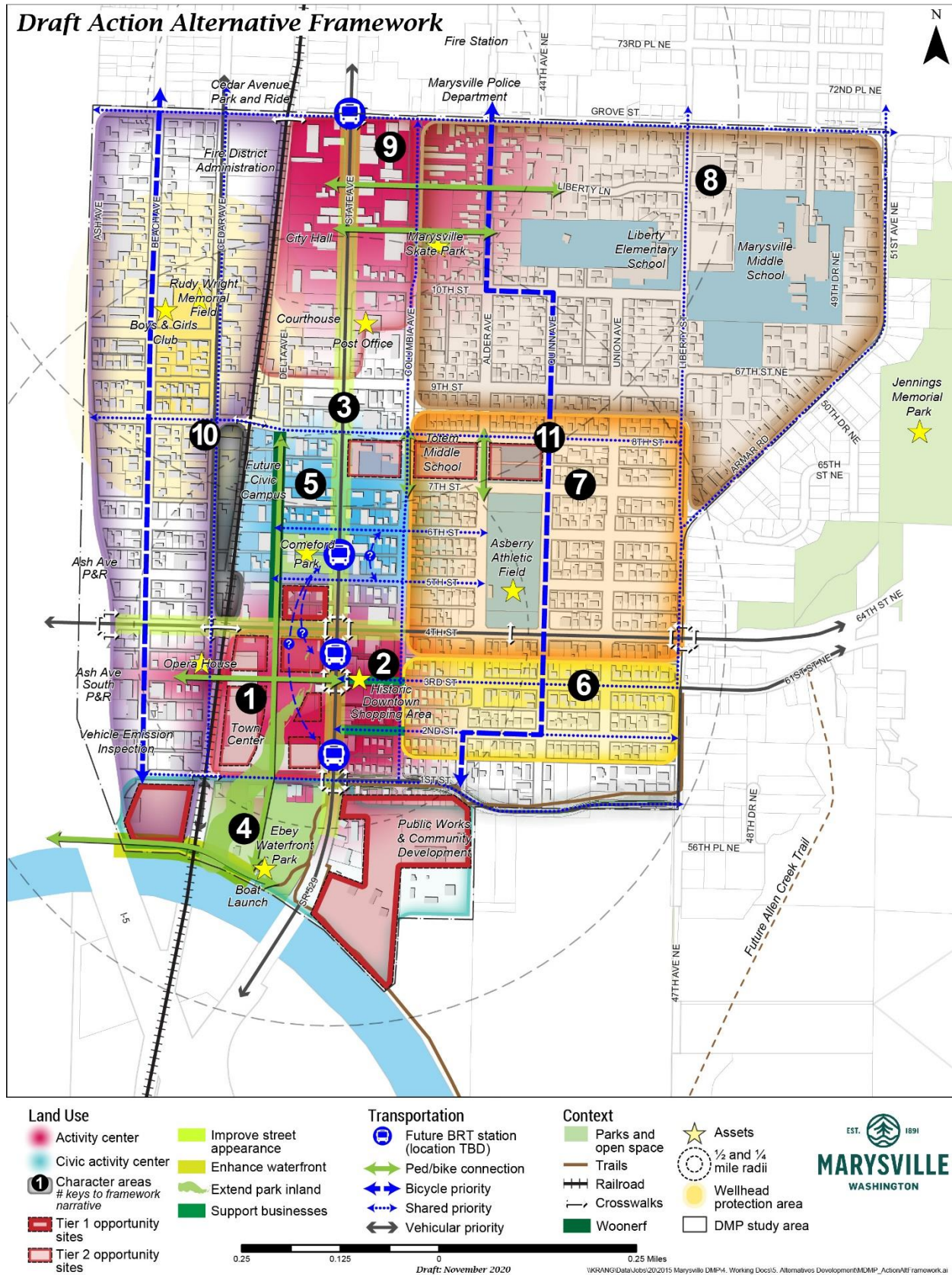
Land Use, Urban Design, and Transportation Concept

The Action Alternative would amend the Downtown Master Site Plan and create a new Form-Based Code. There would be new zoning and design standards. Areas of focus for infill and redevelopment are identified along the spine of the new transit and transportation investments, and along the waterfront. Additional moderate density housing would infill in residential neighborhoods such as duplex, triplex, or townhomes to provide affordable ownership and rental housing.

Key elements of the alternative are listed in the text box below and illustrated on Exhibit 1-6.

Action Alternative Framework
1. Town Center Infill and Redevelopment
2. 3 rd /2 nd St Old Town Small Business Support and Public Realm Improvements
3. Improve State Ave and 4 th St streetscapes/appearance
4. Waterfront Redevelopment
5. Civic Center Hub and Area Redevelopment
6. Historic 3 rd St Neighborhood Housing Opportunities in Historic Form
7. Asbery Neighborhood School Redevelopment, Neighborhood Infill, and Amenity Improvements
8. Liberty Neighborhood Infill and Midblock Connections
9. North State Ave/Grove St Redevelopment and Midblock Connections
10. BNSF Sliver and Beach Ave Neighborhood Flexible Uses
11. Multimodal pedestrian/bicycle facilities

Exhibit 1-6. Action Alternative Framework



Source: Makers 2020.

To implement the Action Alternative Concept in Exhibit 1-6, the Action Alternative would amend zoning and apply a form-based code that focuses on design and relationship of buildings and streets. See Exhibit 1-7 for a description of the zones, and Exhibit 1-8 for a map.

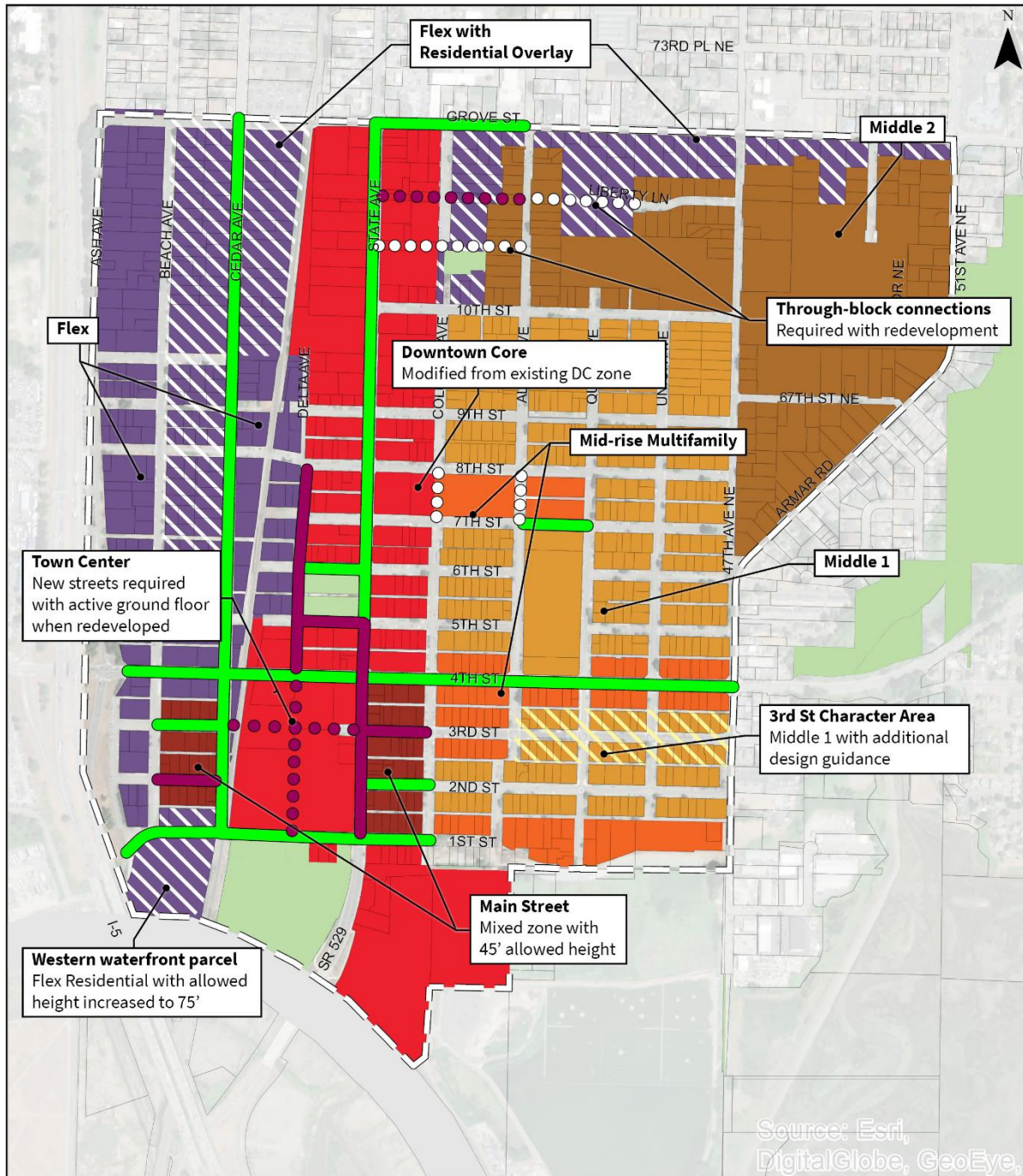
Exhibit 1-7. Zoning Description

Zone/Area	Acres (Parcel)	Description
Mixed Use/Commercial Zones		
Downtown Core	67.0	The Downtown Core zone encourages high density mixed-use and office uses. Other commercial uses are allowed. Buildings and streets should have pedestrian-friendly design.
Waterfront	34.2	The Waterfront zone/overlay encourages construction of high-density residential or mixed-use development along the Ebey Slough waterfront.
Flex	44.0	The Flex zone encourages a lively mix of uses, including workshops, small manufacturing and commercial. Residential is allowed in some areas with the Residential Overlay (see below).
Flex Residential	32.1	This overlay allows medium-density density housing to the Flex zone.
Mixed Use	32.2	The purpose of the mixed use zone (MU) 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.
Residential Zones		
Midrise Multifamily	26.2	The Midrise Multifamily zone encourages dense multifamily housing. Commercial is not allowed except as a ground floor element of a mixed-use building.

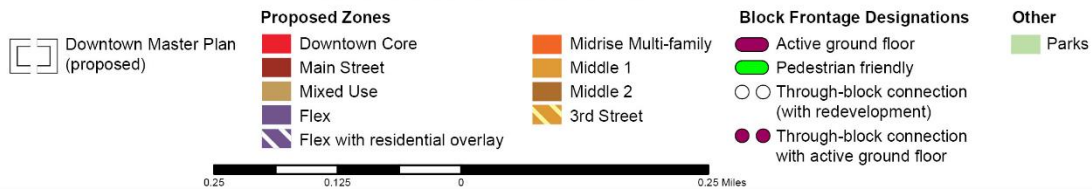
Zone/Area	Acres (Parcel)	Description
Middle Housing 1	64.9	The Middle Housing 1 zone encourages small infill housing, especially “missing middle” building types. The zone protects the fine-grained, residential character of historic neighborhoods.
Middle Housing 2	76.6	The Middle Housing 2 zone encourages infill housing, especially “missing middle” building types and small apartments. Commercial is not allowed except as a ground floor element of a mixed-use building.
3rd Street	6.3	The 3 rd Street overlay places design standards along either side of 3rd St to promote high-quality building design that is consistent with existing character.

Source: Makers 2020.

Exhibit 1-8. Action Alternative Zoning



Downtown Master Plan



Source: Makers 2020.

Growth

Comparing the Snohomish County buildable land model, growth is anticipated beyond the No Action Alternative as shown in Exhibit 1-9.

Exhibit 1-9. Action Alternative Growth and Comparison to No Action

	No Action	Action	Difference
Residential	1,885	2,579	+694
Jobs	1,360	1,828	+468

Sources: Transpo, BERK 2020.

Planned Action

In 2009, the City approved a Planned Action Ordinance (PAO) for the Downtown area. With the Downtown Master Plan Update, the PAO is proposed for amendment to match the larger study area of this SEIS, incorporate updated growth figures, and provide update mitigation measures.

A planned action provides more detailed environmental analysis during the early formulation stages of planning proposals rather than at the project permit review stage. Future development proposals consistent with the PAO do not have to undergo an environmental threshold determination and are not subject to SEPA appeals. Planned actions still need to meet the City’s development regulations and to obtain necessary permits.

Preferred Alternative Framework

1. Town Center Infill and Redevelopment
2. 3rd/2nd St Old Town Small Business Support and Public Realm Improvements
3. Improve State Ave and 4th St streetscapes/appearance
4. Waterfront Redevelopment
5. Civic Center Hub and Area Redevelopment
6. Historic 3rd St Neighborhood Housing Opportunities in Historic Form
7. Asbery Neighborhood School Redevelopment, Neighborhood Infill, and Amenity Improvements
8. Liberty Neighborhood Infill and Midblock Connections
9. North State Ave/Grove St Redevelopment and Midblock Connections
10. BNSF Sliver and Beach Ave Neighborhood Flexible Uses
11. Multimodal pedestrian/bicycle facilities

1.5.3. Preferred Alternative

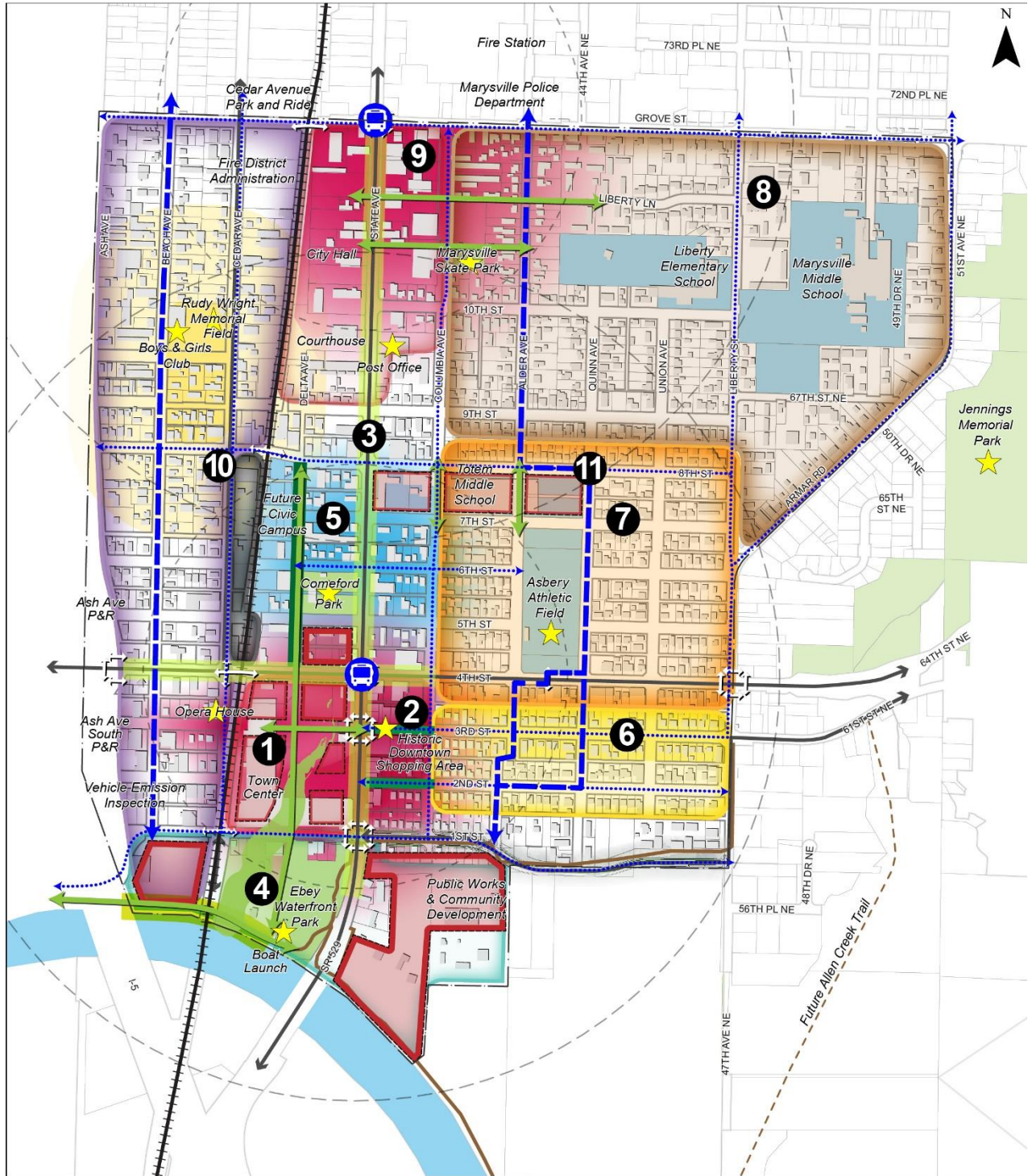
Land Use, Urban Design, and Transportation Concepts

The Preferred Alternative would amend the Downtown Master Site Plan and create a new Form-Based Code with zoning and design standards like the Action Alternative.

Areas of focus for infill and redevelopment are identified along the spine of the new transit and transportation investments, and along the waterfront. Additional moderate density housing would infill in residential neighborhoods such as duplex, triplex, or townhomes to provide affordable ownership and rental housing.

Key elements of the alternative are listed in the text box below and illustrated on Exhibit 1-10.

Exhibit 1-10. Preferred Alternative Framework



Land Use Activity center Civic activity center Character areas Tier 1 opportunity sites Tier 2 opportunity sites Improve street appearance Enhance waterfront Extend park inland Support businesses		Transportation Future BRT station (location TBD) Ped/bike connection Bicycle priority Shared priority Vehicular priority		Context Parks and open space Trails Railroad Crosswalks Woenerf		 Assets 1/2 and 1/4 mile radii Wellhead protection area DMP study area	
--	--	---	--	--	--	--	--

Source: Makers 2021.

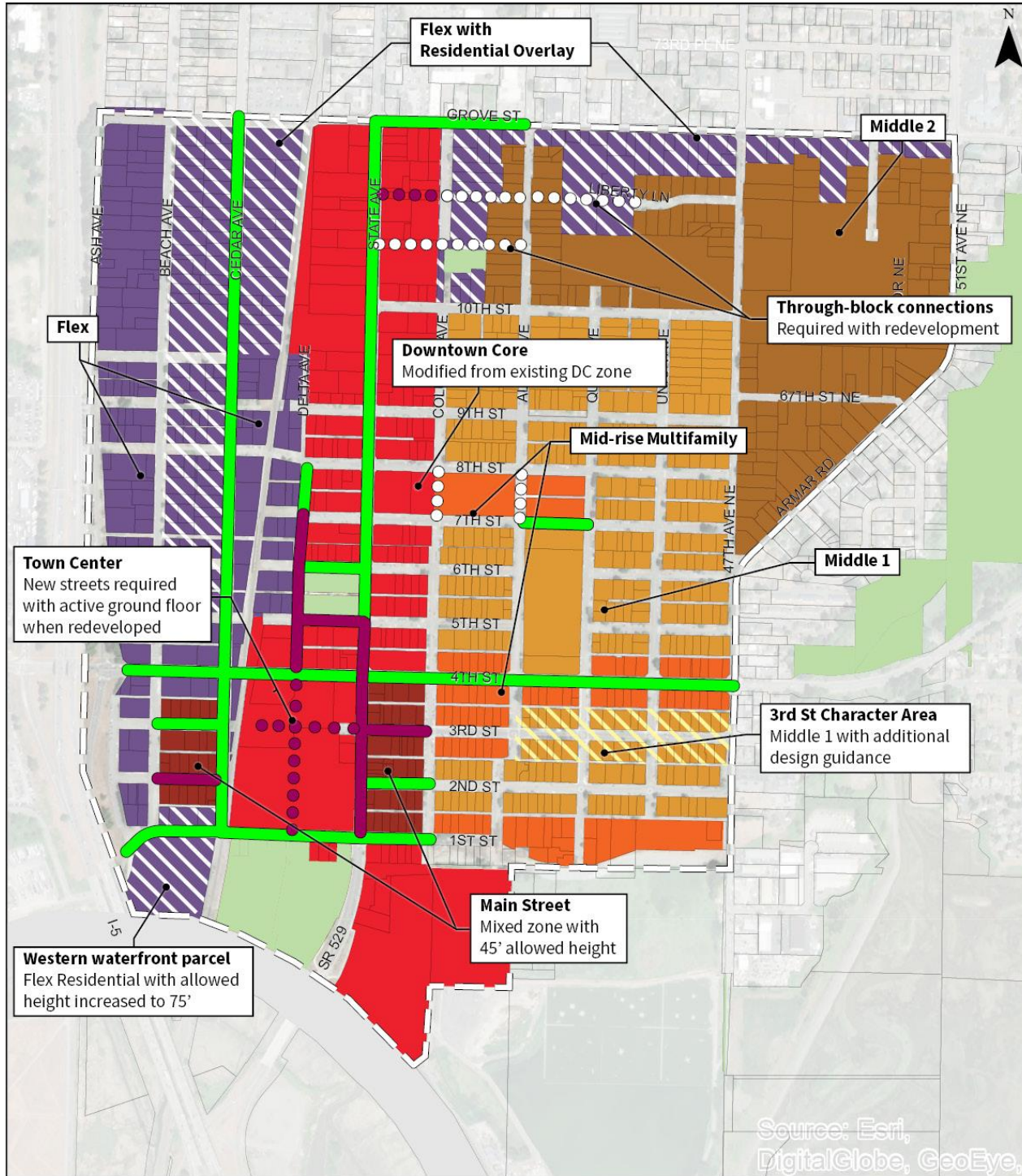
To implement the Preferred Alternative Concept in Exhibit 1-10, the Action Alternative would amend zoning and apply a form-based code that focuses on design and relationship of buildings and streets. See Exhibit 1-11 for a description of the zones, and Exhibit 1-8 for a map.

Exhibit 1-11. Action Alternative and Preferred Alternative Zoning Classifications

Zone	Draft SEIS Action Alternative		Final SEIS Preferred Alternative	
	Acres	Description	Acres	Description
Downtown Core (DC)	67.0	The Downtown Core zone encourages high density mixed-use and office uses. Other commercial uses are allowed. Buildings and streets should have pedestrian-friendly design.	101.1	The Downtown Core zone encourages high density residential mixed use and office mixed use. Other commercial uses are allowed. No active ground floor required except on designated streets.
Main Street (MS)	0.0		9.8	The Main Street zone protects and enhances the character of Marysville’s historic retail core. This zone encourages high-activity uses like restaurants, entertainment, and shops, and residential above the ground floor. New buildings should feature an active ground floor use. Parking is generally not required.
Flex (F)	44.0	The Flex zone encourages a lively mix of uses, including workshops, small manufacturing and commercial. Residential is allowed in some areas with the Residential Overlay (see below).	38.0	This zone encourages a mix of uses, including artisan, workshops, small light manufacturing, and commercial. New residential, schools, daycares, and other sensitive uses are not allowed due to air quality, noise, and odor impacts from I-5 and the BNSF railroad corridor.
Flex Residential Overlay (FR)	32.1	This overlay allows medium-density density housing to the Flex zone.	38.1	This overlay zone allows “missing middle” building types and lowrise apartments in addition to all uses allowed in the Flex zone.
Midrise Multifamily (MMF)	26.2	The Midrise Multifamily zone encourages dense multifamily housing. Commercial is not allowed except as a ground floor element of a mixed-use building.	26.2	This zone encourages dense multifamily housing. Commercial is not allowed except as a ground floor element of a mixed-use building.
Middle Housing 1 (MH1)	64.9	The Middle Housing 1 zone encourages small infill housing, especially “missing middle” building types. The zone protects the fine-grained, residential character of historic neighborhoods.	71.2	The Middle Housing 1 zone encourages small infill housing, especially “missing middle” building types. The zone protects the fine-grained, residential character of historic neighborhoods.
Middle Housing 2 (MH2)	76.6	The Middle Housing 2 zone encourages infill housing, especially “missing middle” building types and small apartments. Commercial is not allowed except as a ground floor element of a mixed-use building.	76.6	This zone encourages infill housing, especially “missing middle” building types and lowrise apartments. Commercial is not allowed except as a ground floor element of a mixed-use building.
3rd Street Character Area	6.3	The 3rd Street overlay places design standards along either side of 3rd St to promote high-quality building design that is consistent with existing character.		Addressed in code; not an overlay.

Source: Makers 2021.

Exhibit 1-12. Preferred Alternative Zoning



Downtown Master Plan



Source: Makers 2021.

Differences in the zoning between the Action Alternative and the Preferred Alternative include changes to categories but not a change in intent for the future character of the study area:

- Waterfront areas in the Action Alternative was changed to Flex Residential and Downtown Core, which similarly allow mixed uses
- Mixed Use in the Action Alternative was changed to Flex Residential and Midrise Multifamily which allow for mixed use and attached housing similar to the Mixed Use designations

Some minor changes to through-block connections/block frontage designations between the Action Alternative and Preferred Alternative include:

- 3rd St between Cedar Ave and State Ave—removed requirement to connect east-west across the Town Center site and railroad
- Liberty Lane alignment between State and Alder Ave (south of Grove St)—shortened Active ground floor designation to one block between State and Columbia Aves

Development Regulations

Consistent with the concept plan in Exhibit 1-10 and intent of zones in Exhibit 1-11, the Preferred Alternative incorporates a form-based code with more elements defined than under the Action Alternative. The heights and densities are compared to the No Action Alternative for the equivalent zones in the same geography. There would be a decrease in height under the Main Street (MS) zone. There would be an increase in the Midrise Multifamily (MMF) zone applied to the Totem Middle School; should there be redevelopment design standards of the form-based code apply.

Most zones include a base maximum density that is similar to existing zoning, but also to an unlimited maximum density, except that heights, landscaping, parking, and setbacks would effectively limit density.

Exhibit 1-13. Comparison of Development Regulations

Zone –Preferred	No Action Alternative: Allowed Heights & Densities	Preferred Alternative: Allowed Heights & Densities
Downtown Core (DC)	Base height: 65-85 feet Min. density: None Max density: None	Base height: 85 feet <i>Height may be increased by 1' for each 1' of street and interior setback beyond minimum requirement.</i> Min. density: 45 du/acre Max density: None
Main Street (MS)	Base height: 85 feet Min. density: None Max density: None	Base height: 45 feet <i>Height may be increased by 1' for each 1' of street and interior setback beyond minimum requirement.</i> Min. density: None Max. density: None

Zone –Preferred	No Action Alternative: Allowed Heights & Densities	Preferred Alternative: Allowed Heights & Densities
Flex (F)	Base height: 35-85 feet Min. density: None Max density: 12 du/acre or no limit with RDI (GC zone) to None (DC zone)	Base height: 45 feet <i>Height may be increased by 1' for each 1' of street and interior setback beyond minimum requirement.</i> <i>Max height for SW waterfront parcel is 75'.</i> Min. density: None Max. base density: 28 du/acre
Flex Residential Overlay (FR)	See above	Base height: same as Flex Max. density in residential overlay areas only: 45 du/acre
Midrise Multifamily (MMF)	Base height: 30-45 feet Min. density: None Max density: 18 du/acre or 27 du/acre with RDI (R18 zone) to 28 du/acre (MU zone)	Base height: 65 feet Max. base density: 28 du/acre Max. density: None Max. density on sites greater than 20,000 ft: 45
Middle Housing 1 (MH1)	Base height: 30-45 feet Min. density: None Max density: 8-18 du/acre or 27 du/acre with RDI (R18 zone) <i>Currently zoned R8-18</i>	Base height: 35 Max base density: 18 du/acre Max. density: none
Middle Housing 2 (MH2)	Base height: 30-45 feet Min. density: None Max density: 4.5 du/acre (just along Armar Rd); 8-18 du/acre or 27 du/acre with RDI (R18 zone) <i>Currently zoned R4.5-18</i>	Base height: 45 Max base density: 18 du/acre Max. density: none

Source: Makers 2021.

Growth

The Preferred Alternative has similar proposed densities as the Action Alternative and is similar in growth depending on the minimum and maximum densities of the zones, and in some cases no maximum.

Exhibit 1-14. Alternative Growth Comparison

	No Action	Action	Preferred
Residential	1,885	2,579	2,579
Jobs	1,360	1,828	1,828

Sources: Transpo, BERK 2020.

Planned Action

Similar to the Action Alternative, the Preferred Alternative incorporates an updated Planned Action Ordinance amended to address the EIS Study Area, and mitigation measures of this SEIS.

1.6. Key Issues and Options

The key issues facing decision makers include:

- Approval of the Downtown Master Plan Update including a vision, goals and policies, land use concept including changes to map designations, updated growth estimates, and consistency edits to the Comprehensive Plan;
- Approval of amendments to the Downtown planned action ordinance to help incentivize growth while mitigating impacts.
- Consideration of a new form-based code to ensure design quality and flexibility.

1.7. Summary of Impacts and Mitigation Measures

1.7.1. Surface Water/Water Resources

How did we analyze Surface Water/Water Resources?

City plans for surface and groundwater resources were reviewed, and readily available records maintained by federal, state, and local agencies were compiled and screened, to identify water resources in the downtown planning area. Findings were validated through field reconnaissance and aerial imagery. The analysis focused on assessing quality of existing water resources and alternatives to improve their function or recreational and aesthetic values.

What impacts did we identify?

Access to the Ebey Slough shoreline can continue to develop to improve public access to the water and provide new housing, recreation, and commercial opportunities connected to a waterfront experience. The shoreline restoration and enhancement, and the extension of existing trails and pathways, are opportunities to improve downtown surface water features.

The downtown area is already completely built out; therefore, groundwater impacts relate principally to construction impacts, illicit discharges to the storm system, and conveyance system failures. Impacts to surface water would relate to illicit discharges and impacts of construction along /within the Slough. The City can, with the support of federal and state agencies, mitigate these impacts through development permit conditions and routine capital maintenance.

What is different between the alternatives?

There is no significant difference between the alternatives, although the Action Alternative and Preferred Alternative propose new site-specific improvements to reduce polluted runoff

from entering the City's system. The City will continue with shoreline improvements and surface water management as part of on-going maintenance and resiliency planning.

What are some solutions or mitigation for impacts?

There would be continued application of federal, state, and local surface water regulations. Solutions to improving water quality include the installation of end of pipe treatment, site specific water quality controls, and increased use of LID techniques to reduce water quantity and improve water quality entering the slough. The new end of pipe treatment facility at the marina basin will improve water quality from approximately 280 acres of the downtown planning area. The area south of 8th Street and east of State Street (Downtown Neighborhood) and the Armar Road Residential area will not benefit from the new treatment facility. This approximately 180 acres area currently discharges stormwater runoff to Allen Creek or directly to Ebey Slough near the public works facility. New development and the resulting increased densities in these areas will require new low impact stormwater systems like the infiltration systems seen along 3rd Street east of Columbia Avenue. The City should require on-site water quality treatment for development south of 1st Avenue. This would eliminate the need for additional City water quality improvements along the waterfront. The City will begin Surface Water Action Planning in 2021. The resultant action plan will present new surface water management strategies and projects that would be implemented under either alternative.

With mitigation, what is the ultimate outcome?

The ultimate outcome is an improved waterfront experience through better access to the water and more water quality treatment for discharges to Ebey Slough. There are no significant unavoidable adverse impacts associated with the surface water element. Development under all the alternatives would result in increased demand for access to the waterfront and increase surface water treatment requirements. It is anticipated that with proposed mitigation measures the Alternative impacts would be less than significant.

1.7.2. Land and Shoreline Use and Aesthetics

How did we analyze Land and Shoreline Use and Aesthetics?

The SEIS reports current land use patterns using County Assessor data. It also considers land use policies and zoning of each alternative, and calculates future growth based on land capacity.

What impacts did we identify?

Under both alternatives, there will be consistency with State and Regional Plans by focusing growth in an urban center with investments in transportation. Both alternatives will result in increased development intensity in the downtown along the waterfront, Town Center, and State Avenue. In both alternatives, mixed use and higher intensity development is paired with

design standards to ensure human-oriented design. In both alternatives, waterfront property is likely to redevelop and would be subject to Shoreline Master Program provisions.

What is different between the alternatives?

- **Growth Pattern and Goals:** There would be capacity under the current plan to increase housing densities and jobs in downtown in about a half mile of transit though less centrally located than the Proposed Action Alternative and Preferred Alternative. The Proposed Action Alternative and Preferred Alternative would further provide a diversity of housing types, focused near transit investments. The growth intensity would be higher under the Proposed Action than the No Action. The Proposed Action Alternative would advance the state and regional plans to a greater degree than the No Action Alternative with a greater capacity for housing and jobs beyond the current planning period of 2035 and assist the City in its pending periodic review that will establish the City's growth plan for 2044.
- **Growth Near Freeway and Railroad:** The No Action Alternative plans for more growth in the western and eastern extents of the study area. The Action Alternative and Preferred Alternative remove the residential allowance adjacent to I-5 and near the BNSF railroad corridor. This has the positive benefit of fewer residents living near the I-5 and BNSF corridor air quality and noise impacts.
- **Height and Reasonable Zone Transitions:** The transit improvements on State Ave may attract higher intensity redevelopment (likely 5 to 7 stories) in the Downtown Commercial zone. This zone, in some places, is adjacent to a R-8 Single Family, High Density – Small Lot zone which allows up to 30-foot heights. The difference in allowed height under the No Action Alternative may result in two fairly distinct zones—multifamily and primarily single family—with little architectural or density variation to bridge the two development types. Under the Proposed Action Alternative and Preferred Alternative, the form-based code and zoning provide for improved transitions in height and uses. The Proposed Action Alternative and Preferred Alternative Main Street zone height limits would have a positive benefit of protecting existing affordable commercial space. In addition, it protects historic character and vibrant streetscapes and encourages a transition between taller buildings expected in the downtown core and the shorter buildings and lower intensities expected in the residential zones.
- **Missing Middle Housing:** Under the Proposed Action Alternative and Preferred Alternative, more missing middle housing/small-scale residential (townhouse, duplex/multiplex) is expected throughout, but especially in current the R-8 zone where Middle Housing zones are proposed. This may result in modest changes to the

appearance of residential streets and build a greater sense of liveliness with more people using the sidewalks and streets. A potential negative impact could include degradation of the relatively people-oriented residential streets with some missing middle redevelopment. If current parking and access requirements continue (20' for fire and extensive turning radii), existing residential street fronts could become more auto-oriented in their appearance and function than they are today. A potential negative impact may also occur if reduced setbacks are established resulting in setbacks varying widely, and the sense of a cohesive street wall degrading. Also, if setbacks become too narrow without design consideration for adequate privacy, residents may feel less comfortable using their space facing the street.

- Heights: Under the Preferred Alternative, there would be a decrease in height under the Main Street (MS) zone. There would be an increase in the Midrise Multifamily (MMF) zone applied to the Totem Middle School; should there be redevelopment design standards of the form-based code apply.
- Densities: With the Preferred Alternative, most zones include a base maximum density that is similar to existing zoning, but also to an unlimited maximum density, except that heights, landscaping, parking, and setbacks would effectively limit density.

What are some solutions or mitigation for impacts?

The City applies Marysville Municipal Code (MMC) [Title 22 Land Use Standards](#) to new development under the No Action Alternative. The Proposed Action builds on existing regulations and advances them with a form-based code. Highlights of the Action Alternative and Preferred Alternative features that serve as mitigation include:

- Promoting human-oriented design in the broader study area extending design guidance beyond the 2009 Downtown Master Plan (DMP) boundary.
- The Proposed Action Alternative and Preferred Alternative proposes specific design guidance on 3rd St, between Alder Ave and 47th Ave, so that future residences maintain a historic character.
- To protect the 3rd/2nd St Old Town areas' lively and historic character and affordable space, the Action Alternative reduces the allowed height.
- By allowing a greater variety of housing types in the current R-8/proposed Middle Housing zones, the transition between the more intense DC and lesser intense residential zones would be eased.

Additional proposed mitigation includes:

- **Small-scale residential impact on sidewalk experience.** Marysville may consider updating parking and access standards for missing middle housing types to maintain building-to-street relationships and people-oriented design.
- **Small-scale residential setbacks.** If residential setback variation is a concern with reduced setbacks, design guidance can encourage a cohesive street front while allowing for variation through setback averaging and landscaping.

With mitigation, what is the ultimate outcome?

The greater intensities and variety of uses expected would not have significant unavoidable adverse impacts when paired with the proposed form-based code and associated design guidance. A minor adverse impact may occur if middle housing development includes extensive parking and access at the street front, which would degrade the sidewalk experience and streetscape aesthetics and reduce street parking. This could be mitigated with reduced access requirements and considered under mitigation measures.

1.7.3. Socioeconomics

How did we analyze Socioeconomics?

The socioeconomics analysis uses federal and state population, housing, job, and demographic data to characterize current conditions. Future growth is identified based on a 2012 and 2020 buildable lands data and land capacity evaluation for the Proposed Action Alternative and Preferred Alternative, as well as the City's transportation model.

What impacts did we identify?

Studied alternatives increase housing and job capacity over existing levels, with the Proposed Action and Preferred Alternative increasing capacity of housing and jobs over the No Action Alternative. The Proposed Action and No Action Alternatives increase housing opportunities in all parts of the study area.

What is different between the alternatives?

The No Action Alternative focuses housing in the west and east rather than the center of the study area, whereas the Proposed Action and Preferred Alternative focus housing in the center where more investment is being made in the BRT and other transportation investments. Job capacity is similarly distributed in the east and west, and the Proposed Action and Preferred Alternative increases it in the center due to increased mixed uses on redevelopable sites not considered in the No Action Alternative.

Under the No Action Alternative, Downtown housing densities would continue to be oriented to lower densities (6.5 – 8 du/ac) and higher densities (18-34 du/ac R-18 and MU or unlimited

in DC and GC) with less densities in the middle of the spectrum. The Proposed Action and Preferred Alternative would increase midrange densities to promote added ownership and rental housing opportunities.

Under all alternatives there is a risk of displacement of existing housing and jobs as redevelopment occurs. Both alternatives add development capacity that can help accommodate displaced housing units and employment space. The Proposed Action Alternative would include policies and new development codes to avoid displacement and encourage small business retention and housing retention.

What are some solutions or mitigation for impacts?

Existing regulations provide mitigation, including:

- [MMC Title 22 Unified Development Code](#) provides zoning and development standards for residential and employment uses.
- [MMC Chapter 3.103 Multifamily Housing Property Tax Exemption](#) to incentivize housing Downtown.
- [MMC Chapter 22C.090 Residential Density Incentives](#) for R-18, MU, GC, and DC zones, e.g. 1.5 bonus units and 30-60 units per five acres for low-income or senior housing.
- [MMC Chapter 3.105 Affordable and Supportive Housing Sales Tax Credit Fund](#), identifies funding for acquiring, rehabilitating, or constructing affordable housing, or operations and maintenance costs of new units of affordable or supportive housing, or providing rental assistance to tenants.

Mitigation to address affordable housing and displacement is built into the Proposed Action through the Downtown Master Plan updates to policy and new form-based code that offers design quality and flexibility for land uses.

Other mitigation measures include:

- Establishing an inclusionary housing requirement that new mixed use and multifamily development incorporate affordable housing or pays an in-lieu fee.
- Amending multifamily tax exemption (MFTE) regulations to expand the study area to match the Downtown Master Plan Update Study Area in Exhibit 1-1.

With mitigation, what is the ultimate outcome?

There will be an increase in housing and jobs in the study area under all studied alternatives. However, there is capacity to address displacement of housing and jobs. With implementation of mitigation measures including features of the Proposed Action to add a wider range of housing types and address design quality, no significant unavoidable adverse impacts are anticipated.

1.7.4. Transportation

How did we analyze Transportation?

Transportation impacts were evaluated consistent with the methods of the Marysville Comprehensive Plan 2015. The transportation analysis includes 2035 traffic forecasts using the City of Marysville travel demand model and an evaluation of street system operations, non-motorized and transit facilities. Transportation impacts of the Action Alternative was identified through a comparison to the No Action Alternative. The Preferred Alternative is similar in growth and pattern as the Action Alternative and results are transferable.

What impacts did we identify?

Transportation demands for all modes would be increased with either the Action Alternative or Preferred Alternative compared to the No Action Alternative. There are existing and planned transit service and non-motorized facilities to accommodate transit use, walking and biking. It is anticipated that as development occurs and transportation improvements are completed additional transit and non-motorized facilities would be constructed including accommodation of the Swift BRT Downtown. Under the No Action Alternative, Action Alternative, or Preferred Alternative all study intersections would operate at LOS D or better during the weekday PM peak hour. The evaluation includes planned improvements identified in the City's 2019-2024 Transportation Improvement Program (TIP) and the City's Comprehensive Plan.

Under the Preferred Alternative, the MDMP has been refined based on the analysis conducted for the Draft SEIS and feedback from the community. Key refinements to the transportation plan features include removal of the east-west connection across the railroad tracks along 3rd St to the Town Center (Draft SEIS TR-1.e and TR-2) and additional emphasis and pedestrian connectivity along 4th Street to/from the Civic Campus and Town Center. There have also been some minor changes to the travel mode priorities for corridors within shared priority removed from 5th Street and the north-south bicycle priority along Alder Avenue and Quinn Avenue further defined. The Downtown would continue to be well-connected with sidewalks and bicycle facilities with the refinements to the MDMP. There would be no new transportation impacts or mitigation measures with the refined MDMP. A pedestrian crossing would be provided along 4th Avenue at State and Cedar Avenues and a HAWK signal or other pedestrian crossings treatment would be provided at Delta Avenue with the MDMP. The network of sidewalks, bike facilities and multimodal trails access to and from as well as within the study area will continue to encourage trip making via walking and biking for commuter, recreational or other purposes.

What is different between the alternatives?

Either the Action Alternative or Preferred Alternative is anticipated to generate approximately 1,600 more weekday PM peak hour trips compared to the No Action Alternative. As a result of the higher trip generation, it is anticipated that future increases in traffic volumes and delays

would be higher with the Action Alternative or Preferred Alternative compared to the No Action Alternative.

What are some solutions or mitigation for impacts?

The Downtown Master Plan incorporates improvements to mitigate transportation impacts such as non-motorized connections and improvements, a second Swift BRT station near the Civic Center campus, monitoring traffic improvement needs with key infrastructure improvements, Intelligent Transportation System improvements, managed access along major corridors, and consider roundabouts for traffic control needs.

As development occurs, required frontage improvements would help complete and improve the network and new development would be required to pay traffic impact fees to contribute towards planned improvements.

With mitigation, what is the ultimate outcome?

Development under all the alternatives would result in increases in all travel modes – vehicles, transit, pedestrians, and bicycles. The mitigation measures would mitigate the transportation impacts of the Alternatives.

1.7.5. Public Services

How did we analyze Public Services?

To analyze public services this study compared existing conditions with projected growth to identify future needs for public services (police, fire and emergency services, schools, and parks) associated with each of the proposed alternatives.

Current effective levels of service for police were used to project future need for additional police officers due to growth. Current effective levels of service based on incident fire and EMS call volume per capita was used to project future call volume for fire and emergency services due to growth as well. The analysis also considered the proximity of police and fire protection facilities/apparatuses to the Study Area.

Demand for school services were analyzed in terms of the schools within or surrounding the Study Area that would likely receive additional school age children generated by growth in the Study Area. Demand for parks and recreation facilities were analyzed by the projected future need for additional park acreage and trail mileage due to growth based on the City's parks and recreation LOS standards.

Impacts on public services and utilities would be considered to result in significant impacts under one or more of the following conditions:

- Negatively affect the response times for police and/or fire and emergency medical services.

- Increase demand for special emergency services beyond current operational capabilities of service providers.
- Reduce access to park and open space facilities.
- Result in increases in students and lack of facilities.

What impacts did we identify?

Under all alternatives, additional population and employment growth would generate a need for additional police, fire and emergency, school, and park services.

For fire and emergency services, growth in the Study Area under both alternatives will generate increased incident call volume. For police services, to maintain the City's current effective LOS under all alternatives, the Marysville Police Department would need to hire more police officers to serve the new growth generated in the study area.

Growth in the Study Area will also generate more school age children within the Study Area. Based on Marysville School District's adopted student generation rates, projected population growth within the Study Area will include between 2,537 to 3,472 students through the planning period, depending on the alternative.

Lastly, to maintain the City's current LOS standards for park acreage and trail mileage under all alternatives, the City would need develop or acquire more park acreage and develop more trail mileage to serve the new growth generated in the study area.

What is different between the alternatives?

The Action Alternative and the Preferred Alternative would allow for more population and employment growth than the No Action Alternative. As the City's current or policy-based LOS standards are based on population, demand for public services will be highest under the Action Alternative and will be lowest under the No Action Alternative.

What are some solutions or mitigation for impacts?

In general, planning for future growth is a way to mitigate the impacts generated by projected population and employment growth.

For police as well as fire and emergency services, the Marysville Police Department (MPD) and Marysville Fire Department (MFD) could hire additional staff to prepare for the new growth in the study area. Both MPD and MFD could also adopt formal, population-based LOS standards for police as well as fire and emergency services to help identify project-specific demand.

For schools, the City collects school impact fees on behalf of the Marysville School District to partially offset the system improvement costs of educating additional students generated by new development.

Similarly, the City also collects park impact fees to build or acquire new park and recreation facilities. The Action Alternative also includes investment in pedestrian and bicycle improvements to connect with trails, parks, and schools within and abutting the study area.

With mitigation, what is the ultimate outcome?

All studied alternatives would increase the demand for fire, police, schools, and parks and recreation with No Action Alternative the least and the Action Alternative or Preferred Alternative the most. With regular capital facility planning and implementation of mitigation measures no significant unavoidable adverse impacts are anticipated

1.7.6. Utilities

How did we analyze Utilities?

City comprehensive plans for stormwater, waste water, and solid waste were reviewed and readily accessible records maintained by federal, state, and local agencies were compiled and screened to identify utility conditions in the Downtown Planning area. Specific capital plans like LID improvements, the new Ebey Waterfront Park and the new regional stormwater treatment facility were also reviewed. The analysis focused on assessing the general condition and the availability of long-term capacity to accommodate growth in the Downtown Planning Area. Findings indicate sufficient utility infrastructure and capacity to accommodate planned growth, provided on-going maintenance and regulatory compliance standards are maintained.

What impacts did we identify?

The studied alternatives are anticipated to increase demand for water, wastewater, and solid waste services. Because there is no stormwater quantity discharge limits for the planning area, currently planned stormwater improvements (2021 improvements) and on-going maintenance and capital planning will be sufficient for the planned growth. Increased residential and employment population in the area has the potential to increase water and wastewater system demands. With appropriate regulatory and capital mitigation measures, no significant unavoidable adverse impacts are anticipated.

What is different between the alternatives?

There are no significant utility impacts between the alternatives. The City wastewater, stormwater, and solid waste utilities have sufficient capacity to accommodate the proposed growth alternatives. Private utility providers have sufficient capacity to serve future growth in the sub-area. There is one Class B water system that would be removed under either alternative.

What are some solutions or mitigation for impacts?

The utility solution is to continue to maintain and sustain the resiliency of the utility systems in the Downtown Planning area. Pro-active administrative measures such as planning for increases in maintenance and operations funding to sustain system resiliency should continue. Annual discussions with private utility providers specifically focused on City growth and new private utility investments to service planned growth and new building styles. The City should plan to acquire the Class B water right and abandon that right to reduce development restrictions in the well head protection zone.

With mitigation, what is the ultimate outcome?

The ultimate outcome is to provide public utilities (water, wastewater, and solid waste) and ensure implementation of private utility growth that will accommodate the planned growth in the Downtown Planning Area.

2.0. Responses to Comments and Clarifications

This chapter of the Final Supplemental Environmental Impact Statement (Final SEIS) describes the opportunities for commenting on the Marysville Downtown Master Plan Update and Planned Action Draft SEIS, followed by the specific comments that were submitted and responses to those specific comments.

2.1. Comments and Responses

During the Draft SEIS comment period, written comments were received from the individuals and agencies listed below. The issues raised in each comment letter are numbered on each letter and are followed by correspondingly numbered responses.

The issues raised in each comment letter are provided with a corresponding response. Full comment letters are included at the end of this chapter.

Comments that state preferences on alternatives or other matters are acknowledged with a response that the comment is noted and forwarded to City decision makers. Comments that address methods, analysis results, mitigation, or other matters are provided a response.

Input received will be considered by the City Council prior to their decision on the proposal.

Exhibit 2-1. Written comments and response matrix.

Letter	Comment	Response
1	COMMENT 1-1	RESPONSE 1-1
Jamie Holland 3/4/2021	As a new resident to Marysville I have been dismayed and disappointed in what I see as a lack of planning and oversight regarding Marysville as a whole. At times it has been hard to live here and since we live closer to Smokey Point, we completely avoid going south as State Street and the downtown area are deplorable, save for a few	Your comments about appreciation for the master plan are noted and forwarded to City decision makers.

Letter	Comment	Response
	<p>locally-owned businesses in the historic area. (Which give me hope!)</p> <p>As a former resident of Renton, Bothell and employed in Issaquah, all of which have dynamic, engaged downtown areas, I am VERY pleased to see a master plan for Marysville, which has no identity except for the mall and being 'near the freeway.' I have no comments on the plan except that I did participate in the online survey and am happy to see the positive results.</p> <p>I appreciate the fact that the city council has recognized the need for drastic changes in Marysville and has started the process. I feel encouraged for the first time since we moved here a year ago and look forward to seeing the changes.</p>	
<p>2</p> <p>Lynda Hawkins 3/5/2021</p>	<p>COMMENT 2-1</p> <p>Are there plans in the near future to accommodate Tiny Homes for affordable housing for seniors, students and other low income barriers to home ownership or rentals?</p>	<p>RESPONSE 2-1</p> <p>The comments are noted and forwarded to city decision makers.</p> <p>The Preferred Alternative and Proposed Action include a form based code and greater variety of housing types in the study area.</p>
<p>3</p> <p>Jean Uhrich 3/6/2021</p>	<p>COMMENT 3-1</p> <p>20 years ago, downtown Redmond looked similar in size and shape as today's Marysville. Today, using mixed-use commercial and housing options, Redmond is nearly unnavigable with narrow streets, tall apartments and homes looming above. It's incredibly easy to get lost! And the traffic signals must have quadrupled! It takes forever to drive through, especially if you're looking for something in particular.</p> <p>Please don't make the same mistakes the leaders in Redmond made.</p> <p>The charm of Marysville is the number of distinctly different single family homes scattered around parks and schools. I realize you have to bring more people in to help existing businesses make it. However, limiting the number of mega-apartment complexes to keep traffic manageable also would be well advised.</p>	<p>RESPONSE 3-1</p> <p>The comments are noted and forwarded to city decision makers.</p> <p>The studied alternatives were tested with the City's transportation model and affirmed the need for improvements listed in the Comprehensive Plan to achieve the City's levels of service. The proposals also include other multimodal improvements and will benefit from the future Bus Rapid Transit on State Ave.</p>
<p>4</p> <p>Jean Uhrich 3/24/2021</p>	<p>COMMENT 4-1</p> <p>My immediate concern is the increased traffic throughout downtown.</p> <p>The first major issue I see is access to downtown from I-5. A key objective in your Master Plan is to</p>	<p>RESPONSE 4-1</p> <p>See Response to Comment 3-1.</p>

Letter	Comment	Response
	<p>improve transportation connectivity to facilitate access and to handle continued growth. Currently, underneath the freeway overpass, 4th Street allows only three lanes westbound and one lane eastbound. Is rebuilding that overpass in the plan?</p> <p>COMMENT 4-2</p> <p>In your map (Figure 1. 2009 DMP envisioned public and private investment phasing), I see new residential/retail vertical mixed use and business high rises in downtown Marysville. I assume parking would be available (possibly underneath) to accommodate those new apartments and businesses, but where would parking be available for the increased civic, social and cultural activities? (I couldn't find parking lots on Map 2. Urban Design Framework.)</p> <p>While this plan would take several years to complete, encouraging middle and higher density homes throughout the city will add to traffic buildup. Building a city that brings in economic development revenue is desirable as long as the increase in traffic doesn't become a burden that would discourage public use. Are the streets, as they are currently, going to be able to handle that much more traffic?</p> <p>COMMENT 4-3</p> <p>I am excited to see possible redevelopment of our waterfront properties. While Marysville will never have the waterfront availability that Kirkland has, it would be great to have several sites that would allow public access to the water.</p> <p>COMMENT 4-4</p> <p>Redeveloping Asbery Athletic Field to allow a park, trails, a place for gathering outdoor performance would be terrific.</p>	<p>RESPONSE 4-2</p> <p>Parking standards are included in the form-based code associated with the Preferred Alternative, and with the Marysville Municipal Code for the No Action Alternative.</p> <p>See also Response to Comment 3-1.</p> <p>RESPONSE 4-3</p> <p>The comments are noted and forwarded to city decision makers.</p> <p>RESPONSE 4-4</p> <p>The comments are noted and forwarded to city decision makers.</p>
<p>5</p> <p>WA Utilities and Transportation Commission</p> <p>3/29/2021</p>	<p>COMMENT 5-1</p> <p>In downtown Marysville, there are at-grade railroad crossings at 1st Street (USDOT 084630B), 4th Street (USDOT 084640G), 8th Street (USDOT 084644J) and Grove Street (USDOT 084646X). The DMP and SEIS refer to planned and recommended improvements, including:</p> <ul style="list-style-type: none"> • TR-2 - 3rd St/BNSF corridor crossing – Seek funding and construct a grade-separated ped/bike crossing at 3rd Street over the BNSF 	<p>RESPONSE 5-1</p> <p>The comments are noted and forwarded to city decision makers.</p> <p>Under the Preferred Alternative, key refinements include removal of the east-west connection across the railroad tracks along 3rd St to the Town Center (Draft SEIS TR-1.e and TR-2).</p>

Letter	Comment	Response
--------	---------	----------

rail line as part of the 3rd Street ped/bike connection through Town Center (TR-1e).

- TR-14 - 8th St bicycle facilities – Design and construct 8th Street to accommodate multi-use paths, landscaping, and parallel street parking on both sides; bicycle priority features at the BNSF railroad corridor; and, where feasible, natural drainage features.

The SEIS also states that a key planned improvement serving the downtown area identified in the City’s 2019-2024 Transportation Improvement Program, and by the City within the DMP boundary, or the adjacent facilities serving downtown, includes:

- Grove Street Overcrossing – New overcrossing at the BNSF mainline at Grove Street between Cedar Avenue and State Avenue.

Because they appear to be conceptual at this stage, UTC staff does not have specific comments related to the proposed improvements. However, we offer the following as information for any future project involving a railroad crossing within the City:

To construct a new public crossing or make any changes to an existing public crossing, by law, a railroad or public agency (e.g., city/county/state park, etc.) must file a petition with the UTC and receive approval (see RCW 81.53.030, RCW 81.53.060, RCW 81.53.261, and WAC 480-62-150). By filing a petition, the petitioner alleges that public safety requires the construction or modification at the crossing, and bears the burden of proof. A separate petition is required for each crossing project.

When approving a new public crossing, the UTC considers public necessity, convenience, and safety. Current state policy strongly discourages construction of new at-grade crossings unless no other viable alternatives exist, and even in those instances, consideration should be given to closing one or more existing crossings. With any petition to construct a new crossing, the UTC requires a feasibility study on whether it is practicable to grade separate the new crossing (RCW 81.53.020). A SEPA review is also required for any new at-grade crossing.

The Manual on Uniform Traffic Control Devices (MUTCD) is the national standard for traffic control devices. The MUTCD states, in Part 8A.02, that because of the number of variables to be

Letter	Comment	Response
	<p>considered, no single standard system of traffic control devices is universally acceptable for all crossings. The appropriate traffic control system to be used at a grade crossing should be determined by an engineering study involving the road authority and railroad. An engineering study consists of a review of site characteristics, the existing traffic control system, and highway and railroad operational characteristics. Based on a review of these conditions, an assessment of existing and potential hazards can be made. If safety deficiencies are identified, countermeasures can be recommended.</p> <p>Generally, the UTC petition process works as follows:</p> <ol style="list-style-type: none"> 1. Diagnostic team meeting - The diagnostic team meeting is a meeting of the parties (UTC staff, the railroad, and public agency road authority at a minimum) at the crossing site, to discuss proposed changes and provide an opportunity for discussion of any safety concerns and/or questions prior to the petition being filed at the UTC. The petitioner schedules the meeting, discusses the proposed crossing changes, answers any questions about the project, and generally sends out meeting notes after the diagnostic meeting. UTC staff's role is to advise the team of policy and administrative rules applicable to crossing petitions/UTC process/MUTCD compliance. 2. Petition – Once the project is at approximately 60 percent design, the petitioner files the petition with the UTC. The petitioner must ensure that all information in the petition is current and complete and must obtain the respondent's signature on the Waiver of Hearing portion of the petition prior to filing. 3. Order – Once the petition is received, UTC staff reviews it and, assuming the petition is complete and the respondent has signed the Waiver of Hearing, makes a recommendation to the UTC for approval. The UTC approval process varies depending on the type of petition filed (e.g., construction of a new crossing vs. modifications to existing crossings). 	

Letter	Comment	Response
<p>6</p> <p>City of Marysville Traffic Engineer 3/29/2021</p>	<p>COMMENT 6-1</p> <p>1. It is my understanding that a conversation between the CAO and City Engineer has confirmed my concerns with any additional BNSF rail-grade crossing and that all mention of the proposed over-crossings at 3rd ST and 4th ST should be removed completely from DMP.</p> <p>a. The locations are practically infeasible given that to maintain ADA the approaches would need to be greater than 1000' in length on both sides of the tracks or elevators would be necessary with elevators likely discourage especially bike use of the crossing.</p> <p>b. Given length of approaches necessary, it would be a shorter walk/bike to just go to existing crossings at 1st or 4th ST.</p> <p>c. Limited ROW is present at either location to even allow for the installation of elevators.</p> <p>d. The concept could be reevaluated in future downtown master plan updates as sky bridges between 2+ story or greater buildings.</p>	<p>RESPONSE 6-1</p> <p>Under the Preferred Alternative, key refinements to the transportation plan features include removal of the east-west connection across the railroad tracks along 3rd St to the Town Center (Draft SEIS TR-1.e and TR-2).</p>
	<p>COMMENT 6-2</p> <p>2. Transportation Objective (page 22) - #5 – Statement should add mention of SR 529 Interchange.</p>	<p>RESPONSE 6-2</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 6-3</p> <p>3. Community Livability (page 23) – An Objective should be to provide and retain adequate parking to encourage suburban living while also encouraging commercial activity that attracts suburban and rural visitors to the historic downtown commercial area.</p> <p>a. Essentially, residents of surrounding areas both within Marysville and beyond are not going to visit nor patronize a downtown commercial area in which they must content with a lack of parking concept such as City of Seattle propagates.</p> <p>b. Rural citizens are also very unlikely to utilize transit to access the downtown commercial area thus they must be able to drive/park conveniently or they will simply go elsewhere.</p>	<p>RESPONSE 6-3</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 6-4</p> <p>4. 4th ST & Delta Ave Pedestrian facility:</p>	<p>RESPONSE 6-4</p>

Letter	Comment	Response
	<ul style="list-style-type: none"> a. This has never in past been mentioned as a bridge but as a HAWK signal. Remove over-crossing statement. b. Given the flat nature of the area, and the requirement of meeting ADA, see above comments regarding BNSF over-crossings. Only difference is that clearance over a roadway only needs to be 16' as opposed to 20'+ required over rail. 	<p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 6-5</p> <p>5. BNSF Sliver & Beach Ave Neighborhood (page 30) - # 5 – I would strongly argue that it is very unlikely that existing residents of Marysville nor future residents of Marysville are going to be all-in on Seattle style parking elimination philosophies suggesting that if a jurisdiction makes parking impractical, more will use transit. This philosophy in Marysville is much more likely to portray a neighborhood as undesirable to live in.</p>	<p>RESPONSE 6-5</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 6-6</p> <p>6. Figure 24 redevelopment plan - As plans are being development for redevelopment of parcels on the NW and SE corners of 4th ST (SR 528) and State Ave (SR 529), consideration must be given to the fact that large radius corner are absolutely necessary on these corners to provide for the ability for truck traffic to utilize existing City truck routes as well as the state highway system.</p> <ul style="list-style-type: none"> a. This should be a Goal or Objective listed on page 22. 	<p>RESPONSE 6-6</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 6-7</p> <p>7. Parking Minimums (page 56) – I would encourage that parking minimums not be lowered to the extent that any redeveloped properties are obviously undesirable from a standpoint of suburban livability or in manner that residential parking spills into commercial areas thus driving out actual desirable commercial business patrons.</p>	<p>RESPONSE 6-7</p> <p>The comments address the Draft Master Plan Update and form-based code; the comments are noted and forwarded to city decision makers.</p>
	<p>COMMENT 6-8</p> <p>8. Chapter 4 Transportation:</p> <ul style="list-style-type: none"> a. Travel Context Classifications: 	<p>RESPONSE 6-8</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>

Letter	Comment	Response
	<ul style="list-style-type: none"> i. Grove ST is an important east/west connection from 87th Ave NE to Ash Ave with City plans for an over-crossing other BNSF rail line which should increase vehicular travel and the roadway already carries well over 10,000 ADT. Grove St should not be listed as bike/ped priority but should be listed as Shared Priority. It has existing bike lanes but also is a three lane roadway with two-way left turn lane. It functions well for today and tomorrow. Removal of the center TWLTL should NOT be considered. b. Pedestrian & Bicycle (page 64): <ul style="list-style-type: none"> i. Paragraph 3 – decorative pavement should be limited to stamped pavement, no artwork should be considered as FHWA has provided guidance through MUTCD interpretations that safety is not maintained with street art. c. Vehicular (page 67): <ul style="list-style-type: none"> i. Staffing: <ul style="list-style-type: none"> (1) Given staffing of only 1 Traffic Engineering for a City of 70k population, 46 traffic signals and 20+ square miles, signal timing plans are only updated when the existing plan fails. Systematic signal timing updates have not been performed for well over 10+ years. (2)Based upon City size and other jurisdictions in WA State, a City of Maryville’s size in the state of WA averages near 4 traffic engineering staff (not including maintenance staff). (3)Staffing is also a substantial hurdle to any consideration for ITS and Adaptive Signal Control (ASC) evaluation/implementation/maintenance. ii. Autonomous Vehicles – Any statement of capacity increases with AV’s is pure speculation at this stage of AV development and statements otherwise are idealistic and should not be mentioned at this time. Equally likely would be AV’s driving around constantly, wasting fuel and taking up roadway space thus creating less roadway capacity..... iii. Connected Vehicles: 	

Letter	Comment	Response
	<p>(1) Street light poles are a poor location for device installation that needs power at any time other than night.</p> <p>(2) Traffic signals are much better locations for device installation as they have constant power sources, mast arms and street lights to provide mounting options, etc.</p> <p>iv. TR-10 – What is the difference between and ASC vs. ACS system? Typo or reference to something different?</p> <p>v. TR11 – Given close spacing of downtown intersections and necessity of increasing queue pockets in/when left turns are restricted to signals only, landscaped medians are very unlikely to be feasible.</p> <p>vi. Existing HAWK signal – Again, the existing HAWK signal should not be stated as relocated or otherwise moved. Significant effort went into the design and construction. The location as existing provides much greater mobility for all users and safety for pedestrians and bicycles as intersection turning traffic is not present mid-block. Placement at an intersection adds safety issues and requires likely elimination of either left turn vehicle traffic or elimination of pedestrian refuge island. Location should be assumed as permanent.</p>	
	<p>COMMENT 6-9</p> <p>9. Transportation Implementation (page 102):</p> <p>a. 4th ST/Delta Ave ped crossing seems to be a Short Term desired item based upon conversations between CAO and City Engineer.</p>	<p>RESPONSE 6-8</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 6-10</p> <p>10. Executive Summary:</p> <p>a. Section 5.1.1:</p> <p>i. Truck Routes:</p> <p>(1) Truck route is designated upon State Ave (SR 529) from 2nd ST to 4th ST (SR 528).</p> <p>(2) State routes cannot legally be restricted as truck routes.</p>	<p>RESPONSE 6-10</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>

Letter	Comment	Response
	<p>(3)It is challenging for trucks to make the NBRT from State Ave to EB 4th ST.</p> <p>(4)Truck Route Map was recently updated and can be found on City Traffic Engineering Webpage.</p> <p>b. Section 5.1.5:</p> <p>i. Snohomish County LOS standards do not apply to City streets and thus any mention of Snohomish County LOS Standards should be removed from the document as incorporation into document only serves to add confusion.</p> <p>c. Section 5.2.1</p> <p>i. 1st St Bypass project was completed in 2020.</p>	
<p>7</p> <p>Kristin Kinnamon</p> <p>3/29/2021</p>	<p>COMMENT 7-1</p> <p>I support many of the plan updates. What I would ask for is more. The City needs to better define goals such as “pedestrian friendly,” plan comprehensively for bike routes, and consider everyone’s safety when planning intersections and road “improvements.”</p>	<p>RESPONSE 7-1</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 7-2</p> <p>More Sidewalk Width</p> <p>Sidewalks: Public comment on the Downtown Plan supports the need for better attention to pedestrian safety and comfort downtown. The increased number of housing units downtown makes better sidewalks, safe intersections, and connected bike routes even more urgent. Unfortunately, this plan does not deliver.</p> <p>While a few areas are called out for 12 and 18 foot sidewalks (p. 44), important streets designated to be “pedestrian friendly” do not seem to define that well enough to have meaning. Cedar is supposed to be pedestrian friendly, but the City’s own project to improve stormwater there will only have 6 foot sidewalks. State Avenue and 4th Street are noted by the consultants and public commenters for narrow sidewalks - despite years of road “improvement” projects and recent redevelopment of select parcels.</p> <p>The 2009 Downtown Plan “kit of parts” for road design called for minimum 7 foot sidewalks. What happened?</p>	<p>RESPONSE 7-2</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>

Letter	Comment	Response
	<p>This updated plan should require wider sidewalks of 8 at least feet on State Avenue and 4th Street – both routes served by transit where pedestrians have no shoulder or bike lane buffer between high volume and high speed (30 mph and more) traffic.</p> <p>COMMENT 7-3</p> <p>Plan for Access to Transit Transit: The plan mentions future Swift service and stops, current park & rides, and current routes.* Nowhere does it mention a need to plan for or improve safe access to transit, such as near future Swift stations. Narrow sidewalks, fast turning traffic and lack of safe crossings are significant barriers. While ridership has been disrupted by COVID, the City should be planning for more commuter and local bus service, not less.</p> <p>Bus shelters and benches for local riders are important amenities that should be mentioned in City goals for “pedestrian friendly” streets. I believe there is currently 1 bus shelter on State Avenue in the downtown area, despite high bus ridership and frequent service.</p> <p>It is premature to start planning for alternate uses of underutilized commuter parking lots. Seattle Route 821 from Marysville to the University District will have significantly added service when it begins connecting directly with light rail in September 2021.</p> <p>*Correction to exhibit 5-3: Routes 201 and 202 have not served Alderwood Mall for at least 5 years, a significant change.</p>	<p>RESPONSE 7-3</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>
	<p>COMMENT 7-4</p> <p>Less Parking (Except for Bikes) Parking: When the Growth Management Task Force was queried on this issue, my concern on the issues was misinterpreted. I fully support reduced parking minimums in all zones – beyond what is even proposed here. As the developers told the City, the market will build parking if it is needed. Right now the plan notes that 50% of parking downtown is underutilized. With frequent transit already provide on State Avenue and Swift coming, more emphasis on non-motorized access to transit and Transportation Demand Management measures such as bus passes, is called for, not more space for cars.</p> <p>I do support the inclusion of bike parking standards – especially for larger properties and public</p>	<p>RESPONSE 7-4</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>

Letter	Comment	Response
	<p>projects. The Opera House has no bike parking, for instance. When bike parking is installed, it should follow best practices in terms of design, placement and weather protection (unlike current bike rack at City Hall, for instance, which is too close to the building to use half of it, and uncovered).</p>	
	<p>COMMENT 7-5</p> <p>Access to Parks – live, work, PLAY Park access: How can the Downtown Plan better live up to its promise of Community Livability when public right of way for people in cars is consistently prioritized over people - people trying to get to parks or school or shop or work outside of a car?</p> <p>Sidewalks and a buffered bike lane for Jennings Park will be an improvement over the current state – but 6 foot sidewalks are not wide enough for families walking to the park. Rather than wider vehicle lanes that promote speed (11 feet here vs. 10-6 elsewhere), more space should be allocated to pedestrians.</p> <p>Given the regional park, nearby schools and existing high pedestrian use in the area, sidewalks should be at least 8 feet wide near Jennings, especially on the east side.</p> <p>Ebey Waterfront Park access has already been compromised by a rebuilt 1st street west of State with no bike lanes and standard-sized sidewalks. Though the 2009 plan envisioned shared lanes and “sharrows” as sufficient bike infrastructure, national standards and safety research have since concluded that buffered and separated bike facilities are best.</p> <p>While Cedar Field will get a crossing light, no wider sidewalks or bike lanes are planned to get people to the park. Ditto Asbery Field.</p>	<p>RESPONSE 7-5</p>
	<p>COMMENT 7-6</p> <p>Comprehensive Bike Plan? Bicycle routes: The need for east-west routes is noted in the plan, and the designations of Grove, 8th and 6th make sense. I appreciate the call for “through block” connections for pedestrians where large blocks now exist. However, another east-west route at 1st, 2nd or 3rd is needed to connect to SR 529/State Avenue.</p> <p>The WSDOT has tentative plans for a bike path from Everett on northbound SR 529 – an important non-motorized connection which needs support</p>	<p>RESPONSE 7-6</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>

Letter	Comment	Response
	<p>from the City of Marysville. How will people entering the City by bike from the south continue north or connect to designated east-west routes?</p> <p>The 47th/Armar/51st Street corridor – long part of the City’s bike plans – needs to be designated as a priority bicycle street. Cedar Avenue is another continuous north-south bike route that must be preserved and improved throughout its length from 1st Street to 80th.</p> <p>Cedar is designated as a “shared priority” street. The definition of what that means for people on bikes includes “shared lanes” – which are not at all “bike-friendly,” especially for young or more hesitant bike riders. That would be a reduction in service and safety from the current bike lanes on Cedar. Cedar should be a priority street for people walking and biking.</p>	
	<p>COMMENT 7-7</p> <p>Standards and Strategy One way to set comprehensive goals for safety and multimodal travel would be to establish Level of Service standards – or Level of Traffic Stress - for biking and walking. This might result in consideration of intersection design and signal timing, separated bike lanes, and wider sidewalks throughout the downtown core. As it is, only vehicle delay factors into long-term planning.</p> <p>The City also clearly needs to pursue a Bicycle Pedestrian Master Plan. There is no strategy to connect current routes, or to prioritize pedestrians in a newly dense and urbanized downtown.</p>	<p>RESPONSE 7-7</p> <p>The comments address the Draft Master Plan Update and are noted and forwarded to city decision makers.</p>

Letter 1

Chris Holland

From: Jamie Holland <jamiest2613@yahoo.com>
Sent: Thursday, March 4, 2021 6:15 AM
To: Chris Holland
Subject: [External!] Master plan

External Email Warning! Use caution before clicking links or opening attachments.

Mr. Holland,

As a new resident to Marysville I have been dismayed and disappointed in what I see as a lack of planning and oversight regarding Marysville as a whole. At times it has been hard to live here and since we live closer to Smokey Point, we completely avoid going south as State Street and the downtown area are deplorable, save for a few locally-owned businesses in the historic area. (Which give me hope!)

As a former resident of Renton, Bothell and employed in Issaquah, all of which have dynamic, engaged downtown areas, I am VERY pleased to see a master plan for Marysville, which has no identity except for the mall and being 'near the freeway.'

I have no comments on the plan except that I did participate in the online survey and am happy to see the positive results.

I appreciate the fact that the city council has recognized the need for drastic changes in Marysville and has started the process. I feel encouraged for the first time since we moved here a year ago and look forward to seeing the changes.

Sincerely,
Jamie Holland

Letter 2

Chris Holland

From: Lynda H <pllumeria101@yahoo.com>
Sent: Friday, March 5, 2021 8:15 PM
To: Chris Holland
Cc: james@marysvillewa.gov
Subject: [External!] Draft Downtown Master Plan

[External Email Alert! Use caution before clicking links or opening attachments.]

Thank you for such a thoughtful and comprehensive plan.

Are there plans in the near future to accommodate Tiny Homes for affordable housing for seniors, students and other low income barriers to home ownership or rentals?

Lynda Hawkins
Community Advocate
425-308-1759

Letter 3

Chris Holland

From: Jean Uhrich <bjeanu@icloud.com>
Sent: Saturday, March 6, 2021 6:56 AM
To: Chris Holland
Subject: [External!] Downtown proposal

[External Email Alert! Use caution before clicking links or opening attachments.]

20 years ago, downtown Redmond looked similar in size and shape as today's Marysville. Today, using mixed-use commercial and housing options, Redmond is nearly un navigable with narrow streets, tall apartments and homes looming above. It's incredibly easy to get lost! And the traffic signals must have quadrupled! It takes forever to drive through, especially if you're looking for something in particular.

Please don't make the same mistakes the leaders in Redmond made.

The charm of Marysville is the number of distinctly different single family homes scattered around parks and schools. I realize you have to bring more people in to help existing businesses make it. However, limiting the number of mega-apartment complexes to keep traffic manageable also would be well-advised.

Thank you for sharing your planning expectations.

Sent from my iPhone

Letter 4

Chris Holland

From: Jean Uhrich <nettjean@aol.com>
Sent: Wednesday, March 24, 2021 3:27 PM
To: Chris Holland
Subject: [External!] Marysville Downtown Master Plan

External Email Warning! Use caution before clicking links or opening attachments.

Hello,

The 285 page **Marysville Downtown Master Plan** is a bit overwhelming. But I will jump in and try to understand it. My immediate concern is the increased traffic throughout downtown.

The first major issue I see is access to downtown from I-5. A key objective in your Master Plan is to improve transportation connectivity to facilitate access and to handle continued growth. Currently, underneath the freeway overpass, 4th Street allows only three lanes westbound and one lane eastbound. Is rebuilding that overpass in the plan?

In your map (Figure 1. 2009 DMP *envisioned public and private investment phasing*), I see new residential/retail vertical mixed use and business high rises in downtown Marysville. I assume parking would be available (possibly underneath) to accommodate those new apartments and businesses, but where would parking be available for the increased civic, social and cultural activities? (I couldn't find parking lots on Map 2. *Urban Design Framework*.)

While this plan would take several years to complete, encouraging middle and higher density homes throughout the city will add to traffic buildup. Building a city that brings in economic development revenue is desirable as long as the increase in traffic doesn't become a burden that would discourage public use. Are the streets, as they are currently, going to be able to handle that much more traffic?

- I am excited to see possible redevelopment of our waterfront properties. While Marysville will never have the waterfront availability that Kirkland has, it would be great to have several sites that would allow public access to the water.
- Redeveloping Asbery Athletic Field to allow a park, trails, a place for gathering outdoor performance would be terrific.

Thank you for reading my remarks and answering any questions I've put forward.

Sincerely,

Jean Uhrich

(6121 76th Ave NE, Marysville)



STATE OF WASHINGTON
UTILITIES AND TRANSPORTATION COMMISSION

621 Woodland Square Loop S.E. • Lacey, Washington 98503

P.O. Box 47250 • Olympia, Washington 98504-7250

(360) 664-1160 • TTY (360) 586-8203

March 29, 2021

Chris Holland, Planning Manager
City of Marysville
Community Development Department
80 Columbia Avenue
Marysville, WA 98270

Sent via email to cholland@marysvillewa.gov

**RE: City of Marysville Draft Downtown Master Plan Update and Planned Action
Supplemental Environmental Impact Statement**

Dear Mr. Holland:

Thank you for offering staff of the Washington Utilities and Transportation Commission (UTC) the opportunity to comment on the proposed City of Marysville (City) in its Downtown Master Plan (DMP) Update and Planned Action Supplemental Environmental Impact Statement (SEIS).

In downtown Marysville, there are at-grade railroad crossings at 1st Street (USDOT 084630B), 4th Street (USDOT 084640G), 8th Street (USDOT 084644J) and Grove Street (USDOT 084646X). The DMP and SEIS refer to planned and recommended improvements, including:

- TR-2 - 3rd St/BNSF corridor crossing – Seek funding and construct a grade-separated ped/bike crossing at 3rd Street over the BNSF rail line as part of the 3rd Street ped/bike connection through Town Center (TR-1e).
- TR-14 - 8th St bicycle facilities – Design and construct 8th Street to accommodate multi-use paths, landscaping, and parallel street parking on both sides; bicycle priority features at the BNSF railroad corridor; and, where feasible, natural drainage features.

Respect. Professionalism. Integrity. Accountability.

Chris Holland
March 29, 2021
Page 2

The SEIS also states that a key planned improvement serving the downtown area identified in the City's 2019-2024 Transportation Improvement Program, and by the City within the DMP boundary, or the adjacent facilities serving downtown, includes:

- Grove Street Overcrossing – New overcrossing at the BNSF mainline at Grove Street between Cedar Avenue and State Avenue.

Because they appear to be conceptual at this stage, UTC staff does not have specific comments related to the proposed improvements. However, we offer the following as information for any future project involving a railroad crossing within the City:

To construct a new public crossing or make any changes to an existing public crossing, by law, a railroad or public agency (e.g., city/county/state park, etc.) must file a petition with the UTC and receive approval (see [RCW 81.53.030](#), [RCW 81.53.060](#), [RCW 81.53.261](#), and [WAC 480-62-150](#)). By filing a petition, the petitioner alleges that public safety requires the construction or modification at the crossing, and bears the burden of proof. A separate petition is required for each crossing project.

When approving a new public crossing, the UTC considers public necessity, convenience, and safety. Current state policy strongly discourages construction of new at-grade crossings unless no other viable alternatives exist, and even in those instances, consideration should be given to closing one or more existing crossings. With any petition to construct a new crossing, the UTC requires a feasibility study on whether it is practicable to grade separate the new crossing ([RCW 81.53.020](#)). A SEPA review is also required for any new at-grade crossing.

The Manual on Uniform Traffic Control Devices (MUTCD) is the national standard for traffic control devices. The MUTCD states, in Part 8A.02, that because of the number of variables to be considered, no single standard system of traffic control devices is universally acceptable for all crossings. The appropriate traffic control system to be used at a grade crossing should be determined by an engineering study involving the road authority and railroad. An engineering study consists of a review of site characteristics, the existing traffic control system, and highway and railroad operational characteristics. Based on a review of these conditions, an assessment of existing and potential hazards can be made. If safety deficiencies are identified, countermeasures can be recommended.

Chris Holland
March 29, 2021
Page 3

Generally, the UTC petition process works as follows:

1. **Diagnostic team meeting** - The diagnostic team meeting is a meeting of the parties (UTC staff, the railroad, and public agency road authority at a minimum) at the crossing site, to discuss proposed changes and provide an opportunity for discussion of any safety concerns and/or questions prior to the petition being filed at the UTC. The petitioner schedules the meeting, discusses the proposed crossing changes, answers any questions about the project, and generally sends out meeting notes after the diagnostic meeting. UTC staff's role is to advise the team of policy and administrative rules applicable to crossing petitions/UTC process/MUTCD compliance.
2. **Petition** – Once the project is at approximately 60 percent design, the petitioner files the petition with the UTC. The petitioner must ensure that all information in the petition is current and complete and must obtain the respondent's signature on the Waiver of Hearing portion of the petition prior to filing.
3. **Order** – Once the petition is received, UTC staff reviews it and, assuming the petition is complete and the respondent has signed the Waiver of Hearing, makes a recommendation to the UTC for approval. The UTC approval process varies depending on the type of petition filed (e.g., construction of a new crossing vs. modifications to existing crossings).

