

**CITY OF MARYSVILLE**

**EXECUTIVE SUMMARY FOR ACTION**

**CITY COUNCIL MEETING DATE: May 13, 2013**

<b>AGENDA ITEM:</b> PA 13-003 Manufactured Home Park Rezones	<b>AGENDA SECTION:</b> New Business	
<b>PREPARED BY:</b> Cheryl Dungan, Senior Planner	<b>APPROVED BY:</b>	
<b>ATTACHMENTS:</b> <ol style="list-style-type: none"> <li>1. Draft Ordinance, Staff Memo, &amp; PC Recommendation</li> <li>2. PC Minutes – public hearing 3/26/2013</li> <li>3. PC Minutes – workshop 2/12/2013</li> <li>4. Ordinance 2832</li> </ol>		
	MAYOR	CAO
<b>BUDGET CODE:</b>	<b>AMOUNT:</b>	

**DESCRIPTION:**

Marysville currently has 13 existing Manufactured Home Parks (MHP) within the city limits. In 2010 the Marysville City Council adopted Ordinance 2832 which established a new Residential-Manufactured Home Park (R-MHP) zone that was designed to help retain existing MHPs that contain rental pads within residential zones. Of the 13 MHPs located within Marysville, 7 are located within residential zones. On March 26, 2013, the Planning Commission held a public hearing to consider the rezoning of the 7 parks located within residential zones and is recommending 4 of the parks be rezoned to the R-MHP zone at this time. The public hearing was attended by city staff, the general public, and one attorney – representing the park residents. Two persons spoke in favor of the proposed rezones and one against. The persons who spoke in favor wanted the rezones to apply to all MHPs within the City, not just those located within residential zones.

The 4 parks being recommended for rezone by the Planning Commission are: Glenwood Mobile Estates, 5900 64<sup>th</sup> St NE which is currently zoned R-18; Emerald Hills Estates, 14727 43<sup>rd</sup> Ave NE which is currently zoned R-18; Crystal Tree Village, 16600 25<sup>th</sup> Ave NE which is currently zoned R-12; and La Tierra MHP, 4401 80th St NE which is currently zoned R-18.

**RECOMMENDED ACTION:** Staff recommends Council affirm the recommendation of the Planning Commission, rezoning the following parks to the R-MHP zone: Glenwood Mobile Estates, 5900 64<sup>th</sup> St NE which is currently zoned R-18; Emerald Hills Estates, 14727 43<sup>rd</sup> Ave NE which is currently zoned R-18; Crystal Tree Village, 16600 25<sup>th</sup> Ave NE which is currently zoned R-12; and La Tierra MHP, 4401 80th St NE which is currently zoned R-18; and authorize the Mayor to sign the ordinance amending the official zoning map of the City.

**COUNCIL ACTION:**

**CITY OF MARYSVILLE**  
**Marysville, Washington**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, AFFIRMING THE RECOMMENDATION OF THE PLANNING COMMISSION, PROVIDING FOR THE AREA-WIDE REZONE OF FOUR (4) EXISTING MANUFACTURED HOMES PARKS FROM SPECIFIED RESIDENTIAL ZONES TO THE RESIDENTIAL-MANUFACTURED HOME PARK (R-MHP) ZONE TO CONFORM TO THE CITY OF MARYSVILLE COMPREHENSIVE PLAN; AMENDING THE OFFICIAL ZONING MAP OF THE CITY AND PROVIDING FOR SEVERABILITY**

WHEREAS, Community Development Staff initiated a SEPA NON-PROJECT action area-wide rezone of existing manufactured Homes Parks, (hereafter "MHPs" ) within specified residential zones, said properties being depicted in **Exhibit A** attached hereto and incorporated by this reference ; and

WHEREAS, the City of Marysville has developed and implemented, through its Comprehensive Plan and zoning code, certain provisions for the identification of zoning regulations, planning subareas, zoning districts and development standards to be operative within the City of Marysville; and

WHEREAS, on March 1, 2013, the City issued a State Environmental Policy Act (SEPA) Threshold Determination of Non-significance (DNS), which identifies and addresses the environmental impacts of the NON-PROJECT action of the proposed area-wide rezone; and

WHEREAS, the City of Marysville Planning Commission held a public workshop to discuss the proposed NON-PROJECT action area-wide rezone on February 12, 2013; and

WHEREAS, after providing notice to the public as required by law, on March 26, 2013 the Marysville Planning Commission held a public hearing on the proposed areawide rezone of existing MHPs in specified residential zones and received public input and comment on said proposed revisions and adopted Findings, Conclusions and Recommendation of approval of the rezone as set forth in **Exhibit B**; and

WHEREAS, the Marysville City Council held a public meeting on the proposed NON-PROJECT action area-wide rezone on May 13, 2013 and concurred with the Findings, Conclusions and Recommendation of the Planning Commission;

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

Section 1. The Findings, Conclusions and Recommendation of the Planning Commission, as set forth in the attached **Exhibit B**, are hereby approved, adopted and incorporated by this reference, and based upon the record in this matter, the City Council hereby finds as follows:

- (1) The area wide rezone is consistent with the purposes of the Marysville Comprehensive Plan;
- (2) The area wide rezone is consistent with the purpose of Title 22 MMC;

- (3) There have been significant changes in the circumstances to warrant the area wide rezone; and
- (4) The benefit or cost to the public health, safety and welfare is sufficient to warrant the area wide rezone.

Section 2. The four (4) existing, residentially zoned MHPs subject to this area-wide rezone are located as follows: Glenwood Mobile Estates, 5900 64<sup>th</sup> St NE which is currently zoned R-18; Emerald Hills Estates, 14727 43<sup>rd</sup> Ave NE which is currently zoned R-18; Crystal Tree Village, 16600 25<sup>th</sup> Ave NE which is currently zoned R-12; and La Tierra MHP, 4401 80<sup>th</sup> St NE which is currently zoned R-18. All four (4) are hereby rezoned to the R-MHP zone.

Section 3. The official zoning map of the City of Marysville is hereby amended to reflect the reclassification of the properties to the Residential-Mobile Home Park (R-MHP) zone as depicted in **Exhibit A**.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or work of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF MARYSVILLE

By: \_\_\_\_\_  
JON NEHRING, MAYOR

Attest:

By: \_\_\_\_\_  
CITY CLERK

Approved as to form:

By: \_\_\_\_\_  
GRANT K. WEED, CITY ATTORNEY

Date of Publication: \_\_\_\_\_

Effective Date: \_\_\_\_\_

# EXHIBIT A



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

**MEMORANDUM**

**DATE:** March 20, 2013  
**TO:** Planning Commission  
**FROM:** Cheryl Dungan, Senior Planner  
**RE:** Areawide Rezones - Manufactured Home Parks

**INTRODUCTION**

In 2010 the Marysville City Council adopted Ordinance 2832 which established a new Residential-Mobile/Manufactured Home Park (R-MHP) zone that was designed to help preserve existing MHPs that contain rental pads within residential zones. While the rezoning of an existing park to the R-MHP zone does not offer permanent protection, it does provide public participation through the rezone process if the park owner chooses to convert the park to another use not allowed in the R-MHP zone. The adopted ordinance also established permitted and conditional uses within the new zone.

Due to a number of Court appeals to a similar City of Tumwater ordinance, Marysville placed the actual rezoning of the parks on hold. The appeals have since worked their way through the courts, with the City of Tumwater’s Ordinance prevailing. Therefore, the City of Marysville is proposing to move forward with the rezoning of specific MHPs within residential zones within the City.

Marysville currently has 13 MHPs within the city limits which contain 1,130 rental spaces. Of the 13 MHPs located within Marysville, 7 are located within residential zones. At this time, staff is recommending 4 of the 7 parks be rezoned to the R-MHP zone.

TABLE 1: MHPs IN RESIDENTIAL ZONES

Park Name	Current Zoning	# of units	Age Restricted
Crystal Tree Village	R-12	163	55+
Emerald Hills Estates	R-18	139	55+
Glenwood Mobile Estates	R-18	231	55+
La Tierra	R-18	62	55+
Cedar Lane Park	R-18	20	None
Kellogg Village	R-6.5	108	None
Country Mobile Estates	R-6.5	24	None

The parks being recommended by staff for the R-MHP zone are Crystal Tree Village; Emerald Hills Estates; Glenwood Mobile Estates; and La Tierra MHP. Staff believes that Kellogg Village is already protected in perpetuity as a MHP due to the method of approval in Snohomish County prior to annexation, so is not being recommended for rezone at this time. Including Kellogg Village, with the granting of the rezones, 703 rental spaces out of the existing 747 spaces (or 94% ) available in residential zones will receive additional protection within the City of Marysville.

