


CITY OF MARYSVILLE

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: November 12, 2019

AGENDA ITEM: PA19-014 – Commercial Permitted Uses Amendments	AGENDA SECTION: New Business	
PREPARED BY: Angela Gemmer, Senior Planner	APPROVED BY: 	
ATTACHMENTS: 1. Memo to City Council dated October 11, 2019 2. PC Minutes dated September 10 and 24, 2019 3. Adopting Ordinance <ul style="list-style-type: none"> · Exhibit A – PC Recommendation dated September 24, 2019 · Exhibit B – Commercial Permitted Uses Amendments 	MAYOR	CAO
	BUDGET CODE:	AMOUNT:

DESCRIPTION:

The proposed amendments to Marysville Municipal Code (MMC) Sections 22C.020.060, *Permitted uses*, and 22C.020.070, *Permitted uses – Development Conditions*, are primarily in response to feedback received from the Puget Sound Regional Council (PSRC) during the City’s pursuit of the Industrial Growth Center designation for the Cascade Industrial Center (CIC) (formerly Arlington Marysville Manufacturing Industrial Center). In order to increase conformity with PSRC’s Core Industrial Zoning uses, and ensure that Light Industrial (LI) zoned land within the CIC is preserved for industrial and manufacturing uses, amendments are proposed to limit certain general personal service, retail, and other non-industrial/non-manufacturing uses within the LI zone. Additional amendments to the commercial permitted uses matrices are proposed which are unrelated to the PSRC responsive amendments referenced above; these amendments are summarized in the attached memo.

The Planning Commission (PC) held a public workshop on September 10, 2019, and a duly advertised public hearing on September 24, 2019 to review the proposed Commercial Permitted Uses code amendments. There was no public testimony provided at the public hearing. Following the public hearing, the PC made a motion to recommend the Commercial Permitted Uses code amendments to Marysville City Council for adoption by Ordinance.

RECOMMENDED ACTION: Affirm the Planning Commission’s recommendation and adopt the Commercial Permitted Uses code amendments by Ordinance.
COUNCIL ACTION:



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

MEMORANDUM

DATE: October 11, 2019
TO: City Council
FROM: Angela Gemmer, Senior Planner
RE: Commercial and Industrial Permitted Uses Amendments
CC: Jeff Thomas, Community Development Director
Chris Holland, Planning Manager
Cheryl Dungan, Senior Planner
Amy Hess, Associate Planner

Attached are proposed amendments to Marysville Municipal Code (MMC) Sections 22C.020.060, *Permitted uses*, and 22C.020.070, *Permitted uses – Development Conditions*. The majority of the proposed amendments are in response to feedback received from the Puget Sound Regional Council (PSRC) during the City's pursuit of the Industrial Growth Center designation for the Cascade Industrial Center (CIC) (formerly Arlington Marysville Manufacturing Industrial Center).

In order to increase conformity with PSRC's Core Industrial Zoning uses, and ensure that Light Industrial (LI) zoned land within the CIC is preserved for industrial and manufacturing uses, amendments are proposed to limit certain general personal service, retail, and other non-industrial/non-manufacturing uses within the LI zone. Specifically, several uses such as department and variety stores, agricultural crop sales, and gasoline service stations are proposed to be limited to LI zoned properties that have frontage along State Avenue/Smokey Point Boulevard. Other uses, such as hotels/motels, are proposed to be limited to locations within the LI zone that are compatible with Arlington Airport aviation (airport navigation/flight path) requirements.

Additional amendments to the commercial permitted uses matrices are proposed which are unrelated to the PSRC responsive amendments referenced above. These include, but are not limited to:

- Prohibiting convalescent/nursing/ retirement, residential care facilities, and self-storage (mini storage) within the General Commercial (GC) zone in order to preserve the GC zone for commercial uses; and
- Eliminating the Business Park (BP) zone from the permitted uses matrices as there is no longer BP zoning within the City.

