


CITY OF MARYSVILLE AGENDA BILL
EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: November 9, 2020

| | |
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| AGENDA ITEM: | |
| Tiny home code amendments (PA20-015) | |
| PREPARED BY: | DIRECTOR APPROVAL: |
| Angela Gemmer, Senior Planner |  |
| DEPARTMENT: | |
| Community Development | |
| ATTACHMENTS: | |
| Comments N. Weinstein dated 7/15/2020 Tiny House PowerPoint PC Recommendation dated 9/9/2020 PC Minutes dated 3/10/2020, 6/9/2020, 7/14/2020 & 9/9/2020 Adopting Ordinance | |
| BUDGET CODE: | AMOUNT: |
| N/A | N/A |
| SUMMARY: | |

The Planning Commission (PC) held a public hearing on September 9, 2020 to review proposed amendments to Marysville Municipal Code Title 22, *Unified Development Code* to allow tiny houses as accessory dwelling units and in other limited circumstances. The amendments consist of:

- Including “Tiny house” and “Tiny house with wheels” in MMC Section 22C.010.060, *Permitted uses*;
- Amending MMC Section 22C.010.060, *Permitted uses – Development conditions*, to indicate that “Tiny house” and “Tiny house with wheels” are allowed as accessory dwelling units, or as a primary residence in a mobile/manufactured home park;
- Amending MMC Section 22C.180.030, *Accessory dwelling unit standards*, to exempt tiny houses from the 300 square foot minimum unit size, and to require that tiny houses be placed on a permanent foundation per the manufacturer’s requirements;
- Allowing tiny houses to be used as a living accommodation when an elderly or ill relative requires continuous care (see MMC Section 22C.110.020, *Permitted temporary uses*); and
- Allowing tiny houses and recreational vehicles to be used by supervisory/security personnel on the site of an active construction project, or when a single family residence is being constructed or repaired (see MMC Section 22C.110.030).

The PC received testimony from staff and interested parties at the public hearing following public notice. The PC made a motion to recommend the proposed amendments to City Council for adoption by ordinance.

RECOMMENDED ACTION:

Staff recommends that City Council affirm the Planning Commission’s recommendation and adopt the Tiny House Amendments by Ordinance.

RECOMMENDED MOTION:

I move to adopt the Tiny House Amendments by Ordinance, and authorize the Mayor to sign said Ordinance.

From: Nina Weinstein <ninaweinstein2@gmail.com>
Sent: Wednesday, July 15, 2020 12:35 PM
To: Angela Gemmer <agemmer@marysvillewa.gov>
Subject: [External!] Re: [External!] Re: 7-14-2020 PC Meeting 5 pm

External Email Warning! Use caution before clicking links or opening attachments.

Angela,

Thank you for offering to forward my comments to the Planning Commission.

I bought my rental house in Marysville, in part, because I was thinking of the future, which I believe, will include tiny houses. With housing at such unaffordable levels, it makes sense to offer an alternative to homelessness. My property is flat and covered with grass, so I could build on it. Tiny houses have all of the amenities that larger houses do at a fraction of the cost.

If the Planning Commission wants to encourage landowners in this regard, I would recommend making it affordable and beneficial for landowners to build tiny houses on their rental properties, if they wish to do so. These tiny houses have to work for the landowner by being affordable to build and profitable to rent.

I won't be living on my rental property, so the tiny house has to function as rentable space, just as the regular-sized house on the property is rentable space with no restriction that the owner has to live on the property. This restriction defeats the purpose and will result in the landowner not being able to offer this option to the community.

Thank you.

Best regards,
Nina Weinstein

TINY HOUSES



AN OVERVIEW OF TINY HOUSES AND RECENT STATE LEGISLATION

WHAT IS A TINY HOUSE?

- Under State law, “tiny house” and “tiny house with wheels” is “a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code”.
- Typical tiny house on wheels is usually less than 8 by 20 feet with livable space totaling 120 square feet or less.
- Reasons for pursuing tiny houses are to downsize, simplify, affordable, reduce debt, social/environmental reasons.
- Touted as a potential affordable housing and homelessness solution.

TINY HOUSES – VARYING ARCHITECTURAL STYLES



WHAT DOES THE RECENT STATE LEGISLATION REQUIRE AND ALLOW?

- Defines tiny houses. Type of 'factory built' housing.
- Allows cities to permit in tiny house villages/communities using BSP process.
- Cities must allow in mobile/manufactured home parks (MHP).
- Tiny houses must have one toilet and one sink, or MHP must provide facilities.
- Building Code Council providing standards for tiny houses.