Thank you for the opportunity to comment. If you have questions or would like additional information, please contact Mike Turcott, Transportation Planning Specialist, at (360) 764-0572, or mike.turcott@utc.wa.gov

Sincerely,

Kathy Hunter
Director, Transportation Safety

Letter 6

Chris Holland

From: Jesse Hannahs
Sent: Monday, March 29, 2021 11:34 AM
To: Chris Holland
Cc: Jeff Laycock
Subject: RE: Notice of Downtown Master Plan Update and Planned Action EIS

Chris,

With this email I will provide comments of the Draft Downtown Master Plan:

1. It is my understanding that a conversation between the CAO and City Engineer has confirmed my concerns with any additional BNSF rail-grade crossing and that all mention of the proposed over-crossings at 3rd ST and 4th ST should be removed completely from DMP.
 - a. The locations are practically infeasible given that to maintain ADA the approaches would need to be greater than 1000' in length on both sides of the tracks or elevators would be necessary with elevators likely discourage especially bike use of the crossing.
 - b. Given length of approaches necessary, it would be a shorter walk/bike to just go to existing crossings at 1st or 4th ST.
 - c. Limited ROW is present at either location to even allow for the installation of elevators.
 - d. The concept could be reevaluated in future downtown master plan updates as sky bridges between 2+ story or greater buildings.
2. Transportation Objective (page 22) - #5 – Statement should add mention of SR 529 Interchange.
3. Community Livability (page 23) – An Objective should be to provide and retain adequate parking to encourage suburban living while also encouraging commercial activity that attracts suburban and rural visitors to the historic downtown commercial area.
 - a. Essentially, residents of surrounding areas both within Marysville and beyond are not going to visit nor patronize a downtown commercial area in which they must content with a lack of parking concept such as City of Seattle propagates.
 - b. Rural citizens are also very unlikely to utilize transit to access the downtown commercial area thus they must be able to drive/park conveniently or they will simply go elsewhere.
4. 4th ST & Delta Ave Pedestrian facility:
 - a. This has never in past been mentioned as a bridge but as a HAWK signal. Remove over-crossing statement.
 - b. Given the flat nature of the area, and the requirement of meeting ADA, see above comments regarding BNSF over-crossings. Only difference is that clearance over a roadway only needs to be 16' as opposed to 20'+ required over rail.
5. BNSF Sliver & Beach Ave Neighborhood (page 30) - # 5 – I would strongly argue that it is very unlikely that existing residents of Marysville nor future residents of Marysville are going to be all-in on Seattle style parking elimination philosophies suggesting that if a jurisdiction makes parking impractical, more will use transit. This philosophy in Marysville is much more likely to portray a neighborhood as undesirable to live in.
6. Figure 24 redevelopment plan - As plans are being development for redevelopment of parcels on the NW and SE corners of 4th ST (SR 528) and State Ave (SR 529), consideration must be given to the fact that large radius corner are absolutely necessary on these corners to provide for the ability for truck traffic to utilize existing City truck routes as well as the state highway system.
 - a. This should be a Goal or Objective listed on page 22.
7. Parking Minimums (page 56) – I would encourage that parking minimums not be lowered to the extent that any redeveloped properties are obviously undesirable from a standpoint of suburban livability or in manner that residential parking spills into commercial areas thus driving out actual desirable commercial business patrons.
8. Chapter 4 Transportation:

- a. Travel Context Classifications:
 - i. Grove ST is an important east/west connection from 87th Ave NE to Ash Ave with City plans for an over-crossing other BNSF rail line which should increase vehicular travel and the roadway already carries well over 10,000 ADT. Grove St should not be listed as bike/ped priority but should be listed as Shared Priority. It has existing bike lanes but also is a three lane roadway with two-way left turn lane. It functions well for today and tomorrow. Removal of the center TWLTL should NOT be considered.
 - b. Pedestrian & Bicycle (page 64):
 - i. Paragraph 3 – decorative pavement should be limited to stamped pavement, no artwork should be considered as FHWA has provided guidance through MUTCD interpretations that safety is not maintained with street art.
 - c. Vehicular (page 67):
 - i. Staffing:
 - 1. Given staffing of only 1 Traffic Engineering for a City of 70k population, 46 traffic signals and 20+ square miles, signal timing plans are only updated when the existing plan fails. Systematic signal timing updates have not been performed for well over 10+ years.
 - 2. Based upon City size and other jurisdictions in WA State, a City of Maryville’s size in the state of WA averages near 4 traffic engineering staff (not including maintenance staff).
 - 3. Staffing is also a substantial hurdle to any consideration for ITS and Adaptive Signal Control (ASC) evaluation/implementation/maintenance.
 - ii. Autonomous Vehicles – Any statement of capacity increases with AV’s is pure speculation at this stage of AV development and statements otherwise are idealistic and should not be mentioned at this time. Equally likely would be AV’s driving around constantly, wasting fuel and taking up roadway space thus creating less roadway capacity.....
 - iii. Connected Vehicles:
 - 1. Street light poles are a poor location for device installation that needs power at any time other than night.
 - 2. Traffic signals are much better locations for device installation as they have constant power sources, mast arms and street lights to provide mounting options, etc.
 - iv. TR-10 – What is the difference between and ASC vs. ACS system? Typo or reference to something different?
 - v. TR11 – Given close spacing of downtown intersections and necessity of increasing queue pockets in/when left turns are restricted to signals only, landscaped medians are very unlikely to be feasible.
 - vi. Existing HAWK signal – Again, the existing HAWK signal should not be stated as relocated or otherwise moved. Significant effort went into the design and construction. The location as existing provides much greater mobility for all users and safety for pedestrians and bicycles as intersection turning traffic is not present mid-block. Placement at an intersection adds safety issues and requires likely elimination of either left turn vehicle traffic or elimination of pedestrian refuge island. Location should be assumed as permanent.
9. Transportation Implementation (page 102):
- a. 4th ST/Delta Ave ped crossing seems to be a Short Term desired item based upon conversations between CAO and City Engineer.
10. Executive Summary:
- a. Section 5.1.1:
 - i. Truck Routes:
 - 1. Truck route is designated upon State Ave (SR 529) from 2nd ST to 4th ST (SR 528).
 - 2. State routes cannot legally be restricted as truck routes.
 - 3. It is challenging for trucks to make the NBRT from State Ave to EB 4th ST.
 - 4. Truck Route Map was recently updated and can be found on City Traffic Engineering Webpage.

- b. Section 5.1.5:
 - i. Snohomish County LOS standards do not apply to City streets and thus any mention of Snohomish County LOS Standards should be removed from the document as incorporation into document only serves to add confusion.
- c. Section 5.2.1
 - i. 1st St Bypass project was completed in 2020.

Jesse L. Hannahs, P.E.
Traffic Engineer
City of Marysville
360-363-8287
jhannahs@marysvillewa.gov

From: Jeff Laycock <jlaycock@marysvillewa.gov>
Sent: Tuesday, March 16, 2021 3:47 PM
To: Jesse Hannahs <jhannahs@marysvillewa.gov>
Subject: RE: Notice of Downtown Master Plan Update and Planned Action EIS

Are you providing comment on this? I spoke to Gloria about some of the items of mutual concern and the following should be removed:

- Elevated ped-bike east-west connection at 3rd to connect the Town Center to the Entertainment District. As you've stated, no connection should be made here, whether pedestrian or traffic related as it is really not feasible.
- Delta crossing at 4th cites "over 4th" and should be "at 4th"



Jeff Laycock, PE | City Engineer
City of Marysville Public Works
360.363.8274 Office
425.754.8678 Mobile

Letter 7

Chris Holland

From: Kristin Kinnamon <bikenbus@gmail.com>
Sent: Monday, March 29, 2021 4:05 PM
To: Chris Holland
Subject: [External!] Re: Downtown Plan comments

Follow Up Flag: Follow up
Flag Status: Flagged

External Email Warning! Use caution before clicking links or opening attachments.

CORRECTED: 6 foot sidewalks on Cedar

March 26, 2021

Chris Holland, Planning Manager
 City of Marysville
 Community Development Department

Dear Chris,

I appreciate the work of city staff and consultants in developing the Marysville Downtown Master Plan Update and Planned Action Supplemental Environmental Impact Statement (SEIS). I support many of the plan updates. What I would ask for is more. The City needs to better define goals such as “pedestrian friendly,” plan comprehensively for bike routes, and consider everyone’s safety when planning intersections and road “improvements.”

More Sidewalk Width

Sidewalks: Public comment on the Downtown Plan supports the need for better attention to pedestrian safety and comfort downtown. The increased number of housing units downtown makes better sidewalks, safe intersections, and connected bike routes even more urgent. Unfortunately, this plan does not deliver.

While a few areas are called out for 12 and 18 foot sidewalks (p. 44), important streets designated to be “pedestrian friendly” do not seem to define that well enough to have meaning. Cedar is supposed to be pedestrian friendly, but the City’s own project to improve stormwater there will only have 6 foot sidewalks. State Avenue and 4th Street are noted by the consultants and public commenters for narrow sidewalks - despite years of road “improvement” projects and recent redevelopment of select parcels.

The 2009 Downtown Plan “kit of parts” for road design called for minimum 7 foot sidewalks. What happened?

This updated plan should require wider sidewalks of 8 at least feet on State Avenue and 4th Street – both routes served by transit where pedestrians have no shoulder or bike lane buffer between high volume and high speed (30 mph and more) traffic.

Plan for Access to Transit

Transit: The plan mentions future *Swift* service and stops, current park & rides, and current routes.* Nowhere does it mention a need to plan for or improve safe access to transit, such as near future *Swift* stations. Narrow sidewalks, fast turning traffic and lack of safe crossings are significant barriers. While ridership has been disrupted by COVID, the City should be planning for more commuter and local bus service, not less.

Bus shelters and benches for local riders are important amenities that should be mentioned in City goals for “pedestrian friendly” streets. I believe there is currently 1 bus shelter on State Avenue in the downtown area, despite high bus ridership and frequent service.

It is premature to start planning for alternate uses of underutilized commuter parking lots. Seattle Route 821 from Marysville to the University District will have significantly added service when it begins connecting directly with light rail in September 2021.

***Correction to exhibit 5-3:** Routes 201 and 202 have not served Alderwood Mall for at least 5 years, a significant change.

Less Parking (Except for Bikes)

Parking: When the Growth Management Task Force was queried on this issue, my concern on the issues was misinterpreted. I fully support reduced parking minimums in all zones – beyond what is even proposed here. As the developers told the City, the market will build parking if it is needed. Right now the plan notes that 50% of parking downtown is underutilized. With frequent transit already provide on State Avenue and *Swift* coming, more emphasis on non-motorized access to transit and Transportation Demand Management measures such as bus passes, is called for, not more space for cars.

I do support the inclusion of bike parking standards – especially for larger properties and public projects. The Opera House has no bike parking, for instance. When bike parking is installed, it should follow best practices in terms of design, placement and weather protection (unlike current bike rack at City Hall, for instance, which is too close to the building to use half of it, and uncovered).

Access to Parks – live, work, PLAY

Park access: How can the Downtown Plan better live up to its promise of Community Livability when public right of way for people in cars is consistently prioritized over people - people trying to get to parks or school or shop or work outside of a car?

Sidewalks and a buffered bike lane for Jennings Park will be an improvement over the current state – but 6 foot sidewalks are not wide enough for families walking to the park. Rather than wider vehicle lanes that promote speed (11 feet here vs. 10-6 elsewhere), more space should be allocated to pedestrians.

Given the regional park, nearby schools and existing high pedestrian use in the area, sidewalks should be at least 8 feet wide near Jennings, especially on the east side.

Ebey Waterfront Park access has already been compromised by a rebuilt 1st street west of State with no bike lanes and standard-sized sidewalks. Though the 2009 plan envisioned shared lanes and “sharrows” as sufficient bike infrastructure, national standards and safety research have since concluded that buffered and separated bike facilities are best.

While Cedar Field will get a crossing light, no wider sidewalks or bike lanes are planned to get people to the park. Ditto Asbery Field.

Comprehensive Bike Plan?

Bicycle routes: The need for east-west routes is noted in the plan, and the designations of Grove, 8th and 6th make sense. I appreciate the call for “through block” connections for pedestrians where large blocks now exist. However, another east-west route at 1st, 2nd or 3rd is needed to connect to SR 529/State Avenue.

The WSDOT has tentative plans for a bike path from Everett on northbound SR 529 – an important non-motorized connection which needs support from the City of Marysville. How will people entering the City by bike from the south continue north or connect to designated east-west routes?

The 47th/Armar/51st Street corridor – long part of the City’s bike plans – needs to be designated as a priority bicycle street. Cedar Avenue is another continuous north-south bike route that must be preserved and improved throughout its length from 1st Street to 80th.

Cedar is designated as a “shared priority” street. The definition of what that means for people on bikes includes “shared lanes” – which are not at all “bike-friendly,” especially for young or more hesitant bike riders. That would be a reduction in service and safety from the current bike lanes on Cedar. Cedar should be a priority street for people walking and biking.

Standards and Strategy

One way to set comprehensive goals for safety and multimodal travel would be to establish Level of Service standards – or Level of Traffic Stress - for biking and walking. This might result in consideration of intersection design and signal timing, separated bike lanes, and wider sidewalks throughout the downtown core. As it is, only vehicle delay factors into longterm planning.

The City also clearly needs to pursue a Bicycle Pedestrian Master Plan. There is no strategy to connect current routes, or to prioritize pedestrians in a newly dense and urbanized downtown.

Sincerely,

Kristin Kinnamon

Marysville, WA

--

Kristin Kinnamon

Sharing Wheels Community Bike Shop, board president

B.I.K.E.S. Club of Snohomish County, past president

2.2. Clarifications

Amend 1.7.5, Public Services, Other Proposed Mitigation Measures, third paragraph:

With mitigation, what is the ultimate outcome? All studied alternatives would increase the demand for fire, police, schools, and parks and recreation with No Action Alternative the least and the Residential Focus Action Alternative the most. With regular capital facility planning and implementation of mitigation measures no significant unavoidable adverse impacts are anticipated.

Amend 3.6.3, Utilities, Other Proposed Mitigation Measures, third paragraph:

The City should maintain and sustain the resiliency of the utility systems in the Downtown Planning area. Pro-active administrative measures such as planning for increases in maintenance and operations funding to sustain system resiliency should continue. Annual discussions with private utility providers specifically focused on City growth and new private utility investments to service planned growth and building styles.

3.0. Acronyms and References

3.1. Acronyms

BRT	Bus Rapid Transit
CPP	Countywide Planning Policies
DC	Downtown Commercial
DMP	Downtown Master Plan
EIS	Environmental Impact Statement
GC	General Commercial
GMA	Growth Management Act
LID	Low Impact Development
MU	Mixed Use
OFM	Office of Financial Management
PSRC	Puget Sound Regional Council
R18	Medium density multiple-family
R-6.5	High density single-family
R-8	High density single-family, small lot
SEIS	Supplemental Environmental Impact Statement
SMP	Shoreline Master Program

3.2. References

City of Marysville. (2009). Downtown Marysville Master Plan Draft Supplemental Environmental Impact Statement. Marysville: Prepared by Makers on behalf of the City of Marysville.

City of Marysville (2015). Comprehensive Plan. Available:
<https://www.marysvillewa.gov/352/Comprehensive-Plan>.

City of Marysville (2020). Shoreline Master Program Update. Available:
<https://marysvillewa.gov/988/Shoreline-Master-Program>. Dougherty, P. (2007, July 26).

Marysville — Thumbnail History: HistoryLink.org Essay 8227. Retrieved from
<https://www.historylink.org/>: <https://www.historylink.org/File/8227>

Marysville School District. (2016). Marysville Capital Facilities Plan.

Puget Sound Regional Council (PSRC). (2019, December). Displacement Risk Mapping.
Retrieved from <https://www.psrc.org/>: <https://www.psrc.org/displacement-risk-mapping>

The Tulalips Tribes. (2017). Treaty Rights Office. Retrieved from <https://nr.tulaliptribes.com/>:
<https://nr.tulaliptribes.com/Programs/TreatyRightsOffice>

Transportation Research Board. 2000 and 2010. Highway Capacity Manual.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING THE CITY'S COMPREHENSIVE PLAN BY REPEALING ORDINANCE NO. 2788 WHICH ADOPTED THE 2009 DOWNTOWN MASTER PLAN AND DEVELOPMENT REGULATIONS, ADOPTING A NEW 2021 DOWNTOWN MASTER PLAN AND AMENDING THE CITY'S DEVELOPMENT REGULATIONS BY REPEALING MARYSVILLE MUNICIPAL CODE CHAPTER 22C.080 DOWNTOWN MASTER PLAN AREA – DESIGN REQUIREMENTS, AND ADOPTING A NEW MARYSVILLE MUNICIPAL CODE CHAPTER 22C.080 DOWNTOWN MASTER PLAN AREA – DESIGN REQUIREMENTS.

WHEREAS, the City of Marysville has proposed under RCW 36.70A.130(2)(a)(v) to amend its comprehensive plan by the adoption of a new Downtown Master Plan; and

WHEREAS, any amendment or revision to a comprehensive land use plan must conform to RCW 36.70A.130; and

WHEREAS, the City of Marysville has met the spirit and intent of RCW 36.70A.130 by (1) providing for public participation, by (2) reviewing and identifying needed revisions to the Comprehensive Plan and development regulations and by (3) adopting the Downtown Master Plan as set forth in **Exhibit A** (attached hereto) and the development regulations as set forth in **Exhibit B** (attached hereto); and

WHEREAS, in taking the actions set forth in this Ordinance, the City of Marysville has made a good faith effort to comply with the recommendations of the Washington State Department of Commerce (DOC) and has submitted to DOC the proposed revisions to the City's Comprehensive Plan and development regulations as required by RCW 36.70A.106; and

WHEREAS, in taking the actions set forth in this Ordinance, the City of Marysville has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW, (SEPA) by issuing a Supplemental Environmental Impact Statement for the City's Comprehensive Plan and development regulations; and

WHEREAS, the City received public comments on the revisions to the Comprehensive Plan and the development regulations, which comments the City has duly considered in adopting the revisions to the Comprehensive Plan and development regulations; 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, during public meetings on March 9, 2021, June 8, 2021, June 22, 2021, July 13, 2021 and August 3, 2021, the Planning Commission discussed proposed amendments to the City's comprehensive plan and development regulations related to the Downtown Master Plan; and

WHEREAS, the City of Marysville has submitted the proposed revisions to the comprehensive plan and development regulations to the Washington State Department of Commerce on June 10, 2021 (Material ID 2021-S-2768) seeking 60-day review in compliance with the procedural requirement under RCW 36.70A.106; and

WHEREAS, after providing notice to the public as required by law, the Marysville Planning Commission held a Public Hearing on September 14, 2021 regarding the proposed amendments to City's comprehensive plan and development regulations; and

WHEREAS, the Planning Commission made a Recommendation to the City Council on September 14, 2021, recommending repealing Ordinance No. 2788, which adopted the 2009 Downtown Master Plan and associated development regulations, repealing MMC Chapter 22C.080 *Downtown Master Plan Area – Design Requirements* and adopting a new 2021 Downtown Master Plan, attached hereto as **Exhibit A**, and adopting a new MMC Chapter 22C.080 *Downtown Master Plan Area – Design Requirements*, attached hereto as **Exhibit B**; 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, at a public meeting on September 27, 2021 the Marysville City Council reviewed and considered the Planning Commission's Recommendation and adoption of amendment to the City's comprehensive plan and development regulations; and

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

Section 1. Review and Identification of Needed Revisions to the Comprehensive Plan and Development Regulations. The City of Marysville has conducted a thorough review of the City's Comprehensive Plan and development regulations to identify revisions needed in the Downtown Master Plan to ensure compliance with the GMA and to ensure internal consistency with policies and designations of the comprehensive plan. This review has been conducted by the City's Planning Commission, staff, and citizens through public engagement, including a survey distributed to the Growth Management Task Force (GMTF) in May 2020, and video-conference meetings with the GMTF in June, July and October 2020 and *Social PinPoint Interactive Map* survey distributed to Marysville residents and other interested parties in the Summer of 2020. Based on this review, the City has identified needed revisions to the City's comprehensive plan and development regulations, which revisions are set forth in the 2021 Downtown Master Plan, attached hereto as **Exhibit A**, and updated MMC Chapter 22C.080 *Downtown Master Plan Area – Design Requirements*, attached hereto as **Exhibit B**.

Section 2. Approval of Planning Commission's Recommendation and Adoption of Findings and Conclusions. The City Council hereby approves the Planning Commission's recommendation of revisions to the City's comprehensive plan and development regulations, which revisions are set forth in the 2021 Downtown Master Plan, attached hereto as **Exhibit A**, and updated MMC Chapter 22C.080 *Downtown Master Plan Area – Design Requirements*, attached hereto as **Exhibit B**.

Section 3. Ordinance No. 2788 adopting the 2009 Downtown Master Plan and development regulations is hereby repealed.

Section 4. MMC Chapter 22C.080 *Downtown Master Plan Area – Design Requirements* is hereby repealed, in its entirety.

Section 5. Adoption of Downtown Master Plan Amending the City of Marysville Comprehensive Plan. The City Council hereby amends the City’s comprehensive plan and development regulations by adopting the 2021 Downtown Master Plan, attached hereto as **Exhibit A.**

Section 6. Adoption of MMC 22C.080 Downtown Master Plan Area – Design Requirements. MMC Title 22 *Unified Development Code* is hereby amended by adopting MMC Chapter 22C.080 *Downtown Master Plan Area – Design Requirements*, attached hereto as **Exhibit B.**

Section 7. Section 22A.010.160, Amendments, of the Marysville Municipal Code 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 adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	Downtown Master Plan and Design Requirements	_____, 2021”

Section 8. 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 9. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 10. 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 _____, 2021.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Exhibit A
Downtown Master Plan



MARYSVILLE

WASHINGTON



DOWNTOWN MASTER PLAN

September 27, 2021

Prepared by:

Makers architecture and urban design

BERK Consulting, Inc.

Perteet

Transpo Group

Acknowledgments

Land Acknowledgement

The City of Marysville acknowledges that the area covered by the Downtown Master Plan is part of the traditional land of the Coast Salish People, specifically the Tulalip Tribes, successors in interest to the Snohomish, Snoqualmie, Skykomish, and other allied bands signatory to the 1855 Treaty of Point Elliott, who lived upon and stewarded these lands from time immemorial. Please see the [Ebey Waterfront Expansion Project Cultural Resources Survey](#) for more information about indigenous history in downtown Marysville.

Participants

City Staff

Haylie Miller
Chris Holland
Angela Gemmer
Kate Tourtellot
Amy Hess
Jeff Laycock
Ken McIntyre
Jesse Hannahs

Consultant Team

MAKERS Architecture & Urban Design

Rachel Miller
Ian Crozier
John Owen

Transpo Group

Stefanie Herzstein
Brent Turley

BERK Consulting

Lisa Grueter
Radhika Nair
Andrew Bjorn
Jay Shih

Perteet

Peter Battuello
Mike Hendrix

Growth Management Task Force

Peter Condyles, resident at large
Dan Hazen, resident at large
Kristin Kinnamon, resident at large
Rickelle Pegrum, resident at large
Rob Robertson, resident at large

Steve Leifer, Planning Commissioner
Mark James, City Council
Steve Muller, City Council
Michael Stevens, City Council
Dylan Sluder, Master Builders Association

Marysville Community Members

The project team is deeply appreciative of the patience and commitment shown by the many community members of Marysville, especially downtown residents and business owners, who helped shape this plan's vision through an online remote engagement effort in the midst of the COVID-19 pandemic. We look forward to the opportunity to meet in person again as this plan's recommendations move toward implementation.

Contents

1. Introduction	1
Purpose	1
Process	2
2. Concept	6
Assets, Challenges, & Opportunities	6
Goals and Objectives	14
Urban Design Framework	18
3. Land Use & Urban Design	26
Zoning Proposals	27
Street Designations	37
Housing	40
Redevelopment	45
4. Transportation	54
Pedestrian and Bicycle	57
Transit	59
Vehicular	60
Street Design	62
5. Parks and Public Services	74
Parks and Trails	74
Civic, Social Cultural	84
6. Water & Utilities	86
Surface Water	86
Utilities	88
7. Implementation	90

Figures

Figure 1.	2009 DMP envisioned public and private investment phasing.....	1
Figure 1.	Downtown Marysville with Mt. Pilchuck in the background.	11
Figure 3.	Marysville Town Center Mall.	18
Figure 4.	3 rd St Retail Core. Sources: City of Marysville 2020, Makers 2018	20
Figure 5.	State Ave. Source: Google Maps. © 2020 Google.	21
Figure 6.	Ebey Waterfront Park boat launch	21
Figure 7.	Civic Center rendering with Delta Ave woonerf in foreground.	22
Figure 8.	3 rd St and Alder Ave in the downtown neighborhood.	23
Figure 9.	Downtown Master Plan anticipated growth.....	26
Figure 10.	L-R: office building in Newcastle, WA; residential/retail vertical mixed use; stores in Mill Creek, WA.....	29
Figure 11.	L-R: retail building in Duvall, WA; walk-up apartments above retail; four story midrise apartments above active ground floor in Seattle, WA	30
Figure 12.	L-R: flexible building in Bozeman, MT; small retail/office building in Seattle, WA; retail shop in converted industrial building in Bozeman, MT	31
Figure 13.	L-R: multi-family building with ground floor workspaces, Bozeman, MT; residential Building in Bozeman, MT	32
Figure 14.	L-R: “four over one” mid-rise apartment building with ground floor shop; four-story apartment building	33
Figure 15.	L-R: modern duplex; townhouses; ADU in Seattle, WA	34
Figure 16.	L-R: modern six-plex in Seattle, WA; traditional small apartment building in Seattle, WA; Townhouse in Seattle, WA	35
Figure 17.	Sample guidelines for a corner lot triplex that emphasize traditional Pacific Northwest architectural characteristics and an active relationship with the street	36
Figure 18.	Residential property in study area, by acreage and parcel count. Sources: Snohomish County Assessor, 2020; BERK, 2020.	40
Figure 19.	View looking north up Union Ave, starting at 5 th St. Image: Google Maps	41
Figure 20.	Properties south of Grove St on 47 th Ave Northeast, Image: Google Maps	42
Figure 21.	Multifamily units by year built, Marysville and study area (% Total). Sources: Costar, 2020; BERK, 2020.	42
Figure 22.	Waterfront redevelopment vision	46
Figure 23.	Ebey Waterfront Park expansion concept	46
Figure 24.	Example Comeford Park site mixed use redevelopment.....	47
Figure 25.	Mixed use redevelopment vision for Town Center	48
Figure 26.	Sample townhouse site plan on a typical north downtown lot showing modestly reduced parking and driveway requirements	49
Figure 27.	Horizontal mix of uses.....	51

Figure 28. 60th Pl NE, with the addition of pedestrian and bicycle facilities, would create a key connection from downtown to west of I-5. 57

Figure 29. 8th St west of BNSF mainline tracks..... 62

Figure 30. 8th St crossing of BNSF mainline tracks 62

Figure 31. Proposed cross-section – 8th St from Ash Ave to 47th Ave (looking west) 64

Figure 32. Quinn Ave north of 4th St 66

Figure 33. Alder Ave north of 8th St..... 66

Figure 34. Quinn Ave at 2nd 66

Figure 35. 4th St HAWK beacon 67

Figure 36. Proposed cross-section D– Quinn Ave from 1st St Bypass to 4th St (looking north) 67

Figure 37. Proposed cross-section E – Quinn Ave from 4th St to 8th St (looking north) 68

Figure 38. Proposed cross-section F – Alder Ave from 8th St to Grove St (looking north)..... 68

Figure 39. L-R: a rectangular rapid flashing beacon (RRFB); a high-intensity activated crosswalk (HAWK) beacon with bicycle accommodations. 69

Figure 40. L-R: existing cross section; school crossing at 67th St NE 70

Figure 41. Proposed cross-section G – Armar Rd looking north 71

Figure 42. Newly constructed waterfront trail along Ebey Slough 74

Figure 43. Marysville Civic Center rendering, as viewed from Comeford Park 75

Figure 44. Delta Ave woonerf and Comeford Park expansion (J.A. Brennan) 76

Figure 45. Ebey Waterfront Park expansion site plan..... 77

Figure 46. For homes facing the park, distinctions between public, semi-private, and private spaces create a clear sense of ownership and help residents and passersby feel safer. 78

Figure 47. Screenshot from interactive survey map 79

Figure 48. Conceptual sketch of redevelopment on waterfront with Ebey Slough Trail..... 80

Figure 49. Section through the trail where a new building abuts the property line 81

Figure 50. Section through the trail at an overlook or deck 81

Figure 51. Allan Creek runs through Jennings Park 82

Figure 52. Marysville Skate Park 82

Figure 53. Cedar Field 83

Figure 54. City of Marysville logo, adopted June, 2020 84

Maps

- Map 1.** Challenges and constraints map 8
- Map 2.** Urban Design Framework 19
- Map 3.** Zoning Proposals 28
- Map 4.** Street designations and through-block connections 37
- Map 5.** Transportation Recommendations Map 56
- Map 6.** 8th St corridor map 63
- Map 7.** Alder/Quinn Ave bike route 65
- Map 8.** Alder/Quinn Ave bike route 70
- Map 9.** 2009 DMP street type map 73
- Map 10.** Regional stormwater facility basin and conveyance network 87

1. Introduction

Purpose

The 2009 Downtown Master Plan (2009 DMP) set a vision and strategies for a vibrant, compact, mixed-use urban downtown core. Its study area included properties located north of Ebey Slough, east of I-5, south of 8th St, and west of Alder Ave. The plan identified street improvements and park upgrades to catalyze the envisioned redevelopment. Since 2009, Marysville has completed extensive public improvements, and many more are underway, but has yet to see significant development activity within the Downtown Master Plan area.

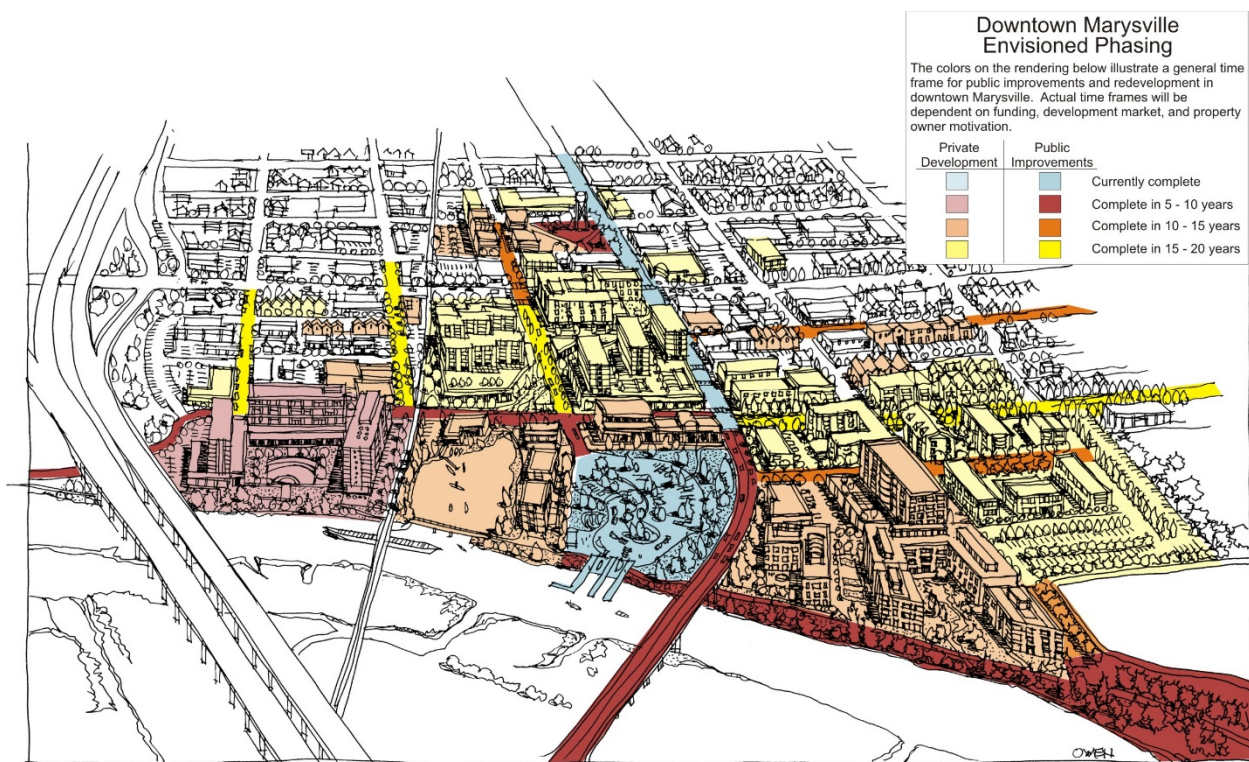


Figure 1. 2009 DMP envisioned public and private investment phasing

This plan update's purpose is to increase Marysville's residential capacity, streamline regulations, and continue to attract private investment. It expands the downtown study area to explore a wider range of residential options and identify infrastructure and programmatic needs and priorities. This plan's horizon year is 2044.

The City of Marysville (City) received Engrossed Second Substitute House Bill (E2HSB) 1923 (Chapter 348, Laws of 2019) grant funding from the Washington State Department of Commerce for the 2019 – 21 Biennium to assist with this process. The goal is to adopt a subarea plan pursuant to RCW 43.21C.420, a Planned Action pursuant to RCW 43.21C.440(1)(b)(ii), and a form-based code.

Process

Public engagement thus far has included video-conference meetings with the Marysville Growth Management Task Force and online interactive maps and surveys for communitywide engagement.

Engagement Results Summary

Event	Date	What we learned
Growth Management Task Force Survey	May 2020	<ul style="list-style-type: none"> ▪ Top priorities for the Downtown Master Plan are economic development, Land use/ development/community design, and civic/ social/cultural. ▪ The master plan area boundaries should be expanded north to Grove St and east to 47th Ave/Armar Rd/51st Ave. ▪ Retail, services and multifamily are the most desired land uses for downtown. Space for flex-tech/artisan spaces is desired as well. ▪ Community concerns about crime, affordability, parking and safety should be considered in plan recommendations.
Growth Management Task Force Meeting 1: Assets, Challenges, and Opportunities	June 2020	Developed list of assets, challenges and opportunities. See page 6.

<p>Growth Management Task Force Meeting 2: Options</p>	<p>July 2020</p>	<p>Updated and revised project goals:</p> <ul style="list-style-type: none"> ▪ Economic Development – Promote activities and improvements that enhance Marysville’s economic vitality. ▪ Land Use, Development, and Community Design – Upgrade the character, identity, and appearance of downtown as the focal point of Marysville. ▪ Civic, Social, and Cultural – Promote activities, improvements, and diversity to foster a sense of community. ▪ Land use – Work towards holistic, well-functioning neighborhoods. ▪ Transportation – Leverage regional investments in transit. ▪ Transportation and Streetscape – Enhance pedestrian and vehicular connectivity throughout downtown and to surrounding areas. ▪ Transportation and Streetscape – Use unified streetscape elements to enhance the sense of identity of downtown. ▪ Land Use, Development, and Community Design – Foster the creation of sub-districts within downtown with their own focus and character.
<p>Social PinPoint Interactive Map 128 unique users 252 comments</p>	<p>Summer 2020</p>	<ul style="list-style-type: none"> ▪ The new Civic Center and related investments are an exciting opportunity to reinvigorate the central part of downtown/State Ave. ▪ Traffic problems on 4th St have been a major issue – 1st Ave Bypass provides an opportunity for these to be addressed. ▪ Investment is needed along the State Ave corridor. Aging buildings, and cluttered signs and driveways are problems. There are similar issues on 4th St. ▪ Traffic calming and/or street safety improvements are needed on Columbia Ave and 51st St. A safe north/south bike route through downtown (east of tracks) is needed. ▪ The Marysville Opera House is popular, but needs more supportive businesses, activities, residences etc. ▪ Ebey Park improvements and waterfront development should be used to leverage and strengthen existing downtown assets and draw more people to the area. ▪ Some participants expressed concern about homelessness/panhandlers/drug use in public spaces, intersections, and core areas.

Social PinPoint Interactive Map: Waterfront Survey 39 responses	Summer 2020	<ul style="list-style-type: none"> ▪ The Ebey Slough waterfront is an underdeveloped asset! ▪ Top priorities for undeveloped waterfront parcels are recreational amenities, leisure amenities like a restaurant, and ecological restoration. ▪ This would be a great area for senior housing. ▪ It's important to strengthen the connection between the waterfront and the rest of downtown with better walking conditions and sightlines.
Social PinPoint Interactive Map: Retail Core + Town Center 47 responses	Summer 2020	<ul style="list-style-type: none"> ▪ The historic 3rd St retail node is charming but lacks variety. ▪ More restaurants and compact open space would attract people to this area. ▪ Nearby cities like Snohomish and Arlington have more lively downtown businesses districts. ▪ The Marysville Town Center Mall (Town Center) has problems. The stores don't meet residents' expectations and the parking lot creates dead space. The Town Center site could be adapted to have a more diverse and complex layout, with some green space, pedestrian-oriented areas etc.
Social PinPoint Interactive Map: Asbery Field 21 Responses	Summer 2020	<ul style="list-style-type: none"> ▪ There's broad interest in the future of Asbery field, though people have a wide range of opinions about preferred uses. ▪ Existing sports and recreation facilities are an important asset and should be maintained. Other popular ideas include space for performances or gatherings
Growth Management Task Force Meeting 3: Action Alternatives	October, 2020	<p>Action alternative goals:</p> <ul style="list-style-type: none"> ▪ Focus on feasibility – what kinds of development are most likely to “pencil”? ▪ Town Center is key to the success of downtown but may not change for many years. Strategies need to stand on their own <u>and</u> set the stage for success when changes to Town Center do occur. ▪ Artisan/flex-tech/light industrial spaces are positive but shouldn't compete with the Cascade MIC to the north. ▪ Housing development will drive investment in commercial real estate. ▪ A catalyst project is needed to jump start development.

Developers' Forum	November, 2020	<ul style="list-style-type: none"> ▪ Marysville's assets need to be better communicated and leveraged: <ul style="list-style-type: none"> ▫ Proximity to expanding job center, Paine field airport, Tulalip outlet malls and casino, outdoor recreation ▫ Walkable downtown with "authentic" character ▫ Family-oriented civic culture ▪ Challenges to infill development: <ul style="list-style-type: none"> ▫ Distance from Seattle ▫ Smaller parcels with many owners ▫ Public schools need investment ▫ BNSF tracks and railroad traffic ▪ The waterfront sites present a great opportunity for a catalyst project. ▪ Regulatory changes like improving MFTE, reducing parking minimums, adjusting sewer fees, and performing a planned action EIS, would make development more attractive. ▪ Many project costs don't scale with size – 50 units is the minimum size for some developers. ▪ Vacant storefronts on ground floor are much worse than ground-floor residential for street activity. ▪ Port of Everett' Waterfront Place is a good case study: Public private partnership, waterfront redevelopment, with horizontal mixed use.
--------------------------	----------------	--

Review and Adoption Process

- Planning Commission workshops, public hearing and recommendation to City Council
- City Council briefings and Ordinance adoption

2. Concept

Assets, Challenges, & Opportunities

This section describes existing assets and the challenges this plan addresses. Also see Appendix A: Existing Conditions Report for additional detail. The following lists are not meant to be exhaustive but represent the range of downtown Marysville's unique features.

Assets

Activity Hubs & Well-rounded Neighborhoods

- 2nd St streetscape (west of Town Center)
- 3rd St streetscape/independent business district (east of Town Center)
- Albertsons
- El Rey Grocery
- La Michoacana Grocery
- Marysville Town Center Mall
- Safeway Shopping Center (just north of Grove)
- Variety of uses

Parks & Recreation

- Asbery Athletic Field
- Boys & Girls Club
- Cedar Field
- Comeford Park & Spray Park/Water Tower
- Ebey Slough/Ebey Waterfront Park (boating, etc.)
- Ebey Waterfront Trail
- Jennings Park
- Ken Baxter Community Center (at Comeford Park)
- Marysville Skate Center (roller skating rink)
- Marysville Skate Park
- Quil Ceda Creek Casino (just west of I-5 on 4th St (SR 528))
- Strawberry Lanes (bowling alley)

Community, Cultural, & Civic

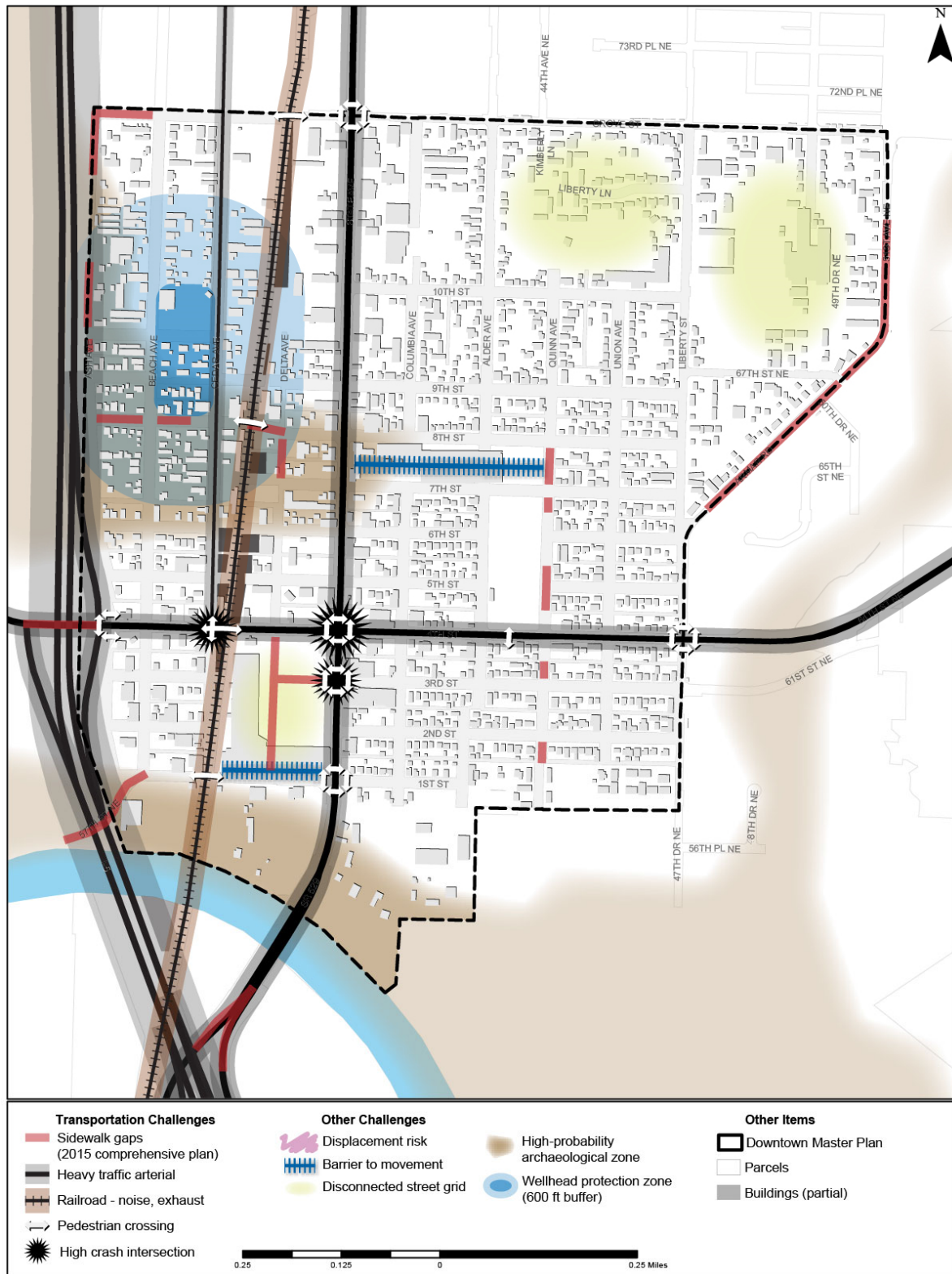
- American Legion
- Future Civic Campus
- Guru Nank Sikh Temple (just east of study area)
- Kingdom Hall of Jehovah's Witnesses (Filipino church)
- Liberty Elementary School
- Marysville Historical Society
- Marysville Middle School
- Northwest Baptist Church
- Opera House
- Proximity to Cascade Industrial Center
- Proximity to Everett Community College and Washington State University Everett
- Reset Church
- Totem Middle School
- Tulalip Tribe's Hibulb Cultural Center (west of study area)

Transportation

- 3rd St and Alder Ave new street design
- Access to I-5
- Access to SR 529 and Everett
- Access to transit
- Cedar and Grove Park and Ride (usually full, serves downtown Seattle routes)
- Marysville Ash Ave Park and Ride (not usually full)
- Marysville Ash Ave South Park and Ride
- Walkable block sizes south of 9th St

Challenges/Constraints

Map 1. Challenges and constraints map



General

- Stormwater treatment is needed, but it is challenging to accomplish in portions of Downtown due to a high water table
- Very high risk for archaeological resources along Ebey Slough and high risk for most of downtown (monitoring is recommended for any ground disturbance below fill)
- BNSF noise, odor, and traffic issues impact livability and development feasibility
- Existing land use policy about locating multi-family near arterials and away from single family
- Low commercial vacancy rates and increasing rents may increase displacement risk
- Poor street lighting, off of the main transportation corridors and especially along east-west roadways where utilities are located in alleys
- Narrow or missing sidewalks
- Limited east-west bicycle routes (except 1st St Bypass, Grove St, and Ebey Waterfront Trail)
- No north-south bicycle routes between BNSF corridor and 47th Ave NE
- Unfunded transportation projects
- Closest high school is 4 miles away (1.5 miles is recommended by Safe Routes Partnership)
- Lack of neighborhood parks/pocket parks/tot lots
- Though no wastewater treatment constraints are for projected growth for next 10 years, need to study conveyance impacts of denser developments to relay improvements costs to developers
- Though no water capacity constraints, need to understand fire flow needs for denser development

Housing

- Aging population may increase need for accessible housing for older adults
- 32% of all households pay more than 30% of their income on housing costs (26% owners, 47% renters) (not as high as other cities)
- Limited home types other than single family houses
- “Redevelopable” area—land values rising faster downtown than home values may increase risk of displacement

- Limited multifamily development in past 20 years, particularly within the 2009 Downtown Master Plan boundary
- Rents lower than in rest of city, possibly due to age of buildings
- Lack of housing options, especially for retail and service workers (1/2 of people living in study area work in service industry)
- Regional job and population growth may increase demand for affordable housing
- Pandemic-related housing needs

Westside Neighborhood

- Wellhead in northwest quadrant—uses may be restricted in 26-acre area
- BNSF corridor as barrier, train traffic increasing
- I-5 air quality and noise impacts (westside neighborhood and BNSF sliver)
- Cedar Ave truck route

BNSF Sliver

- Triangular parcels near BNSF corridor
- BNSF noise and odor impacts

4th St

- 4th St pedestrian environment
- 4th St truck route
- High collision intersections: 4th St/Cedar Ave, 4th St/State Ave (4th St may improve with new 1st St bypass)

State Ave

- Pedestrian environment, constrained ROW
- High collision intersection: 3rd St/State Ave

Town Center

- Lack of private redevelopment at Town Center due to stability of anchor tenants
- Disconnected from adjacent land uses, especially to the west because of the BNSF corridor

Waterfront

- 200 ft Shoreline High Intensity Environment designation

Downtown Neighborhood

- Totem Middle School—barrier to north-south movement and pedestrian environment on State Ave



Figure 1. Downtown Marysville with Mt. Pilchuck in the background.

Opportunities

General/Throughout

- Ample publicly owned land
- Gateways into downtown
- Continue trend of mixing multiplexes and multifamily with single family (more mixing has occurred north of 9th; greater opportunity south of 9th)
- Activate parks and commercial areas with denser housing
- Surplus of on-street parking. In 2007, utilized around 50%, and less during pandemic; explore other uses such as street dining and parklets

Utilities

- City's LID study
- Regional stormwater facility will be constructed in 2022 to increase development feasibility
- Fire District achieved Class 3 rating in 2020, may lower insurance premiums
- Consider low flow toilets, grey water re-use, and water-efficient systems to reduce demand on water treatment system and water source
- Coordinate PSE's polyethylene pipe replacement and repair of cross-bored sewer lines with other infrastructure improvements
- Consider a "Master Utility Plan" to identify specific utility needs where higher densities proposed
- Consider development/building codes that enhance utility efficiency (e.g., water and energy efficiency, take advantage of shallow groundwater with heat-loop concepts)

Waterfront

- Ebey Slough shoreline enhancement west of park to improve water quality
- Extend waterfront experience/access west of park
- Former Crown Mill site redevelopment potential
- Potential for redevelopment along shoreline (City-owned sites, actively attracting developers)

Town Center/Downtown Core

- Extend water features/habitat into downtown (as shown in original Downtown Master Plan redevelopment concept)
- Pocket parks/pedestrian seating
- New Community Transit *Swift* Bus Rapid Transit (BRT) service expected by 2027/2028
- The 1st St bypass relieves traffic on 4th St

Westside Neighborhood, BNSF Sliver, & Entertainment

- Westside neighborhood and BNSF sliver—potential for affordable commercial space
- Opportunity to improve image from freeway (Comprehensive Plan policy)
- Acquire Class B water system and provide municipal water to wellhead protection zone (improve development feasibility)

Downtown Neighborhood

- Potential for Totem Middle School to redevelop in the long term
- Asbery Field could serve as a neighborhood park and provide walking/rolling paths
- “Redevelopable” area east of downtown core

North State Ave

- Make use of Community Transit’s new *Swift* BRT service and leverage redevelopment opportunities adjacent to future *Swift* stations in the vicinity of Grove St and 4th St

Goals and Objectives

The following updates to the 2009 Downtown Master Plan goals and objectives are based on community (interactive map and surveys) and Growth Management Task Force (survey and discussion) engagement. These goals and objectives will be used as criteria to evaluate and refine the action alternative.

Land Use, Urban Design, & Economic Development

Goals

1. Promote activities and improvements that enhance Marysville's economic vitality.
2. Upgrade the character, identity, and appearance of downtown as a vibrant focal point of Marysville.
3. Promote neighborhoods with a mix of activities to live, work, play, educate, and thrive.
4. Encourage land uses that support and make use of transit and non-vehicular modes of transportation.
5. Encourage a variety of housing options to support current and future Marysville residents.
6. Foster subdistricts with their own focus and character.

Objectives

Redevelopment

1. Anticipate and plan for redevelopment options for City-owned and other key properties:
 - a. **Town Center.** Spur investment and/or redevelopment in Town Center to become a central node with pedestrian connectivity, public space, local businesses, services, and residences.
 - b. **Waterfront.** Catalyze development on City-owned waterfront properties.
 - c. **Properties near Civic Campus and Comeford Park.** Encourage development that connects the Civic Campus, historic retail core, and Town Center.
2. Recommend key catalyst projects to spur private investment downtown.
3. Establish form-based code (development regulations based on the human experience of a building's exterior rather than its interior use) to direct new development to meet public and private objectives and provide graceful transitions between higher and lower intensities.

4. Reduce barriers (e.g., cost of development, land use and development regulations) to desired development.
5. Set parking regulations that balance development feasibility, parking impacts on the public realm, downtown resident and user parking needs, and downward trend in single-occupancy vehicle (SOV) use to ensure development provides adequate parking.

Housing

6. Increase the number and variety (e.g., duplex, triplex, small apartment) of downtown home types.
7. Increase the number of senior housing units.
8. Address concerns about apartments and other higher density home types, such as crime, parking, and traffic impacts.
9. Ensure that home types meet needs of newer Marysville residents.

Districts

10. Support the 2nd/3rd St historic downtown core.
11. Build on the success of the Opera House and foster an entertainment district.
12. Find opportunities to leverage the BNSF railroad corridor as an amenity, and address noise and odor impacts.
13. Strengthen visual connections between the waterfront, Town Center, historic retail core, entertainment district, and civic campus.

Economic Development

14. Support small and independent businesses, especially during the COVID-19 pandemic recovery.
15. Prevent or minimize small business displacement.
16. Attract more restaurants, shops, fitness opportunities/activities, and services.
17. Attract and support local farm to grocery, farmers market, and restaurant options.
18. Support office, flex-tech, light manufacturing, artisan, distribution, and makerspace types of land use.

Aesthetics

19. Improve the appearance of State Ave.
20. Improve the appearance of downtown from I-5.
21. Improve the appearance of 4th St.
22. Improve the appearance of downtown, preserving desirable historic character and increasing businesses' and residences' pride of ownership.

Transportation

Goals

1. Prioritize and leverage transit.
2. Enhance multimodal connectivity throughout downtown and to surrounding areas.
3. Improve transportation connectivity to facilitate access and handle continued growth.
4. Use street design to enhance downtown's identity.

Objectives

1. Design streetscape improvements that encourage pedestrian activity, connect the downtown, incorporate stormwater management facilities, and spur development in downtown.
2. Improve conditions and connections throughout downtown for people walking, biking, and rolling.
3. Improve the pedestrian environment on State Ave.
4. Create a north-south and an east-west bicycle route.
5. Respond to new traffic patterns following opening of the 1st St Bypass.
6. Respond to changing commute patterns following a work-from-home trend and interests of changing Marysville demographic.
7. Slow down traffic on neighborhood streets.
8. Provide additional grade-separated railroad crossings where possible for increased connectivity, and improve safety of existing railroad crossings.
9. Address micromobility, curb space, and transportation network company needs to support transit use and alternatives to single-occupancy vehicles (SOVs).

Community Livability

Goals

1. Promote activities and improvements to foster a sense of community and celebrate Marysville's diversity.
2. Improve access to parks, trails, and open spaces to enhance quality of life and environmental quality in the downtown study area.

Objectives

1. Encourage property upkeep, neighborhood block watch programs, volunteer clean-ups, and/or other social capital-building activities to improve neighborhood appearance and reduce the perception of crime.
2. Increase public gathering place, green space, trails, recreation, and urban agriculture opportunities.
3. Complete and improve access to the Ebey Waterfront Trail.
4. Infuse Asbery Field with a variety of programs and potential physical upgrades to support increased use.
5. Support programming and activities (e.g., farmers market) at Ebey Waterfront Park, Comeford Park, new Delta Ave woonerf, and/or other downtown public spaces.

Utilities

Goals

1. Ensure that sewer, water, and other utilities are adequate for potential redevelopment.
2. Enhance environmental conditions, especially the shoreline edge and stormwater quality.
3. Highlight downtown's waterfront location and water system through site and stormwater facility design.

Objectives

1. Use stormwater and utilities investment to catalyze desired development.

Urban Design Framework

This section summarizes the overarching vision for downtown and the plan's major proposals. It is organized geographically, whereas the chapters to follow organize recommendations by topic. Numbers are keyed to the Draft Action Alternative Framework Map (see page 19).

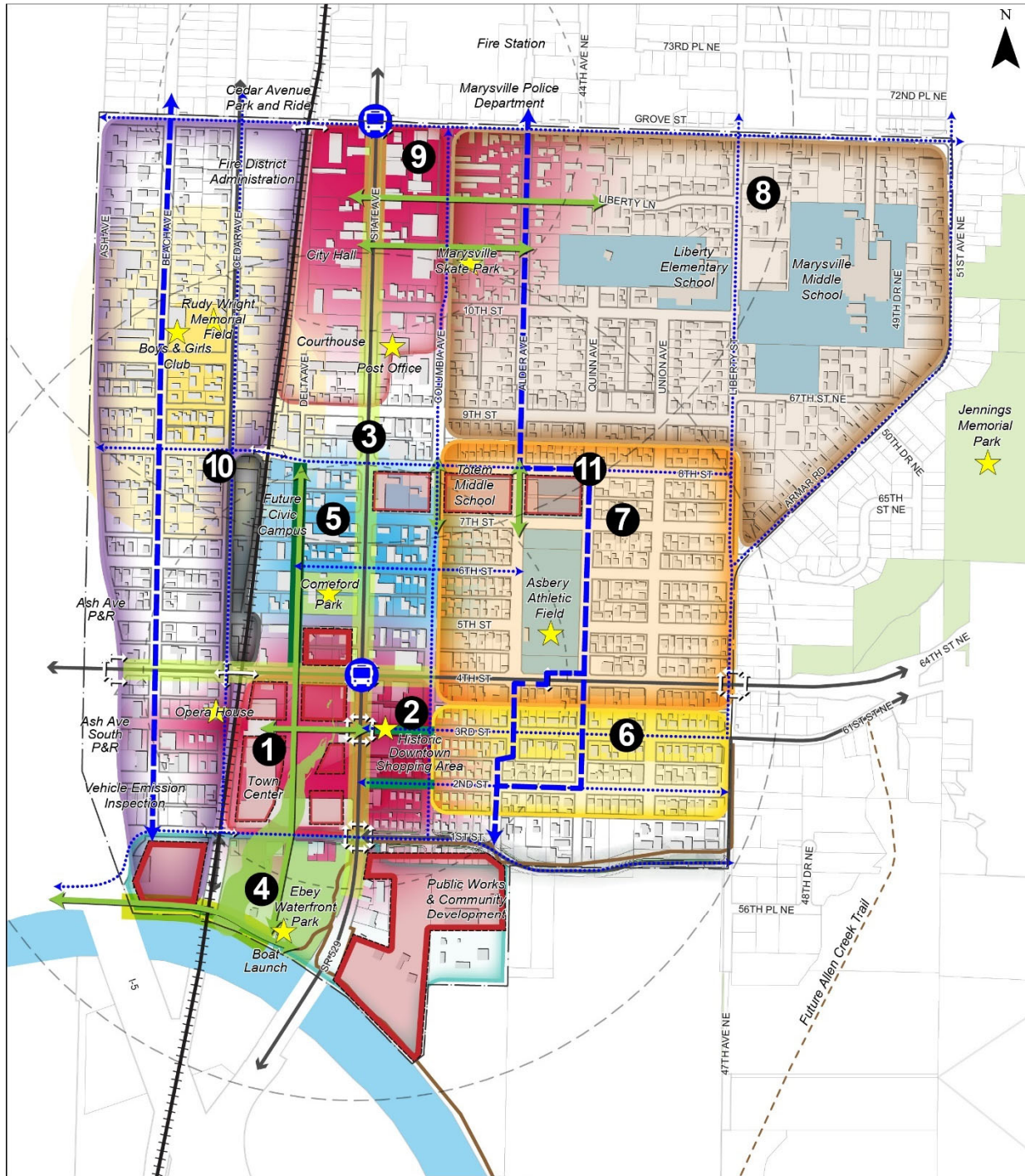
1. Town Center

1. Encourage infill (lateral or vertical) mixed-use development at Town Center in the near term.
2. Encourage full mixed-use redevelopment in the long-term.
3. Allow commercial, residential, and artisan/small workshop/flex-tech and encourage incubator businesses that support the Cascade Industrial Center (CIC).
4. With redevelopment, partner to extend open space inland and extend Delta Ave between the Civic Campus and the waterfront.
5. Actively seek partners, demonstrate the potential future, and incentivize/reduce any barriers to attract private investment and redevelopment.
6. Guide the architectural and site design of any redevelopment to:
 - a. Improve the view of downtown from I-5 through skyline, trees, and iconic building forms.
 - b. Make train viewing an amenity.
 - c. Extend public space between the waterfront and the Civic Center along the Delta Ave alignment.



Figure 3. Marysville Town Center Mall.

Map 2. Urban Design Framework



Land Use		Transportation		Context	
Activity center	Improve street appearance	Future BRT station (location TBD)	Parks and open space	Assets	
Civic activity center	Enhance waterfront	Ped/bike connection	Trails	1/2 and 1/4 mile radii	
Character areas # keys to framework narrative	Extend park inland	Bicycle priority	Railroad	Wellhead protection area	
Tier 1 opportunity sites	Support businesses	Shared priority	Crosswalks	DMP study area	
Tier 2 opportunity sites		Vehicular priority	Woonerf		

0.25 0.125 0 0.25 Miles
Draft: November 2020
K:\RANG\Info\Jobs\2015\Marysville DMP\4. Working Docs\5. Alternatives Development\MDMP_Actor\AF Framework.ai

2. 3rd/2nd St Old Town

1. Support the 3rd/2nd St historic business district with tenant/facade improvement programs. (Planned LID street improvements on 2nd St, mimicking the improvement to 3rd St, will be completed in 2022.)
2. Carefully consider zoning to balance community interest in small, local businesses, services, and amenities with housing needs. Consider reducing the height limit around 3rd St to minimize displacement of existing commercial space and maintain the transition between the Town Center site and existing residential neighborhoods.
3. Establish pocket parks and other public realm improvements as possible for an active outdoor environment.
4. Locate the southern downtown *Swift* BRT stop at 4th St to centrally serve the full range of downtown nodes—Civic Center, Historic Business District, Town Center, Waterfront, and Entertainment District.

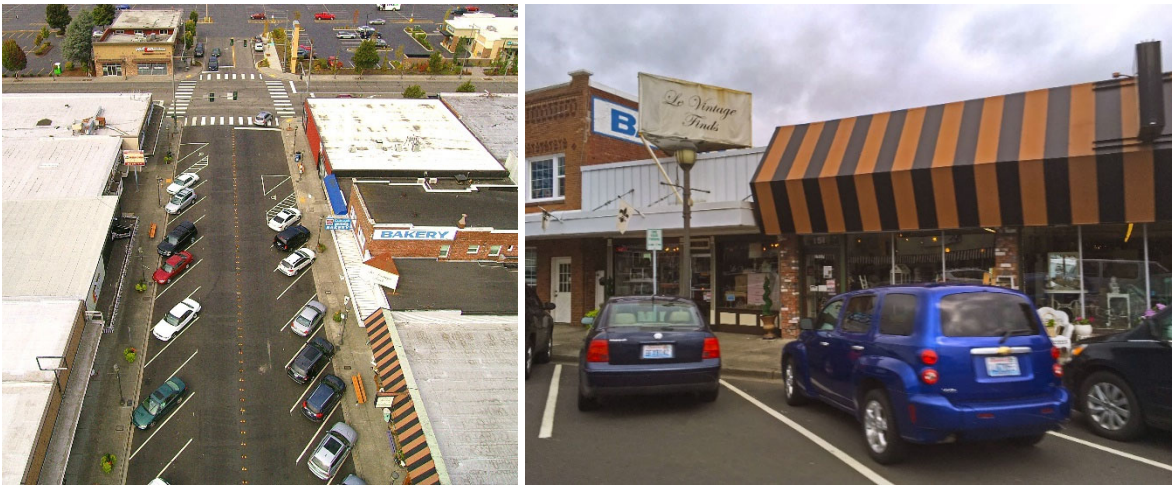


Figure 4. 3rd St Retail Core. Sources: City of Marysville 2020, Makers 2018

3. State Ave and 4th St

1. Improve State Ave with trees and buffered pedestrian space as possible in the near term and over time with redevelopment. Replace trees as needed, repair/replace aging signals, and provide LED street lighting.
2. Improve 4th St streetscape with decorative lighting and landscaped buffers with redevelopment given reduced traffic volumes due to 1st St Bypass, especially considering the view upon arrival to downtown from I-5. (The 4th St ramp and interchange will be improved by the Tulalip Tribes/WSDOT project.)

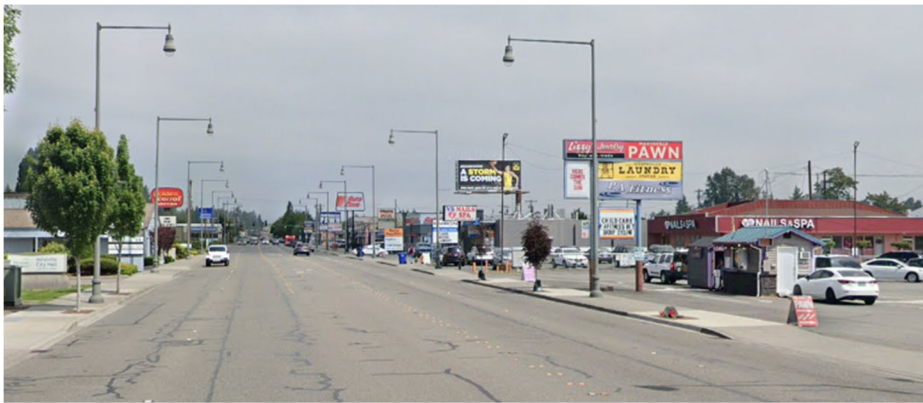


Figure 5. State Ave. Source: Google Maps. © 2020 Google.

4. Waterfront

1. Actively seek partners (e.g., Port, Tulalip Tribes) to redevelop waterfront properties.
2. Guide architectural design to consider the view from I-5 (e.g., skyline, iconic building form, trees, and landscaping).
3. When Town Center redevelops, partner with developers to extend open space inland and offer a public connection to Delta Ave. This public-private partnership should result in a linear park connecting the waterfront to the Delta Ave woonerf. The City is currently expanding Ebey Waterfront Park westward to the BNSF railroad corridor.
4. Work with the Tulalip Tribes to extend the Waterfront Trail westward from Ebey Waterfront Park.
5. Enhance/naturalize the shoreline.



Figure 6. Ebey Waterfront Park boat launch .

5. Civic Center

1. Leverage recent Civic Center, Delta Ave woonerf, and Comeford Park investments to support redevelopment of other key sites.
2. Add High-Intensity Activated Crosswalk System (HAWK) across 4th St (SR 528) at Delta Ave.
3. Minimize and/or mitigate displacement of existing businesses, nonprofits, and residences.
4. Analyze and prevent/mitigate impacts from the BNSF railroad corridor.
5. Complete missing sidewalks.



Figure 7. Civic Center rendering with Delta Ave woonerf in foreground.

6. Historic 3rd St Neighborhood

1. Allow a greater variety of home types while carefully guiding the form to fit in a historic neighborhood. For example, allow duplexes/triplexes/multiplexes that fit the scale and character of historic homes.



Figure 8. 3rd St and Alder Ave in the downtown neighborhood.

7. Asbery Neighborhood

1. With any redevelopment of the Totem Middle School, restore north-south connections on Columbia Ave and Alder Ave.
2. Coordinate with the Marysville School District to improve Asbery Athletic Field as a multifunctional park, adding or improving sidewalks, trails/exercise opportunities, social gathering, outdoor performance, parking, and pea patch space.
3. Encourage missing middle homes and senior housing throughout the neighborhood.

8. Liberty Neighborhood

1. Encourage missing middle and higher density homes, especially close to transit. Allow the types of development appropriate for the irregular lot sizes and configurations.
2. Include midblock connections with redevelopment to break down large blocks and improve connectivity.

9. North State Ave/Grove St

1. Encourage high intensity redevelopment near transit.
2. Require midblock connections with redevelopment.
3. Leverage the proposed Grove St overcrossing at the BNSF railroad corridor with supportive land uses and walking, biking, and rolling connections.

10. BNSF Sliver and Beach Ave Neighborhood

1. Apply flexible zoning to allow a variety of affordable commercial and residential uses, except car lots/large outdoor sales or storage uses.
2. Treat Cedar Ave as a main thoroughfare for businesses and a pedestrian/bicycle route.
3. Encourage storage, light industrial, and general commercial while prohibiting heavy industrial and certain storage uses near I-5 and the BNSF railroad corridor to reduce air quality, noise, and odor impacts on residences.
4. Consider investing in hook-ups to the City water system to address the wellhead protection zone and support a Beach Ave neighborhood.
5. Consider parking reductions, especially near transit.
6. Require appropriate air filtration in buildings to improve indoor air quality.
7. Respond to changes in regional transit options when considering existing park-and-rides.

11. Multimodal Facilities

1. Add a north-south pedestrian and bicycle facility on Alder/Quinn Ave to make use of low-volume streets, connect to Asbery Field, serve *Swift* BRT stations, and connect high activity nodes.
2. Add an east-west ped/bike priority route to connect the Beach Ave neighborhood across the BNSF corridor to downtown and eastward.
3. Add an east-west pedestrian priority route to connect Civic Campus, Comeford Park, and Asbery Field on 6th St.
4. Continue prioritizing bicycles on Cedar Ave and improve facilities south of 4th St. (The City plans to improve Cedar Ave between 1st St and 4th St in 2021/2022.)
5. Improve shared priority streets for bicycles as mapped (Map 2 and Map 5), prioritizing east-west connections near transit and high activity areas.
6. Carry forward applicable street concepts from the 2009 DMP (see Appendix D).

3. Land Use & Urban Design

This element describes recommended changes to zoning and other development regulations that will shape the types and intensities of land use in downtown Marysville. These recommendations seek to align rules and guidelines with Marysville’s vision and goals for its downtown and to leverage the civic investments completed and underway through the past ten years, including the Civic Center campus and improvements to Comeford Park, the 1st St Bypass and other streets, and Ebey Waterfront Park and Trail.

This plan proposes new form-based zoning classifications and concepts, targeted to encourage building types that will strengthen the vibrancy of downtown, bring in new residents and businesses in a walkable environment, and focus development activity around transit and major assets. With limited real estate development in downtown in the past several decades, a major focus of the plan is improving the feasibility of new development through tools like Multifamily Housing Property Tax Exemption (MFTE) and reconsideration of ground floor retail and minimum parking requirements. Specific redevelopment opportunity sites are identified and evaluated with a strategic lens for the role they could play in building upon existing downtown assets. Proposed design guidelines and block frontage designations will help ensure additions to downtown advance the city’s goals for an attractive and functional built environment and preserve the fabric of historic areas.

Under these recommendations, approximately 2,600 new homes and 1,800 new jobs are expected in downtown Marysville by 2044. This represents an increase of 694 new homes and 468 new jobs compared to what is anticipated with no action taken.

Location	Existing (2007)		No Action (2035)		Proposed Action (2044)	
	Dwellings	Jobs	Dwellings	Jobs	Dwellings	Jobs
Total	1,683	2,384	3,568	3,744	4,262	4,212
<i>Growth from 2007</i>			<i>1,885</i>	<i>1,360</i>	<i>2,579</i>	<i>1,828</i>
<i>Difference No Action</i>					<i>694</i>	<i>468</i>

Figure 9. Downtown Master Plan anticipated growth

Zoning Proposals

This subarea plan recognizes the effort and forethought that went into crafting existing zoning in downtown Marysville and does not propose major changes. However, where land use activity has not met expectations, and to clarify the vision for a larger master plan area than the 2009 DMP boundaries, this plan proposes modest changes to better fulfill the vision for downtown. This plan proposes the following changes:

- 1) Introduce form-based code to ensure development achieves the desired streetscapes and architectural forms
- 2) Allow a horizontal mix of commercial and residential uses where a vertical mix was previously required
- 3) Allow additional housing types in expanded residential areas

The proposed zoning code and design standards allow the types of development that would implement the vision and objectives described in Concept section starting on page 6 and, in particular, the following objectives:

- Improve development feasibility in the downtown core and waterfront
- Allow a greater variety of small housing types in residential zones
- Enhance existing assets:
 - Ebey Waterfront Shoreline
 - Old Town's historic character on 3rd St and 2nd St
 - Human-scaled walkable residential neighborhoods
 - Locally owned businesses
 - Avoid I-5 and BNSF railroad corridor air and noise quality impacts on sensitive uses

The following section describes the specific zone proposals as shown on Map 3. It focuses on the form of buildings and the role they play within an urban environment. Each zone calls out specific types of uses that are preferred or encouraged, which will help planners and community members evaluate the effectiveness of codes and make changes if needed based on outcomes.

What's Controlled & What's Not

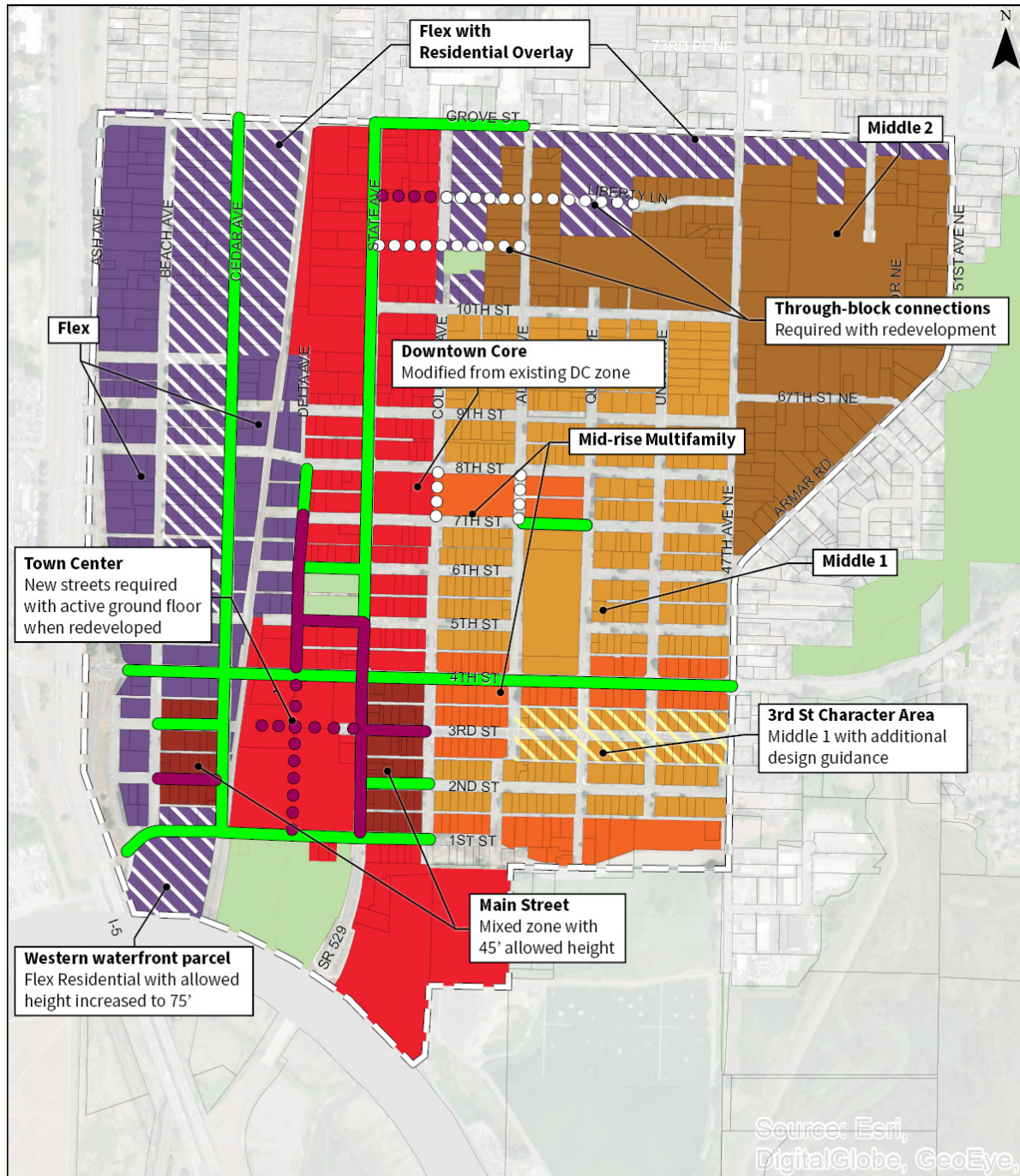
These zones primarily control:

- Building envelope (i.e., height, lot coverage, floor area ratio (FAR))
- Parking amount and location
- Street-fronting building and streetscape elements, particularly on special streets
- Broad categories of land uses
- General building types
- Minimum densities in some cases
- Open space requirements

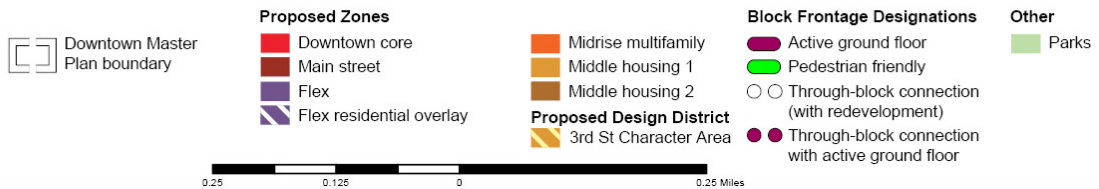
These zones do not control:

- Specific activities in buildings

Map 3. Zoning Proposals



Downtown Master Plan



Downtown Core

The Downtown Core zone encourages high density residential mixed use and office mixed use. Other commercial uses are allowed. No active ground floor required except on designated streets (see Street Designations).

Current zoning: Downtown Commercial

Building Form

Expected Building Types	Development Standards	Parking
<ul style="list-style-type: none"> ▪ Mid-rise apartments ▪ Small office buildings ▪ Walk-up apartments (wood construction) 	<ul style="list-style-type: none"> ▪ Maximum height 85 feet ▪ Minimum density 45 dwelling units per acre except on small sites ▪ No maximum density 	<ul style="list-style-type: none"> ▪ Reduced parking requirements

Land Use

Allowed Uses	Prohibited Uses
<ul style="list-style-type: none"> ▪ Office commercial ▪ Retail/residential vertical mix ▪ Retail ▪ Multifamily Residential 	<ul style="list-style-type: none"> ▪ Single Family Residential ▪ Outdoor storage and sales ▪ Industrial ▪ Drive-throughs

Development Examples



Figure 10. L-R: office building in Newcastle, WA; residential/retail vertical mixed use; stores in Mill Creek, WA

Main Street

The Main Street zone protects and enhances the character of Marysville’s historic retail core. This zone encourages high-activity uses like restaurants, entertainment, and shops, and residential above the ground floor. New buildings should feature an active ground floor use. Parking is not required for small commercial buildings.

Current zoning: Downtown Commercial

Building Form

Expected Building Types	Development Standards	Parking
<ul style="list-style-type: none"> ▪ Zero lot-line storefronts ▪ Mid-rise mixed use (with ground floor commercial) ▪ Four story mid-rise ▪ Walk-up mixed use 	<ul style="list-style-type: none"> ▪ Maximum height 45 feet ▪ No maximum density 	<ul style="list-style-type: none"> ▪ Limited on-site parking requirements for retail uses ▪ No or reduced parking minimum for commercial buildings less than 10,000 sf gross floor area

Land Use

Allowed Uses	Prohibited Uses
<ul style="list-style-type: none"> ▪ Retail ▪ Retail/residential vertical mix ▪ Office ▪ Commercial/residential horizontal mix ▪ Light industrial (conditional) 	<ul style="list-style-type: none"> ▪ Single family residential ▪ Large format commercial ▪ Industrial ▪ Outdoor storage and sales ▪ Drive-throughs

Development Examples



Figure 11. L-R: retail building in Duvall, WA; walk-up apartments above retail; four story midrise apartments above active ground floor in Seattle, WA

Flex

This zone encourages a mix of uses, including artisan, workshops, small light manufacturing, and commercial. New residential, schools, daycares, and other sensitive uses are not allowed due to air quality, noise, and odor impacts from I-5 and the BNSF railroad corridor.

Current zoning: General Commercial, Downtown Commercial

Building Form

Expected Building Types	Development Standards	Parking
<ul style="list-style-type: none"> ▪ Workshops ▪ Single-story flexible buildings ▪ Small footprint retail/services 	<ul style="list-style-type: none"> ▪ Maximum height 45 feet 	<ul style="list-style-type: none"> ▪ Standard parking code

Land Use

Allowed Uses	Prohibited Uses
<ul style="list-style-type: none"> ▪ Light industrial ▪ Commercial ▪ Artisan/small work shops/manufacturing/flex-tech 	<ul style="list-style-type: none"> ▪ Residential ▪ Outdoor storage and sales ▪ Heavy industrial – noise, exhaust, etc. ▪ Drive-throughs

Development Examples



Figure 12. L-R: flexible building in Bozeman, MT; small retail/office building in Seattle, WA; retail shop in converted industrial building in Bozeman, MT

Flex Residential Overlay

This overlay allows medium-density housing plus the Flex zone uses outlined above.

Current zoning: Mixed Use

Building Form

Expected Building Types	Development Standards	Parking
<ul style="list-style-type: none"> ▪ Walk-up apartments ▪ Missing middle homes ▪ See Flex Zone (page 31) 	<ul style="list-style-type: none"> ▪ Maximum height 45 feet ▪ Maximum residential density: 45 dwelling units/acre 	<ul style="list-style-type: none"> ▪ Reduced residential parking requirements

Land Use

Allowed Uses	Prohibited Uses
<ul style="list-style-type: none"> ▪ Multifamily residential ▪ See Flex Zone (page 31) 	<ul style="list-style-type: none"> ▪ Outdoor storage and sales ▪ Heavy industrial – noise, exhaust, etc. ▪ Drive-throughs

Development Examples



Figure 13. L-R: multi-family building with ground floor workspaces, Bozeman, MT; residential Building in Bozeman, MT

Midrise Multifamily

This zone encourages dense multifamily housing. On larger sites, commercial is not allowed except as part of a mixed-use development.

Current zoning: Downtown Commercial, Mixed Use, Residential-18, Residential-8

Building Form

Expected Building Types	Development Standards	Parking
<ul style="list-style-type: none"> Mid-rise apartments Walk-up apartments (wood construction) 	<ul style="list-style-type: none"> Maximum height 65 feet No maximum residential density Minimum residential density 45 dwelling units/acre, except on small sites 	<ul style="list-style-type: none"> Standard parking code SB 2343 parking reductions within ¼ mile of frequent transit may apply

Land Use

Allowed Uses	Prohibited Uses
<ul style="list-style-type: none"> Medium/high-density Multifamily Residential Residential/retail mixed use Small commercial 	<ul style="list-style-type: none"> Industrial Low-density residential Parking lot Drive-throughs

Development Examples



Figure 14. L-R: “four over one” mid-rise apartment building with ground floor shop; four-story apartment building

Middle Housing 1

This zone encourages small infill housing, especially “missing middle” building types. The zone protects the fine-grained, residential character of historic neighborhoods.

Current zoning: R-18 Multi-family Medium and R-8 Single Family High, Small – Lot

Building Form

Expected Building Types	Development Standards	Parking
<ul style="list-style-type: none"> ▪ Townhouses ▪ Duplex/triplex/fourplex ▪ Cottage housing ▪ Detached houses with ADUs 	<ul style="list-style-type: none"> ▪ Maximum height 35 feet 	<ul style="list-style-type: none"> ▪ Parking provided on alley (if present) ▪ Reduced minimum

Land Use

Allowed Uses	Prohibited Uses
<ul style="list-style-type: none"> ▪ Medium density residential ▪ Low-density residential ▪ Small commercial (conditional) 	<ul style="list-style-type: none"> ▪ Most non-residential uses ▪ Drive-throughs

Development Examples



Figure 15. L-R: modern duplex; townhouses; ADU in Seattle, WA

Middle Housing 2

This zone encourages infill housing, especially “missing middle” building types and small apartments.

Current zoning: R-18 Multi-family Medium, R-8 Single Family High, Small – Lot, and R-6.5 Single Family High

Building Form

Expected Building Types	Development Standards	Parking
<ul style="list-style-type: none"> ▪ Townhouses ▪ Duplex/triplex/fourplex ▪ Small apartments ▪ Cottage housing ▪ Walk-up apartments 	<ul style="list-style-type: none"> ▪ Maximum height 45 feet 	<ul style="list-style-type: none"> ▪ Reduced minimums

Land Use

Allowed Uses	Prohibited Uses
<ul style="list-style-type: none"> ▪ Medium density residential ▪ Low-density residential ▪ Small commercial (conditional) 	<ul style="list-style-type: none"> ▪ Most non-residential uses ▪ Drive-throughs

Development Examples



Figure 16. L-R: modern six-plex in Seattle, WA; traditional small apartment building in Seattle, WA; Townhouse in Seattle, WA

3rd St Character Area

This overlay places design standards along either side of 3rd St between Alder Ave and 47th Ave NE to promote building design consistent with existing character.