**It should be noted that existing parks located in commercial and/or industrial zones are not included in the areawide rezones as they are not considered appropriate long term locations for a residential use such as a MHP. The 6 MHPs which contain a total of 383 rental pads (34% of all spaces in Marysville) located in commercial zones are identified in Table 2 below:**

Park Name	Current Zoning	# of units	Age Restricted
Brookside	GC	44	None
Liberty Village	MU	37	55+
Midway Gardens	GC	74	55+
Mobile Haven	CB	74	55+
Mobile Manor	CB	92	55+
Twin Cedars	GC	62	None



# INDIVIDUAL PARK RECOMMENDATIONS

## Glenwood Mobile Estates – 5900 64<sup>th</sup> Street NE



**Existing Use:** Mobile Home Park

**Size:** 36-acres

**Spaces:** 231

**Recommendation:** Change the zoning from R-18 to R-MHP

**Analysis:** The proposed rezone complies with goals and policies in the Comprehensive Plan to preserve existing Existing MHP in areas designated residential

### A. Request

The City proposes rezoning Glenwood Mobile Estates (TP #'s 30052700400800; 3005270041500; 30052700401600) to the R-MHP zone.

### B. Site Description

Glenwood Mobile Estates is located at 5900 64<sup>th</sup> Street NE in Marysville, is approximately 35.9 acres in size, and offers 231 rental spaces with an existing density of approximately 6.4 du/ac. The park is a senior community, where approximately 80% of the residents are above the age of 55, while the other 20% are mostly in their forties. The park primarily consists of double wide structures; however, approximately one fourth of the homes are single wide. Since this is a senior park, there is not much movement or relocation of residents.

### C. Comprehensive Plan

The proposed rezone is consistent with existing goals and policies established in the 2005 *City of Marysville Comprehensive Plan* which supports the preservation of existing mobile/manufactured home parks as a source of affordable detached housing within residentially designated areas of the City. The following are goals/policies which support the preservation of existing neighborhoods and a range of affordable housing types including MHP:

#### **Page 4-28, General Development Land Use Goals & Policies**

Goal 5: As appropriate, protect and strengthen the vitality and stability of existing neighborhoods.

#### **Page 4-30, Residential Land Use Goals & Policies**

Goal 15: Provide for new residential development that is compatible with the present housing stock while also preserving a broad range of housing types and dwelling unit densities to serve diverse lifestyles, income levels, and ages.

LU-23 Encourage a range of housing types and densities, including small lot single family, zero lot line developments, cluster housing, town houses, duplexes, triplexes, apartments (high and low density, including garden), accessory apartments, mobile home parks. Increase the opportunities for home ownership through the availability of these housing types.

The following are goals and policies which specifically support the preservation of existing residentially designated MHP:

**Page 5-22, Housing Element ‘County-Wide Planning Policies Relating to Housing:**

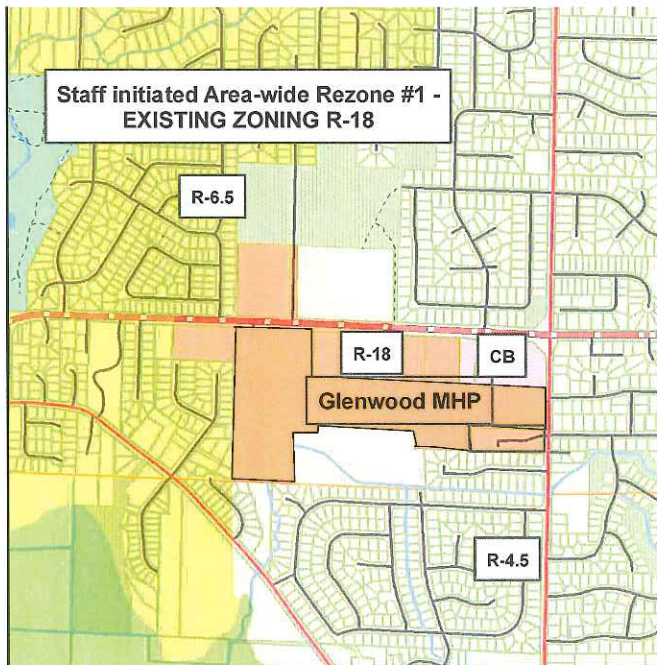
CWPP-HO-8 Implement policies and programs that encourage the upgrading of neighborhoods and the rehabilitation and preservation of the supply of existing affordable housing, including, but not limited to, mobile home park housing, single room (SRO) housing, and manufactured housing.

NOTE: County-wide planning policies

**HO-5** Support the development and preservation of mobile home parks and subdivisions.

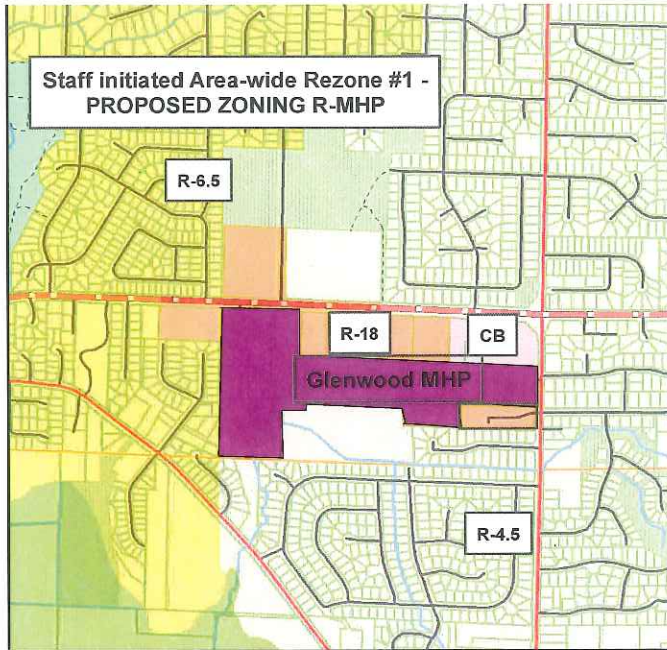
**D. Zoning**

**Existing Zoning**





## Proposed Zoning: R-MHP



The property is currently zoned R-18. The City is proposing to rezone the park to the R-MHP zone.

### E. Conformance with SEPA

The proposed rezone was processed in accordance with Title 22E, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). A DNS was issued on March 1, 2013, there were no appeals.

### REVIEW AND ANALYSIS

- 1) The proposed rezone implements, and is consistent with the *2005 City of Marysville Comprehensive Plan* to retain existing mobile home parks in residentially designated parts of the City and to maintain a source of affordable housing.
- 2) The proposed rezone is necessary to achieve consistency with the development regulations and the *2005 City of Marysville Comprehensive Plan*.
- 3) The zone reclassification and existing use is consistent and compatible with uses and zoning of the surrounding area.

## **Emerald Hills Estates – 14727 43<sup>rd</sup> Ave NE**



**Existing Use:** Mobile Home Park

**Size:** 35-acres

**Spaces:** 139

**Recommendation:** Change the zoning from R-18 to R-MHP

**Analysis:** The proposed rezone complies with goals and policies in the Comprehensive Plan to preserve existing MHP in areas designated residential

### **A. Request**

The City proposes rezoning Emerald Hills Estates (TP # 31053300401200) from R-18 to R-MHP.

### **B. Site Description**

Emerald Hills Estates is located at 14727 43rd Avenue NE in Marysville, and is 34.43 acres in size with a total of 139 rental spaces. The density is 4 du/ac. This park is a senior community park, so all residents are over the age of 55. The structures consist of double and triple wide homes. There is an abundance of parking space available aside from those designated to each space.