MARYSVILLE
COMMUNITY
DEVELOPMENT

PC Recommendation – Tiny House Amendments

The Planning Commission (PC) of the City of Marysville, held a public hearing on September 9, 2020 in review of NON-PROJECT action amendments of the Marysville Municipal Code (MMC), proposing amendments to Sections 22A.020.210 "T" definitions, 22C.010.060 *Permitted uses*, 22C.010.070 *Permitted uses – Development conditions*, 22C.180.030 *Accessory dwelling unit standards*, 22C.110.020 *Permitted temporary uses*, and 22C.110.030 *Exempted temporary 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 public meetings to introduce the Tiny House topic to the community on March 10 and June 9, 2020.
2. The Community Development Department held a public meeting to introduce the NON-PROJECT action Tiny House Amendments to the community on July 7, 2020.
3. The proposal was submitted to the State of Washington Department of Commerce for 14-day expedited review on September 17, 2020, in accordance with RCW 36.70A.106.
4. The PC held a public work session to review the NON-PROJECT action amendments proposing adoption of the NON-PROJECT action Tiny House Amendments as described above, on July 7, 2020.
5. The PC held a duly-advertised public hearing on September 9, 2020 and received testimony from city staff and the public.
6. At the public hearing, the PC reviewed and considered the Tiny House Amendments.

CONCLUSION:

At the public hearing, held on September 9, 2020, the PC recommended **APPROVING** the Commercial Permitted Uses, and Density and Dimensional Standards Amendments.

RECOMMENDATION:

Forwarded to City Council as a Recommendation of **APPROVAL** of the NON-PROJECT action known as the Tiny House Amendments, an amendment to Marysville Municipal Code Sections 22A.020.210 "T" definitions, 22C.010.060 *Permitted uses*, 22C.010.070 *Permitted uses – Development conditions*, 22C.180.030 *Accessory dwelling unit standards*, 22C.110.020 *Permitted temporary uses*, and 22C.110.030 *Exempted temporary uses*, this **September 9, 2020**.

By: 
Stephen Leifer, Planning Commission Chair

(360) 363-8100

Community
Development
80 Columbia Avenue
Marysville, WA 98270

**Planning
Commission**



**1049 State Avenue
Marysville, WA 98270**

Meeting Minutes

March 10, 2020

Call to Order

Chair Leifer called the meeting to order at 7:03 p.m. noting the excused absence of Commissioners Kay Smith and Tom Thetford.

Present:

Commission: Chair Steve Leifer, Planning Commissioner Roger Hoen, Planning Commissioner Jerry Andes, Planning Commissioner Kristen Michal, Planning Commissioner Brandon Whitaker

Staff: Planning Manager Chris Holland, Senior Planner Cheryl Dungan, Senior Planner Angela Gemmer

Excused: Planning Commissioner Tom Thetford, Planning Commissioner Kay Smith

Minutes

February 11, 2020 Planning Commission Minutes

Motion to Approve February 11, 2020 Planning Commission Minutes moved by Planning Commissioner Jerry Andes seconded by Planning Commissioner Kristen Michal.

VOTE: Motion carried 4 - 0

AYES: Planning Commissioner Roger Hoen, Planning Commissioner Jerry Andes, Planning Commissioner Kristen Michal, Planning Commissioner Steve Leifer

ABSTAIN: Planning Commissioner Brandon Whitaker

Election of Officers

Motion to Approve the reappointment of Steve Leifer as Planning Commissioner Chair moved by Planning Commissioner Roger Hoen seconded by Planning Commissioner Jerry Andes.

AYES: ALL

Motion to Approve appointment of Jerry Andes as Planning Commission Vice Chair moved by Planning Commissioner Steve Leifer seconded by Planning Commissioner Brandon Whitaker.

AYES: ALL

Audience Participation

None

Public Hearing

Floodplain Management Code Amendments

- MMC Chapter 22A.020 Floodplain Definitions
- MMC Chapter 22E.020 Floodplain Management

Senior Planner Dungan reviewed the proposed changes. She noted that the majority of the changes come from the Washington State Model Flood Plain Ordinance for the City to remain in compliance with the National Flood Plain Insurance Program. Also, staff is recommending revising the language to be consistent with how density is calculated and also with the Comprehensive Plan to exclude residential development within the 100-year floodplain. Also, it is proposed that the Hearing Examiner hear the variances to the floodplain instead of City Council in order to be consistent with current regulations for all other land use actions. Staff is recommending that the Planning Commission forward City Council a recommendation of approval of the Development Code amendments.

Commissioner Whitaker asked if there has been an updated FIRM (Flood Insurance Rate Map) map for Marysville in 2020. Senior Planner Dungan replied that she just got proposed changes in the mail not too long ago. She did not see any changes in terms of the base flood elevation.