Current Zoning: R-8 Single Family High, Small – Lot

Design standards should address the following elements to maintain a historic character:

- Peaked/gable roofs
- Parking in rear on alley
- Front yard set back
- Traditional materials
- Window design



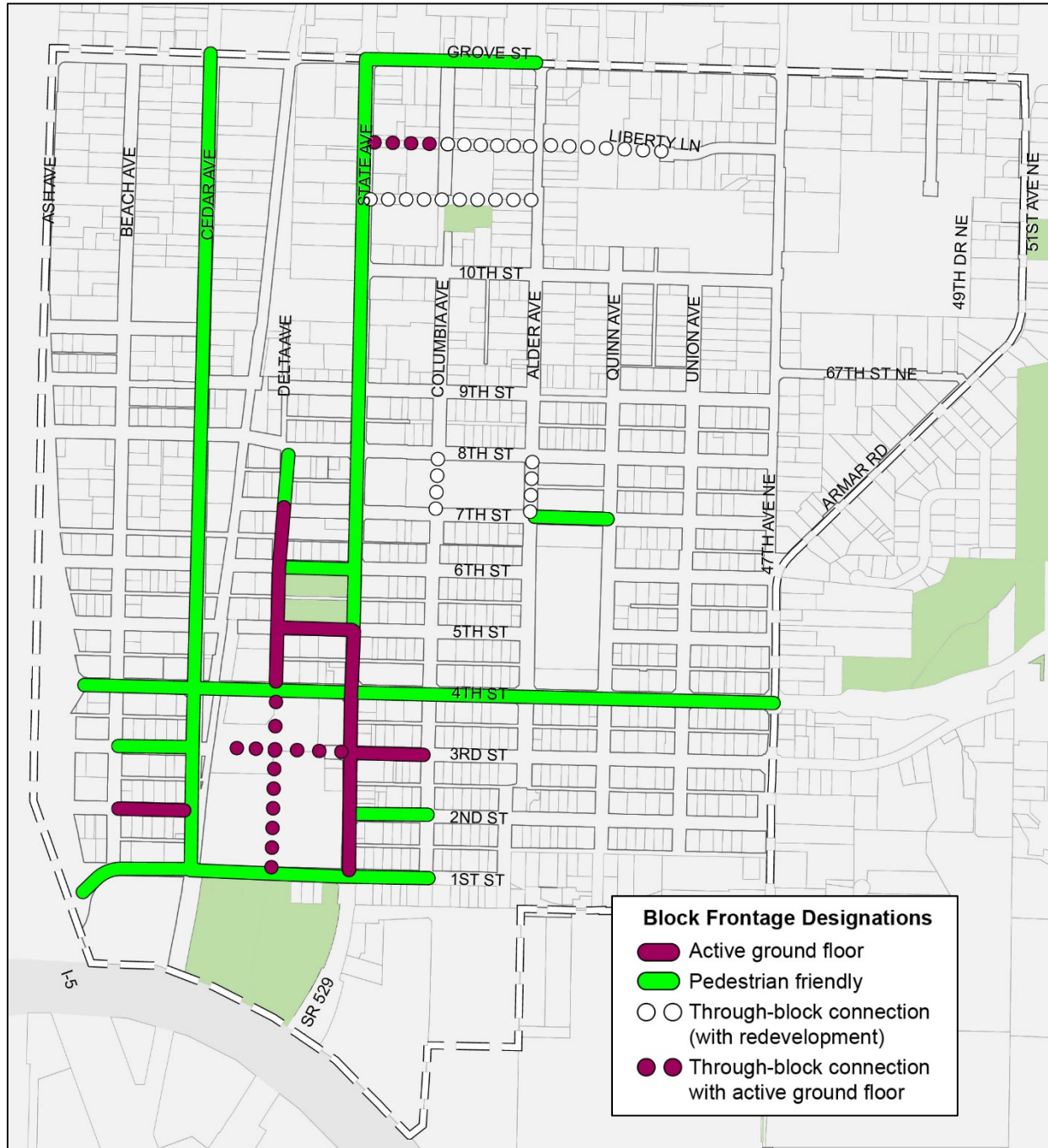
Figure 17. Sample guidelines for a corner lot triplex that emphasize traditional Pacific Northwest architectural characteristics and an active relationship with the street

Recommendations

- LU-1 Apply form-based code to new zones as shown in Map 3.
- LU-2 Apply design guidelines promoting traditional/historic residential character to the 3rd St Character Area.

Street Designations

Map 4. Street designations and through-block connections



Block Fronts

The design and orientation of new buildings should foster vibrant neighborhood centers. To accomplish this, alongside form-based zoning updates to create mixed-use, transit-oriented neighborhoods, Marysville should designate certain streets (existing and future at conceptual locations as identified in Map 4) as:

- **Active Ground Floor.** These streets provide a comfortable and engaging experience for people on foot. They feature active ground floors (restaurants, small offices, building lobbies, fitness, retail, artisan manufacturing, etc.) with frequent building entries, 18-foot sidewalks with comfortable space for walking and outdoor dining, and street trees. Active ground floor streets are designated in limited areas to concentrate pedestrian activity and help create more vibrant urban character.
- **Pedestrian Friendly.** These streets create comfortable and safe paths that connect important destinations. They feature wide (12-foot) sidewalks, street-fronting buildings that may or may not have active uses at ground floor, and street trees. Ground level residential units along pedestrian friendly streets should have direct street access.

These streets will play a critical role in the public realm of downtown Marysville, providing for public gathering places, cafes, bars, fitness, ground floor work spaces that interact with the street, and comfortable places to stroll, wheel, bike, linger, play, and rest.

Through-Block Connections

A foundation of a walkable urban environment is a well-connected street grid. Marysville's downtown benefits from such a grid, especially in the historic core; however, in the north part of the downtown master plan area, large blocks and few east-west connections make it more difficult to access amenities and transit near State Ave. New through-block connections should be created in locations specified on Map 4 as adjacent parcels redevelop.

Recommendations

- LU-3 Designate Active Ground Floor and Pedestrian-friendly Streets as mapped on Map 3 as part of the new form-based code.
- LU-4 Apply block front design standards to the existing and future streets identified in Map 3 (locations conceptual for future through-block connections). Designations should:
- a. Require frequent entries (e.g., every 30 feet) and adequate transparency (windows) to foster a lively street and ensure space for small businesses.
 - b. Require commercial ground floors on active ground floor streets, while being flexible to allow a range of viable uses (e.g., cafes/restaurants, bars, fitness centers, coworking and cooperative spaces, artisan/small workshops/light manufacturing).

- c. Allow commercial or residential uses (where future zoning allows) on the ground floor of active ground floor streets.
 - d. Encourage flexible ground floor layouts that accommodate small and growing businesses, as they expand and contract, accounting for creative models like condos and co-ownership.
 - e. Require commercial ground floors to accommodate a range of business and arts uses (e.g., high enough ceilings for a restaurant's ventilation system).
 - f. Set maximum retail size limits (except for grocery and hardware) or average storefront area or depth to ensure a diversity of sizes.
 - g. Disallow surface parking lots along primary streets and limit it along secondary streets to side/back/beneath buildings with proper screening.
 - h. Include wayfinding for pedestrian and bicycle routes.
- LU-5 Apply through-block connection standards to new downtown zones to require easements or right-of-way dedication at the designated locations to create routes usable to pedestrian, bicycle, and vehicular traffic where noted on Map 4.

Housing

This section assesses the current status of housing downtown and provides recommendations to achieve the number and type of units desired, including affordable housing. It builds on the zoning proposals section above and add details about housing-specific outcomes.

Status of Downtown Housing

The proposed downtown master plan area currently has 677 single family detached houses, 570 apartments/condominiums, and about 250 duplexes, triplexes, and fourplexes. Housing is dispersed throughout the study area but is the predominant use in the eastern part of the subarea, where historic residential neighborhoods include a mix of detached houses and other building types. Housing production in this area peaked in the 1960s-70s, with minimal development activity in the past two decades.

Dwelling Type	Acreage	Parcels	Units
Single Family Detached Houses	127.3	618	677
Duplex	10.2	46	95
Triplex	2.5	12	42
Quad	6.1	24	96
Multifamily	29.4	38	494
Condominium	4.30	9	76
Total	179.9	747	1,480

Figure 18. Residential property in study area, by acreage and parcel count. Sources: Snohomish County Assessor, 2020; BERK, 2020.

Single Family Detached Houses

There are 618 single family parcels in the study area, located throughout the district, and totaling 71% of residential acreage. When adjusted for lot size, single family homes within the study area average about 10% lower in value than homes in Marysville overall. Raw land in the downtown neighborhoods is relatively valuable – for almost 95% of single family detached houses the value of the land is greater than the improvement value (the value of structures and site improvements), indicating potential for redevelopment.



Figure 19. View looking north up Union Ave, starting at 5th St. Image: Google Maps

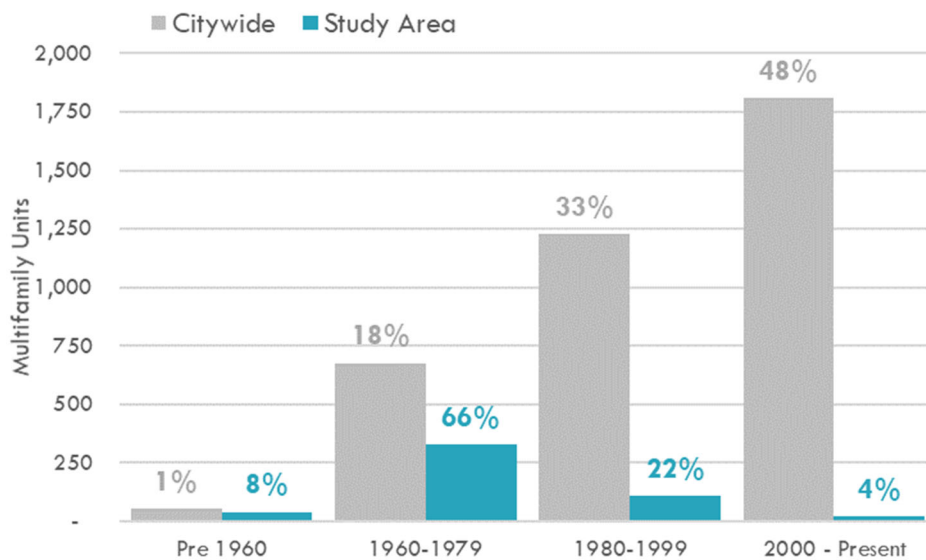
Multifamily Housing

There are 494 units of multifamily housing within the study area. Multifamily buildings in the study area are low-rise styles, up to 3 stories in height, ranging from 2 to 54 units. Most multifamily units are in buildings built in the 1960s and 1970s. There have only been two multifamily developments in the current Downtown Master Plan boundaries within the past 20 years (2000-2020): one 6-unit building built in 2002 and a 12-unit income-restricted affordable housing development constructed in 2009. Rents within the study area are lower than in the city overall, likely influenced by the age of the buildings.



Figure 20. Properties south of Grove St on 47th Ave Northeast, Image: Google Maps

Figure 21. Multifamily units by year built, Marysville and study area (% Total). Sources: Costar, 2020; BERK, 2020.



Housing Strategy/Desired Outcomes

To provide walkable, sustainable housing options, increase business viability, and add diversity to Marysville's housing stock, this plan supports increased residential development downtown. New housing built near transit stops will reduce automobile dependence and increase Marysville's downtown economic vitality. New homes in established neighborhoods, with excellent walking conditions and nearby amenities, will be places for both homegrown Marysville families and new families.

Housing Incentive Programs

Marysville has several existing programs to incentivize production of affordable and market rate housing downtown:

- Multifamily Housing Property Tax Exemption, Chapter 3.103 MMC: Applies to 2009 Downtown Master Plan study area that is smaller than the study area defined for the Downtown Master Plan Update. The City is proposing to expand the boundary to correspond with the Downtown Master Plan Update boundary and reduce the minimum size of the multifamily development from twenty to ten units in order to qualify for the tax exemption.
- Residential Density Incentives, Chapter 22C.090 MMC, for R-18, MU, and GC zones, e.g. 1.5 bonus units and 30-60 units per five acres for low-income or senior housing, respectively
- Affordable and Supportive Housing Sales Tax Credit Fund, Chapter 3.105 MMC, that identifies funding for acquiring, rehabilitating, or constructing affordable housing, or operations and maintenance costs of new units of affordable or supportive housing, or providing rental assistance to tenants
- These programs should be expanded to cover the new proposed Downtown Master Plan area.

Anticipated Housing Production

With proposed zoning changes, and following City investment in parks and infrastructure, and regional transit investment, housing production is likely to increase in several areas:

- **State Ave Corridor/Downtown Core zone.** Multi-story apartments in the State Ave corridor will become more feasible with the relaxation of ground-floor retail requirements and some parking minimums. The minimum density of 45 dwelling units per acre means that new apartments will likely be at least three stories.
- **Midrise Multifamily zones.** New medium density residential zoning along 1st St, 4th St, and at the Totem Middle School site will allow midrise apartments without ground floor retail requirements. The minimum density of 45 dwelling units per acre means that new apartments will likely be at least three stories.
- **Missing Middle.** New "Middle Housing" zones in the downtown residential neighborhoods will allow small multifamily building types like duplexes and townhouses. New homes will be added incrementally to the neighborhood over time.

Recommendations

- LU-6 Adopt proposed zoning changes to allow a wider range of housing types.
- LU-7 Expand the Multifamily Housing Property Tax Exemption (MFTE) area to cover the proposed Downtown Master Plan area. Also see Multifamily Housing Property Tax Exemption (page 50).
- LU-8 Explore residential density or height incentive programs for new proposed zoning classifications.
- LU-9 Continue using the Affordable and Supportive Housing Sales Tax Credit Fund for acquisition, rehabilitation, and construction of affordable housing; operations and maintenance costs of new affordable or supportive housing units; and rental assistance provisions to tenants.

Redevelopment

This section includes recommendations to achieve the type of development desired beyond zoning changes, particularly at Town Center, waterfront properties, and the block just south of Comeford Park. It describes completed or potential future public realm designs and incentives to spur desired redevelopment.

Potential Redevelopment Sites Vision

Tier 1/Short-term Opportunities

Waterfront

The parcels between 1st St and Ebey Slough represent dramatic and enticing development opportunities. Marysville is actively inviting redevelopment in two phases (see Appendix E: Invitation to Submit Qualifications: Ebey Waterfront – Housing and Retail Development Opportunity and the 5-year [Waterfront Strategic Plan](#)):

1. **Phase 1.** A 15-acre site at the southeastern plan boundary including the City's Public Works yard, former Crown Mill property, and portions of residential properties acquired for the 1st St Bypass project.
2. **Phase 2.** A 4.5-acre City-owned former mill site bounded by I-5 and the BNSF railroad corridor.

Both sites front directly on Ebey Slough. The Ebey Waterfront Park and planned expansion (which includes an entertainment venue), the Ebey Waterfront Trail and connection to Centennial Trail, waterfront views, proximity to Old Town (historic 3rd/2nd streets) and Town Center commercial activity make this an amenity-rich area.

With redevelopment, the waterfront properties would transform into a vibrant place with quality housing with an emphasis on affordability options; unique retail, institutional, and/or commercial spaces; entertainment venues; and waterfront trails that change the legacy of a working waterfront into a publicly accessible recreation and community waterfront. Showcasing the environmentally significant Ebey waterfront and Qwuloolt estuary through connected open spaces and viewpoints; providing places for socializing; and fostering a unique sense of place through local businesses, public art, and quality design are major goals from the Waterfront Strategic Plan.

Residential, office/institutional/commercial, and recreational uses are likely to be drawn to the riverfront amenity, park activities, and proximity to highways and transit. The 2009 DMP waterfront redevelopment vision is still relevant; however, the City is expanding Ebey Waterfront Park westward as shown in Figure 23. The blue outline in Figure 22 marks this area.



Figure 22. Waterfront redevelopment vision



Figure 23. Ebey Waterfront Park expansion concept

The drawbacks of the waterfront properties include the freeway, highway, and railroad corridors trisecting the riverfront and producing noise and a sense of intrusion. While residential development will probably be a dominant use, the units will need to be designed to orient away from the intrusions. Also, it is unlikely that residential uses will locate near the wastewater treatment plant. The City's Shoreline Master Program encourages mixed-use development in the area.

Comeford Park Mixed Use Site

The block south of Comeford Park, bounded by Delta Ave, 5th St, State Ave, and 4th St, shows development potential with existing assets, recent City investment, interested property owners, and some City ownership. Comeford Park, the community center, and the new Civic Center and Delta Ave woonerf make this area one of the most pleasant in downtown. The park itself is a classic city “green” with trees, play areas, lawn, iconic water tower, and new spray park. A new *Swift* BRT station will likely serve the 4th St/Comeford Park area starting in 2027/28, connecting the area to Everett and the region. The site’s

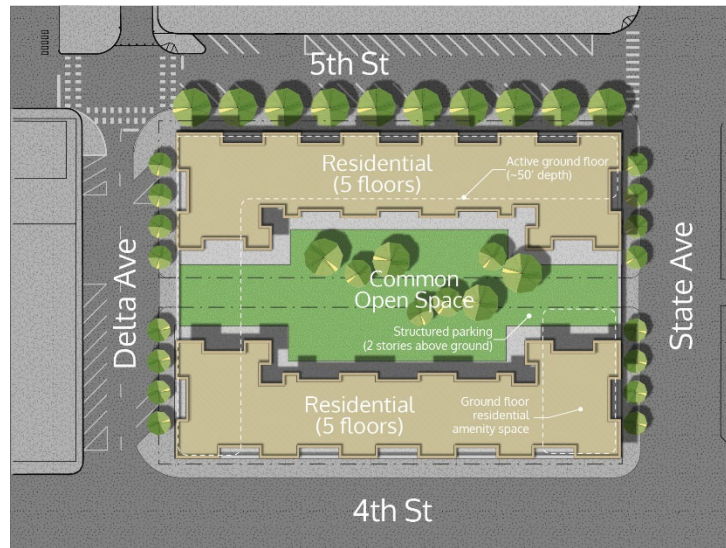


Figure 24. Example Comeford Park site mixed use redevelopment

central location within downtown makes it within walking distance of the waterfront and Ebey Park and Trail, Old Town, Town Center, Asbery Field, and the Beach Ave neighborhood.

The vision for this block includes residential and commercial uses in one or multiple buildings. The ground floors facing Delta Ave and Comeford Park (5th Street) would include active uses, such as restaurants, coworking spaces, artisan manufacturing, and micro-retail. A residential amenity space may anchor the 4th St and State Ave corner. The public alley may be vacated in exchange for public benefits like affordable commercial space, affordable housing, or improved outdoor seating areas. The additional residences and businesses on the block would enliven the park and woonerf.

The 4th St and State Ave pedestrian environments are currently challenged by narrow sidewalks next to heavy traffic. With redevelopment, wider sidewalks and street trees would improve the human experience. In addition, an improved pedestrian crossing of 4th St and Delta Ave will provide an important connection to the waterfront if Town Center redevelops.

Tier 2/Long-term Opportunities

Town Center

Located between 4th St, 1st St, State Ave, and the railroad tracks, the Town Center Mall provides the bulk of shopping opportunities in the downtown, and is the only place in the study area that features large footprint retail (50,000 SF and up) buildings that are necessary for a super market or department store. While it is not expected that the Town Center Mall will redevelop in the near term, competition from online and outlying retailers, general depreciation of the current buildings, new mixed use development opportunities, capitalizing on the City's nearby park and infrastructure investments, and expiration of existing long-term leases may induce the owners to consider redevelopment in the future.



Figure 25. Mixed use redevelopment vision for Town Center

The 2009 DMP envisioned a mixed-use lifestyle center (like U-Village in Seattle) with a reconnected street grid and central open space. The illustration incorporated daylighting of Lost Creek, which would physically and symbolically reconnect Town Center to the lagoon at the former Geddes Marina and the waterfront. This plan updates the vision to maintain a central open space, but due to high archeological risk factors and potential expense, removes the creek daylighting as a required aspect. It is still encouraged if feasible. Also, retail trends have changed dramatically since 2009. Town Center may redevelop with some retail, such as grocery, but other types of commercial uses are expected.

Town Center would most likely redevelop as a whole due to property ownership patterns. However, an alternative scenario could include shorter-term infill development on existing surface parking lots and smaller parcels. This would have the benefit of maintaining existing uses and functions like the grocery, while also seeing street connectivity improvements on any part redeveloping. Infill development would be challenged by having to provide parking for both its new uses and the remaining mall uses. To allow for infill development, this zone should allow horizontal mixing of uses.

Totem Middle School

Totem Middle School is near the heart of downtown Marysville, located on State Ave, just two blocks from the future Civic Center. The school is operated by the Marysville School District, but its buildings are aging, and the district operates another middle school just a half mile away to the northeast. In the long-term, and pending funding, the school district may consolidate middle schools at the Marysville Middle school site, which is less constrained. The Totem Middle School campus occupies 7.2 acres in the core downtown area, with excellent access to transit and amenities.

If this site became available to real estate development, it could support mixed-use 5-7 story buildings near State Ave, and mid-rise apartments and townhouses east of Columbia Ave. This would provide a substantial increase to the downtown population and a boost for local businesses. The Columbia and Alder Ave street grids would reconnect with streets designed primarily for people that also allow slow-moving vehicles.

Middle Housing Redevelopment

Revised zoning in the neighborhoods around downtown to allow “middle housing” would encourage investment in compact, relatively affordable homes within walking distance of downtown amenities and transit stops. Middle-density housing – such as townhouses, duplexes, cottage housing, and small apartments – was traditionally a part of American neighborhoods prior to the 1950’s. The neighborhoods east and north of downtown already have buildings of these types, some of which date from before modern zoning ordinances. Middle housing types are at a similar scale as single-family detached housing, but because most middle housing types share walls and don’t take up a whole lot, they are cheaper to build and more energy efficient than free-standing houses.

Current parking and access requirements are challenging for this scale of development, especially for parcels that do not abut alleys. The City should consider reducing minimum parking requirements and potentially required driveway widths to increase feasibility and reduce impacts to the human experience along residential sidewalks.

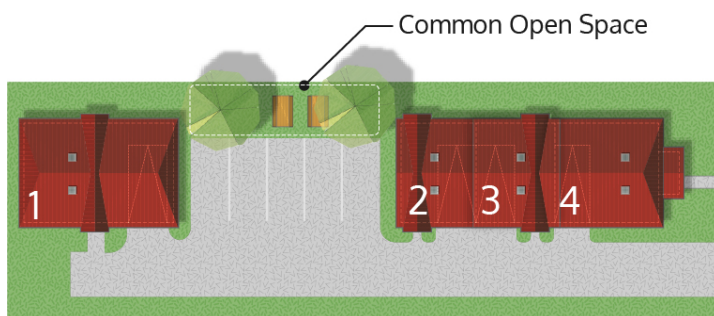


Figure 26. Sample townhouse site plan on a typical north downtown lot showing modestly reduced parking and driveway requirements

Encouraging Redevelopment

Parking Minimums

Most cities in the United States apply minimum parking standards to new development to ensure adequate off-street parking is available given the expected use. Because surface parking has significant space requirements and structured parking is expensive to construct, parking minimums have a powerful impact on development feasibility. In some cases, when parking minimums are set higher than actual demand, parking minimums can reduce or prevent real estate development.

In recent years, parking minimums have attracted the attention of state legislators who have reduced the amount of parking that cities can require in places served by frequent transit service for residential uses. Passed in 2019 and 2020, HB 1923 and 2343 placed limits on how much parking cities can require for senior housing, income restricted housing, and market-rate housing near frequent transit in RCW 36.70A.620.

Minimum parking requirements should be reduced in areas where development is most desired. See Proposals for more.

Multifamily Housing Property Tax Exemption

Multifamily Housing Property Tax Exemption (MFTE) is a program that allows property owners or developers in a prescribed area to forgo property taxes for a set period of time in exchange for providing market-rate or affordable rental units. This program helps to stimulate housing production by making it more financially feasible for developers to create new housing.

Marysville's MFTE program currently applies to projects with 20 or more units falling within the 2009 DMP boundary. The property tax exemption lasts 8 years for market-rate units or 12 years if 20% of units are affordable to low- or moderate-income households (unless owner-occupied, then 20% moderate-income is allowed). The program should be expanded to cover the multifamily and mixed-use zones in this plan's study area. In addition, the City should reduce the minimum unit threshold for MFTE eligibility so that smaller-scale projects are eligible.

Ground Floor Retail Requirement

The current Downtown Commercial zone requires ground floor commercial anywhere that multifamily units are proposed with a limited exception for disability-accessible units located to the rear of buildings. Though beneficial for maintaining commercial affordability, this can challenge development feasibility and, in some conditions, result in vacant ground floor space. Focusing active ground floor requirements along key streets allows for some residential-only buildings, which tend to be more financially feasible than vertically mixed-use buildings, especially those with extensive commercial ground floors. In addition, opening up “commercial” to mean a wide range of artisan, coworking, and small manufacturing uses in addition to the traditional retail and restaurant street-level uses would allow flexibility for changing market trends and support a vibrant, diverse downtown.



Anthem Park (Source: MAKERS)



University Village (Image base source: Google Maps)

Figure 27. Horizontal mix of uses

Middle Housing

New zoning classifications proposed in this plan would eliminate barriers to middle housing production in the residential neighborhoods of downtown. The proposed Middle Housing 1 and Middle Housing 2 zones would allow more housing types than are currently allowed under either the R-8 or R-18 zones and remove dwelling unit density provisions. To best optimize these zones, the City should also consider reducing parking and access requirements to maximize the site and reduce the impact of spaces designed for automobiles.

Planned Action EIS Expansion

This plan’s associated Supplemental Environmental Impact Statement (SEIS) analyzes environmental conditions, potential impacts, and mitigation measures proposed for this study area. A Planned Action SEIS performs an upfront, detailed, comprehensive environmental analysis for the study area. By providing this analysis during the planning process, individual projects do not have to do extensive SEPA analysis and are exempt from SEPA appeals, thereby streamlining permit review and reducing legal risks to individual projects. It can reduce development costs and attract development.

This DMP update expands the Planned Action area to this plan’s study area. The Planned Action Ordinance should outline mitigation commitments and requirements.

Unique Identity and Sense of Place

A variety of small local businesses, waterfront location, wealth of parks and cultural institutions, human-scale grid pattern in many areas, and range of neighborhood centers with different foci (e.g., historic main street, Opera House, Civic Campus, Waterfront, residential/commercial Beach Ave neighborhood) bolster Downtown Marysville’s unique sense of identity. To continue building Marysville’s image and storyline, public and private investment should all work toward a common goal of places that are “unique, eclectic and artistic that highlight the resilient, independent, and authentic character of the community and its residents” (2021 [Waterfront Strategic Plan](#), p 11). This includes updating design standards (see Zoning Proposals and Street Designations recommendations); supporting local, independent businesses (see Displacement Prevention for affordable commercial space strategies); and integrating public art and unique wayfinding into streets, trails, parks, and places.

Recommendations

- LU-10 Continue promoting development sites and seeking partners (e.g., Port, Tulalip Tribes). Market recent investments—Ebay Waterfront Park expansion, Civic Center, Delta Ave woonerf, 1st St Bypass, 1st and 3rd St LID/beautification, and other nearby street improvements to spark interest.
- LU-11 Actively facilitate a few catalyst projects (e.g., the block south of Comeford Park) to gain momentum and demonstrate rent capabilities while also preventing displacement (see Displacement Prevention on page 53). Also see the [Waterfront Strategic Plan](#)’s catalyst projects.
- LU-12 To improve development feasibility, remove the ground floor commercial requirement for multifamily buildings and instead focus the active ground floor requirement on key streets (see Street Designations on page 37). Include a wide range of allowed commercial uses.
- LU-13 Expand the MFTE boundary to include the DMP study area’s residential and mixed use zones.
- LU-14 Reduce the MFTE unit threshold from 20 units to 10 units so that smaller projects can receive the tax benefit.
- LU-15 Reduce minimum parking requirements where development benefits from transit investment and proximate resources and amenities.
- LU-16 Market the benefits of the Planned Action SEIS such as reduced SEPA review and risk for developers.
- LU-17 Consider reducing required driveway widths for middle housing types.
- LU-18 Create an Arts Policy and integrate public art into public buildings, parks, and the public realm.

Displacement Prevention

Marysville envisions transformational redevelopment to achieve a lively, attractive downtown. However, downtown is already rich with a diverse range of small businesses and non-profits and many residences. Preventing or minimizing small business, nonprofit, and residential displacement will be important for serving Marysville’s existing community and maintaining integrity to its roots.

Because of this plan’s recommendation to reduce ground floor commercial requirements to a few key streets, paired with the vision for extensive redevelopment, maintaining affordable commercial space is of concern. As shown in the Assets list (page 6), downtown has businesses and service organizations making use of small, affordable commercial spaces. They are important for building and maintaining a sense of community and belonging, adding vibrancy to the public realm, and attracting locals and visitors. Around the region, as these kinds of places redevelop, existing businesses and organizations struggle to find comparable places with rents that work for their business model. Encouraging redevelopment to provide affordable commercial space, and considering business relocation needs and assistance, will be important to supporting Marysville’s community.

Residential displacement, though a risk, is slightly less of a concern because of the overall large increase in units. However, the region is generally failing to meet its need for housing for extremely low-income households. See Housing Strategy/Desired Outcomes (page 43) for ways to encourage housing production and the range of housing types needed.

Recommendations

- LU-19 Alter development standards and allowed uses in Old Town (3rd/2nd St) to minimize displacement of existing commercial space and maintain the transition between the Town Center site and existing residential neighborhoods.
- LU-20 Apply building design standards to require a “flex shell” ground floor that is ready-made to accommodate small, start-up, microbusinesses, and nonprofits to reduce their initial financing needs. These include frequent entries, transparency, depth or size limits or averages, and ceiling height that accommodates commercial kitchen HVAC and arts uses.
- LU-21 Explore partnerships with quasi-public entities (i.e., the Port and preservation and development authorities) and nonprofits (e.g., community land trusts, business incubators) to creatively expand commercial affordability options.
- LU-22 Consider offering incentives to developers that retain current businesses or offer business relocation assistance.
- LU-23 Develop a first right to return program for businesses and residents displaced by redevelopment.
- LU-24 Consider establishing an inclusionary housing requirement that new mixed-use and multifamily development incorporates affordable housing or pays an in-lieu fee.
- LU-25 Explore additional programs to minimize and/or mitigate displacement of existing businesses, nonprofits, and residences, especially in the Civic Center area.

4. Transportation

The transportation network consists of vehicle, bicycle, pedestrian and transit facilities. The recommendations provided for the downtown are intended to help achieve the goals and objectives related to transit, multimodal connectivity, and enhanced street design and streetscape.

Network classifications are one of the key implementation tools establishing priorities for how the transportation system is used and constructed. It is unreasonable and uneconomical to build each street to accommodate every function and user and so priorities must be set. The Functional Classification (i.e., highways, arterials, collectors, and local streets) identifies whether mobility or access to parcels is a priority for each street. The Truck Route Classification identifies routes that should be designed to accommodate regular truck activity. The City already has functional and truck route classifications for the corridors within the Downtown, and these would not change with this DMP. The Travel Context Classification is another tool for identifying whether automobiles, transit, bikes, or pedestrians are the priority for each street. This plan identifies Travel Context Classifications along key facilities within Downtown to support the additional densities proposed.

The following describes the three Travel Context Classifications recommended in this plan:

- **Bike/Pedestrian (Ped) Priority Classification** – The Bike/Ped Priority class emphasizes bicycle and pedestrian mobility over other modes. Posted vehicle speeds would be lower and the number of vehicle lanes would be minimized.
- **Shared Priority Classification** – The Shared Priority class represents corridors where vehicle mobility is balanced with nonmotorized travel comfort.
- **Vehicular Priority Classification** – The Vehicular Priority class emphasizes automobile and transit mobility over other modes. Pedestrian and bicycle facilities are focused on facilitating local access; however, overall non-motorized travel would be more comfortable on alternate parallel routes.

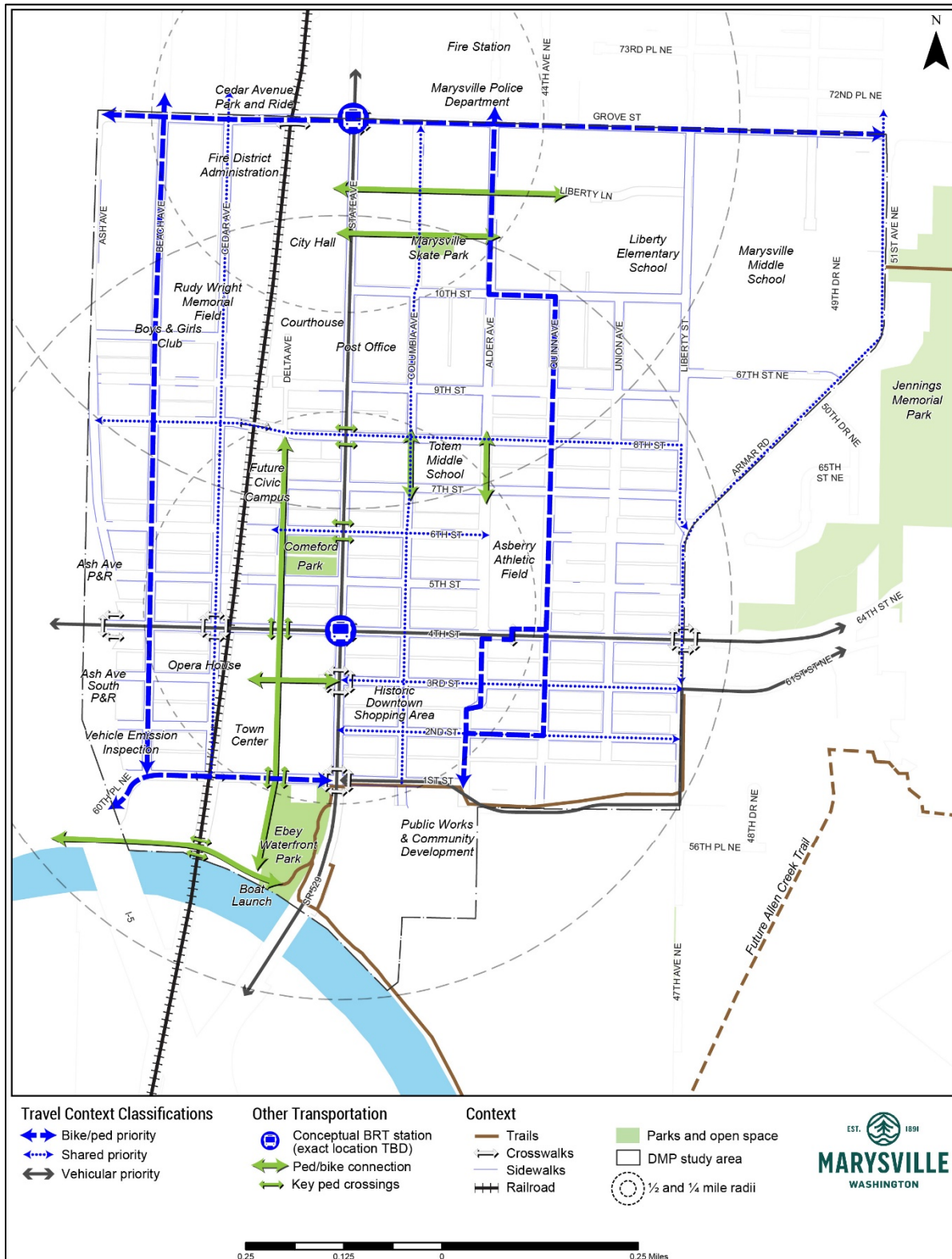
Travel Context Classifications

Map 5 illustrates the recommended priorities for key corridors within Downtown including:

- Bike/Ped Priority along Grove St, Beach Ave, and Alder Ave–10th St–Quinn Ave–2nd St–Alder Ave. These streets may provide treatments to deemphasize and slow vehicles along the corridor.
- Shared Priority along Columbia Ave, Cedar Ave, 8th St, 6th St, 3rd St, 2nd St, and 47th Ave NE–Armar Rd–51st Ave NE, facilitating access to activity nodes for all modes. Shared streets may accommodate various treatments such as parking, wider sidewalks, and bicycle lanes (if right-of-way allows).
- Vehicular Priority along 1st St, 4th St, and State Ave. The streets with vehicular priority have the highest traffic volumes, facilitate truck movement, and may accommodate transit and multiple travel lanes.

The street design section provides example cross-sections for downtown streets within these travel context classifications.

Map 5. Transportation Recommendations Map



Pedestrian and Bicycle

The pedestrian network in downtown is well connected with a gridded system making it easy to walk between destinations. The City requires that new developments construct sidewalks on their internal streets and adjacent frontages. The developer improvements should address safety and security of the sidewalk network by improving lighting and providing pedestrian amenities. Developer improvements will continue to provide for a large portion of the downtown pedestrian system; however, the City may need to address gaps within downtown to provide a connected network. However, the BNSF rail line that runs north-south between Cedar Ave and State Ave creates a barrier to east-west walking and biking.

Pedestrian and bike travel should be prioritized on Beach Ave, Grove St, and Quinn Ave/Alder Ave. Beach Ave and Grove St have bike lanes along portions of the streets and the City has identified adding bike lanes along portions where they are missing. A new grade separated BNSF crossing improvement has also been identified at Grove St, which will help reduce conflicts and delays along Grove St.

Map 5 recommends new or key connections for pedestrians and bikes. The priority connections could feature wider sidewalks, pedestrian-scale lighting, decorative pavement, curb bulbs at intersections, and amenities and bicycle facilities such as bike lanes, shared lanes, or bike routes. As the connections are developed, consideration will need to be given to how crossings are made at the railroad and at vehicle priority corridors or corridors with higher traffic volumes. The City already has a pedestrian signal at Asbery Field along 4th St and is planning a signal along 4th St at Delta Ave. Signal timing to support pedestrian movement across intersections should be considered.

At the south side of the planning area, 60th PI NE/1st St is a pedestrian/bicycle priority street that would connect downtown to the area west of I-5, including the Quil Ceda Creek Casino and Hibulb Cultural Center. With a 68-foot right-of-way on 1st St and extensive right-of-way under I-5 on 60th PI NE, there is ample space for a buffered, wide multi-use path and two travel lanes. The pedestrian and bicycle facilities may locate on the south side to avoid I-5's structural columns and make use of limited vehicular access points on the south side.



Figure 28. 60th PI NE, with the addition of pedestrian and bicycle facilities, would create a key connection from downtown to west of I-5.

Recommendations

- TR-1 Require new ped/bike connections with redevelopment in the following locations. As possible, seek opportunities to accomplish these through-block connections sooner by acquiring easements or through other methods.
- a. Liberty Lane – East-west connection from the existing Liberty Lane to State Ave.
 - b. Marysville Skate Park – East-west connection between Alder and State avenues connecting through the Marysville Skate Park.
 - c. Totem Middle School Area – North-south connections between 7th and 8th streets on Columbia and Alder avenues.
 - d. Delta Ave – North-south connection between 8th St and Ebey Waterfront Park. The area within the Civic Center campus is being design as a woonerf, which is a shared facility for pedestrians and bicyclist. Delta Ave is also identified for a bicycle boulevard/woonerf as future areas develop south of the Civic Center campus.
- TR-2 4th St pedestrian improvements – At-grade pedestrian improvements to provide a safe and comfortable connection between the Civic Center and the Entertainment District (west of BNSF tracks), Old Town business district (east of tracks) and Ebey Waterfront Park and Trail.
- TR-3 4th St/Delta Ave intersection – Provide a pedestrian crossing on 4th St at Delta Ave connecting the Civic Campus and Town Center, such as a HAWK signal.
- TR-4 1st St/60th PI NE bicycle facilities – Add bicycle facilities to complete an east-west connection between downtown and west of I-5.
- TR-5 Ped/bike and shared priority streets – With any redesign of the designated bike/ped and shared priority streets, feature wider sidewalks, pedestrian-scale lighting, decorative pavement, curb bulbs at intersections, appropriate signal timing for pedestrian movement, and amenities and bicycle facilities such as bike lanes, shared lanes, or bike routes. As the connections are developed, consider how crossings are made at the railroad and at vehicle priority corridors or corridors with higher traffic volumes. See Street Design for specific ped/bike recommendations for 8th St, Alder/Quinn avenues, and Armar Rd.

Transit

Swift BRT

The City will continue to work with Community Transit to improve transit services and develop a convenient, integrated and efficient transit system that supports future growth downtown. Community Transit's *Swift* bus rapid transit (BRT) along State Ave is anticipated in 2027/2028. A one-mile station spacing is desired for *Swift*, and a mix of uses around the station is ideal to maximize ridership. A *Swift* station has been identified at Grove St downtown due to proximity to the existing Cedar Ave park-and-ride and other amenities.

A second station is recommended in the vicinity of 4th St. A *Swift* station near 4th St would be most centrally located to a mix of uses and within walking distance from the Civic Center campus, waterfront, historic downtown shopping, Opera House, Town Center, and Beach Ave areas. Locations farther north or south are less ideal. A Comeford Park station walkshed would be vastly redundant with Grove St's. A waterfront location would serve a limited area because of the slough and limited developable land to the south.

Commute Trip Reduction

The City of Marysville has adopted a Commute Trip Reduction (CTR) plan (see Chapter 11.52 of the Municipal Code). The plan establishes goals consistent with the state legislation (RCW 70.94.521) and focuses on major employers located in the city. Strategies focus on transit incentives, ridesharing services, parking management and work scheduling. The DMP could result in additional density, which may reduce reliance on vehicular travel and increase transit and non-motorized use.

Employers in the Downtown should be encouraged to implement Transportation Demand Management (TDM) programs. In addition, residential developers and building managers could also be encouraged to provide a TDM strategy for buildings similar to what is outlined in TR-7.

Recommendations

- TR-6 Continue coordinating with Community Transit and advocate for the southern station to locate near 4th or 3rd St.
- TR-7 Facilitate and encourage downtown employers, residential developers, and building managers to implement Transportation Demand Management (TDM) programs. Building strategies may include commuter information, rideshare facilitation, bikeshare promotion, vanpool/carpool spaces provision, and incentive programs such as transit passes.

Vehicular

The downtown vehicular network is generally well connected; however, the BNSF railroad provides a barrier between Downtown and I-5. Planned improvements such as the new I-5/SR 529 interchange will change travel patterns to and from downtown. In addition, Intelligent Transportation System (ITS) and access management implementation would improve vehicular network efficiency. The City identified the need for ITS in the Comprehensive Plan. ITS improvements such as adaptive signal control (ASC) systems would improve traffic operations at intersections and along corridors in downtown.

Travel demand can be variable and unpredictable, which often outpaces the signal timing plans that are programmed every 3 to 5 years. This can lead to inefficient operation of the signalized intersections resulting in vehicle delays and congestion. ASC seeks to remediate this issue by adjusting signal timing in real-time based on measured vehicle demand. ASC adjusts when green lights start and end to accommodate the current traffic patterns to promote smooth traffic flow and ease congestion. The main benefits of ASC over the conventional time-of-day plans typically include:

- Automatically adapts to unexpected changes in traffic conditions
- Reduces driver complaints and frustration by reducing travel times and increasing arrivals on green
- Improves travel time reliability so commute times are consistent throughout the week
- Reduces congestion and fuel consumption
- Makes traffic signal operation proactive by monitoring and responding to gaps in performance

Access management may also assist in vehicle flow and signal progression along vehicle priority corridors. Access management is achieved by limiting driveway access on major vehicle travel corridors, restricting turns, and limiting traffic signal control to key intersections such that signals are not spaced too close. Corridor access can be managed through landscape medians, curbs, or driveway treatments to restrict turns.

Emerging transportation trends may also change how people and goods travel and transportation systems operate. Transportation-related technology has advanced rapidly over the past decade and will continue to accelerate and create major shifts in transportation within downtown and the region. Technology-related trends that could impact the transportation system include:

- **Autonomous Vehicles (AVs)** – There is a great deal of uncertainty for communities planning for AVs. Over the next 15 years, a portion of the vehicles on the street and highway system could be operating without drivers. It is possible that 30 to 40 years from now all, or nearly all, vehicles will be driverless or will have driverless capabilities in certain situations. The implementation of some of these technologies are likely within the Downtown 20-year planning horizon. Some of the ramification of these technologies that should be considered are an increase in capacity of streets and highways with AVs able to space closer, changes to how freight is transported, and reduction in cost of operating transit.

- **Curb Space Management and Parking Demand Shifts** – As on-demand and shared ride services change how people travel, the need for off-street parking at places of employment could decrease, but the demand for curbside areas set aside for loading/unloading activities could increase. The City should manage and prioritize how curb space is used within downtown relative to parking, deliveries, and passenger loading. Curb space management may include having designated areas near businesses for deliveries and passenger loading and time limits for parking. Management may also need to prioritize different modes relative to bicycling, transit, and vehicular; the travel context designations described earlier will help to prioritize the modes.
- **Connected Vehicles** – This technology has the potential to optimize traffic flow as computer systems communicate with vehicles to moderate flow. Cities might look ahead to providing infrastructure as efficient reference points such as light poles to allow for vehicle-to-infrastructure communication.

It remains unclear whether these new technologies (or others) will be implemented by agencies, vehicle manufacturers, and/or related industries. The shifts may be relatively quick (within a decade) or take much longer to develop. Agencies can play a major role in how connected vehicle infrastructure gets implemented, which can lead to better traffic management.

Recommendations

Recommended strategies to continue to serve vehicular traffic more efficiently and accommodate emerging technologies include:

- TR-8 Continue to evaluate the downtown transportation network as key infrastructure improvements are made, such as the I-5/SR 529 interchange, to understand changes to travel patterns and evaluate capacity and intersection traffic control needs along the downtown streets.
- TR-9 Consider ITS improvements such as adaptive signal control (ASC) systems along major vehicular corridors in Downtown.
- TR-10 Coordinate with Community Transit to integrate transit signal priority (TSP) for the *Swift* line; consider the City's ACS system on State Ave where appropriate.
- TR-11 Manage access along major downtown corridors by restricting turns and limiting traffic signal control to key intersections and consider treatments such as landscape medians, c-curb, or driveway treatments to restrict turns.
- TR-12 Evaluate potential decrease in off-street parking needs with increase in on-demand services and AV, how this parking could be repurposed, and/or how curb space is managed with future development planning.
- TR-13 Consider roundabouts where effective for keeping traffic moving and enhancing safety.

Street Design

8th St

Objective

The 8th St corridor, offering a low-stress environment, would connect:

- Beach Ave bicycle lanes
- 47th Ave NE (Liberty St) bicycle lanes
- Alder/Quinn Ave bicycle lanes and neighborhood greenway treatment
- Ash Way Park and Ride for access to express buses

Existing Conditions

The 8th St corridor is an east-west oriented roadway extending from Ash Ave on the west to 47th Ave (Liberty St) on the east. The land use along the street is primarily residential with some commercial properties located between Delta Ave and just east of State Ave. The existing right-of-way is 75 feet wide.

The roadway is generally curbed east of Delta Ave. West of Delta Ave the roadway is uncurbed. Parking on this side of Delta Ave is not controlled and varies between angled and parallel.

8th St serves as one of the few streets that cross the BNSF railroad and, because of that, it serves as an important route for all transportation modes.



Figure 29. 8th St west of BNSF mainline tracks



Figure 30. 8th St crossing of BNSF mainline tracks

Constraints on the right-of-way occur at Delta Ave and east of State Ave at the Totem Middle School. Bus loading occurs at Totem Middle School on 8th Ave.

Map 6. 8th St corridor map



Approach

The competing demands on this corridor include the desire for a bicycle priority route, middle school students on foot, parking, school buses, as well as general movement of vehicles and goods. To accommodate this, the street concept includes multi-use paths, landscaping, and parallel parking on each side, where feasible.

Multi-use paths will provide a low-stress connection between the bike lanes on Beach and 47th Avenues and the bike lanes on Alder Ave. This will require a full reconstruction between at least Delta Ave and Beach Ave. Care should be taken near the BNSF right-of-way to minimize impacts to the railroad and coordinate on any proposals. Bicycle and pedestrian movement following a train passing should be prioritized and space for non-motorized queuing provided.

At Totem Middle School, an interim option could be considered to avoid potential bus parking and loading conflicts with bicyclists. Bicyclists could be directed to use the north side multi-use path for this stretch.

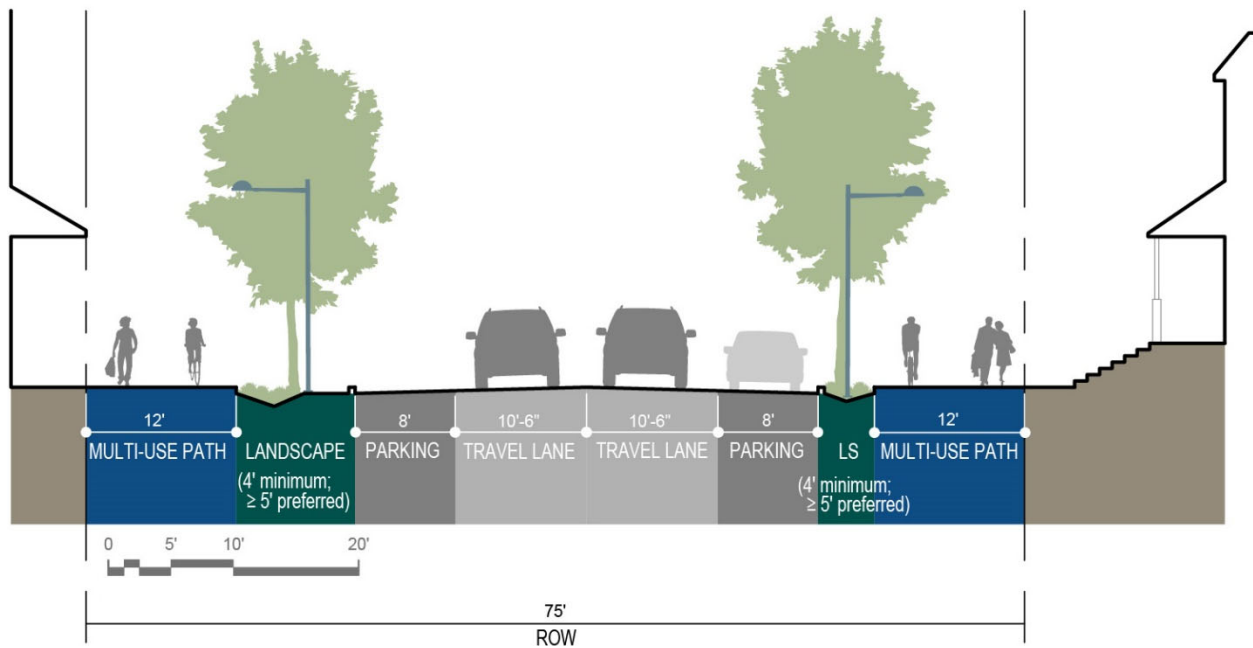


Figure 31. Proposed cross-section – 8th St from Ash Ave to 47th Ave (looking west)

Recommendations

TR-14 8th St bicycle facilities – Design and construct 8th St to accommodate multi-use paths, landscaping, and parallel street parking on both sides; bicycle priority features at the BNSF railroad corridor; and, where feasible, natural drainage features.

Alder/Quinn Ave

Objective

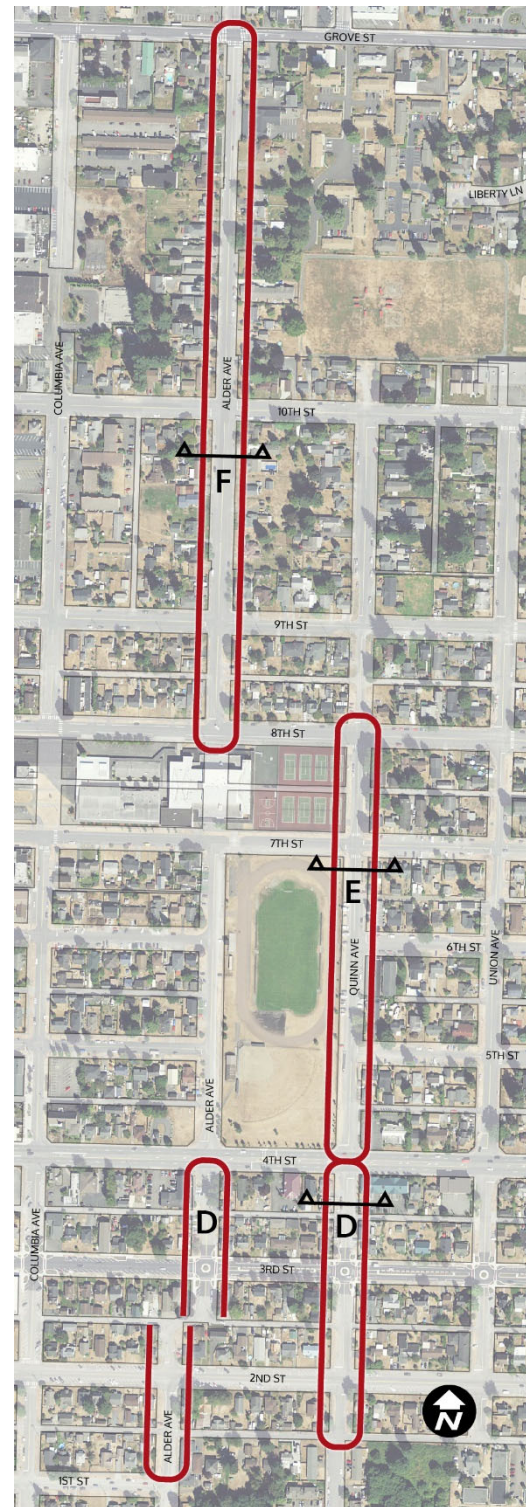
The Alder Ave/Quinn Ave segment is intended to create a low-stress, north-south bicycle and pedestrian connection between the 1st St Bypass and Grove St, connecting schools, proposed BRT stations on Grove St and 4th St, and the bike facility network north of Grove St. The Alder/Quinn corridor will be the preferred bike corridor paralleling State Ave to the east. This facility complements Beach Ave which serves north-south bike traffic west of State Ave.

Existing Conditions

The Alder Ave/Quinn Ave corridor is oriented north-south and consists of curbed and uncurbed residential roadways with one general purpose lane in each direction. Bikes are intended to share the travel lane. Sidewalks are provided on some segments and missing in others. On street parking is allowed in most areas with restrictions near intersections. The existing right-of-way width ranges from 48 to 75 feet.

Most of the roadways are low-volume, low speed facilities which lend themselves to lower stress facilities than parallel arterials.

The intersection of Quinn/Alder Ave with 4th St is a challenge. A high-intensity activated crosswalk (HAWK) beacon signal is located midblock between Quinn Ave and Alder Ave. Though it works well for pedestrians, its location presents challenges for cyclists because of limited sidewalk width to accommodate cyclists along 4th St. Though sidewalks may be widened over time with redevelopment, recent commercial development on the south side of 4th St west of Quinn Ave would likely prevent any near-term opportunities for wider sidewalks. Thus, route options are included south of 4th St for cyclists to use Alder Ave or Quinn Ave, depending on their destination and desire to backtrack on the 4th St to reach the HAWK signal. The 2nd St



Map 7. Alder/Quinn Ave bike route

alley also presents some challenges with a narrow right-of-way, but is currently navigable by people walking, biking, and rolling.

Alder Ave north of 8th St is much wider. This allows vehicles to travel at higher speeds, and is not as attractive to people bicycling as the portions of Alder and Quinn Ave south of 8th St.



Figure 32. Quinn Ave north of 4th St

Figure 33. Alder Ave north of 8th St



Figure 34. Quinn Ave at 2nd



Figure 35. 4th St HAWK beacon

Approach

To create an attractive corridor for non-motorized users, the corridor would be modified as follows:

- On 2nd St, the City is finalizing the roadway design to match similar improvements on 3rd St and on Quinn Ave. The addition of designated parking and sidewalks will narrow the roadway resulting in lower speeds.
- Between 4th St and 8th St, install a multi-use path on the west side, surrounded by landscape strips; angled parking on the west side for Asbery Field visitors; and a landscape-buffered sidewalk on the east side.
- For Alder/Quinn Ave route south of 8th St, add traffic circles or other traffic calming devices like chicanes or speed tables and consider sharrows to signify bicycle priority.
- For Alder Ave north of 8th St, rechannelize the roadway to include a multi-use path, landscape strip, and street parking on both sides.
- For all segments, include natural drainage where possible.
- In the future with any redevelopment of Totem Middle School, a continuous Alder Ave route could be considered, instead of the jog to Quinn Ave.

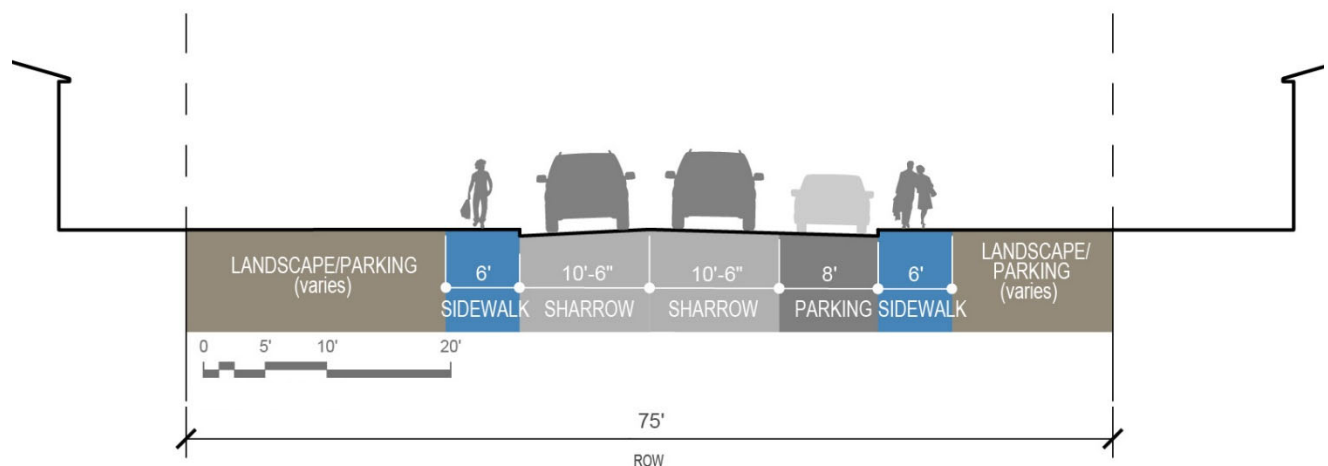


Figure 36. Proposed cross-section D– Quinn Ave from 1st St Bypass to 4th St (looking north)

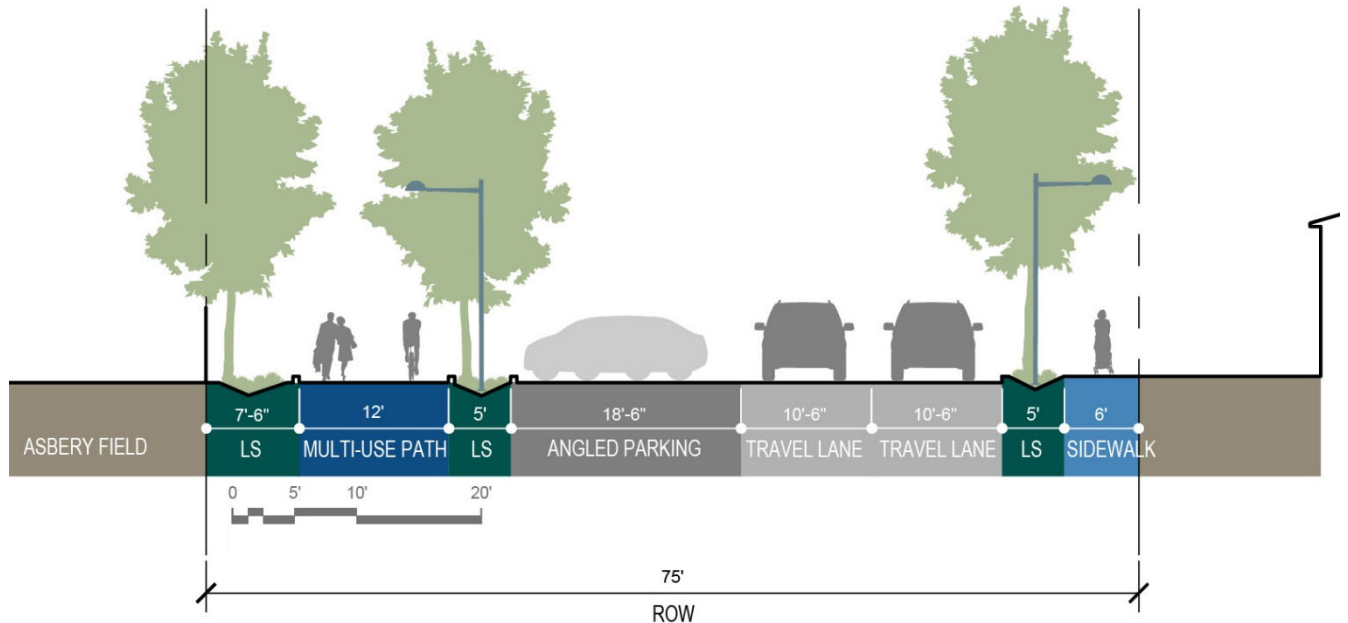


Figure 37. Proposed cross-section E – Quinn Ave from 4th St to 8th St (looking north)

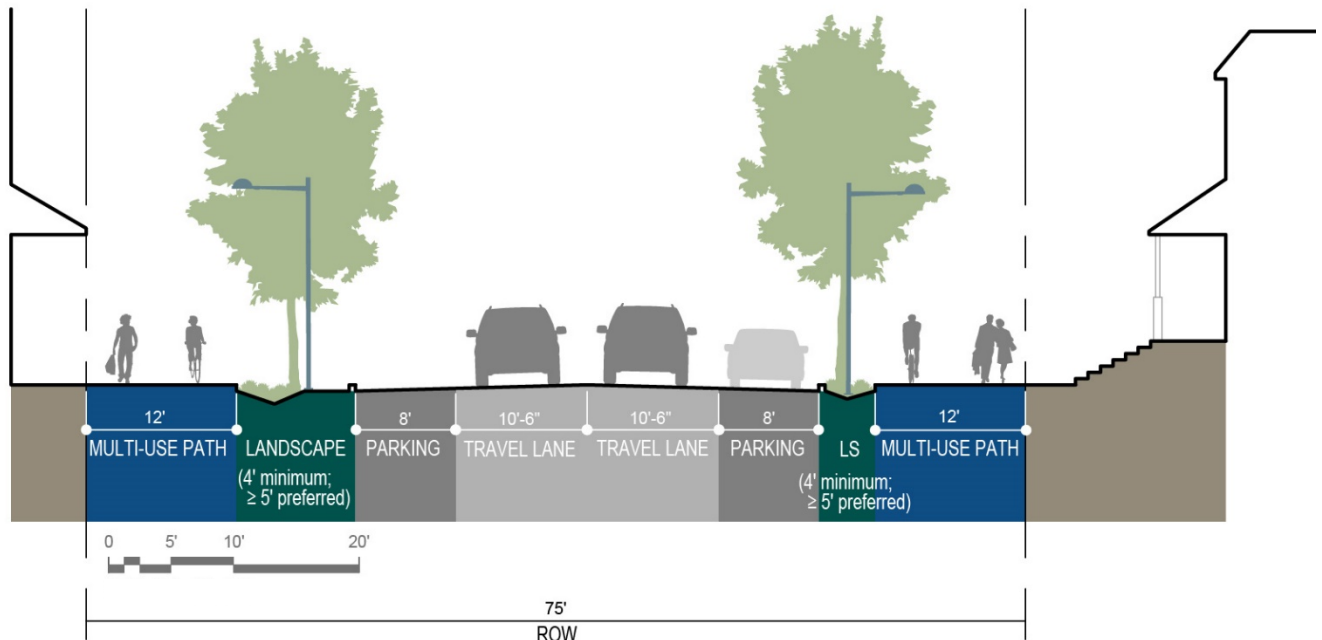


Figure 38. Proposed cross-section F – Alder Ave from 8th St to Grove St (looking north)

Key to the corridor's success as a bicycle and pedestrian travel way will be the treatment of crossings at both 4th St and 8th St. HAWK beacons are optimized for pedestrian use. However, treatments are being developed that may allow someone riding a bike to take advantage of the gaps in traffic created by the HAWK. These treatments are used in Bellingham and Tucson, AZ. In the long-term and in coordination

with WSDOT, relocation could be considered to accommodate a more seamless 4th St crossing for cyclists.



Figure 39. L-R: a rectangular rapid flashing beacon (RRFB); a high-intensity activated crosswalk (HAWK) beacon with bicycle accommodations.

The crossings of Quinn and Alder Aves at 8th St are more typical of lower volume and speed roadways. Due to the cross-section, a rectangular rapid flashing beacon (RRFB) should be acceptable to enhance the crossing. See the discussion on 8th St for the cross-section.

Phasing

The Alder/Quinn Ave corridor requires 2nd St roadway reconstruction to be in place and a plan for the 2nd St alley area prior to formalizing. The 4th St crossing challenges should also be considered further, especially when considering potential long-term redevelopment of the Totem Middle School, which would allow Alder Ave to continue the full length of downtown.

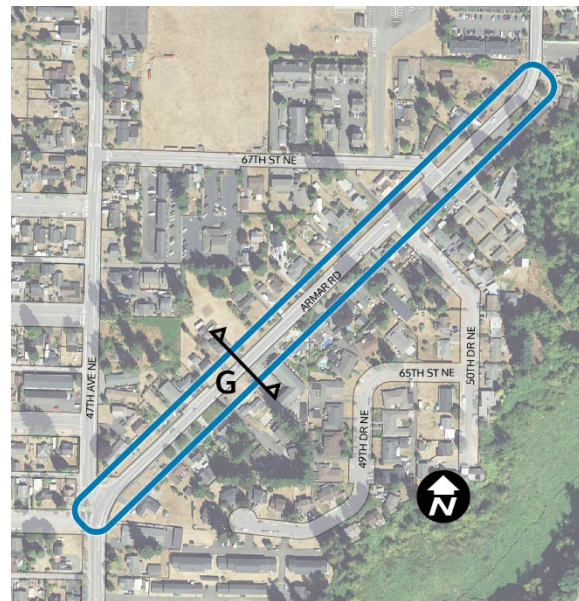
Recommendation

TR-15 Alder/Quinn Ave bicycle facilities – Design and construct street and intersection improvements for the Alder Ave/Quinn Ave corridor per Figures Figure 36, Figure 37, and Figure 38 to accommodate a bicycle boulevard south of 4th St, a westside multi-use path between 4th St and 8th St, and buffered multi-use paths north of 8th St; crossings useful to people walking, biking, or rolling; and parking where feasible.

Armar Rd

Objective

This project would install sidewalks on both sides of Armar Rd/ 51st Ave NE from 47th Ave NE (Liberty St) to Grove St and connect schools and parks along the corridor. This will also connect people to the new BRT station at Grove St.



Map 8. Alder/Quinn Ave bike route

Existing Conditions

Armar Rd / 51st Ave NE is a north-south curbed arterial road with one general purpose lane in each direction. Bike lanes and on-street parking are provided in both directions. There are discontinuous sidewalks as a result of improvements installed by developments rather than a coordinated public project. The existing right-of-way width ranges from 38 to 58 feet.



Figure 40. L-R: existing cross section; school crossing at 67th St NE

Land use along the corridor is primarily residential with both single- and multi-family residences. Marysville Middle School and Liberty Elementary School are located close to Armar Rd, and many students walk along Armar Rd to access these facilities.

Approach

The addition of sidewalks would complete the roadway while generally leaving existing curbs in place. The existing cross-section provides for multimodal transportation including both general purpose and bike traffic. Adding a painted buffer to the bike lane and replacing the underutilized parking/walking strips with landscape better protects pedestrians and cyclists and improves the streetscape character.

Major concerns on this project include:

- **Drainage.** The existing curb and drainage system will minimize potential project costs; however, the addition of impervious surface may result in water detention requirements.
- **Right-of-Way.** The right-of-way on the corridor is inconsistent and varies by parcel. The typical right-of-way ends at the curb line.
- **Property Owner Coordination.** Sidewalks along the corridor will require removal and replacements of landscaping and other physical improvements such as retaining walls.

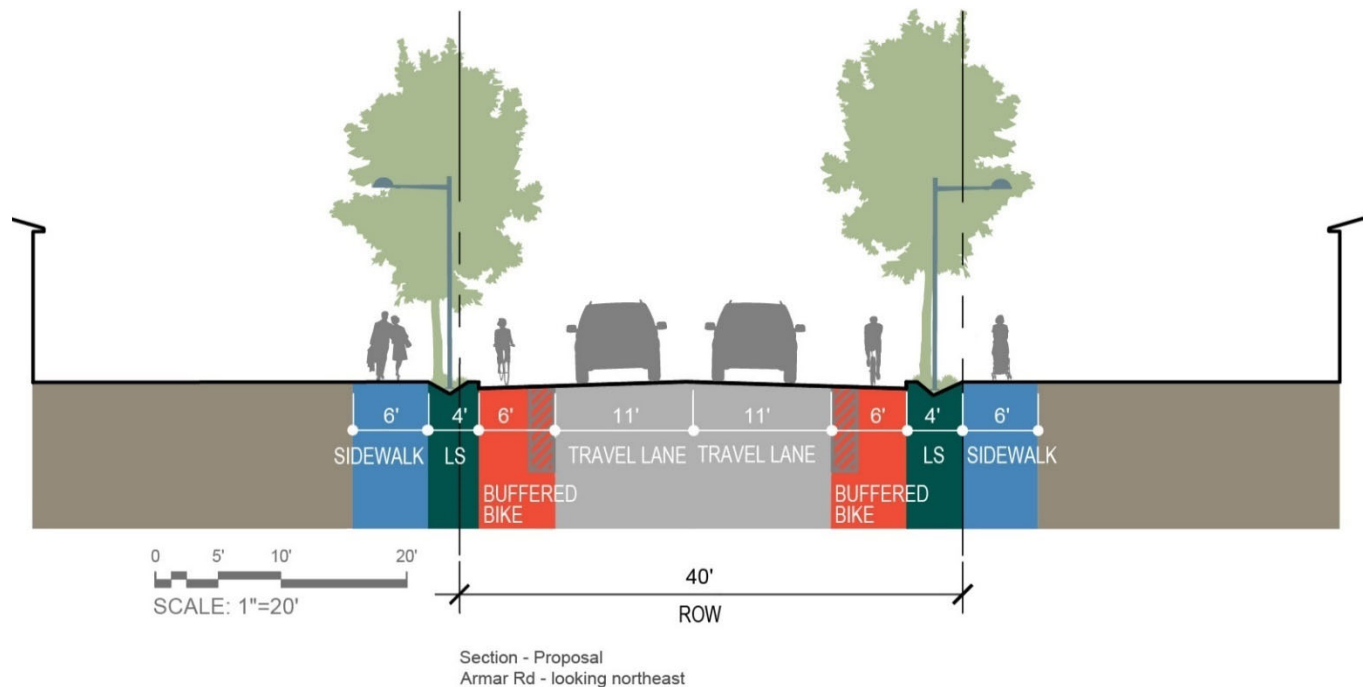


Figure 41. Proposed cross-section G – Armar Rd looking north

Phasing

A complete project would extend sidewalks on both sides from 47th Ave (Liberty St) to Grove St. Improvements will likely be installed over time with redevelopment. If completed as a City project, interim steps could include installing a sidewalk on one side first or initially limiting the length of the project. The corridor may be broken into two segments defined as Grove St to 67th St NE and 67th St NE to 47th Ave NE (Liberty St).

Recommendation

TR-16 Armar Rd complete street – Design and construct Armar Rd with continuous sidewalks, landscape strips, buffered bike facilities, and natural drainage where feasible.

Street Typology Kit of Parts

The 2009 DMP included a Standard Street Typology – Flexible Kit of Parts. It guides street design as parcels redevelop. While the City sets parameters for streetscape design, individual parcel owners construct and maintain the streetscape in front of their parcel, including natural drainage features in the right-of-way that are treating their runoff. This kit of parts is included as Appendix D.







The 2009 DMP proposed typologies for most downtown core streets as shown in Map 9. In addition, it made specific street improvement recommendations in its appendix, which are also included in this plan's Appendix D. Except for the streets with updated recommendations in this plan – 8th St, Alder Ave/Quinn Ave, and Armar Rd, these street types should extend north and east to this plan's study area boundary. Likewise, the east-west residential street typologies are applicable to residential streets north of the 2009 DMP boundary.

Recommendation

TR-17 Continue implementing the 2009 DMP's street type Flexible Kit of Parts and extend the street types north and east to the study area boundary (except for where street recommendations were updated in this plan – 8th St, Alder Ave/Quinn Ave, and Armar Rd).

Map 9. 2009 DMP street type map



- | | |
|--|--|
|  Standard Street - Beach Ave. and Others |  Boulevard - 1st St. East of SR 529 |
|  Woonerf - Delta Ave. |  Stormwater Planters, Sharrows + Habitat - 1st St. West of SR 529 |
|  Linear Park - Columbia South of 1st. St. |  Stormwater Planters - Historic 3rd St. |

5. Parks and Public Services

Parks and Trails

This section discusses public space projects, including updates since the 2009 plan, in relationship to the overall vision for downtown.

Projects Completed or Underway

Waterfront Trail

The Ebey Waterfront Trail, one of the 2009 Master Plan proposals, has been partially completed as of Spring 2021. The trail, once completed, will connect Ebey Waterfront Park to the mouth of Qwuloolt Estuary (restored in 2015) and around the estuary and creek system to the Sunnyside neighborhood. The trail provides a valuable natural amenity and non-motorized transportation link for downtown and nearby neighborhoods.



Figure 42. Newly constructed waterfront trail along Ebey Slough

Civic Center, Delta Ave, and Comeford Park

As of 2021, Marysville’s new Civic Center is under construction. The campus will occupy a six-acre site on Delta Ave between 5th and 8th streets. The facility will house Police, Jail, Municipal Court, City Council chambers, City Hall, Community Development, and Public Works Engineering offices, offering an attractive and accessible indoor public space.



Figure 43. *Marysville Civic Center rendering, as viewed from Comeford Park*

The project includes an expansion of Comeford Park across Delta Ave and around the new building. In many ways, Comeford Park is Marysville’s town square and village green. With the playground, lawn space, mature trees, and iconic water tower, the park offers a variety of recreational activities and civic functions. A new spray park was built in 2014, providing a healthy, fun recreational amenity and drawing many families during the summer months. Comeford Park will be upgraded in the future following the Civic Campus construction. Plans for the upgrades are being developed.

Delta Ave is being rebuilt as a “woonerf” with the construction of the Civic Center – a street designed primarily for pedestrians which cars and cyclists may pass through – providing additional outdoor public space and an excellent connection between the Civic Center and Comeford Park. See Comeford Park Mixed Use Site for more about how Delta will interact with adjacent areas.



Schematic Plan
Comeford Park



Figure 44. Delta Ave woonerf and Comeford Park expansion (J.A. Brennan)

Ebey Waterfront Park

The City is seeking funding to expand and improve Ebey Waterfront Park to develop a regional destination that will connect people to the Qwuloolt Estuary, Ebey Slough, and the Ebey Waterfront Trail system. The expansion will provide a plaza along 1st St, a pedestrian path around the park, and a stage for public events; restore the environmental quality of the tidal estuary; and improve stormwater treatment for much of downtown. Construction will remove the existing marina configuration, clean-up water areas, and expand the Ebey Waterfront Trail with landscaping and ancillary open space. The restored basin will provide additional habitat and remove human-made impacts to this section of the shoreline while offering an attractive public amenity.



Figure 45. Ebey Waterfront Park expansion site plan

Asbery Field

Owned by the Marysville School District, Asbery Field is centrally located in downtown’s residential neighborhood. The playfield has a track, baseball field, and open spaces that are publicly accessible when not in use for school sporting events. In the near term, the City and School district should work together to develop joint use and maintenance programs for this valuable amenity that is within close walking distance of many residents.

As the area around the park redevelops with additional homes, and especially if the Totem Middle School property redevelops, understanding community needs and interests and re-envisioning the park design and functions will be important. This parkland does not appear in the 2020 Parks Comprehensive Plan inventory due to its ownership by the Marysville School District. At approximately 7.3 acres, it could fulfill some parks level-of-service needs to accommodate population growth. Any redevelopment of the Totem Middle School site should consider design characteristics that would enliven the north side of the park with residences or active ground floors that relate to the park. Of particular importance is the transition from private to public space, with clear definitions of private, semi-private, and public space.

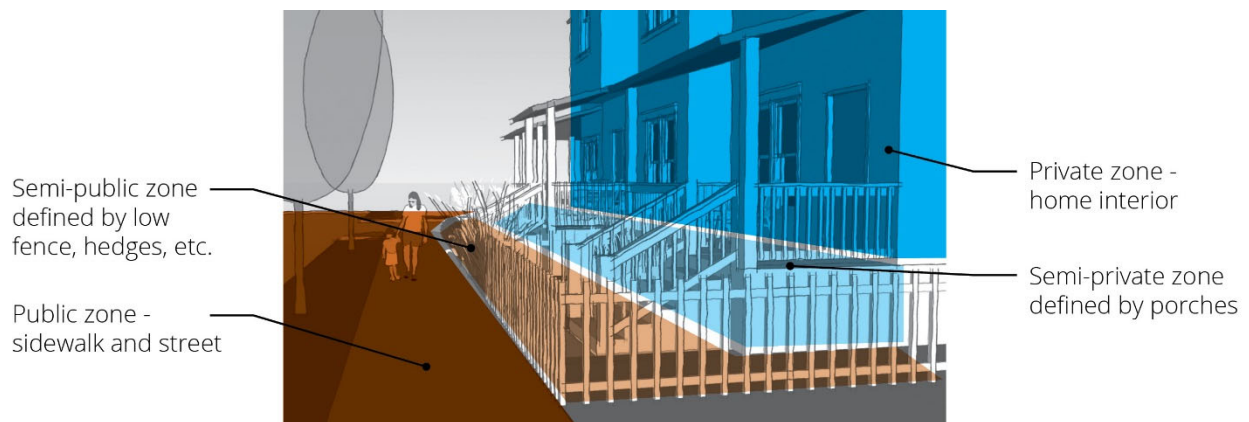


Figure 46. For homes facing the park, distinctions between public, semi-private, and private spaces create a clear sense of ownership and help residents and passersby feel safer.

Public Process Results

In online public engagement, Asbery Field attracted significant interest. Participants on the interactive survey map provided input on potential future uses or improvements to the playfield, with a fairly wide range of results. The most popular option was to keep the field's use for school and community sports. Participants also value the open space it provides for walking and jogging. The field's potential as a space for performances or social gatherings attracted significant interest as well. Additionally, some participants expressed the need for better connections between Asbery and amenities on State Ave for people walking and biking.



Figure 47. Screenshot from interactive survey map

Ebey Waterfront Trail

Ebey Slough shoreline was once a mix of old bulkheads, rubble walls, and banks remaining from previous mills and commercial activities. Over the past ten years, the City has built a waterfront trail along the slough, providing walking and cycling access to the shoreline. As the remaining waterfront parcels are redeveloped, this trail should be expanded and improved.

With any new development along the waterfront, Marysville's Shoreline Master Program (SMP) requires that the trail be expanded and the natural qualities of the shoreline restored. This trail will ultimately connect eastward to the Centennial Trail via surface street bike routes and the Bayview Trail and provide an important downtown amenity.

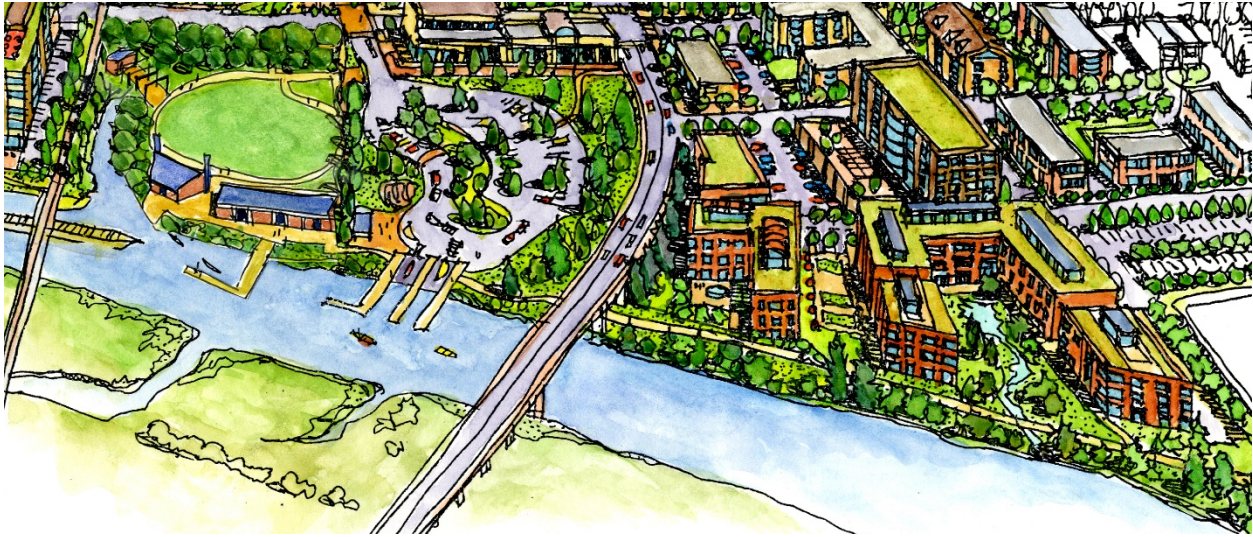


Figure 48. Conceptual sketch of redevelopment on waterfront with Ebey Slough Trail.