### **C. Comprehensive Plan**

The proposed rezone is consistent with existing goals and policies established in the *2005 City of Marysville Comprehensive Plan* which supports the preservation of existing mobile/manufactured home parks as a source of affordable detached housing within residentially designated areas of the City. The following are goals/policies which support the preservation of existing neighborhoods and a range of affordable housing types including MHP:

#### **Page 4-28, General Development Land Use Goals & Policies**

Goal 5: As appropriate, protect and strengthen the vitality and stability of existing neighborhoods.

#### **Page 4-30, Residential Land Use Goals & Policies**

Goal 15: Provide for new residential development that is compatible with the present housing stock while also preserving a broad range of housing types and dwelling units densities to serve diverse life styles, income levels, and ages.



LU-23 Encourage a range of housing types and densities, including small lot single family, zero lot line developments, cluster housing, town houses, duplexes, triplexes, apartments (high and low density, including garden), accessory apartments, and mobile home parks. Increase the opportunities for home ownership through the availability of these housing types.

The following are goals and policies which specifically support the preservation of existing residentially designated MHP:

**Page 5-22, Housing Element ‘County-Wide Planning Policies Relating to Housing:**

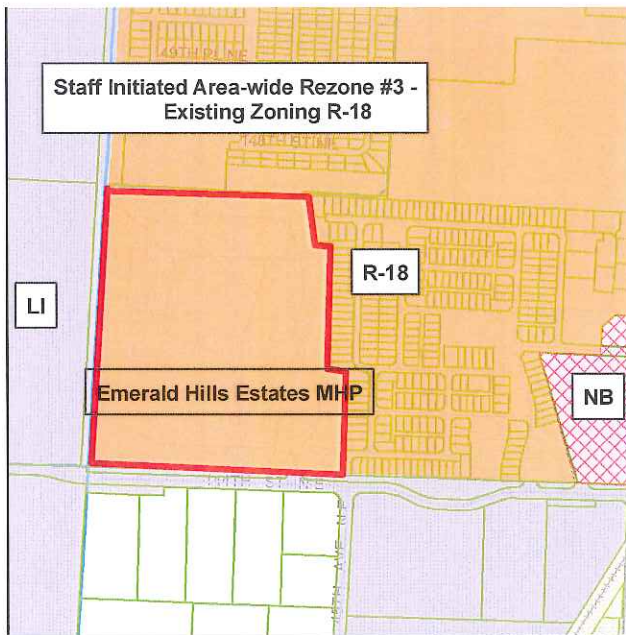
CWPP-HO-8 Implement policies and programs that encourage the upgrading of neighborhoods and the rehabilitation and preservation of the supply of existing affordable housing, including, but not limited to, mobile home park housing, single room (SRO) housing, and manufactured housing.

NOTE: County-wide planning policies

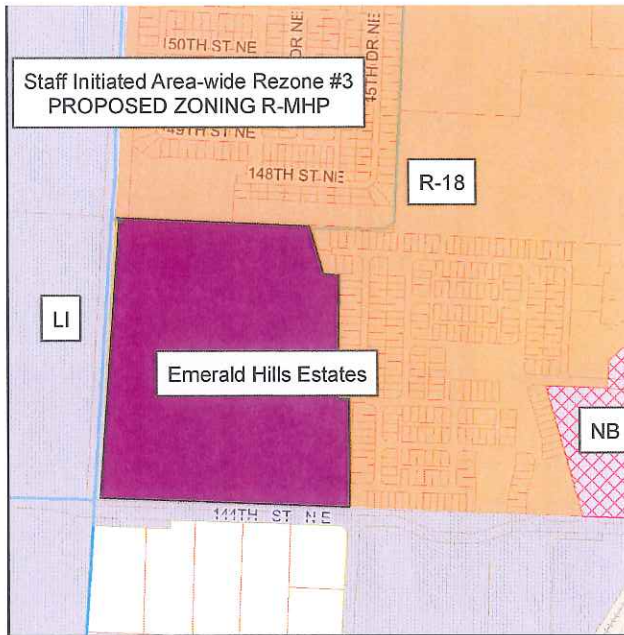
**HO-5** Support the development and preservation of mobile home parks and subdivisions.

**D. Zoning**

**Existing Zoning**



## Proposed Zoning: R-MHP



The property is currently zoned R-18. Staff is recommending the park be rezoned to the R- MHP zone.

### E. Conformance with SEPA

The proposed rezone was processed in accordance with Title 22E, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). A DNS was issued on March 1, 2013, there were no appeals.

### REVIEW AND ANALYSIS

- 1) The proposed rezone implements, and is consistent with the *2005 City of Marysville Comprehensive Plan* to preserve existing mobile home parks in residentially designated parts of the City and to maintain a source of affordable housing.
- 2) The proposed rezone is necessary to achieve consistency with the development regulations and the *2005 City of Marysville Comprehensive Plan*.
- 3) The zone reclassification and existing use is consistent and compatible with uses and zoning of the surrounding area.



## La Tierra MHP – 4401 80<sup>th</sup> St NE



**Existing Use:** Mobile Home Park

**Size:** 9.8 acres

**Spaces:** 62

**Recommendation:** Change the zoning from R-18 to R-MHP

**Analysis:** The proposed rezone complies with goals and policies in the Comprehensive Plan to preserve existing Existing MHP in areas designated residential

### A. Request

The City proposes rezoning La Tierra MHP (TP # 30052100405200) from R-18 to R-MHP.

### B. Site Description

La Tierra is located at 4401 80<sup>th</sup> Street NE in Marysville, and is approximately 9.83 acres in size, with 62 rental spaces. The density is 5.4 du/ac. The park consists of about 75% double wide mobile homes and 25% single wide mobile homes. Since the park is a senior community park, the park residents usually have a lengthy tenure.

### C. Comprehensive Plan

The proposed rezone is consistent with existing goals and policies established in the 2005 *City of Marysville Comprehensive Plan* which supports the preservation of existing mobile/manufactured home parks as a source of affordable detached housing within residentially designated areas of the City. The following are goals/policies which support the preservation of existing neighborhoods and a range of affordable housing types including MHP:

#### **Page 4-28, General Development Land Use Goals & Policies**

Goal 5: As appropriate, protect and strengthen the vitality and stability of existing neighborhoods.

#### **Page 4-30, Residential Land Use Goals & Policies**

Goal 15: Provide for new residential development that is compatible with the present housing stock while also preserving for a broad range of housing types and dwelling units densities to serve diverse life styles, income levels, and ages.



LU-23 Encourage a range of housing types and densities, including small lot single family, zero lot line developments, cluster housing, town houses, duplexes, triplexes, apartments (high and low density, including garden), accessory apartments, and mobile home parks. Increase the opportunities for home ownership through the availability of these housing types.

The following are goals and policies which specifically support the preservation of existing residentially designated MHP:

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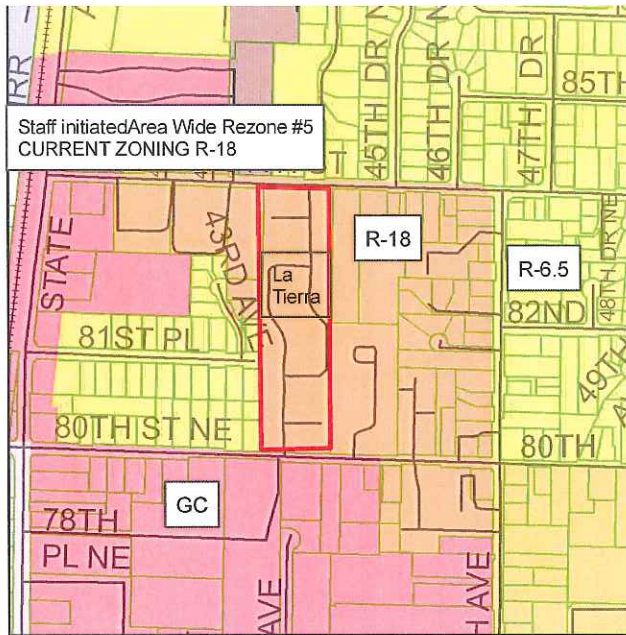
CWPP-HO-8 Implement policies and programs that encourage the upgrading of neighborhoods and the rehabilitation and preservation of the supply of existing affordable housing, including but not limited to mobile home park housing, single room (SRO) housing, and manufactured housing.