Chair Leifer asked about floodplain insurance requirements. Senior Planner Dungan explained that lenders require people to obtain floodplain insurance when they refinance or purchase if they fall within FEMA's floodplain map boundaries. People can request a letter of map amendment if they contest the designation. The City primarily relies on LIDAR information.

Chair Leifer opened the public hearing at 7:16 p.m. There were no members of the public present. The public comment portion of the public hearing was closed at 7:16 p.m.

Motion to Approve forwarding the proposed Floodplain Management Code Amendments to Council with a recommendation for approval moved by Planning Commissioner Roger Hoen seconded by Planning Commissioner Kristen Michal.

AYES: ALL

The hearing was closed at 7:18 p.m.

New Business

Code Amendments

MMC 22C.130.030-Table 1: Minimum Required Parking Spaces

Senior Planner Gemmer reviewed the proposed revisions which would provide a parking standard of 1.25 parking spaces per dwelling unit for studio apartments and provide clarification on both accessory dwelling unit and multiple-family parking standards. Commissioners asked clarification questions regarding the proposal.

Motion to Approve setting a public hearing on this Minimum Parking Spaces for April 14 moved by Planning Commissioner Brandon Whitaker seconded by Planning Commissioner Kristen Michal.

AYES: ALL

MMC 22A.020.180 - "Q" definitions

Senior Planner Gemmer reviewed this item which would clarify the definition for Qualified Scientific Professional and differentiate the qualifications needed for wetland professionals from fish and fish habitat/stream professionals.

Commissioner Michal asked about impacts on developers who might need to hire more than one professional as a result of these amendments. Planning Manager Holland explained that this will have no impact on most people, but will clarify that people need to have their certification.

Motion to Approve setting a public hearing on "Q" definitions on April 14 moved by Planning Commissioner Jerry Andes seconded by Planning Commissioner Roger Hoen.

AYES: ALL

MMC 22C.240.030 - Criteria for locating a recreational vehicle park

Senior Planner Gemmer reviewed this item which would clarify that all recreational vehicle parks are subject to the standards set forth in MMC Chapter 22C.240 and eliminate the obsolete reference in MMC Section 22C.240.030 to recreational vehicle parks being allowed in all zones within the city except single family and multiple family zones as this is inconsistent with the permitted uses matrices.

Motion to Approve setting a public hearing for Criteria for locating a recreational vehicle park for April 14 moved by Planning Commissioner Kristen Michal seconded by Planning Commissioner Brandon Whitaker.

AYES: ALL

"Tiny House" and "Tiny House with Wheels" Discussion

Senior Planner Gemmer made a PowerPoint presentation regarding tiny houses and solicited Planning Commission comments on how these should be incorporated into the city.

Commissioner Michal asked if the City is expecting any type of mandates related to tiny houses. Planning Manager Holland explained that right now the City is just required to allow them in Mobile Home Parks. In the future they may be required to expand that.

Commissioner Hoen said he'd like to see requirements for play areas, sidewalks and pedestrian connections, and possible regulations on fences.

Commissioner Whitaker recommended elements that would produce pride in place.

Commissioner Michal asked about looking at models from other communities. Staff indicated they would look into that.

Commissioner Andes recommended not requiring curb, gutter and sidewalks to help keep down costs.

Chair Leifer noted that there has been an interest in doing this on church properties in some locations. Planning Manager Holland thought that this is a direction that the legislature is likely going to try to go. Chair Leifer commented that a commitment to set aside space for this type of housing says a lot about the city's desire to provide housing for all types of people.

There was discussion about impacts on tax assessments.

There appeared to be consensus to require sewer and water as an Accessory Dwelling Unit on an existing lot. In a community, there was a question if they had to have their own restroom facility or if it could be provided on site.


Commissioner Whitaker spoke in support of each unit having its own restroom and water hookups for a tiny home village, but as an ADU they might be able to share with the main home.

Adjournment

Motion to Adjourn at 8:31 p.m. moved by Planning Commissioner Jerry Andes seconded by Planning Commissioner Brandon Whitaker.

AYES: ALL

Next Meeting - Tuesday, April 14, 2020 - 7 p.m.

 for _____
Laurie Hugdahl, Recording Secretary

**Planning
Commission**



**1049 State Avenue
Marysville, WA 98270**

Meeting Minutes

June 9, 2020

Call to Order

Chair Leifer called the meeting to order at 6:00 p.m. noting the resignation of Kay Smith and expressed appreciation for her faithful and conscientious service.