Staff respectfully requests that the City Council affirm the recommendation of the Planning Commission and adopt the proposed commercial and industrial permitted uses amendments by Ordinance.

PLANNING COMMISSION



MINUTES

September 10, 2019

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the September 10, 2019 meeting to order at 7:00 p.m.

Marysville

Chairman: Steve Leifer

Commissioners: Roger Hoen, Kay Smith, Tom Thetford, Brandon Whitaker

Staff: Senior Planner Angela Gemmer

Absent: Jerry Andes, Kelly Richards

APPROVAL OF MINUTES

June 11, 2019

Motion made by Commissioner Hoen, seconded by Commissioner Smith, to approve the June 11, 2019 Meeting Minutes as amended. **Motion** passed unanimously (5-0).

AUDIENCE PARTICIPATION

None

NEW BUSINESS

- A. MMC Section 22C.020.060, Permitted Uses – amendments requested by Puget Sound Regional Council (PSRC) for Light Industrial (LI) zoning within Cascade Industrial Center (CIC)

Senior Planner Gemmer reviewed the proposed changes as requested by PSRC. She explained that PSRC's concern was that the LI zoning allows for too many uses which are inconsistent with their goal of preserving industrial land in regional centers. As a

result, the City committed to considering limiting certain non-industrial uses within the LI zone. Some proposed changes would be:

- Limitations on hotels and motels to make sure they are not in conflict with Arlington Airport flight paths
- Limiting some uses such as dry cleaning, pet daycares, etc. to location along the Smokey Point Blvd./State Avenue corridor
- Eliminating the BP zoning designation
- Prohibiting convalescent/retirement, residential care facilities, and self-storage uses within the General Commercial zone

There was some discussion about the reason for the amendment to the hotel/motel provisions.

Chair Leifer commented that he agrees with the basics and the percentages as outlined in CAO Hirashima's letter to the PSRC.

Motion made by Commissioner Thetford, seconded by Commissioner Smith, to set this for a public hearing at the next meeting. **Motion** passed unanimously.

B. MMC Chapter 226.100, Binding Site Plan (BSP)

Senior Planner Gemmer reviewed this item which would amend the final approval procedure to authorize the Mayor to sign the final binding site plan map, and amend the acknowledgements and certificates that are required on the final binding site plan map to align with those required for subdivisions and short subdivisions.

Motion made by Commissioner Whitaker, seconded by Commissioner Thetford, to set this for a public hearing at the next meeting. **Motion** passed unanimously.

C. MMC Chapter 226.080, Planned Residential Development (PRD)

Senior Planner Gemmer reviewed the proposed amendments to PRDs. The amendments would clarify:

- The specific underlying land use actions that a PRD can be processed with;
- That Mixed Use and multi-family zoned properties using the PRD process are not subject to a minimum lot size; and
- The improvements needed within the required open space, and clearly establish the minimum expectation for improvements within open spaces.

An amendment to the residential permitted uses matrices footnote is also proposed to indicate that multiple single-family residences on a single lot are only permissible within a cottage housing development or for accessory dwelling units.

Chair Leifer noted that there is a separate code for cottage housing concept, but this verbiage implies that it is a part of the PRD ordinance. Senior Planner Gemmer clarified that the footnote only states that "no more than one single-family detached or duplex

dwelling unit is allowed per lot except in cottage housing developments that are developed with all cottages located on a common lot or Accessory Dwelling Units.” There won’t be any reference to PRD’s in the footnote.

Commissioner Whitaker asked approximately how many PRD’s have been permitted in the last five years. Senior Planner Gemmer replied that most of the subdivisions in the Sunnyside/Whiskey Ridge area are PRD’s. She indicated she would bring back more details about the numbers.