NOTE: County-wide planning policies

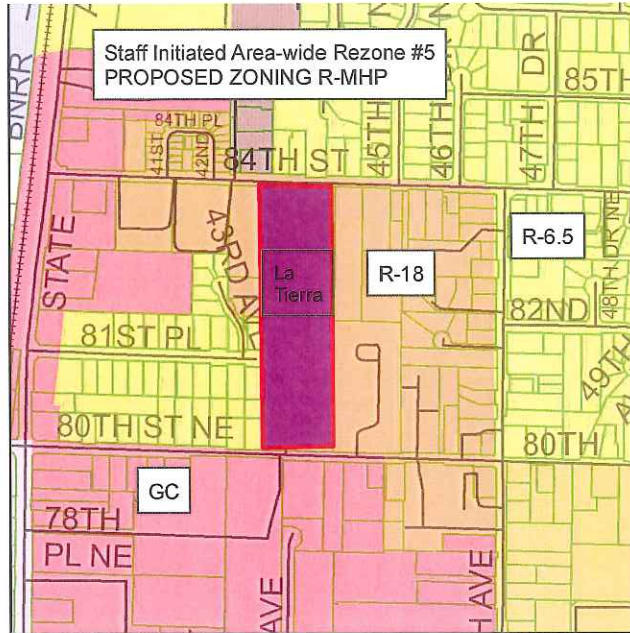
**HO-5** Support the development and preservation of mobile home parks and subdivisions.

**D. Zoning**

**Existing Zoning**



## Proposed Zoning: R-MHP



The property is currently zoned R-18. Staff is recommending the park be rezoned to the R- MHP zone.

### E. Conformance with SEPA

The proposed rezone was processed in accordance with Title 22E, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). A DNS was issued on March 1, 2013, there were no appeals.

### REVIEW AND ANALYSIS

- 1) The proposed rezone implements and is consistent with the *2005 City of Marysville Comprehensive Plan* to preserve existing mobile home parks in residentially designated parts of the City and to maintain a source of affordable housing.
- 2) The proposed rezone is necessary to achieve consistency with the development regulations and the *2005 City of Marysville Comprehensive Plan*.
- 3) The zone reclassification and existing use is consistent and compatible with uses and zoning of the surrounding area.



## Crystal Tree Village – 16600 25<sup>th</sup> Ave NE



**Existing Use:** Mobile Home Park

**Size:** 21.8 acres

**Spaces:** 163

**Recommendation:** Change the zoning from R-12 to R-MHP

**Analysis:** The proposed rezone complies with goals and policies in the Comprehensive Plan to preserve existing MHPs in areas designated residential

### A. Request

Staff proposes rezoning Crystal Tree Village (TP # 30052100405200) from R-12 to R-MHP.

### B. Site Description

Crystal Tree Village is located at 16600 25<sup>th</sup> Avenue NE in Marysville, is approximately 21.84 acres in size, and has a total of 163 rental spaces. The park density is approximately 7.5 du/ac. This is a senior park so the park is fairly stable; however, since the new Lakewood Crossing development, there has been more vacancies because of the busy road. The park consists of 2/3 single wide mobile homes and the remaining are double wide. Since there are a significantly higher number of single mobile homes, the average age of the structures is in the late 70s.

### C. Comprehensive Plan

The proposed rezone is consistent with existing goals and policies established in the 2005 *City of Marysville Comprehensive Plan* which supports the preservation of existing mobile/manufactured home parks as a source of affordable detached housing within residentially designated areas of the City. The following are goals/policies which support the preservation of existing neighborhoods and a range of affordable housing types including MHP:

#### **Page 4-28, General Development Land Use Goals & Policies**

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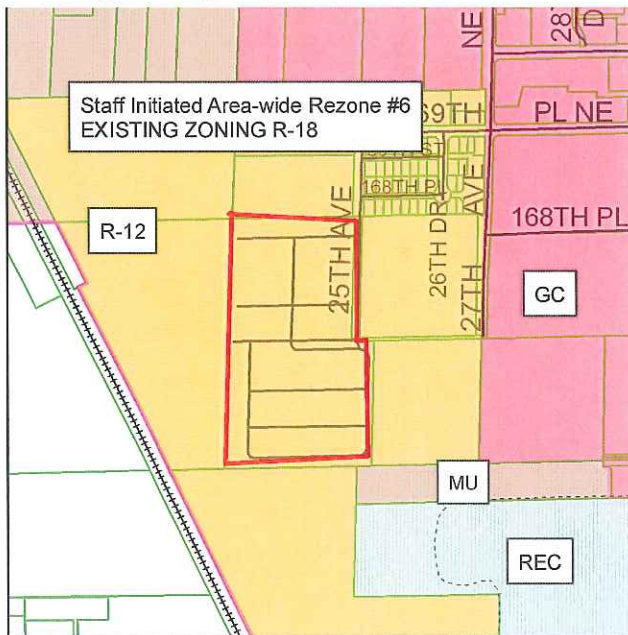
CWPP-HO-8 Implement policies and programs that encourage the upgrading of neighborhoods and the rehabilitation and preservation of the supply of existing affordable housing, including but not limited to mobile home park housing, single room (SRO) housing, and manufactured housing.

NOTE: County-wide planning policies

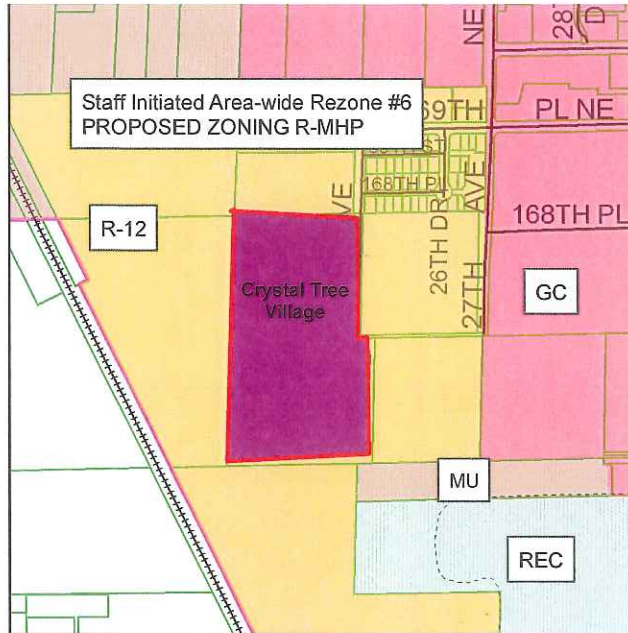
**HO-5** Support the development and preservation of mobile home parks and subdivisions.

**D. Zoning**

**Existing Zoning**



## Proposed Zoning: R-MHP



The property is currently zoned R-12. Staff is proposing the park be rezoned to the R-MHP zone.

### E. Conformance with SEPA

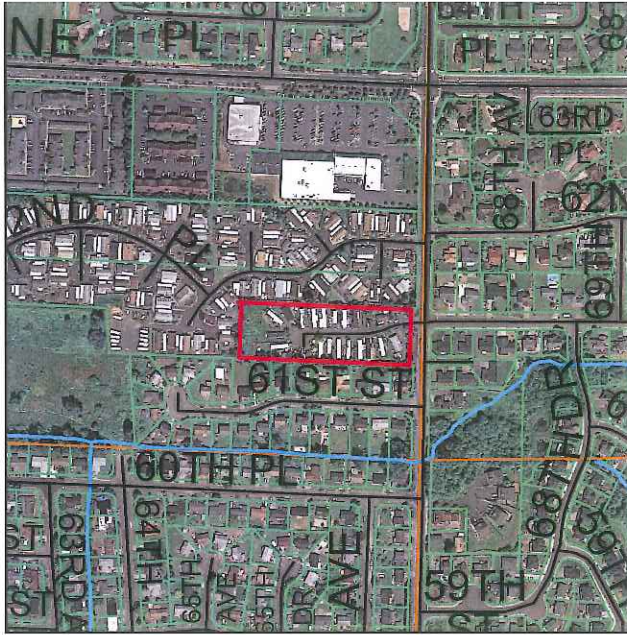
The proposed rezone was processed in accordance with Title 18, City of Marysville Environmental Policy Ordinance and Chapter 197-11 WAC, State Environmental Policy Act (SEPA). A DNS was issued on March 1, 2013, there were no appeals.