Present:

Commission: Chair Steve Leifer, Planning Commissioner Jerry Andes, Planning Commissioner Kristen Michal, Planning Commissioner Brandon Whitaker, Planning Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Senior Planner Angela Gemmer, Janis Lamoureux

Excused: Planning Commissioner Roger Hoen

Minutes

March 10, 2020 Planning Commission Minutes

Motion to approve March 10, 2020 Planning Commission Minutes moved by Planning Commissioner Jerry Andes seconded by Planning Commissioner Brandon Whitaker.

VOTE: Motion carried 4 - 0

AYES: Chair Leifer, Planning Commissioner Andes, Planning Commissioner Michal, Planning Commissioner Whitaker

ABSTAIN: Planning Commissioner Thetford

Audience Participation

None

Public Hearing

Hearing No. 1 - Amendment to MMC Chapter 22C.130.030, Table 1, Minimum required parking spaces.

The hearing was opened at 6:06 p.m. Senior Planner Gemmer reviewed this item. Commissioner Whitaker asked about the previous requirements. Senior Planner Gemmer reviewed those.

Chair Leifer solicited public comments. There were none.

Motion to forward the proposed amendment to the City Council with a recommendation for approval moved by Planning Commissioner Andes seconded by Planning Commissioner Thetford.

AYES: ALL

The hearing was closed at 6:15 p.m.

Hearing No. 2 - Amendment to "Qualified scientific professional" definition set forth in MMC Section 22A.020.180.

The hearing was opened at 6:15 p.m. Senior Planner Gemmer reviewed this item.

Commissioner Andes asked how many professionals have these credentials. Senior Planner Gemmer thought many people on the list would have this credential or could get it. Planning Manager Holland reviewed the reason for strengthening this definition.

Chair Leifer solicited public comments. There were none.

Motion to forward the proposed amendment to "Qualified scientific professional" definition set forth in MMC Section 22A.020.180. to the City Council with a recommendation for approval moved by Planning Commissioner Andes seconded by Planning Commissioner Whitaker.

AYES: ALL

The hearing was closed at 6:23 p.m.

Hearing No. 3 - Amendment to MMC Chapter 22C.230, Mobile Home Parks, MMC Sections 22C.010.060 and 22C.020.060, Permitted uses, and repeal of MMC Chapter 22C.240, Recreational Vehicle Parks.

The hearing was opened at 6:23 p.m. Senior Planner Gemmer reviewed this item.

Commissioner Whitaker expressed concern about the appearance of the multiple uses allowed in a mobile home park. Senior Planner Gemmer noted that all of these uses are currently allowed under state law. Planning Manager Holland noted that some mobile home parks have more restrictions, but not all of them.

Chair Leifer asked why RV parks wouldn't be allowed in the City. He commented on the need for people with RV's to have a place to stay in Marysville. Additionally, there is a large number of people who cannot afford traditional housing, and this could be an opportunity to provide affordable housing in the City. Planning Manager Holland

explained that it doesn't align with the uses that the PSRC wants to see within the Cascade Industrial Center, and there aren't any appropriate sites (10-15 acres). He noted that the uses are still allowed in existing parks. Chair Leifer then asked if a new mobile home park could be built with the expressed purpose of filling it completely with RV's. He raised a hypothetical example of such a development on property owned by Sayani north of 156th and west of Twin Lakes. Planning Manager Holland affirmed it would be allowed by going through the provisions of Title 22C.230 rather than 22C.240 with a Conditional Use Permit.

Chair Leifer solicited public comments. There were none.

Motion to forward the proposed amendment to MMC Chapter 22C.230, Mobile Home Parks, MMC Sections 22C.010.060 and 22C.020.060, Permitted uses, and repeal of MMC Chapter 22C.240, Recreational Vehicle Park to the City Council with a recommendation for approval moved by Planning Commissioner Andes seconded by Planning Commissioner Thetford.

AYES: ALL

The hearing was closed at 6:54 p.m.

Old Business

"Tiny house" and "tiny house with wheels" discussion

Senior Planner Gemmer reviewed this item giving various examples of tiny house regulations and solicited feedback.

Commissioner Andes asked about codes for tiny home communities for groups of people that choose this lifestyle. Senior Planner Gemmer replied that if the Planning Commission wanted to implement something like that in the community they could implement the current cottage housing code, but add provisions to limit the zones in which it is allowed and also limit the quantity. Planning Manager Holland asked the Planning Commission for their thoughts.

Commissioner Andes spoke in support of a pilot project if they could find someone to build it. Commissioner Thetford also spoke in support of doing a pilot project to see if it is the sort of thing they would even want to have in Marysville.