Chair Leifer referred to item 4(d) under 22G.080.100 Open Spaces on the last page and expressed concern about the subjective nature of the size of the trails. Senior Planner Gemmer commented that for private trails the requirement would be 5-foot paved trails unless there is a circumstance where gravel makes more sense. For regional trails she has seen up to 8 feet in width. She indicated she could bring back more specific numbers about the widest trail which could be expected. Chair Leifer also suggested that there should be a credit given to developers who do more than what is considered normal. Senior Planner Gemmer explained that residential density incentives are presently available by code when a developer goes above and beyond on the park improvements or provides surplus park area.

Motion made by Commissioner Thetford, seconded by Commissioner Whitaker, to set this for a public hearing at the next meeting. **Motion** passed unanimously.

Other discussion:

There was some discussion about modifications to the townhome provisions that may be proposed in the future.

CITY COUNCIL AGENDA ITEMS AND MINUTES

ADJOURNMENT

Motion made by Commissioner Smith, seconded by Commissioner Thetford, to adjourn the meeting at 7:37 p.m. **Motion** passed unanimously.

NEXT MEETING:

September 24, 2019



Laurie Hugdahl, Recording Secretary

DRAFT

PLANNING
COMMISSION



MINUTES

September 24, 2019

7:00 p.m.

City Hall

CALL TO ORDER

Chair Leifer called the September 24, 2019 meeting to order at 7:00 p.m.

Roll Call

Chairman: Steve Leifer

Commissioners: Roger Hoen, Jerry Andes, Kay Smith, Tom Thetford,
Brandon Whitaker

Staff: Senior Planner Angela Gemmer

Absent: Kelly Richards (excused)

APPROVAL OF MINUTES

September 10, 2019

Motion made by Commissioner Smith, seconded by Commissioner Thetford, to approve the September 10, 2019 Meeting Minutes as presented. **Motion** passed unanimously (6-0).

AUDIENCE PARTICIPATION

None

NEW BUSINESS

None

PUBLIC HEARING – CODE AMENDMENTS

Senior Planner Gemmer reviewed the following code amendments which were presented at the September 10, 2019 Planning Commission meeting. Staff is requesting approval of the amendments with a recommendation for approval to the City Council.

a) **MMC Section 22C.020.060, Permitted Uses – amendments requested by Puget Sound Regional Council (PSRC) for Light Industrial (LI) zoning within Cascade Industrial Center (CIC)**

Senior Planner Gemmer summarized the code amendments as presented at the September 10, 2019 meeting.

The public hearing for this item was opened at 7:05 p.m. Seeing no public comments, the public testimony portion of the public hearing was closed at 7:05 p.m.

Commission deliberation: None

Motion made by Commissioner Thetford, seconded by Commissioner Smith, to forward this item to City Council with a recommendation of approval. **Motion** passed unanimously.

The public hearing for this item was closed at 7:07 p.m.

b) **MMC Chapter 22G.100, Binding Site Plan (BSP)**

Senior Planner Gemmer summarized the code amendments as presented at the September 10, 2019 meeting.

Senior Planner Gemmer also responded to Commissioner Whitaker's inquiry at a previous meeting about the number of Planned Residential Developments (PRDS) that were permitted in the City in the last five years. She reported that from 2014-2019 there have been 14 PRDs.

The public hearing for this item was opened at 7:10 p.m. Seeing no public comments, the public testimony portion of the public hearing was closed at 7:10 p.m.

Commission deliberation:

Commissioner Andes referred to the *Certificates* page and the *Acknowledgement* page and noted one scrivener's error on each page. Commissioner Gemmer indicated those would be corrected.

Motion made by Commissioner Andes, seconded by Commissioner Smith, to forward this item to City Council with a recommendation of approval. **Motion** passed unanimously.

The public hearing for this item was closed at 7:12 p.m.

c) MMC Chapter 22G.080, Planned Residential Development (PRD) amendments

Senior Planner Gemmer summarized the code amendments as presented at the September 10, 2019 meeting.

The public hearing for this item was opened at 7:14 p.m. Seeing no public comments, the public testimony portion of the public hearing was closed at 7:14 p.m.