### REVIEW AND ANALYSIS

- 1) The proposed rezone implements and is consistent with the *2005 City of Marysville Comprehensive Plan* to preserve existing mobile home parks in residentially designated parts of the City and to maintain a source of affordable housing.
- 2) The proposed rezone is necessary to achieve consistency with the development regulations and the *2005 City of Marysville Comprehensive Plan*.
- 3) The zone reclassification and existing use is consistent and compatible with uses and zoning of the surrounding area.



## Cedar Lane Mobile Home Park– 6118 67<sup>th</sup> Ave NE



**Existing Use:** Mobile Home Park

**Size:** 2.9-acres

**Spaces:** 20

**Recommendation:** No change

**Analysis:** Park is small, majority of homes are SW and placed fairly close together. Unlikely DWs would fit in SW spaces resulting in a decrease in density overtime.

### A. Request

Staff recommends the park not be rezoned at this time.

### B. Site Description

Cedar Lane Mobile Home Park is located at 6118 67<sup>th</sup> Ave NE in Marysville, is approximately 2.9 acres in size, and offers 20 rental spaces with an existing density of approximately 6.9 du/ac. The park consists of 17 single wide structures, and 3 double wide homes. Since there are a significantly higher number of single mobile homes and they are spaced close together, it's likely the park will decrease in density overtime. The average age of the structures is in the early to mid 80s. Overall, the structures and landscaping seem to be in decent condition considering most of the homes are older.

### C. Comprehensive Plan

The 2005 *City of Marysville Comprehensive Plan* supports urban densities within the Urban Growth Area (UGA).

#### **Page 4-30 Residential Land Use Goals & Policies**

Accommodate demand for urban-density living and services only within Urban Growth Areas.

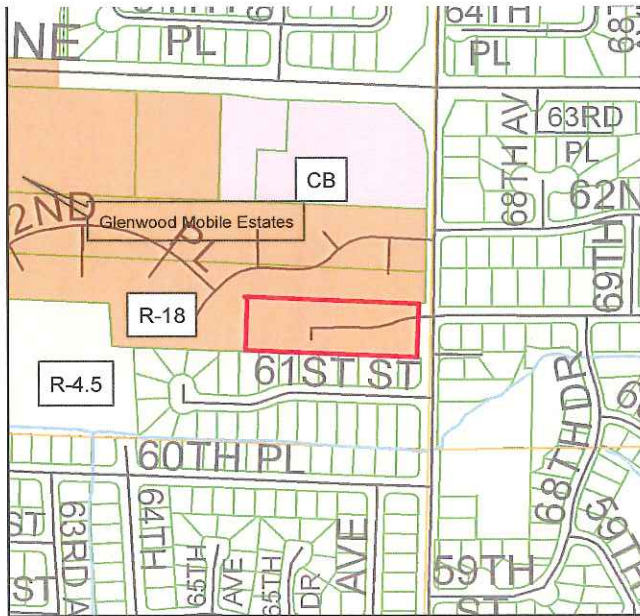
#### **Page 4-32, Residential Land Use Goals & Policies**

Policy LU-40: Allow and encourage uses that support increased densities, but maintain the single-family character and minimize the impact on existing neighborhoods such as duplexes and accessory units.

**D. Zoning**

**Retain Existing Zoning**

The property is currently zoned R-18..





## Kellogg Village MHP – 5711 100<sup>th</sup> St NE



**Existing Use:** Mobile Home Park

**Size:** 19.9-acres

**Spaces:** 108

**Recommendation:** No Change

**Analysis:** Already protected under County PRD approval – demonstration project

### A. Request

The City proposes no change in zoning for Kellogg Village MHP (TP # 30051500202100).

### B. Site Description

Kellogg Village Mobile Home Park is located at 5711 100<sup>th</sup> St NE, is 19.93 acres in size, and has a total of 108 rental spaces. The density is 5.4 du/ac. There is a combination of double wide and triple wide mobile homes, with 89% being DW and the remaining 11% TW. This is a relatively new park that is well kept. The park is not limited to seniors.

### C. Comprehensive Plan

The proposed rezone is consistent with existing goals and policies established in the 2005 *City of Marysville Comprehensive Plan* which supports the preservation of existing mobile/manufactured home parks as a source of affordable detached housing within residentially designated areas of the City. The following are goals/policies which support the preservation of existing neighborhoods and a range of affordable housing types including MHP:

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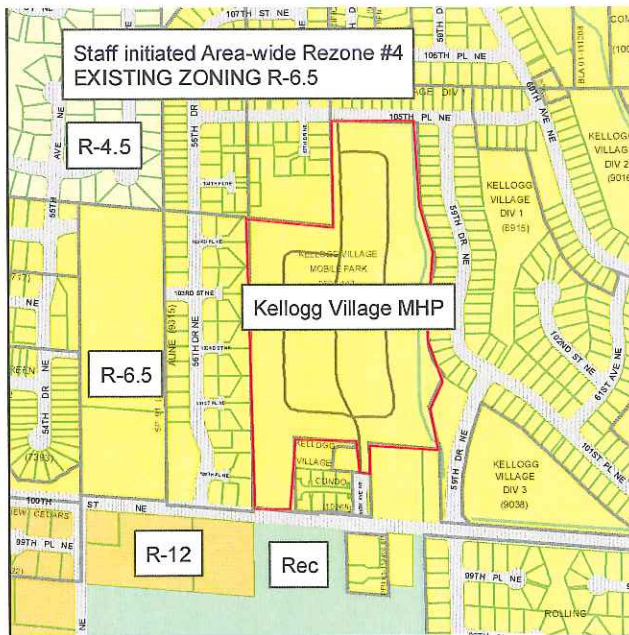
CWPP-HO-8 Implement policies and programs that encourage the upgrading of neighborhoods and the rehabilitation and preservation of the supply of existing affordable housing, including but not limited to mobile home park housing, single room (SRO) housing, and manufactured housing.

NOTE: County-wide planning policies

**HO-5** Support the development and preservation of mobile home parks and subdivisions.

**D. Zoning**

**Retain Zoning**



**E. REVIEW AND ANALYSIS**

- 1) Kellogg Village received a rezone/PRD for entire project; and a conditional use permit (CUP) was granted for the MHP, the project was also part of a demonstration project and the according to the conditions of approval, the MHP is restricted +



- 2) While the existing park is consistent with the comp plan policies and R-MHP zoning designation criteria, the park is already protected for long term protection and the rezone to the R-MHP zone is unnecessary in this particular instance.

**Country Mobile Estates– 11901 55<sup>th</sup> Ave NE**



**Existing Use:** Mobile Home Park  
**Size:** 8.5-acres  
**Spaces:** 24  
**Recommendation:** No change  
**Analysis:** Park is considered a legal non-conforming use; does not meet urban densities.

**A. Request**

Staff recommends the park not be rezoned at this time.

**B. Site Description**

Country Mobile Estates is located at 11901 55<sup>th</sup> Ave NE in Marysville, is approximately 8.5 acres in size, and contains 24 rental spaces with an existing density of approximately 2.8 du/ac. The park is currently underdeveloped, and is considered a legal non-conforming use within a single-family residential zone.

**C. Comprehensive Plan**

The 2005 *City of Marysville Comprehensive Plan* supports urban densities within the Urban Growth Area (UGA).

**Page 4-30 Residential Land Use Goals & Policies**

Accommodate demand for urban-density living and services only within Urban Growth Areas.

**Page 4-32, Residential Land Use Goals & Policies**

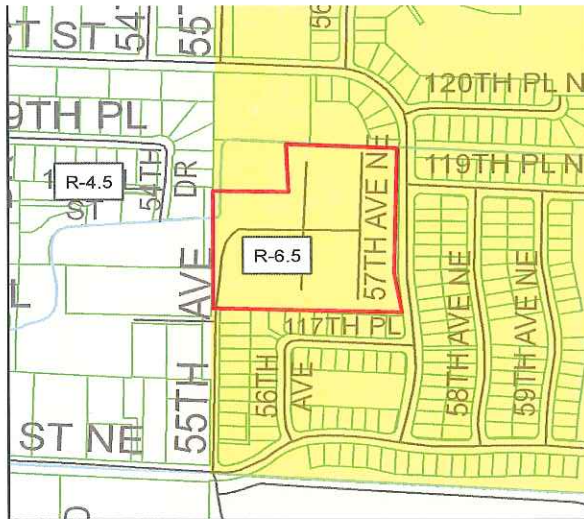
Policy LU-40: Allow and encourage uses that support increased densities, but maintain the single-family character and minimize the impact on existing neighborhoods, such as duplexes and accessory units.