Commissioner Whitaker recommended requiring separate bathrooms since community restroom and shower facilities would be difficult during a pandemic situation. Commissioner Michal agreed with Commissioner Whitaker. She also liked the idea of a pilot project. She asked if there is anything pushing the City to do anything with tiny houses right now other than allowing them in mobile home parks. Planning Manager Holland spoke to the importance of having something on the books. He summarized the Planning Commission's desire to have some sort of pilot project with site specific development standards. Senior Planner Gemmer added that there has been a lot of interest from the community in tiny house codes.

Chair Leifer thought there would be a lot of people who would support this to help out the homeless, as well as people who don't want anything to do with it. He asked about the City's position about allowing use of the existing sewer on the 45 Road for a site out there. Planning Manager Holland replied that there is water out there, but not sewer. Per the GMA the City would not be allowed to have a connection outside of its Urban Growth Area boundary.

Planning Commissioner Holland stated that staff would see what changes to ADUs would be required and what changes might be needed for tiny homes.

Adjournment

Motion to adjourn at 8:48 p.m. moved by Planning Commissioner Tom Thetford seconded by Planning Commissioner Brandon Whitaker.

AYES: ALL

Next Meeting – July 14

Laurie Hugdahl, Recording Secretary

**Planning
Commission**



**1049 State Avenue
Marysville, WA 98270**

Meeting Minutes

July 14, 2020

Call to Order

Chair Leifer called the meeting to order at 5:09 p.m.

Present:

Commission: Chair Steve Leifer, Planning Commissioner Roger Hoen, Planning Commissioner Jerry Andes, Planning Commissioner Kristen Michal, Planning Commissioner Brandon Whitaker, Planning Commissioner Tom Thetford

Staff: Planning Manager Chris Holland, Senior Planner Angela Gemmer, Janis Lamoureux

Approval of Minutes

June 9, 2020 Planning Commission Minutes

Chair Leifer asked that more detail regarding the discussion around RV park regulations from the last meeting be included in the minutes at the bottom of page 2. Approval of the June 9 minutes was postponed to the next meeting to allow for revisions.

Audience Participation

None

New Business

Item No. 1: Amendments to MMC Chapter 22G.100, Boundary Line Adjustments.

Senior Planner Angela Gemmer reviewed this item.

Commissioner Whittaker asked if the proposed regulations to shore up the BLA process were common in the industry and not too onerous. Senior Planner Gemmer explained that different jurisdictions handle boundary line adjustments differently. This is on the

stricter side, but it is on par with what some jurisdictions do. The goal is to make sure that the obligations with the development don't get circumvented. Planning Manager Holland concurred.

Commissioner Andes expressed concern that the regulations might slow down development in the City and could be a detriment. Senior Planner Gemmer replied that the goal is not necessarily to slow down development, but to make sure that the way the development occurs is in the best in interest of the community.

Public Comments:

Dylan Sluder, Master Builders, stated that his group has some significant concerns, especially with the five-year timeline. They have reached out to staff and are planning on meeting with them to sort out the issues before the Planning Commission's next meeting.

Chair Leifer agreed with Councilmember Andes' concerns about this potentially deterring development and expressed concern about making things more restrictive during these difficult economic times. He is looking forward to seeing what comes of the meeting between staff and Master Builders.

Planning Manager Holland clarified that no action is currently being requested. Staff will be working with Master Builders over the next month or so and will be coming back to the Planning Commission with more information. He noted that the BLA provisions were intended to be limited to correct certain minor things and not to circumvent the subdivision ordinance. Senior Planner Gemmer acknowledged that the timing isn't ideal, but noted that it is not the City's goal to hamper development. Angela Gemmer explained that sometimes an adjustment isolates a parcel and eliminates the development potential of property without benefitting the community. In these cases the community ultimately ends up paying the tab for improvements.

Commissioner Andes asked about sizes of parcels that this would cover. Senior Planner Gemmer replied that it would cover all sizes. In situations where someone is trying to shift the development potential from one lot to another then the intended improvements should eventually be caught up with.

Chair Leifer asked about the intent of the five-year moratorium on any further activity. Senior Planner Gemmer replied that it is to create a comparable situation to short plat regulations. The intent of the regulations is to avoid people using the BLA process as a mechanism to skirt the subdivision process.

Chair Leifer noted that they need to get further comments on this before making any decisions. He stressed that even if this ends up being a viable alternative to the current BLA regulations, during the current economic circumstances he doesn't think it makes sense to interfere with anything that will help get the economy moving again.

Commissioner Michal asked for more details about the 11 BLA requests this year. Senior Planner Gemmer indicated she would bring back more information about these.