The 2009 DMP applied the following standards:

- Unless it includes water-dependent uses, new development must be set back from the shoreline at least 70 feet to accommodate a 50-foot native vegetation strip and a 20-foot trail corridor (public access easement). The City may reduce the required setback to 40 feet for mixed-use development as part of master planned marinas or water-dependent recreation facilities; provided that, public access to the shoreline is provided in some other way and vegetation enhancement is provided in the 40 foot setback.
- The trail and vegetation corridor must include: 1) a path constructed of asphalt or concrete, at least 12 feet wide plus 2 feet shy distance on each side with low vegetation, 2) a strip of native vegetation, including trees, shrubs, and groundcover, at least 50 feet wide, and 3) a shoreline outlook, rest stop, or other amenity for every parcel with over 500 linear feet of shoreline (both mill sites).

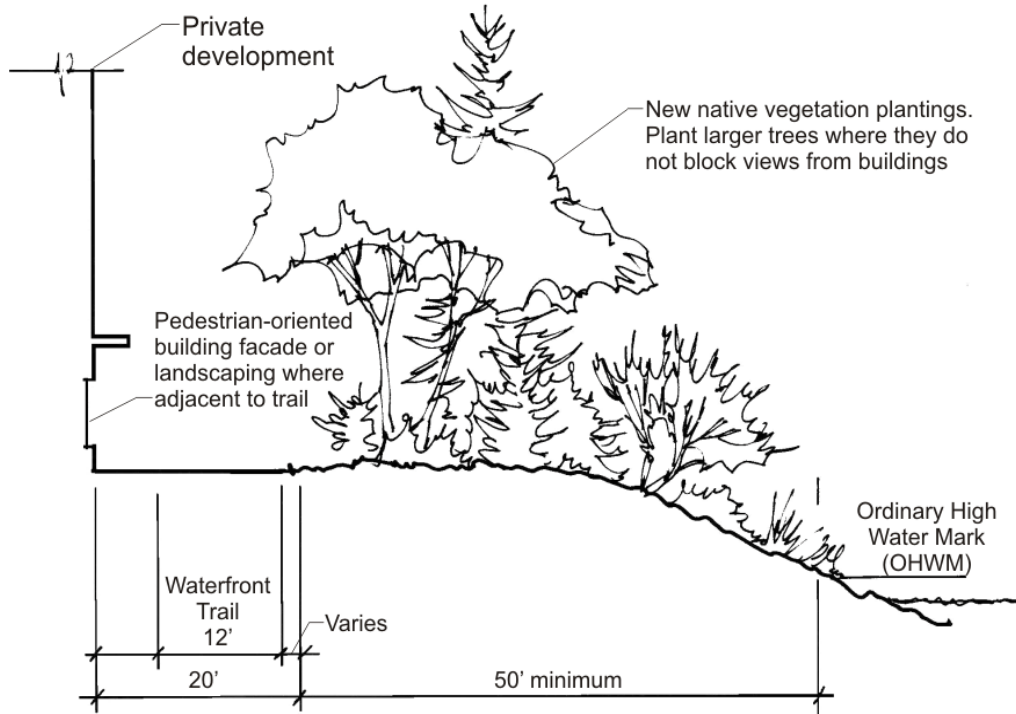


Figure 49. Section through the trail where a new building abuts the property line

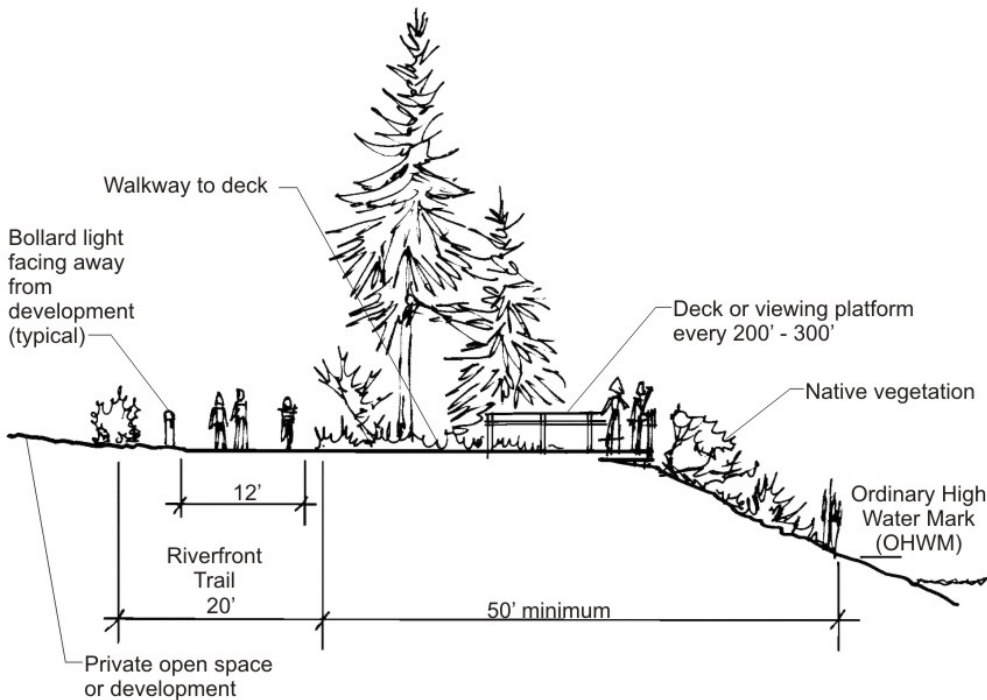


Figure 50. Section through the trail at an overlook or deck

Jennings Park

Just to the east of the Downtown Master Plan area, Jennings Memorial Park and Jennings Nature Park together form the centerpiece of Marysville's parks system. The parks feature green rolling hillsides and places to walk, picnic, or play ball and three playgrounds amid approximately 53 acres of open space, forest, and wetlands. These valuable open space resources should be accessible to as many residents as possible, including residents of downtown. The easiest access to the park from downtown is from 51st Ave NE. This road, which connects to Armar Rd, currently lacks sidewalks along the majority of the road. See Armar Rd in the Street Design section for recommendations for improving access.



Figure 51. Allan Creek runs through Jennings Park

Marysville Skate Park

The Marysville Skate Park provides a popular and healthy active recreation amenity for youth in the northern part of downtown. The park is located on Columbia Ave, a street without sidewalks. The park is set well back from the street behind a planted area and small parking lot, limiting the park's visibility. The City should undertake an effort to improve safety on nearby streets, especially Columbia Ave, and to improve access to the park for people walking, riding, or skating. In the long-term the City should consider a redesign or, potentially a relocation, of the park for improved visibility and more defensible space.



Figure 52. Marysville Skate Park

This plan proposes a through block connection between State Ave and Alder Ave that would pass along the north edge of the skate park to improve east-west connectivity in the area. If major improvements to the skate park are undertaken, this would provide an opportunity to jump start completion of the through block connection.

Cedar Field

Cedar Field is the only park space west of the BNSF tracks in the downtown area. The City should undertake efforts to ensure neighborhood residents have safe access to this park by walking or riding. Beach Ave and Cedar Ave, designated bike/ped priority and shared priority respectively and already provide safe conditions for people walking and rolling; these assets should be maintained and improved with east-west connections. Recently the City upgraded the athletic lighting and installed synthetic turf to enhance use of the athletic field and allow the field to be used for evening games.



Figure 53. Cedar Field

Recommendations

- PS-1 Develop a community vision for Asbery Field.
- PS-2 Create safe connections for walking, rolling and cycling between Jennings Memorial Park and downtown via 8th St, 67th St, and Armar Rd.
- PS-3 Continue implementing plans to expand Ebey Waterfront Trail to the east and west as opportunities arise and/or with redevelopment.
- PS-4 Continue the planning effort to update the vision for Comeford Park and its role in downtown.
- PS-5 Work with the Marysville School District to develop a joint use and maintenance program for Asbery Field.
- PS-6 Ensure that any redevelopment of the Totem Middle School site creates a strong building-to-park relationship with ground-related units or active ground floors; clear private, semi-private, and public boundaries; and visual and physical walking/rolling connections to the park.
- PS-7 Improve walking, rolling, and cycling access to Marysville Skatepark, including sidewalks from 10th St to the park on Columbia Ave.
- PS-8 In the long-term, consider an effort to redesign or relocate Marysville Skate Park for better visibility.
- PS-9 Explore options for improving access to Marysville Skate Park from Alder Ave on existing east-west easement.
- PS-10 Explore community priorities for parks and gathering spaces in any incentive/amenity bonus system with private redevelopment.

Civic, Social Cultural

The New Marysville Story

Staff and residents of Marysville are building a new story about their city that reflects the most cherished aspects of their community and welcomes newcomers to share in these qualities. One element of this reinvention is the City's new logo, presented in Figure 54. Staff worked with a local design firm to create a new logo that "honors our past and looks to the future." It includes attributes that were repeatedly raised in discussions with focus groups: Friendly, small community; waterfront access; and proximity to outdoor recreation (mountains, rivers and Puget Sound).



Figure 54. City of Marysville logo, adopted June, 2020

Further development of this story will help the City attract new residents, real estate development and jobs. The City should continue to work with professional marketing firms and community organizations to flesh out a vision and marketing strategy for the community. This strategy should emphasize the role that Marysville's downtown plays as a foundation for much of the City's valued assets and identity.

Defensible Space

In urban environments, design is an important tool for creating safe, attractive environments. Defensible space strategies help public space users feel in control of their surroundings. When people feel comfortable and in control in a particular environment, they're more likely to choose to spend time or move through that environment – the more people go there, the more "eyes on the street" are available, and the safer the space becomes in a virtuous cycle.

Defensible spaces are intuitive to users, with public, semi-private, and private spaces clearly defined (see Figure 46 on page 78). The spaces that are defined as public are those that individual users typically won't feel responsible for maintaining. In these places, it is important that public entities, such as the City, a business district, or civic group take on the responsibility for maintaining the space so that people continue to feel safe there.

The City should work with Marysville downtown businesses to explore creation of a business improvement district to pick up trash, care for plants, or other streetscape maintenance activities.

Recommendations

- PS-11 Continue efforts to craft a New Marysville Story and marketing strategy.
- PS-12 Incorporate defensible space principles into design of new parks and development facing parks and trails.
- PS-13 Explore creation of a Business Improvement District to care for public spaces downtown.

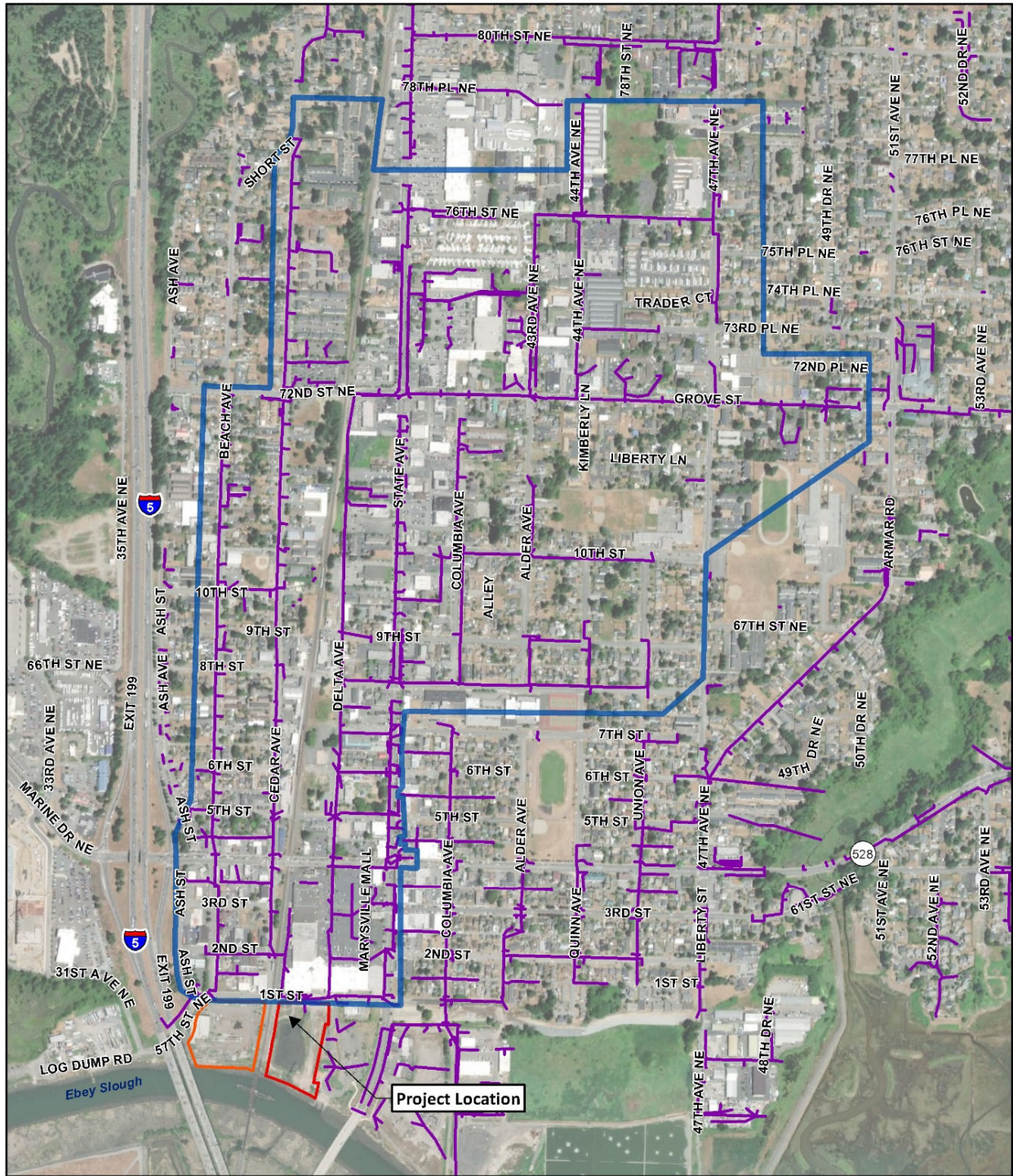
6. Water & Utilities

This section recommends stormwater and other utility improvements.

Surface Water

Continued investment in utility infrastructure maintenance and resiliency is necessary to ensure compliance with National Pollution Discharge Eliminate System (NPDES) requirements, and the City Surface Water Comprehensive Plan. This will be through the biennial updates to capital improvement plans and the utility rate structure. The Surface Water Comprehensive Plan provides specific project information for work in the planning area that relates to surface water features. Current plans that relate to the planning area focus on system maintenance, a new regional water quality treatment facility to address over 60% of the planning area (see Map 10), and continued LID improvements and LID planning studies.

Map 10. Regional stormwater facility basin and conveyance network



Source: ESRI, City of Marysville, Parametrix

Parametrix

- Geddes Site
- Welco Site
- Basin Boundary
- Storm Water Main



**Figure 3
Conveyance Network**

City of Marysville, WA

Stormwater objectives for downtown Marysville include:

- Continue to achieve NPDES and Department of Health regulations for sewer and water systems.
- Sustain Franchise Agreements with private utility partners and regularly assess commitments and fee structures.
- Require water efficiency practices in new buildings and provide education and incentives to improve household and business water use efficiency. This would enhance sustainability practices and reduce water consumption and discharges to storm and sanitary systems.

Recommendations

- UT-1 Complete the implementation of end of pipe treatment and LID analyses to reduce runoff and improve runoff quality.
- UT-2 Evaluate alternatives and provide builders with preferred stormwater management options for site development in the planning area. The application of preferred management alternatives may result in updates to the Surface Water code, Surface Water Management Plans, and City engineering design standards.
- UT-3 Continue public information through the NPDES Phase II permit program to improve awareness of and response to illicit discharges in the planning area.
- UT-4 Emphasize the review of water quality monitoring from the Allen Creek basin to document the improvement or degradation of water quality as the result of development and operations that discharge without end of pipe treatment. This will allow for the early detection of impacts or improvements resulting from the action alternative.

Utilities

The City should maintain and sustain the resiliency of the utility systems in the Downtown Planning area. Pro-active administrative measures such as planning for increases in maintenance and operations funding to sustain system resiliency should continue. Annual discussions with private utility providers specifically focused on City growth and new private utility investments to service planned growth and be building styles are recommended.

Utility Master Planning. To help developers understand utility improvement requirements, and to help the City in better prioritizing their capital plans to accommodate a denser and more transit-oriented downtown, the City could benefit from a Master Utility Plan for commercial and high-density mixed uses planned for the downtown. A master utility plan for the planning area would identify specific utility improvements to meet growth and density goals and provide certainty for the City and development partners about the cost and assignment of utility improvements for new developments.

Utility Efficiency. To enhance sustainability, consider building codes and development policies that enhance efficiencies for each utility. These may range from reduction of infiltration and inflow (I/I) for storm and sanitary systems, water leakage, energy efficiency, and energy capture from concepts like head storage or Pressure Release Valve (PRV) energy capture. Explore the opportunity to implement heat-loop concepts by taking advantage of shallow groundwater and the steady thermal sink provided by Ebey Slough.

Recommendations

- UT-5 Apply pro-active administrative measures to plan for increases in maintenance and operations funding to sustain system resilience.
- UT-6 Facilitate annual discussions with private utility providers specifically focused on City growth and new private utility investments to service planned growth and building types.
- UT-7 Explore the applicability of low-flow plumbing and water conservation standards for new development in the downtown.
- UT-8 Develop a pilot study of ground loop energy systems to reduce heating and cooling demand in new developments between Ebey Slough and 4th St.
- UT-9 Acquire the water right to the Class B water system and provide City water to that user.
- UT-10 Develop Utility Master Plan for commercial and high-density mixed uses planned for the downtown area. The plan would identify specific utility improvements that would be tied to development of key lots within the downtown planning area.
- UT-11 Continue to monitor infiltration and inflow (I/I) for storm and sanitary systems and water leakage.
- UT-12 Assess energy efficiency improvements and energy capture concepts like head storage or PRV energy capture as part of future utility comprehensive plans.

7. Implementation

This section will summarize recommended actions, responsible parties, timing/priority, costs/resources needed, and relationships between actions.

Implementation Chart Key

Timing

- Short (S) – 1-5 years
- Medium (M) – 5-10 years
- Long (L) – 10-20 years
- Ongoing (S-L) – a continuous action over time
- Opportunistic (O) – as funding or opportunity arises

Priorities

- High (H)
- Medium (M)
- Low (L)

Responsible Parties

- City Council (CC)
- Community Development Department (CDD)
- Community Transit (CT)
- Marysville School District
- Parks, Culture, & Recreation (PCR)
- Public Works (PW)
- Sound Transit (ST)
- Utility providers (Utilities)

Cost Estimate

- \$ Less than \$500,000
- \$\$ \$500,000 - \$5,000,000
- \$\$\$ Greater than \$5,000,000

Potential Resources/Funding

- Public – staff resources, public funds
- Private – required with redevelopment, private partner involvement

Land Use and Urban Design Implementation

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
LU-1 Apply form-based code to new zones.	S	H	CDD, CC	\$	Public	LU-1, LU-2, LU-3, LU-4, LU-5, and LU-6 all coincide
LU-2 Apply design guidelines to 3 rd St Character Area.	S	M	CDD, CC	\$	Public	LU-1, LU-2, LU-3, LU-4, LU-5, and LU-6 all coincide
LU-3 Designate Active Ground Floor and Pedestrian-friendly Streets.	S	H	CDD, CC	\$	Public	LU-1, LU-2, LU-3, LU-4, LU-5, and LU-6 all coincide
LU-4 Apply block front design standards.	S	H	CDD, CC	\$	Public	LU-1, LU-2, LU-3, LU-4, LU-5, and LU-6 all coincide
LU-5 Apply through-block connection standards.	S	H	CDD, CC, PW	\$	Public	LU-1, LU-2, LU-3, LU-4, LU-5, and LU-6 all coincide
LU-6 Adopt proposed zoning changes to allow a wider range of housing types.	S	H	CDD, CC	\$	Public	LU-1, LU-2, LU-3, LU-4, LU-5, and LU-6 all coincide
LU-7 and LU-13 Expand the Multifamily Housing Property Tax Exemption (MFTE) area.	S	H	CDD, CC	\$	Public	
LU-8 Explore residential density or height incentive programs.	S	H	CDD	\$	Public	Coincides with LU-1

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
LU-9 Continue using the Affordable and Supportive Housing Sales Tax Credit Fund.	S-L		CDD	\$	Public	
LU-10 Continue promoting development sites and seeking partners (e.g., Port, Tulalip Tribes).	S-L	H	CDD	\$	Public	
LU-11 Actively facilitate catalyst projects.	S-M	H	CDD	\$	Public-private partnership	
LU-12 Update ground floor commercial requirement to focus on key streets.	S	H	CDD, CC	\$	Public	Coincides with LU-1
LU-14 Reduce the MFTE unit threshold.	S	H	CDD, CC	\$	Public	Coincides with LU-7 and LU-13
LU-15 Strategically reduce minimum parking requirements.	S	H	CDD, CC	\$	Public	Coincides with LU-1
LU-16 Market the benefits of the Planned Action SEIS.	S-L	M	CDD	\$	Public	Supports LU-11
LU-17 Consider reducing required driveway widths for middle housing types.	S	M	CDD, Fire, PW	\$	Public	
LU-18 Create an Arts Policy and integrate public art into public buildings, parks, and the public realm, per the Waterfront Strategic Plan.	O	M	PCR, PW	\$-\$	Public	

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
LU-19 Alter development standards and allowed uses in Old Town (3 rd /2 nd St) to minimize displacement of existing commercial space.	S	H	CDD, CC	\$	Public	Coincides with LU-1
LU-20 Apply building design standards to require a “flex shell” ground floor.	S	H	CDD, CC	\$	Public	Coincides with LU-1
LU-21 Explore partnerships to expand commercial affordability options.	S-L	H	CDD	\$	Public	
LU-22 Consider offering incentives for business retention and/or relocation.	S	H	CDD	\$	Public	
LU-23 Develop a first right to return program for displaced businesses and residents.	S	H	CDD	\$	Public	
LU-24 Consider an inclusionary housing requirement for affordable housing or an in-lieu fee.	S	H	CDD	\$	Public	Ideally coincides with LU-1
LU-25 Explore additional programs to minimize and/or mitigate displacement.	S	H	CDD	\$	Public	

Transportation Implementation

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
TR-1 Require new ped/bike connections with redevelopment.	S-L	H	CDD , PW	\$\$	Private	
TR-2 4th St pedestrian improvements	M	M	CDD, PW , WSDOT	\$\$	Public	
TR-3 4th St/Delta Ave intersection pedestrian crossing improvement.	L	H	CDD, PW , WSDOT	\$\$	Public	Important with any redevelopment of Town Center
TR-4 1 st St/60th Pl NE bicycle facilities.	M	M	PW , CDD	\$\$	Public, potentially private	Important with any redevelopment of waterfront site
TR-5 Ped/bike and shared priority streets design standards.	S	H	PW /CDD	\$\$-\$	Private, potentially public	
TR-6 Continue coordinating with Community Transit on BRT stations.	S-L	H	PW , CDD, CT	\$	Public	
TR-7 Facilitate Transportation Demand Management (TDM) programs.	S-L	H	CDD , PW , CT, ST	\$\$	Public, potential for private fees	
TR-8 Continue to evaluate capacity and intersection traffic control needs along the downtown streets.	S-L	M	PW	\$	Public	

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
TR-9 Consider intelligent transportation system (ITS) improvements.	S-M	H	PW	\$-\$\$	Public	
TR-10 Coordinate with Community Transit to integrate transit signal priority (TSP).	S-M	H	PW	\$-\$\$	Public	
TR-11 Manage access along major downtown corridors.	M-L	M	PW , CDD	\$- \$\$\$	Public	
TR-12 Evaluate off-street parking and curb space needs.	S-L	M	PW , CDD	\$	Public	
TR-13 Consider roundabouts.	L	L	PW , CDD, WSDOT	\$- \$\$\$	Public	
TR-14 8 th St bicycle facilities.	O	M	PW , CDD, BNSF	\$\$	Public and/or private	
TR-15 Alder/Quinn Ave bicycle facilities.	O	H	PW , CDD	\$\$	Public and/or private	
TR-16 Armar Rd complete street.	O	M	PW , CDD	\$\$	Public and/or private	
TR-17 Continue implementing the 2009 DMP's street type Flexible Kit of Parts.	O	H	CDD , PW	\$- \$\$\$	Private	

Parks and Public Services Implementation Plan

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
PS-1 Develop a community vision for Asbery Field.	M	M	PCR , CDD, PW, MSD	\$	Public	
PS-2 Improve non-motorized connections to Jennings Memorial Park.	O	L	CDD , PW, PCR	\$\$	Public and/or private	
PS-3 Expand Ebey Waterfront Trail.	O	H	CDD , PCR, PW	\$-\$\$	Private and/or public	
PS-4 Continue Comeford Park planning.	S	H	PCR , CDD	\$	Public	
PS-5 Work with MSD to develop a joint program for Asbery Field.	S	M	PCR , MSD, CDD	\$	Public	Only important prior to any redevelopment of Totem Middle School
PS-6 Ensure that any redevelopment of the Totem Middle School site relates to Asbery Field.	S	H	CDD , CC	\$	Public	Coincides with LU-1
PS-7 and PS-9 Improve ped/bike access to Marysville Skatepark.	O	H	CDD , PW, PCR	\$-\$\$	Private and/or public	
PS-8 Redesign or relocate Marysville Skate Park for better visibility.	L	L	PCR , CDD	\$\$	Public	Parks planning

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
PS-10 Explore community priorities for parks and gathering spaces associated with private redevelopment.	S-M	H	CDD/PCR	\$	Public	Coincides with zoning and design standard updates
PS-11 Continue efforts to market Marysville.	S-L	H	CDD , CC	\$	Public	LU-10 and LU-10
PS-12 Incorporate defensible space principles in and near parks and trails.	S	H	CDD , PCR	\$	Public	Ideally coincides with LU-1
PS-13 Explore creation of a Business Improvement District to care for public spaces downtown.	S-M	H	CDD	\$	Public	

Water & Utilities Implementation Plan

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/FUNDING	RELATED ACTIONS
UT-1 Error! Reference source not found. Implement end of pipe treatment and LID analyses.	O	M	PW			
UT-2 Provide builders with preferred stormwater management options.	S	H	CDD/PW	\$	Public	
UT-3 Continue informing public about the NPDES Phase II permit program.	S-L	H	CDD , PW	\$	Public	
UT-4 Monitor Allen Creek basin water quality.	S-L	H	PW	\$	Public	
UT-5 Pro-actively plan for increases in maintenance and operations funding to sustain system resilience.	S-L	H	PW	\$	Public	
UT-6 Facilitate annual discussions with private utility providers.	S-L	H	PW , Utilities	\$	Public	
UT-7 Explore low-flow plumbing and water conservation standards.	O	M	PW	\$	Public	

ACTION	TIMING (S,M,L,O)	PRIORITY (H,M,L)	RESPONSIBLE PARTIES/ PARTNERS (LEAD IN BOLD)	COST ESTIMATE (\$, \$\$, \$\$\$)	POTENTIAL RESOURCES/ FUNDING	RELATED ACTIONS
Error! Reference source not found. Develop a pilot study of ground loop energy systems.	O	M	PW , CDD	\$\$	Public/ private	
UT-9 Acquire the water right to the Class B water system and provide City water to that user.	O	L	PW , CDD	\$	Public/ private	
UT-10 Develop Utility Master Plan for high-density areas.	O	H	PW , CDD	\$	Public	
UT-11 Continue to monitor infiltration and inflow (I/I).	S-L	H	PW	\$	Public	
UT-12 Assess energy efficiency improvements and energy capture concepts.	O	H	PW	\$	Public	

Exhibit B
Downtown Master Plan Area – Design Requirements

CHAPTER 22C.080 DOWNTOWN MASTER PLAN AREA – DESIGN REQUIREMENTS

Article I Purpose & Applicability 3

22C.080.000	Purpose.....	3
22C.080.010	Applicability.....	3
22C.080.020	How the provisions of this chapter are applied.....	4
22C.080.030	Departures.....	4
22C.080.040	Relationship to other codes.....	5

Article 2 Zoning..... 6

22C.080.100	Purpose.....	6
22C.080.105	Marysville downtown subarea zoning classifications.....	6
22C.080.110	Districts map.....	8
22C.080.120	Uses permitted in downtown Marysville zones.....	9
22C.080.130	Flex residential overlay zone uses.....	14
22C.080.140	Dimensional regulations for downtown Marysville zones.....	14
22C.080.150	Opiate substitution treatment program facilities.....	15

Article 3 Street Design, Circulation & Parking..... 16

22C.080.200	Purpose.....	16
22C.080.210	Streetscape classifications and regulations.....	16
22C.080.220	Through-block connections.....	16
22C.080.230	Parking and loading.....	23

Article 4 Design Standards – Block-Frontages..... 25

22C.080.300	Purpose.....	25
22C.080.305	Block-frontage designation map.....	26
22C.080.310	Transparency standards.....	28
22C.080.320	Active ground floor block-frontage standards.....	30

22C.080.330	Landscaped block-frontage standards.....	33
22C.080.340	Pedestrian friendly block-frontage standards.	36
22C.080.350	Undesignated (streets with no designated block frontage).....	38
22C.080.355	Woonerf and Landscaped Passageway frontage standards.	39
22C.080.360	Urban Passage frontage standards.....	41
22C.080.370	Where properties front onto multiple streets.	41
22C.080.380	High-visibility street corners.....	42
Article 5 Design standards – Site Planning.....		44
22C.080.400	Purpose.....	44
22C.080.410	Side and rear-yard setbacks.....	44
22C.080.420	On-site open space and recreation space.....	47
22C.080.430	Pedestrian-oriented spaces.....	55
22C.080.440	Internal pedestrian access and design.....	59
22C.080.450	Service areas and mechanical equipment.....	60
22C.080.460	Site lighting.....	64
Article 6 Design standards – Building Design.....		68
22C.080.500	Purpose.....	68
22C.080.505	Third Street Character Area.....	68
22C.080.510	Building massing and articulation.....	69
22C.080.520	Building details.....	74
22C.080.530	Building materials.....	81
22C.080.540	Blank wall treatment.....	85

ARTICLE I PURPOSE & APPLICABILITY

Sections:

- 22C.080.000 Purpose.
- 22C.080.010 Applicability.
- 22C.080.020 How the provisions of this chapter are applied.
- 22C.080.030 Departures.
- 22C.080.040 Relationship to other codes.

22C.080.000 Purpose.

The purpose of this chapter is to help implement the vision for downtown Marysville as provided in the adopted Marysville Downtown Master Plan.

22C.080.010 Applicability.

- (1) **New construction.** This chapter will be used to evaluate development projects or improvement plans proposed for properties within the Marysville downtown boundaries, including the zoning classifications listed in MMC 22C.080.105 and mapped in Figure 22C.080.110.
- (2) **Additions and improvements.** Three different thresholds have been established to determine how the regulations herein are applied to such projects.
- (a) Level I improvements include all exterior remodels, building additions, and/or site improvements that affect the exterior appearance of the building/site, and/or cumulatively increase the gross floor area on a site less than 50-percent within three years of the date of permit issuance. The requirement for such improvements is only that the proposed improvements meet the regulations and do not lead to further nonconformance with the regulations.
- For example, if a property owner decides to replace a building façade's siding, then the siding shall meet the applicable exterior building material regulations, but elements such as building articulation would not be required.
- (b) Level II improvements include all improvements that cumulatively increase the gross floor area on a site by 50-percent to 100-percent, within three years of the date of permit issuance. All regulations that do not involve repositioning the building or reconfiguring site development shall apply to Level II improvements.
- For example, if a property owner of an existing business in the DC zone wants to build an addition equaling 75-percent of the current building's footprint, then the following elements shall apply:
- (i) The location and design of the addition/remodel shall be consistent with the block frontage design regulations (see Article 4 of this chapter), which addresses building frontages, entries, parking lot location, and street setback landscaping. For such developments seeking additions to buildings where off-street parking location currently does not comply with applicable parking location regulations, building additions are allowed provided they do not increase any current nonconformity and generally bring the project closer into conformance with the regulations.
 - (ii) Comply with applicable through-block connection, trail, and off-street parking regulations (see Article 3 of this chapter) that are associated with the addition. The through-block connection provisions would apply where such addition is located in the immediate area of such features shown in Figure 22C.080.200.

- (iii) Comply with applicable block frontage regulations (see Article 4 of this chapter) that are associated with the addition. The block frontage provisions would apply when such an addition is located adjacent to a particular designated block frontage shown in Figure 22C.080.305.
 - (iv) Comply with the site planning design regulations (see Article 5 of this chapter) associated with proposed site and building improvements.
 - (v) Comply with the applicable building design regulations (see Article 6 of this chapter), except architectural scale and materials provisions related to the existing portion of the building where no exterior changes are proposed.
- (c) Level III improvements include all improvements that cumulatively increase the gross floor area on a site by more than 100-percent within three years of the date of permit issuance. Such developments shall conform to all applicable regulations, except in a case where there are multiple buildings on one site, and only one building is being enlarged. In that scenario, improvements to the additional buildings are not required, but conformance with all other regulations apply.

22C.080.020 How the provisions of this chapter are applied.

Most sections within this chapter include the following elements:

- (1) Purpose statements, which are overarching objectives.
- (2) Requirements use words such as “shall” and “is/are required,” signifying required actions.
- (3) Guidelines use words such as “should” or “is/are recommended,” signifying desired, but voluntary, measures.
- (4) Departures are provided for specific regulations. They allow alternative designs provided the Director determines the design meets the purpose of the requirements and guidelines and other applicable criteria. See MMC 22C.080.030 below for related procedures associated with departures.
- (5) This chapter contains some specific regulations that are easily quantifiable, while others provide a level of discretion in how they are complied with. In the latter case, the applicant shall demonstrate to the Director, in writing, how the project meets the purpose of the standard or regulations.

22C.080.030 Departures.

- (1) **Overview and purpose.** This chapter provides for a number of specific departure opportunities to development regulations. The purpose is to provide applicants with the option of proposing alternative design treatments provided such departures meet the “purpose/intent” of the particular regulation and any additional departure criteria established for the particular departure opportunity.
- (2) **Applicability.** Departure opportunities are available only where noted for specific regulations, including those standards that precede the “☞” symbol or capital letter “DEPARTURE” reference.
- (3) **Procedures.** Permit applications that include departure requests go through the standard review procedures in this chapter for the application type.
- (4) **Approval criteria.** Project applicants shall successfully demonstrate to the director how the proposed departure meets the purpose(s) of the regulation and other applicable departure criteria that applies to the specific regulation.
- (5) **Documentation.** The director shall document the reasons for approving all departures (to be maintained with project application records) to ensure consistency in decision-making by the city.

22C.080.040 Relationship to other codes.

Where provisions of this chapter conflict with provisions in any other section of the Marysville Municipal Code (MMC), this chapter prevails unless otherwise noted.

ARTICLE 2 ZONING

Sections:

22C.080.100	Purpose.
22C.080.105	Marysville downtown subarea zoning classifications.
22C.080.110	District map.
22C.080.120	Uses permitted in downtown Marysville zones.
22C.080.130	Flex residential overlay zone uses
22C.080.140	Dimensional regulations for downtown Marysville zones.
22C.080.150	Opiate substitution treatment program facilities.

22C.080.100 Purpose.

The purpose of Article 2 is to:

- (1) Implement the Marysville Downtown Master Plan goals and policies through land use regulations.
- (2) Provide an efficient and compatible relationship of land uses and zones.

22C.080.105 Marysville downtown subarea zoning classifications.

The downtown Marysville subarea regulations in this chapter comprise zoning classifications and regulations which are unique to the subarea, except where other regulations in this title are adopted by reference.

Name of downtown Marysville Zoning Districts	Symbol
Downtown Core	DC
Main Street	MS
Flex	F
Flex Residential Overlay	FR
Midrise Multifamily	MMF
Middle Housing 1	MH1
Middle Housing 2	MH2

(1) Downtown Core (DC).

The Downtown Core zone encourages high density residential mixed use and office mixed use. Other commercial uses are allowed. No active ground floor required except on designated streets.

- (2) **Main Street (MS).** The Main Street zone protects and enhances the character of Marysville’s historic retail core. This zone encourages high-activity uses like restaurants, entertainment, and shops, and residential above the ground floor. New buildings should feature an active ground floor use. Parking is generally not required.

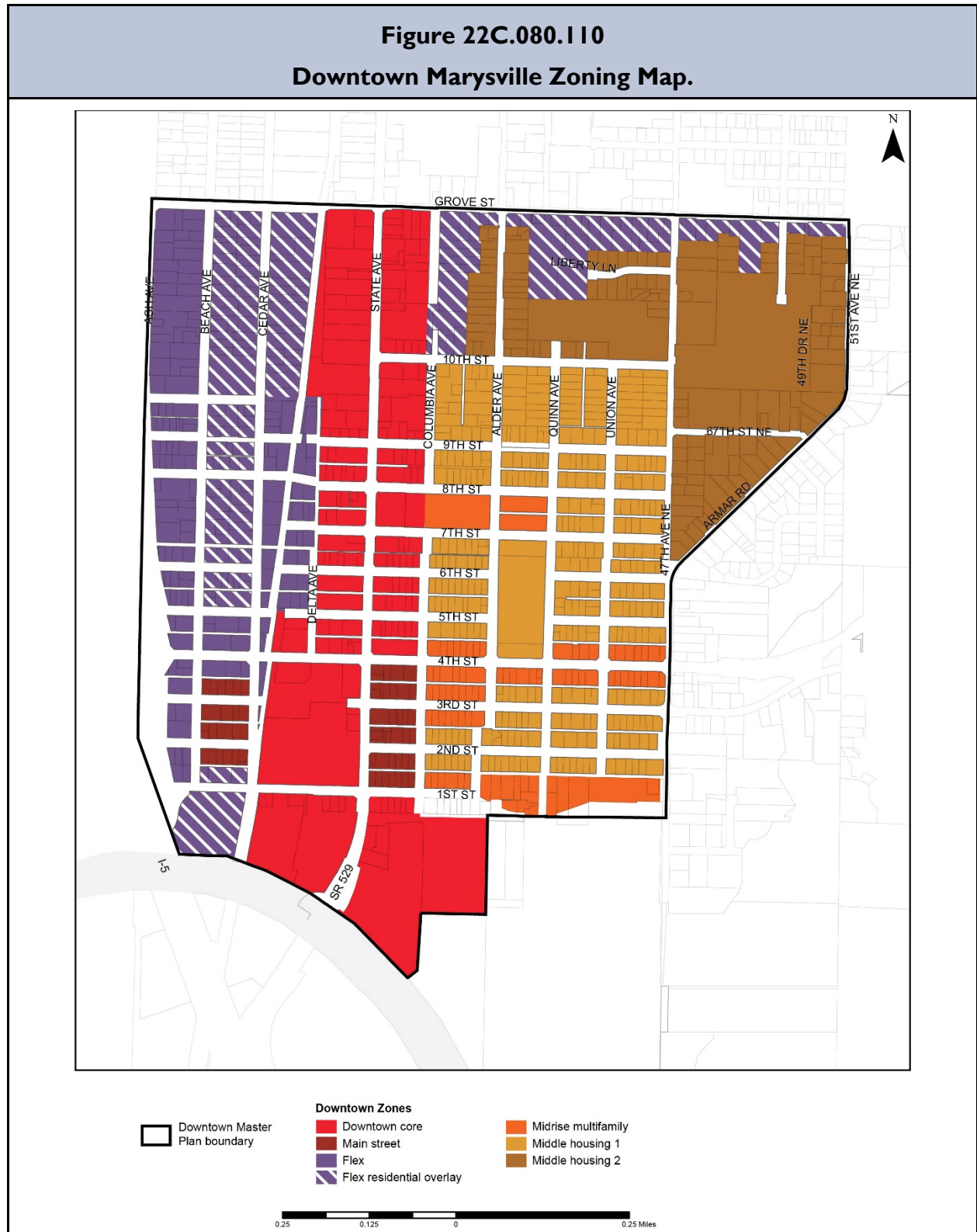
- (3) **Flex (F).** This zone encourages a mix of uses, including artisan, workshops, small light manufacturing, and commercial. New residential, schools, daycares, and other sensitive uses are not allowed due to air quality, noise, and odor impacts from I-5 and the BNSF railroad corridor.

- (4) **Flex Residential Overlay (FR).** This overlay zone allows “missing middle” building types and lowrise apartments in addition to all uses allowed in the Flex zone.

- (5) Midrise Multifamily (MMF).** This zone encourages dense multifamily housing. Small commercial uses are allowed.
- (6) Middle Housing 1 (MHI).** This zone encourages small infill housing, especially “missing middle” building types. The zone protects the fine-grained, residential character of historic neighborhoods.
- (7) Middle Housing 2 (MH2).** This zone encourages infill housing, especially “missing middle” building types and lowrise apartments. Commercial is not allowed except as a ground floor element of a mixed-use building.

22C.080.110 Districts map.

Figure 22C.080.110 illustrates the location and boundaries of downtown’s zones for reference.



22C.080.120 Uses permitted in downtown Marysville zones.

(1) Interpretation of permitted use table. The permitted use table in this section determines whether a use is allowed in a zone. The name of the zone is located on the vertical column and the use is located on the horizontal row of these tables.

(a) Permitted use (P).

If the letter “P” appears in the box at the intersection of the column and the row, the use is permitted in the zone. These uses are allowed if they comply with the development standards and other standards of this chapter.

(b) Conditional use (C)

If the letter “C” appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review process and approval criteria are stated in Chapter 22G.010 MMC, conditional use approval criteria for that use, the development standards and other standards of this chapter.

(c) Use not permitted ().

Where no symbol appears in the box at the intersection of the column and the row, the use is not permitted in that zone, except for certain temporary uses.

(d) For uses containing a superscript letter (X), refer to the applicable condition in the “Additional Provisions” column to the right.

(e) Additional provisions. The references, notes, and/or standards in the Additional Provisions column apply to all such permitted uses, except for those that apply to particular zones as noted in subsection (4) above.

(f) Unclassified uses. See MMC 22A.010.070.

(2) Permitted use table. Table 22C.080.120 below provides the list of permitted uses in downtown Marysville zones.

Table 22C.080.120 Permitted use table for downtown Marysville zones.							
Table legend: P = Permitted use C = Conditional use No letter = Use not permitted							
Use Categories	DC	MS	F	MMF	MHI	MH2	Additional Provisions
Residential Uses							
Dwelling Units, Types							
Note: Residential uses are not allowed on the ground floor facing a designated Active ground floor block frontages (see MMC 22C.080.320). Lobbies for multifamily uses and live-work dwelling units are an exception, provided the units meet the standards in MMC 22C.080.320.							
Single detached							
Single detached, existing			P	P	P	P	Single detached dwelling must be in existence as of September 27, 2021.
Duplex					P	P	
Townhouse	P	P		P	P	P	
Multifamily	P	P		P		P	
Senior citizen assisted	P			P	C	C	
Group Residences							
Adult family home	P	P	P	P	P	P	Permitted within a single detached dwelling in existence as of September 27, 2021. Use is subject to obtaining a state license in accordance with Chapter 70.128 RCW
Home, rest, convalescent, or for the aged	P			P			
Residential care facilities	P	P	P	P	P	P	
Non-Residential Uses							
Amusement and entertainment	P	P×	P				Operations shall be conducted entirely indoors × Excludes shooting ranges
Cultural, as listed below based on gross floor area (GFA):							
<10,000sf GFA	P	P	P	C	C	C	
10,000-20,000sf GFA	P	C	P	C	C	C	
>20,000sf GFA	P		P	C			

Table 22C.080.120 Permitted use table for downtown Marysville zones.							
<p><i>Table legend:</i> P = Permitted use C = Conditional use No letter = Use not permitted</p>							
Use Categories	DC	MS	F	MMF	MHI	MH2	Additional Provisions
Dancing, music & art center	P	C ^x	P				× Use conditionally permitted with 10,000-20,000sf GFA and prohibited over 20,000sf GFA
Day care, as listed below:							Day care uses include child and adult day care and are subject to all state licensing requirements
Day care I	P	P	P	P	P	P	× Only as an accessory to residential use and subject to the criteria set forth in Chapter 22C.200 MMC
Day Care II	P	P	P	P ^x		P ^x	
Education services	P	P	P	C	C	C	
Electric vehicular charging station	P	P	P	P	P	P	
Electric vehicular battery exchange			P				
Essential public facilities	C	C	C	C	C	C	See Chapter 22G.070 for the siting process for essential public facilities
General service uses, except those listed below:	P	P	P				Operations shall be conducted entirely indoors
Small boat sales, rental and repair, equipment rentals, vehicle repair, commercial vehicle repair, car wash, mini-storage							
Government services, except those listed below:	P	P	P	P	P	P	
Public safety facilities, including police and fire	C	C	C	C	C	C	All buildings shall maintain a 20' setback from adjoining residential zones. Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street.
Health services, except as listed below:	P	P	P	P			
Hospital	C		C				

**Table 22C.080.120
Permitted use table for downtown Marysville zones.**

Use Categories	DC	MS	F	MMF	MHI	MH2	Additional Provisions
Table legend: P = Permitted use C = Conditional use No letter = Use not permitted							
Heavy service uses, except those listed below			C				
Commercial vehicle storage, automotive rental and leasing							
Light industrial/manufacturing, except as listed below:	P		P				Operations shall be conducted entirely indoors
Artisan manufacturing	P	P	P				
Nursery	P×		P				× Retail only
Park, community center	P	P	P	P	P	P	
Personal services use	P	P	P				Operations shall be conducted entirely indoors
Professional office	P	P	P	P			
Marina, dock and boathouse – private and noncommercial, boat launch	P		P				
Retail uses, as listed below and based on gross floor area (GFA)/individual use:							Excludes retail uses with exterior sales and/or storage areas greater than 15,000sf GFA or occupying a greater area than the use's building.
<2,500sf GFA	P	P	P	P	C	C	
2,500-20,000sf GFA	P	P	P				
20,001-50,000	P	C	P				
>50,000sf GFA	P	C	P				
Special retail sales uses:							
Eating & drinking places	P	P	P	C			
Gas station	P		P				
Heavy retail			C				
State licensed marijuana facilities							
Temporary lodging	P	P	P				

Table 22C.080.120 Permitted use table for downtown Marysville zones.							
<p>Table legend: P = Permitted use C = Conditional use No letter = Use not permitted</p> <p>Use Categories</p>	DC	MS	F	MMF	MHI	MH2	Additional Provisions
Temporary uses	See Chapter 22C.110 MMC						
Regional Uses							
Regional uses, except as listed below:							
College	P		P	C	C	C	
Transit park & pool lot	P		P	P	P	P	
Opiate substitution treatment program facilities	P		P				MMC 22C.080160
Jail	C		C				
Regional stormwater facility	C		C	C	C	C	
Public agency training facility	C		C				Except weapons armories and outdoor shooting ranges
Nonhydroelectric generation facility	C		C	C	C	C	
Accessory Uses							
Dwelling units, accessory					P	P	MMC 22C.180.030
Home occupations	P	P	P	P	P	P	Chapter 22C.190 MMC No signage is permitted in townhouse or multifamily buildings.

22C.080.130 Flex residential overlay zone uses.

In addition to use permissions of the Flex zone, the following residential uses are permitted in the Flex overlay zone:

- (1) **Single detached.** One single detached dwelling is allowed on existing lots. New subdivisions intended for single detached dwellings are prohibited.
- (2) **Duplex.**
- (3) **Townhouse.**
- (4) **Multifamily.**
- (5) **Adult family homes.** Use is subject to obtaining a state license in accordance with Chapter 70.128 RCW.
- (6) **Residential care facilities.**
- (7) Specialized senior housing is allowed subject to the conditional use review process and approval criteria are stated in Chapter 22G.010 MMC
- (8) Accessory uses, including accessory dwelling units, home occupations, and uses accessory to principal uses.

22C.080.140 Dimensional regulations for downtown Marysville zones.

- (1) **Purpose.** To promote forms of development that reinforce and/or enhance the desired character of the downtown Marysville zones.
- (2) **Dimensional regulations table.** The table below addresses the form and intensity of development specific to individual downtown Marysville zones. The zone is located on the vertical columns and the form/intensity measure being addressed is located on the horizontal rows.

Table 22C.080.140 Dimensional regulations for downtown Marysville zones.							
Measure	DC	MS	F	MMF	MHI	MH2	Additional Provisions
DEVELOPMENT INTENSITY & HEIGHT							
Base height (feet)	85 ^x	45 ^x	45 ^{x,y}	65	35	45	^x Height may be increased by 1' for each 1' of street and interior setback beyond minimum requirement ^y Max height for SW waterfront parcel is 75'
Maximum base density [dwelling unit (du)/acre]			28 ^x	28	18	18	Developments may exceed the maximum base density if they comply with Chapter 22C.090 MMC Residential Density Incentives ^x Applies to residential overlay areas only
Maximum Density (du/acre)	None	None	45 ^x	None	None	None	^x Applies to residential overlay areas only

Table 22C.080.140 Dimensional regulations for downtown Marysville zones.							
Measure	DC	MS	F	MMF	MHI	MH2	Additional Provisions
Minimum Density (du/acre)	45			45			Applies to sites greater than 20,000 square feet
Minimum lot area (square feet)	There is no minimum lot area regulation. However, lot dimensions will be influenced by permitted uses, market conditions, and other development regulations herein.						
Maximum impervious surface (%)	There is no maximum percentage standard for impervious surfaces. However, the impervious surfaces will be limited by setbacks, required landscaping and open space, compliance with stormwater management provisions (see City of Marysville Storm Water Design Manual), critical areas provisions (see MMC 22E.010), and market conditions, and compliance with other zoning and site design regulations in this chapter.						
SETBACKS (minimum)							
Street setback (feet)	0-10 ^x	0-10 ^x	0-10 ^x	20 ^y	20 ^y	20 ^y	^x See MMC 22C.080.300 for applicable block frontage standards ^y The minimum street setback shall be 20' or the average street setback for adjacent lots (when less than 20')
Side yard setback (feet)	0-15 ^x	0-15 ^x	0-15 ^x	0-15 ^x	5-15 ^x	5-15 ^x	^x See MMC 22C.080.410 for applicable side and rear yard setbacks
Rear yard setback (feet)	0-15 ^x	0-15 ^x	0-15 ^x	0-15 ^x	0-15 ^{x, y}	0-15 ^{x, y}	^x See MMC 22C.080.410 for applicable side and rear yard setbacks ^y Where no alley is present, the minimum rear yard setback is 5'

22C.080.150 Opiate substitution treatment program facilities.

- (1) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter 22G.070 MMC, Siting Process for Essential Public Facilities.
- (2) Opiate substitution treatment program facilities, as defined in MMC 22A.020.160, are subject to the standards set forth below:
 - (a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child care facility, or actual place of regular worship established prior to the proposed treatment facility.
 - (b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.
 - (c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.

ARTICLE 3 STREET DESIGN, CIRCULATION & PARKING

Sections:

- 22C.080.200 Purpose.
- 22C.080.210 Streetscape classifications and regulations.
- 22C.080.220 Through-block connections.
- 22C.080.230 Parking and loading.

22C.080.200 Purpose.

The purpose of Article 3 is to:

- (1) Expand and enhance downtown Marysville’s circulation network and streetscape design that support the envisioned pedestrian-friendly mixed-use development within the subarea.
- (2) To emphasize a “complete streets” approach to street improvements within downtown Marysville. This involves designing and operating streets to enable safe and convenient access and travel for all users including pedestrians, bicyclists, transit riders, and people of all ages and abilities, as well as freight and motor vehicle drivers, and to foster a sense of place in the public realm with attractive design amenities.
- (3) Clarify the nature, extent, and location of required street and circulation improvements.

22C.080.210 Streetscape classifications and regulations.

Downtown Marysville streetscape classifications and regulations are set forth in Chapter 3 of the Engineering Design and Development Standards.

22C.080.220 Through-block connections.

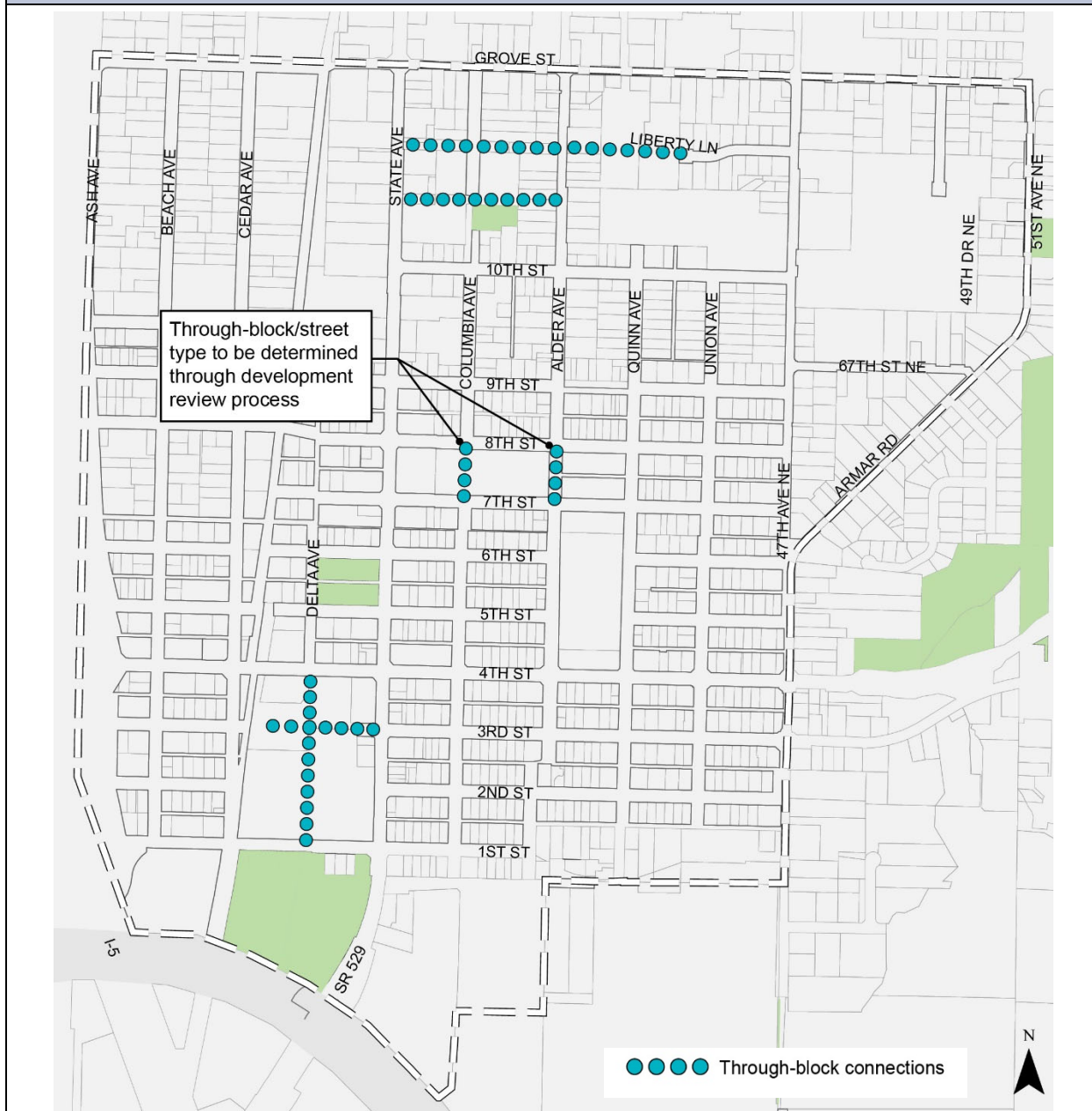
Figure 22C.080.220.A illustrates the configuration of several “through-block connections” intended to enhance pedestrian circulation in the area, while also providing an option for vehicular access to on-site parking, functioning as a design amenity to new development, and breaking up the massing of buildings on long blocks. Specific regulations:

- (1) **Required connections and public access easement.** If an applicant owns a lot containing a proposed through-block connection, within it or along the edge of the property, the applicant shall provide such through-block connections in conjunction with their project development as a public right-of-way, or public access easement, as approved by the city engineer. Exception:

For uses that require large building footprints, restricted security access, or other unique requirements for restricting access, the director may approve alternatives to designated through-block connections provided the proposed design maximizes pedestrian and vehicular connectivity on and/or around the site and the designs maximize opportunities for connectivity and contribution to a network.

Figure 22C.080.220.A

Downtown Marysville planned through-block connections.



- (2) **Alignment.** Specific alignments for the through-block connections will be developed during the development review process for applicable sites.
- (3) **Accessibility.** Through-block connections shall be accessible to the public at all times and may take a variety of forms, depending on the block size and use mix, as specified in subsection (6).
- (4) **Design departures.** Adjustments to the through-block connection regulations in subsection (6) below may be approved by the city as a departure, pursuant to MMC 22C.080.030, provided the design:

- (a) Creates a safe and welcoming pedestrian-route.
 - (b) Provides an effective transition between the shared lane or path and adjacent uses (e.g., enhances privacy to any adjacent ground-level residential units).
 - (c) Functions as a design amenity to the development.
- (5) Cantilever design.** Buildings may project or cantilever into minimum required easement areas on building levels above the connection provided a 13-foot, six-inch vertical clearance is maintained or as otherwise required for emergency access.
- (6) Through-block connection types.** Unless otherwise noted in Figure 22C.080.305, required through-block connections may take any of the following forms set forth below. A combination of designs set forth above may be used for each connection.
- (a) Street. Functions like a public street and features traditional curb and gutters.
 - (i) Applicability. The “street” design is required for the Columbia Avenue through-block connection and may be applied to any through-block connection within the subarea, as determined by the City Engineer.
 - (ii) Roadway improvements, channelization, site access and lighting plans shall be required to be reviewed and approved by the City Engineer.
 - (b) Woonerf design. A “woonerf” is a shared lane where both vehicles and pedestrians share the space.
 - (i) Applicability: The “woonerf” – or shared lane may apply to any through-block connection within the subarea.
 - (ii) 40-foot minimum public access easement.
 - (iii) 20-foot wide two-way shared travel lane featuring concrete, unit paving, or other similar decorative and durable surface material. Asphalt is prohibited.
 - (iv) Ten-foot minimum landscaping strips with L3 Landscaping per MMC 22C.120.110 on each side of the shared-lane. Curbs and/or raised planter walls may be included in the required landscaping area.
 - (v) Where such through-block connection is integrated along the edge of a development, a minimum easement of 20-feet is required for the shared travel lane.
 - (vi) Woonerf design connections are subject to block frontage regulations in MMC 22C.080.355.

Figure 22C.080.230(6)(b)(i) illustrates the cross-section for minimum regulations for the Woonerf design.

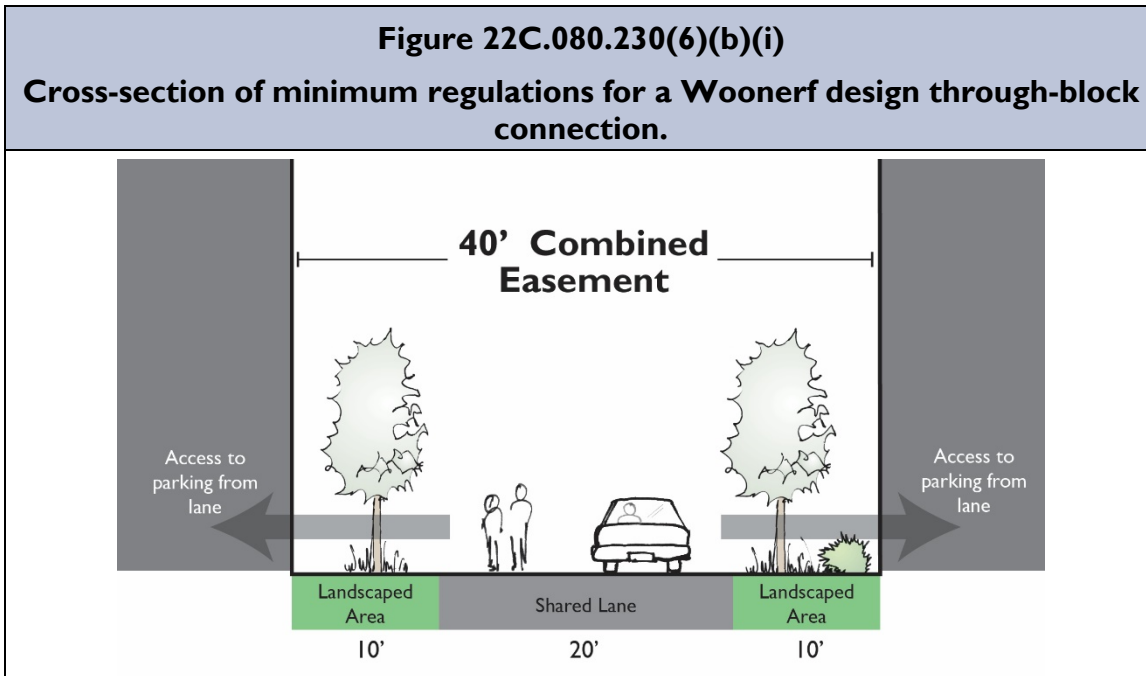
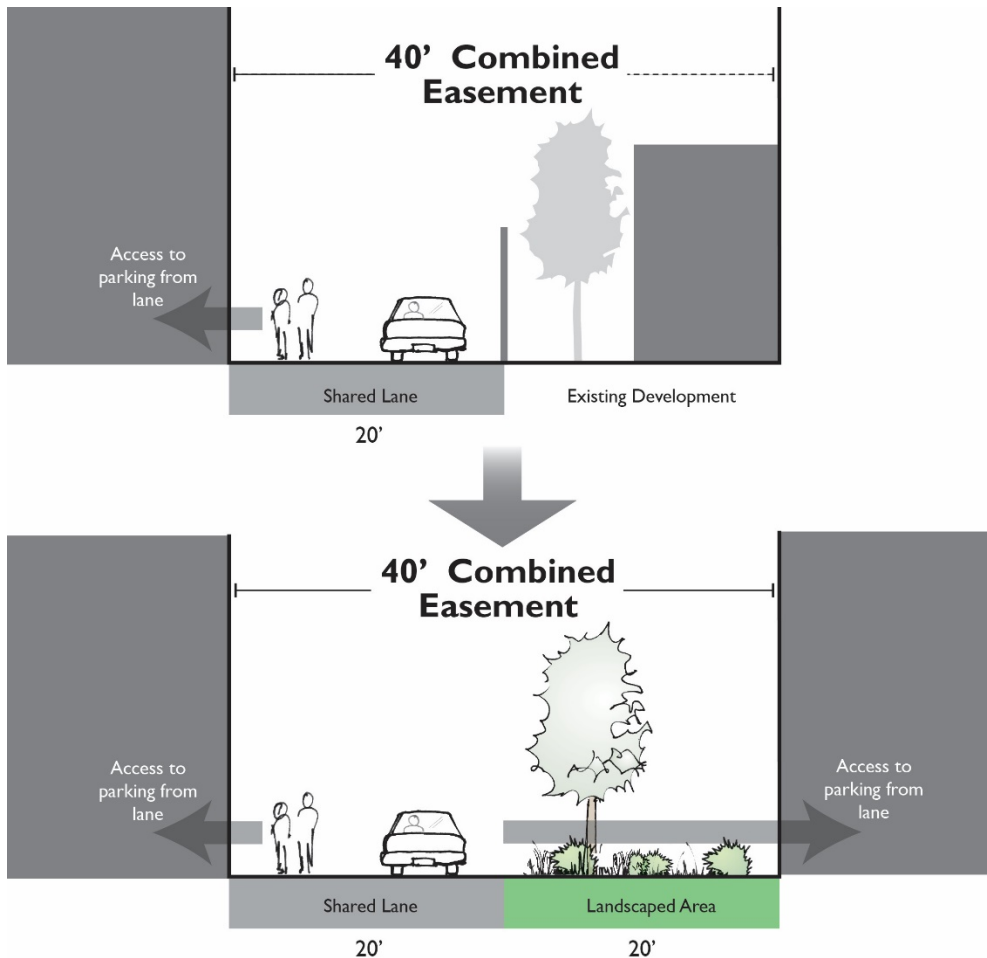


Figure 22C.080.230(6)(b)(ii) illustrates regulations for scenarios where a through-block connection is located on the edge of a site, where its development likely will be phased in as the adjacent properties redevelop.

Figure 22C.080.230(6)(b)(ii)
Cross-section of minimum regulations for a woonerf design through-block connection when developed along the edge of development site.



The top image illustrates a scenario where a new development includes a required access-corridor on the edge of the development site abutting an existing development. In this scenario, a minimum 20-foot easement shall be required and include a shared lane. The shared-lane shall be designed to allow a future connection to the adjacent site.

The bottom image illustrates a second phase where the adjacent property is redeveloped. An additional 20-foot easement will be required plus a connection shall be added (where necessary to provide access for on-site parking), but the remaining area shall be landscaped with L3 Landscaping (see MMC 22C.120.110).

(c) Landscaped passageway design.

- (i) Applicability: Optional design when vehicular access to the site is provided elsewhere on the site.
- (ii) 30-foot minimum public access easement.
- (iii) Eight to 16-foot walking path. Eight to ten-foot paths are appropriate in a residential context, whereas the wider path is more desirable where active ground level uses with outdoor seating/dining areas.
- (iv) Seven to 11-foot minimum landscaping strips (with L3 Landscaping per MMC 22C.120.110) on each side of the walking path. Raised planter walls may be included in the required landscaping area.
- (v) Where such through-block connection is integrated along the edge of a development, a minimum easement of 15-feet is required for the subject walking path and landscaping. Adjustments to the walking path and landscaping widths and configurations are allowed provided the design effectively balances the following objectives:
 - (A) Create a safe and welcoming pedestrian-route.
 - (B) Provides an effective transition between the walking path and adjacent uses (e.g., enhances privacy to any adjacent ground-level residential units).
 - (C) Functions as a design amenity to the development.
- (vi) Landscaped passageway design connections are subject to block frontage regulations in MMC 22C.080.355.

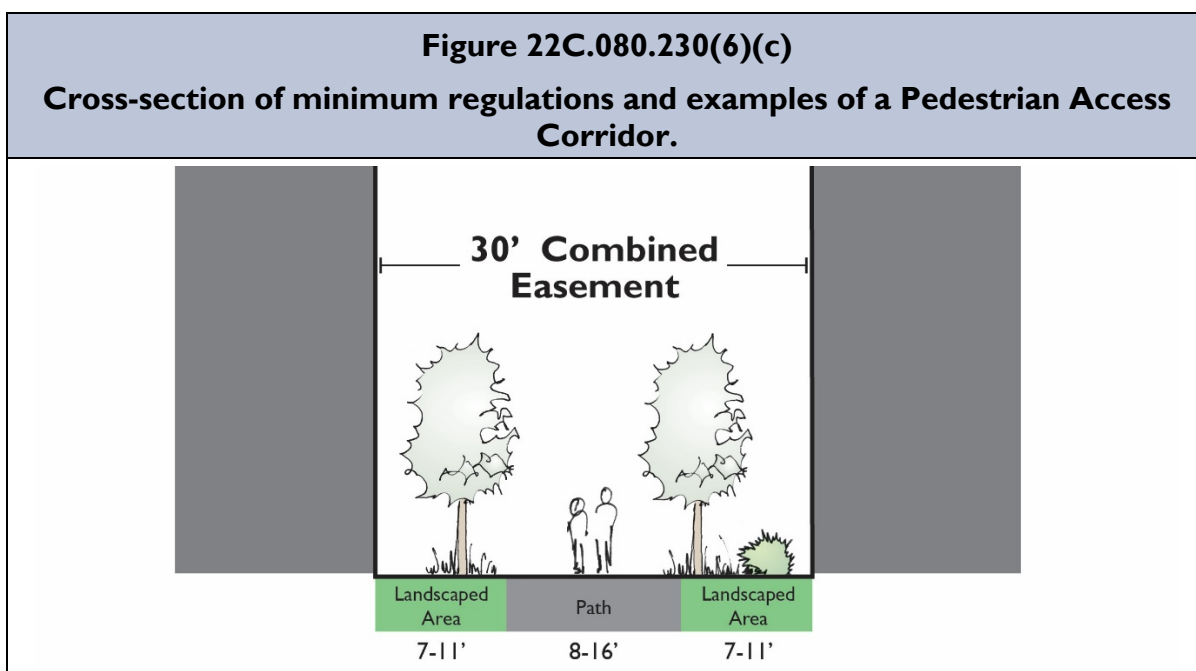


Figure 22C.080.230(6)(c)
Cross-section of minimum regulations and examples of a Pedestrian Access Corridor.



- (d) Urban passage design.
- (i) Applicability: Optional design when vehicular access to the site is provided elsewhere on the site and active ground level uses are provided along frontages.
 - (ii) Sixteen-foot minimum public access easement.
 - (iii) Urban passage design connections are subject to block frontage regulations in MMC 22C.080.360.

Figure 22C.080.230(6)(d)
Urban passage examples.



22C.080.230 Parking and loading.

The provisions herein supplement the off-street parking provisions in MMC Chapter 22C.130, *Parking and Loading*. Where there is a conflict, the provisions herein apply.

- (1) Tandem parking.** Tandem parking is allowed for individual dwelling units, and may be used to meet minimum parking standards.
- (2) Minimum number of parking spaces required.** The minimum number of parking spaces for all zones and use categories is stated in Table 22C.080.230.
 - (a) Special cases are indicated by the term “Director decision”, in which case parking requirements shall be established by the director. For determination by the director, the applicant shall supply one of the following:
 - (i) Documentation regarding actual parking demand for the proposed use.
 - (ii) Technical studies prepared by a qualified professional relating to the parking need for the proposed use.
 - (iii) Documentation of parking requirements for the proposed use from other comparable jurisdictions.
 - (iv) For unclassified uses, refer to MMC 22C.130.030(2)(i).
 - (b) Parking may be waived by the director for expansion of existing commercial uses requiring less than 10 spaces.
 - (c) For commercial uses requiring more than 10 spaces, the director may approve a fifty percent (50%) parking reduction if the applicant can demonstrate that adequate on-street parking facilities exist within four-hundred feet (400') of the proposed use. In approving a parking reduction, the director may require improvement of existing, or dedicated, right-of-way to meet the intent of the downtown master plan by providing improved parking, walkways and access.
 - (d) Some developments within one-quarter mile of frequent transit may be eligible for a parking minimum exception or reduction per House Bill-1923, modified by House Bill-2343.

Table 22C.080.230		
Off-street parking regulations for commercial uses (minimum number of parking spaces required).		
Use Categories	Minimum number of off-street parking spaces	Additional Provisions
NON-RESIDENTIAL (spaces per square feet of gross floor area, unless otherwise noted)		
General services, heavy services and heavy retail	1/600sf	
Artisan manufacturing	1/750sf	
Education services	5 plus 1 per staff (elementary and junior high); 1 per 10 students plus 1 per staff (high school); and 1 per staff plus 1 per each 2 students (commercial/vocational schools)	
Eating and drinking establishments	1/400sf	No parking is required for uses in a new building with less than 10,000sf gross floor area in the MS zone
Government services, general		
Health and social services		
Recreation, culture and entertainment, indoor		
Hotels and motels	1/unit or suite	
Banks and professional office	1/500sf	
Personal services use		
Retail uses		
Manufacturing, except artisan manufacturing	1/1,000sf	Plus professional office space when applicable
Uses not otherwise categorized	Director's decision.	
RESIDENTIAL (spaces per dwelling unit)		
Single-family, duplex and townhome	2.0	
Accessory dwelling unit	1.0	No parking is required within one-quarter mile of a major transit stop
Multifamily dwelling unit		
Studio	1.0	
1-bedroom	1.25	
2-bedroom or more	1.5	

ARTICLE 4 DESIGN STANDARDS – BLOCK-FRONTAGES

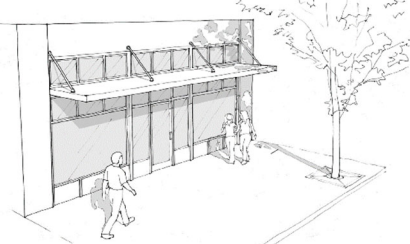
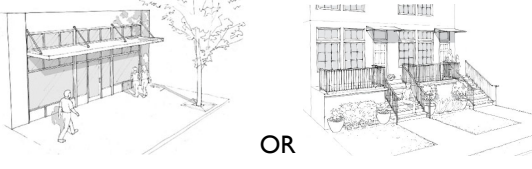
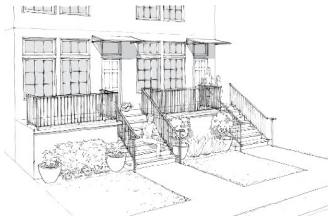
Sections:

22C.080.300	Purpose.
22C.080.305	Block-frontage designation map.
22C.080.310	About the transparency standards.
22C.080.320	Active ground floor block-frontage standards.
22C.080.330	Landscaped block-frontage standards.
22C.080.340	Pedestrian-friendly block-frontage standards.
22C.080.350	Undesignated (streets with no designated block frontage).
22C.080.355	Woonerf and Landscaped Passageway frontage standards.
22C.080.360	Urban Passage frontage standards.
22C.080.370	Where properties front onto multiple streets.
22C.080.380	High-visibility street corners.

22C.080.300 Purpose.

The purpose of Article 4 is to:

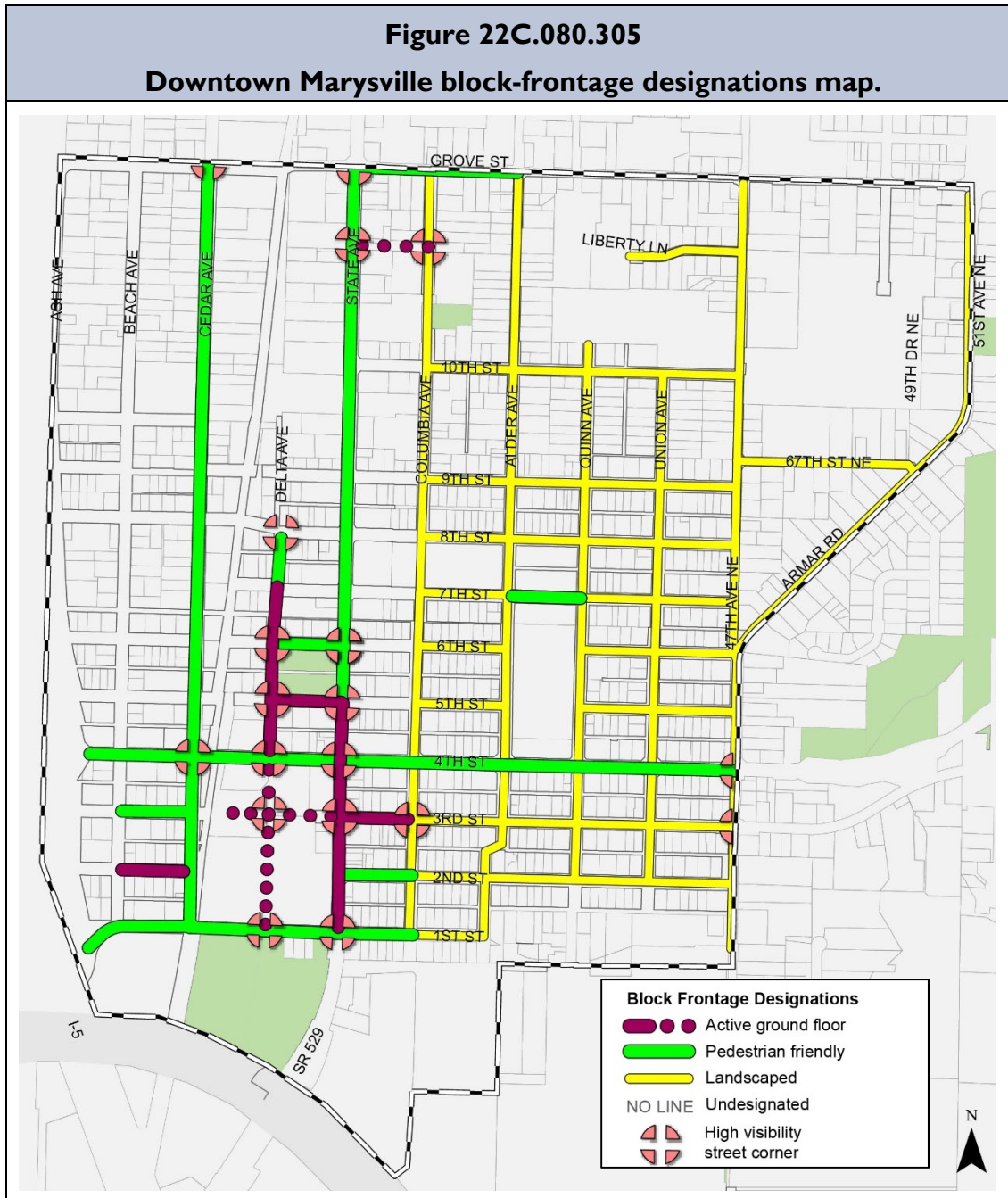
- (1) To achieve the envisioned character of downtown Marysville as set forth in the goals and policies of the Marysville Downtown Master Plan.
- (2) To enhance pedestrian environments by emphasizing activated ground-level block-frontage designs for commercial, mixed-use, and multifamily developments.
- (3) To minimize potential negative impacts of off-street parking facilities on the streetscape in strategic areas.
- (4) To promote good visibility between buildings and the street for security for pedestrians and to create a more welcoming and interesting streetscape.

Table 22C.080.300 Summary of key block-frontage types.		
	Permitted Frontage	Details
Active Ground Floor		<ul style="list-style-type: none"> • No new ground-level parking adjacent to the street. • Special transparency, weather protection, and entry requirements. • Minimum commercial space height and depth. • No ground floor residential uses except for live/work units where the storefront space meets height and depth standards.
Pedestrian Friendly	 <p>Storefront or Landscape Frontages allowed</p>	<ul style="list-style-type: none"> • Storefront designs allowed if they meet “Active Ground Floor” frontage provisions. • Ground-level uses feature direct access to the sidewalk. • Parking placed to the side or rear of buildings. • Landscaping to soften façades of non-storefronts and buffer parking areas. • Minimum façade transparency requirements per use and setback.
Landscaped		<ul style="list-style-type: none"> • Modest landscaped setback required • Building entrances face the street. • Weather protection required over entrances. • Minimum façade transparency requirements per use and setback. • Parking placed to the side or rear of buildings.
Undesignated	Flexible	<ul style="list-style-type: none"> • Flexible parking lot location standards. • Landscaping to soften façades of non-storefronts and buffer parking areas. • Minimum façade transparency requirements per use and setback. • Storefront designs allowed if they meet “Active Ground Floor” frontage provisions.

22C.080.305 Block-frontage designation map.

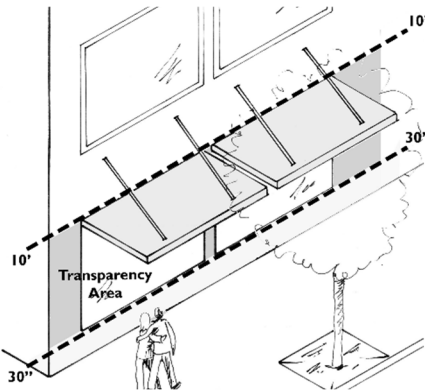
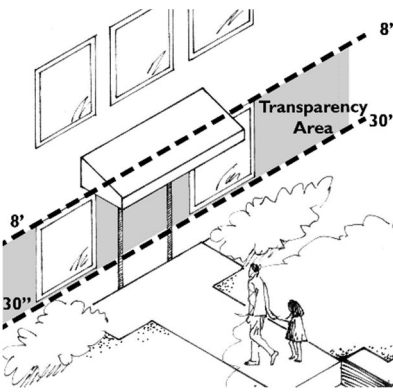
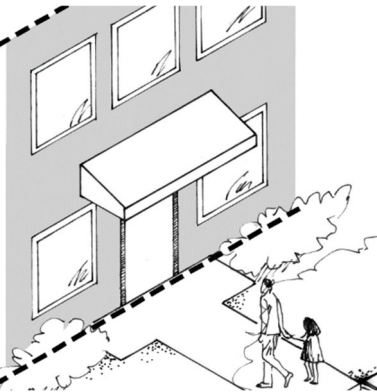


- (1) Application of map and block frontage standards. New development fronting on all streets in downtown Marysville are subject to applicable standards in this article based on the block frontage designation of the street.
- (2) Sites with proposed new active ground floor or pedestrian friendly block-frontage designations: New development shall integrate no less than 75-percent of the length of applicable active ground floor and/or pedestrian friendly block-frontages illustrated in Figure 22C.080.305. The alignment of active ground floor and pedestrian friendly block frontages may be adjusted during the development review process provided the configuration meets the goals and policies of the Marysville Downtown Master Plan. For example, if a site includes approximately 100-lineal feet of an Active ground floor

designated block-frontage and 200-lineal feet of Pedestrian-friendly block-frontage, the new development shall integrate at least 75-lineal feet of Active ground floor block-frontage compliant development and at least 150-lineal feet of Pedestrian-friendly block-frontage compliant development. Developments may exceed the amount of Active ground floor and Pedestrian-friendly block-frontages illustrated in Figure 22C.080.305.