Commission deliberation:

Commissioner Whitaker asked if the impetus for these corrections was requests from the development community or staff corrections. Senior Planner Gemmer explained that it was a combination of both. She reviewed how these had been handled in the past.

Chair Leifer asked if there are any cottage housing proposals in the pipeline. Senior Planner Gemmer replied that there was just the one in the Sunnyside area that was discussed at the Planning Commission previously.

Motion made by Commissioner Thetford, seconded by Commissioner Smith, to forward this item to City Council with a recommendation of approval. **Motion** passed unanimously.

The public hearing was closed at 7:20 p.m.

CITY COUNCIL AGENDA ITEMS AND MINUTES

GENERAL DISCUSSION

Commissioner Andes referred to a map of the Arlington Airport Districts and Zones which had been distributed by staff and asked for clarification of the zones. Senior Planner Gemmer provided a brief explanation of the zones, and indicated that additional information is contained in the Arlington's Airport Master Plan.

Commissioner Whitaker asked if there has been only offers on the Public Works property. Senior Planner Gemmer indicated she wasn't aware of anything, but would check to see if there were any updates.

Commissioner Hoen commented that there was a good article in the Seattle Times this week about the positive advantages of cottage housing developments. Specifically, these developments create a neighborhood and sense of community. He is looking forward to seeing more of this kind of development.

ADJOURNMENT

Motion made by Commissioner Whitaker, seconded by Commissioner Smith, to adjourn the meeting at 7:31 p.m. **Motion** passed unanimously.

NEXT MEETING:

October 8, 2019

Laurie Hugdahl, Recording Secretary

CITY OF MARYSVILLE
Marysville, Washington
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MARYSVILLE, WASHINGTON, UPDATING THE CITY'S DEVELOPMENT REGULATIONS AND AMENDINGS SECTIONS 22C.020.060 AND 22C.020.070 OF CHAPTER 22C.020, COMMERCIAL, INDUSTRIAL, RECREATION AND PUBLIC INSTITUTIONAL ZONES, OF THE MARYSVILLE MUNICIPAL CODE.

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 September 10 and 24, 2019, the Planning Commission discussed proposed amendments to MMC Sections 22C.020.060, *Permitted uses*, and 22C.020.070, *Permitted uses – Development conditions*; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on September 10, 2019, as required by RCW 36.70A.106; and

WHEREAS, after providing notice to the public as required by law, on September 24, 2019, the Marysville Planning Commission held a Public Hearing on the proposed amendments to the City's development regulations; and

WHEREAS, on September 24, 2019 the Planning Commission made a Recommendation to the City Council recommending the adoption of the proposed amendments to MMC Sections 22C.020.060, *Permitted uses*, and 22C.020.070, *Permitted uses – Development conditions*; and

WHEREAS, at a public meeting on November 12, 2019 the Marysville City Council reviewed and considered the Planning Commission's Recommendation and proposed amendments to the development regulations; and

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

Section 1. Approval of Planning Commission's Recommendation and Adoption of Findings and Conclusions. The Planning Commission's September 24, 2019 Recommendation

regarding the proposed development regulation amendments, including the Findings and Conclusions contained therein, as set forth in the attached **Exhibit A**, is hereby adopted and incorporated herein by this reference.

Section 2. Required Findings. In accordance with MMC 22G.010.520, the following findings are made regarding the development regulation amendments 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 3. MMC Sections 22C.020.060 and 22C.020.070 of the Marysville Municipal Code are hereby amended as set forth in **Exhibit B** attached hereto.

Section 4. MMC 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>
_____	Commercial Permitted Uses Amendments	_____, 2019"

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase, or word of this ordinance.

Section 6. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

Section 7. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2019.