Item No. 2: Amendments to MMC Sections 22A.020.210 – “T” definitions, 22C.010.060 – Permitted uses, 22C.010.070 – Permitted uses – Development conditions, and 22C.180.030, Accessory dwelling unit standards to allow for tiny houses as accessory dwelling units.

Senior Planner Angela Gemmer reviewed this item which would amend the code to allow for tiny houses in certain circumstances.

Chair Leifer asked if there is currently a difference in allowances for “tiny houses” and “tiny houses on wheels”. Senior Planner Gemmer replied that “tiny houses” and “tiny houses on wheels” are interchangeable terms, and this would clarify any confusion. Planning Manager Holland clarified that an ADU within a single family development would have to be permanent, not mobile.

Commissioner Andes asked if the legislature said that tiny houses have to be allowed in mobile home parks. Senior Planner Gemmer confirmed that jurisdictions have to allow tiny houses in mobile home parks. Mobile home park owners have the choice whether or not to allow them.

Commissioner Hoen asked about allowances for recreational vehicles on construction sites. Senior Planner Gemmer explained they are allowed on active construction sites, but they would have to provide water and sewer. Planning Manager Holland confirmed that the expectation would be that there would be active water and provision for sewage.

Item No. 3: Sather NON-PROJECT Action Comprehensive Plan Map Amendment and Concurrent Rezone (PA20-001) approximately 9.22-acres from Multi-family, Low Density (R- 12) to Mixed Use (MU).

Planning Manager Chris Holland reviewed this application for a map amendment and concurrent rezone. He noted he received a letter today from Joel Hylback who is the representative for the applicant. Staff will be reaching out to the applicant to clarify. Staff doesn't have a recommendation at this time.

Chair Leifer asked Joel Hylback for comments. Mr. Hylback explained that the latest letter discussed the applicant's interest in changing the rezone to General Commercial. He noted that the neighbors without exception were open to it, but were concerned about what it would do to their property taxes.

Commissioner Whittaker asked how a change in zoning from Mixed Use to General Commercial could impact the roadway level of service. Planning Manager Holland explained they are already experiencing traffic issues in that area related to a specific

intersection, but the future connectivity and road network system that would occur south of 172nd and down to 156th would not need to be reanalyzed.

Commissioner Hoen asked about funding for the I-5 on and off ramps at 156th. Planning Manager Holland replied those funds are part of the Connecting Washington gas tax. Staff anticipates that it will be under design in 2026 with construction in the 2028 timeframe.

Commissioner Hoen asked about the water table's ability to handle additional sewage in that area. Planning Manager Holland explained that the issue is that the sewer line is shallow in that area. The sewer service will be extended to that area, but it isn't available right now.

Chair Leifer asked how the county looks at tax on an overlay zone. Planning Manager Holland replied that it would be assessed based on the underlying zoning designation.

Commissioner Whittaker asked about the status of the First Street bypass project. Planning Manager Holland replied it is moving along very quickly. He indicated he would send an email with a more detailed update.

Adjournment

The meeting was adjourned at 6:31 p.m.

Next Meeting – September 9, 2020 (tentative)

Laurie Hugdahl, Recording Secretary

**Community
Development**



**1049 State Avenue
Marysville, WA 98270**

**Planning
Commission Meeting
Minutes
September 9, 2020**

CALL TO ORDER

Chair Leifer called the meeting to order and welcomed new commissioner Kevin Johnson. Introductions followed.

Present:

Commissioners: Chair Steve Leifer, Roger Hoen, Jerry Andes, Kevin Johnson, Kristin Michal, Brandon Whitaker, Tom Thetford

Staff: Planning Manager Chris Holland, Senior Planner Angela Gemmer, Program Specialist Janis Lamoureux

1. APPROVAL OF MINUTES

June 9, 2020 Planning Commission Minutes

Chair Leifer asked staff for clarification about the verbiage in note number 7, in the zoning matrix in 22C.020.070 related to not allowing mobile homes made prior to October 16, 2006. Senior Planner Gemmer explained that this refers to the distinction between mobile homes and manufactured homes. This note is saying that you can only do mobile homes in mobile home parks established prior to that date. Per state law, local jurisdictions are allowed to prevent mobile homes which are no longer built from being placed in new mobile home parks. Chair Leifer asked for confirmation that a developer could do a new mobile home park with the purpose of installing tiny homes, RVs, or factory homes. Staff affirmed this.

Motion to approve the June 9, 2020 Planning Commission Minutes moved by Jerry Andes seconded by Kristin Michal.

VOTE: Motion carried 5 - 0

AYES: Chair Steve Leifer, Jerry Andes, Kristin Michal, Brandon Whitaker, Tom Thetford

ABSTAIN: Roger Hoen, Kevin Johnson

July 14, 2020 Planning Commission Minutes

Commissioner Whitaker noted that the spelling of his last name should be corrected in the last paragraph on page 3 and also on page 4.