## D. Zoning

### Retain existing Zoning

The property is currently zoned R-6.5.



## E. Review and analysis

The park is currently considered a legal non-conforming use that is not developed to minimum urban densities. The park should be allowed to redevelop to urban standards under current R-6.5 zoning regulations.

## EXHIBIT B



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

## PC Recommendation – MHP Zone Creation/Code Amendments

The Planning Commission (PC) of the City of Marysville, having held a public hearing to review the following proposal: City-initiated areawide NON-PROJECT rezone proposal to consider the rezoning of the following existing, residentially-zoned Manufactured Home Parks (MHP):

### Glenwood Mobile Estates

(Rezone #1)

Property Location: 5900 64<sup>th</sup> St NE

Property Size: 36 acres

Existing Zoning: R-18

Proposed Zoning: R-MHP

### Emerald Hills Estates

(Rezone #2)

Property Location: 14727 43<sup>rd</sup> Ave NE

Property Size: 35 acres

Existing Zoning: R-18

Proposed Zoning: R-MHP

### Crystal Tree Village

(Rezone #3)

Property Location: 16600 25<sup>th</sup> Ave NE

Property Size: 22 acres

Existing Zoning: R-12

Proposed Zoning: R-MHP

### La Tierra MHP

(Rezone #4)

Property Location: 4401 80<sup>th</sup> St NE

Property Size: 10 acres

Existing Zoning: R-18

Proposed Zoning: R-MHP

### Cedar Lane MHP

(Rezone #5)

Property Location: 611j8 67<sup>th</sup> Ave NE

Property Size: 2.9 acres

Existing Zoning: R-18

Proposed Zoning: R-MHP

### Kellogg Village

(Rezone #6)

Property Location: 5711 100<sup>th</sup> St NE

Property Size: 20 acres

Existing Zoning: R-6.5

Proposed Zoning: R-MHP

### Country Mobile Estates

(Rezone #7)

Property Location: 11901 55<sup>th</sup> Ave NE

Property Size: 8.5 acres

Existing Zoning: R-6.5

Proposed Zoning: R-MHP

**Findings:**

The PC held a public work session to review the City-initiated areawide NON-PROJECT rezone proposal on February 12, 2013 and having considered the exhibits and testimony presented does hereby enter the following findings, conclusions and recommendation for consideration by the Marysville City Council:

1. A Determination of Non-Significance was issued on March 1st, 2013 which addresses the environmental impacts of City-initiated areawide NON-PROJECT rezone proposal in accordance with WAC 197-11-630.
2. The PC held a duly-advertised public hearing on March 26, 2013 and received testimony from city staff, the general public, and one attorney – representing the park residents. Two persons spoke in favor of the proposed code revisions, one person spoke against the proposed code revisions. The persons who spoke in favor wanted the code revisions to apply to all MHPs within the city, not just those located within residential zones.

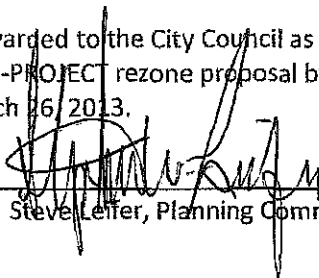
**CONCLUSIONS:**

At the public hearing, held on March 26, 2013, the PC recommended adoption the City-initiated areawide NON-PROJECT rezone proposal as reflected in the PC minutes attached hereto as **Exhibit A.**

**Recommendation:**

Forwarded to the City Council as a Recommendation of Approval of the City-initiated areawide NON-PROJECT rezone proposal by the City of Marysville Planning Commission this 26<sup>th</sup> day of March 26, 2013.

By: \_\_\_\_\_

  
Steve Laffer, Planning Commission Chair

# EXHIBIT A



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

## **PUBLIC HEARINGS:**

### **Manufactured Home Park Rezones**

Chair Leifer opened the hearing at 7:25.

#### Staff Presentation:

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

#### Recommendations on individual parks:

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

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

Public Testimony:

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

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

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

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

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

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

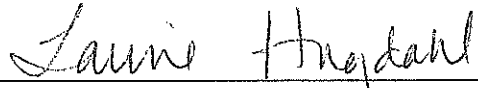
Commissioner Andes agreed that staff has done a good job of trying to resolve this issue to the best of their ability.

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

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

**NEXT MEETING:**

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



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Laurie Hugdahl, Recording Secretary



Chair Leifer questioned whether the ability for a religious organization to conduct one of these events has fewer requirements than a private individual. He thought that there were more restrictions being put on an individual than a church. Mr. Holland responded that he would check on this.

Commissioner Hoen was concerned about the appeals process. He thought it started out too high. Mr. Holland replied that all administrative decisions are made by the Director of the Department, and the next step would be the Hearing Examiner. Mr. Holland described the appeal process through the Hearing Examiner. Mr. Holland added that he would like to hold a Public Hearing in March if clarification and changes could be addressed by then.

Commissioner Andes questioned how a natural disaster would apply to these requirements. Mr. Holland replied that there was an emergency/disaster exemption.

Chair Leifer questioned whether there was the ability for temporary sales offices for home sales to be extended. Commissioner Toler thought that this was an extension that should be looked into as it was very common for developers to use temporary structures for sales rather than model houses. There was general consensus that an extension would be beneficial given the current market. Mr. Holland stated that he would bring a proposed extension with a new sunset clause back to the commission.

#### **Manufactured Home Overlay Rezone Workshop:**

Ms. Dungan began her presentation of the Mobile/Manufacture Home Park Rezone, which she noted was a repeat and meant to be a refresher. Ms. Dungan described what the rezone would actually do and what would and wouldn't be allowed. It basically put a process in place for rezoning to occur. There was discussion about building code requirements for new parks as well as existing parks and units. A standard rezone process takes approximately 4-6 months, stated Ms. Dungan. There was, however, the state requirement that tenants be given 12 months notice to vacate. There was general conversation about mobile home parks, park owner rights, homeowner rights, and what the rezone actually allowed and how it would affect different parties.

#### **ADJOURNMENT:**

**Motion** made by Commissioner Lebo, seconded by Commissioner Toler to adjourn the meeting at 8:22 p.m. Motion carries, (6-0).

#### **NEXT MEETING:**

February 26, 2013



Amy Hess, Recording Secretary

**CITY OF MARYSVILLE**  
**Marysville, Washington**  
**ORDINANCE NO. 2832**

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON RELATED TO TITLE 19 (THE ZONING CODE) OF THE MARYSVILLE MUNICIPAL CODE (MMC) AND TO THE REGULATION AND ZONING OF MOBILE/MANUFACTURED HOUSING; AMENDING MMC 19.04.020 ZONES AND MAP DESIGNATIONS ESTABLISHED; AMENDING MMC 19.04.080 RESIDENTIAL ZONE; AMENDING MMC 19.08.030 RESIDENTIAL LAND USES ; AMENDING MMC 19.08.040 RECREATION/CULTURAL LAND USES ; AMENDING MMC 19.08.050 GENERAL SERVICES LAND USES; AMENDING MMC 19.08.060 GOVERNMENT/BUSINESS SERVICE LAND USES; AMENDING MMC 19.08.100 REGIONAL LAND USES; AMENDING MMC 19.38.030 MOBILE/MANUFACTURED HOME PARK ZONE; AND AMENDING MMC 19.38.150 STANDARDS FOR EXISTING PARKS.