CITY OF MARYSVILLE

By: _____
JON NEHRING, MAYOR

Attest:

By: _____
TINA BROCK, DEPUTY CITY CLERK

Approved as to form:

By: _____
JON WALKER, CITY ATTORNEY

Date of Publication: _____

Effective Date: _____
(5 days after publication)

EXHIBIT A



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

PC Recommendation: Commercial Permitted Uses Amendments

The Planning Commission (PC) of the City of Marysville, having held a public hearing on September 24, 2019 in review of NON-PROJECT action amendments of the Marysville Municipal Code, proposing amendments to Sections 22C.020.060-070, *Permitted Uses*. Having considered the exhibits and testimony presented, PC does hereby enter the following findings, conclusions and recommendation for consideration by the Marysville City Council:

FINDINGS:

1. The Community Development Department held a public meeting to introduce the NON-PROJECT action Commercial Permitted Uses Code Amendments to the community on September 10, 2019.
2. The proposal was submitted to the State of Washington Department of Commerce for 14-day expedited review on September 10, 2019, in accordance with RCW 36.70A.106.
4. The PC held public work sessions to review the NON-PROJECT action amendments proposing adoption of the NON-PROJECT action Commercial Permitted Uses Code Amendments as described above, on September 10 and 24, 2019.
5. The PC held a duly-advertised public hearing on September 24, 2019 and received testimony from city staff and the public.
6. At the public hearing, the PC reviewed and considered the Commercial Permitted Uses Code Amendments.

CONCLUSION:

At the public hearing, held on September 24, 2019, the PC recommended **APPROVING** the Commercial Permitted Uses Code Amendments.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of **APPROVAL** of the NON-PROJECT action known as Commercial Permitted Uses Code Amendments, an amendment to Marysville Municipal Code Sections 22C.020.060-070, *Permitted Uses*, this **September 24, 2019**.

By:



Stephen Leifer, Planning Commission Chair

EXHIBIT B

22C.020.060 Permitted uses.

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	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	P70	P70	P70	P70	P
Convalescent, nursing, retirement	C	P	P	P	P	-				P
Residential care facility	P	P	P	P	P	P70	P70	P70	P70	P
Master planned senior community (10)					C	-				C
Accessory Uses:						-				
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	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			-				
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	-				

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	LI	GI	REC	P/I
Theater, drive-in			C			-				
Amusement and recreation services		P18	P18	P18	P19	P	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	P15			
Outdoor performance center			C			-	C		C	C
Riding academy						P	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	-			C	P
General Services Land Uses										
Personal Services:						-				
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	P25	-	P76	P		
Funeral home/crematory		P	P	P	P26	P	P76	P		
Cemetery, columbarium or mausoleum	P24	P24	P24, C20			P	P	P		
Day care I	P70	P70	P70	P70	P70	P70	P21, 70	P70	P70	P70
Day care II	P	P	P	P	P	P21	P21			
Veterinary clinic	P	P	P	P	P	P	P76	P		
Automotive repair and service	P22	C, P28	P			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	P67	P67	-	P	P		
EV battery exchange station			P			-	P	P		
Miscellaneous repair		P	P			-	P	P		
Social services		P	P	P	P	-				P
Kennel, commercial and exhibitor/breeding (71)		P	P			€	P	P		
Pet daycare (71), (72)		P	P	P	P	P	P76	P		
Civic, social and fraternal association		P	P	P	C	P		P		P

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	LI	GI	REC	P/I
Club (community, country, yacht, etc.)						P		P		P
Health Services:						-				
Medical/dental clinic	P	P	P	P	P	-				P
Hospital		P	P	P	C	-				C
Miscellaneous health	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	-	P	C		C
Commercial school	P	P		P	P27	-				C
School district support facility	C	P	P	P	P	-	P	P		P
Vocational school		P	P	P	P27	-				P
Government/Business Service Land Uses										
Government Services:						-				
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
Utility facility	P	P	P		C	P	P	P		P
Private storm water management facility	P	P	P	P	P	P	P	P		P
Public storm water management facility	P	P	P	P	P	P	P	P		P
Business Services:						-				
Contractors' office and storage yard			P30	P30	P30	-	P	P		
Interim recycling facility		P23	P23			-	P			P
Taxi stands		P	P			-	P	P		
Trucking and courier service		P31	P31			-	P	P		
Warehousing and wholesale trade			P			P	P	P		
Mini-storage (36)			P			P	P76	P		
Freight and cargo service			P			P	P	P		
Cold storage warehousing						-	P	P		
General business service and office	P	P	P	P	P30	P	P	P		
Commercial vehicle storage						P	P	P		
Professional office	P	P	P	P	P	P	P			