Motion to approve the July 14, 2020 Planning Commission Minutes as corrected by Commissioner Whitaker moved by Jerry Andes seconded by Brandon Whitaker.

VOTE: Motion carried 6 - 0

AYES: Chair Steve Leifer, Roger Hoen, Jerry Andes, Kristin Michal, Brandon Whitaker, Tom Thetford

ABSTAIN: Kevin Johnson

2. AUDIENCE PARTICIPATION (for topics not on the agenda)

None

3. PUBLIC HEARINGS

Item No. 1: Amendments to MMC Sections 22A.020.210 – “T” definitions, 22C.010.060 – Permitted uses, 22C.010.070 – Permitted uses – Development conditions, and 22C.180.030, Accessory dwelling unit standards to allow for tiny houses as accessory dwelling units.

Senior Planner Gemmer reviewed the proposed amendments to allow for tiny houses as accessory dwelling units as contained in the Planning Commission packet.

Commissioner Andes asked if temporary housing communities for homeless is addressed somewhere. Planning Manager Holland explained that transitory accommodations is addressed in the Temporary Use Code. The State Legislature enacted new rules related to transitory accommodations, therefore, these provisions will be coming back to the Planning Commission towards the end of the year or beginning next year.

Commissioner Hoen referred to Nina Weinstein's question about property owners being able to build and rent out tiny houses on their property which was raised in her letter. Senior Planner Gemmer replied that it would currently not be allowed if the property owner did not live on site. The accessory dwelling unit provision has always required that one of the units needs to be owner-occupied in order to preserve property values and pride of ownership.

Commissioner Johnson asked for clarification if tiny houses would be allowed in places other than mobile home parks. Senior Planner Gemmer explained they would be allowed in mobile home parks, but also as an accessory dwelling unit in

single-family residential zones or any zone where accessory dwelling units are allowed as long as one of the units is owner-occupied.

Commissioner Johnson asked if there are any conflicts with the City's building code to allow for smaller room sizes. Senior Planner Gemmer noted that the state has put out some regulations pertaining to tiny houses. The City's building department follows state requirements.

Public Comments: Chair Leifer solicited public testimony. There was none.

Motion to forward the tiny house code provisions to City Council for approval moved by Roger Hoen seconded by Tom Thetford.

AYES: ALL

Item No. 2: Amendments to MMC Sections 22C.020.030, Characteristics of commercial, industrial, recreation and public institutional zones, and 22C.020.060, Permitted uses, to prohibit multi-family residential, convalescent/nursing/retirement, and residential care facilities in the Community Business-Whiskey Ridge (CB-WR) zone

Planning Manager Holland explained that this is a legislative fix of an error that has been occurring for some time in the code. Senior Planner Gemmer reviewed the proposed amendments pertaining to the Community Business-Whiskey Ridge (CB-WR) zone. This would correct an error and eliminate multi-family residential, convalescent/nursing /retirement, and residential care facilities in the CB-WR zone as residential uses were not assigned to the zone.

Commissioner Johnson asked why residential would not be allowed in this zone. Planning Manager Holland explained that more analysis needs to be done regarding utilities and road impacts. Commissioner Johnson asked why car and boat dealers would be allowed in that zone, but not motorcycles. Senior Planner Gemmer explained that streamlining and updating the permitted uses matrices would be a future topic of discussion. Commissioner Johnson recommended also looking at manufacturing allowances for artisan manufacturers in order to make this a more vibrant area.

Public Comments: Chair Leifer solicited public comments. There were none.

Motion to approve amendments and forward to the City Council with a recommendation for approval moved by Jerry Andes seconded by Kristin Michal.

AYES: ALL

4. NEW BUSINESS

Mixed Use (MU) Zone Discussion

Senior Planner Gemmer introduced this topic for Commission discussion. With the current flexibility on uses in the MU zone, multi-family and commercial development is occurring in isolation rather than in the integrated manner intended by code. Upon Council direction, staff has proposed three options to consider to remedy this matter:

- Option 1: Require vertical mixed use in the MU zone. Vertical mixed use would require a combination of multi-family and commercial in the same building.
- Option 2: Require a commercial component to projects which propose a single building. If a project proposes multiple buildings, the buildings along the street frontages would either need to be vertical mixed use or commercial. Multi-family residential would be allowed interior to the site (behind the commercial or mixed use buildings).
- Option 3: No change. The Mixed Use zone would continue to allow for: exclusive multi-family, exclusive commercial, or a combination of multi-family and commercial, whether vertical or horizontal.