WHEREAS, the City Council of the City of Marysville does find that from time to time it is necessary and appropriate to review and revise provisions of the City's Zoning Code (Title 19 MMC); and

WHEREAS, following a comprehensive review of the above-referenced City codes by City staff, the Marysville Planning Commission held public workshop(s) on April 13, 2010; May 11, 2010; and May 25, 2010; and

WHEREAS, after providing notice to the public as required by law, on June 22, 2010 the Marysville Planning Commission held a public hearing on proposed changes to the Zoning code and received public input and comment on said proposed revisions; and

WHEREAS, the City has submitted the proposed development regulation revisions to the Washington State Department of Community, Trade, and Economic Development as required by RCW 36.70A.106; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act, Ch. 43.21C RCW, (SEPA) by issuing Addendum #18 to the final environmental impact statement (FEIS) for the 2005 *City of Marysville Comprehensive Plan* for the proposed amendments to Title 19 MMC, and the addendum will not significantly change the analysis contained in the FEIS prepared in 2005 for the comprehensive plan, and will not identify new or significantly different environmental impacts; and

WHEREAS, at a public meeting on October 25, 2010 the Marysville City Council reviewed and considered the amendments to the Zoning code proposed by the Marysville Planning Commission;

WHEREAS, the Washington State Attorney General's memorandum of December 2006 entitled *Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property* to help local governments avoid the unconstitutional taking of private property was considered; and

WHEREAS, the City Council has considered and assessed potential constitutional issues related to the regulations proposed by this ordinance, including but limited to: whether the proposed regulations will result in a permanent or temporary physical occupation of private property; whether

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R-MHP Ordinance

the proposed regulations will deprive affected property owners of all economically viable uses of their properties; whether the proposed regulations will deny or substantially diminish a fundamental attribute of property ownership; whether the proposed regulations required a property owner to dedicate a portion of property or to grant an easement; and whether the proposed regulations will have a severe impact on the property owner's economic interests; and

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

**Section 1.** MMC 19.04.020 "Zones and map designations established" is amended to read as follows:

**19.04.020 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
Rural Use	RU (2.3-acre)
Residential	R (base density in dwellings per acre) <u>R-MHP</u>
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
Waterfront Overlay	-WF (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 2.** Subsection (1) of MMC 19.04.080 "Residential zone" is amended to read as follows:

**19.04.080 Residential zone.**

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

(a) Providing, in the R-4.5, R-6.5, and R-8 zones, for a mix of predominantly single detached dwelling units and other development types, with a variety of densities and sizes in locations appropriate for urban densities;

(b) Providing, in the R-12, R-18, and R-28 zones, for a mix of predominantly apartment and townhome dwelling units and other development types, with a variety of densities and sizes in locations appropriate for urban densities;

(c) Providing and preserving in R-MPH zones high density, affordable detached single-family and senior housing. This zone is assigned to existing mobile home parks within residential zones which contain rental pads, as opposed to fee simple owned lots, and as such are more susceptible to future development.

(ed) Allowing only those accessory and complementary nonresidential uses that are compatible with residential communities; and

(de) Establishing density designations to facilitate advanced area-wide planning for public facilities and services, and to protect environmentally sensitive sites from overdevelopment.

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

(a) Urban lands that are served at the time of development, by adequate public sewers, water supply, roads and other needed public facilities and services; and

(b) The corresponding comprehensive plan designations are as follows:

R-4.5	=	Medium density single-family
R-6.5	=	High density single-family
R-8	=	High density single-family, small lot
R-12	=	Low density multiple-family
R-18	=	Medium density multiple-family
R-28	=	High density multiple-family

**Section 3.** MMC 19.08.030 "Residential land uses" is amended, including the table of residential land uses contained in subsection (1) and the amendment of footnote 1 and the addition of footnotes 24, 25, and 26 to subsection (2), to read as follows:

**19.08.030 Residential land uses.**

(1) Table.

Specific Land Use													
	RU	R 4.5- 8	R 12- 28	NB	CB	GC	DC	MU	BP	LI	GI	P/I	<u>R- MHP</u>

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<b>Dwelling Units, Types:</b>														
Single detached (22)	P18	P18	P18											<u>P24</u>
Cottage housing		C7	C7											
Duplex (22)	P	P11, C	P											
Townhouse		P3	P				P17	P						
Multiple-family			P	C9	P9, C15	P9, C15	P9, P17	P						
Mobile home	P19	P19, C3	P19	P19	P19	P19	P19	P19	P19	P19	P19			<u>P19</u>
Mobile/Manufactured home park	C		C14, P			P								<u>P26</u>
Senior citizen assisted		C2	C2	P					C				P	<u>C2</u>
Factory-built	P10	P10	P10											<u>P10,24</u>
Guesthouse	P6													
Caretaker's quarters (8)					P	P	P		P	P	P	P		
Recreational Vehicle														<u>P25</u>
<b>Group Residences:</b>														
Adult family home	P	P	P	P	P	P	P	P					P	<u>P</u>
Convalescent, nursing, retirement		C2	C2	C	P	P	P	P					P	
Residential care facility	P	P	P	P	P	P	P	P					P	
Master planned senior community (23)		C	C	C	C	C	C	C					C	<u>C</u>
<b>Accessory Uses:</b>														
Residential accessory uses (1) (12) (16)	P	P	P											<u>P</u>
Home occupation (5)	P	P	P20	P20	P20, P21	P20, P21	P20, P21	P20, P21	P21	P21	P21			<u>P</u>
<b>Temporary Lodging:</b>														
Hotel/motel			P	P	P	P	P	P	P	P				
Bed and breakfast guesthouse (4)	C	C13	P											

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Bed and breakfast inn (4)	C		P	P	P	P									
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(2) Development Conditions.

1. Accessory dwelling units must comply with development standards in MMC 19.34.030, Accessory dwelling unit standards. Accessory dwelling units in the MHP zone are only allowed on single lots of record containing one single-family detached dwelling.
24. One single-family detached dwelling per existing single lot of record. Manufactured homes on single lots must meet the criteria outlined in footnote 18 above.
25. Used as a permanent residence in an established MHP or RV park provided that utility hook ups in MHPs meet current standards for MHPs or RV parks.
26. Shall fulfill requirements of Chapter 19.38 MMC.

**Section 4.** MMC 19.08.040 "Recreation/cultural land uses" is amended, including the amendment of the table of recreational/cultural land uses contained in subsection (1) and the amendment of footnote 1(a) of subsection (2), to read as follows:

**19.08.040 Recreation/cultural land uses.**

(1) Table.

Specific Land Use	RU	R 4.5- 8	R 12- 28	NB	CB	GC	DC	MU	BP	LI	GI	REC	P/I	<u>R- MHP</u>
<b>Park/Recreation:</b>														
Park	P1	P1	P1	P1	P	P	P	P	P	P	P	P1	P	<u>P1</u>
Marina							P				P	C	P	
Dock and boathouse, private, noncommercial	P6						P				P	P6	P	
Recreational vehicle park						C2				C2		C	P	<u>C2</u>
Boat launch, commercial or public							P				P		P	
Boat launch, noncommercial or private	C7						P				P	P7	P	
Community center		C	C	P	P	P	P	P	P	P	P	P	P	<u>C</u>
<b>Amusement/Entertainment:</b>														
Theater					P	P	P	P						
Theater, drive-in						C								
Amusement and recreation services					P8	P8	P8	P9	P	P	C			
Sports club			C	P	P	P	P	P	P	P	P			

Golf facility (3)	C	C	P		P	P			P	P	P	C		
Shooting range (4)	C					P5			P5	P5				
Outdoor performance center	C					C				C		C	C	
Riding academy	C								P	P		C		
<b>Cultural:</b>														
Library, museum and art gallery	C	C	C	P	P	P	P	P	P	P	P	C	P	<u>C</u>
Church, synagogue and temple	C	C	P	P	P	P	P	P	P	P	P		P	<u>C</u>
Dancing, music and art center					P	P	P	P				C	P	

(2) Development Conditions.

1. The following conditions and limitations shall apply, where appropriate:
  - a. Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision, mobile/manufactured home park, or multiple-family development proposal; otherwise a conditional use permit is required;
  - b. Lighting for structures and fields shall be directed away from residential areas; and
  - c. Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

**Section 5.** Subsection (1) of MMC 19.08.050 "General Service land uses" is amended to read as follows:

**19.08.050 General services land uses.**

(1) Table.