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	LI	GI	REC	P/I
Miscellaneous equipment rental		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	P		
Heavy equipment and truck repair						-	P	P		
Automobile holding yard			C			-	P	P		
Commercial/industrial accessory uses (73)	P39, 40	P39	P39	P39, 40	P39, 40	P	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)						-				
Marijuana retail facility (69)						-				
Retail/Wholesale Land Uses										
Building, hardware and garden materials	P47	P	P	P	P47	-	P76	P		
Forest products sales		P	P			-	P			
Department and variety stores	P	P	P	P	P	-	P76			
Food stores	P	P	P	P	P45	-	P76			
Agricultural crop sales		P	P		C	-	P76			
Storage/retail sales, livestock feed						-	P76	P		
Motor vehicle and boat dealers		P	P			-	P	P		
Motorcycle dealers		C	P	P49		-	P	P		
Gasoline service stations	P	P	P	P		-	P76	P		
Eating and drinking places	P41	P	P	P	P46	P	P46	P		
Drug stores	P	P	P	P	P	-	P76	P		
Liquor stores		P	P			-				
Used goods: antiques/secondhand shops		P	P	P	P	-				
Sporting goods and related stores		P	P	P	P	-				

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	LI	GI	REC	P/I
Book, stationery, video and art supply stores	P	P	P	P	P	-				
Jewelry stores		P	P	P	P	-				
Hobby, toy, game shops	P	P	P	P	P	-				
Photographic and electronic shops	P	P	P	P	P	-				
Fabric and craft shops	P	P	P	P	P	-				
Fuel dealers			P43			P43	P43	P43		
Florist shops	P	P	P	P	P	-				
Pet shops	P	P	P	P	P	-				
Tire stores		P	P	P		-	P76	P		
Bulk retail		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	P48	P44	P44, 76	P44		
Automobile wrecking yards						-	C	P		
Manufacturing Land Uses										
Food and kindred products		P50, 52	P50			-	P50	P		
Winery/brewery		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	P		P51	P	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	P		
Industrial and commercial machinery						-	C	P		

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	LI	GI	REC	P/I
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	P	
Raising livestock and small animals						P	P	P	P	
Greenhouse or nursery, wholesale and retail			P			P	P	P	C	
Farm product processing						-	P	P		
Forestry:						-				
Growing and harvesting forest products						-	P			
Forest research						-	P			
Wood waste recycling and storage						-	C	C		
Fish and Wildlife Management:						-				
Hatchery/fish preserve (55)						P	P	P	C	
Aquaculture (55)						-	P	P	C	
Wildlife shelters	C	C				-			P	
Mineral:						-				
Processing of minerals						-	P	P		
Asphalt paving mixtures and block						-	P	P		
Regional Land Uses										
Jail		C	C			E	C			
Regional storm water management facility		C	C	C		E	C	C		P
Public agency animal control facility			C			-	P	P		C
Public agency training facility		C56	C56		C56	-	C57			C57
Nonhydroelectric generation facility	C	C	C			-	C	C		C

Specific Land Use	NB	CB (63)	GC	DC	MU (63)	BP	LI	GI	REC	P/I
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			-	P			C58
Racetrack	C59	C59	C			-	P			
Fairground						P	P	P		C
Zoo/wildlife exhibit		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		-	P62	P62		

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.
- (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 over-water structure shall not exceed 20 feet as measured from the line of ordinary high water;
- (b) The total roof area of covered, over-water 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 over-water structure shall extend beyond the average length of all pre-existing over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such pre-existing 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.
- (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.