22C.080.310 Transparency standards.

Some block-frontage designations contain distinct minimum façade transparency standards. The purpose of these standards is to maintain “eyes on the street” for safety and create welcoming pedestrian environments. Table 22C.080.310 below includes details in how they are measured.

Table 22C.080.310 Transparency standards		
Transparency area		
<p>Storefront</p>  <p>The transparency area is on the ground floor between 30” and 10’ above sidewalk grade</p>	<p>Ground floor non-residential and non-storefront</p>  <p>The transparency area is between 30” and 8’ above grade</p>	<p>Residential buildings and residential portions of mixed-use buildings</p>  <p>All vertical surfaces of the façade are used in the calculations</p>
Other Transparency Provisions		
<p>Windows shall be transparent</p> <p>Ground-level window area for storefronts and other non-residential uses that is covered, frosted, or perforated in any manner that obscures visibility into the building shall not count as transparent window area. Perforated signs are allowed provided they meet applicable window sign standards in MMC 22C.160.200. Also, mirrored glass and highly-reflective or darkly-tinted windows shall not be counted as transparent windows.</p>	 <p>Covered windows</p>	 <p>Perforated sign</p>

**Table 22C.080.310
Transparency standards**

Display windows & parking garages
 Display windows may be used for up to 25% of non-residential transparency requirements (except for ground-level Storefront-designated block-frontages) provided they are at least 30” deep to allow changeable displays and the interior wall is non-structural so it can be removed if the windows are not used for display. Tack-on display cases as shown in the far right example do not qualify as transparent window area.

For parking garages (where allowed by block frontage standards), the left image illustrates how such a structure can meet (and not meet) the applicable transparency standards.



Integrated display windows



Tack-on display cases



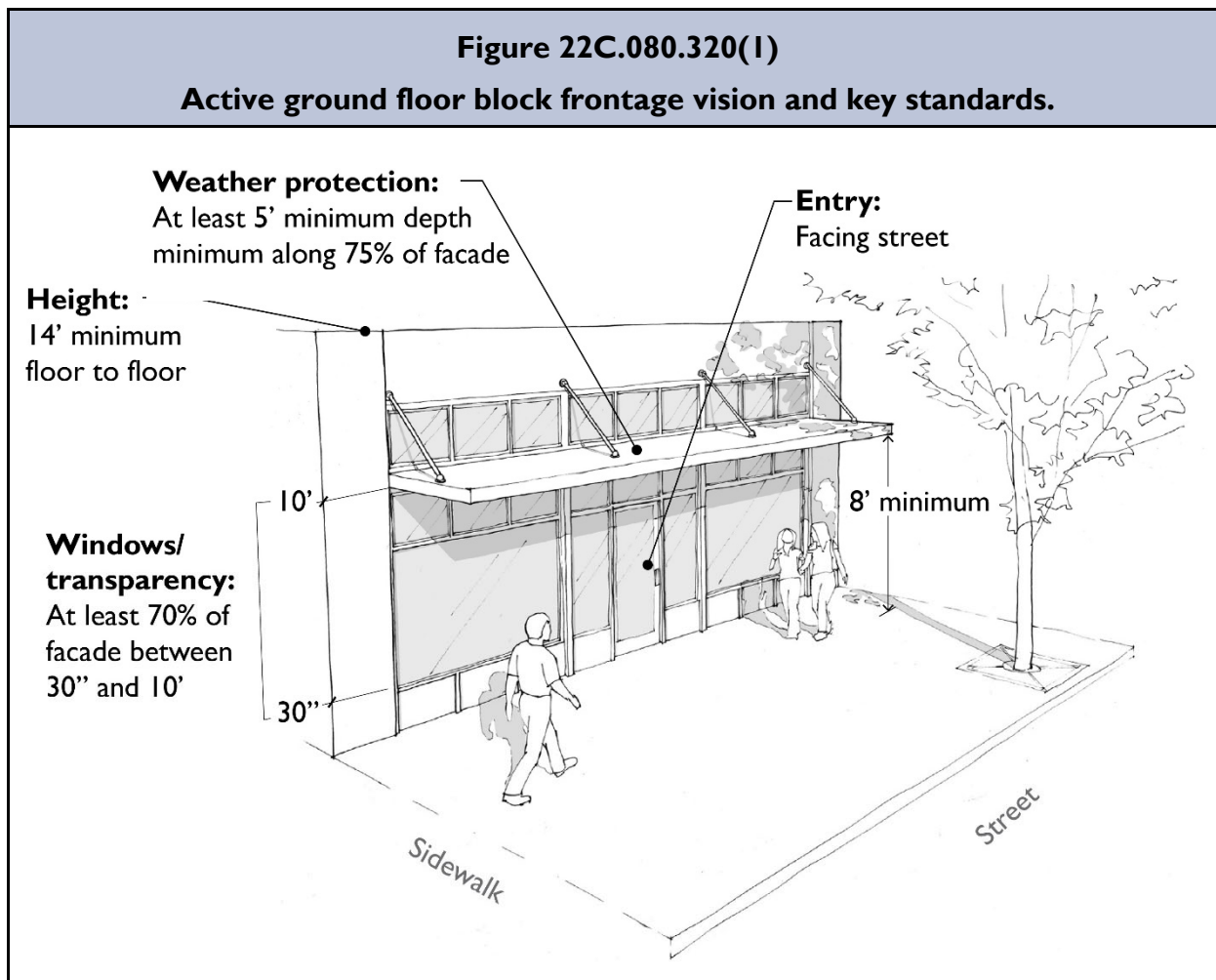
Parking garage with window openings



Parking garage without window openings

22C.080.320 Active ground floor block-frontage standards.

(I) **Purpose.** Active ground floor block-frontages are the most vibrant and active shopping and dining areas within the subarea. Blocks designated as Active ground floor block-frontages (as shown in Figure 22C.080.305) include continuous storefronts placed along the sidewalk edge with small scale shops and many business entries.



(2) Standards. All development on sites with an Active ground floor block-frontage designation shall comply with the standards in Table 22C.080.320(2) below:



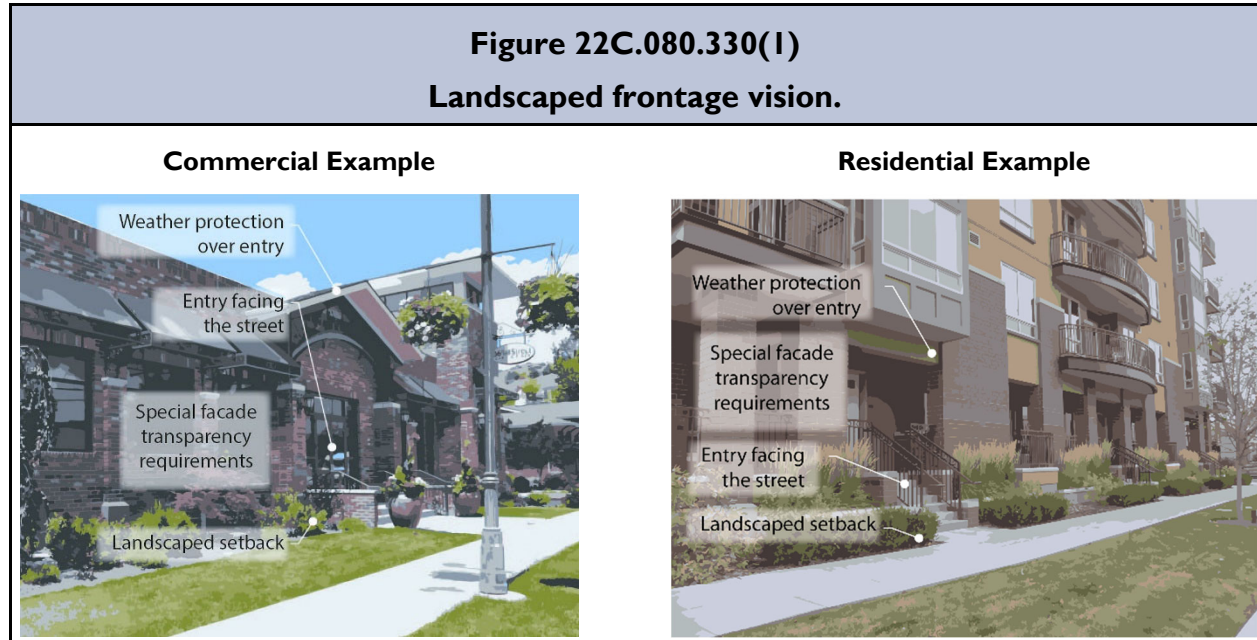
Table 22C.080.320(2)		
Active ground floor block-frontage standards.		
The ➡ symbol refers to DEPARTURE opportunities. See 22C.080.320(3) below for special departure criteria.		
Element	Regulation	Additional Provisions & Examples
Ground-level		
Land use	Table 22C.080.120 sets forth the basic permitted uses in subarea zoning districts. However, only those uses listed below are permitted on the ground level on Active ground floor block frontages: <ul style="list-style-type: none"> • Personal services use • Eating and drinking establishment • Artisan manufacturing • Recreation, culture & entertainment • Retail uses 	Lobbies and accessory-uses associated with upper-floor hotel/motel, business service, and multifamily residential uses are allowed provided they are limited to 33% of all Active ground floor block-frontages (measured separately for each block).
Floor to ceiling height	14' minimum (applies to new buildings only).	Applies to the minimum retail space depth.
Retail space depth	50' minimum on 3 rd Street and 30' elsewhere ➡	
Building placement	Buildings shall be placed at the back edge of the required sidewalk. Additional setbacks are allowed for a widened sidewalk or pedestrian-oriented space [MMC 22C.080.430(4)].	
Building entrances	Primary building entrances shall face the street. For corner buildings, primary entrances for ground-level building corner uses may face either street or the street corner.	
Façade transparency (see MMC 22C.080.310)	At least 75% of the transparency area. ➡	
Weather protection	Weather protection over the sidewalk is required along at least 75% of the storefront façade, and it shall be a minimum of 5' average depth and have 8' minimum vertical clearance. ➡ Weather protection shall not interfere with street trees, street lights, street signs, or extend beyond the edge of the sidewalk.	

Table 22C.080.320(2)		
Active ground floor block-frontage standards.		
The ➡ symbol refers to DEPARTURE opportunities. See 22C.080.320(3) below for special departure criteria.		
Element	Regulation	Additional Provisions & Examples
Parking location	New ground-level (surface or structured) parking adjacent to the street is prohibited. Parking may be placed below, above, beside, and/or behind storefronts. ➡	

- (3) DEPARTURE criteria.** Departures from the standards in Table 22C.080.320 that feature the ➡ symbol will be considered per MMC 22C.080.030 provided the alternative proposal meets the purpose of the standards and the following criteria:
- (a) Retail space depth. Reduced depths of up to 25-percent of the applicable block-frontage will be considered where the applicant can successfully demonstrate the proposed alternative design and configuration of the space is viable for a variety of permitted retail uses.
 - (b) Facade transparency. The minimum percentage of façade transparency may be reduced by up to 40-percent if the façade design provides visual interest to the pedestrian and mitigates the impacts of blank-walls.
 - (c) Weather-protection. The reduced extent (to no less than 50-percent of block-frontages) or width of weather-protection features (to no less than four-feet in width) will be considered provided the designs are proportional to architectural features of the building and building design trade-offs (elements that clearly go beyond minimum building design standards in this chapter) meet the purpose of the standards.

22C.080.330 Landscaped block-frontage standards.

(1) **Purpose.** Landscaped block-frontages (as shown in Figure 22C.080.305) emphasize landscaped street setbacks, clear pedestrian connections between the building and the sidewalk, and minimized surface parking lots along the frontages.


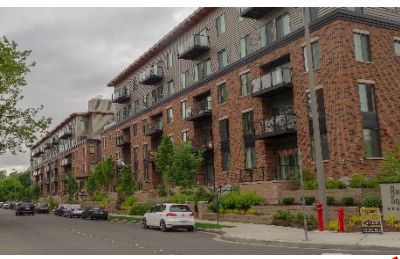

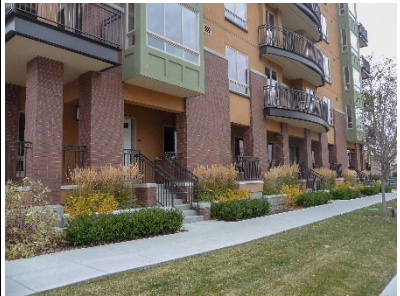


(2) **Standards.** All development on sites containing a landscaped block frontage designation shall comply with the standards in Table 22C.080.330(2) below. The standards herein also apply to all multifamily and non-residential development in downtown residential zones:

Table 22C.080.330(2)
Landscaped block-frontage standards.

The ➡ symbol refers to DEPARTURE opportunities. See 22C.080.330(3) below for special departure criteria.

Element	Regulation	Additional provisions & examples
Ground-level		
Land use	Table 22C.080.120 sets forth permitted land uses.	
Building placement	10' minimum setbacks are required ➡, except where greater setbacks are required by Table 22C.080.140.	
Building entrances	Building entries shall face the street or a pedestrian-oriented space [MMC 22C.080.430(4)] that is adjacent to the street.	

Table 22C.080.330(2)		
Landscaped block-frontage standards.		
The ➡ symbol refers to DEPARTURE opportunities. See 22C.080.330(3) below for special departure criteria.		
Element	Regulation	Additional provisions & examples
Façade transparency (see MMC 22C.080.310)	Transparent windows shall be provided along at least 15% of the entire building façade, plus: <ul style="list-style-type: none"> • Buildings designed with ground-floor non-residential uses within 10' of sidewalk, shall feature at least 40% transparency within the transparency area. ➡ • Buildings designed with ground floor non-residential uses within 20' of sidewalk, shall feature at least 25% transparency within the transparency area. ➡ 	 <p>Landscaped frontage example meeting setback, entry, weather protection, and transparency standards.</p>
Weather protection	Weather protection at least 3' deep shall be provided over individual residential and commercial tenant entries and at least 5' deep for shared residential, commercial, and professional office entries.	
Parking location and driveways	Ground-level parking shall not be visible from the street. Where parking is integrated at or near the ground-level under the building, it shall be set-back and completely screened by landscaped berms (upper right example). Drive-through lanes, for the purpose of block frontage standards, shall be considered a parking lot (and thus are not allowed between the street and a building). The lower right example illustrates a prohibited design. Where alleys are available, vehicular access shall be taken from the alley.	 
Landscaping	All areas between the sidewalk and the building shall be landscaped, except for pathways, porches, decks, and areas meeting the standards for pedestrian-oriented spaces [MMC 22C.080.430(4)]. Landscaped areas shall contain L1, L2, L3 or L4 landscaping (as defined in MMC 22C.120.110) and may incorporate rain gardens and other forms of stormwater-management.	

(3) DEPARTURE criteria. Departures to the Pedestrian-friendly block-frontage standards in Table 22C.080.330(2) that feature the ➡ symbol will be considered per MMC 22C.080.030 provided the alternative proposal meets the purpose of the standards and the following criteria:

- (a) **Building placement:** Reduced setbacks (down to a minimum of eight-feet) will be considered where the ground floor is elevated a minimum average of 30-inches (required when the ground floor setback is less than ten-feet) and design treatments that create an effective transition between the public and private realm are incorporated. For example, a stoop design or other similar treatments that utilize a low fence or retaining wall, and/or hedge along the sidewalk may provide an effective transition [see Figure 22C.080.330(3) for examples].
- (b) **Façade transparency:** The minimum percentage of façade transparency may be reduced by up to 50-percent if the façade design provides visual interest to the pedestrian and mitigates the impacts of blank-walls.

Figure 22C.080.330(3)

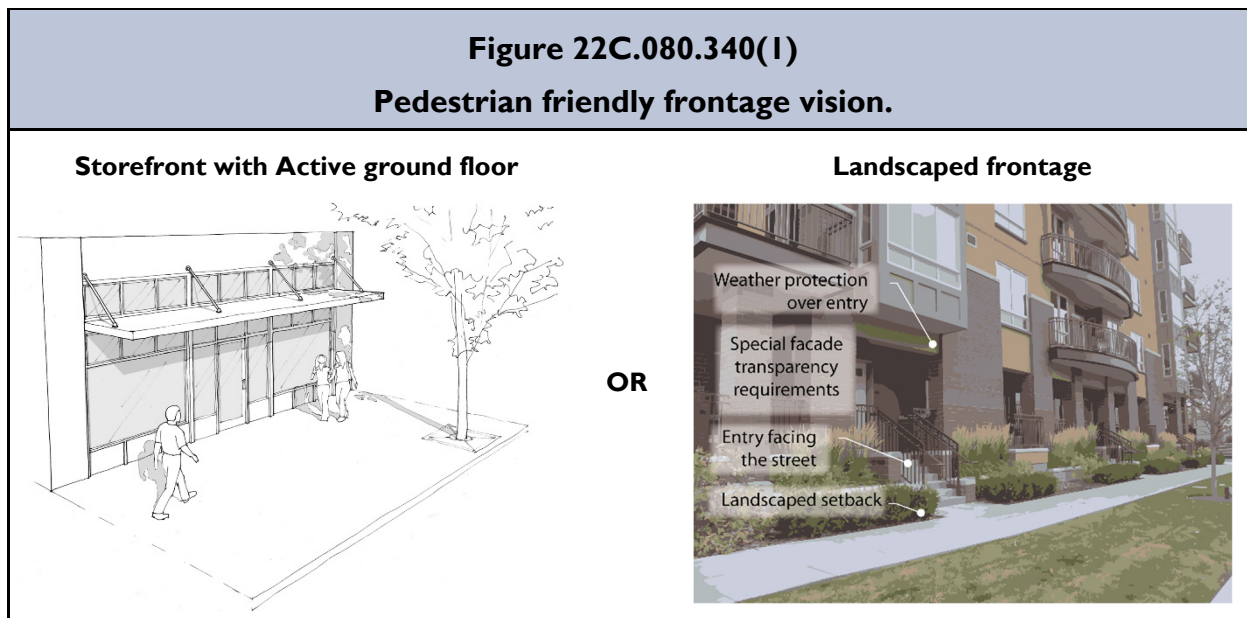
Acceptable examples of possible setback departures.



The apartment building (left image) includes a street setback of about 6-8-feet and features a landscape planter, an elevated ground-level, and generous window transparency. The elevated-stoop frontages (right image) is another acceptable reduced setback departure example. The combination of landscaping elements, façade transparency, low fencing, and façade materials and detailing help to create an effective transition between the public and private realm.

22C.080.340 Pedestrian friendly block-frontage standards.

(1) **Purpose.** Pedestrian friendly block-frontages (as shown in Figure 22C.080.305) allow flexibility to integrate either a storefront or a landscaped frontage in a pedestrian-friendly configuration.



(2) **Standards.** Developments or portions thereof choosing to integrate a storefront design shall conform to Active ground floor block-frontage standards set forth in MMC 22C.080.320. Other frontage designs shall meet the Landscaped block frontage standards set forth in MMC 22C.080.330, with only the following modifications in Table 22C.080.330(2) below:

Table 22C.080.340(2)
Pedestrian friendly block-frontage standards (when utilizing non-storefront designs).

The ➡ symbol refers to DEPARTURE opportunities. See 22C.080.330(3) below for special departure criteria.


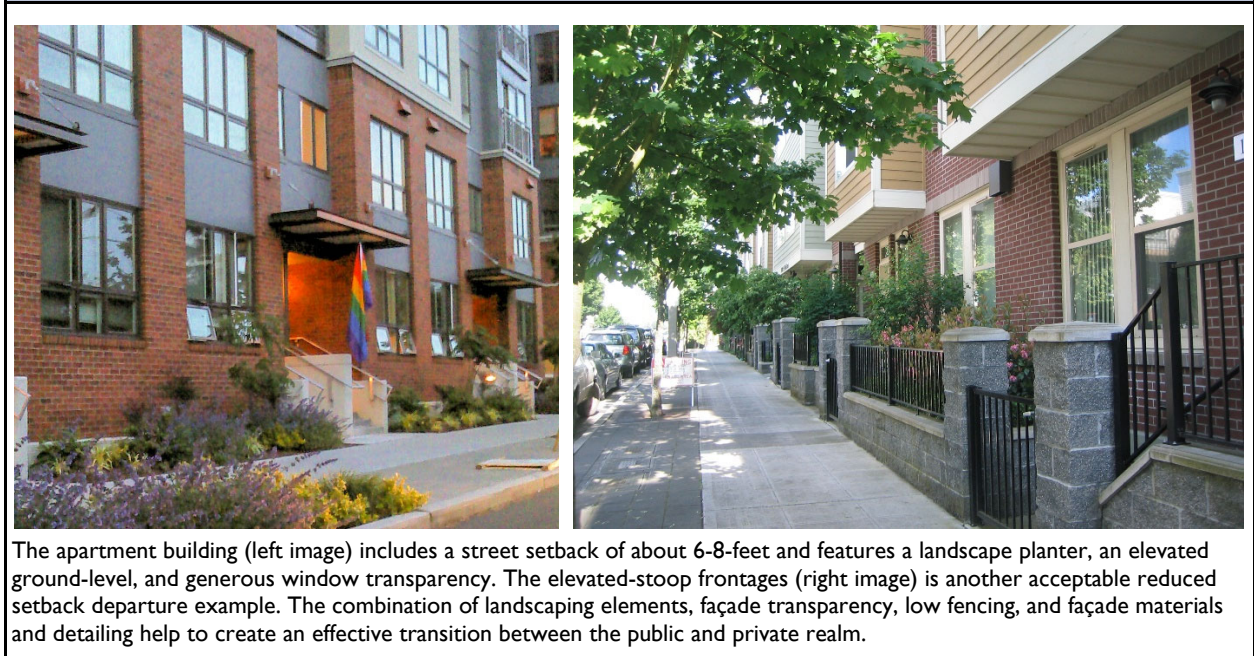
Element	Regulation	Additional Provisions & Examples
Building placement	<p>Buildings may be placed up to the sidewalk edge provided they meet Active ground floor block frontage standards in MMC 22C.080.320 (this includes standards for ground level, building placement, building entrances, façade transparency, and weather protection elements).</p> <p>The minimum setback for buildings that do not meet applicable Active ground floor block frontage standards is 10' or greater where specified for the applicable zone in MMC 22C.080.140. ➡</p>	

Table 22C.080.340(2)		
Pedestrian friendly block-frontage standards (when utilizing non-storefront designs).		
The ➞ symbol refers to DEPARTURE opportunities. See 22C.080.330(3) below for special departure criteria.		
Element	Regulation	Additional Provisions & Examples
Façade transparency (see MMC 22C.080.310)	Storefront buildings are subject to Storefront block frontage transparency standards above. For other building frontages, transparent windows shall be provided along at least 15% of the entire building façade, plus: <ul style="list-style-type: none"> • Buildings designed with ground-floor non-residential uses within 10' of sidewalk, shall feature at least 40% transparency within the transparency area. ➞ • Buildings designed with ground floor non-residential uses within 20' of sidewalk, shall feature at least 25% transparency within the transparency area. ➞ 	Landscaped frontage example meeting setback, entry, weather protection, and transparency standards.
Parking location	Parking shall be located to the side or rear of buildings. For sites with multiple buildings, no more than 50% of the block frontage shall be occupied by parking and vehicular access elements. Drive lanes between the street and building qualify as parking and vehicular access areas for the purpose of this standard. Where alleys are available, vehicular access shall be taken from the alley.	

(3) DEPARTURE criteria. Departures to the Pedestrian-friendly block-frontage standards in Table 22C.080.330(2) that feature the ➞ symbol will be considered per MMC 22C.080.030 provided the alternative proposal meets the purpose of the standards and the following criteria:

- (a) **Building placement:** Reduced setbacks (down to a minimum of eight-feet) will be considered where the ground floor is elevated a minimum average of 30-inches (required when the ground floor setback is less than ten-feet) and design treatments that create an effective transition between the public and private realm. For example, a stoop design or other similar treatments that utilize a low fence or retaining wall, and/or hedge along the sidewalk may provide an effective transition [see Figure 22C.080.340(3) for examples].
- (b) **Façade transparency:** The minimum percentage of façade transparency may be reduced by up to 50-percent if the façade design provides visual interest to the pedestrian and mitigates the impacts of blank-walls.

Figure 22C.080.340(3)
Acceptable examples of possible setback departures.



22C.080.350 Undesignated (streets with no designated block frontage).

- (1) **Purpose.** Undesignated block frontages (as shown in Figure 22C.080.305) should provide visual interest at all observable scales and meet the design objectives for the subarea.
- (2) **Applicability.** All Undesignated block frontages are subject to the standards of this section. These block frontages are provided greater flexibility with regard to the design of development frontages.

These block frontages include a combination of side streets (where most uses often front on other adjacent streets) or other streets where greater flexibility in the frontage standards is desired. While there is greater flexibility in the amount of transparency of façades, and the location of surface and structured parking, design parameters are included to ensure that landscaping and other design elements help to mitigate the potential impacts of parking lots and blank walls along these streets.

DEPARTURES will be considered pursuant to MMC 22C.080.030.

(3) Standards.

Undesignated block frontages shall comply with the standards in Table 22C.080.350(3) below.

Table 22C.080.350(3)	
Undesignated block frontage standards.	
Element	Standards
Building placement	Buildings may be placed up to the sidewalk edge within Downtown Core, Main Street, and Flex zones, provided they meet the Active ground floor block

Table 22C.080.350(3)	
Undesignated block frontage standards.	
Element	Standards
	standards in MMC 22C.080.320 (this includes standards for ground level, building placement, building entrances, façade transparency, and weather protection elements). Otherwise, buildings shall be placed at least 15' behind the sidewalk.
Building entrances	Building entrances facing the street are encouraged. At a minimum, at least one building entry visible and directly accessible from the street is required. Where buildings are setback from the street, pedestrian connections are required from the sidewalk.
Façade transparency (see MMC 22C.080.310)	Transparent windows shall be provided along at least 10% of the entire building façade, plus: <ul style="list-style-type: none"> • Buildings designed with ground-floor non-residential uses within 10' of sidewalk, shall feature at least 40% transparency within the transparency area. ☞ • Buildings designed with ground floor non-residential uses within 20' of sidewalk, shall feature at least 25% transparency within the transparency area. ☞ DEPARTURE standards and criteria: The minimum percentage of façade transparency may be reduced by up to 50-percent if the façade design provides visual interest to the pedestrian and mitigates the impacts of blank-walls.
Weather protection	At least 3' deep over primary business and residential entries and at least 5' deep for shared entries for office and multifamily buildings.
Parking location and vehicle access	There are no parking lot location restrictions, except for required landscaping buffers in Chapter 22C.120 MMC.
Landscaping	<ul style="list-style-type: none"> • The area between the street and any non-storefront building shall be landscaped and/or private porch or patio space. • See Chapter 22C.120 MMC for other landscaping standards.

22C.080.355 Woonerf and Landscaped Passageway frontage standards.

- (1) Applicability.** These standards apply to those block frontages along through-block connections designed with Woonerf and Landscaped Passageway designs as set forth in MMC 22C.080.220. Exception: Those through-block connections with other applied block frontage designations.
- (2) Purpose.** Woonerf and Landscaped Passageway frontage standards provide eyes-on-the-pathway to create a safe and welcoming through-block connection while preserving the privacy of any adjacent ground-level residential units.
- (3) Standards.**
- (a) Building elevations facing a Woonerf or Landscaped Passageway through-block connection shall feature at least ten-percent window transparency. ☞
 - (b) Where ground-level residential uses are within five-feet of a shared-lane or pathway, at least one of the following design features shall be integrated to enhance the safety and privacy of adjacent residential units:

- (i) Windows shall be placed at least six vertical-feet above the access corridor.
 - (ii) A combination of landscaping, planter walls, and/or elevated ground floor (at least one-foot above access corridor grade) that meet the purpose of the standards.
- (c) Where non-residential ground-level uses abut an access corridor, at least 25-percent of the applicable building-elevation between four and eight-feet above the ground-floor surface elevation shall be transparent. ➡
- (d) Weather protection at least three-feet deep shall be provided over individual residential and commercial tenant entries and at least five-feet deep for shared residential and professional office entries facing the subject through-block connection. Exception: For residential uses, weather protection is required only for the unit's primary entrance.

Figure 22C.080.355

Woonerf and Landscaped Passageway frontage design examples.



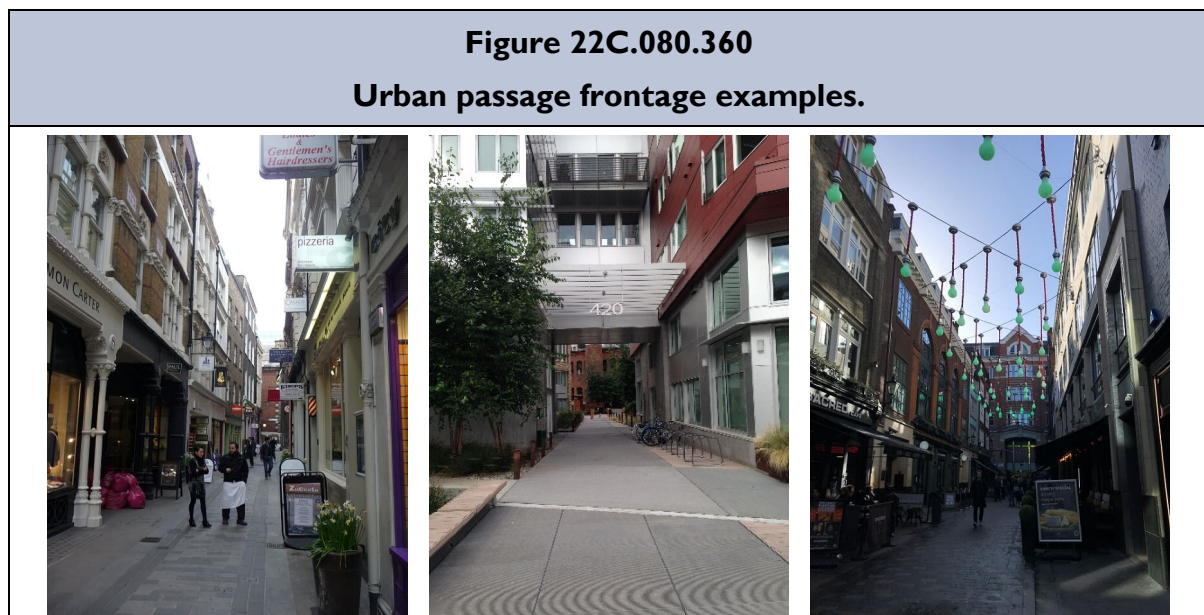
22C.080.360 Urban Passage frontage standards.

(1) **Applicability.** These standards apply to those block frontages along through-block connections designed with Urban Passage designs.

(2) **Purpose.** To promote the development of pedestrian-friendly passages lined with active uses.

(3) **Standards.**

- (a) Dwelling units and surface/ground-level parking directly adjacent to an Urban Passage are prohibited (lobbies and common/amenity areas, however, are allowed).
- (b) Ground level building elevations facing an Urban Passage through-block connection shall feature at least 40-percent window transparency (applied to storefront transparency area per MMC 22C.080.310). ↻
- (c) Weather protection at least three-feet deep shall be provided over individual commercial tenant entries and at least five-feet deep for shared residential and professional office entries facing the subject through-block connection. Recessed entries are encouraged.



22C.080.370 Where properties front onto multiple streets.

Where a property fronts onto more than one street, each building frontage shall comply with the standards for the block-frontage upon which it fronts, with the following clarifications:

- (1) Where a conflict exists between frontage standards, the Director will apply the standards of a block-frontage pursuant to the following order of preference:
 - (a) Active ground floor;
 - (b) Pedestrian-friendly;
 - (c) Landscaped; then
 - (d) Undesignated.

Subsections (2-3) below clarify how the order of preference works for particular frontage elements.

- (2) Entrances:** For corner sites, entrances on both streets are encouraged, but only one entrance is required. For corner sites with frontage on a Primary block-frontage on one side, an entrance shall be placed on the Primary block-frontage side or facing the corner. For corner sites with a mix of designations that do not include a Primary block-frontage, the entry shall be placed on the order of preference identified above.

DEPARTURES may be considered provided the location and design of the entry and block-frontage treatments are compatible with the character of the area and enhance the character of the street.

- (3) Transparency:** For corner-sites, at least one block-frontage shall meet the applicable transparency standards (based on the order of preference above. For the second block-frontage, the Director may approve a reduction in the minimum amount of transparency by 50-percent. For street corners with the same designations on both frontages, buildings shall employ the full transparency on the dominant frontage (based on the frontage width or established neighborhood pattern).

22C.080.380 High-visibility street corners.

- (1) Description/purpose.** The high-visibility street-corner requirements apply to those sites designated as such on Figure 22C.080.305. The purpose is to accentuate designated street-corners with high visibility to the public.
- (2) Standards.** At least one of the following special features shall be included [Figure 22C.080.380(2)] below illustrates acceptable examples]:
- Corner plaza.
 - Cropped building corner with a special entry feature.
 - Decorative use of building materials at the corner.
 - Distinctive façade massing or articulation.
 - Sculptural architectural element.
 - Other decorative elements that meet the purpose of the standards.

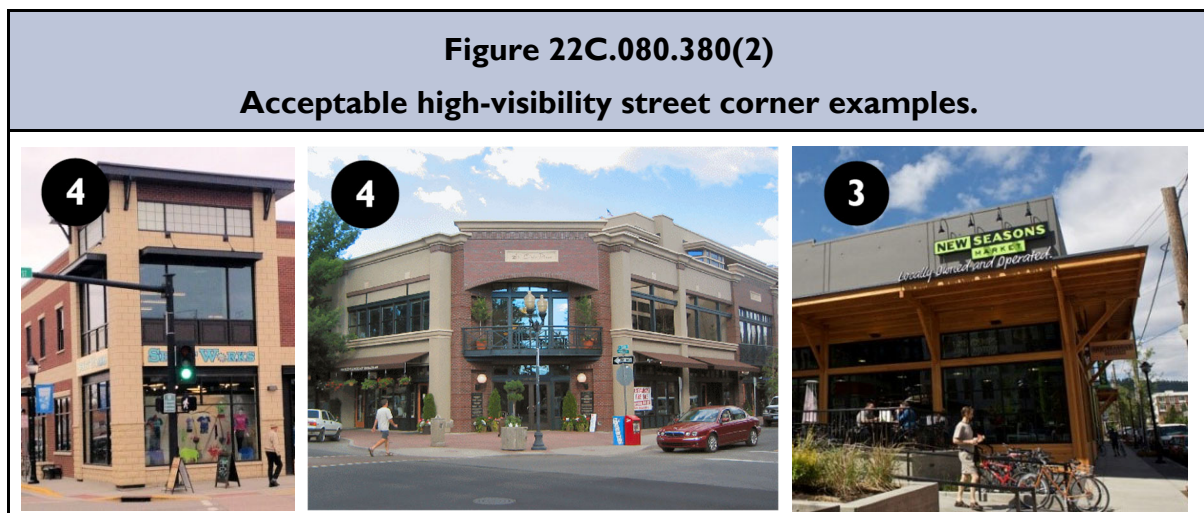


Figure 22C.080.380(2)
Acceptable high-visibility street corner examples.



The circled number or numbers on each image correspond to the numbered list of design features above.

ARTICLE 5 DESIGN STANDARDS – SITE PLANNING

Sections:

- 22C.080.400 Purpose.
- 22C.080.410 Side and rear-yard setbacks.
- 22C.080.420 On-site open space and recreation space.
- 22C.080.430 Pedestrian-oriented spaces
- 22C.080.440 Internal pedestrian access and design.
- 22C.080.450 Service areas and mechanical equipment.
- 22C.080.460 Site lighting.

22C.080.400 Purpose.

The purpose of Article 5 is to:

- (1) To promote thoughtful layout of buildings, parking areas, and circulation, service, landscaping, and amenity elements.
- (2) Enhance downtown Marysville’s visual character.
- (3) Promote compatibility between developments and uses.
- (4) To integrate usable open space into new developments.
- (5) Enhance the function and resilience of developments.

22C.080.410 Side and rear-yard setbacks.

(1) Purpose.

- (a) To promote the functional and visual compatibility between developments, particularly between zones of different intensity.
- (b) To protect the privacy of residents on adjacent properties.

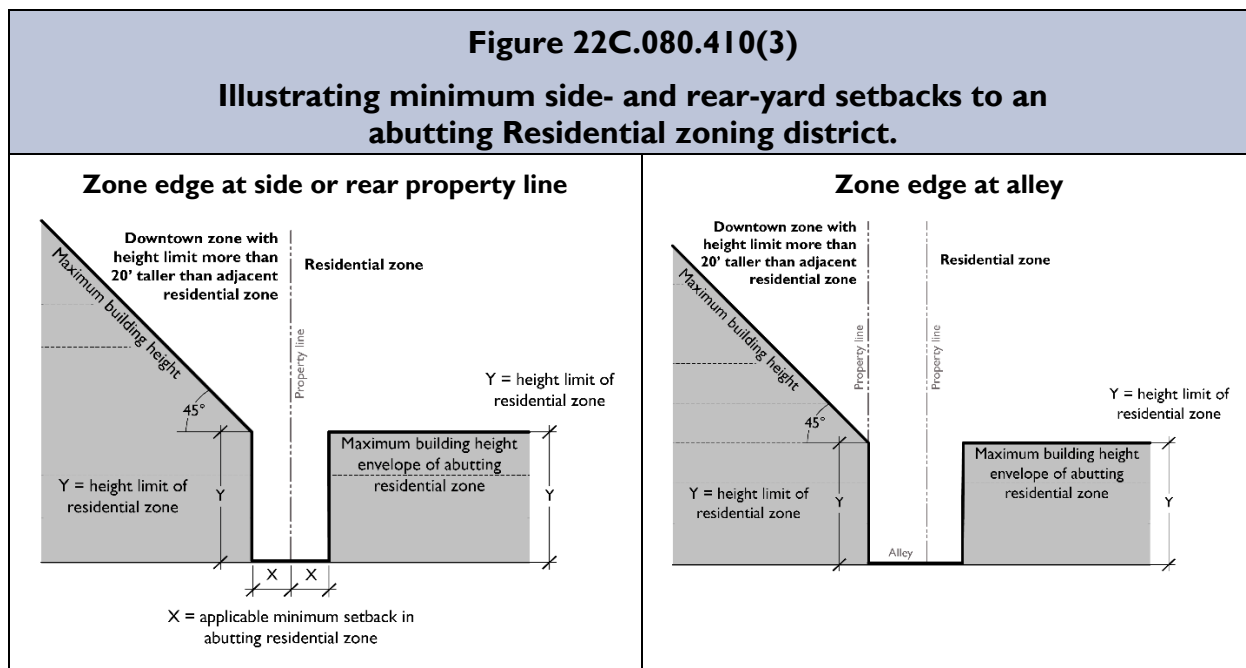
(2) Side and rear setback standards. Table 22C.080.140 sets forth a range of minimum side and rear-yard setbacks in all subarea zones between 0-15-feet. The provisions below clarify specific setback requirements:

- (a) Zero side and rear-yard setbacks are allowed where developments integrated window-less firewalls that meet the design provisions of MMC 22C.080.540(4).

Table 22C.080.410(2) Minimum side- and rear-yard setbacks in the subarea.	
Context	Min. Setback
For buildings adjacent to alleys and window-less firewalls. All firewalls shall meet the design provisions of MMC 22C.080.540(4) .	0'
When required per subsection (4) below for light and air access and privacy alongside and rear property lines.	15'
All other contexts (other than the two situations noted above).	5'

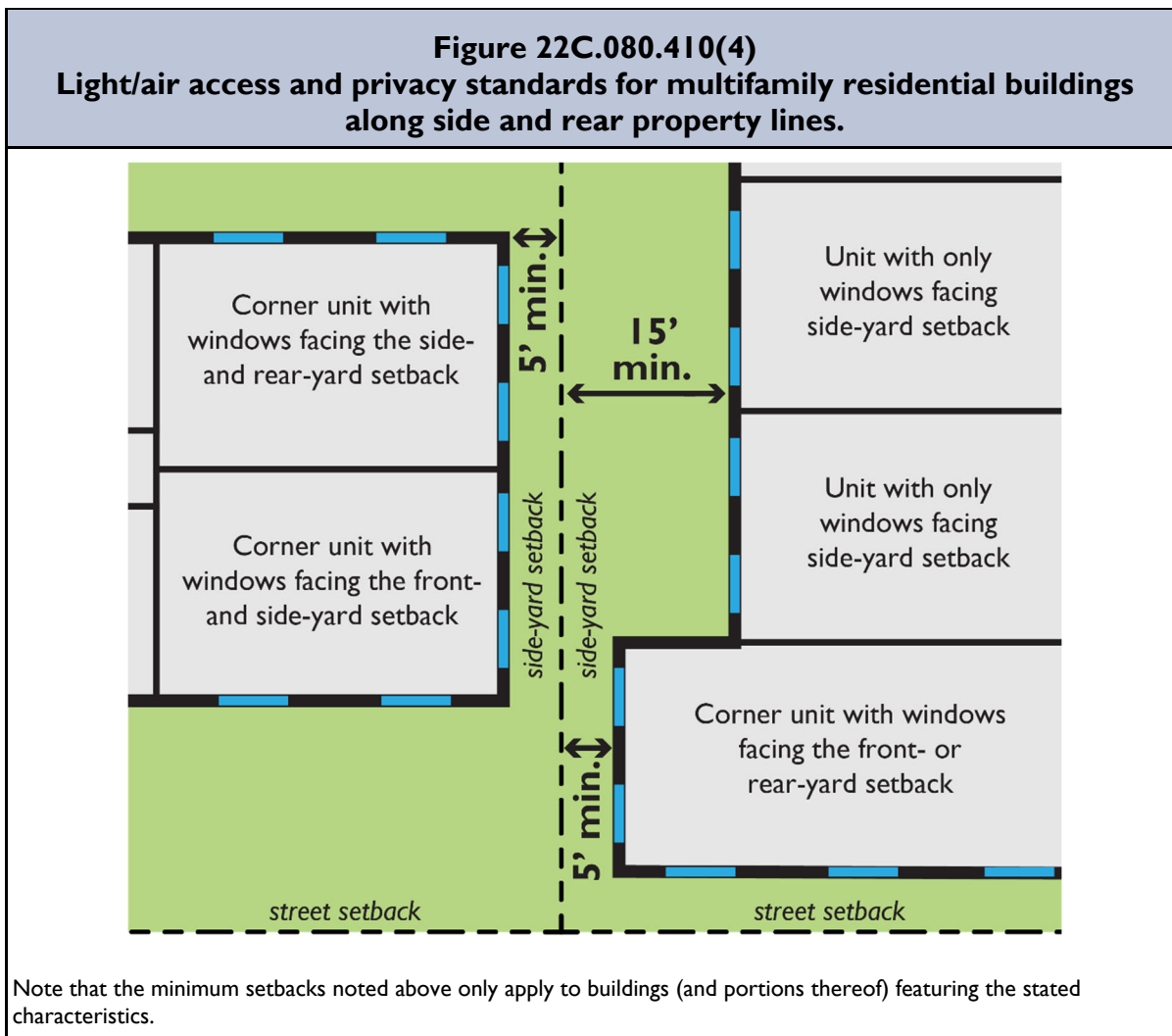
(3) Special setback/building height standards for sites abutting residential zones. For sites directly abutting or across an alley from a residential zoning district with a height limit that is at least 20 feet less than the subject zone, the following standards apply:

- (a) Setbacks. A minimum 15-foot building setback is required to applicable residential zones. Where the zone edge occurs on an alley right-of-way, no setback is required.
- (b) Building height restrictions. From the required setback, the maximum allowable building height increases at a 45-degree angle inward from the maximum height limit of the adjacent residential zone up to the maximum height of the applicable zone.



(4) Light and air access and privacy near interior side and rear property lines. Buildings or portions thereof containing multifamily dwelling units whose only solar access (windows) is from the applicable side or rear of the building (facing towards the side or rear property line) shall be set back from the applicable side or rear property lines at least 15-feet. See Figure 22C.080.410(4). For building elevations taller than four-stories, floors above the fourth-floor shall be setback at least 20-feet from the applicable side or rear property lines. Note: These standards do not apply to side or rear property lines where adjacent to a street, access corridor, or easement where no building may be developed.

DEPARTURES will be allowed where it is determined that the proposed design will not create a compatibility problem in the near and long-term based on the unique site context.



22C.080.420 On-site open space and recreation space.

(1) Purpose.

- (a) To create usable open space that is suitable for leisure or recreational activities for residents.
- (b) To create open space that contributes to the residential setting.

(2) Applicability. Residential open space meeting the standards of this section is required for all new:

- (a) Multifamily development
- (b) Mixed-use development with residential units.
- (c) Senior housing and other age-restricted facilities.

(3) Amount required. Applicable developments shall be required to provide residential open space equal to a minimum of:

- (a) 100 square feet per dwelling unit for studio and one-bedroom dwellings.
- (b) 150 square feet per dwelling unit for dwellings with two or more bedrooms.

(4) Types.

- (a) The following table illustrates the types of residential open spaces that may be used to meet the requirements in subsections (2-3) above.

Table 22C.080.420 Residential open space types.		
Residential open space type	Percentage of required open space	Cross-reference to applicable design standards
Common internal open space	Up to 100%	22C.080.420(5)(a)
Common rooftop decks	Up to 50%	22C.080.420(5)(b)
Private ground level open space (applicable only to adjacent dwelling units)	Up to 100%	22C.080.420(5)(c)
Private balconies	Up to 25%	22C.080.420(5)(d)
Shared indoor recreation areas	Up to 25%	22C.080.420(5)(e)
Children's play areas	Required for developments with greater than 50 units	22C.080.420(5)(f)

- (b) Large multi-phase developments under single ownership. Each phase of development shall meet the minimum residential open space requirements herein. Developments have the option to integrate a surplus of usable on-site open space in early phases and apply the surplus space towards meeting the requirements for subsequent phases, provided all applicable standards are met.

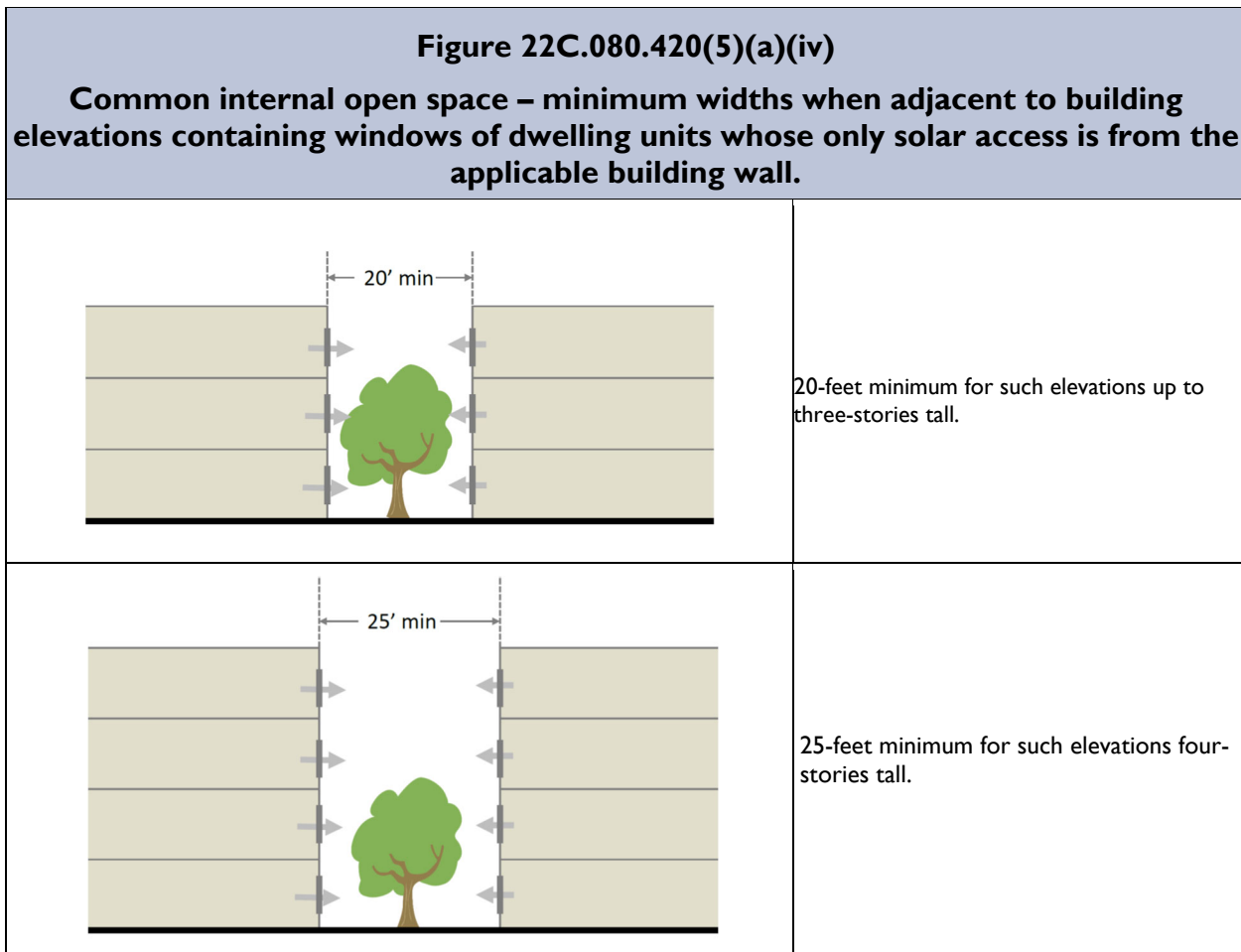
(5) Residential open space design standards.

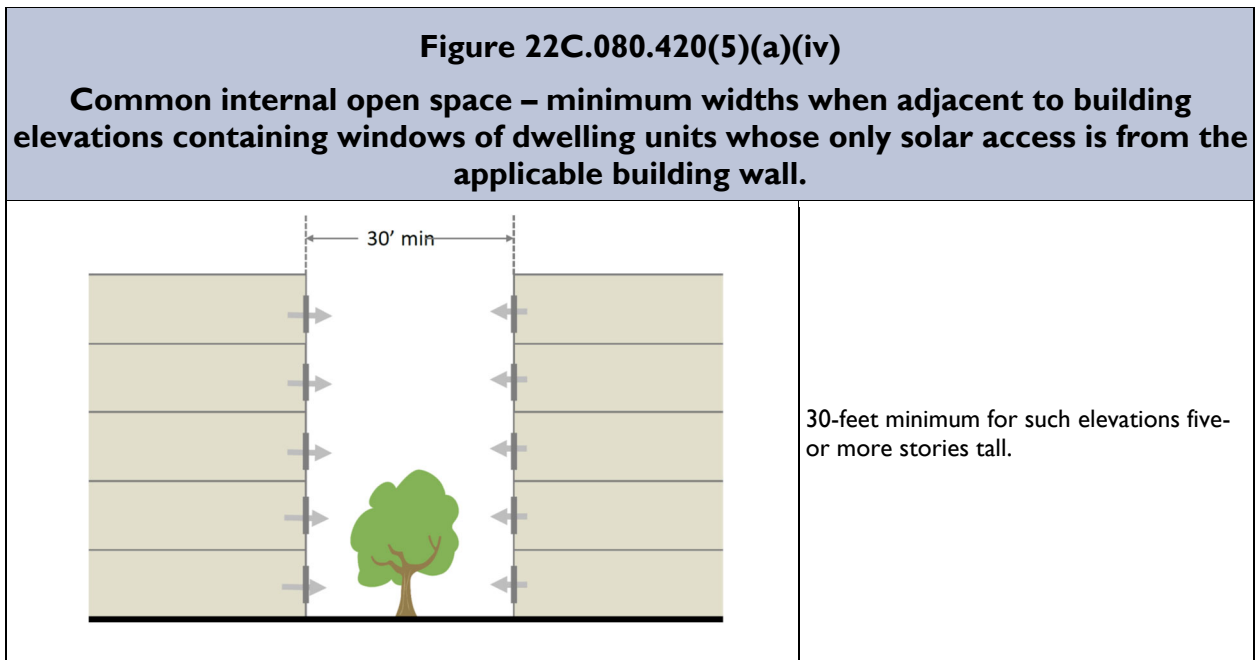
- (a) Common internal open space. Common internal open space refers to spaces that are internal to a development and accessible to all tenants of a development, but may not be accessible to the general public. Exception: For mixed-use buildings with commercial and residential uses, the common internal open spaces only need to be accessible to all dwelling units within the building. Common internal open spaces can include landscaped courtyards or decks, terraces, entrance

plazas, gardens with pathways, children’s play areas, pools, and water features. Accessible areas with native vegetation and areas used for storm water retention, infiltration, or other multipurpose recreational and/or green spaces that meet the design criteria herein may qualify as common internal open space.

Common internal open space design standards.

- (i) The space shall be accessible to all residents of the development.
- (ii) Common internal open space shall be located in accessible areas that are visible from one or more units within the development.
- (iii) Required setback areas shall not count as common internal open space unless the design of the space meets the standards herein.
- (iv) Common internal open space shall feature no dimension less than 15 feet in order to provide functional leisure or recreational activity (unless otherwise noted herein). Wider minimum dimensions are required perpendicular to building elevations containing windows of dwelling units whose only solar access is from the applicable building wall. Specifically:
 - (A) 20-foot minimum dimension for such elevations up to three-stories tall.
 - (B) 25-foot minimum dimension for such elevations four-stories tall.
 - (C) 30-foot minimum dimension for such elevations five or more stories tall.





- (v) Common internal open space shall feature paths or walkable lawns, landscaping, seating, lighting, and play structures, sports courts, or other pedestrian amenities to make the area more functional and enjoyable for a range of users.
- (vi) Common internal open space shall be separated from ground level windows, streets, service areas and parking lots with landscaping, fencing, and/or other acceptable treatments that enhance safety and privacy for both the common internal open space and dwelling units.
- (vii) When possible, the space should be oriented to receive sunlight, face east, west or preferably south.
- (viii) Stairways and service elements located within or on the edge of common internal open space shall not be included in the open space calculations.
- (ix) Shared porches may qualify as common internal open space provided they are at least eight feet in depth and 96 square feet in total area.
- (x) Stormwater management elements and LID BMPs, like rain gardens, may be integrated into the design of the space and may occupy up to 25-percent of the minimum required space. Where multiple common internal open spaces are included within a development, this standard applies to all such space combined, to allow flexibility in the design of individual spaces.
- (xi) Any children's play areas integrated as a part of a common internal open space shall meet the standards of subsection (5)(f) below.

Figure 22C.080.420(5)(a)(xii)
Common internal outdoor open space examples.

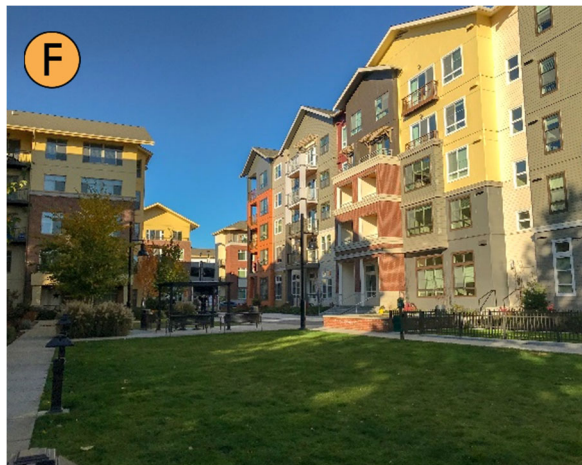
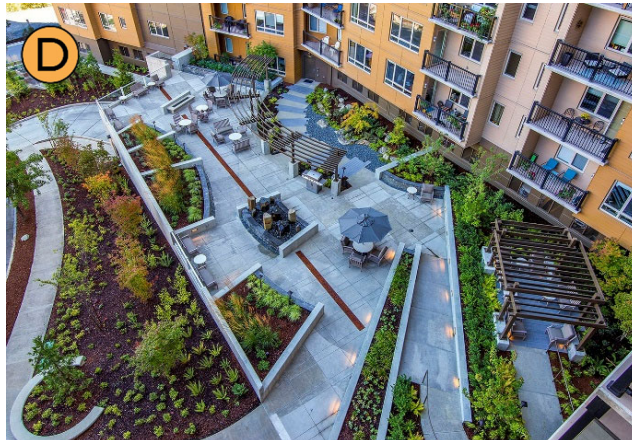
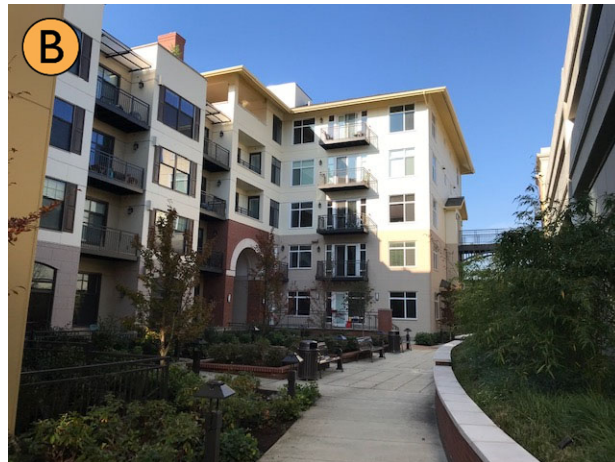


Image A includes a combination of open lawn area for informal recreation plus pathways and decorative landscape areas to enhance the setting for residents. Image B is a courtyard with includes pathways, seating areas, landscaped beds, and semi-private spaces for adjacent ground level units. Image C includes a covered gathering space with outdoor grills adjacent to a landscaped commons with a central pathway. Image D includes a landscaped plaza with multiple seating areas and an outdoor fireplace. Courtyards with shared pools as in Image E are acceptable. Image F below includes a common green area and separate fenced off-leash dog area.

(b) Common rooftop decks. Such spaces are a type of common internal open space located on the top of buildings or intermediate levels (e.g. upper floor building facade step-back areas) and are available to all residents. Examples of amenities include cooking and dining areas, seating areas, gardening areas, water features, and pet play areas. Design standards:

- (i) The space shall be accessible to all residents of the development. Rooftop decks in mixed-use buildings shall not be accessible to commercial tenants, employees, or customers (separate rooftop decks for commercial use are allowed but do not count as a residential open space).
- (ii) Space shall feature hard surfacing and provide amenities such as weather protection elements, gas firepits, seating areas, and other features that encourage year-round use.
- (iii) Space shall integrate landscaping elements that enhance the character of the space and encourage its use.
- (iv) Space shall incorporate features that provide for the safety of residents, such as enclosures, railings, and appropriate lighting levels.
- (v) Space shall feature no dimension less than 15 feet in order to provide functional leisure or recreational activity (unless otherwise noted herein).
- (vi) When possible, the space should be oriented to receive sunlight, face east, west or preferably south.
- (vii) Stairways and service elements located within or on the edge of common rooftop decks shall not be included in the open space calculations.
- (viii) Any children's play areas integrated as a part of a common rooftop deck shall meet the standards of subsection (5)(f) below.

Figure 22C.080.420(5)(b)
Common rooftop deck examples.



(c) Private ground level open space. This space is adjacent and directly accessible to the subject unit. Examples include yards, stoops, and porches. Design standards:

- (i) Such open spaces shall be enclosed by a fence and/or hedge at least 32 inches in height to qualify, but no higher than 42 inches when adjacent to a street, through-block connection, or publicly accessible area such as a public park or plaza.

- (ii) Private unenclosed covered porches that face a street or a publicly accessible common area may qualify as open space provided they are at least 54-square-feet in area, with no dimension less than six-feet.
- (iii) Ground level private open space in excess of minimum requirements in subsection (ii) above shall not be used in the calculations for determining the minimum useable open space requirements for other units in the development per subsection (3) above.

Figure 22C.080.420(5)(c)

Private ground level outdoor space examples.



(d) Private balconies. This space is adjacent and directly accessible to the subject unit. Design standards for private balconies are the following:

- (i) Private balconies in mixed use or multi-family developments should be at least partially recessed into the building façade, when provided, and integrated into the building design to provide protection from the weather.
- (ii) Balconies shall be at least 36 square feet in area with no dimension less than six feet to qualify as open space.
- (iii) Individual balconies in excess of minimum requirements in the preceding subsection (ii) shall not be used in the calculations for determining the minimum useable open space requirements for other units in the development per subsection (3) above.

Figure 18.31.420(5)(d)
Private balcony examples.



(e) Common indoor recreation areas. Examples include multi-purpose entertainment space, fitness center, movie theatre, kitchen, library, workshop, conference room, or similar amenities that promote shared use and a sense of community. Design standards for common indoor recreation areas are the following:

- (i) The space shall be accessible to all residents of the development.
- (ii) The space shall be located in a visible area, such as near an entrance, lobby, elevator bank, or high traffic corridors.
- (iii) Space shall be designed specifically to serve interior recreational functions and not merely be leftover unrentable space used to meet the open space requirement. Such space shall include amenities and design elements that will encourage use by residents.
- (iv) Common indoor recreation areas may qualify as private internal common area provided they are at least 250 square feet in area.

Figure 22C.080.420(5)(e)
Common indoor recreation area examples.



- (f) Children's play areas.** Any children's play areas integrated as a part of a publicly accessible or common internal open space shall meet all the following (in addition to the design criteria listed above):
- (i) Required children's play areas shall be at least 400 square feet.
 - (ii) Measures necessary to protect children's safety from vehicular traffic shall be included, such as low fencing or landscaping to provide a physical barrier around the perimeter.
 - (iii) Shade and rest areas for supervision shall be provided through the use of deciduous landscaping, architectural elements, or other means.
 - (iv) Natural, creative play elements should be provided. For instance, ground slides from one level to another, tricycle tracks, swings hung from arbors or trees, paths that meander and are of varying materials and widths, water that can be manipulated, outdoor rooms made from landscape or rocks, and berms and hills.
 - (v) Play areas shall be designed for a variety of ages, activities, and motor skills.
 - (vi) Play areas shall be located in areas that are highly visible to residents.

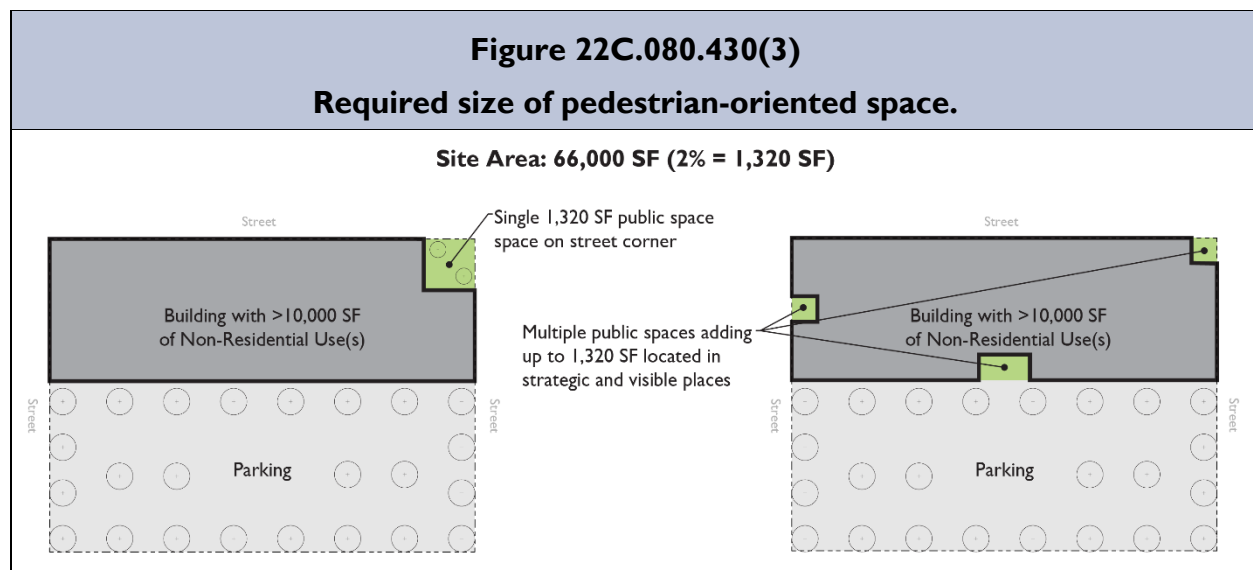
22C.080.430 Pedestrian-oriented spaces.

(1) Purpose.

- (a) To require the thoughtful integration of pedestrian-oriented spaces into commercial and mixed-use developments.
- (b) To enhance the design character and livability of downtown by creating vibrant spaces that accommodate active and passive activities, such as dining, resting, people watching, and recreational activities.

(2) Applicability. The standards herein apply to developments in the downtown core zone for sites containing buildings with at least 10,000 square feet of non-residential floor area.

(3) Required size of space. Provide pedestrian-oriented space equal to at least two-percent of the development site and meeting the design requirements of subsections (4) and/or (5) below. The required area may be consolidated in a single space or multiple spaces.



(4) Pedestrian-oriented space design standards.

(a) Required features.

- (i) The space shall abut a public sidewalk or other major internal pedestrian route and be designed to function as a focal point and gathering spot.
- (ii) The space shall be ADA compliant and generally level with the adjacent sidewalk or internal pedestrian route. Steps, ramps and grade changes may be acceptable provided the outdoor space is designed to be visually and physically accessible from the adjacent sidewalk or internal pedestrian route and the space meets all other standards herein.
- (iii) The space shall feature no dimension less than 15-feet in order to provide functional leisure or recreational activity. Exception: Portions of sidewalk area widened beyond minimum standards may qualify as pedestrian-oriented space provided storefronts abut the sidewalk.
- (iv) The space shall be publicly accessible from 6AM to 10PM.
- (v) Large spaces (>5,000 square feet) shall be designed to be multi-functional to accommodate a variety of uses and activities.

- (vi) The space shall be framed on at least two sides by buildings that are oriented towards the space (via entries and generous façade transparency). Exception: Widened sidewalks that qualify as pedestrian-oriented space as set forth in subsection (iii) above only need to be framed on one side (by a storefront). Departures will be considered for unique configurations or designs that meet the purpose of the standards.
 - (vii) Paved walking surfaces of either concrete or approved unit paving are required. Form-in-place pervious concrete paving is allowed. Gravel surface areas may be allowed for special seating areas.
 - (viii) Except for natural areas or stormwater infrastructure that contribute to the pedestrian environment, pedestrian amenities shall be integrated into the space. Examples include site furniture, artwork, drinking fountains, shade structures kiosks, or other similar features that complement the space and encourage use of the space by a variety of users.
 - (ix) Lighting is required and integral to the design of the space for (1) safety and security, (2) intended activities or events, and (3) creating a distinct and inviting atmosphere. Lighting shall conform to MMC 22C.080.460.
 - (x) Except for natural areas or stormwater infrastructure that contribute to the pedestrian environment [see subsection (xv) below], at least one individual seat per 30-square-foot of plaza area or open space is required. At least 50-percent of the required seating shall be built-in seating elements, while provisions for moveable seating may be used for the remaining percentage. Two-feet of seating area on a bench or ledge at least 16-inches deep at an appropriate seating height qualifies as an individual seat. Reductions of up to 50-percent will be allowed for the integration of specialized open spaces that meet the purpose of standards herein.
 - (xi) Landscaping components that add visual interest and do not act as a visual barrier. This could include trees, planting beds, raised planters, and/or potted plants, or both.
 - (xii) Permanent weather protection along at least 50-percent of building edges (associated with non-residential uses) at least six feet deep with horizontal clearance between eight and 15-feet.
 - (xiii) The space shall be proportional to the intended function and adjacent uses. For example, such spaces should not look or feel empty, barren, or too big when not in use.
 - (xiv) The space shall include design elements that appeal to the senses. Examples include the sound of water, the smell of plants, and/or the heat of fire. Sensory experiences may vary with the season, with water being present in the summer and a fire lit in the winter.
 - (xv) Stormwater management elements and LID BMPs, like rain gardens, may be integrated into the design of the space and may occupy up to 25-percent of the required space. Where multiple publicly accessible open spaces are included within a development, this standard applies to all such space combined, to allow flexibility in the design of individual spaces.
 - (xvi) Rules of conduct similar to those for public parks may be posted.
- (b) Prohibited features.
- (i) Large expanses of uninterrupted paving or paving without pattern.
 - (ii) Service and utility areas or venting of mechanical systems.
 - (iii) Long, narrow space with limited access.

- (iv) Space providing vehicular access. Exception: Woonerf style shared access lanes may be allowed (counted at 50-percent discount) provided through traffic is minimal and the design of access feature is well-integrated into the design of the larger space.
- (v) Asphalt paving.
- (vi) Adjacent chain-link fences.
- (vii) Adjacent “blank walls” without “blank wall treatment” (MMC 22C.080.540).
- (viii) Outdoor storage.

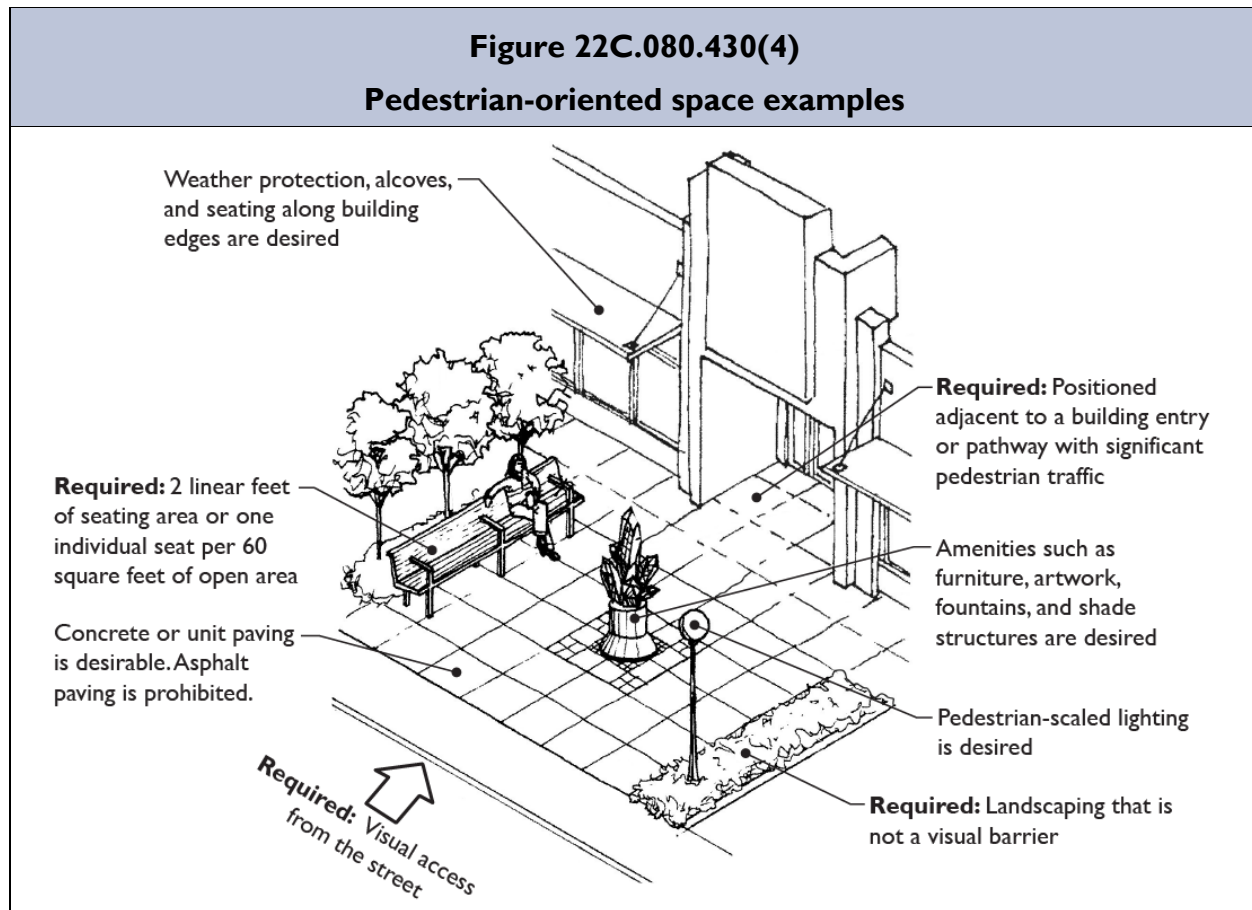


Figure 22C.080.430(4)
Pedestrian-oriented space examples



22C.080.440 Internal pedestrian access and design.

(1) Purpose.

- (a) To improve the pedestrian and bicycling environment by making it easier, safer, and more comfortable to walk or ride among businesses, residences, to streets and sidewalks, to transit stops, and connections throughout the city.
- (b) To enhance access to on- and off-site open space areas and pedestrian/bicycle paths.

(2) Access to sidewalk. All buildings shall feature pedestrian connections to a sidewalk per applicable block-frontage standards in Article 4 of this chapter.

(3) Internal circulation.

- (a) For sites with multiple buildings, pedestrian paths connecting businesses and residential entries on the same development site shall be provided. Routes that minimize walking distances shall be utilized to the extent practical.
- (b) Sites with residential units. Provide direct pedestrian access between all ground related unit entries and a public street or to a clearly marked pathway network or open space that has direct access to a public street. Residential developments shall provide a pedestrian circulation network that connects all main entrances on the site to other areas of the site, such as:
 - (i) Parking areas.
 - (ii) Recreational areas.
 - (iii) Common outdoor spaces.
 - (iv) Any pedestrian amenities.

For townhouses or other residential units fronting the street, the sidewalk may be used to meet this standard.

22C.080.450 Service areas and mechanical equipment.

(1) Purpose.

- (a) To minimize adverse visual, odor, and noise impacts of mechanical equipment, utility cabinets and service areas at ground and roof levels.
- (b) To provide adequate, durable, well-maintained, and accessible service and equipment areas.
- (c) To protect residential uses and adjacent properties from impacts due to location and utilization of service areas.

(2) Location of ground related service areas and mechanical equipment.

Service areas (loading docks, trash dumpsters, compactors, recycling areas, electrical panels, and mechanical equipment areas) shall be located for convenient service access while avoiding negative visual, auditory, olfactory, or physical impacts on the streetscape environment, pedestrian-oriented spaces, uses within the development, and adjacent residentially zoned properties. Specifically:

- (a) Dumpsters shall be set back a minimum of five feet from side property lines, 10 feet from rear property lines (except when an alley is present) and 10 feet from front property lines; or be located to minimize visibility from any street, pedestrian walkway, or public park. Where the Director finds that the only option for locating a service area is an area visible from a street, internal pathway or pedestrian area, or from an adjacent property, the area shall be screened with structural and landscaping screening measures provided in subsection (3) below.
- (b) Dumpster storage areas shall be sized to accommodate the minimum dumpster sizes and necessary access (as required by the applicable utility provider) for garbage, recycling, and composting.

(3) Screening of ground related service areas and mechanical equipment. Service elements are encouraged to be integrated within the structure. Where they are not provided within the structure, the following standards apply:

- (a) Where screening of ground-level service areas is required, the following applies:
 - (i) A structural enclosure shall be constructed of masonry, architectural concrete, heavy-gauge metal, or decay-resistant material that is also used with the architecture of the main building. The Director may allow materials other than those used for the main building if the finishes are similar in color and texture or if the proposed enclosure materials are more durable than those for the main structure. The walls shall be sufficient to provide full screening from the affected roadway, pedestrian areas or adjacent use. The enclosure may use overlapping walls to screen dumpsters and other materials.
 - (ii) Gates shall be made of heavy-gauge, site-obscuring material. Chain link or chain link with slats is not an acceptable material for enclosures or gates.
 - (iii) Where the interior of a service enclosures is visible from surrounding buildings, an opaque or semi-opaque horizontal cover or screen shall be used to mitigate unsightly views. The horizontal screen/cover should be integrated into the enclosure design (in terms of materials and/or design). See Figure 22C.080.440(3) for examples.
 - (iv) Collection points shall be located and configured so that the enclosure gate swing does not obstruct pedestrian or vehicle vehicular traffic, or does not require that a hauling truck project into any public right-of-way. Ensure that screening elements allow for efficient service delivery and removal operations.
 - (v) The service area shall be paved.

Figure 22C.080.450(3)

Service enclosure screening examples

Both enclosures include screening features on all sides, including above. Landscaping elements on the sides of the enclosures also help to mitigate the visual impacts.



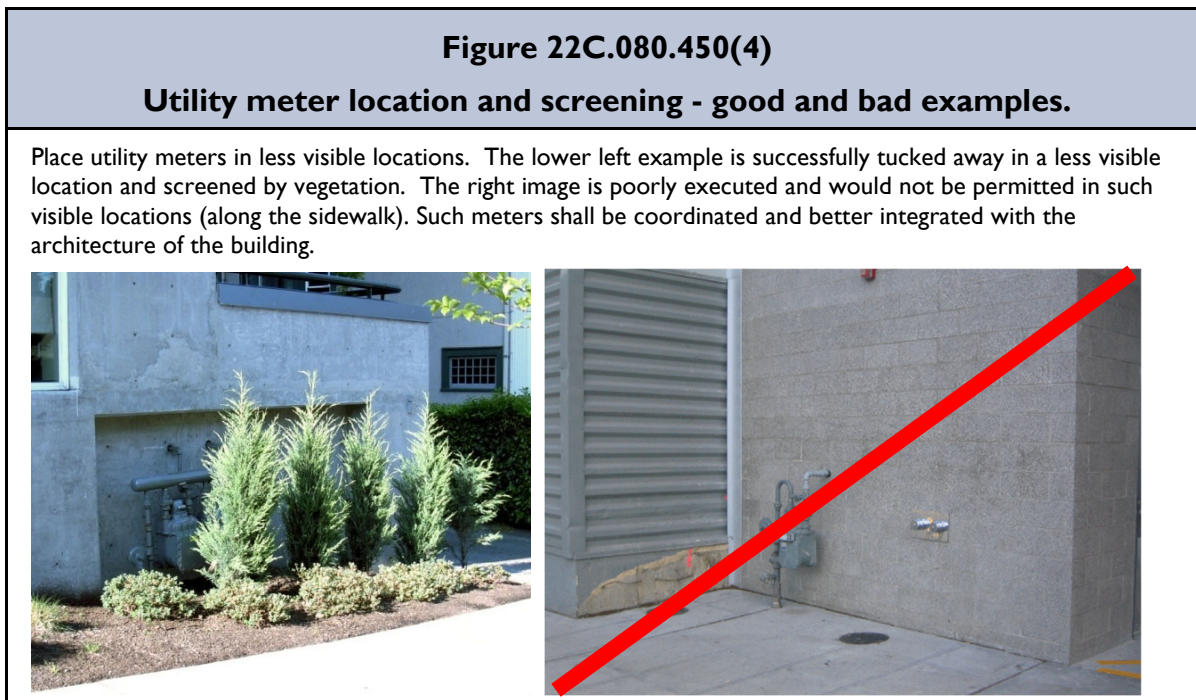
- (b) The sides and rear of service enclosures shall be screened with landscaping at least five-feet wide in locations visible from the street, parking lots, and pathways to soften views of the screening element and add visual interest.

DEPARTURES to the provisions of subsections (a-b) above will be considered provided the enclosure and landscaping treatment meet the purpose of the standards and add visual interest to site users.

- (c) Where loading docks are sited along block frontages (only allowed when no other reasonable options are available as determined by the Director), they shall be designed to minimize impacts on the pedestrian environment. Standards:
- (i) Configure loading docks/bays to minimize their frontage length along blocks.
 - (ii) Integrate architectural and/or landscaping design features to screen loading dock elements and add visual interest to pedestrians along adjacent sidewalks. See blank wall treatment provisions of MMC 22C.080.540 for standards and examples.

(4) Utility meters, electrical conduit, and other service utility apparatus.

These elements shall be located and/or designed to minimize their visibility to the public. Project designers are strongly encouraged to coordinate with applicable service providers early in the design process to determine the best approach in meeting these standards. If such elements are mounted in a location visible from the street, pedestrian pathway, shared open space, adjacent use, or shared auto courtyards, they shall be screened with vegetation and/or integrated into the building's architecture.



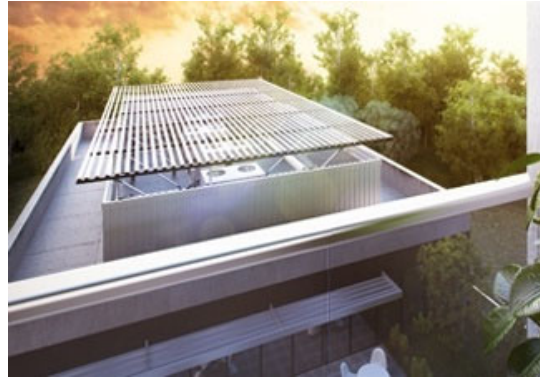
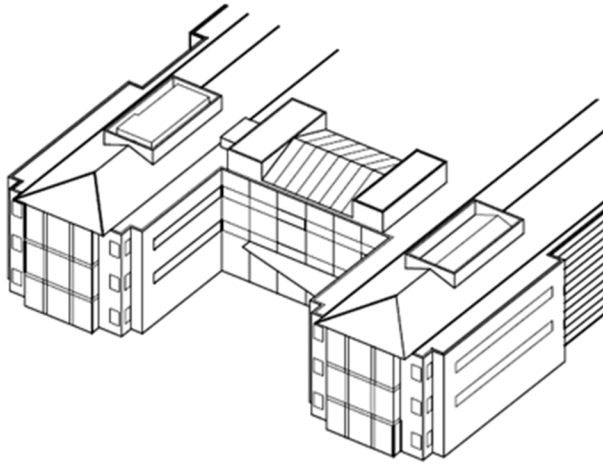
(5) Location and screening of roof mounted mechanical equipment.