Specific Land Use	RU	R 4.5- 8	R 12- 28	NB	CB	GC	DC	MU	BP	LI	GI	P/I	<u>R- MHP</u>
<b>Personal Services:</b>													
General personal service				P	P	P	P	P	P	P	P		
Dry cleaning plant					P					P	P		

Dry cleaning pick-up station and retail service				P	P	P	P	P12		P	P		
Funeral home/crematory		C1	C1		P	P	P	P13	P	P	P		C1
Cemetery, columbarium or mausoleum	P10 C2	P10 C2	P10 C2	P10	P10	P10 C2			P	P	P		P10 C2
Day care I	P3	P3	P3	P	P	P		P		P4			P3
Day care II		C16	C	P	P	P	P	P	P4	P4			C16
Veterinary clinic	C			P	P	P	P	P	P	P	P		
Automotive repair and service				P5	C, P15	P			P	P	P		
Miscellaneous repair					P	P				P	P		
Social services	C11				P	P	P	P					P
Stable	C	C											
Kennel or cattery, hobby	P	C	C										
Kennel, commercial and exhibitor/breeding	C				P	P			C	P	P		
Civic, social and fraternal association	C				P	P	P	C	P		P	P	
Club (community, country, yacht, etc.)	C								P		P	P	

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<b>Health Services:</b>													
Medical/dental clinic			C	P	P	P	P	P				P	
Hospital	C				P	P	P	C				C	
<b>Education Services:</b>													
Elementary, middle/junior high, and senior high (including public, private and parochial)	C	C	C		C	C	C	C		P	C	C	C
Commercial school	C6	C6	C6	P	P		P	P14				C	
School district support facility	C9	C9	C9	C	P	P	P	P		P	P	P	
Interim recycling facility	C7	P7	P7		P8	P8				P		P	
Vocational school					P	P	P	P14				P	

**Section 6.** Subsection(1) of MMC 19.08.060 "Government/business land uses" is amended to read as follows:

<b>19.08.060 Government/business service land uses.</b>													
(1) Table.													
<b>Specific Land Use</b>													
	RU	R 4.5- 8	R 12- 28	NB	CB	GC	DC	MU	BP	LI	GI	P/I	<u>R- MHP</u>
<b>Government Services:</b>													
Public agency office	C			P	P	P	P	P	P	P	P	P	
Public utility yard						P				P		P	
Public safety facilities, including police and fire	C1	C1	C1	P1	P	P	P	P		P		P	C1

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Utility facility	P	P	P	P	P	P		C	P	P	P	P	P
Private stormwater management facility	P	P	P	P	P	P	P	P	P	P	P	P	P
Public stormwater management facility	P	P	P	P	P	P	P	P	P	P	P	P	P
<b>Business Services:</b>													
Contractors' office and storage yard						P2	P2	P2		P	P		
Taxi stands					P	P							
Trucking and courier service					P3	P3				P	P		
Warehousing and wholesale trade						P			P	P	P		
Self-service storage (14)			C4			P			P	P	P		
Freight and cargo service						P			P	P	P		
Cold storage warehousing										P	P		
General business service and office (9)				P	P	P	P	P2	P	P	P		
Commercial vehicle storage									P	P	P		
Professional office			C	P	P	P	P	P	P	P			
Miscellaneous equipment rental					P2, 15	C16		P2, 15		P	P		
Automotive rental and leasing						P				P			
Automotive parking	P6	P6	P6	P	P	P	P	P	P	P	P		
Research, development and testing						P			P	P	P		
Heavy equipment and truck repair										P	P		
Automobile holding yard							C			P	P		
Model house sales office	P10	P10											
Commercial/industrial accessory uses				P17, 18	P17	P17	P17, 18	P17, 18	P	P	P		
Adult facility											P8		

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Factory-built commercial building (11)				P	P	P	P		P	P	P			
Wireless communication facility (5)		P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C	P, C	<u>P, C</u>

**Section 7.** Subsection (1) of MMC 19.08.100 "Regional land uses" is amended to read as follows:

19.08.100 Regional land uses.													
(1) Table.													
Specific Land Use													<u>R-MHP</u>
	RU	R 4.5-8	R 12-28	NB	CB	GC	DC	MU	BP	LI	GI	P/I	
Jail					C	C			C	C			
Regional storm water management facility	C	C	C		C	C	C		C	C	C	P	<u>C</u>
Public agency animal control facility	C					C				P	P	C	
Public agency training facility	C1				C1	C1		C1		C2		C2	
Nonhydroelectric generation facility	C	C	C	C	C	C				C	C	C	<u>C</u>
Energy resource recovery facility	C									C			
Soil recycling/incineration facility	C									C	C		
Solid waste recycling	C										C	C	
Transfer station	C									C	C	C	
Wastewater treatment facility									C	C	C	C	
Transit bus base	C					C				P		C	
Transit park and pool lot	P	P	P	P	P	P	P	P	P	P	P	P	
Transit park and ride lot	C	C	C	P	P	P	P	P	P	P	P	C	
School bus base	C3	C3	C3	C	C	C				P		C3	
Racetrack	C	C5	C5	C5	C5	C				P			
Fairground	C								P	P	P	C	

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Zoo/wildlife exhibit	C6				C	C						C	
Stadium/arena						C				C	P	C	
College/university	C	C	C	C	P	P	P	P	P	P	P	C	
Secure community transition facility												C7	
Opiate substitution treatment program facilities					P8, 9	P8, 9	P8, 9			P9	P9		

**Section 8.** MMC 19.38.030 “Mobile/manufactured home park zone” is amended to read as follows:

**19.38.030 Mobile/manufactured home park zone.**

There is created a mobile/manufactured home park zone (MHP) which shall be construed as an overlay classification which may be enacted for any area within the city zoned in the multiple-family residential classification (R-12-R-28), ~~or or~~ planned residential development classification (PRD 4.5-PRD 8), ~~rural use classification with a conditional use permit, or the general commercial classification.~~

(1) Purpose. The purposes of the MHP classification are:

- (a) To provide a suitable living environment within a park-like atmosphere for persons residing in mobile/manufactured homes;
- (b) To encourage variety in housing styles within areas designated for other residential development;
- (c) To permit flexibility in the placement of mobile/manufactured homes on a site in order to minimize costs associated with development of roads, utilities, walkways and parking facilities, while providing adequate common and private open space.

(2) Permitted Uses. In the MHP zone the following uses are permitted:

- (a) Mobile/manufactured home parks, subject to the requirements of this chapter;
- (b) Mobile/manufactured homes, located only within an approved mobile/manufactured home park;
- (c) Accessory uses and structures as provided in MMC 19.08.030(1);
- (d) Recreational facilities located within and primarily for the use of residents of an approved mobile/manufactured home park;
- (e) Recreational vehicle and boat storage facilities located within and limited to use by residents of an approved mobile/manufactured home park.

**Section 9.** MMC 19.38.150 “Standards for existing parks” is amended to read as follows:

**19.38.150 Standards for existing parks.**

- (1) Mobile home parks established prior to the effective date of this code shall continue to be governed by all standards relating to density, setbacks, landscaping and off-street parking in effect at the time they were approved;
- (2) Placement of new accessory structures and replacement mobile homes, either standard or nonstandard, in these mobile home parks shall be governed by the dimensional standards in effect when the parks were approved. Where internal setbacks are not specified, the setback standards



outlined in the ~~Uniform~~International Building Code (IBC) and the ~~Uniform~~International Fire Code (IFC) shall apply;

(3) ~~No spaces or pads in an existing mobile home park shall be used to accommodate recreational vehicles (RVs), except when the spaces or pads were approved for RVs at the time the park was established.~~ Recreational vehicles utilized as a permanent residence are permitted provided utility hook-ups are provided and meet current adopted standards for mobile/manufactured home parks;

(4) An existing mobile home park may be enlarged; provided, the proposed enlargement meets the standards set forth in MMC 19.38.050 through 19.38.070;

(5) Insignia mobile homes may be installed in established parks; provided, that all mobile homes supported by piers shall be fully skirted;

(6) The placement of new accessory structures and replacement mobile homes shall comply with Chapter 19.24 MMC, Sensitive Areas Management.

**Section 10. Severability.**

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

**Section 11. Effective Date.**

This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

PASSED by the City Council and APPROVED by the Mayor this 25<sup>th</sup> day of October, 2010.

**CITY OF MARYSVILLE**

By: [Signature]  
JON NEHRING, MAYOR

Attest:  
By: [Signature]  
TRACY JEFFRIES, CITY CLERK

Approved as to form: Deputy

By: [Signature]  
GRANT K. WEED, CITY ATTORNEY

Date of Publication: 10-27-10

Effective Date: 11-1-10  
(5 days after publication)

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