- (a) All rooftop mechanical equipment, including air conditioners, heaters, vents, and similar equipment shall be effectively integrated (from design standpoint) or screened from public view both at grade and from nearby higher buildings with the exception of solar panels and roof-mounted wind turbines. Screening shall be located so as not to interfere with operation of the equipment.
- (b) Rooftop mechanical equipment and associated screening features shall be setback from the exterior building walls by at least ten-feet. Exceptions may be made where the screening element is designed to help meet one or more building design standards in Article 6 of this chapter.
- (c) For rooftop equipment, all screening devices shall be well integrated into the architectural design through such elements as parapet walls, false roofs, roof wells, clerestories, or equipment rooms. Screening walls or unit-mounted screening is allowed but less desirable. Wood shall not be used for screens or enclosures. Louvered designs are acceptable if consistent with building design style. Perforated metal is not permitted.
- (d) The screening materials shall be of material requiring minimal maintenance and shall be as high as the equipment being screened.

- (e) Locate and/or shield noise producing mechanical equipment such as fans, heat pumps, etc. to minimize sounds and reduce impacts to not at property lines adjacent properties.

Figure 22C.080.450(5)

Examples of how to screen roof-mounted mechanical equipment.



The left illustration shows how rooftop mechanical equipment can be located and screened effectively. The right images shows effective location and screening, including side walls and a trellis to screen views from taller surrounding buildings.

22C.080.460 Site lighting.

(1) Purpose.

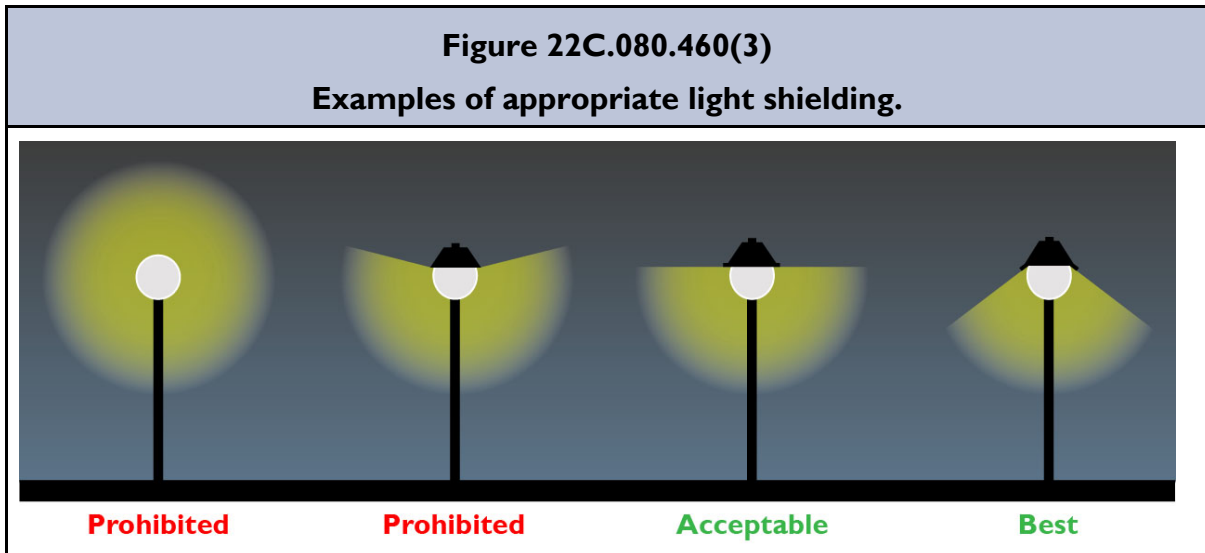
- (a) To ensure that lighting contributes to the character of the streetscape and does not disturb adjacent developments and residences.
- (b) To protect against light pollution, thereby reclaiming the ability to view the night sky and helping to preserve the quality of life and scenic value of this desirable visual resource throughout the region and nearby natural open spaces.
- (c) To help protect and enhance human health and wellness and wildlife habitation and migration by minimizing light pollution and its impact on all forms of life.
- (d) To promote lighting practices and systems to conserve energy, decrease dependence on fossil fuels, and limit greenhouse gas emissions.
- (e) To ensure that sufficient lighting can be provided where needed to promote safety and security on public and private property, and to allow for reasonable lighting for outdoor activities.
- (f) To provide attractive lighting that supports and enhances the urban environment, emphasizes architectural elements, and encourage pedestrian activity and wayfinding beyond daylight hours, especially during the long nights of Pacific Northwest winters.

(2) Applicability. All outdoor lighting outside of public rights-of-way shall comply with the provisions herein. This includes, but is not limited to, new lighting, replacement lighting, additions and alterations, or any other lighting whether attached to buildings, poles, structures, the earth, or any other location.

- (a) Exemptions.
 - (i) Lighting solely for signs.
 - (ii) Underwater lighting.
 - (iii) Temporary and seasonal cord-and-plug portable lighting.
 - (iv) Construction or emergency lighting.
 - (v) Outdoor rope and string lights for outdoor seating and gathering areas.

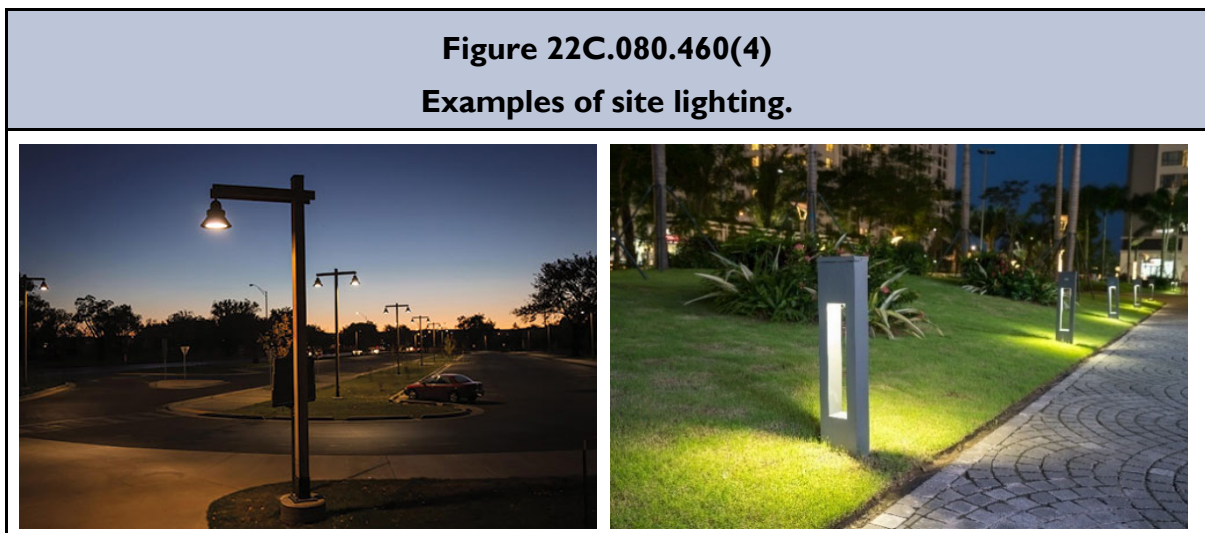
(3) General standards. Exterior lighting shall be integrated as both a functional safety element and a design element that enhances the character and use of the site and building, while minimizing negative impacts on uses on and off the site.

- (a) All luminaires shall be fully shielded and shall not emit light into the upper hemisphere around the luminaire or onto adjacent properties and structures, either through exterior full cut-off shields or through optics within the fixture. Support and mounting systems for luminaires shall not allow post-installation adjustments that could defeat compliance of this requirement.
- (b) On-site lighting elements throughout and surrounding the site should be complementary, including pedestrian pathway, accent and parking lot lighting, lighting of adjacent developments and the public right-of-way.
- (c) Except as provided in this section, outdoor lighting is encouraged to follow the intensity, technology, and other recommendations of the International Dark Sky Association and the Illuminating Engineering Society of North America.



(4) Height.

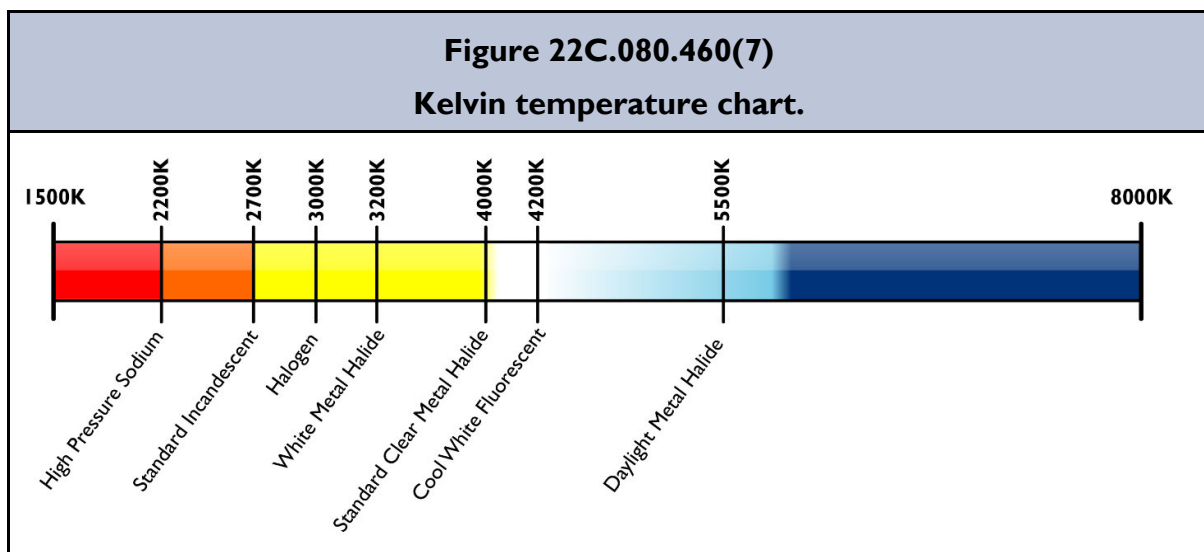
- (a) Freestanding lighting fixtures in parking lots shall not exceed 20 feet in height. Lighting fixtures on the top level of parking garages shall not exceed 12 feet in height.
- (b) Pedestrian scale lighting shall not exceed 15 feet in height.
- (c) Building-mounted exterior lighting shall not be placed at any point greater than 20 feet above the adjacent grade, except the height limit is 14 feet when within 100 feet of a single-family zone. This standard does not apply to fully recessed lights, such as when mounted on the underside of a gas station fueling canopy or building roof overhang.



(5) Lighting levels.

- (a) All public areas shall be lighted with average minimum and maximum levels as follows:
 - (i) Minimum (for low or non-pedestrian and vehicular traffic areas) of one-half foot candle.
 - (ii) Moderate (for moderate or high volume pedestrian areas) of one to two foot candles.

- (iii) Maximum (for high volume pedestrian areas and building entries) of four foot candles.
 - (b) 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.
 - (c) Light levels at the property line should not exceed 0.1 foot candles (fc) adjacent to business properties, and 0.05 foot candles adjacent to residential properties.
- (6) Parking lot lighting.** Lighting parking lots shall be appropriate to create adequate visibility at night and evenly distributed to increase security. Lighting shall be located so that trees within the parking lot do not obscure the operation of the light fixture.
- (7) Lighting color (chromaticity).** The correlated color temperature of all outdoor lighting shall be 3,500 Kelvin maximum or lower (refer to American National Standard Institutes publication C78.377 for guidance on LED lighting). Exceptions may be made for architectural floodlighting, accent lighting, or outlining.



(8) Exterior lighting controls.

Automated control systems, such as energy management systems, photoelectric switches, motion sensors and astronomic timer switches, shall be used to meet the hours of operation requirements and the technical and energy efficiency requirements of the applicable Washington State Energy Code. Exceptions:

- (a) Egress lighting as required by the Building Code.
- (b) Lighting required for accessibility.
- (c) Lighting required by statute, law, or ordinance to operate all night.
- (d) A manual override at each exit door is allowed regardless of automatic control device.
- (e) Seasonal holiday lighting and event lighting.

(9) Prohibited lighting.

- (a) Dynamic lighting.
- (b) Luminaires exceeding 500,000 peak candelas and/or 500,000 lumens.

- (c) Laser lighting.
- (d) Any lighting of critical areas.
- (e) Any lighting that may be confused with warning signals, emergency signals, or traffic signals.
- (f) Mercury, low pressure sodium, or other light sources in public areas that can impede or distort the perception of actual colors.
- (g) Blinking, flashing, intermittent, and/or moving lights unless specifically allowed elsewhere in the Marysville Municipal Code.
- (h) Lighting permanently attached to trees.

ARTICLE 6 DESIGN STANDARDS – BUILDING DESIGN

Sections:

22C.080.500	Purpose.
22C.080.505	Third Street Character Area.
22C.080.510	Building massing and articulation.
22C.080.520	Building details.
22C.080.530	Building materials.
22C.080.540	Blank wall treatment.

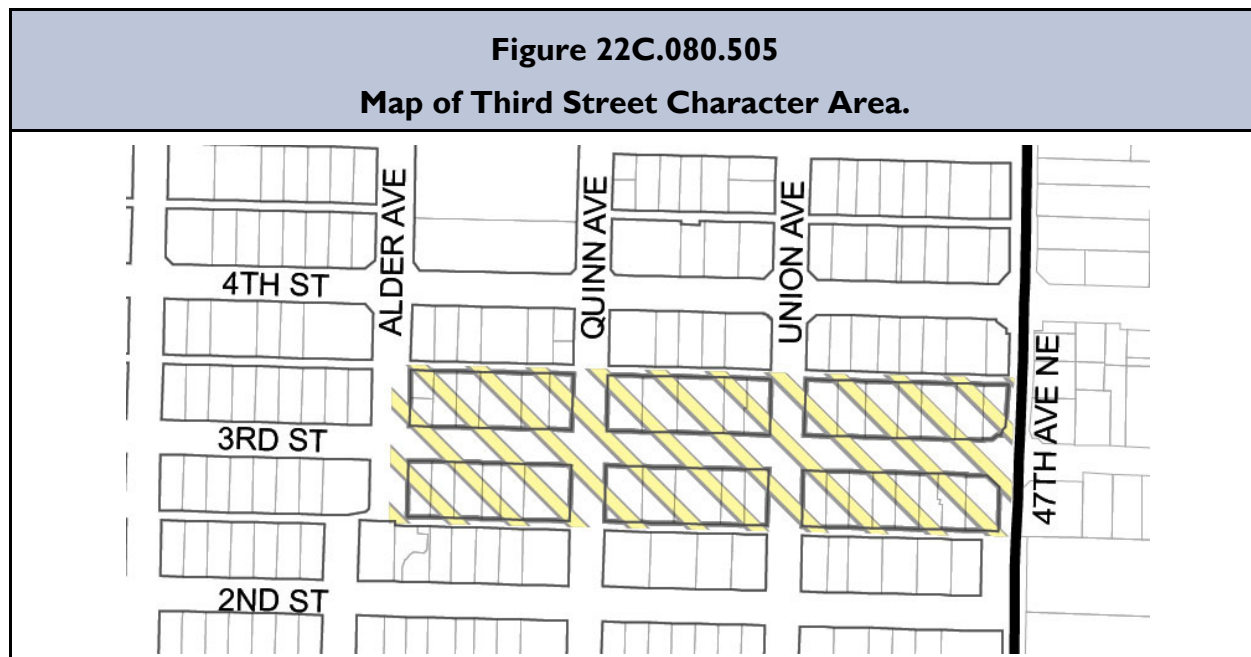
22C.080.500 Purpose.

Article 6 provide direction for the design of buildings consistent with the goals and policies of the downtown Marysville Plan. See the individual “purpose” statements for each section in this chapter.

22C.080.505 Third Street Character Area.

Special building design standards in this article apply to the three-block stretch of Third Street, between Alder Avenue and 47th Avenue NE to reinforce the area’s historic/traditional character:

- (1) MMC 22C.080.510(2)(a)(ii), regarding façade articulation standards.
- (2) MMC 22C.080.510(5), regarding pitched rooflines.



22C.080.510 Building massing and articulation.

(1) Purpose.

To employ façade articulation techniques that reduce the perceived scale of large buildings and add visual interest from all observable scales.

(2) Façade-articulation. All applicable buildings shall include façade-articulation features at maximum-specified intervals to create a human-scaled pattern. These standards apply to building elevations facing streets (public and private), parks, zone-edges, and through-block connections (except alley designs).

(a) Maximum facade-articulation intervals:

- (i) Residential elevations: The width of the dwelling units inside the building (e.g., if the units are 25-feet wide, the façade-articulation shall be 25-feet wide). This includes residential portions of mixed-use buildings.
- (ii) Third Street character area: 25-feet.
- (iii) Storefronts: 30 feet. This refers to all ground-level elevations along Active ground floor designated block frontages.
- (iv) Other ground-level elevations: 40-feet.
- (v) Office buildings and other upper-level non-residential elevations in the DC and Flex zones: 60-feet.

(b) Articulation features. At least three of the following articulation features shall be employed for all buildings in compliance with the maximum-specified façade-articulation intervals. Exception: Non-residential buildings in the Flex zone shall include at least two articulation features.

- (i) Use of a window-fenestration pattern.
- (ii) Use of weather protection features.
- (iii) Use of vertical piers/columns (applies to all floors of the façade, excluding upper level stepbacks).
- (iv) Change in roofline per subsection (4) below.
- (v) Change in building material and/or siding style (applies to all floors of the façade, excluding upper-level stepbacks).
- (vi) Vertical elements such as a trellis with plants, green wall, art element that meet the purpose of the standard.
- (vii) Providing vertical building modulation of at least 12-inches in depth if tied to a change in roofline per subsection (4) below or a change in building material, siding style, or color. Balconies may be used to qualify for this option if they are recessed or projected from the façade by at least 18-inches.
- (viii) Other design techniques that effectively reinforce a pattern of articulated facades compatible with the building's surrounding context.

DEPARTURES will be considered provided they meet the purpose of the standards and the design criteria below. For example, a departure may propose a design with only two articulation features instead of three and/or the articulation features exceed the maximum articulation interval.

Figure 22C.080.510(2)
Façade articulation examples.



- (c) DEPARTURE criteria associated with articulation standards. Proposals shall meet the purpose of the standards. The following criteria will be considered in determining whether the proposed articulation treatment meets the “purpose”.
- (i) Consider the type and width of the proposed articulation treatment and how effective it is in meeting the purpose given the building’s current and desired context (per Marysville Downtown Master Plan).
 - (ii) Consider the applicable block-frontage designation. Pedestrian friendly or Undesignated block-frontages warrant more flexibility than active ground floor block-frontages.
 - (iii) Consider the size and width of the building. Smaller buildings (less than 120-feet wide) warrant greater flexibility than larger buildings.

- (iv) Consider the quality of façade materials in concert with doors, windows, and other façade features and their ability to add visual interest to the street from a pedestrian scale and more distant observable scales.

(3) Maximum façade length. Building facades and other building elevations facing lower intensity residential zone edge shall include at least one of the following features to break up the massing of the building and add visual interest. This standard applies to building elevations longer than 120-feet in residential zones and the MS zone and 140-feet in the DC and Flex zones.

- (a) Provide vertical building modulation at least six-feet deep and 15-feet long in the mixed-use zones and at least eight feet deep and 20-feet long in the employment zones. For multi-story buildings, the modulation shall extend through at least one-half of the building floors.
- (b) Use of a contrasting vertical modulated design component featuring all of the following:
 - (i) Utilizes a change in building materials that effectively contrast from the rest of the façade.
 - (ii) Component is modulated vertically from the rest of the façade by an average of six-inches.
- (c) Façade employs building walls with contrasting articulation that make it appear like multiple distinct buildings. To qualify for this option, these contrasting façades shall employ all of the following:
 - (i) Different building materials and/or configuration of building materials.
 - (ii) Contrasting window design (sizes or configurations).
- (d) DEPARTURES to subsections (a-c) above will be considered provided the design meets the purpose of the standards. Supplemental consideration for approving alternative designs:
 - (i) Width of the façade. The larger the façade, the more substantial articulation/ modulation features need to be.
 - (ii) Block-frontage designation. Active ground floor designated block-frontages warrant the most scrutiny.
 - (iii) The type of articulation treatment and how effective it is in meeting the purpose given the building's context.

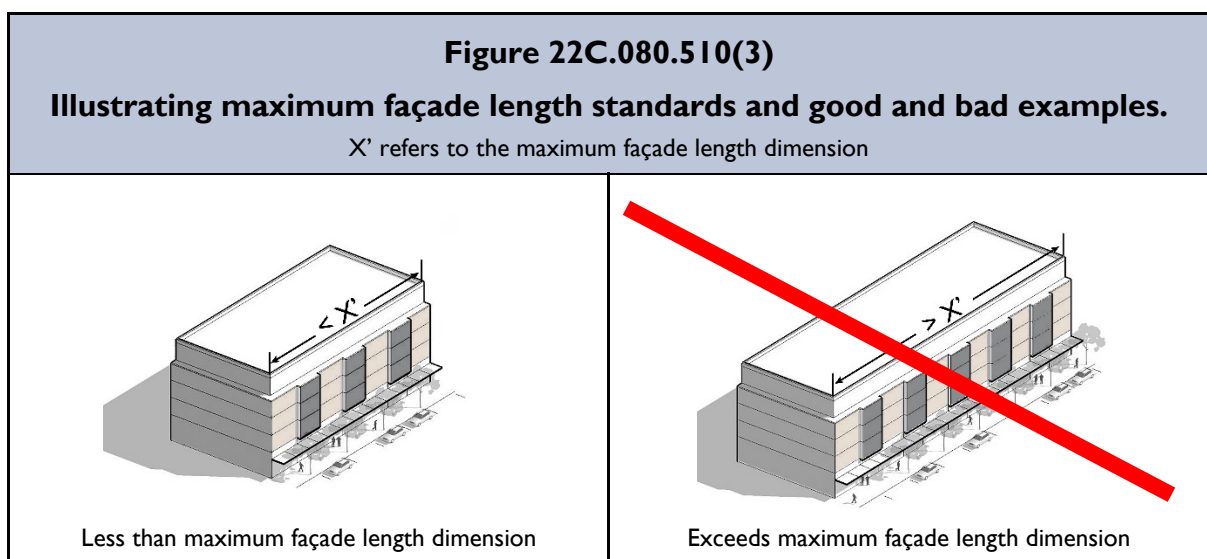
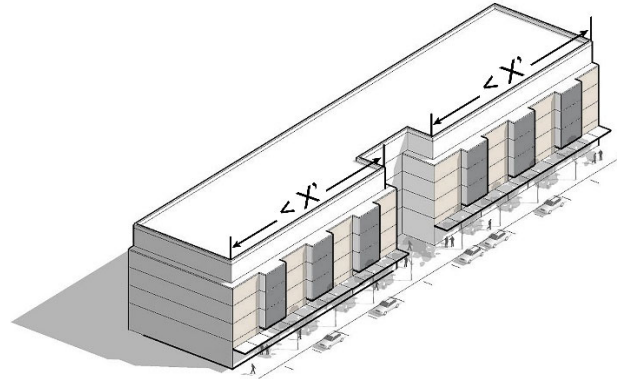


Figure 22C.080.510(3)**Illustrating maximum façade length standards and good and bad examples.**

X' refers to the maximum façade length dimension



Building incorporates a courtyard along the façade (technique #1 noted above) to effectively break it up into smaller components: Meets standard.



The left building uses technique # 1 (vertical building modulation at least six-feet deep and 15-feet wide). The right building uses technique #2 (contrasting vertical modulated design component) together with different window fenestration designs on each side. Both examples are effective in breaking up the perceived scale of the building and adding visual interest.

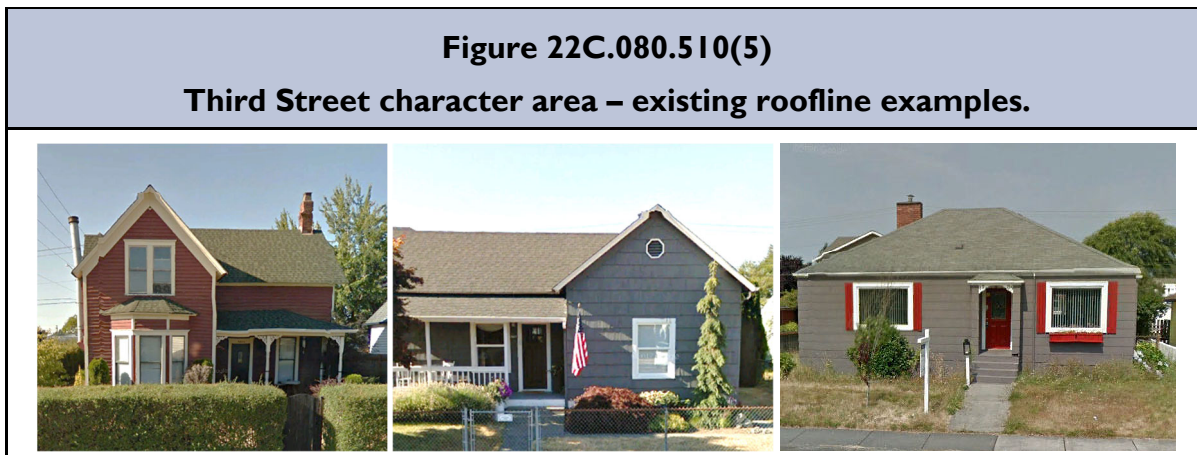
(4) Roofline modulation. Roofline modulation is encouraged and it can be used as one of the facade articulation features in subsections (2-3) above. In order to qualify as an articulation feature, rooflines shall employ one or more of the following:

- (a) For flat roofs or façades with horizontal eave, fascia, or parapet, the minimum vertical dimension of roofline modulation is the greater of two-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 subsections (2-3) above. Otherwise, the minimum vertical dimension of roofline modulation is the greater of four-feet or 0.2 multiplied by the wall height.
- (b) A pitched roofline or gabled roofline segment of at least 20-feet in width. Buildings with pitched roofs shall include a minimum slope of 5:12 and feature modulated roofline components at the interval required per the applicable standard above.
- (c) A combination of the above.

DEPARTURES will be considered provided the roofline modulation design effectively reduces the perceived scale of the building and adds visual interest.



- (5) Pitched rooflines in the Third Street character area.** Buildings in the Third Street character area shall employ gabled or hipped rooflines to reinforce the character and scale of the area.



22C.080.520 Building details.

(1) Purpose.

- (a) To encourage the incorporation of design details and small-scale elements into building façades that are attractive at a pedestrian scale.
- (b) To integrate window design that adds depth, richness, and visual interest to the façade.

- (2) Façade details - non-residential and mixed-use buildings.** All building façades and other building elevations facing parks, pedestrian-oriented spaces, and containing primary building entrances shall be enhanced with appropriate details. All new buildings shall employ at least one detail element from each of the three categories below for each façade articulation interval [see MMC 22C.080.510(2)].

- (a) Window and/or entry treatment, such as:
 - (i) Transom windows.
 - (ii) Roll-up windows/doors.
 - (iii) Recessed entry.
 - (iv) Decorative door.
 - (v) Other decorative or specially designed window, shading or entry treatment that meets the purpose of the standards.

Figure 22C.080.520(2)(a)

Examples of decorative or specially designed windows and entries.

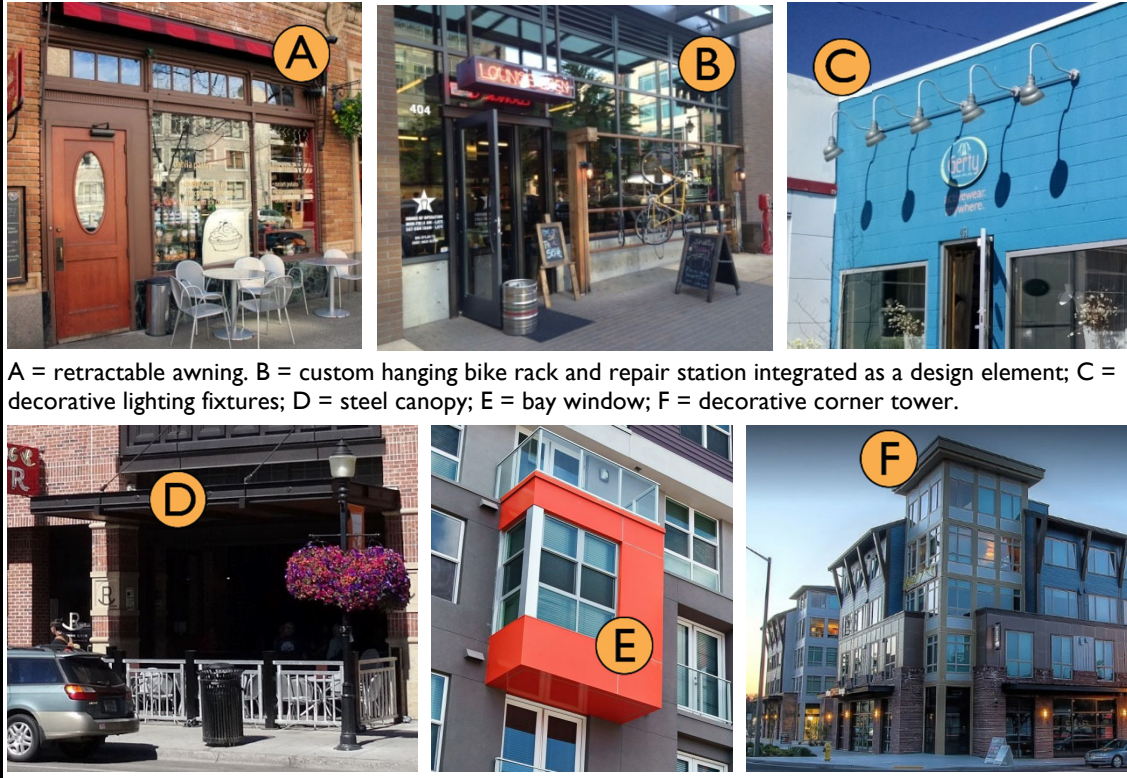


(b) Building elements and façade details, such as:

- (i) Custom-designed weather protection element such as a steel canopy, glass, or retractable awning. Custom-designed cloth awnings may be counted as a detail provided they are constructed of durable, high-quality material.
- (ii) Decorative building-mounted light fixtures.
- (iii) Bay windows, trellises, towers, and similar elements.
- (iv) Other details or elements that meet the purpose of these standards.

Figure 22C.080.520.(2)(b)

Examples of attached elements that enhance the visual intrigue of the building.



(c) Building materials and other façade elements, such as:

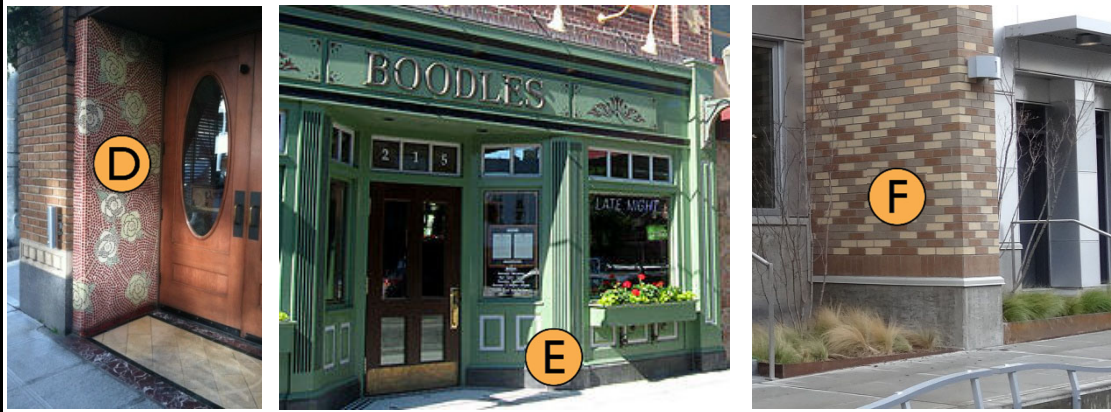
- (i) Use of decorative building materials/use of building materials. Examples include decorative use of brick, tile, or stonework.
- (ii) Decorative kick-plate, pilaster, base panel, or other similar feature.
- (iii) Hand-crafted material, such as special wrought iron or carved wood.
- (iv) Other details that meet the purpose of the standards.

Figure 22C.080.520(2)(c)

Examples of building material details that enhance the visual intrigue of the building.



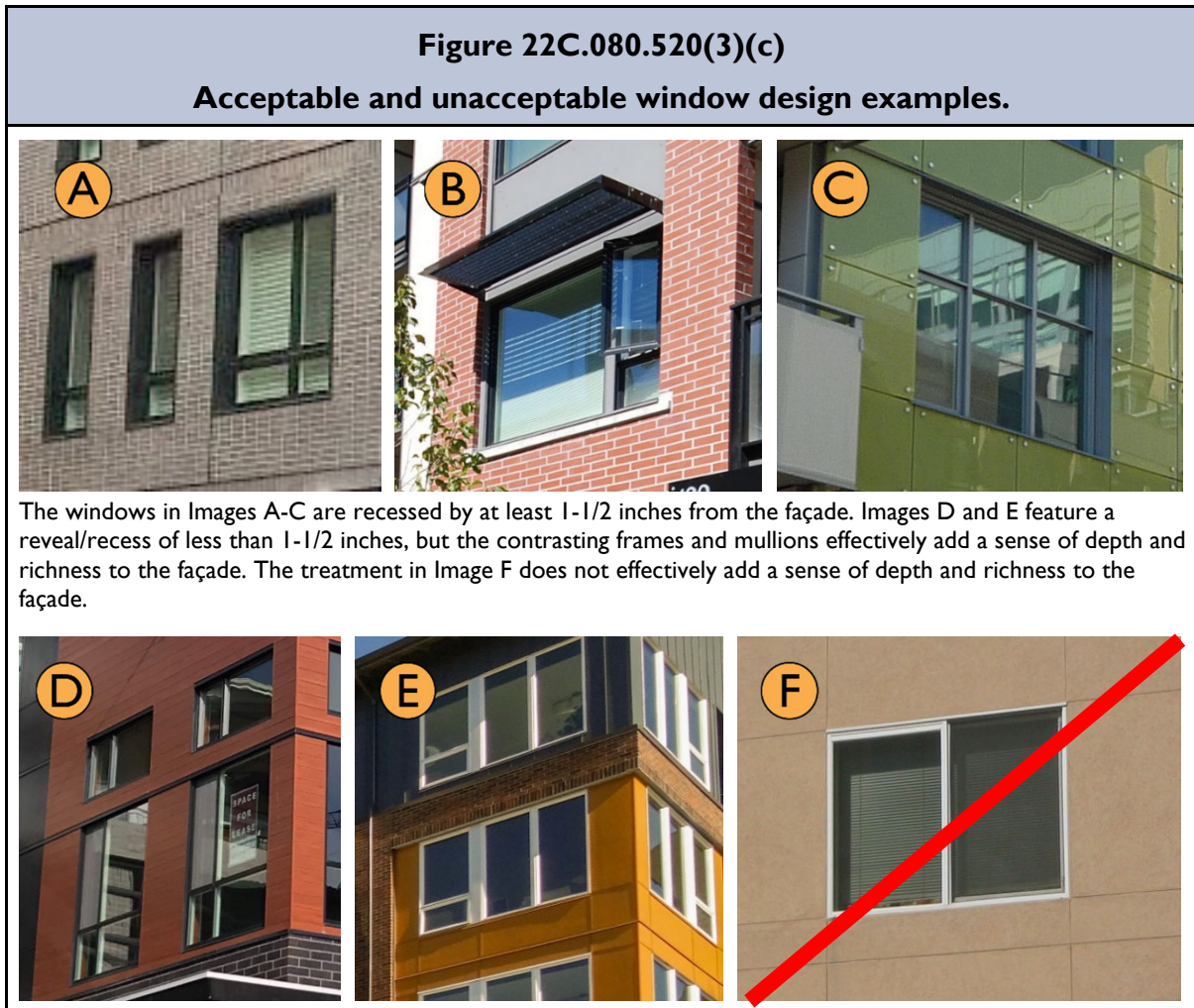
A & B = Decorative column/pier masonry/tile-work. C = Decorative emblem (not advertising a particular business). D = Decorative mosaic tilework at building entry. E = Decorative bulkhead design. F = Decorative column/pier brick-work.



DEPARTURES for façade detail standards of subsection (2) will be considered provided the façade (at the overall scale and at the individual articulation scale) meets the purpose of the standards.

(3) Window design standards. All windows shall employ designs that add depth and richness to the building façade. At least one of the following features shall be included to meet this requirement:

- (a) Recess windows at least one and one-half-inches from the façade.
- (b) Incorporate window trim (at least three-inches wide) around windows.
- (c) Incorporate other design treatments that add depth, richness, and visual interest to the façade.



(4) Cornice/roofline design. Buildings employing a flat roof shall employ a distinctive roofline that effectively provides an identifiable “top” to the building. This could include a traditional cornice line or a contemporary interpretation of a traditional cornice line.

- (a) Such rooflines shall be proportional to the size and scale of the building.
- (b) Understated cornice lines are permitted depending on the materials and design of the base and middle elements in reinforcing the base/middle/top configuration.

Figure 22C.080.520(4) below illustrate acceptable and unacceptable examples.

Figure 22C.080.520(4)(b)

Examples of buildings employing confident and distinctive rooflines.



Building A uses a dramatic overhanging cornice at the corner. Building B uses a simple glass railing and an upper level building setback.



Buildings C and D simply appear to end without any statement of confidence and do not meet the standard.

Rooftop solar units are permitted, provided the placement and design of units visible from the surrounding streetscape are carefully integrated into the overall design concept of the building.

(5) Articulated building entries. The primary building entrance for an office building, hotel, apartment building, public or community-based facility or other multi-story commercial building shall be designed as a clearly defined and demarcated standout architectural feature of the building. Such entrances shall be easily distinguishable from regular storefront entrances on the building. Such entries shall be scaled proportional to the building. See Figure 19.123.250(5) below for good examples.



22C.080.530 Building materials.

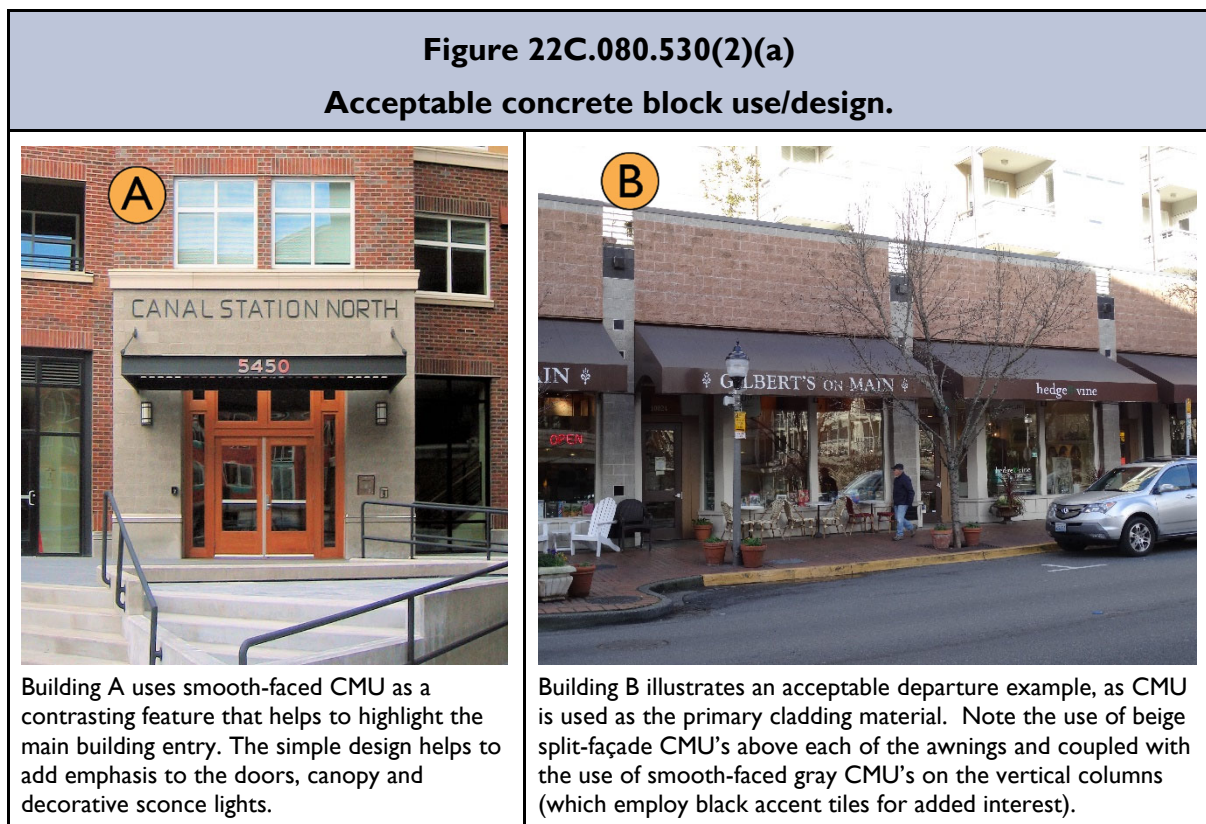
(1) Purpose.

- (a) To encourage the use of durable, high quality, and urban building materials that minimize maintenance cost and provide visual interest from all observable vantage points.
- (b) To promote the use of a distinctive mix of materials that helps to articulate façades and lends a sense of depth and richness to the buildings.
- (c) To place the highest priority on the first floor in the quality and detailing of materials at the pedestrian scale.

(2) Special conditions and limitations for the use of certain cladding materials.

- (a) Concrete block (a.k.a. Concrete Masonry Unit or CMU) may be used as a secondary cladding material (no more than 1/3 of total façade cladding) on building elevations facing streets, parks, pedestrian-oriented spaces, and containing primary building entrances provided it is incorporated with other permitted materials.

DEPARTURES will be considered for alternative designs that use concrete block as the primary, but not the only, cladding material provided the design incorporates a combination of textures and/or colors to add visual interest. For example, combining split or rock-façade units with smooth blocks can create distinctive patterns. The figures below illustrate acceptable concrete block use/designs.



(b) Metal siding may be used on all building elevations provided it complies with the following standards:

- (i) It shall feature visible corner molding and trim. Masonry, concrete, or other durable material shall be incorporated between the metal siding and the ground plane for all residential buildings and storefronts.
- (ii) Metal siding shall be factory finished, with a matte, non-reflective surface.

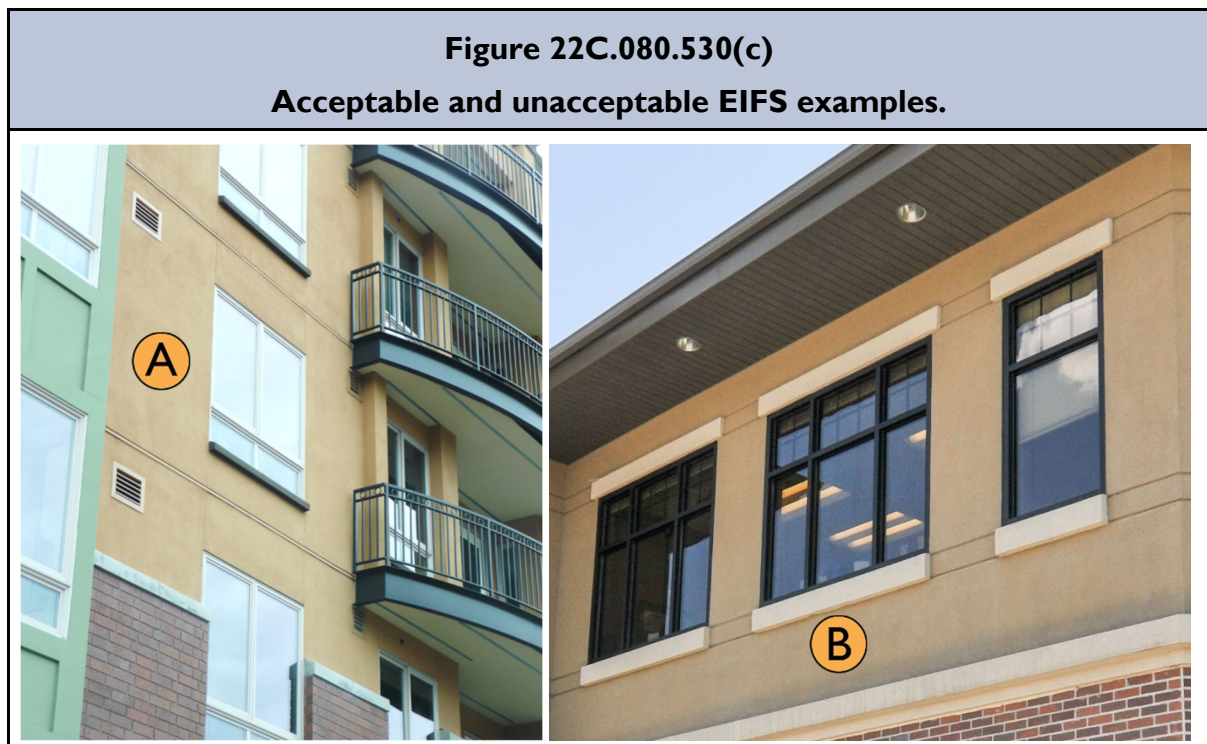
DEPARTURES will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

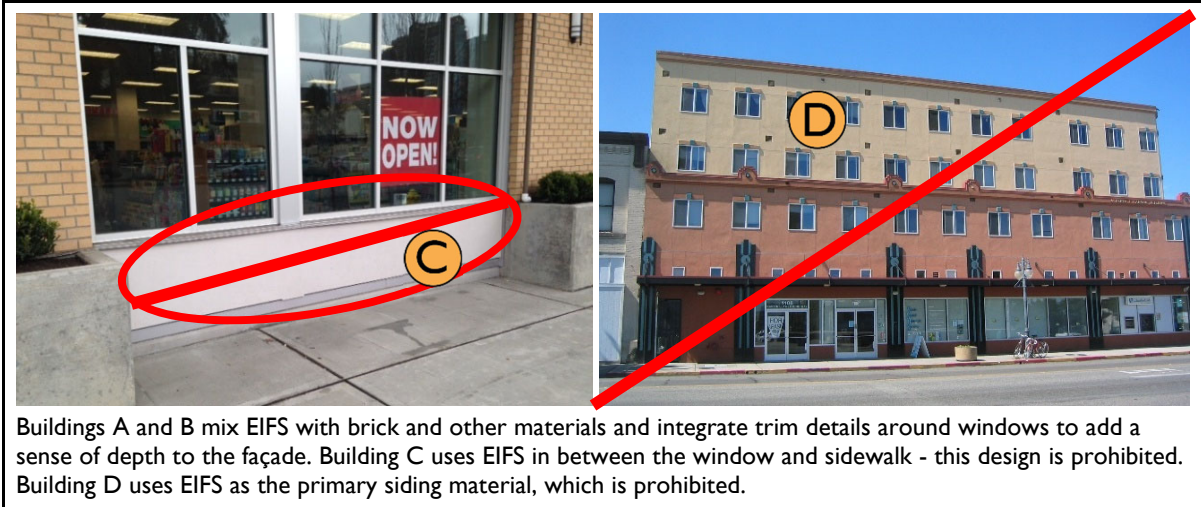
Figure 22C.080.530(2)(b)
Acceptable metal siding examples



Building A successfully uses metal siding more as an accent element to help articulate the façade. Metal is the primary material in the industrial Building B, which includes distinct scoring patterns and refined window designs. Metal siding is integrated with other materials in Buildings C and D, both of which integrate subtle changes in color to go with articulation features and design details.

- (c) Standards for the use of Exterior Insulation and Finish System (EIFS). Such material/finishes may be used when it complies with the following:
- (i) For residential buildings, EIFS is limited to no more than 50-percent of the cladding for building elevations facing streets, parks, pedestrian-oriented spaces, and containing primary building entrances of the total façade area.
 - (ii) For non-residential and mixed-use buildings, EIFS is limited to no more than 25-percent of the cladding for building elevations facing streets, parks, pedestrian-oriented spaces, and containing primary building entrances of the total façade area.
 - (iii) EIFS shall feature a smooth or sand finish only.
 - (iv) EIFS shall be trimmed in wood, masonry, or other material and shall be sheltered from weather by roof overhangs or other methods.
 - (v) EIFS shall not be used on the ground floor of facades containing non-residential uses.
- DEPARTURES will be considered provided the material's integration and overall façade composition meets the purpose of the standards.



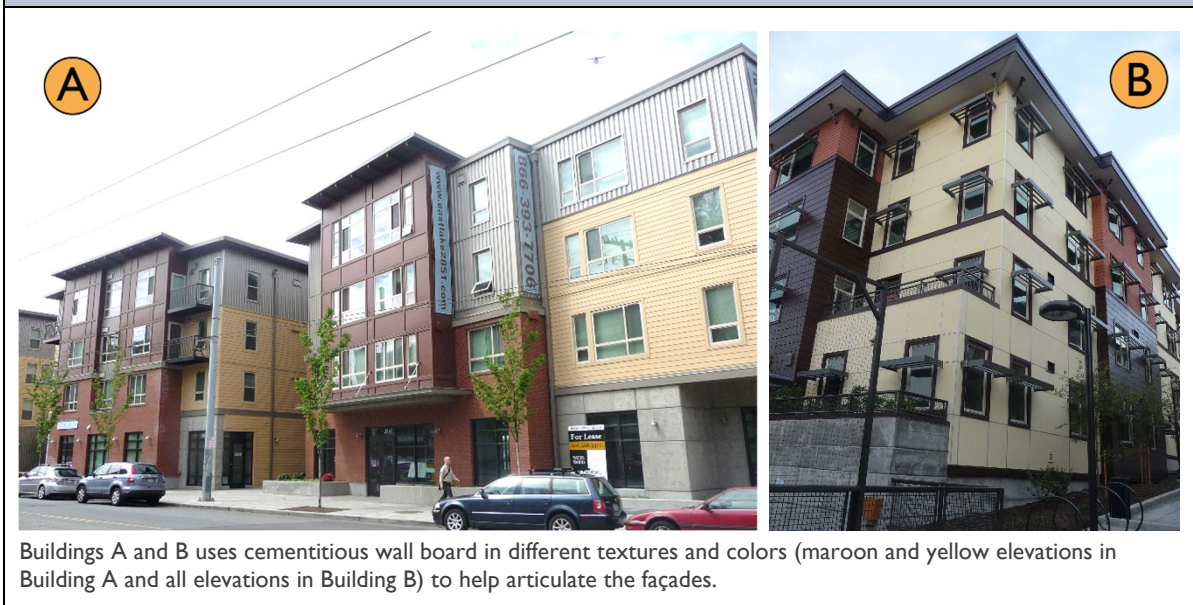


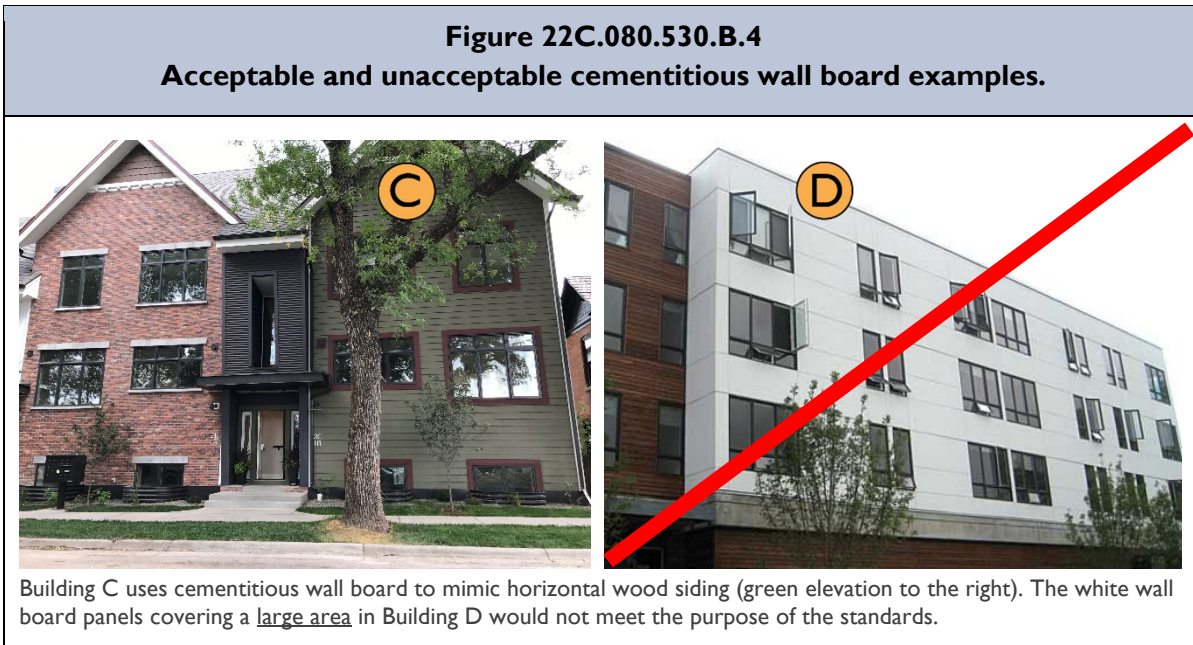
- (d) Cementitious wall board paneling/siding may be used on all building elevations provided it meets the following provisions:
- (i) Cement board paneling/siding may not be used on ground-level facades containing non-residential uses.
 - (ii) Where cement board paneling/siding is the dominant siding material, the design shall integrate a mix of colors and/or textures that are articulated consistent with windows, balconies, and modulated building surfaces and are balanced with façade details that add visual interest from the ground-level and adjacent buildings.

DEPARTURES will be considered provided the material's integration and overall façade composition meets the purpose of the standards.

Figure 22C.080.530.B.4

Acceptable and unacceptable cementitious wall board examples.



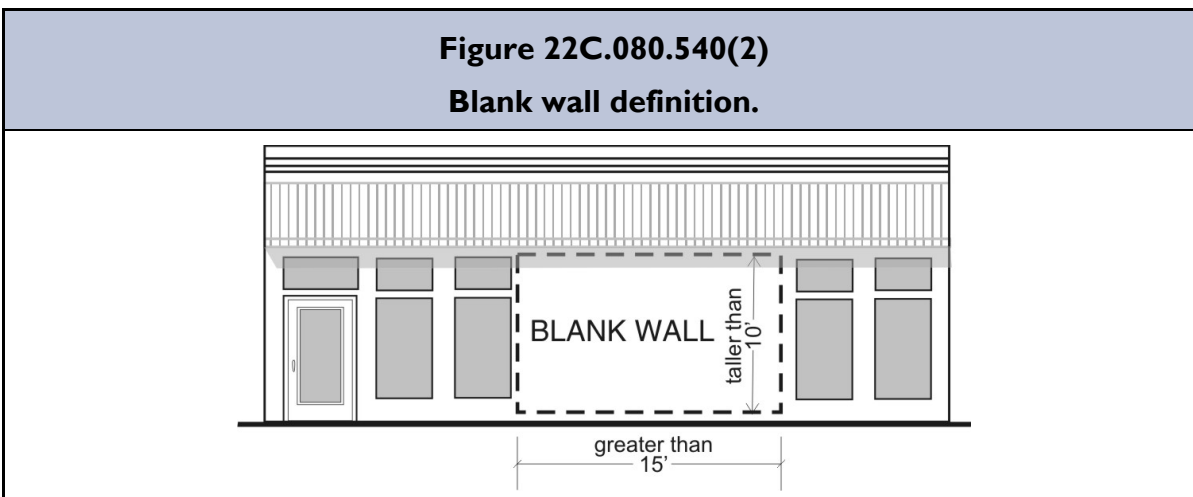


22C.080.540 Blank wall treatment.

(1) Purpose.

- (a) To avoid untreated blank walls.
- (b) To retain and enhance the character of downtown Marysville’s streetscapes.

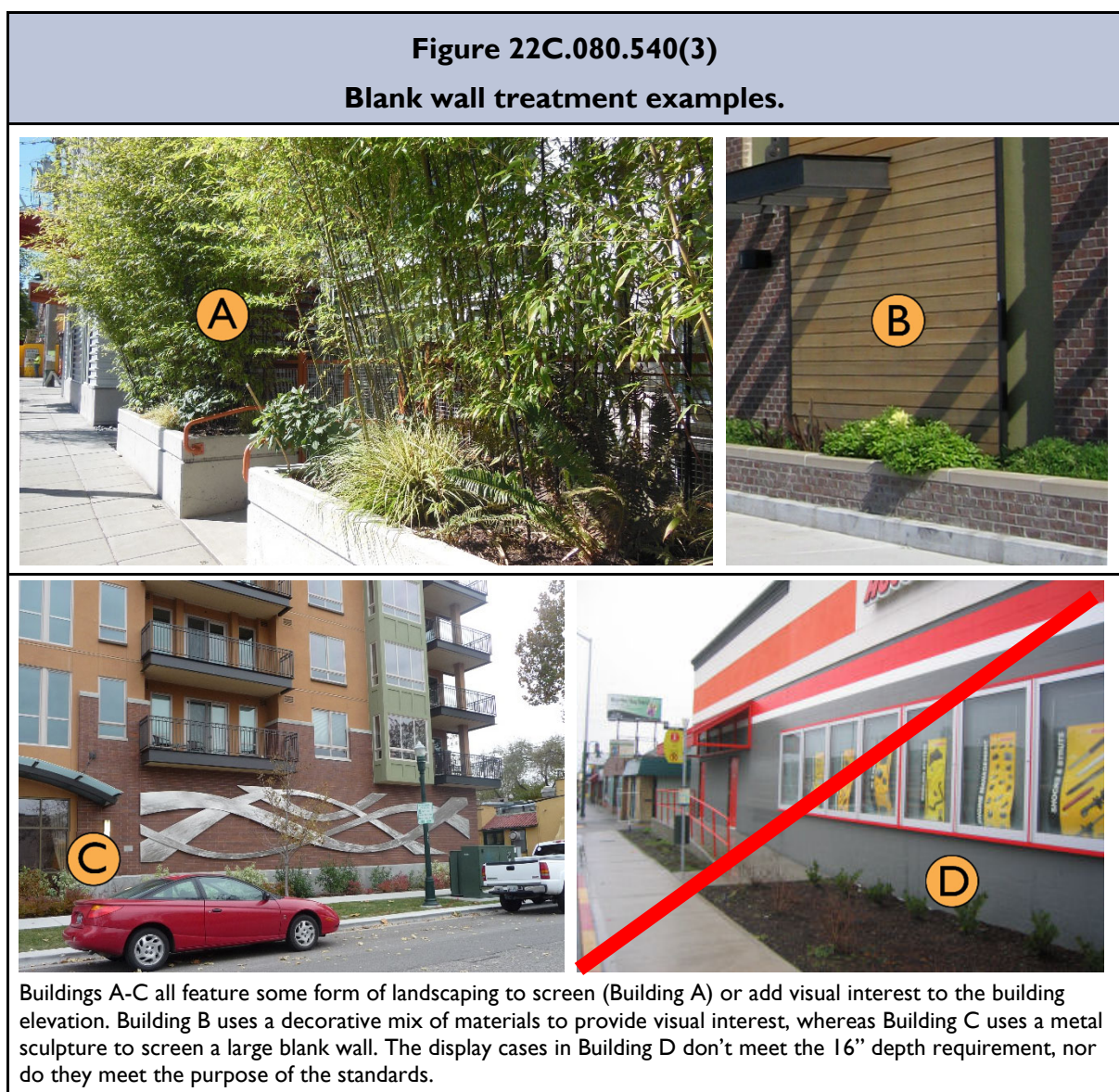
(2) Blank wall definition. “Blank wall” means a ground floor wall or portion of a ground floor wall over 10-feet in height and a horizontal length greater than 15-feet and does not include a transparent window or door.



(3) Blank wall treatment standards. Untreated blank walls adjacent to a public street, pedestrian-oriented space, common outdoor space, or pedestrian pathway are prohibited. Methods to treat blank walls can include:

- (a) Display windows at least 16-inches of depth to allow for changeable displays. Tack-on display cases [see Figure 22C.080.540(3) below] do not qualify as a blank wall treatment.
- (b) Landscape planting bed at least five-feet deep or a raised planter bed at least two-feet high and three-feet deep in front of the wall with planting materials that are sufficient to obscure or screen at least 60-percent of the wall's surface within three years.
- (c) Installing a vertical trellis in front of the wall with climbing vines or plant materials.
- (d) Installing a mural as approved by the director. Commercial advertisements are not permitted on such murals.
- (e) Special building detailing that adds visual interest at a pedestrian scale. Such detailing shall use a variety of surfaces; monotonous designs will not meet the purpose of the standards.


For large visible blank walls, a variety of treatments may be required to meet the purpose of the standards.



(4) Firewalls. Firewalls along property lines are exempt from the above standards, but where they are visible to the public (from the adjacent street), they shall be designed to provide visual interest from all observable distances. Examples may include the use of varying materials, textures, and/or colors, the use of green or living walls, and/or the use of modulated building walls to form design patterns.

Murals are also encouraged as a firewall treatment. Murals are subject to approval by the director. Commercial advertisements are not permitted on such murals.

Figure 22C.080.540(4)
Acceptable firewall design where visible to the public.



A



B

Building A uses a combination of paint bands and ivy to enhance the appearance of this large exposed firewall. Building B uses simple scoring patterns and change in materials and color on part of the top floor to add visual interest.



C

Plain-gray concrete block firewalls such as this in Building C are not allowed when visible from the street.

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO LAND USE AND ZONING; ESTABLISHING A PLANNED ACTION PROCESS FOR THE DOWNTOWN MASTER PLAN; PROVIDING FOR THE ESTABLISHMENT OF MITIGATION MEASURES AND CONDITIONS FOR APPROVAL OF PROJECTS LOCATED WITHIN DOWNTOWN MARYSVILLE; PROVIDING FOR A STREAMLINED REVIEW AND APPROVAL OF PROJECTS WHICH MEET PLANNED ACTION CRITERIA; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR AN EXPIRATION DATE.

WHEREAS, the Governor’s Task Force on Regulatory Reform recommended changes to state law that would enable local governments to consolidate environmental review of plans prepared under the Washington State Growth Management Act (GMA); and

WHEREAS, both the State Environmental Policy Act (SEPA) and Chapter 36.70B Revised Code of Washington (RCW) provide for the integration of environmental review with project review through the establishment of “Planned Action;” and

WHEREAS, Planned Actions expedite the permitting process where substantial planning and environmental analysis have been done prospectively for specific geographic areas that are less extensive than the municipality’s jurisdictional boundaries or that are for certain types of development; and

WHEREAS, RCW 43.21C.031 and Washington Administrative Code (WAC) 197-11-164 to 197-11-172 call for and govern the application of a Planned Action designation; and

WHEREAS, the City of Marysville has adopted a comprehensive plan for the Marysville Urban Growth Area under the provisions of Chapter 36.70A RCW; and

WHEREAS, the comprehensive plan provides for the adoption of a subarea plan for the geographic area located within the urban growth boundary commonly known as the Downtown Master Plan Area, which subarea plan provides for the future build out of the Downtown Master Plan Area in a manner consistent with the comprehensive plan and community vision; and

WHEREAS, the Community Development Department has conducted a thorough review of the development anticipated within the Downtown Master Plan Area and prepared and adopted a Supplemental Environmental Impact Statement (SEIS) under the SEPA, Chapter 43.21C RCW, which environmental analysis has considered the impacts of the anticipated development of the Downtown Master Plan Area consistent with the subarea plan, and provides for mitigation measures and other conditions to ensure that such future development will not create adverse environmental impacts; 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, the development code amendment is consistent with the following required findings of MMC 22G.010.520:

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

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on August 6, 2021 (Material ID 2021-S-2994) seeking expedited review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, on September 14, 2021, the Marysville Planning Commission held a duly advertised public hearing on the Downtown Master Plan, Final SEIS and Planned Action Ordinance to allow an opportunity for public comment as required by WAC 197-11-168 and approved a recommendation to forward the Downtown Marysville Master Plan and Planned Action to the Marysville City Council for approval; and

WHEREAS, at a public meeting on September 27, 2021, the Marysville City Council reviewed and considered the Marysville Planning Commission's Recommendation and proposed amendments to the City's development regulations; and

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

Section 1. Amendment of Municipal Code. MMC Section 22E.040.020, entitled "Findings," is hereby amended as follows:

22E.040.020 Findings.

The city council finds that:

- (1) A subarea plan (downtown master plan or downtown plan) has been prepared and adopted by the council under the provisions of the Growth Management Act, Chapter [36.70A](#) RCW, for the geographic area located within the downtown planning area commonly known as the downtown.
- (2) The downtown master plan is consistent with the Marysville comprehensive plan and provides for the planned build-out of the downtown over a 20-year planning period.
- (3) A supplemental environmental impact statement has been prepared pursuant to Chapter [43.21C](#) RCW in conjunction with the adoption of the downtown master plan.

(4) The downtown plan and SEIS have addressed all the significant environmental impacts associated with the land uses allowed by the applicable development regulations and standards as described in the plan.

(5) The thresholds described in the downtown plan and SEIS are adequate to identify significant adverse environmental impacts.

(6) The mitigation measures contained in ~~the mitigation document, Attachment A to the ordinance codified in this chapter,~~ [MMC 22E.040.070](#), together with the city's development regulations and standards, are adequate to mitigate the significant adverse environmental impacts anticipated by development consistent with the downtown plan.

(7) A streamlined process will benefit the public, adequately protect the environment, and enhance the economic redevelopment of the downtown.

(8) Public involvement and review of the downtown plan and SEIS have been extensive and adequate to ensure a substantial relationship to the public interest, health, safety, and welfare.

(9) The uses allowed by the city's development regulations in the zoning classifications in the downtown will implement the downtown plan.

(10) This chapter shall be known as the "downtown planned actions" ordinance or chapter.

Section 2. Amendment of Municipal Code. MMC Section 22E.040.030, entitled "Procedure and criteria for evaluating and determining projects as planned actions," is hereby amended as follows:

22E.040.030 Procedure and criteria for evaluating and determining projects as planned actions.

(1) Land uses and activities described in the downtown master plan and SEIS, subject to the thresholds ~~described therein in MMC 22E.040.050~~ and the mitigation measures described in ~~MMC 22E.040.070 the mitigation document attached to Ordinance No. 2787 as Attachment A,~~ may be determined to be planned actions consistent with RCW [43.21C.031](#) and WAC [197-11-164](#) through [197-11-172](#) and pursuant to this chapter.

(2) Applications for project permit or approval which may qualify as planned actions under this chapter shall meet the submittal requirements of ~~MMC~~ [Chapter 22G.010](#) ~~MMC~~ for the particular type of land use action, permit, or approval sought, including submittal of an environmental checklist or other environmental document where required.

(3) Upon receipt of a complete application under the provisions of ~~MMC~~ [Chapter 22G.010](#) ~~MMC~~, the community development director or designee shall determine whether a particular application for project permit or approval qualifies as a planned action according to the following criteria:

(a) The project is located within the geographic boundaries described in the downtown plan;

(b) The zoning designation of the property where the project is proposed is consistent with those designations analyzed in the downtown plan and SEIS;

(c) The use described in and proposed by the project application is among, or consistent with, the uses and intensity of uses allowed by the city's development regulations and consistent with those uses analyzed in the downtown plan and SEIS;

(d) The proposed project impacts, both project-specific and cumulative, are within the thresholds set forth in the downtown plan and SEIS, ~~and summarized in the mitigation document (Attachment A to the ordinance codified in this chapter) per MMC 22E.040.050;~~

(e) The project's probable significant environmental impacts have been adequately addressed and analyzed in the downtown plan and SEIS, as defined below:

(i) Marysville Downtown Master Plan and Planned Action Final SEIS, dated September 27, 2021 and associated DRAFT SEIS, dated February 25, 2021.

(ii) Marysville Downtown Master Plan Final SEIS, dated October 9, 2009 and associated Draft SEIS, dated July 20, 2009.

(f) The project implements the goals and policies of the downtown plan and is consistent with the city's comprehensive plan;

(g) The project's probable significant environmental impacts will be adequately mitigated or avoided through the application of the mitigation measures and other conditions required by ~~application of the mitigation document (Attachment A to the ordinance codified in this chapter MMC 22E.040.070)~~ and other local, state, and federal development regulations and standards;

(h) The proposed project complies with all applicable local, state, and federal regulations and development standards;

(i) The proposed project is located within the city of Marysville urban growth area;

(j) The proposed project is not an essential public facility as defined by RCW 36.70A.200 unless an essential public facility is accessory to or part of a residential, office, school, commercial, recreational, service, or industrial development that is designated a planned action under this subsection, per RCW 43.21C.440.

(4) The community development director shall make a written determination that an application for project permit or approval meets the criteria in subsection (3) of this section. Such written determination shall be issued simultaneously with, and in the same manner as, the written notice of application required by MMC Chapter ~~22G.010-MMC~~, Article IV, Land Use Application Requirements. The community development director's determination shall be appealable in accordance with MMC ~~22G.010.310550~~.

(5) If the community development director determines that an application for project permit or approval does not qualify as a planned action, the application shall be reviewed and processed under the applicable procedures for project approval under MMC Chapter ~~22G.010-MMC~~, Article V, Code Compliance and Director Review Procedures. The community development director shall prescribe a SEPA review procedure consistent with MMC Chapter ~~22E.030-MMC~~. Such SEPA review may use or incorporate relevant elements of the environmental analysis in the SEIS or downtown master plan.

(6) If the community development director determines that an application for project permit or approval qualifies as a planned action, the project permit application shall be processed under the administrative procedures set forth in MMC ~~22E.040.040060~~.

Section 3. Amendment of Municipal Code. A new section entitled "Planned Action Area" is hereby incorporated into MMC Chapter 22E.040 *Downtown Planned Actions*, and shall read as follows:

22E.040.040 Planned Action Area

This "Planned Action" designation shall apply to the area shown in Figure 1 of this section.

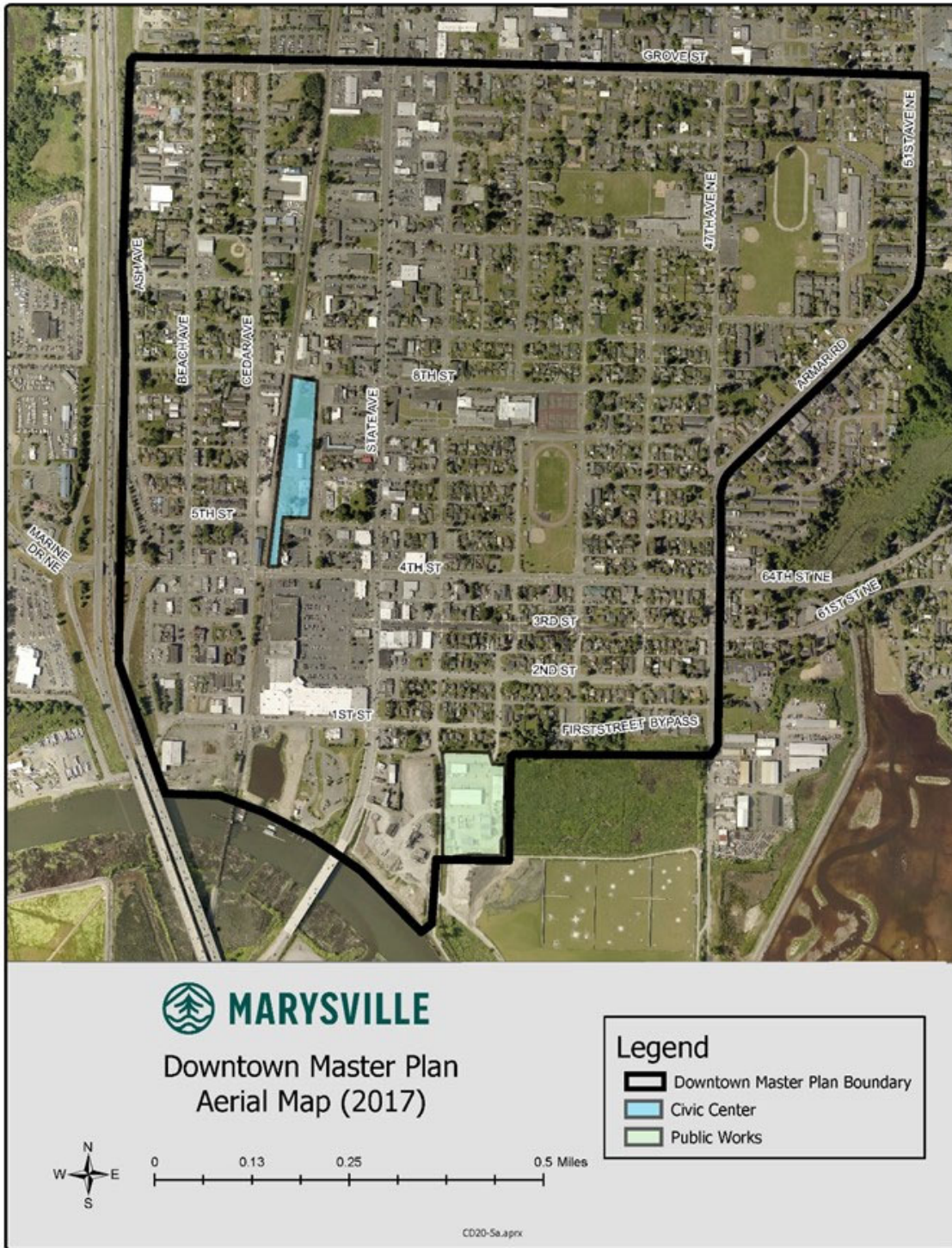


Figure 1: Downtown Planned Action Area

Section 4. Amendment of Municipal Code. A new section entitled “Land Use and Transportation Thresholds” is hereby incorporated into MMC Chapter 22E.040 *Downtown Planned Actions*, and shall read as follows:

22E.040.050 Land Use and Transportation Thresholds

The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area was contemplated as a Planned Action Project and has had its environmental impacts evaluated in the Planned Action SEIS:

(1) Qualifying Land Uses.

(a) Planned Action Categories: The following general categories/types of land uses are defined in the Downtown Plan and can qualify as Planned Actions:

(i) Single-Family and Accessory Dwelling Units

(ii) Townhome/Multiplex

(iii) Multifamily

(iv) Industrial

(v) Office

(vi) Retail

(viii) Mixed uses

(ix) Open Space, Parks, Trails, Recreation, Gathering Spaces

(x) Street and non-motorized circulation improvements consistent with the Transportation evaluation in the Planned Action SEIS.

(xi) Civic, Cultural, Governmental and Utility Facilities as allowed in the Zoning Code.

(xii) Other uses allowed in the Zoning regulations applicable to the Planned Action Area.

(b) Planned Action Project Land Uses: A primary land use can qualify as a Planned Action Project land use when:

(i) it is within the Planned Action Area as shown in MMC 22E.040.040 of this Ordinance;

(ii) it is within one or more of the land use categories described in Subsection (1)(a) above; and

(iii) it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

A Planned Action Project may be a single Planned Action land use or a combination of Planned Action land uses together in a mixed-use development. Planned Action land uses may include accessory uses.

(c) Public Services: The following public services, infrastructure, and utilities can also qualify as Planned Actions: streets and non-motorized improvements, utilities, parks, trails, civic, cultural, governmental, and similar facilities developed consistent with the Planned Action SEIS mitigation measures, City design standards, critical area regulations, and the Marysville Municipal Code.

(2) Development Thresholds:

(a) Land Use: The following thresholds of new land uses in Table 1 are contemplated by the Planned Action:

Table 1: Action Alternative Growth and Comparison to No Action

	<u>No Action</u>	<u>Action</u>
<u>Residential</u>	<u>1,885</u>	<u>2,579</u>
<u>Jobs</u>	<u>1,360</u>	<u>1,828</u>

(b) Shifting development amounts between land uses in identified in Subsection (2)(a) may be permitted when the total build-out is less than the aggregate amount of development reviewed in the Planned Action SEIS; the traffic trips for the preferred alternative are not exceeded; and the development impacts

identified in the Planned Action SEIS are mitigated consistent with MMC 22E.040.070.

(3) The number of new PM peak hour trips anticipated in the Planned Action Area and reviewed in the Planned Action EIS are outlined in Table 2:

Table 2: 2035 Action Alternative Estimated Weekday PM Peak Hour Trip Generation

<u>Alternative</u>	<u>Inbound</u>	<u>Outbound</u>	<u>Total</u>
<u>Action Alternative</u>	<u>4,176</u>	<u>4,339</u>	<u>8,515</u>

Transportation improvements identified within the Comprehensive Plan are needed to support the expected land use. Transportation mitigation shall be provided consistent with mitigation measures in Section 22E.040.070(4).

(4) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceeds the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Planned Action SEIS.

Section 5. Amendment of Municipal Code. MMC Section 22E.040.040, entitled "Review and approval of planned action projects," is hereby amended as follows:

22E.040.040060 Review and approval of planned action projects.

(1) An application for project permit or approval, which is designated by the community development director as a planned action under MMC 22E.040.030, shall be subject to approval under the provisions of Chapter 22G.010 MMC, Article V, Code Compliance and Director Review Procedures.

(2) No application for project permit or approval designated a planned action under MMC 22E.040.030 shall require the issuance of a threshold determination under SEPA, as provided by RCW 43.21C.031 and WAC 197-11-172(2)(a). No procedural SEPA appeals under Chapter 22E.030 MMC shall be allowed.

(3) An application for project permit or approval designated a planned action under MMC 22E.040.030 shall not be subject to further procedural review under SEPA, but the proposed project may be conditioned to mitigate any adverse environmental impacts which are reasonably likely to result from the project proposal.

(4) The determination to approve, conditionally approve, or deny an application for planned action project permit or approval shall be appealable pursuant to MMC 22G.010.310550; provided, that the environmental analysis and mitigation measures or other conditions contained in ~~the mitigation document (Attachment A to the ordinance codified in this chapter MMC 22E.040.070)~~, the downtown master plan, or SEIS shall be afforded substantial weight.

Section 6. Amendment of Municipal Code. MMC Section 22E.040.050, entitled "Environmental documents," is hereby amended as follows:

22E.040.050070 Environmental documents.

A planned action designation for a site-specific project action, permit, or approval shall be based upon the environmental analysis contained in the downtown master plan and SEIS. This downtown plan and SEIS, including ~~potential~~ mitigation measures ~~listed below, are hereby incorporated in this chapter and adopted by reference.~~ The mitigation document ~~(Attachment A to the ordinance codified in this chapter)~~ is based upon the analysis contained in the SEIS. The mitigation

document, together with existing city codes, ordinances, and standards, shall provide the framework for the decision by the city to impose conditions on a planned action project. Other environmental documents and studies listed in the downtown plan and SEIS may also be used to assist in analyzing impacts and determining appropriate mitigation measures in accordance with MMC ~~22E.040.040060~~.

(1) Surface Water/ Water Resources: Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) Compliance with the Marysville stormwater management manual and associated municipal codes in MMC Title 14 Water and Sewer including but not limited to water quality treatment system installation and low impact development (LID) improvement studies and plans and system maintenance.

(b) Compliance with federal or state permits (Clean Water Act, Endangered Species Act) for specific work that may require filling or dredging below the ordinary high water mark in Ebey Slough and state (Washington Department of Natural Resources) and tribal commitments for in-water projects.

(c) Conditions of approval for stormwater management as determined by the City to respond to water quality monitoring from the Allen Creek basin as the result of development and operations that discharge without end of pipe treatment.

(2) Land and Shoreline Use and Aesthetics: Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) Form based code standards in MMC 22C.080 Downtown Master Plan Area – Design Requirements, regarding zoning and land uses; street design, circulation and parking; block frontages; site planning; and building design.

(3) Socioeconomics: Where applicable, Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) Form based code standards in MMC 22C.080.

(b) MMC Chapter 22C.090 Residential Density Incentives.

(c) MMC Chapter 3.103 Multifamily Housing Property Tax Exemption.

(4) Transportation: Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) Concurrency, Traffic Impact Fee, and Road System Obligations: All new development shall be subject to concurrency determinations, meet road system obligations, and pay a transportation impact fee based on the number of new weekday PM peak hour trips generated by the development pursuant to MMC Chapter 22D.030 Traffic Impact Fees and Mitigation. To fulfill road system obligations, the City may require proportionate share of improvements included in the Downtown Master Plan and designed to add capacity to the road system but not otherwise incorporated into the impact fee.

(b) Commute Trip Reduction (CTR): Meet applicable requirements of MMC Chapter 11.52 Commute Trip Reduction (CTR) Plan.

(c) Form based code standards in MMC 22C.080 including but not limited to street design, circulation and parking; block frontages; site planning; and building design. Planned actions shall implement required cross sections pursuant to the form-based code and Downtown Master Plan. Where City construction standards and specifications conflict, the form-based code and Downtown Master Plan shall control.

(5) Public Services: Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) New development will be required to comply with provisions of MMC Title 9 Fire.

(b) New development is subject to collection of school impact fees under MMC Chapter 22D.040 School Impact Fees and Mitigation.

(c) New development is subject to collection of parks impact fees under MMC Chapter 22D.020 Parks, Recreation, Open Space and Trail Impact Fees and Mitigation.

(6) Utilities: Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) Ascertain from the City adequate sewer and water availability, and provide adequate fire flow, consistent with MMC Title 14 Water and Sewers.

(b) Demonstrate water efficiency practices associated with new development including but not limited to: WaterSense or equivalent water efficient products in buildings and native and drought tolerant plants consistent with MMC 22C.120.050. Consistency with any approved City master utility plans that identify system improvements necessary for development.

(d) Compliance with energy efficiency requirements, including but not limited to, MMC Chapter 16.10 Washington State Energy Code.

(7) Earth, Streams, Wetlands, Fish and Wildlife: Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) MMC Chapter 22E.010 Critical Areas Management.

(b) MMC Chapter 22E.020 Floodplain Management.

(c) MMC Chapter 22E.050 Shoreline Management Master Program.

(d) Mitigation referenced in subsection (1) Surface Water/ Water Resources.

(8) Environmental Health: Planned Action Applications shall demonstrate consistency with the following requirements to the satisfaction of the SEPA Responsible Official or their designee:

(a) State of Washington Model Toxics Control Act, where applicable.

(b) Mitigation referenced in subsection (1) Surface Water/ Water Resources.

Section 7. Amendment of Municipal Code. MMC Section 22E.040.060, entitled "Conflict of development regulations and standards," is hereby amended as follows:

22E.040.060080 Conflict of development regulations and standards.

In the event of conflict between this chapter or any mitigation measures imposed pursuant thereto and any other ordinance or regulation of the city, the provisions of this chapter shall control.

Section 8. Amendment of Municipal Code. MMC Section 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 (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

22A.010.160 Amendments.

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

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	MMC Chapter 22E.040 Downtown Planned Actions _____,	2021"

Section 9. 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 10. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 11. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

Section 12. Expiration Date. This ordinance shall expire twenty (20) years from the effective date unless otherwise repealed or readopted following a public hearing.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2021.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, RELATING TO AMENDMENTS TO THE MARYSVILLE MUNICIPAL CODE IN ORDER TO REMOVE OBSOLETE REFERENCES AND INCORPORATE REFERENCES TO THE NEWLY CREATED ZONES WITH THE ADOPTION OF THE DOWNTOWN MASTER PLAN UPDATE, INCLUDING AMENDMENTS TO MARYSVILLE MUNICIPAL CODE SECTIONS 6.76.030, 12.22.010, 22A.020.020, 22A.020.080, 22A.020.090, 22A.020.130, 22A.020.170, 22A.030.020, 22A.030.090, 22A.030.130, 22C.010.320, 22C.020.020, 22C.020.030, 22C.020.060, 22C.020.070, 22C.020.080, 22C.020.090, 22C.020.240, 22C.020.270, 22C.040.040, 22C.090.020, 22C.130.030, 22C.250.080 AND 22D.030.070

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, the development code amendment is consistent with the following required findings of MMC 22G.010.520:

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

WHEREAS, on September 14, 2021, the Marysville Planning Commission held a duly-advertised public hearing, and recommended that the City Council adopt the proposed amendments to the City's development regulations; and

WHEREAS, at a public meeting on September 27, 2021, the Marysville City Council reviewed and considered the Marysville Planning Commission's Recommendation and proposed amendments to the City's development regulations; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on August 20, 2021 (Material ID 2021-S-3035) seeking expedited review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, the amendments to the development regulations are exempt from State Environmental Policy Act review under WAC 197-11-800(19);

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

Section 1. Amendment of Municipal Code. MMC Section 6.76.030, entitled "Identification of environments," is hereby amended as follows:

6.76.030 Identification of environments.

(1) Class A EDNA. Lands where human beings reside and sleep, including all properties in the city which are zoned in single-family residential or multiple-family residential classifications.

(2) Class B EDNA. Lands involving uses requiring protection against noise interference with speech, including all properties in the city which are zoned in neighborhood business, community business, ~~and~~ general commercial, mixed use, business park, public/institutional, downtown core, main street and flex classifications.

(3) Class C EDNA. Lands involving economic activities of such a nature that higher noise levels than experienced in other areas are normally to be anticipated. Persons working in these areas are normally covered by noise control regulations of the Department of Labor and Industries. Such areas shall include all properties in the city which are zoned in light industrial and general industrial classifications.

Section 2. Amendment of Municipal Code. MMC Section 12.22.010, entitled "Sitting or lying down on public sidewalks in downtown commercial zones," is hereby amended as follows:

12.22.010 Sitting or lying down on public sidewalks in downtown commercial core, main street and flex zones.

(1) Prohibition. No person shall sit or lie down upon a public sidewalk, or upon a blanket, chair, stool or other object placed upon a public sidewalk, within the city of Marysville during the hours between 6:00 a.m. and 12:00 midnight.

(2) Exceptions. The prohibition in subsection (1) of this section shall not apply to any person:

(a) Sitting or lying down on a public sidewalk due to a medical emergency;

(b) Who, as a result of a disability, utilizes a wheelchair, walker or similar device to move about the public sidewalk;

(c) Operating or patronizing a commercial establishment conducted on the public sidewalk pursuant to a street use permit; or a person participating in or attending a parade, festival, performance, rally, demonstration, meeting or similar event conducted on the public sidewalk pursuant to a street use or other applicable permit;

(d) Sitting on a chair or bench located on the public sidewalk which is supplied by a public agency or by the abutting private property owner;

(e) Sitting on a public sidewalk within a bus stop zone while waiting for public or private transportation.

Nothing in any of these exceptions shall be construed to permit any conduct which is prohibited by Chapter 6.37 MMC, Pedestrian Interference.

(3) No person shall be cited under this section unless the person engages in conduct prohibited by this section after having been notified by a law enforcement officer that the conduct violates this section.

Section 3. Amendment of Municipal Code. MMC Section 22A.020.020, entitled "A" definitions, is hereby amended as follows:

22A.020.020 "A" definitions.

"Artisan manufacturing" means the production of goods by the use of hand tools or small-scale, light mechanical equipment occurring within a fully-enclosed building where such production requires no outdoor operations or storage, and where the production, operations, and storage of materials related to production occupy no more than 5,000-square-feet of net floor area. Typical uses have negligible negative impact on surrounding properties and include, but are not limited to, woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing. Slaughterhouses are excluded from this definition.

Section 4. Amendment of Municipal Code. MMC Section 22A.020.080, entitled "G" definitions, is hereby amended as follows:

22A.020.080 "G" definitions.

"General service use" means a category of uses whose primary activity is the provision of service, rental, and/or repair to boats, vehicles, appliances, tools, electronic equipment, machinery, and other similar products for personal, commercial, or civic use. Specific uses in this category include, but are not limited to:

- (1) Postal and courier services, post office.
- (2) Small boat sales, rental, and repair (small boats are less than 40-feet long, 8 ½-feet wide, and 14-feet tall).
- (3) Appliance repair.
- (4) Equipment rentals.
- (5) Electronic or equipment service.
- (6) Vehicle repair.
- (7) Commercial vehicle repair.
- (8) Municipal service facility.
- (9) Public safety facility.
- (10) Car wash.
- (11) Heavy service.

Section 5. Amendment of Municipal Code. MMC Section 22A.020.090, entitled "H" definitions, is hereby amended as follows:

22A.020.090 "H" definitions.

"Heavy service use" means a type of general-service uses that have any exterior service activities or feature exterior storage areas that total greater than 15,000 gross-square-feet or occupy an area larger than the size of the use' principal building. It also includes the following uses:

- (1) Contractors' office and storage yard.
- (2) Warehousing and wholesale trade.
- (3) Freight and cargo services.
- (4) Cold storage warehousing.
- (5) Commercial vehicle storage.
- (6) Automotive rental and leasing.
- (7) Automotive parking.
- (8) Research, development, and testing.

"Heavy retail use" means retail uses with exterior sales and/or storage areas greater than 15,000 gross square-feet or occupying a greater area than the use's principal building. Examples include truck stops, agricultural supplies, forest product sales, building materials, and heating fuels.

"Housing, Missing Middle" means townhomes, duplexes, cottage housing, and small apartments that are compatible in scale and form to detached single-family homes.

Section 6. Amendment of Municipal Code. MMC Section 22A.020.130, entitled "L" definitions, is hereby amended as follows:

22A.020.130 "L" definitions.

"Light manufacturing" means a facility conducting light manufacturing operations within a fully-enclosed building. The light manufacturing category includes, but is not limited to, the following uses:

- (1) Clothing, textile apparel manufacturing.
- (2) Facilities engaged in the assembly, design, repair or testing of: analyzing or scientific measuring instruments; semiconductor and related solid state devices, including but not limited to clocks, integrated microcircuits; jewelry, medical, musical instruments, photographic or optical instruments; and timing instruments.
- (3) Printing, publishing, and lithography.
- (4) Production of artwork and toys, graphic design sign-making, movie production facility, photo-finishing laboratory.
- (5) Repair of scientific or professional instruments and electric motors.

Section 7. Amendment of Municipal Code. MMC Section 22A.020.170, entitled "P" definitions, is hereby amended as follows:

22A.020.170 "P" definitions.

"Personal service use" means facilities involved in providing personal services to the general public. Personal service includes the following uses.

- (1) Animal care.
- (2) Beauty/hair salon.
- (3) Catering establishment.
- (4) Cleaning establishment, dry-cleaning or laundry drop-off facility, laundromat, washeteria.
- (5) Copy center.

(6) Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium.

(7) Optometrist.

(8) Palmist, psychic, medium, fortune telling.

(9) Tailor, milliner, upholsterer.

(10) Tattoo parlor, body piercing.

(11) Wedding chapel.

Section 8. Amendment of Municipal Code. MMC Section 22A.030.020, entitled "Zones and map designations established," is hereby amended as follows:

22A.030.020 Zones and map designations established.

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

ZONING DESIGNATIONS	MAP SYMBOL
Residential	R (base density in dwellings per acre)
Residential Mobile Home Park	R-MHP
Neighborhood Business	NB
Community Business	CB
General Commercial	GC
Downtown Commercial	DC
Mixed Use	MU
Light Industrial	LI
General Industrial	GI
Business Park	BP
Recreation	REC
Public/Institutional Zone	P/I
Whiskey Ridge	WR (suffix to zone's map symbol)
Small Farms Overlay	SF (suffix to zone's map symbol)
Adult Facilities	AF (suffix to zone's map symbol)
Property-specific development standards	P (suffix to zone's map symbol)

Section 9. Amendment of Municipal Code. MMC Section 22A.030.090, entitled "Downtown commercial zone," is hereby amended as follows:

~~22A.030.090-Downtown commercial zone-Downtown Master Plan Zones~~

See MMC Chapter 22C.080 Downtown Master Plan – Design Requirements, for zones maps and designation within the boundary of the Downtown Master Plan.

~~(1) — The purpose of the downtown commercial zone (DC) is to provide for the broadest mix of comparison retail, service and recreation/cultural uses with higher density residential uses, serving regional market areas and offering significant employment. These purposes are accomplished by:~~

~~(a) — Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in GC-zoned areas;~~

~~(b) — Allowing for regional shopping areas, and limited fabrication uses; and~~

~~(c) Concentrating large scale commercial and office uses to facilitate the efficient provision of public facilities and services.~~

~~(2) — Use of this zone is appropriate in downtown commercial areas that are designated by the comprehensive plan and that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.~~

Section 10. Amendment of Municipal Code. MMC Section 22A.030.130, entitled "Business park," is hereby amended as follows:

22A.030.130 ~~Business park zone~~Reserved.

~~(1) — The purpose of the business park zone (BP) is to provide for those business/industrial uses of a professional office, wholesale, and manufacturing nature which are capable of being constructed, maintained and operated in a manner uniquely designed to be compatible with adjoining residential, retail commercial or other less intensive land uses, existing or planned. Strict zoning controls must be applied in conjunction with private covenants and unified control of land; many business/industrial uses otherwise provided for in the development code will not be suited to the BP zone due to an inability to comply with its provisions and achieve compatibility with surrounding uses.~~

~~(2) — Use of this zone is appropriate in business park areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.~~

Section 11. Amendment of Municipal Code. MMC Section 22C.010.320, entitled "Open space and recreation space required," is hereby amended as follows:

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 enhances 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 multipurpose recreational and/or green spaces. Special requirements and recommendations for common spaces include the following:

(a) Space shall be large enough to provide functional leisure or recreational activity 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 four 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) Storm water 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 storm water requirements per the director in terms of the area involved and the quality of landscaping and resident amenities. The side slope of the storm water 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 quarter 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 12. Amendment of Municipal Code. MMC Section 22C.020.020, entitled “List of the commercial, industrial, recreation and public institutional zones,” is hereby amended as follows:

22C.020.020 List of the commercial, industrial, recreation and public institutional zones.

The full names, short names and map symbols of the commercial, industrial, recreation and public institutional zones are listed below.

Full Name	Short Name/ Map Symbol
Neighborhood Business	NB
Community Business	CB
General Commercial	GC
Downtown Commercial	DC
Mixed Use	MU
Light Industrial	LI
General Industrial	GI
Business Park	BP
Recreation	REC
Public/Institutional Zone	P/I
Whiskey Ridge	WR (suffix to zone’s map symbol)
Small Farms Overlay	SF (suffix to zone’s map symbol)
Property-specific development standards	P (suffix to zone’s map symbol)

Section 13. Amendment of Municipal Code. MMC Section 22C.020.030, entitled “Characteristics of commercial, industrial, recreation and public institutional zones,” is hereby amended as follows:

22C.020.030 Characteristics of commercial, industrial, recreation and public institutional zones.

(1) Neighborhood Business Zone.

(a) The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties. These purposes are accomplished by:

- (i) Limiting nonresidential uses to those retail or personal services which can serve the everyday needs of a surrounding residential area;
- (ii) Allowing for a mix of housing and retail/service uses; and
- (iii) Excluding industrial and community/regional business-scaled uses.

(b) Use of this zone is appropriate in neighborhood centers designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

(2) Community Business and Community Business – Whiskey Ridge Zones.

(a) The purpose of the community business (CB) and community business – Whiskey Ridge (CB-WR) zones is to provide convenience and comparison retail and personal services for local service areas which exceed the daily convenience needs of adjacent neighborhoods but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor storage or auto-related and industrial uses. These purposes are accomplished by:

(i) Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental and personal services than are found in neighborhood business areas;

(ii) Allowing for a mix of housing and retail/service uses; provided, that housing is not allowed in the community business – Whiskey Ridge zone; and

(iii) Excluding commercial uses with extensive outdoor storage or fabrication and industrial uses.

(b) Use of this zone is appropriate in community business areas that are designated by the comprehensive plan and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

(3) General Commercial Zone.

(a) The purpose of the general commercial zone (GC) 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. These purposes are accomplished by:

(i) Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in CB zoned areas;

(ii) Allowing for outdoor sales and storage, regional shopping areas and limited fabrication uses; and

(iii) Concentrating large-scale commercial and office uses to facilitate the efficient provision of public facilities and services.

(b) Use of this zone is appropriate in general commercial areas that are designated by the comprehensive plan that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

~~(4) Downtown Commercial Zone.~~

~~(a) The purpose of the downtown commercial zone (DC) is to provide for the broadest mix of comparison retail, service and recreation/cultural uses with higher density residential uses, serving regional market areas and offering significant employment. These purposes are accomplished by:~~

~~(i) Encouraging compact development that is supportive of transit and pedestrian travel, through higher nonresidential building heights and floor area ratios than those found in GC zoned areas;~~

~~(ii) Allowing for regional shopping areas, and limited fabrication uses; and~~

~~(iii) Concentrating large-scale commercial and office uses to facilitate the efficient provision of public facilities and services.~~

~~(b) Use of this zone is appropriate in downtown commercial areas that are designated by the comprehensive plan that are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.~~

(54) Mixed Use Zone.

(a) The purpose of the mixed use zone (MU) 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. These purposes are accomplished by:

- (i) Allowing for uses that will take advantage of pedestrian-oriented site and street improvement standards;
- (ii) Providing for higher building heights and floor area ratios than those found in the CB zone;
- (iii) Reducing the ratio of required parking to building floor area;
- (iv) Allowing for on-site convenient daily retail and personal services for employees and residents; and
- (v) Minimizing auto-oriented, outdoor or other retail sales and services which do not provide for the daily convenience needs of on-site and nearby employees or residents.

(b) Use of this zone is appropriate in areas designated by the comprehensive plan for mixed use, or mixed use overlay, which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

~~(65)~~ Light Industrial Zone.

(a) The purpose of the light industrial zone (LI) is to provide for the location and grouping of non-nuisance-generating industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and limited retail uses. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:

- (i) Allowing for a wide range of industrial and manufacturing uses;
- (ii) Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and
- (iii) Limiting residential, institutional, service, office and other nonindustrial uses to those necessary to directly support industrial activities.

(b) Use of this zone is appropriate in light industrial areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

~~(76)~~ General Industrial Zone.

(a) The purpose of the general industrial zone (GI) is to provide for the location and grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing and heavy trucking and equipment but also for commercial uses having special impacts and regulated by other chapters of this title. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:

- (i) Allowing for a wide range of industrial and manufacturing uses;
- (ii) Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and
- (iii) Limiting residential, institutional, service, office and other nonindustrial uses to those necessary to directly support industrial activities.

(b) Use of this zone is appropriate in general industrial areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

~~(87)~~ Business Park Zone.

(a) The purpose of the business park zone (BP) is to provide for those business/industrial uses of a professional office, wholesale, and manufacturing nature which are capable of being constructed, maintained and operated in a manner uniquely

designed to be compatible with adjoining residential, retail commercial or other less intensive land uses, existing or planned. Strict zoning controls must be applied in conjunction with private covenants and unified control of land; many business/industrial uses otherwise provided for in the development code will not be suited to the BP zone due to an inability to comply with its provisions and achieve compatibility with surrounding uses.

(b) Use of this zone is appropriate in business park areas designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

~~(98)~~ Recreation Zone.

(a) The purpose of the recreation zone (REC) is to establish areas appropriate for public and private recreational uses. Recreation would permit passive as well as active recreational uses such as sports fields, ball courts, golf courses, and waterfront recreation, but not hunting. This zone would also permit some resource land uses related to agriculture and fish and wildlife management.

(b) This recreation zone is applied to all land designated as "recreation" on the comprehensive plan map.

~~(109)~~ Public/Institutional Zone.

(a) The purpose of the public/institutional (P/I) land use zone is to establish a zone for governmental buildings, churches and public facilities.

(b) This public/institutional zone is applied to all land designated as "public/institutional" on the comprehensive plan map.

~~(110)~~ Small Farms Overlay Zone.

(a) The purpose of the small farms overlay zone (-SF suffix to zone's map symbol) is to provide a process for registering small farms, thereby applying the small farms overlay zone and recording official recognition of the existence of the small farm, and to provide encouragement for the preservation of such farms, as well as encouraging good neighbor relations between single-family and adjacent development.

(b) Use of this zone is appropriate for existing and newly designated small farms.

Section 14. Amendment of Municipal Code. MMC Section 22C.020.060, entitled "Permitted uses," is hereby amended as follows:

22C.020.060 Permitted uses.

Specific Land Use	NB	CB	CB-WR	GC	DE	MU (63)	LI	GI	REC	P/I
Residential Land Uses										
Dwelling Units, Types:										
Townhouse					P6	P				
Multiple-family	C4	P4, C5		P4, C5	P4, P6	P				
Mobile home	P7	P7	P7	P7	P7	P7	P7	P7		
Senior citizen assisted	P				-	C				P
Caretaker's quarters (3)	P	P	P	P	P	P	P	P	P	P
Group Residences:										
Adult family home (70)	P	P	P	P	P	P				P
Convalescent, nursing, retirement	C	P			P	P				P

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Residential care facility	P	P			P	P	P70	P70	P70	P
Master planned senior community (10)					-	C				C
Enhanced services facility (77)					-					
Accessory Uses:										
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	P8, P9	P9	P9		
Temporary Lodging:										
Hotel/motel	P	P	P	P	P	P	P75			
Bed and breakfast guesthouse (1)					-					
Bed and breakfast inn (1)	P	P	P	P	-					
Recreation/Cultural Land Uses										
Park/Recreation:										
Park	P11	P	P	P	P	P	P	P	P11	P
Marina					P			P	C	P
Dock and boathouse, private, noncommercial					P			P	P16	P
Recreational vehicle park				C12	-		C12		C	P
Boat launch, commercial or public					P			P		P
Boat launch, noncommercial or private					P			P	P17	P
Community center	P	P	P	P	P	P	P	P	P	P
Amusement/Entertainment:										
Theater		P	P	P	P	P				
Theater, drive-in				C	-					
Amusement and recreation services		P18	P18	P18	P18	P19	P	C		
Sports club	P	P	P	P	P	P	P	P		
Golf facility (13)		P	P	P	-		P	P	C	
Shooting range (14)				P15	-		P15			
Outdoor performance center				C	-		C		C	C
Riding academy					-		P		C	
Cultural:										
Library, museum and art gallery	P	P	P	P	P	P	P	P	C	P
Church, synagogue and temple	P	P	P	P	P	P	P	P		P
Dancing, music and art center		P	P	P	P	P			C	P
General Services Land Uses										
Personal Services:										

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
General personal service	P	P	P	P	P	P	P	P		
Dry cleaning plant		P	P		-		P	P		
Dry cleaning pick-up station and retail service	P	P	P	P	P	P25	P76	P		
Funeral home/crematory		P	P	P	P	P26	P76	P		
Cemetery, columbarium or mausoleum	P24	P24	P24	P24, C20	-		P	P		
Day care I	P70	P70	P70	P70	P70	P70	P21, 70	P70	P70	P70
Day care II	P	P	P	P	P	P	P21			
Veterinary clinic	P	P	P	P	P	P	P76	P		
Automotive repair and service	P22	C, P28	C, P28	P	-		P	P		
Electric vehicle (EV) charging station (64)	P	P	P	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	P	P	P67	P67	P	P		
EV battery exchange station				P	-		P	P		
Miscellaneous repair		P	P	P	-		P	P		
Social services		P	P	P	P	P				P
Kennel, commercial and exhibitor/breeding (71)		P	P	P			P	P		
Pet daycare (71), (72)		P	P	P	P	P	P76	P		
Civic, social and fraternal association		P	P	P	P	C		P		P
Club (community, country, yacht, etc.)					-			P		P
Health Services:					-					
Medical/dental clinic	P	P	P	P	P	P				P
Hospital		P	P	P	P	C				C
Miscellaneous health	P68	P68	P68	P68	P68	P68				P68
Supervised drug consumption facility					-					
Education Services:					-					
Elementary, middle/junior high, and senior high (including public, private and parochial)		C	C	C	C	C	P	C		C
Commercial school	P	P	P		P	P27				C
School district support facility	C	P	P	P	P	P	P	P		P
Vocational school		P	P	P	P	P27				P
Government/Business Service Land Uses										
Government Services:										

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Public agency office	P	P	P	P	P	P	P	P		P
Public utility yard				P	-		P			P
Public safety facilities, including police and fire	P29	P	P	P	P	P	P			P
Utility facility	P	P	P	P	-	C	P	P		P
Private storm water management facility	P	P	P	P	P	P	P	P		P
Public storm water management facility	P	P	P	P	P	P	P	P		P
Business Services:					-					
Contractors' office and storage yard				P30	P30	P30	P	P		
Interim recycling facility		P23	P23	P23	-		P			P
Taxi stands		P	P	P	-		P	P		
Trucking and courier service		P31	P31	P31	-		P	P		
Warehousing and wholesale trade				P	-		P	P		
Mini-storage (36)		C78		C78	-		P76	P		
Freight and cargo service				P	-		P	P		
Cold storage warehousing					-		P	P		
General business service and office	P	P	P	P	P	P30	P	P		
Commercial vehicle storage							P	P		
Professional office	P	P	P	P	P	P	P			
Miscellaneous equipment rental		P30, 37	P30, 37	C38	-	P30, 37	P	P		
Automotive rental and leasing				P	-		P	P		
Automotive parking	P	P	P	P	P	P	P	P		
Research, development and testing				P	-		P	P		
Heavy equipment and truck repair					-		P	P		
Automobile holding yard				C	-		P	P		
Commercial/industrial accessory uses (73)	P39, 40	P39	P39	P39	P39, 40	P39, 40	P	P		
Adult facility					-			P33		
Factory-built commercial building (35)	P	P	P	P	P		P	P		
Wireless communication facility (32)	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C		P, C
State-Licensed Marijuana Facilities:										
Marijuana cooperative (69)										
Marijuana processing facility – Indoor only (69)										
Marijuana production facility – Indoor only (69)										

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Marijuana retail facility (69)										
Retail/Wholesale Land Uses										
Building, hardware and garden materials	P47	P	P	P	P	P47	P76	P		
Forest products sales		P	P	P	-		P			
Department and variety stores	P	P	P	P	P	P	P76			
Food stores	P	P	P	P	P	P45	P76			
Agricultural crop sales		P	P	P	-	C	P76			
Storage/retail sales, livestock feed					-		P76	P		
Motor vehicle and boat dealers		P	P	P	-		P	P		
Motorcycle dealers		C	C	P	P49		P	P		
Gasoline service stations	P	P	P	P	P		P76	P		
Eating and drinking places	P41	P	P	P	P	P46	P46	P		
Drugstores	P	P	P	P	P	P	P76	P		
Liquor stores		P	P	P	-					
Used goods: antiques/secondhand shops		P	P	P	P	P				
Sporting goods and related stores		P	P	P	P	P				
Book, stationery, video and art supply stores	P	P	P	P	P	P				
Jewelry stores		P	P	P	P	P				
Hobby, toy, game shops	P	P	P	P	P	P				
Photographic and electronic shops	P	P	P	P	P	P				
Fabric and craft shops	P	P	P	P	P	P				
Fuel dealers				P43	-		P43	P43		
Florist shops	P	P	P	P	P	P				
Pet shops	P	P	P	P	P	P				
Tire stores		P	P	P	P		P76	P		
Bulk retail		P	P	P	-		P76			
Auction houses				P42	-		P76			
Truck and heavy equipment dealers					-		P	P		
Mobile home and RV dealers				C	-		P	P		
Retail stores similar to those otherwise named on this list	P	P	P	P	P	P48	P44, 76	P44		
Automobile wrecking yards					-		C	P		
Manufacturing Land Uses										
Food and kindred products		P50, 52	P50, 52	P50	-		P50	P		

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Winery/brewery		P53	P53	P	P53	P53	P	P		
Textile mill products					-		P	P		
Apparel and other textile products				C	-		P	P		
Wood products, except furniture				P	-		P	P		
Furniture and fixtures				P	-		P	P		
Paper and allied products					-		P	P		
Printing and publishing	P51	P51	P51	P	-	P51	P	P		
Chemicals and allied products					-		C	C		
Petroleum refining and related industries					-		C	C		
Rubber and misc. plastics products					-		P	P		
Leather and leather goods					-		C	C		
Stone, clay, glass and concrete products					-		P	P		
Primary metal industries					-		C	P		
Fabricated metal products				C	-		P	P		
Industrial and commercial machinery					-		C	P		
Heavy machinery and equipment					-		C	P		
Computer and office equipment				C	-		P			
Electronic and other electric equipment				C	-		P			
Railroad equipment					-		C	P		
Miscellaneous light manufacturing				P54, 74	P54		P	P		
Motor vehicle and bicycle manufacturing					-		C	P		
Aircraft, ship and boat building					-		C	P		
Tire retreading					-		C	P		
Movie production/distribution				P	-		P			
Resource Land Uses										
Agriculture:										
Growing and harvesting crops					-		P	P	P	
Raising livestock and small animals					-		P	P	P	
Greenhouse or nursery, wholesale and retail				P	-		P	P	C	
Farm product processing					-		P	P		
Forestry:										
Growing and harvesting forest products					-		P			
Forest research					-		P			

Specific Land Use	NB	CB	CB-WR	GC	DC	MU (63)	LI	GI	REC	P/I
Wood waste recycling and storage					-		C	C		
Fish and Wildlife Management:					-					
Hatchery/fish preserve (55)					-		P	P	C	
Aquaculture (55)					-		P	P	C	
Wildlife shelters	C	C	C		-				P	
Mineral:					-					
Processing of minerals					-		P	P		
Asphalt paving mixtures and block					-		P	P		
Regional Land Uses										
Jail		C	C	C	-		C			
Regional storm water management facility		C	C	C	€		C	C		P
Public agency animal control facility				C	-		P	P		C
Public agency training facility		C56	C56	C56	-	C56	C57			C57
Nonhydroelectric generation facility	C	C	C	C	-		C	C		C
Energy resource recovery facility					-		C			
Soil recycling/incineration facility					-		C	C		
Solid waste recycling					-			C		C
Transfer station					-		C	C		C
Wastewater treatment facility					-		C	C		C
Transit bus base				C	-		P			C
Transit park and pool lot	P	P	P	P	P	P	P	P		P
Transit park and ride lot	P	P	P	P	P	P	P	P		C
School bus base	C	C	C	C	-		P			C58
Racetrack	C59	C59	C59	C	-		P			
Fairground					-		P	P		C
Zoo/wildlife exhibit		C	C	C	-					C
Stadium/arena				C	-		C	P		C
College/university	C	P	P	P	P	P	P	P		C
Secure community transition facility					-			C60		
Opiate substitution treatment program facilities		P61, 62	P61, 62	P61, 62	P61, 62		P62	P62		

Section 15. Amendment of Municipal Code. MMC Section 22C.020.070, entitled "Permitted uses – Development conditions," is hereby amended as follows:

22C.020.070 Permitted uses – Development conditions.

- (1) Bed and breakfast guesthouses and inns are subject to the requirements and standards contained in Chapter [22C.210](#) MMC, Bed and Breakfasts.
- (2) Home occupations are subject to the requirements and standards contained in Chapter [22C.190](#) MMC, Home Occupations.
- (3) Limited to one dwelling unit for the purposes of providing on-site service and security of a commercial or industrial business. Caretaker's quarters are subject to the provisions set forth in Chapter [22C.110](#) MMC, entitled "Temporary Uses."
- (4) All units must be located above a street-level commercial use.
- (5) Twenty percent of the units, but no more than two total units, may be located on the street level of a commercial use, if conditional use permit approval is obtained and the units are designed exclusively for ADA accessibility. The street-level units shall be designed so that the units are not located on the street front and primary access is towards the rear of the building.
- (6) ~~Permitted on the ground floor in the southwest sector of downtown vision plan area, as incorporated into the city of Marysville comprehensive plan. Reserved.~~
- (7) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.
- (8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.
- (9) Permitted in a legal nonconforming or conforming residential structure.
- (10) Subject to Chapter [22C.220](#) MMC, Master Planned Senior Communities.
- (11) The following conditions and limitations shall apply, where appropriate:
 - (a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise, a conditional use permit is required;
 - (b) Lighting for structures and fields shall be directed away from residential areas; and
 - (c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
- (12) Recreational vehicle parks are subject to the requirements and conditions of Chapter [22C.240](#) MMC.
- (13) Golf Facility.
 - (a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.
 - (b) Restaurants are permitted as an accessory use to a golf course.
- (14) Shooting Range.
 - (a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;
 - (b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and
 - (c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.
- (15) Only in an enclosed building.
- (16) Dock and Boathouse, Private, Noncommercial.
 - (a) The height of any covered overwater structure shall not exceed 20 feet as measured from the line of ordinary high water;
 - (b) The total roof area of covered, overwater structures shall not exceed 1,000 square feet;
 - (c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;
 - (d) No overwater structure shall extend beyond the average length of all preexisting over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;
 - (e) Structures permitted hereunder shall not be used as a dwelling; and

(f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.

(17) Boat Launch, Noncommercial or Private.

(a) The city may regulate, among other factors, required launching depth, and length of docks and piers;

(b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and

(c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which it is located.

(18) Excluding racetrack operation.

(19) Amusement and recreation services shall be a permitted use if they are located within an enclosed building, or a conditional use if located outside. In both instances they would be subject to the exclusion of a racetrack operation similar to other commercial zones.

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

(21) Permitted as an accessory use; see MMC [22A.020.020](#), the definition of "Accessory use, commercial/industrial."

(22) Only as an accessory to a gasoline service station; see retail and wholesale permitted use table in MMC [22C.020.060](#).

(23) All processing and storage of material shall be within enclosed buildings and excluding yard waste processing.

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

(25) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.

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

(27) All instruction must be within an enclosed structure.

(28) Car washes shall be permitted as an accessory use to a gasoline service station.

(29) Public Safety Facilities, Including Police and Fire.

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

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

(30) Outdoor storage of materials or vehicles must be accessory to the primary building area and located to the rear of buildings. Outdoor storage is subject to an approved landscape plan that provides for effective screening of storage, so that it is not visible from public right-of-way or neighboring properties.

(31) Limited to self-service household moving truck or trailer rental accessory to a gasoline service station.

(32) All WCFs and modifications to WCFs are subject to Chapter [22C.250](#) MMC including but not limited to the siting hierarchy, MMC [22C.250.060](#). WCFs may be a permitted use or a CUP may be required subject to MMC [22C.250.040](#).

(33) Subject to the conditions and requirements listed in Chapter [22C.030](#) MMC.

(34) Reserved.

(35) A factory-built commercial building may be used for commercial purposes subject to the following requirements:

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

(b) A factory-built commercial building cannot be attached to a metal frame allowing it to be mobile. All structures must be placed on a permanent, poured-in-place foundation. The foundation shall be structurally engineered to meet the requirements set forth in Chapter 16 of the International Building Code.

(36) Mini-storage facilities are subject to the development standards outlined in Chapter [22C.170](#) MMC.

(37) Except heavy equipment.

(38) With outdoor storage and heavy equipment.

(39) Incidental assembly shall be permitted; provided, it is limited to less than 20 percent of the square footage of the site excluding parking.

(40) Light industrial uses may be permitted; provided, there is no outdoor storage of materials, products or vehicles.

(41) Excluding drinking places such as taverns and bars and adult entertainment facilities.

(42) Excluding vehicle and livestock auctions.

(43) If the total storage capacity exceeds 6,000 gallons, a conditional use permit is required.

(44) The retail sale of products manufactured on site shall be permitted; provided, that not more than 20 percent of the constructed floor area in any such development may be devoted to such retail use.

(45) Limited to 5,000 square feet or less.

(46) Eating and Drinking Places.

(a) Limited to 4,000 square feet or less.

(b) Drive-through service windows in excess of one lane are prohibited in Planning Area 1.

(c) Taverns, bars, lounges, etc., are required to obtain a conditional use permit in the mixed use zone.

(47) Limited to hardware and garden supply stores.

(48) Limited to convenience retail, such as video, and personal and household items.

(49) ~~Provided there is no outdoor storage and/or display of any materials, products or vehicles.~~Reserved.

(50) Except slaughterhouses.

(51) Limited to photocopying and printing services offered to the general public.

(52) Limited to less than 10 employees.

(53) In conjunction with an eating and drinking establishment.

(54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.

(55) May be further subject to the provisions of city of Marysville shoreline management program.

(56) Except weapons armories and outdoor shooting ranges.

(57) Except outdoor shooting ranges.

(58) Only in conjunction with an existing or proposed school.

(59) Except racing of motorized vehicles.

(60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00) and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.

(61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter [22G.070](#) MMC, Siting Process for Essential Public Facilities.

(62) Opiate substitution treatment program facilities, as defined in MMC [22A.020.160](#), are subject to the standards set forth below:

(a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child care facility, or actual place of regular worship established prior to the proposed treatment facility.

(b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.

(c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.

(63) Permitted uses include Whiskey Ridge zones.

(64) Level 1 and Level 2 charging only.

(65) The term "rapid" is used interchangeably with Level 3 and fast charging.

(66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC [22C.020.265](#).

(67) Rapid (Level 3) charging stations are required to be placed within a parking garage.

(68) Excepting "marijuana (cannabis) dispensaries," "marijuana (cannabis) collective gardens," and "marijuana cooperatives" as those terms are defined or described in this code and/or under state law; such facilities and/or uses are prohibited in all zoning districts of the city of Marysville.

(69) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within commercial, industrial, recreation, and public institution zones in the city. Provided, activities in strict compliance with RCW [69.51A.210](#) and [69.51A.260](#) are not a violation of the Marysville Municipal Code.

(70) Permitted within existing legal nonconforming single-family residences.

(71) Subject to the requirements set forth in MMC 10.04.460.*

(72) Pet daycares are restricted to indoor facilities with limited, supervised access to an outdoor fenced yard. Overnight boarding may be permitted as a limited, incidental use. Both outdoor access and overnight boarding privileges may be revoked or modified if the facility is not able to comply with the noise standards set forth in WAC [173-60-040](#).*

(73) Shipping/cargo and similar storage containers may be installed on commercial or industrial properties provided they are screened from public view pursuant to MMC [22C.120.160](#), Screening and impact abatement.

(74) Tanks, generators, and other machinery which does not generate nuisance noise may be located in the service/loading area. Truck service/loading areas shall not face the public street and shall be screened from the public street.

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

(76) Use limited to properties that have property frontage along State Avenue/Smokey Point Boulevard.

(77) Enhanced services facilities are prohibited in all commercial and industrial zones as such are identified and adopted in Chapter [22C.020](#) MMC.

(78) Mini-storage facilities may be allowed in the CB and GC zones as a conditional use on property located east of Interstate 5, North of 100th Street, and west of 47th Avenue NE, subject to the following conditions:

(a) The property does not have direct frontage on an arterial street.

(b) Vehicular access to the property is limited by physical constraints, such as railroad tracks, proximity to congested public street intersection where turning movements are restricted, or other physical barriers that limit convenient vehicular access for higher-traffic-generating uses such as retail or office.

(c) Buildings shall be located a minimum of 150 feet from the nearest arterial street or interstate highway right-of-way.

Section 16. Amendment of Municipal Code. MMC Section 22C.020.080, entitled “Densities and dimensions,” is hereby amended as follows:

22C.020.080 Densities and dimensions.

- (1) Interpretation of Tables.
 - (a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC [22C.020.090](#).
 - (b) The density and dimension table is arranged in a matrix format and is delineated into the commercial, industrial, recreation and public institutional use categories.
 - (c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote set forth in MMC [22C.020.090](#).
- (2) General Densities and Dimension Standards.

Standards	NB	CB	GC	DE	MU (12)	LI	GI	BP	REC	P/I	WR-MU (15)	WR-CB (15)
Base density: Dwelling unit/acre	None (18)	12	12	12	28 (1)	0	0	0	0	0	12	0
Maximum density: Dwelling unit/acre	None (18)	None (13)	None (13)	None	34 34 (2)28	0	0	0	0	0	18 (13)	0
Minimum street setback (3)	20 feet	None (7)	None (7)	None (7)	None (7, 8)	None (7)	None (7)	None (7)	20 feet	None (7, 8)	None (7, 8, 14)	None (7, 14)
Minimum interior setback	10 feet (side) 20 feet (rear)	None (4)	None (4)	None (4)	None (9)	None (4) 50 feet (5)	None (4) 50 feet (5)	None (4)	None (4)	None (4)	5 feet (9, 16, 17)	None (4)
Base height (6)	25 feet	55 feet	35 feet; 85 feet (19)	85 feet	45 feet; 65 feet (10)	65 feet	65 feet	45 feet	35 feet	45 feet	45 feet	55 feet
Maximum impervious surface: Percentage	75%	85%	85%	85%	85%, 75% (11)	85%	85%	75%	35%	75%	85%, 75% (11)	85%

Section 17. Amendment of Municipal Code. MMC Section 22C.020.090, entitled “Densities and dimensions – Development conditions,” is hereby amended as follows:

22C.020.090 Densities and dimensions – Development conditions.

- (1) These densities are allowed only through the application of mixed use development standards.
- (2) ~~These densities may only be achieved in the downtown portion of Planning Area 1 through the application of residential density incentives. See Chapter 22C.090 MMC. Reserved.~~
- (3) Gas station pump islands shall be placed no closer than 25 feet to street front lines. Pump island canopies shall be placed no closer than 15 feet to street front lines.
- (4) A 25-foot setback is required on property lines adjoining residentially designated property.
- (5) A 50-foot setback only required on property lines adjoining residentially designated property for industrial uses established by conditional use permits, otherwise no specific interior setback requirement.
- (6) Height limits 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.
- (7) Subject to sight distance review at driveways and street intersections.
- (8) A 20-foot setback is required for multiple-family structures ~~outside of the downtown portion of Planning Area 1.~~
- (9) A 15-foot setback is required for (a) commercial or multiple-family structures on property lines adjoining single-family residentially designated property, and (b) a rear yard of a multi-story residential structure, otherwise no specific interior setback requirement. Interior setbacks may be reduced where features such as critical area(s) and buffer(s), public/private right-of-way or access easements, or other conditions provide a comparable setback or separation from adjoining uses.
- (10) ~~The 65-foot base height applies only to the downtown portion of Planning Area 1. The 45-foot base height applies to the southeast sector of the downtown vision plan area, as incorporated into the city of Marysville comprehensive plan. Reserved.~~
- (11) The 85 percent impervious surface percentage applies to commercial developments, and the 75 percent rate applies to multiple-family developments.
- (12) Reduced building setbacks and height requirements may be approved on a case-by-case basis to provide flexibility for innovative development plans; provided, that variance requests which are greater than 10 percent of the required setback shall be considered by the hearing examiner.
- (13) Subject to the application of the residential density incentive requirements of Chapter [22C.090](#) MMC.
- (14) Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.
- (15) Projects with split zoning (two or more distinct land use zones) may propose a site plan to density average or adjust the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition.
- (16) Townhome setbacks are reduced to zero on an interior side yard setback where the units have a common wall for zero lot line developments.
- (17) Townhome setbacks are reduced to five feet on side yard setbacks, provided the buildings meet a 10-foot separation between structures.
- (18) There is no minimum or maximum density for this zone. Residential units are permitted if located above a ground-level commercial use.
- (19) ~~The 85 foot base height applies only within the boundaries of the Downtown Master Plan area, bounded by 8th Street to the north, Ebey Slough to the south, Alder Avenue to the east, and Interstate 5 to the west.~~

Section 18. Amendment of Municipal Code. MMC Section 22C.020.240, entitled "Commercial, industrial, recreation and public institutional zones design requirements – Applicability and interpretations," is hereby amended 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) Applicability.
- (a) These design standards apply to all new development within the following zones: general commercial (GC), community business (CB), neighborhood business (NB), ~~downtown commercial (DC)~~, and 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) 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: 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) 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.

(d) 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 19. Amendment of Municipal Code. MMC Section 22C.020.270, entitled "Open space and recreation space required," is hereby amended as follows:

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 enhances 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 multifamily 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 multipurpose recreational and/or green spaces. Special requirements and recommendations for common spaces include the following:

(a) Space shall be large enough to provide functional leisure or recreational activity 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 four 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) Storm water 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 storm water requirements per the director in terms of the area involved and the quality of landscaping and resident amenities. The side slope of the storm water 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 quarter 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 20. Amendment of Municipal Code. MMC Section 22C.040.040, entitled “General performance standards,” is hereby amended as follows:

22C.040.040 General performance standards.

All development within the mixed use zone, or mixed use – special district, shall strictly comply with the following general performance standards:

- (1) Preliminary and final plans must comply with bulk regulations contained in this chapter and Chapter [22C.020](#) MMC.
- (2) All proposed sites shall be served by public water and sewer services and paved streets.
- (3) Open space/recreation facilities shall be provided as outlined in MMC [22C.020.270](#) through [22C.020.310](#).
- (4) Vehicular Access and Traffic.
 - (a) Each project shall be limited to a maximum of two points of vehicular access on any one street unless it can be demonstrated that additional points of vehicular access would not materially impede the flow of traffic on the adjoining streets.
 - (b) Developments which provide both residential and nonresidential uses may be eligible for an appropriate traffic mitigation fee reduction.

(c) Pedestrian access shall be a priority in review of the vehicular access plan.

(d) Access points on arterial streets shall be coordinated with adjacent properties in order to limit the overall number of access points.

(5) Pedestrian Access. All projects which contain multiple businesses and/or residential uses shall provide an interconnecting pedestrian circulation system. When a proposed development is on an established bus route, the applicant may be required to provide a bus shelter.

(6) Parking. Off-street parking for residential and nonresidential uses shall comply with Chapter [22C.130](#) MMC. ~~Off-street parking requirements are modified as follows for developments within Planning Area 1 (downtown) as defined in the city's comprehensive plan which provide both residential and nonresidential uses:~~

~~(a) No less than one space for every 1,000 square feet of nonresidential floor area shall be provided;~~

~~(b) For duplexes, triplexes, fourplexes, apartments, and condominiums, one space per each studio or one bedroom dwelling unit, and one and one-half spaces per each two or more bedroom units.~~

(7) Lighting. Outdoor lighting shall not shine on adjacent properties, rotate or flash.

(8) Utilities. All new utility services and distribution lines shall be located underground.

(9) Sidewalks. Sidewalk width requirements shall be increased to a range of seven to 10 feet on streets designated as major pedestrian corridors. For sidewalk widths exceeding the amount required in the City of Marysville Engineering Design and Development Standards, credit will be given on a square footage basis for any dedication of the additional right-of-way.

(10) Signs. Signs shall comply with the requirements of Chapter [22C.160](#) MMC.

(11) Standards Incorporated by Reference. Unless specifically superseded by provisions of this chapter, performance standards for residential and commercial development found elsewhere in the Marysville Municipal Code shall apply to such developments in the mixed use zones, and mixed use - special districts, including parking requirements, storm drainage requirements, sign regulations, and noise regulations.

(12) Maintenance of Open Space, Landscaping and Common Facilities. The owner of the property, its heirs, successors and assigns, shall be responsible for the preservation and maintenance of all open space, parking areas, walkways, landscaping, fences and common facilities, in perpetuity, at a minimum standard at least equal to that required by the city, and approved by the planning director, at the time of initial occupancy.

Section 21. Amendment of Municipal Code. MMC Section 22C.090.020, entitled "General performance standards," is hereby amended as follows:

22C.090.020 Permitted locations of residential density incentives.

Residential density incentives (RDI) shall be used only on sites served by public sewers and only in the following zones:

- (1) In R-12 through R-28 zones;
- (2) Planned residential developments;
- (3) In MU, CB, GC and DC zones; ~~and~~
- (4) SF, MF, and MU zones within the Whiskey Ridge ~~m~~Master ~~p~~Plan; ~~and~~
- (5) DC, MS, F, MMF, MH1, MH2 zones within the Downtown Master Plan.

Section 22. Amendment of Municipal Code. MMC Section 22C.130.030, entitled "Minimum required parking spaces," is hereby amended as follows:

22C.130.030 Minimum required parking spaces.

(1) Purpose. The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses which might locate at the site over time. As provided in subsection (2)(e) of this section, bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to specific land use categories. Provision of carpool parking, and locating it closest to the building entrance, will encourage carpool use.

(2) Minimum Number of Parking Spaces Required.

(a) The minimum number of parking spaces for all zones and use categories is stated in Table 1.

(b) If the parking formula used to determine parking requirements results in a fractional number greater than or equal to one-half, the proponent shall provide parking equal to the next highest whole number.

(c) Changes in Occupancy. Whenever the occupancy classification of a building is changed, the minimum standards for off-street parking for the new occupancy classification shall be applicable; provided, that if the existing occupancy had established a legal nonconforming status with respect to off-street parking requirements, no additional off-street parking shall be required for the new occupancy unless said new occupancy is in a classification requiring more parking than that which would have been required for the existing occupancy if it had been subject to the provisions of this chapter. If strict application of this section is not feasible due to existing site conditions such as building or parcel size, shape or layout, a variance may be granted by the community development director.

(d) Joint Use Parking. Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the community development department as part of a building or land use permit application, and approved by the community development director:

(i) The names and addresses of the uses and of the owners or tenants that are sharing the parking;

(ii) The location and number of parking spaces that are being shared;

(iii) An analysis showing that the peak parking times for the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and

(iv) A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 500 feet of such parking facilities.

(e) Bicycle parking may substitute for up to 10 percent of required parking. For every five nonrequired bicycle parking spaces that meet the bicycle parking standards in MMC [22C.130.060](#), the motor vehicle parking requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

(f) The off-street parking and loading requirements of this chapter do not apply retroactively to established uses; however:

(i) The site to which a building is relocated must provide the required spaces; and

(ii) A person increasing the floor area, or other measure of off-street parking and loading requirements, by addition or alteration, must provide spaces as required for the increase, unless the requirement under this subsection is five spaces or fewer.

(g) Reduction of Required Spaces When Effective Alternatives to Automobile Access Are Proposed. Upon demonstration to the hearing examiner that effective alternatives to automobile access are proposed to be implemented, the examiner may reduce by

not more than 40 percent the parking requirements otherwise prescribed for any use or combination of uses on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and demonstrated reduction in off-street parking demand achieved by such alternative programs. Alternative programs which may be considered by the examiner under this provision include, but are not limited to, the following:

- (i) Private vanpool operation;
- (ii) Transit/vanpool fare subsidy;
- (iii) Imposition of a charge for parking;
- (iv) Provision of subscription bus services;
- (v) Flexible work-hour schedule;
- (vi) Capital improvement for transit services;
- (vii) Preferential parking for carpools/vanpools;
- (viii) Participation in the ride-matching program;
- (ix) Reduction of parking fees for carpools and vanpools;
- (x) Establishment of a transportation coordinator position to implement carpool, vanpool, and transit programs; or
- (xi) Bicycle parking facilities.

~~(h) Reduction of Required Spaces in Downtown Vision Plan Area. Commercial uses within the downtown core, southwest sector, southeast sector, and waterfront sector may reduce the number of required off-street parking spaces in accordance with this section, upon demonstration to the community development department that the proposed use is in conformance with the downtown master plan guidelines as set forth in the comprehensive plan. Expansion of existing commercial buildings and uses is required to demonstrate conformance with the city's design standards and guidelines or to incorporate reasonable measures to meet the intent of the guidelines for existing uses. For commercial uses requiring less than 10 spaces, the parking requirements may be waived by the director. For required parking in excess of 10 spaces, the applicant must demonstrate that adequate on-street parking facilities exist within 400 feet of the proposed use in order to qualify for a reduction. Parking may be reduced by up to 50 percent if consistent with the downtown master plan guidelines. In approving a reduction to required off-street parking, the department may require improvement of existing right-of-way to meet the intent of this code and the downtown master plan in providing improved parking, walkways and access to the business.~~

~~(ih)~~ Uses Not Mentioned. In the case of a use not specifically mentioned in Table 1: Minimum Required Parking Spaces, the requirements for off-street parking shall be determined by the community development director. If there are comparable uses, the community development director's determination shall be based on the requirements for the most comparable use(s). Where, in the judgment of the community development director, none of the uses in Table 1: Minimum Required Parking Spaces are comparable, the community development director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.

(3) Carpool Parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards must be met:

(a) Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before 9:00 a.m. on weekdays. More spaces may be reserved, but they are not required.

(b) The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.

(c) Signs must be posted indicating these spaces are reserved for carpool use before 9:00 a.m. on weekdays.

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
RESIDENTIAL USES	
Single-family dwellings, duplexes, townhouses, and mobile homes	2 per dwelling unit for residents plus 1 additional guest parking space per dwelling unit; provided: 1. An enclosed private garage may be utilized to meet the required parking for residents. Driveways can be counted as resident or guest parking spaces, provided said driveway complies with the bulk and dimensional requirements outlined in Table 2; and 2. Parking spaces behind other required parking spaces (a.k.a. "tandem parking") shall not be counted towards the 2 required parking spaces per dwelling for the residents; however, tandem parking can be counted as a guest parking space.
Accessory dwelling units	1 per dwelling unit
Studio apartments	1.25 per dwelling unit
Multiple-family dwellings, one bedroom	1.5 per dwelling unit. Parking spaces behind other required parking spaces (a.k.a. "tandem parking") shall not be counted towards the 1.5 required parking spaces in a multifamily development; however, tandem parking can be counted as a guest parking space, when required.
Multiple-family dwellings, two or more bedrooms	1.75 per dwelling unit. Parking spaces behind other required parking spaces (a.k.a. "tandem parking") shall not be counted towards the 1.75 required parking spaces in a multifamily development; however, tandem parking can be counted as a guest parking space, when required.
Retirement housing and apartments	1 per dwelling
Mobile home parks	2 per unit, plus guest parking at 1 per 4 lots
Rooming houses, similar uses	1 per dwelling
Bed and breakfast accommodations	1 space for each room for rent, plus 2 spaces for the principal residential use
RECREATIONAL/CULTURAL USES	
Movie theaters	1 per 4 seats
Stadiums, sports arenas and similar open assemblies	1 per 8 seats or 1 per 100 SF of assembly space without fixed seats
Dance halls and places of assembly without fixed seats	1 per 75 SF of gross floor area
Bowling alleys	5 per lane
Skating rinks	1 per 75 SF of gross floor area
Tennis courts, racquet clubs, handball courts and other similar commercial recreation	1 space per 40 SF of gross floor area used for assembly, plus 2 per court
Swimming pools (indoor and outdoor)	1 per 10 swimmers, based on pool capacity as defined by the Washington State Department of Health

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
Golf courses	4 spaces for each green, plus 50% of spaces otherwise required for any accessory uses (e.g., bars, restaurants)
Gymnasiums, health clubs	1 space per each 200 SF of gross floor area
Churches, auditoriums and similar enclosed places of assembly	1 per 4 seats or 60 lineal inches of pew or 40 SF gross floor area used for assembly
Art galleries and museums	1 per 250 SF of gross floor area
COMMERCIAL/OFFICE USES	
Banks, business and professional offices (other than medical and dental) with on-site customer service	1 per 400 SF gross floor area
Retail stores and personal service shops unless otherwise provided herein	If < 5,000 SF floor area, 1 per 600 SF gross floor area; if > 5,000 SF floor area, 8 plus 1 per each 300 SF gross floor area over 5,000 SF
Grocery stores	1 space per 200 SF of customer service area
Barber and beauty shops	1 space per 200 SF
Motor vehicle sales and service	2 per service bay plus 1 per 1,000 SF of outdoor display
Motor vehicle or machinery repair, without sales	2 plus 2 per service bay
Mobile home and recreational vehicle sales	1 per 3,000 SF of outdoor display area
Motels and hotels	1 per unit or room
Restaurants, taverns, bars with on-premises consumption	If < 4,000 SF, 1 per 200 SF gross floor area; if > 4,000 SF, 20 plus 1 per 100 SF gross floor area over 4,000 SF
Drive-in restaurants and similar establishments, primarily for auto-borne customers	1 per 75 SF of gross floor area. Stacking spaces shall be provided in accordance with Chapter 22C.140 MMC, Drive-Through Facilities
Shopping centers	If < 15,000 SF, 1 per 200 SF of gross floor area; if > 15,000 SF, 1 per 250 SF of gross floor area
Day care centers	1 space per staff member and 1 space per 10 clients. A paved unobstructed pick-up area shall be set aside for dropping off and picking up children in a safe manner that will not cause the children to cross the parking area or lines of traffic.
Funeral parlors, mortuaries or cemeteries	1 per 4 seats or 8 feet of bench or pew or 1 per 40 SF of assembly room used for services if no fixed seating is provided
Gasoline/service stations with grocery	1 per employee plus 1 per 200 SF gross floor area
Adult facilities as defined by MMC 22A.020.020	1 per 75 SF of gross floor area or, in the case of an adult drive-in theater, 1 per viewing space
HEALTH SERVICES USES	
Nursing homes, convalescent homes for the aged	1 per 5 beds plus 1 space per employee and medical staff

Table 1: Minimum Required Parking Spaces

LAND USE	MINIMUM REQUIRED SPACES
Medical and dental clinics	1 per 200 SF gross floor area
Hospitals	1 per 2 beds, excluding bassinets
EDUCATIONAL USES	
Elementary, junior high schools (public and private)	5 plus 1 per each employee and faculty member
Senior high schools (public and private)	1 per each 10 students plus 1 per each employee or faculty member
Commercial/vocational schools	1 per each employee plus 1 per each 2 students
PUBLIC/GOVERNMENT USES	
Public utility and governmental buildings	1 per 400 SF of gross floor area
Libraries	1 per 250 SF of gross floor area
MANUFACTURING/WAREHOUSE USES	
Manufacturing and industrial uses of all types, except a building used exclusively for warehouse purposes	1 per 750 SF of gross floor area plus office space requirements
Warehouses, storage and wholesale businesses	1 per 2,000 SF of gross floor area plus office space requirements
Mini self-storage	1 per each 50 storage cubicles equally distributed and proximate to storage buildings. In addition, 1 space for each 50 storage cubicles to be located at the project office.

Section 23. Amendment of Municipal Code. MMC Section 22C.250.080, entitled “Wireless communication facilities – Design standards,” is hereby amended as follows:

22C.250.080 Wireless communication facilities – Design standards.

- (1) All WCFs shall:
- (a) Be designed and constructed to present the least visually obtrusive profile.
 - (b) Use colors such as gray, blue, or green that reduce visual impacts unless otherwise required by the city of Marysville, the FAA, or the FCC.
 - (c) Flush-mount antennas when feasible. Nonflush-mounted antennas are allowed only upon written demonstration by the applicant that flush-mounting is not feasible.
- (2) Base Stations.
- (a) Base stations that are not located underground shall not be visible from public views.
 - (b) New base stations and ancillary structures shall be designed to complement or match adjacent structures and landscapes with specific design considerations such as architectural designs, height, scale, color, and texture and designed to blend with existing surroundings to the extent feasible. This shall be achieved through the use of compatible colors and building materials of existing buildings or structures on the property, and alternative site placement to allow the use of topography, existing vegetation or other structures to screen the base station and ancillary structures from pedestrian views. Where feasible, one building

with multiple compartments shall be constructed to serve the total number of anticipated co-location tenants. If the applicant can demonstrate that one building is not feasible or practical due to site design or other constraints, then a site plan shall be provided to demonstrate how all potential base stations and ancillary structures will be accommodated within the vicinity of the WCF.

(3) Height Standards. The height of the antenna support structure shall be measured from the natural undisturbed ground surface below the center of the base of the tower to the top of the tower or, if higher, to the top of the highest antenna or piece of equipment attached thereto. The height of any WCF shall not exceed the heights provided in the table below.

Zone	Maximum Height
GC, DC, CB, NB, GI, LI, MU, PI, BP-WR-CB, WR-MU, DC, MS, F	140 feet
R4.5—R28, R-6.5, R-8, WR-R-4-8, R-12, R-18, WR-R-6-18, MMF, MH1, MH2	80 feet
Open Space and Recreation	140 feet

Notes:

(1) New antenna support structures must comply with MMC [22C.250.070](#)(4)(e) through (g).

(2) Increases to the height of an existing antenna support structure are permitted, provided:

(a) It is consistent with all conditions of the CUP authorizing the use and subsequent approvals thereafter;

(b) The existing conditions and the proposed changes are not in violation of the MMC;

(c) It is necessary to accommodate an actual co-location of the antenna for additional service providers or to accommodate the current provider's antenna required to utilize new technology, provide a new service, or increase capacity;

(d) Height increases are limited to no more than 40 feet above the height of the existing antenna support structure unless explicitly allowed in the CUP;

(e) A nonconformance shall not be created or increased, except as otherwise provided by this chapter;

(f) A detailed certification of compliance with the provisions of this section is prepared, submitted, and approved.

(4) Setback Requirements.

(a) Antenna support structures outside of the right-of-way shall have a setback from property lines of 10 feet from any property line and 50 feet or one foot setback for every one foot in height from any residentially zoned property, whichever provides the greatest setback.

(b) Base stations shall be subject to the setback requirements of the zone in which they are located.

(c) The department shall consider the following criteria and give substantial consideration to on-site location; setback flexibility is authorized when reviewing applications for new antenna support structures and consolidations:

(i) Whether existing trees and vegetation can be preserved in such a manner that would most effectively screen the proposed tower from residences on adjacent properties;

(ii) Whether there are any natural landforms, such as hills or other topographic breaks, that can be utilized to screen the tower from adjacent residences;

(iii) Whether the applicant has utilized a tower design that reduces the silhouette of the portion of the tower extending above the height of surrounding trees.

(5) Landscaping and Fencing Requirements.

(a) All ground-mounted base stations and ancillary structures shall be enclosed with an opaque fence or fully contained within a building. In all residential zones, or a facility abutting a residential zone, or in any zone when the base station and ancillary structures adjoin a public right-of-way, the fence shall be opaque and made of wood, brick, or masonry. In commercial or industrial zones, if a chain-link fence is installed, slats shall be woven into the security fence. Required fencing shall be of sufficient height to screen all ground equipment and shall be subject to MMC [22C.010.380](#) and [22C.020.330](#). The city shall have the authority to determine the type of enclosure and materials required based upon review of existing site and surrounding conditions.

(b) Landscaping shall be done in accordance with Chapter [22C.120](#) MMC.

(c) When a fence is used to prevent access to a WCF or base station, any landscaping required shall be placed outside of the fence.

(d) Landscaping provisions may be modified in accordance with MMC [22C.120.190](#).

(6) Lighting Standards. Except as specifically required by the FCC or FAA, WCFs shall not be illuminated, except lighting for security purposes that is compatible with the surrounding neighborhood. Any lighting required by the FAA or FCC must be the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable to minimize the potential attraction to migratory birds. Dual lighting standards (white blinking light in daylight and red blinking light at dusk and nighttime) are required and strobe light standards are prohibited unless required. The lights shall be oriented so as not to project directly onto surrounding residential property, and consistent with FAA and FCC requirements.

(7) Signage. Commercial messages shall not be displayed on any WCF. The only signage that is permitted upon an antenna support structure, base station, or fence shall be informational, and for the purpose of identifying the antenna support structure (such as ASR registration number), as well as the party responsible for the operation and maintenance of the facility, its current address and telephone number, security or safety signs, and property manager signs (if applicable). If more than 220 voltage is necessary for the operation of the facility and is present in a ground grid or in the antenna support structure, signs located every 20 feet and attached to the fence or wall shall display in large, bold, high contrast letters (minimum letter height of four inches) the following: HIGH VOLTAGE – DANGER.

(8) Sounds. Maximum permissible sound levels to intrude into the real property of another person from a wireless communication facility shall not exceed 45 dB(A). In the case of maintenance, construction, and emergencies, these sound levels may be exceeded for short durations as required by the specific circumstance.

Section 24. Amendment of Municipal Code. MMC Section 22D.030.070, entitled "Determination and fulfillment of road system obligations," is hereby amended as follows:

22D.030.070 Determination and fulfillment of road system obligations.

(1) Determination of Developer Obligations.

(a) Applications which have a prior SEPA threshold determination establishing developer obligation for the transportation impacts at time of enactment of the ordinance codified in this title shall be vested under the development obligation identified under SEPA.

(b) A determination of developer obligation shall be made by the city before approval of preliminary plats, short subdivisions, and conditional use permits. For binding site plans (including those associated with rezone applications) and commercial permits, the determination of developer obligation shall be made prior to issuance of a building permit.

(c) Mitigation measures imposed as conditions of approval of conditional use permits or binding site plans shall remain valid until the expiration date of the concurrency determination for a development. Any building permit application submitted after the expiration date shall be subject to full reinvestigation of traffic impacts under this title before the building permit can be issued. Determination of new or additional impact mitigation measures shall take into consideration, and may allow credit for, mitigation measures fully accomplished in connection with approval of the conditional use permit, the binding site plan, or prior building permits pursuant to a binding site plan, only where those mitigation measures addressed impacts of the current building permit application.

(d) The director, following review of any required traffic study and any other pertinent data, shall inform the developer in writing what the development's impacts and mitigation obligations are under this title. The developer shall make a written proposal for mitigation of the development's traffic impact, except when such mitigation is by payment of any impact fee under the authority provided to the city under RCW [82.02.050](#)(2). When the developer's written proposal has been reviewed for accuracy and completeness by the director, the director shall make a recommendation to the community development department as to the concurrency determination and conditions of approval or reasons for recommending denial of the land use application, citing the requirements of this title.

(e) For developments which require a public hearing, a developer must submit a written proposal to the director for mitigation of the development's traffic impact, except where such mitigation is by payment of any impact fee under the authority provided to the city under RCW [82.02.050](#)(2). The written proposal must be submitted after any required traffic study has been reviewed and the director has stated the mitigation requirements pursuant to this chapter.

(f) Any request to amend a proposed development, following the determination of developer obligations and approval of the development, which causes an increase in the traffic generated by the development, or a change in points of access, shall be processed in the same manner as an original application and determined to be a substantial project revision, except where written concurrence is provided by the community development director that such request may be administratively approved.

(2) Road System Capacity Requirements.

(a) All developments must mitigate their impact upon the future capacity of the road system either by constructing off-site road improvements which offset the traffic impact of the development or by paying the development's proportionate share cost of the future capacity improvements as set forth in subsection (3) of this section.

(b) Construction Option – Requirements.

(i) If a developer chooses to mitigate the development's impact to the road system capacity by constructing off-site road improvements, the developer must investigate the impact, identify improvements, and offer a construction plan to the director for construction of the off-site improvements.

(ii) In cases where two or more developers have agreed to fully fund a certain improvement, the proportionate sharing of the costs shall be on any basis that the developers agree among themselves would be equitable. Under such an arrangement, the terms of the agreement shall be binding on each development as conditions of approval.

(iii) Any developer who volunteers to construct more than the development's share of the cost of off-site improvements may apply for a reimbursement contract.

(c) Payment Option – Requirements.

(i) If a developer chooses to mitigate the development's impact by making a proportionate share mitigating payment, the development's share of the cost of future capacity improvements will be equal to the development's peak-hour traffic (PHT) times the per-trip amount as identified in the transportation element of the comprehensive plan, as codified below.

(ii) If a developer chooses to mitigate the development's impact by making a proportionate share mitigating payment, the payment is required prior to building permit issuance unless the development is a subdivision or short subdivision, wherein the payment is required prior to the recording of the subdivision or short subdivision.

(iii) Any developer who volunteers to pay more than the development's share of the cost of off-site improvements may apply for a reimbursement contract.

(3) Traffic Impact Fee.

(a) The proportionate share fee amount shall be calculated in accordance with the formula established in Table I:

Table I:

A. Formula
Step 1. Calculate total transportation plan costs (20-year).
Step 2. Subtract costs assigned to other agencies = total city of Marysville costs.
Step 3. Subtract city-funded noncapacity projects from total city of Marysville costs.
Step 4. Subtract LID or other separate developer funding sources = capacity added projects.
Step 5. Subtract city share for external capacity added traffic.
Step 6. Calculate applied discount.

The fee amount resulting from Step 5 is the required traffic impact fee payment.

(b) Data needed for calculation of the fee amount shall be provided in the adopted transportation element and street capital facility plan contained within the adopted city comprehensive plan, which data shall be updated at least annually.

(4) Temporary Enhanced Discount. For a period of three years from the effective date of the ordinance codified in this section, the discount referenced in Step 6 of Table I above (and which is based on data contained in Appendix A, Traffic Impact Fee Methodology, of the city's Transportation Element) shall be adjusted from seven percent to 22 percent. From and after three years of the effective date of the ordinance codified in this section the subject discount shall automatically revert to seven percent without further action of the Marysville city council.

(5) Traffic Impact Fee Exemption.

(a) Traffic Impact Fee Exemption Established. Pursuant to RCW [82.02.060](#)(2) and (4), there is hereby established an exemption from the traffic impact fee set forth in subsection (3) of this section for development activity which meets the criteria of subsection (5)(c) of this section.

(b) Application for Traffic Impact Fee Exemption. Any developer applying for or receiving a building permit which meets the criteria set forth in subsection (5)(c) of this section may apply to the director of public works or designee for an exemption from the traffic impact fee established pursuant to subsection (3) of this section. Said application shall be on forms provided by the city and shall be accompanied by all information and data the city deems necessary to process the application. To the extent it is authorized by law the city shall endeavor to keep all proprietary information submitted with said application confidential; provided, however, this section shall not create or establish a special duty to do so.

(c) Exemption Criteria. To be eligible for the traffic impact fee exemption established by this section, the applicant shall meet each of the following criteria:

(i) The applicant must be a new commercial retail business in the Marysville city limits. For purposes of this section, "new commercial retail business" shall mean any business which sells retail goods and services which are subject to the retail sales tax provisions of Chapter [3.84](#) MMC and which applies for a building permit and which is subject to payment of traffic impact fees pursuant to this title.

(ii) Based on similar store sales or other reliable data, as determined by the city, the applicant must demonstrate that it is likely to generate to the city of Marysville average annual city of Marysville portion sales and use tax revenue of at least \$200,000 based upon the three-year period commencing from date of certificate of occupancy.

(iii) The applicant must be a new retail business located within one of the following prescribed land use zones: light industrial (LI), general commercial (GC), community business (CB), mixed use (MU), downtown ~~commercial core~~ (DC), main street (MS), flex (F).

(d) Administration of Traffic Impact Fee Exemption.

(i) Upon acceptance of an application for exemption from traffic impact fees pursuant to subsection (5)(b) of this section, the applicant shall pay to the city the full amount of the traffic impact fees required pursuant to subsection (3) of this section. Following receipt of the traffic impact fees the city shall deposit and manage the fees as set forth in subsection (5)(e) of this section. At the expiration of a three-year period commencing from the date of issuance of a certificate of occupancy the public works director, with the assistance of the city finance director, shall determine if the average annual city of Marysville portion

sales and use tax revenue received by the city meets the minimum amount stated in subsection (5)(c)(ii) of this section. The determination shall be based upon the sales tax reporting requirements of Chapter [3.84](#) MMC as it now reads or is hereafter amended.

(ii) In the event the three-year average annual city of Marysville portion sales and use tax revenue criterion of subsection (5)(c)(ii) of this section has been met as determined by the director of public works, there shall be an exemption of 50 percent from the traffic impact fees otherwise due pursuant to subsection (3) of this section. In such case, 50 percent of the amount paid to the city pursuant to subsection (5)(d)(i) of this section shall be refunded to the applicant, plus any accrued interest. The remainder of the funds deposited pursuant to subsection (5)(d) of this section shall belong to the city and shall be released to the city.

(iii) In the event the three-year average annual city of Marysville portion sales and use tax revenue criterion of subsection (5)(c)(ii) of this section has not been met, the traffic impact fee required under subsection (3) of this section shall immediately belong to and shall be released to the city; provided, however, in cases where the applicant has met at least 75 percent of the amount set forth in subsection (5)(c)(ii) of this section, the applicant shall receive a partial exemption which shall result in a refund of 25 percent of the amount paid to the city pursuant to subsection (5)(d) of this section plus any accrued interest. The remainder of the funds deposited pursuant to subsection (5)(d) of this section shall belong to the city and shall be released to the city.

(iv) In cases where the applicant has not met either the three-year annual sales and use tax revenue criterion of subsection (5)(c)(ii) of this section or 75 percent thereof, all traffic impact fees paid pursuant to subsection (3) of this section shall belong to the city.

(v) By mutual agreement of the city and the applicant, any refund due under this section may be applied to an obligation or assessment owed by the applicant for city street improvement purposes, including, but not limited to, any obligation or assessment under a local improvement district for streets.

(e) Deposit and Management of Traffic Impact Fees. Traffic impact fees paid by an applicant pursuant to this section and the provisions of subsection (3) of this section shall be deposited by the city into a separate interest bearing account with any qualified public depository for local government as determined by the city. The account holder shall be the city of Marysville. The city may at its option withdraw up to 50 percent of said funds at any time for uses authorized by this title. All other funds deposited in that account shall be used exclusively for payment of refunds to eligible applicants pursuant to subsection (5)(d) of this section and balances, if any, to which the city is entitled. All refunds and interest to which an applicant is entitled shall be paid by the city within 120 days following the three-year period following the issuance of a certificate of occupancy.

(f) Appeals. Any applicant aggrieved by the determination of the director of public works as to whether the criteria of subsection (5)(c) of this section have been met or the eligibility for an exemption from subsection (3) of this section or the amount of refund to which an applicant is entitled pursuant to subsection (5)(d) of this section may file a written appeal to the city's land use hearing examiner as established by Chapter [22G.060](#) MMC. The city examiner is hereby specifically authorized to hear and decide such appeals and the decision of the hearing examiner shall be final action of the city and subject to appeal pursuant to MMC [22G.010.540](#).

(g) Application of Sales and Use Tax Revenue from Businesses Which Receive an Exemption or Partial Exemption.

(i) All sales and use tax received by the city from applicants who receive an exemption or partial exemption from the requirements of this title shall be deposited in a special account to be administered by the city. Said account shall be established to pay traffic impact fees that otherwise would have been paid had an exemption or partial exemption not been granted. Said amounts shall be expended for purposes authorized by and in accordance with the provisions of this title and the provisions of the city's capital improvement plan for streets. All sales and use tax revenues in excess of the amount paid as traffic impact fees received by the city from the applicant may be deposited in the city's general fund and may be expended for any lawful purpose as directed by the city council.

(ii) Special Sales Tax Account. The city shall establish by separate ordinance a special sales tax account for the purposes set forth in subsection (5)(g)(i) of this section.

(6) Level of Service Requirements – Concurrency Determinations.

(a) The department shall make a concurrency determination for each development application. The concurrency determination will establish whether the development will impact an arterial unit where the level of service is below the adopted level of service standard, or cause the level of service on an arterial unit to fall below the adopted level of service standard, unless improvements are programmed and funding identified which would remedy the deficiency within six years. In either case, the development will be deemed not concurrent. The approving authority shall not approve any development that is not deemed concurrent under this section. Building permit applications for development within an approved rezone with binding site plan, nonresidential subdivision or short subdivision, for which a concurrency determination has been made in accordance with this section, shall be deemed concurrent; provided, that the building permit will not cause the approved traffic generation of the prior approval to be exceeded, there is no change in points of access, and mitigation required pursuant to the rezone with binding site plan, subdivision or short subdivision approval is performed as a condition of building permit issuance.

(i) The department shall make a concurrency determination upon receipt of a development's application submittal. The determination may change based upon revisions in the application. Any change in the development after approval will be resubmitted to the director, and the development will be re-evaluated for concurrency purposes.

(ii) Concurrency shall expire six years after the date of the concurrency determination, or, in the case of approved residential subdivisions, when the approval expires or when the application is withdrawn or allowed to lapse.

(iii) Building permits for a development must be issued prior to expiration of concurrency for the development. No additional concurrency determination shall apply to residential dwellings within a subdivision or short subdivisions recorded in compliance with this section.

(iv) If concurrency expires prior to building permit issuance, the director shall at the request of the developer consider evidence that conditions have not significantly changed and make a new concurrency determination in accordance with subsection (6)(a)(i) of this section.

(b) In determining whether or not to deem a proposed development as concurrent, the department shall analyze likely road system impacts on arterial units based on the size and location of the development. A development shall be deemed concurrent for the period prior to the expiration date of concurrency for the development.

(i) A development's forecast trip generation at full occupancy shall be the basis for determining the impacts of the development on the road

system. The city will accept valid data from a traffic study prepared under MMC [22D.030.060](#).

(c) A concurrency determination made for a proposed development under this section will evaluate the development's impacts on any arterial units in arrears.

(i) If a development which generates 10 or more p.m. peak-hour trips, or a nonresidential development which generates five or more p.m. peak-hour trips, is proposed to affect an arterial unit in arrears, then the development may only be deemed concurrent based on a trip distribution analysis to determine the impacts of the development. Impacts shall be determined based on each of the following:

(A) If the trip distribution analysis indicates that the development will not place three or more p.m. peak-hour trips on any arterial units in arrears, then the development shall be deemed concurrent.

(B) If the trip distribution analysis indicates that the development will place three or more p.m. peak-hour trips on any arterial unit in arrears, then the development shall not be deemed concurrent except where the development is deemed concurrent in accordance with the options under subsection (6)(e) of this section.

(d) Any residential development that generates less than 10 p.m. peak-hour trips, or any nonresidential development that generates less than 10 p.m. peak-hour trips, shall be considered to have only minor impact on city arterials for purposes of a concurrency determination on impacts to level of service on arterial units and shall be deemed concurrent.

(e) Any development not deemed concurrent shall have options available to enable the development to be deemed concurrent as follows:

(i) A development which meets the department's criteria for transit compatibility, in accordance with the director's policy and procedure for transit compatibility under MMC [22D.030.050](#)(12), shall be deemed concurrent if the impacted arterial unit in arrears meets the criteria for transit supportive design in accordance with the director's policy and procedure for transit compatibility, and if the level of service on the impacted arterial unit in arrears meets the LOS standards adopted within the comprehensive plan; and provided, that the development can be deemed concurrent in accordance with all other provisions of subsection (6)(c) of this section.

(ii) A development may modify its proposal to lessen its impacts on the road system in such a way as to allow the city to deem the development concurrent under this section.

(iii) The city may deem such development concurrent based upon a written proposal signed by the proponent of the development and attached to the director's recommendation under MMC [22D.030.050](#)(2), and referenced in the concurrency determination, as a condition of approval.

(A) Such proposal may include conditions which would defer construction of all or identified subsequent phases of a development until such time as the city has made or programmed capacity improvements which would remedy any arterial units in arrears.

(B) Such proposals may include conditions which would defer construction of all or identified subsequent phases of a development until such time as the developer constructs capacity improvements which would remedy any arterial units in arrears.

1. If a developer chooses to mitigate the development's impact by constructing off-site road improvements, the developer must investigate the impact, identify improvements, and offer a construction plan

to the director for construction of the off-site improvements. Construction of improvements shall be in accordance with the engineering design and development standards.

2. In cases where two or more developers have agreed to fully fund a certain improvement, the proportionate sharing of the cost shall be on any basis that the developers agree among themselves would be equitable. Under such an arrangement, the terms of the agreement shall be binding on each development as conditions of approval.

3. Any developer who volunteers to construct off-site improvements of greater value than any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of city roads may apply for a reimbursement contract.

4. Any developer who chooses to mitigate a development's impact by constructing off-site improvements may propose to the council that a joint public/private partnership be established to jointly fund and/or construct the proposed improvements. The director will determine whether or not such a partnership is to be established.

5. Construction of capacity improvements under this section must be complete or under contract prior to the issuance of any building permits and must be complete prior to approval for occupancy or final inspection; provided, that where no building permit will be associated with a change in occupancy, then construction of improvements is required as a precondition to approval.

(f) Adopted Level of Service. The level of service for principal, minor, and collector arterials at signalized intersections shall be at a LOS consistent with the transportation element of the comprehensive plan using the operational method as a standard of review.

(7) Inadequate Road Condition Requirements.

(a) Regardless of the existing level of service, development which adds three or more p.m. peak-hour trips to an inadequate road condition existing on the road system, at the time of determination in accordance with subsection (1) of this section, or development whose traffic will cause an inadequate road condition at the time of full occupancy of the development will only be approved for occupancy or final inspection when provisions are made in accordance with this chapter for elimination of the inadequate road condition. The improvements removing the inadequate road condition must be complete or under contract before a building permit on the development will be issued and the road improvement must be complete before any certificate of occupancy or final inspection will be issued; provided, that where no building permit will be associated with a conditional use permit, then the improvements removing the inadequate road condition must be complete as a precondition to approval.

(b) The director shall determine whether or not a location constitutes an inadequate road condition. Any known inadequate road condition to which the development adds three or more p.m. peak-hour trips shall be identified as part of the director's recommendation under subsection (6) of this section.

(c) A development's access onto a public road shall be designed so as not to create an inadequate road condition. Developments shall be designed so that inadequate road conditions are not created.

(d) Construction Option – Requirements.

(i) If a developer chooses to eliminate an inadequate road condition by constructing off-site road improvements, the developer must investigate the impact, identify improvements, and offer a construction plan to the director for construction of the off-site improvements.

(ii) In cases where two or more developers have agreed to fully fund a certain improvement, the proportionate sharing of the costs shall be on any basis that the developers agree among themselves would be equitable. Under such an arrangement, the terms of the agreement shall be binding on each development as conditions of approval.

(iii) Any developer who volunteers to construct off-site improvements of greater value than any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of city roads, which are contained within the cost basis, contained within the transportation element, or which are not part of the cost basis of any proportionate share mitigating payment imposed under this title to mitigate the development's impact on the future capacity of city roads, and therefore not credited against any proportionate share mitigating payment, may apply for a reimbursement contract.

(8) Special Circumstances. Where the only remedy to an arterial unit in arrears is the installation of a traffic signal, but signalization warrants contained in the current edition of the Manual on Uniform Traffic Control Devices (MUTCD) are not met at present, developments impacting the arterial unit will be allowed to proceed without the installation of the traffic signal; provided, that all other warranted level of service and transit-related improvements are made on the arterial unit within the deficient level of service. Developments impacting such arterial units will not be issued building permits or occupancies (whichever comes first) until the improvements (not including the traffic signal) to the level of service deficient arterial unit are under contract or being performed. Such developments will be subject to all other obligations as specified in this title.

(9) Administration of Traffic Impact Fees.

(a) Any traffic impact fees made pursuant to this title shall be subject to the following provisions:

(i) Except as otherwise provided in this section and MMC Title [22](#), the traffic impact fee payment is required prior to building permit issuance unless the development is a subdivision or short subdivision, in which case the payment shall be made prior to the recording of the subdivision or short subdivision; provided, that where no building permit will be associated with a change in occupancy or conditional use permit then payment is required prior to approval of occupancy.

(ii) The traffic impact fees shall be held in a reserve account and shall be expended to fund improvements on the road system.

(iii) An appropriate and reasonable portion of traffic impact fees collected may be used for administration of this title.

(iv) The fee payer may receive a refund of such fees if the city fails to expend or encumber the impact fees within six years of when the fees were paid, or other such period of time established pursuant to RCW [82.02.070\(3\)](#), on transportation facilities intended to benefit the development for which the traffic impact fees were paid, unless the city council finds that there exists an extraordinary and compelling reason for fees to be held longer than six years. These findings shall be set forth in writing and approved by the city council. In determining whether traffic impact fees have been encumbered, impact fees shall be considered encumbered on a first-in/first-out basis. The city shall notify potential claimants by first class mail deposited with the United States Postal Service at the last known address of claimants.

(v) The request for a refund must be submitted by the applicant to the city in writing within 90 days of the date the right to claim the refund arises, or the date that notice is given, whichever is later. Any traffic impact fees that are

not expended within these time limitations, and for which no application for a refund has been made within this 90-day period, shall be retained and expended on projects identified in the adopted transportation element. Refunds of traffic impact fees under this subsection shall include interest earned on the impact fees.

(b) Off-site improvements include construction of improvements to mitigate an arterial unit in arrears and/or specific inadequate road condition locations. If a developer chooses to construct improvements to mitigate an arterial unit in arrears or inadequate road condition problem, and the improvements constructed are part of the cost basis of any traffic impact fees imposed under this title to mitigate the development's impact on the future capacity of city roads, the cost of these improvements will be credited against the traffic impact fee amount; provided, that the amount of the cost to be credited shall be the estimate of the public works director as to what the city's cost would be to construct the improvement. Any developer who volunteers to pay for and/or construct off-site improvements of greater value than any traffic impact fees imposed under this title, to mitigate the development's impact on the future capacity of city roads, based on the cost basis contained within the transportation element, or which are not part of the cost basis of any traffic impact fees imposed under this title to mitigate the development's impact on the future capacity of city roads, and therefore not credited against the traffic impact fees, may apply for a reimbursement contract.

(c) Deferral of Impact Fees Allowed.

(i) Required payment of impact fees may be deferred to final inspection for single-family detached or attached residential dwelling.

(ii) Payment of required impact fees for a commercial building, or industrial building, may be deferred from the time of building permit issuance in accordance with following:

(A) Fifty percent of the impact fees shall be paid prior to approved occupancy of the structure; and

(B) The remaining 50 percent of the impact fees shall be paid within 18 months from the date of building occupancy, or when ownership of the property is transferred, whichever is earlier.

(iii) The community development department shall allow an applicant to defer payment of the impact fees when, prior to submission of a building permit application for deferment under subsection (9)(c)(i) of this section or prior to final inspection for deferment under subsection (9)(c)(ii) of this section, the applicant:

(A) Submits a signed and notarized deferred impact fee application and acknowledgement form for the development for which the property owner wishes to defer payment of the impact fees; and

(B) With regard to deferred payment under subsection (9)(c)(ii) of this section, records a lien for impact fees against the property in favor of the city in the total amount of all deferred impact fees for the development. The lien for impact fees shall:

1. Be in a form approved by the city attorney;
2. Include the legal description, tax account number and address of the property;
3. Be signed by all owners of the property, with all signatures as required for a deed, and recorded in the county in which the property is located;
4. Be binding on all successors in title after the recordation; and

5. Be junior and subordinate to one mortgage for the purpose of construction upon the same real property granted by the person who applied for the deferral of impact fees.

(iv) In the event that the impact fees are not paid in accordance with subsection (9)(c)(ii) of this section, the city shall institute foreclosure proceedings under the process set forth in Chapter [61.12](#) RCW, except as revised herein. In addition to any unpaid impact fees, the city shall be entitled to interest on the unpaid impact fees at the rate provided for in RCW [19.52.020](#) and the reasonable attorney fees and costs incurred by the city in the foreclosure process. Notwithstanding the foregoing, prior to commencement of foreclosure, the city shall give not less than 30 days' written notice to the person or entity whose name appears on the assessment rolls of the county assessor as owner of the property via certified mail with return receipt requested and regular mail advising of its intent to commence foreclosure proceedings. If the impact fees are paid in full to the city within the 30-day notice period, no attorney fees, costs and interest will be owed.

(v) In the event that the deferred impact fees are not paid in accordance with this section, and in addition to foreclosure proceedings provided in subsection (9)(c)(iv) of this section, the city may initiate any other action(s) legally available to collect such impact fees.

(vi) Upon receipt of final payment of all deferred impact fees for the development, the department shall execute a separate lien release for the property in a form approved by the city attorney. The property owner, at their expense, will be responsible for recording each lien release.

(vii) Compliance with the requirements of the deferral option shall constitute compliance with the conditions pertaining to the timing of payment of the impact fees.

Section 25. Amendment of Municipal Code. MMC Section 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 (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

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

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	Downtown Master Plan Update Amendments	_____, 2021"

Section 26. 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 27. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 28. 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 _____, 2021.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING SECTIONS 3.103.030, 3.103.040, 3.103.070, AND 3.103.150 OF THE MARYSVILLE MUNICIPAL CODE TO EXPAND THE EXISTING RESIDENTIAL TARGETED AREAS AND TO REDUCE THE MINIMUM NUMBER OF UNITS REQUIRED TO QUALIFY FOR THE DOWNTOWN MULTIFAMILY HOUSING PROPERTY TAX EXEMPTION PROGRAM

WHEREAS, Chapter 84.14 RCW provides for exemptions for ad valorem property tax valuation for qualifying multifamily housing located in designated target areas within urban centers; and

WHEREAS, Chapter 84.14 RCW authorizes the City to designate target areas and to adopt necessary procedures to implement Chapter 84.14 RCW; and

WHEREAS, as authorized by Chapter 84.14 RCW, the City Council adopted Marysville Municipal Code Chapter (MMC) 3.103, the Downtown Multifamily Housing Property Tax Exemption Program on December 8, 2009; and

WHEREAS, the purpose of the Downtown Multifamily Housing Property Tax Exemption Program on is to stimulate the creation of new and enhanced residential structures within the city's urban center, benefiting and promoting the public health, safety and welfare by encouraging residential redevelopment, including affordable housing opportunities; and

WHEREAS, the City of Marysville has not received a formal application to utilize the Downtown Multifamily Housing Property Tax Exemption Program since the adoption in December 8, 2009; and

WHEREAS, the development pattern in the Downtown Area prior to and since the adoption of the program is not consistent with the goals and objectives identified in the City's Downtown Master plan which anticipates much more growth in this area including new multifamily developments on a larger scale; and

WHEREAS, the amendments proposed are intended to reduce the threshold requirements of applicants in order to incentivize the use of Downtown Multifamily Housing Property Tax Exemption Program, and to ultimately provide more multifamily housing units within the Downtown Area; and

WHEREAS, the Residential Targeted Area has been expanded to coincide with the expanded Downtown Master Plan Boundaries, adopted on September 27, 2021; and

WHEREAS, the minimum number of new, converted or rehabilitated multifamily housing to qualify for the program has been reduced from twenty units to ten units; and

WHEREAS, during a public meeting on July 13, 2021, the Planning Commission discussed proposed amendments to MMC Sections 3.103.030, 3.103.040, 3.103.070, and 3.103.150; and

WHEREAS, the City of Marysville submitted the proposed amendments to MMC Sections 3.103.030, 3.103.040, 3.103.070, and 3.103.150, to the Washington State Department of Commerce on July 19, 2021, as required by RCW 36.70A.106; and

WHEREAS, after providing notice to the public as required by law, the Marysville Planning Commission held a Public Hearing on September 14, 2021 regarding the proposed amendments to MMC Sections 3.103.030, 3.103.040, 3.103.070, and 3.103.150; and

WHEREAS, the Planning Commission made a Recommendation to the City Council on September 14, 2021 recommending the adoption of the proposed amendments to MMC Sections 3.103.030, 3.103.040, 3.103.070, and 3.103.150; and

WHEREAS, at a public meeting on September 27, 2021 the Marysville City Council reviewed and considered the Planning Commission's Recommendation and the proposed amendments to MMC Sections 3.103.030, 3.103.040, 3.103.070, and 3.103.150; and

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

Section 1. Section 3.103.030 Definitions, is hereby amended to modify the following definitions read as follows:

3.103.030 Definitions.

(1) "Affordable housing" means residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed 30 percent of the household's monthly income. For the purposes of housing intended for owner occupancy, "affordable housing" means residential housing that is within the means of low or moderate income levels.

(2) "City" means the city of Marysville, a municipal corporation and political subdivision.

(3) "Director" means the city of Marysville's director of community development or authorized designee.

(4) "Household" means a single person, family, or unrelated persons living together.

(5) "Low-income household" means a single person, family or unrelated persons living together whose adjusted income is at or below 80 percent of the median family income adjusted for family size for Snohomish County as reported by the United States Department of Housing and Urban Development. At such times as the city is a high-cost area, "low-income household" means a household that has an income at or below 100 percent of the median family income adjusted for family size in Snohomish County.

(6) "Moderate-income household" means a single person, family, or unrelated persons living together whose adjusted income is more than 80 percent but is below 115 percent of the median family income adjusted for family size for Snohomish County as reported by the United States Department of Housing and Urban Development. At such times as the city is a high-cost area, "moderate-income household" means a household that has an income at or above 100 percent of the median family income, adjusted for family size, but is below 115 percent of the median family income, adjusted for family size, for Snohomish County.

(7) "High-cost area" means a county where the third quarter median house price for the previous year as reported by the Washington Center for Real Estate Research at Washington State University is equal to or greater than 130 percent of the statewide median house price published during the same time period.

(8) "Owner" means the property owner of record.

(9) "Multifamily housing" and "multiple-unit housing" are used synonymously in this chapter and mean a building having ~~20~~ ten or more dwelling units not designed or used as transient accommodations, not including hotels and motels and designed for permanent residential occupancy resulting from new construction, rehabilitation or conversion of a vacant, underutilized or substandard building to multifamily housing.

(10) "Permanent residential occupancy" means multifamily housing that provides either owner-occupant housing or rental accommodations that are leased for a period

of at least one month on a nontransient basis. This excludes accommodations that offer occupancy on a transient basis such as hotels and motels that predominately offer rental accommodations on a daily or weekly basis.

(11) "Rehabilitation improvements" means modifications to existing structures that are vacant for 12 months or longer, that are made to achieve a condition of substantial compliance with existing building codes or modification to existing occupied structures which increase the number of multifamily housing units.

(12) "Residential targeted area" means an area within an urban center, as defined by Chapter 84.14 RCW, and as shown in MMC 3.103.040(1). ~~the area within or coterminous with the city's urban center and downtown study area, generally described as follows:~~

~~The downtown study area for the master plan is located within the larger Downtown Neighborhood, Planning Area 1 of the City's neighborhood planning areas, as defined in the City of Marysville Comprehensive Plan. The study area is bounded by 8th Street to the north, Ebey Slough to the south, Alder Avenue to the east, and I-5 to the west. The Downtown Study Area is approximately 182 acres in size.~~

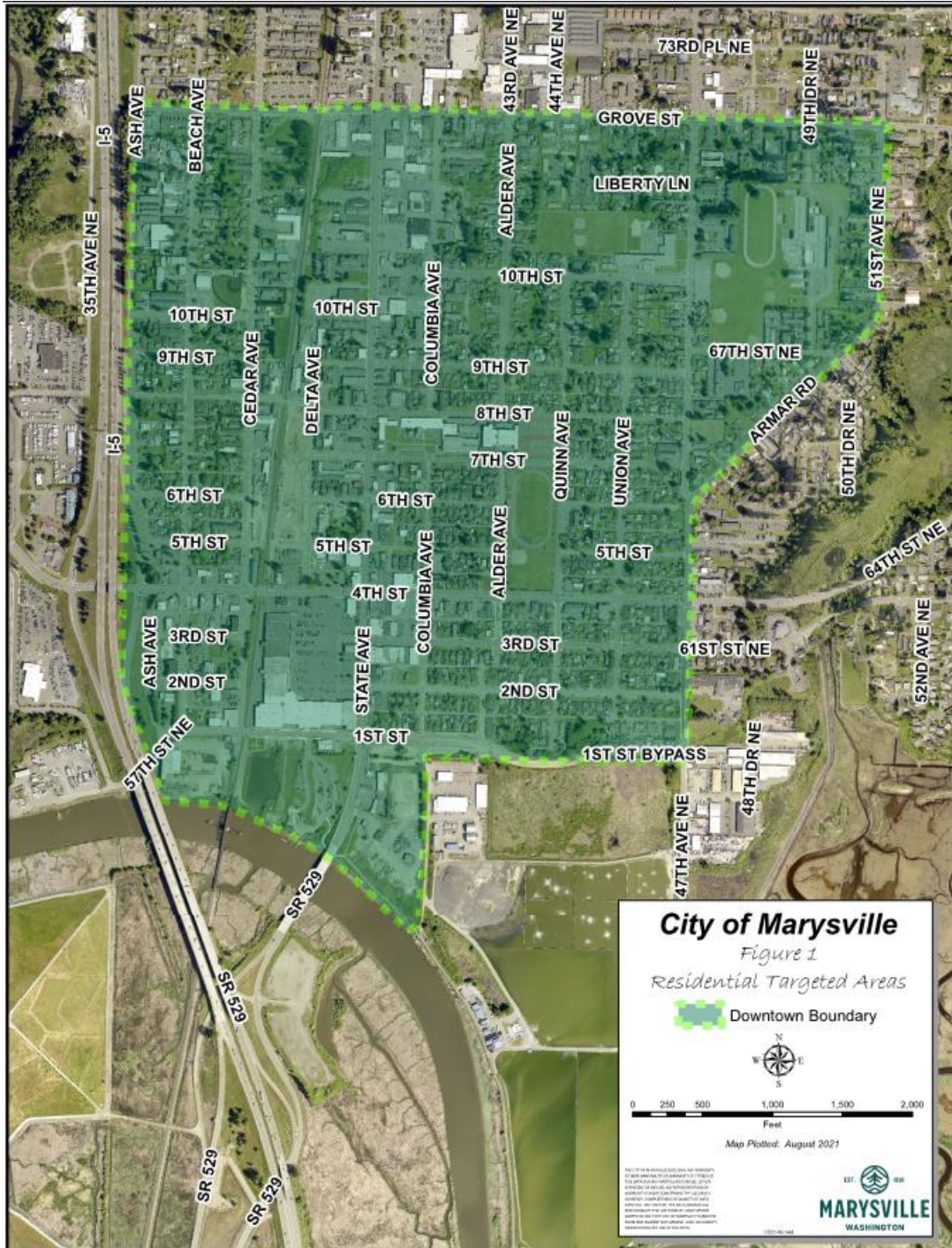
The downtown study area is part of the urban center of the city and has been designated by the city council as the residential targeted area in accordance with this chapter and Chapter [84.14](#) RCW. It has been found by the city council to be lacking sufficient available, convenient, attractive, livable, and desirable residential housing to meet the needs of the public.

(13) "Urban center" means the downtown study area described in MMC [3.103.150](#), where urban residents may obtain a variety of products and services including, but not limited to, shops, offices, banks, restaurants, governmental agencies and a mixture of uses and activities that may include housing, recreation, and cultural activities in association with either commercial or office, or both uses.

Section 2. Section 3.103.040 Residential targeted area designation criteria, is hereby amended to add and modify the following subsections to read as follows:

3.103.040 Residential targeted area designation criteria.

(1) The following area, as shown in Figure 1 of this section, meets the criteria of this chapter and RCW 84.14.040 for residential targeted areas, and is designated as such:



(2) If a part of any legal lot is within a residential targeted area as shown on Figure 1 in this section, then the entire lot shall be deemed to lie within such residential targeted area.

(3) In addition to the residential targeted areas described and shown in subsection (1) of this section, the City Council may designate additional areas as per RCW 84.14.040 (now or as hereafter amended). Following notice and public hearing, or a continuance thereof, as prescribed in RCW 84.14.040, the city council may, in its sole

~~discretion, designate all of or a portion of the residential targeted area described in the notice of hearing as the residential targeted area.~~

(4) The designated targeted area must meet the following criteria, as found by city council in its sole discretion:

(a~~1~~) The targeted area is located within the urban center as determined by the city council;

(b~~2~~) The targeted area lacks sufficient available, affordable, attractive, convenient, desirable, and livable residential housing to meet the needs of the public who would be likely to live in the urban center, if such places to live were available; and

(c~~3~~) The providing of additional housing opportunity in the targeted area will assist in achieving the stated purposes of RCW [84.14.007](#), namely:

(i~~a~~) Encourage increased residential opportunities within the targeted area of the city of Marysville; or

(i~~b~~) Stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multifamily housing that will increase and improve residential opportunities within the city's urban centers;

(d~~4~~) In designating the residential targeted area, the city council may also consider other factors, including, but not limited to, which additional housing in the targeted area will attract and maintain a significant increase in the number of permanent residents, whether additional housing in the targeted area will help revitalize the city's urban center, whether an increased residential population will help improve the targeted area and whether an increased residential population in the targeted area will help to achieve the planning goals mandated by the Growth Management Act under RCW [36.70A.020](#);

(e~~5~~) The notice for the hearing has met the requirements of RCW [84.14.040](#).

(4~~5~~) The urban center and residential targeted area defined in MMC [3.103.030](#) were designated following notice and a public hearing and findings as required by this section.

Section 3. Section 3.103.070 Tax exemption for multifamily housing in residential targeted areas, is hereby amended to modify the following subsections to read as follows:

3.103.070 Tax exemption for multifamily housing in residential targeted areas.

(1) Intent. Exemptions from ad valorem property taxation for multifamily housing in urban centers are intended to:

(a) Encourage increased residential opportunities, including affordable housing opportunities, within the urban center designated by the city council as a residential targeted area;

(b) Stimulate new construction or rehabilitation of existing vacant and underutilized buildings for multifamily housing in the residential targeted area to increase and improve housing opportunities;

(c) Assist in directing future population growth in the designated urban center, thereby reducing development pressure on single-family residential neighborhoods; and

(d) Achieve development densities which are more conducive to transit use in the designated urban center.

(2) Duration of Exemption. The value of new construction, conversion, and rehabilitation improvements qualifying under this chapter is exempt from ad valorem property taxation as follows:

(a) Eight successive years beginning January 1st of the year immediately following the calendar year of issuance of the certificate of exemption; or

(b) Twelve successive years beginning January 1st of the year immediately following the calendar year of issuance of the final certificate of exemption, and the property otherwise qualifies for the exemption under Chapter [84.14](#) RCW and meets the following conditions:

(i) The applicant must commit to renting or selling at least 20 percent of the multifamily housing units as affordable housing units to low- and moderate-income households, and the property must satisfy that commitment. In the cases of projects intended exclusively for owner occupancy, the minimum requirement of this subsection may be satisfied solely through housing affordable to moderate-income households.

(ii) The exemptions provided herein do not include the value of land or non-housing-related improvements.

(3) Limits on Exemption. The exemption does not apply to the value of the land or to the value of improvements not qualifying under this chapter, nor does the exemption apply to increases in assessed valuation of land or nonqualifying improvements. In the case of rehabilitation of existing buildings, the exemption does not include the value of improvements constructed prior to submission of the completed application required under this chapter.

(4) Project Eligibility. A proposed project must meet the following requirements for consideration for a property tax exemption:

(a) Location. The project must be located within the residential targeted area as designated pursuant to MMC [3.103.150](#) and defined in MMC [3.103.030](#).

(b) Tenant Displacement Prohibited. The project must not displace existing residential tenants of structures that are proposed for redevelopment. Existing dwelling units proposed for rehabilitation must have been unoccupied for a minimum of 12 months prior to submission of an application and must fail to comply with one or more requirements of the building code of the city as set forth in MMC Title [16](#). Applications for new construction cannot be submitted for vacant property upon which an occupied residential rental structure previously stood, unless a minimum of 12 months has elapsed from the time of most recent occupancy.

(c) Size. The project must include at least ~~20~~ [ten](#) units of multifamily housing within a residential structure. A minimum of ~~20~~ [ten](#) new units must be constructed or at least ~~20~~ [ten](#) additional multifamily units must be added to existing occupied multifamily housing. Existing multifamily housing that has been vacant for 12 months or more does not have to provide additional units so long as the project provides at least ~~20~~ [ten](#) units of new, converted or rehabilitated multifamily housing.

(d) Permanent Residential Housing. At least 50 percent of the space designated for multifamily housing must be provided for permanent residential occupancy, as defined in MMC [3.103.030](#)(10) and only that portion of the space designated for multifamily housing shall be eligible for the exemption provided for herein.

(e) Proposed Completion Date. New construction multifamily housing and rehabilitation improvements must be completed within three years from the date of approval of the application, plus any extension of time granted under MMC [3.103.090](#)(2).

(f) Compliance with Guidelines and Standards. The project must be designed to comply with the city's comprehensive plan, building, housing and zoning codes, and any other applicable regulations in effect at the time the applicant submits a fully completed application to the director. New construction must comply with the building code of the city and all other applicable regulations. Rehabilitation and conversion improvements must comply with the building code of the city set forth in MMC Title [16](#) and all other applicable regulations. For the duration of the exemption granted under this chapter, the property shall have no violations of applicable zoning requirements, land use regulations, or building and housing ordinance requirements for which a notice of violation has been issued and is not resolved by compliance, withdrawal or other final resolution. The project must also comply with any other

standards and guidelines adopted by the city for the residential targeted area in which the project will be developed.

(g) **Parking.** The project must provide all required parking spaces on site. The parking requirements for multiple-family dwellings of the Marysville zoning code are applicable to multifamily residences provided for in this chapter; provided, however, to qualify for the exemption hereunder, the project shall provide not less than one parking space per new or rehabilitated residential unit in the project. The term "parking spaces on site" means that all the parking required under applicable city codes and requirements shall be off-street parking and provided on the property subject to the application for tax exemption hereunder or on any contiguous parcel owned by the applicant and not separated by a street, alley, other public right-of-way, or property not owned by the applicant. The director may authorize the parking area for a multifamily residence which is subject to the application for tax exemption hereunder to be located on a contiguous parcel which is separated from the multifamily residence site by an alley, if topographic, environmental or space constraints prevent vehicle parking and maneuvering from being placed on the location otherwise required by this chapter. In approving the on-site parking on any parcel contiguous to the multifamily residence site, including any approved parcel separated by an alley, the director shall require the owner to execute and record a covenant running with the land, acceptable to the city attorney, dedicating such parking area to parking use, to terminate only in the event that the owner's use which created the need for the parking on the owner's property is abandoned, discontinued or otherwise terminated, or the owner provides parking in a contiguous alternate location which is acceptable to and approved by the city.

Section 4. Section 3.103.150 Urban Center and residential targeted area designated, is hereby amended to modify the following subsections to read as follows:

3.103.150 Urban center and residential targeted area designated.

(1) **Urban Center Designation.** The area declared to be the urban center of the city of Marysville is ~~the Downtown Master Plan Area as depicted in Figure 1 of MMC 3.103.040(1).~~

~~Planning Area 1 of the City's neighborhood planning areas, as defined in the City of Marysville Comprehensive Plan. The urban center is bounded by 8th Street to the north, Ebey Slough to the south, Alder Avenue to the east, and I-5 to the west. The urban center is approximately 182 acres in size~~

(2) **Residential Targeted Area Designated.** The area hereby declared to be the residential targeted area of the city of Marysville is the urban center of the city as defined in subsection (1) of this section.

(3) If a part of any legal lot is within the urban center or is within the residential targeted area, then the entire lot shall be deemed to lie within such area.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 6. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

Section 7. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2021.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AMENDING THE CITY'S DEVELOPMENT REGULATIONS BY REPEALING MARYSVILLE MUNICIPAL CODE CHAPTER 22C.160 SIGNS, AND ADOPTING A NEW MARYSVILLE MUNICIPAL CODE CHAPTER 22C.160, SIGNS.

WHEREAS, the State Growth Management Act, Chapter 36.70A RCW mandates that cities periodically review and amend development regulations, including 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 June 8, 2021 and July 13, 2021, the Planning Commission discussed proposed amendments to MMC Chapter 22C.160 *Signs*; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on August 5, 2021 (Material ID 2021-S-2988) seeking expedited review under RCW 36.70A.106(3)(b) and in compliance with the procedural requirements of RCW 36.70A.106; and

WHEREAS, the City of Marysville submitted the proposed amendments to MMC Chapter 22C.160 *Signs* to the Washington State Department of Commerce on August 4, 2021, as required by RCW 36.70A.106; and

WHEREAS, the proposed amendments to MMC Chapter 22C.160 *Signs* are exempt from State Environmental Policy Act review under WAC 197-11-800(19);

WHEREAS, after providing notice to the public as required by law, the Marysville Planning Commission held a Public Hearing on September 14, 2021 regarding the proposed amendments to MMC Chapter 22C.160 *Signs*; and

WHEREAS, the Planning Commission made a Recommendation to the City Council on September 14, 2021, recommending repealing, in its entirety, MMC Chapter 22C.160 *Signs* and adopting a new MMC Chapter 22C.160 *Signs*, to read as explicitly outlined in **Exhibit A**, attached hereto; and

WHEREAS, at a public meeting on September 27, 2021 the Marysville City Council reviewed and considered the Planning Commission’s Recommendation and adoption of MMC Chapter 22C.160 *Signs*; and

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

Section 1. Required Findings. In accordance with MMC 22G.010.520, the following findings are made regarding the proposed amendments to MMC Chapter 22C.160 *Signs*, which comprise this ordinance:

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

Section 2. MMC Chapter 22C.160 *Signs*, is hereby **repealed** in its entirety.

Section 3. A new MMC Chapter 22C.160 *Signs*, is hereby adopted to read as explicitly outlined in **Exhibit A**, attached hereto.

Section 4. Section 22A.010.160, Amendments, of the Marysville Municipal Code 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 adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
_____	MMC Chapter 22C.160 <i>Signs</i>	_____, 2021”

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 6. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener’s errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections

Section 7. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2021.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

Exhibit A

Chapter 22C.160 SIGNS

Sections:

- 22C.160.010 Purpose.
- 22C.160.020 Authority.
- 22C.160.030 Permits required.
- 22C.160.040 Application requirements and fee schedule.
- 22C.160.050 Inspections.
- 22C.160.060 Construction standards.
- 22C.160.070 Prohibitions.
- 22C.160.080 Exemptions.
- 22C.160.090 On-premises requirement.
- 22C.160.100 Maintenance.
- 22C.160.110 Abandoned signs.
- 22C.160.120 Subarea master plan and special overlay districts.
- 22C.160.130 Illumination.
- 22C.160.140 Measurement standards.
- 22C.160.150 Residential zones.
- 22C.160.160 Wall signs.
- 22C.160.170 Freestanding signs.
- 22C.160.180 Electronic message, animated and changeable copy signs.
- 22C.160.190 Instructional signs.
- 22C.160.200 Window signs.
- 22C.160.210 Projecting signs.
- 22C.160.220 Marquee/awning signs.
- 22C.160.230 Under canopy signs.
- 22C.160.240 Building identification sign.
- 22C.160.250 Gas stations, convenience stores, car washes and similar uses.
- 22C.160.260 Temporary and special event signs.
- 22C.160.270 Nonconforming signs.
- 22C.160.280 Amortization for billboard signs.
- 22C.160.290 Bonus allowance for outstanding design.
- 22C.160.300 Variances.
- 22C.160.310 Substitution.

22C.160.010 Purpose.

The purpose of this chapter is to provide for the reasonable display of signs necessary for public service or the conduct of business. The regulations enacted herein are necessary to protect the safety and welfare of the public and to maintain an attractive appearance in the community. This chapter authorizes and regulates the use of signs visible from a public right-of-way and/or adjacent property to:

- (1) Provide a reasonable balance between the right of an individual to identify a business and the right of the public to be protected against the unrestricted proliferation of signs; and
- (2) Support the economic well-being of businesses by allowing businesses to identify their premises and advertise products and services; and
- (3) Provide minimum standards to safeguard life, health, property and the general welfare by regulating and controlling the design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures; and
- (4) Ensure that signs are compatible with adjacent land uses; and
- (5) Protect the public from hazardous conditions resulting from signs that are structurally unsafe, obscure visions of motorists, distract motorists, or interfere with traffic signs and signals; and
- (6) Minimize overhead clutter for drivers and pedestrians; and
- (7) Provide for types and sizes of signs appropriate to the land uses and zoning districts of the city; and
- (8) Encourage well-designed signs that are compatible both with surrounding land uses and the buildings to which they are appurtenant; and
- (9) Provide for the orderly and reasonable elimination of existing signs that are not in conformance with this chapter to protect the public health, safety, and welfare; and
- (10) Provide a reasonable amortization period for businesses which have made a substantial investment in off-premises signs (billboards); and
- (11) Implement the goals and policies of the Marysville comprehensive plan; and
- (12) Protect property values by encouraging signs that are appropriate in both scale and design to surrounding buildings and landscape, and by discouraging a needless proliferation of the number of signs.

22C.160.020 Authority.

- (1) Administration. The community development director will administer these sign standards as set forth in Chapter [22G.010](#) MMC, Land Use Application Procedures. The director may implement procedures, forms, and written policies for administering the provisions of this chapter.
- (2) Enforcement. This chapter will be enforced by the code enforcement officer.
- (3) Violations. Violations of this chapter are civil infractions enforced under MMC Title [4](#).

22C.160.030 Permits required.

It shall be unlawful to erect or display a sign in the city without a sign permit issued by the community development department, except for those exempted in MMC [22C.160.080](#).

22C.160.040 Application requirements and fee schedule.

- (1) Applications for sign permits shall be made to the building official upon forms provided by the community development department. Such application shall require:
 - (a) Name, address, telephone number and e-mail address of the applicant.
 - (b) Name, address, telephone number and e-mail address of the sign owner.
 - (c) Tax parcel number or correct address where the proposed sign or signs will be located.
 - (d) A scaled drawing of the proposed sign or sign revision, including size, height, copy, structural footing details, method of attachment and illumination.
 - (e) A scaled site plan, indicating the location of the sign relative to property lines, rights-of-way, streets, sidewalks, and other buildings or structures on the premises.
 - (f) The number, size, type and location of all existing signs on the same building, lot or premises.
- (2) Fee Schedule. Fees for sign permits are as provided by MMC [16.04.045](#), Table 1-A.

22C.160.050 Inspections.

(1) Inspections are required for all signs requiring a permit. The building division shall be contacted for inspections at the following points of the project:

(a) Prior to pouring footings for freestanding signs. The applicant will be required to provide enough field information for the inspector to determine the proposed sign complies with applicable setback provisions.

(b) Foundation, anchorage, attachments and other structural support of the sign, sign structure and awning.

(c) Electrical connections of the sign, sign lighting or awning lighting. No person may make connections of a sign, sign lighting or awning lighting to a power source until all electrical components and connections have been approved.

(d) Final sign installation to determine compliance with the approved plans.

(2) Special inspections may be required for complex signs as specified by the licensed design professional or the building official. Notice will be given to the applicant as part of the permit review process when a special inspection is required.

22C.160.060 Construction standards.

The construction, erection, safety and maintenance of all signs shall comply with MMC Title [16](#), and the following:

(1) Signs shall be structurally sound and located so as to pose no reasonable threat to pedestrian or vehicular traffic.

(2) All permanent freestanding signs shall have self-supporting structures erected on, or permanently attached to, concrete foundations.

(3) Signs should not be in locations that obscure architectural features such as pilasters, arches, windows, cornices, etc.

(4) Signs should not be in locations that interfere with safe vehicular and pedestrian circulation or public safety signals and signs.

(5) No signs shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window, or door opening used as a means of egress.

22C.160.070 Prohibitions.

The following signs are prohibited in the city and are subject to the specific prohibitions, requirements, and exceptions set forth below for each type of sign:

(1) Billboards. Billboards shall be removed subject to the amortization schedule outlined in MMC ~~22C.160.250~~[22C.160.280](#).

(2) Animated signs. No sign shall be animated, revolve or rotate either mechanically or by illumination, except for the movement of the hands of a clock, permitted electronic message signs, and barber poles.

(3) Roof signs.

(4) Internally-illuminated cabinet or box signs. Sign face is illuminated through translucent casing. This prohibition includes internally-illuminated changeable copy signs.

(5) Hazardous signs. A sign is hazardous if it creates a safety hazard for pedestrians or motorists, as determined by the police chief or city engineer.

(6) Signs located in or on public right-of-way. No signs shall be located upon or projecting over public streets, sidewalks, or rights-of-way except as provided for projecting wall signs in MMC 22C.160.160(9), blade/bracket signs in MMC 22C.160.210 and temporary and special event signs in MMC 22C.160.230.

(7) Temporary and special event signs. Temporary and special event signs not meeting the requirements of MMC 22C.160.230 are prohibited. This prohibition includes, but is not limited to, portable readerboards, signs on vehicles or trailers, banners and sandwich or A-boards; provided, that sandwich or A-board signs may in certain circumstances be specifically allowed as set forth in this chapter.

- (8) Signs on utility poles and trees. Signs on utility, street light and traffic control standards or poles and trees are prohibited, except for those of the utility or government.
- (9) Signs not meeting the requirements of this chapter or that are legally nonconforming. The following signs are unlawful and prohibited:
- (a) Signs which were lawful under prior sign codes, but which are not lawful under this chapter.
 - (b) Signs that do not comply with the conditions of their permits.
 - (c) Signs erected, altered or relocated without a permit and not in compliance with this chapter.
 - (d) Signs which were lawful under prior sign codes, but which have been altered or relocated so that the sign is not in compliance with this chapter.
 - (e) Signs that identify and advertise activities, products, businesses, or services which have been discontinued, terminated or closed for more than 60 days on the premises upon which the signs are located.
- (10) Streamers, pennants, and banners. Displays of banners, festoons, flags, posters, pennants, ribbons, streamers, strings of lights, chasing strobe or scintillating lights, flares, balloons, bubble machines and similar devices are prohibited when the same are visible from any off-site location, including but not limited to any public right-of-way, except as provided in MMC 22C.160.230. Where such signs or devices are not visible from off site, this prohibition does not apply.
- (11) Traffic-like signs. Signs which by reason of their size, location, movement, content, coloring or manner of illumination may be confused with a traffic control sign, signal, or device, or the light of an emergency vehicle, or which obstruct the visibility of any traffic or street sign or signal, are prohibited.
- (12) Obscene signs. Signs which bear or contain statements, words or pictures which are obscene under the prevailing statutes or applicable state and federal court decisions are prohibited.

22C.160.080 Exemptions.

The following signs are exempted from obtaining a sign permit, but must comply with all other requirements of this chapter and with the specific requirements set forth below for each type of sign:

- (1) A change in the face of the sign or advertising copy of an existing, legally permitted, sign.
- (2) Temporary and special event signs meeting the requirements of MMC ~~22C.160.230~~22C.160.260.
- (3) On-premises and portable commercial or real estate signs meeting the requirements of MMC ~~22C.160.230~~22C.160.260(5) and (6).
- (4) Political signs meeting the requirements of ~~MMC 22C.160.230~~22C.160.260(7).
- (5) Nonelectric signs not exceeding four square feet per face, which are limited in content to the name of occupant and address of the premises in a residential zone.
- (6) Instructional signs, not exceeding six square feet per sign; provided, that foundation, anchorage, attachments and other structural support of the sign and electrical connection require construction permits.
- (7) Menu signs. Foundation, anchorage, attachments and other structural support of the sign and electrical connection require construction permits.
- (8) Seasonal decorations. Reasonable seasonal decorations within an appropriate holiday season or during a festival are exempt from this section as long as such displays are removed promptly at the end of the holiday season or festival.
- (9) Sculptures, fountains, benches, lighting, mosaics, murals, landscaping and other street furniture and design features, which do not incorporate advertising or identification.
- (10) Signs not visible from public way. Exterior and interior signs or displays not intended to be visible from streets or public ways, signs in the interior of a building more than three

feet from the closest window and not facing a window, window displays and point of purchase advertising displays such as vending machines.

(11) Traffic or other municipal signs, signs required by law or emergency services, railroad crossing signs, legal notices, and any temporary signs specifically authorized by the city council or authorized under policies and procedures adopted by the city council.

(12) Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities or of public telephones.

(13) Memorial signs or tablets, names of buildings, stained glass windows and dates of erection when cut into the surface of the facade of the building or when projecting not more than two inches.

(14) Incidental signs, including, but not limited to, "no trespassing," "no dumping," "no parking," "private," signs identifying essential public needs (i.e., restrooms, entrance, exit, telephone, etc.) and other information warning signs, which shall not exceed three square feet in surface area.

(15) Flush-mounted wall signs which are used to identify the name and address of the occupant for each dwelling, provided the sign does not exceed two square feet in sign area.

(16) Gateway entrance signs. Gateway entrance signs that comply with the city of Marysville gateway master plan. Foundation, anchorage, attachments and other structure support of the sign and electrical connection require building permits.

(17) Public way finding, directional, and interpretive signs. Foundation, anchorage, and other structure support of the sign and electrical connection require building permits.

22C.160.090 On-premises requirement.

All signs shall be located on-premises; provided, that temporary off-premises signs shall be allowed subject to the provisions set forth in MMC ~~22C.160.230~~[22C.160.260](#). In addition, property owners may apply for an off-premises freestanding sign with a contiguous property abutting a public street, subject to the following criteria:

(1) The allowable off-premises freestanding sign area shall be determined by measuring the street frontage of the property abutting the public street, as provided in MMC [22C.160.140](#)(5).

(2) Off-premises freestanding signage shall comply with all applicable development standards set forth in this chapter.

(3) Applicants may apply for a bonus allowance, subject to the criteria set forth in MMC ~~22C.160.260~~[22C.160.290](#).

22C.160.100 Maintenance.

Signs shall be maintained in the same condition as when the sign was installed. Normal wear and tear of aged signs shall be repaired when they detract from the visible quality of the sign, as determined by the community development director. When signs are repaired, they must do so in a manner (paint colors shall match, etc.) that is consistent with the approved sign permit. When signs are removed, the wall behind the sign shall be repaired and painted to match the rest of the building wall. The premises surrounding a freestanding sign shall be free of litter, and any landscaped area shall be maintained.

Those signs found to be deteriorated or unsafe shall be repaired or removed by the owner within 10 days after receiving notice from the community development director or designee.

22C.160.110 Abandoned signs.

Abandoned signs shall be removed by the property owner or lessee within 60 days after the business or service advertised by the sign is no longer conducted on the premises. If the property owner or lessee fails to remove it, the community development director, or designee, shall give the owner 10 days' written notice to remove it. Upon failure to comply with this notice, the city of Marysville may remove the sign at the cost of the owner of the

premises. The foundations and posts of a sign, with all advertising copy removed, may remain on the premises for up to three years with the owner's written consent, on the condition that the same must be continuously maintained pursuant to MMC [22C.160.100](#).

22C.160.120 Subarea master plan and special overlay districts.

In general, all signs are subject to sign regulations outlined in this chapter. When the regulations of a subarea master plan or special overlay district conflict with this chapter, unless specifically indicated otherwise, the regulations of the subarea master plan or special overlay district supersede the regulations of this chapter.

22C.160.130 Illumination.

The following standards apply to all illuminated signs:

- (1) Sign illumination shall not interfere with the use and enjoyment of adjacent properties, create a public nuisance, or create public safety hazards. Exterior light sources shall be shielded from view and directed to illuminate only the sign face.
- (2) No sign shall have blinking, flashing, moving or fluttering lights or other illuminating devices that have a changing light intensity, brightness or color.
- (3) Illuminated signs shall not create a hazardous glare for pedestrians or vehicles either in a public street or on any private premises and shall not project towards the sky.
- (4) The light from an illuminated sign shall not be of an intensity or brightness or directed in a manner that will create a negative impact on residential properties in direct line of sight to the sign.
- (5) Colored light shall not be used at a location or in a manner so as to be confused or construed as a traffic control device.
- (6) Reflective-type bulbs and incandescent lamps that exceed 15 watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right-of-way or adjacent property.
- (7) Light sources shall utilize energy efficient fixtures to the greatest extent possible.
- (8) Each illuminated sign shall be subject to a 30-day review period, during which time the community development director or designee may determine that a reduction in illumination is necessary due to negative impacts on surrounding property or the community in general. In addition, and at any time, the community development director or designee may order the dimming of any illumination found to be excessively bright. The community development director's determination will be made without regard to the message content of the sign.

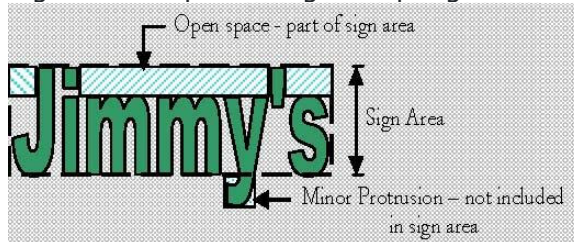
22C.160.140 Measurement standards.

- (1) Determining Sign Area and Dimensions.
 - (a) For a wall sign which is framed, outlined, painted or otherwise prepared and intended solely to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.
 - (b) For a wall sign comprised of individual letters, figures or elements on a wall or similar surface of the building or structure, the area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not a part of the architecture of the building. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display areas, including the space between different elements. Minor appendages to a particular regular shape, as determined by the community development director, shall not be included in the total area of a sign.

Figure 1: Wall Sign Area – Examples of Area Calculations



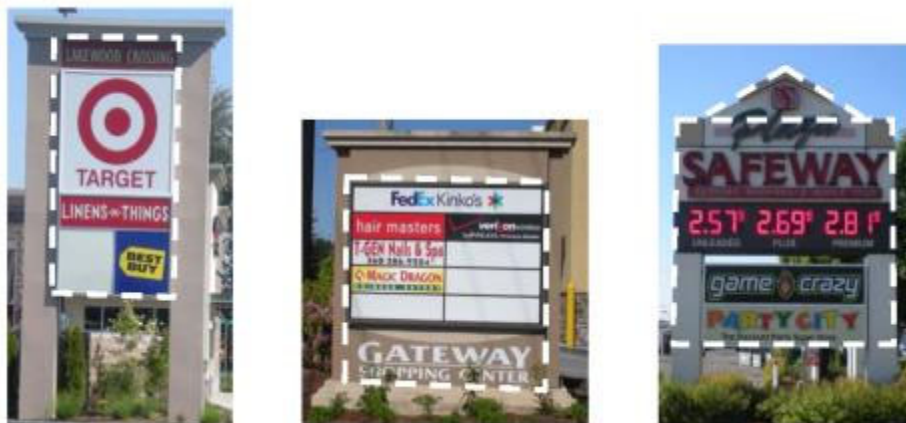
Measuring the examples using multiple geometric shapes



This illustrates the areas to be included within the calculation of a sign area.

- (c) For a freestanding sign, the sign area shall include the frame, if any, but shall not include:
 - (i) A pole or other structural support unless such pole or structural support is internally illuminated or otherwise designed so as to constitute a display device, or a part of a display device.
 - (ii) Architectural features that are either part of the building or part of a freestanding structure, and not an integral part of the sign, such as landscaping and building or structural forms complementing the site in general.

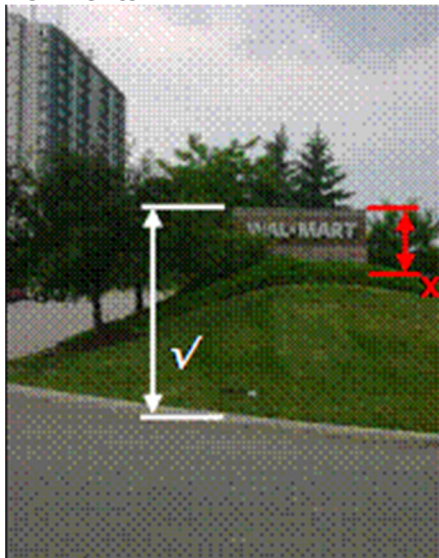
Figure 2: Freestanding Sign Area – Examples of Area Calculations



The dashed line indicates the sign area

- (d) When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces.
- (2) Determining Sign Height.
 - (a) The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground to the highest point of the sign. A freestanding sign on a manmade base, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.

(b) Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.



The height of a sign is measured from the grade of the street level where the sign is viewed; not from the top of the mound

(3) Determining Building Frontages and Frontage Lengths.

(a) Building Unit. The building unit is equivalent to the tenant space. The primary frontage of the tenant space on the first floor shall be the basis for determining the permissible sign area for wall signs.

(b) Primary and Secondary Frontage.

(i) Primary Frontage. Primary frontage shall be considered the portion of any frontage containing the primary public entrance(s) to the building or building units.

(ii) Secondary Frontage. Secondary frontage shall include those frontages containing secondary public entrances to the building or building units and all building walls facing a public street, primary parking area, or drive aisle that are not designated as the primary building frontage by subsection (3)(b)(i) of this section.

(4) Building Frontage.

(a) The primary or secondary frontage shall be all walls parallel, or nearly parallel, to such frontage, excluding any such wall determined by the community development director to be clearly unrelated to the frontage criteria.

(b) The frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

(5) Determining Street Frontage.

(a) Street frontage shall be determined by measuring the lineal feet of property abutting the public street from which a property obtains primary access.

(b) For developments located along more than one public street, the street frontage shall be determined by measuring the lineal feet of property abutting all public streets.

(c) Alley frontage shall not be included in determining street frontage.

(d) Properties abutting Interstate 5, and not abutting a public street, shall have the street frontage determined by measuring the lineal feet of property abutting Interstate 5.

22C.160.150 Residential zones.

In addition to all other provisions of this chapter, the following development standards apply in residential zones and on residentially developed properties, including residentially zoned and residentially developed properties within the Downtown Master Plan area:

- (1) The total combined area of all nonexempt signs on any lot in a residential zone shall not exceed nine square feet, except as provided in subsections (7) through (12) of this section.
- (2) All dwelling units in residential districts shall display house numbers readable from the street.
- (3) Illumination from or upon signs shall be shaded, shielded, directed or reduced so that the light intensity or brightness does not affect the enjoyment of residential property in the vicinity in any substantial way.
- (4) Freestanding pole, or pylon, signs are prohibited.
- (5) Roof signs are prohibited.
- (6) No sign shall be located closer than 10 feet to an internal property line unless attached to a fence. Signs attached to fences shall not extend higher than the fence and shall not create sight distance obstruction or any other safety hazard.
- (7) Each entrance to a subdivision or multifamily development may have a monument sign up to 32 square feet in area, per face, or two single-faced signs of not more than 16 square feet each. These signs shall be located outside the public right-of-way so as not to create a visual obstruction for motorists or pedestrians. The height of such signs shall not exceed five feet.
- (8) Existing recreation/cultural land uses (i.e., park, community center, library, church, etc.) and education services (i.e., public and private schools), not reviewed through the conditional use provisions outlined in subsection (10) of this section, may have one monument sign per street frontage up to 32 square feet in area, per face. The height of such signs shall not exceed five feet and shall comply with the development standards outlined in MMC [22C.160.170](#). In addition, a maximum of 32 square feet of permanent wall signage shall be allowed on the primary and secondary building frontage(s). Wall signs shall comply with the development standards outlined in MMC [22C.160.160](#).
- (9) Home occupation, day care and adult family home signs shall not exceed three square feet and shall be wall signs, monument signs or mounted to a fence. Signs mounted to a fence shall comply with the provisions outlined in subsection (6) of this section.
- (10) Signs for conditional uses permitted in residential zones shall be approved as part of the applicable conditional use permit and shall not be otherwise restricted by the provisions of this section.
- (11) Temporary sale signs (garage sale, estate sale, etc.) may be displayed no more than three days prior to the event and shall be removed 24 hours after the event is completed. There shall be no more than two such events advertised for any residence per year.
- (12) Real estate for sale or for rent signs are permitted pursuant to MMC ~~22C.160.230~~[22C.160.260](#)(5) and (6).

22C.160.160 Wall signs.

- (1) The basic allowance for wall signs shall be limited to one and one-half square feet of sign area for each lineal foot of primary building frontage for illuminated signs, or two square feet of sign area for each lineal foot of primary building frontage for nonilluminated signs.
- (2) Each tenant is allowed a minimum sign area of 32 square feet.
- (3) Each tenant may have multiple wall signs placed on the primary or secondary building frontage(s), so long as the total wall signage does not exceed the allowances outlined in subsection (1) of this section.
- (4) The community development director may allow wall signage to be placed on wall(s) which do not qualify as primary or secondary frontages, subject to the following criteria:

- (a) It must be demonstrated that the wall signage would be visible from a public right-of-way;
 - (b) The wall signage must be comprised of individual letters;
 - (c) The letter and logo height shall not exceed 24 inches;
 - (d) Signs shall be nonilluminated;
 - (e) The wall signage shall comply with the design standards outlined in subsections (5) through (8) of this section;
 - (f) In multi-use complexes, said signs shall be mounted so that each tenant’s wall sign will be located at the same level (height above grade) as other tenants’ signs;
 - (g) The total wall signage for all frontage(s) shall not exceed the allowances outlined in subsection (1) of this section.
- (5) The wall signage shall not exceed two-thirds of the overall frontage for the building or tenant(s) frontage, as applicable.
- (6) The wall signage shall not encroach within three feet from the edge of the building or tenant(s) frontage, as applicable.
- (7) Wall signs shall not extend above the building parapet, soffit, eave line, or roof of the building.
- (8) The color, shape, material, lettering and other architectural details shall be harmonious with the character of the primary structure. No angle irons, guy wires, or braces shall be visible except those that are an integral part of the overall design.

22C.160.170 Freestanding signs.

(1) The basic allowance for freestanding signs shall be limited to one square foot of sign area for each lineal foot of street frontage not to exceed 200 square feet of sign area per street frontage and 75 square feet per sign face.



(2) The maximum height of freestanding signs is outlined in Table 1; provided, that monument signs shall not exceed 12 feet in height. Additionally, when the regulations of a subarea, master plan or special overlay district conflict, unless specifically indicated otherwise, the regulations of the subarea, master plan or special overlay district shall supersede the height requirements outlined in Table 1.

Table 1: Freestanding Signs – Maximum Height

Zoning District										
NB	CB	GC	DC	MS	FLEX	MU	LI	GI	REC	P/I
4 feet	25 feet	25 feet	6 feet	6 feet	6 feet	12 feet	25 feet	25 feet	4 feet	15 feet

- (3) No portion of a freestanding sign shall be in, or project over, a public right-of-way, and the minimum setback shall be five feet, subject to sight distance review at intersections and driveways.
- (4) Single-occupancy complexes are allowed one freestanding sign per street frontage.
- (5) Multi-occupancy complexes are allowed one freestanding sign per access driveway for the complex. However, multi-occupancy complexes with only one access driveway shall

be allowed one additional freestanding sign, as long as the freestanding sign advertises a different business or businesses located on site and can be spaced at least 150 feet apart.

(6) All pole, or pylon, sign supports shall be enclosed or concealed in accordance with the design criteria outlined in subsection (~~1011~~) of this section.



(7) Pole, or pylon, signs are prohibited in the NB, MU and REC zones.

(8) Pole, or pylon, signs are prohibited in the commercial and industrial zones located along the 51st Avenue NE, Grove Street, 88th Street NE, 116th Street NE, 156th/152nd Street NE and 160th Street NE corridors.

(9) Pole, or pylon, signs are prohibited on CB zoned properties located adjacent to 64th Street NE (SR 528) and 84th Street NE from approximately 83rd Avenue NE to SR 9.

(10) Pole, or pylon, signs are prohibited within the boundary of the Downtown Master Plan.

(11) Design and materials:

(a) The base of a freestanding sign and all pole or pylon sign supports shall be constructed of durable high-quality materials such as stone, brick, textured concrete, decorative steel, or other quality materials and a design that relates to and/or complements the design of on-site buildings and/or is coordinated with other site design elements. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.

(b) Freestanding signs must integrate a top, middle, and bottom element. The top could include a distinctive sign cap and/or include the name of a multi-tenant center. The middle can include a consistent framing technique for an individual sign or multiple signs in a multi-tenant center. The bottom could include a distinctive base design with special materials and/or design.

(c) The architecture and composition of a freestanding sign structure must provide visual interest and detail for both pedestrian and motorists at both automotive and pedestrian-scale speed and perception.

(d) The color, shape, material, lettering and other architectural details of freestanding signs shall be harmonious with the character of the primary structure.

(e) No angle irons, guy wires or braces shall be visible except those that are an integral part of the overall design.

(f) One square foot of landscaping is required per one square foot of sign face. Landscaping shall include a decorative combination of ground cover and shrubs to provide seasonal interest in the area surrounding the sign. Landscaping shall be well maintained at

all times of the year. The director may reduce the landscaping requirement where the signage incorporates stone, brick, or other decorative materials.

(g) Departures to subsection (11) will be considered by the director, provided the design complies with other standards herein and integrates a distinctive, high quality design that contributes to the visual character of the area.

22C.160.180 Electronic message, animated and changeable copy signs.

- (1) Changeable copy by nonelectronic means may be utilized on any permitted nontemporary sign.
- (2) Animated signs are prohibited.
- (3) One electronic message or changeable copy sign is permitted per street frontage for single-occupancy complexes. Multi-occupancy complexes with only one access driveway shall be allowed one additional electronic message or changeable copy sign, as long as the signs are spaced at least 150 feet apart.



- (4) Electronic message signs are permitted; provided, that the copy does not change more than once every 20 seconds.
- (5) Electronic message and changeable copy signs shall not exceed 30 percent of the sign area.
- (6) All electronic message and changeable copy signs shall be constructed as an integral part of a permanent sign constructed on site. "Integral" shall be considered to mean that the electronic message or changeable copy is incorporated into the framework and architectural design of the permanent sign.
- (7) All electronic message signs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.

22C.160.190 Instructional signs.

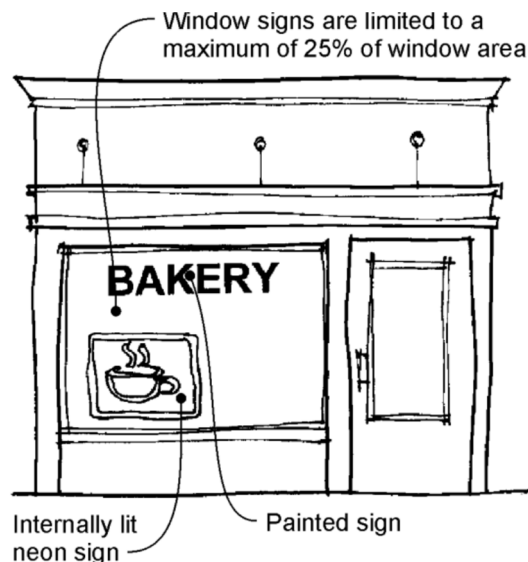
- (1) Instructional or directional signs shall be permitted in addition to all other signs, when they are of such size and location as to satisfy the intended instructional purpose and, based on their size, location, and intended purpose, will not constitute additional advertising.
- (2) Instructional signs shall not exceed six square feet per sign and may include the name of the business and logos.



22C.160.200 Window signs.

Window signs are signs which are applied directly to a window, or mounted or suspended directly behind a window. Window sign standards:

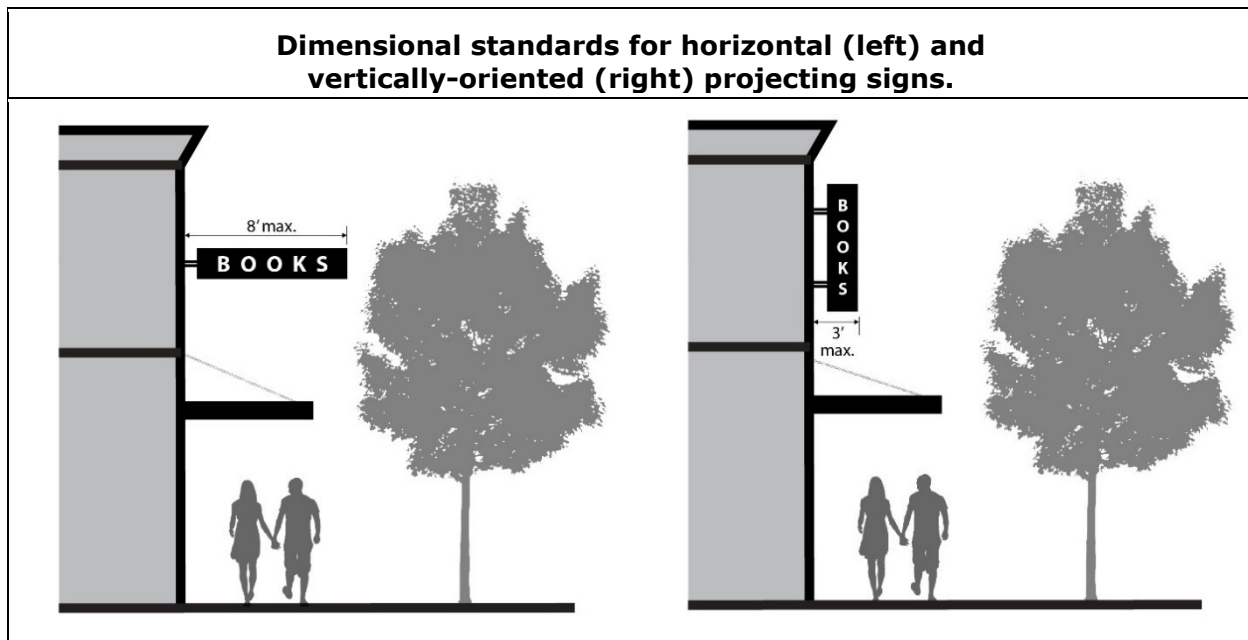
- (1) Where permitted: First floor windows of commercial uses with a dedicated ground floor entrance.
- (2) Maximum sign area: No more than 25percent of storefront window.
- (3) Maximum letter height: The letter height of each window sign shall not exceed 12 inches.
- (4) Illumination: Exposed neon tube illumination only.



22C.160.210 Projecting signs.

Projecting signs are permitted, in addition to the allowances for wall signs, when they comply with the following conditions:

- (1) Where permitted: Commercial uses adjacent to and facing a street.
- (2) Orientation: Projecting signs may be either vertically or horizontally oriented.
- (3) Projection:
 - (a) Horizontally oriented signs. Not more than eight feet.
 - (b) Vertically oriented or square signs: Not more than three feet.
 - (c) Signs may project over the sidewalk abutting the buildings, but must not extend over the curb into a parking or travel lane, or conflict with required turning radii.
- (4) Height:
 - (a) Horizontally oriented signs: Not more than three feet
 - (b) Vertically oriented signs: Must not extend above the building parapet, soffit, the eave line or the roof of the building
- (5) Minimum vertical clearance over sidewalk: Eight feet.



22C.160.220 Marquee/awning signs.

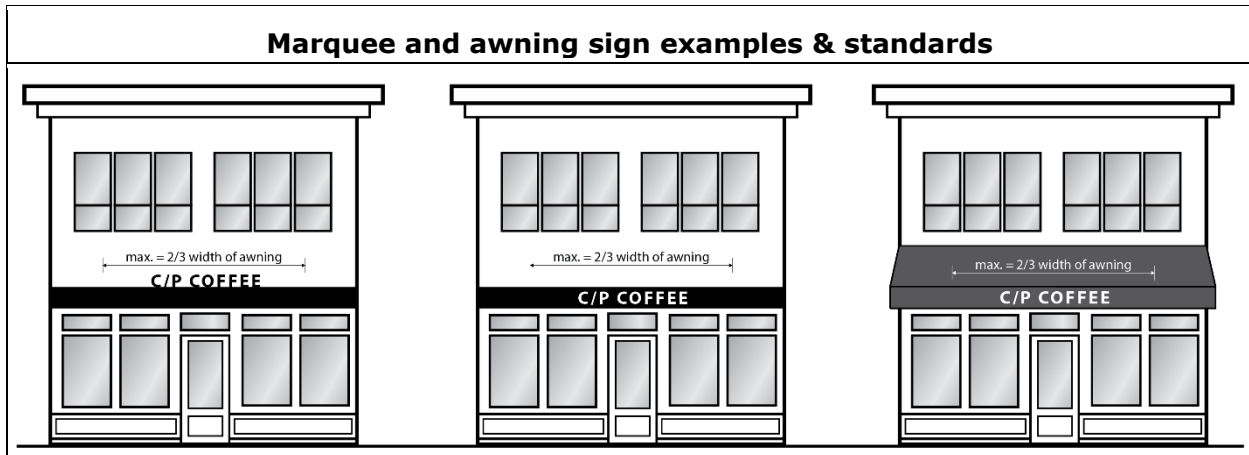
Marquee/awning signs are a type of building mounted sign that is either attached to, affixed to, or painted on a marquee, awning, or canopy. Marquee/awning signs are subject to the following standards:

(1) Sign form and size.

(a) Signs consisting of individual letters placed on the outside edge of the marquee or above the marquee are limited in 200 percent of the height of the vertical dimension of the marquee. For example, if the vertical dimension of the marquee is 12-inches, the letters may be up to 24-inches high. Such signs are limited to 2/3 of the individual marquee width dimension, or no more than 20-feet, whichever is less.

(b) Sign boards may be placed on vertical edge of a canopy provided the height of the sign board is no more than 200 percent of the height of the vertical dimension of the marquee. For example, if the vertical dimension of the marquee is 12-inches, the sign board may be up to 24-inches high. Such signs are limited to 2/3 of individual marquee width dimension or no more than 20-feet, whichever is less.

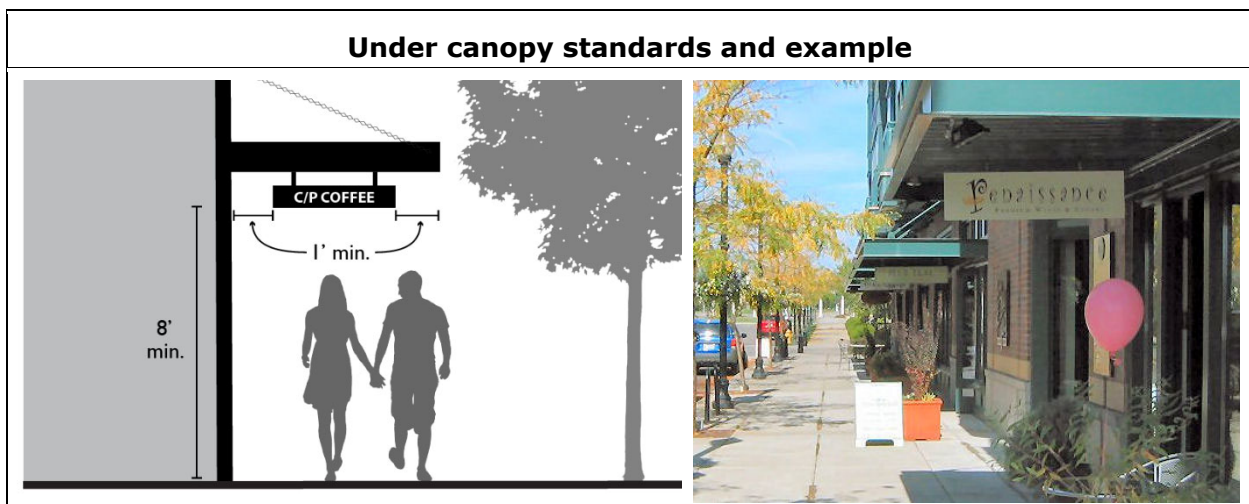
(c) Signs placed on the vertical edge of awnings are limited to 80 percent of the height of the vertical edge of the awning. Where signs are placed on sloping portion of the awning, they must be sized proportionally to the architectural features of the building and are limited to two-feet in height. The width of awning signs are limited to 2/3 of the individual awning width dimension, or no more than 20 feet, whichever is less.



22C.160.230 Under canopy signs.

Under canopy signs are a type of building-mounted sign attached to the underside of an awning, canopy, balcony or arcade, and placed perpendicular to the storefronts and thus oriented to pedestrians on the sidewalk or an internal pathway. Under-canopy sign standards:

- (1) Projection: Under canopy signs shall have a 1-foot minimum setback between both the sign and the outer edge of the awning, canopy, balcony or arcade, and between the sign and the building façade.
- (2) Minimum vertical clearance over sidewalk: Eight feet.
- (3) Dimensions: Shall not exceed two feet in height.



22C.160.240 Building identification wall sign.

Building identification wall signs are signs located on and parallel to a building wall that announce the name of a building. Building identification wall sign standards:

- (1) When permitted: Commercial or multifamily residential uses with a dedicated ground floor entrance.
- (2) Where permitted: Only located on the frieze, cornice, or fascia area of storefront level; frieze, cornice, fascia, parapet of the uppermost floor; or above the entrance to the main building lobby.
- (3) Number permitted: Only one building identification wall sign shall be permitted per building per street-facing façade.

- (4) Sign area exemption: The area of building identification wall signs shall not count towards the total wall sign area allotment outlined in MMC 22C.160.160.
- (5) Maximum sign height: No taller than 24-inches in height.
- (6) Maximum projection: No more than 1-foot from the façade of the building.
- (7) Illumination: External illumination or halo illumination only.

22C.160.250 Gas stations, convenience stores, car washes and similar uses.

- (1) Signage shall be an integral design element of a project and compatible with the exterior architecture with regard to location, scale, color and lettering.
- (2) Sign colors and materials shall match those of the building or the "corporate colors." Opaque or muted sign backgrounds are encouraged.
- (3) No commercial signage shall occupy the pump island area. All instructional signs shall be architecturally integrated.
- (4) Gasoline price signs shall be architecturally integrated with other signs or structures.

22C.160.260 Temporary and special event signs.

- (1) Construction Signs. Construction signs, which identify the architects, engineers, contractors or other individuals or firms involved with the construction of a building and announce the character of the building or the purpose for which the building is intended, are permitted subject to the following criteria:
 - (a) Such signs may be displayed only after a building permit is obtained and during the period of construction on the construction site.
 - (b) Only one sign is permitted per street frontage.
 - (c) No construction sign shall exceed 32 square feet per face.
 - (d) No construction sign shall exceed 12 feet in height.
 - (e) No sign shall be located closer than 10 feet to an internal property line unless attached to a fence. Signs attached to fences shall not extend higher than the fence and shall not create sight distance obstruction or any other safety hazard.
 - (f) Construction signs shall be removed by the date of first occupancy of the premises or upon expiration of the building permit, whichever first occurs.
- (2) Grand Opening Displays. Temporary signs, posters, banners, strings of lights, clusters of flags, balloons, searchlights and beacons are permitted for a period not to exceed 60 days per calendar year to announce the opening of a completely new enterprise or the opening of an enterprise under new ownership. All such signs and materials shall be located on the premises being advertised and shall be completely removed immediately upon expiration of said 60-day period.
- (3) Special Sales and Events. Temporary signs, posters, banners, strings of lights, clusters of flags, balloons, searchlights and beacons are permitted for the limited purpose of announcing a retail sale or special event in business or commercial zones, but not on a routine basis. All such advertising material shall be located on the premises being advertised and shall be removed immediately upon expiration of said special sale or event.
- (4) Quitting Business Sales. Temporary signs, posters and banners are permitted for a period of 90 continuous days for the purpose of advertising quitting business sales, liquidation sales, or other events of a similar nature, which are authorized pursuant to Chapter [5.52](#) MMC, Closing-Out and Special Sales. All such signs shall be located on the premises being advertised and shall be removed immediately upon expiration of the 90-day period or conclusion of the sale, whichever first occurs.
- (5) On-Premises Commercial or Real Estate Signs. All exterior real estate signs must be of a durable material. Only the following real estate signs are permitted:
 - (a) Residential for sale or rent signs. Signs advertising residential property for sale or rent shall be limited to one single-faced or double-faced sign per street frontage. Such signs shall not exceed four square feet per face and must be placed wholly on the subject property. Such signs may remain up for one year or until the property is sold or

rented, whichever first occurs. A sold sign may remain up for 10 days after the occupancy of the residential property.

(b) Commercial or industrial for sale or for rent signs. Signs advertising commercial or industrial property for sale or rent shall be limited to one single-faced or double-faced sign per street frontage. Signs may be displayed while the property is actually for sale or rent. The signs shall not exceed 32 square feet per face. If freestanding, the signs shall not exceed 12 feet in height and shall be located a minimum of 10 feet from any abutting interior property line and wholly on the property for sale or rent.

(c) Subdivision signs. Signs advertising residential subdivisions shall be limited to one single-faced or double-faced sign per street frontage. Such signs shall not exceed 32 square feet per face and shall not exceed 12 feet in height. They shall be set back a minimum of 10 feet from any abutting interior property line and shall be wholly on the property being subdivided and sold.

(6) Portable Commercial or Real Estate Signs. Temporary signs advertising business locations or the sale or lease of commercial or residential premises are permitted only as follows:

(a) Number. The number of temporary portable commercial, real estate, and construction signs allowed shall be as follows; provided, that nothing herein shall be construed as authorizing the display of signs otherwise prohibited under applicable provisions of this code:

(i) For any business or real estate unit located in the NB, CB, GC, DC, MU, BP, LI, GI, REC, P/I, WR-MU or WR-CB zoning districts, no more than one temporary portable commercial or real estate sign shall be allowed for each business location or real estate unit offered for sale or lease; provided, that a maximum of one temporary portable sign shall be allowed for any multi-unit complex notwithstanding the number of rental or dwelling units therein currently available for sale or lease, subject to the following location criteria:

(A) Location. Temporary portable commercial or real estate signs shall be located within 12 feet of the applicable building entrance and maintain at least eight feet of horizontal clearance on the sidewalk for pedestrian movement.

(ii) For any business or real estate unit located in the R-4.5, R-6.5, R-8, R-12, R-18, R-28, WR-R-4-8 or WR-R-6-18 zoning districts, no limit established on the number of allowed signs, but signs may only be placed at turning/decision points within the public right-of-way, and only one each at each such location.

(b) Size. Commercial and real estate temporary portable signs shall not exceed 10 square feet per sign face, and no such sign shall contain more than two sign faces. Commercial and real estate temporary portable signs shall not exceed six feet in height, measured from the pre-existing ground level to the top of the sign.

(c) Location. No temporary portable commercial or real estate sign shall be located within vehicle lanes, bikeways, trails, sidewalks or median strips. No temporary portable commercial or real estate sign shall block driveways or be affixed to utility poles, fences, trees or traffic signs. No temporary portable commercial or real estate sign shall be strung between trees.

(d) Festoons Prohibited. The use of balloons, festoons, flags, pennants, lights or any other attached display on a commercial or real estate temporary portable sign is prohibited.

(e) Animation Prohibited. No commercial or real estate temporary portable sign shall be displayed while being rotated, waved, or otherwise in motion.

(f) Duration. Commercial temporary portable signs may be displayed only during daylight hours and when the commercial establishment to which they relate is open for business. Real estate temporary portable signs may be displayed only during daylight hours and when the real estate to which they relate is the subject of an open house or when a complex manager is available to show the unit.

(7) Political Signs. A sign which exclusively and solely advertises a candidate or candidate's public elective office, a political party, or promotes a position on a public, social, or ballot issue may be displayed in accordance with the following restrictions:

(a) On-Premises Signs. On-premises political signs located at the headquarters of a political party, candidate for public elective office, or a public issue decided by ballot are permitted. All on-premises political signs shall comply with the dimensional and location requirements of the zoning district in which it is located.

(b) Off-Premises Signs. Permits for political signs are not required.

(i) Location. Political signs may not be placed on private property without the permission of the property owner. In parking strips and public rights-of-way where the placement of a political sign may be fairly attributed to a neighboring property owner, permission of that owner must first be obtained prior to placement. Political signs may not be located so as to impede driver vision or represent an obstruction or hazard to vehicular or pedestrian traffic.

(ii) Prohibited on Public Property. It is unlawful for any person to paste, paint, affix or fasten any political sign on a utility pole or on any public building or structure. No political sign placed within the public right-of-way shall create a safety hazard for pedestrians or motorists, as determined by the police chief and/or city engineer.

(iii) Time Limitations. Political signs advertising a candidate for election or promoting a position on a ballot issue shall be removed within seven days following an election.

(iv) Responsibility for Compliance. The person(s) placing the political sign and the political candidate and/or campaign director shall be jointly responsible for compliance with this section.

(8) Land Use Action Notice. Where required pursuant to Chapter [22G.010](#) MMC, Article II, Public Notice Requirements, public notice signs which describe proposed land use actions and public hearing dates are permitted.

(9) Signs on Kiosks. Temporary signs on kiosks are permitted but the signs shall not exceed four square feet in area.

(10) Temporary Uses and Secondary Uses of Schools, Churches, or Community Buildings. Temporary signs relating directly to allowed temporary uses under the city's development regulations and secondary uses of schools, churches, or community buildings may be permitted for a period not to exceed the operation of the use, subject to the following requirements:

(a) Signs must be portable in nature.

(b) No more than one on-premises sign and one off-premises sign shall be permitted per temporary use.

(c) No sign shall exceed 10 square feet per sign face.

(d) Maximum sign height shall be six feet measured from the pre-existing ground level to the top of the sign.

(e) Signs shall not be portable readerboard types, electrical or neon. Only indirect lighting is allowed.

(f) A-board or sandwich signs may be used in compliance with this subsection, provided they are used only during the days the temporary or secondary use occurs and are removed after the use ceases for each day.

(g) Signs shall be secured with an approved tie-down.

(h) Signs shall be approved by the community development director before they are used. If a temporary use permit is required, this review shall take place as part of the temporary use application decision.

(11) Alcohol Advertising. Alcohol advertising shall comply with the provisions outlined in Chapter [314-52](#) WAC, Advertising, as amended.

(12) Any temporary sign not otherwise provided for under subsections (1) through (11) of this section shall comply with the development standards outlined in this chapter.

(13) Removal. The community development director or designee may immediately remove and dispose of unlawful temporary and special event signs at the expense of the person identified on such signs and/or the owner of the property on which said signs are located.

22C.160.270 Nonconforming signs.

(1) All existing signs in the city that were legally permitted and are not in compliance with the requirements of this chapter upon the effective date of the ordinance codified in this title are considered nonconforming signs. Nonconforming signs shall be made to conform with the requirements of this chapter under the following circumstances:

(a) When any new sign for which a sign permit is required by this chapter is proposed to be installed on a business site where a nonconforming sign or signs are located, one nonconforming sign of similar type as the proposed sign shall be removed or brought into conformance with this chapter for each new sign installed on a business site. For example, one existing nonconforming freestanding sign would need to be removed or brought into conformance for each new freestanding sign installed on a business site. A business site shall be considered both single-tenant and multi-tenant complexes. In no case shall an applicant be permitted signage that exceeds the maximum signage allowed in this chapter.

(b) A sign is relocated, altered, replaced, or changed in any way, including the sign structure or conversion of fixed copy to an electronic message center. This provision does not include a change in the face of the sign or advertising copy, or the conversion of the manual display of gas prices to an electronic, static display of gas prices.

(c) A sign requires repairs beyond normal maintenance.

(d) Whenever the occupancy classification of a building is changed that results in an intensification of land use, as determined by the community development director.

(2) Normal maintenance such as cleaning, painting, light bulb replacement, or repair of broken placards, without any change in copy, is allowed so long as the repairs do not modify the sign structure or copy, or in any way structurally alter the sign. "Normal maintenance" does not include any of the items contained in subsection (1) of this section.

(3) All temporary and special events signs that do not conform to the requirements of MMC ~~22C.160.230~~ **22C.160.260** shall be removed within six months of the effective date of the ordinance codified in this title or, if located within an area being annexed to the city, within six months of the effective date of annexation, whichever is later.

22C.160.280 Amortization for billboard signs.

(1) Compliance. Any legal nonconforming billboard sign located within the corporate limits of the city shall be discontinued and removed from the property pursuant to this section no later than three years from the date of adoption by ordinance.

(2) Notice. The city will provide written notice of the expiration of the amortization period, as noted above, to the person, resident, or business responsible for such sign(s) at the last known address and to the owner of the property on which the sign is located. The city will utilize the tax assessor's office to find the latest, updated address for the property owner(s) in question. Such notice will be provided by mail, postmarked no later than nine months prior to expiration of the amortization period.

(3) Request for Consideration/Extension. The city has established the time period stated in subsection (1) of this section with the understanding that these time periods provide a reasonable time to recover the life expectancy of most signs. However, the city recognizes that there can be special or unusual circumstances that may fall outside of those parameters.

(a) Any person aggrieved by the imposition of the amortization clause may request review of the clause. The request for review shall be filed with the city not later than six months prior to the expiration of the amortization period. The review shall be heard

by the hearing examiner. A fee will be charged based on the processing costs as provided in Chapter [22G.030](#) MMC.

(b) The aggrieved applicant has the burden of establishing the unreasonableness of the amortization period and must provide substantial evidence showing that the amortization period is unreasonable.

(c) The hearing examiner shall consider such things as lease obligations, remaining period of life expectancy of the nonconformance, depreciation, and the actual amount invested in the nonconforming sign.

(d) The hearing examiner shall consider the preservation and improvement of the city's physical environment, natural amenities, and desirable characteristics of the city as asserted in the purpose of the city's land use regulations as well as the goals and policies adopted in the city's comprehensive plan. The hearing examiner may consider any combination of these legitimate public concerns.

(e) The hearing examiner shall conduct a balancing of interest, considering the interest and hardship as to the applicant, and whether the hardship to the applicant reasonably overbalances the benefit that the public would derive from the termination of the nonconformance. If, after careful consideration, the hearing examiner determines that the amortization period, as applied to the applicant's nonconformance, would result in a greater hardship to the applicant than benefit to the public, the hearing examiner may extend the amortization period to a point in time when the balancing of interest would support the termination of the nonconformance. In no event should this amortization period be greater than three additional years.

(4) Annexations. Any legal nonconforming billboard on property annexed into the city at a later date shall be discontinued and removed within three years of the annexation or according to the annexation agreement established at the time of annexation. A three-year time extension may be approved by the hearing examiner, subject to the provisions contained in subsection (3) of this section.

22C.160.290 Bonus allowance for outstanding design.

(1) Purpose. A maximum 50 percent sign area bonus and a maximum 25 percent height bonus shall be allowed under any of the following circumstances:

(a) There are exceptional circumstances or conditions, such as location of existing structures, lot configuration, topographic or unique physical features, that apply to the subject property which prohibit sign visibility.

(b) New developments greater than 10 acres in size that wish to consolidate the allowable signage. A minimum of two signs will be required to be consolidated for a bonus consideration.

(c) Contiguous or multi-tenant properties sharing the same street frontage that wish to consolidate allowable signage. A minimum of two signs will be required to be consolidated for a bonus consideration.

(2) Procedures. A request for a bonus allowance may be granted by the community development director subject to the approval criteria outlined in subsection (3) of this section. Appeal or request for reconsideration of the director's decision shall be made to the hearing examiner as an open record hearing in accordance with Chapter [22G.010](#) MMC, Article VIII, Appeals.

(3) Approval Criteria. A bonus will be approved if the community development director finds that the criteria below are met:

(a) The adjustment will not significantly increase or lead to street level sign clutter, to signs adversely dominating the visual image of the area, or to a sign that will be inconsistent with the objectives of a subarea master plan or special overlay district.

(b) The adjustment will not create a traffic or safety hazard.

(c) The adjustment will allow a unique sign of exceptional design or style that will:

- (i) Achieve a positive and tasteful image;
 - (ii) Have good legibility;
 - (iii) Exhibit technical competence and quality in design, construction, and durability, and have standard details uncluttered by wires, angles, or other elements that detract from the appearance;
 - (iv) Relate to architectural features rather than obscure or disregard building planes;
 - (v) Present a harmonious relationship to other graphics and street furniture in the vicinity;
 - (vi) Be of a size that is in scale with the setting, building, or structure where located; and
 - (vii) Avoid glare.
- (4) Application Requirements. An applicant requesting a bonus allowance under the provisions of this chapter shall submit the following:
- (a) A letter in memorandum form outlining how the request is consistent with the criteria of this subsection.
 - (b) A site plan that is accurately drawn to an engineered scale that includes the following information:
 - (i) Boundaries and dimensions of the site;
 - (ii) Location of buildings, parking areas and adjacent streets;
 - (iii) Graphic representations of all existing signs including their size, height and placement on the site;
 - (iv) Graphic representation of the proposed sign(s) subject to the request; and
 - (v) Building elevation showing the placement of the sign on that elevation, if applicable.
- (5) Timing. The community development director or designee shall render a written decision on the requested bonus for outstanding design within 10 business days of submittal of all required elements and filing fee.
- (6) Variance Required. Requests that exceed the 50 percent sign area bonus and 25 percent height bonus, those that do not comply with the purpose outlined in subsection (1) of this section, or those not related to allowable sign height or sign area shall be processed as a variance in accordance with MMC ~~22C.160.270~~[22C.160.300](#).

22C.160.300 Variances.

Any person may apply for a variance from the requirements of this chapter. Sign variances shall be processed by the hearing examiner pursuant to the procedure set forth in Chapter [22G.060](#) MMC. Variance applications shall be processed pursuant to the review procedures outlined in Chapter [22G.010](#) MMC. A fee will be charged based on processing costs as provided for in Chapter [22G.030](#) MMC. In making any decision on a variance application, the permit authority must adopt findings of fact and conclusions based on those findings that address whether or not the application meets the following criteria for approval:

- (1) The variance does not conflict with the purpose and intent of the sign regulations;
- (2) The variance shall not constitute a grant of special privilege inconsistent with the limitation upon signage of other properties that have had to conform to the provisions of this chapter;
- (3) There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that are not contemplated or provided for by this chapter;
- (4) The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

(5) The granting of such variance would not increase the number of signs allowed by this chapter or that would allow a type of sign that is prohibited by this chapter. Conditions may be imposed upon the application as deemed necessary to ensure compatibility with this chapter.

22C.160.310 Substitution.

Notwithstanding anything in this chapter to the contrary, noncommercial copy expressing a personal, political, or religious point of view may be substituted for commercial copy on any lawful sign structure.