Commissioner Whitaker asked about the development climate related to true mixed use/vertical mixed use. Planning Manager Holland explained that the development community's response has been that it is not economically feasible for them to do vertical mixed use.

Commissioner Andes asked about the ratio of commercial to residential required for mixed use developments. Senior Planner Gemmer explained this would require more discussion; right now they are looking for general parameters. For the horizontal development, they would like to see commercial uses along arterial roadways and have multifamily be located behind the commercial. Vertical mixed use parameters are strict with commercial and residential being required in the same building.

Commissioner Johnson spoke in support of requiring a commercial component in some way. He believes it is best for the community. If it's not required, people are going to go elsewhere for their commercial needs.

Commissioner Andes concurred. He spoke in support of options 2 or 3 or a combination.

Commissioner Michal asked if they could require vertical mixed use just in certain areas like downtown and have flexibility in other areas. Planning Manager Holland explained that they are exploring a form-based code for the downtown area. There will likely be some different zoning districts for downtown.

Commissioner Michal concurred with other commissioners about the need for more commercial options in Marysville.

Chair Leifer referred to a vertical mixed use building in Arlington which he finds very inviting. He thinks this is what should be happening in the mixed use zones. He noted that if the requirements are too rigid development just will not occur. He suggested an incentive for developers to build commercial along with their apartments. He has concerns about the commercial aspect being dictated to developers. Planning Manager Holland discussed the need to balance requirements with incentives. Commissioner Johnson agreed, but stressed the need for some sort of minimal commercial requirements or lose out on that possibility altogether.

Commissioner Thetford suggested looking at what surrounding jurisdictions have done and how that has worked. Senior Planner Gemmer noted that the prevailing theme is horizontal mixed use with vertical mixed use in downtown areas, but there is a huge diversity in the approaches. Defining the street wall with commercial uses is another prevailing theme along with robust connections between different uses and buildings. Planning Manager Holland noted that another thing other jurisdictions have done is to define amenities which are required on different streets.

Chair Leifer suggested considering a binding site plan option on a horizontal mixed use development which would allow the construction of the residential portion in the back first but then give some time before the street front commercial has to be developed. This would reserve that property for commercial construction at a later date and give the developer more time.

Commissioner Whitaker noted that Marysville may have some unique hurdles that prohibit this kind of development. Incentives may help to develop momentum. Planning Manager Holland concurred.

Commissioner Hoen suggested that there needs to be more Marysville exit signs off of I-5 South.

Commissioner Johnson cautioned against writing the code in a way that is focusing on someone buying multiple properties and combining them. He thinks what is most likely to happen is developers buying one property and developing that. The focus should be on how a single property is going to be developed.

Commissioner Andes agreed that there should be some minimums, but also flexibility.

Planning Manager Holland noted that staff would bring back some general information on what other jurisdictions have done and have more discussion on this.

Commissioner Michal asked about the timeline for the Downtown Master Plan. Planning Manager Holland replied that they are still in the initial phases of it. Staff is doing the initial environmental review portion right now. The grant says it needs to be adopted by the end of March, so it will be a tight timeline. He noted that there is a new tool on the website to gather feedback from the community. He thinks there will be an opportunity to have even more engagement than usual on this project because of increased online activity.

Commissioner Hoen asked if there be sidewalks on both sides of the new bridge down by Fred Meyer. Planning Manager Holland thought there would be, but indicated he would confirm that.

5. CITY COUNCIL AGENDA ITEMS and MINUTES

6. ADJOURNMENT

The meeting was adjourned at 6:43 p.m.

7. NEXT MEETING – Tuesday, September 22, 2020



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 AMENDING SECTIONS 22A.010.160, 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, AND 22C.110.030 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 a public meeting on July 7, 2020, the Planning Commission discussed proposed amendments to MMC Sections 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, and 22C.110.030; and

WHEREAS, the City of Marysville submitted the proposed amendments to MMC Sections 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, and 22C.110.030 to the Washington State Department of Commerce on September 17, 2020, as required by RCW 36.70A.106; and

WHEREAS, the proposed amendments to MMC Sections 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, and 22C.110.030 are exempt from State Environmental Policy Act review under WAC 197-11-800(19);

WHEREAS, after providing notice to the public as required by law, the Marysville Planning Commission held a Public Hearing on September 9, 2020 regarding the proposed amendments to MMC Sections 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, and 22C.110.030; and

WHEREAS, the Planning Commission made a Recommendation to the City Council on September 9, 2020, recommending the adoption of the proposed amendments to MMC Sections 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, and 22C.110.030; and

WHEREAS, at a public meeting on November 9, 2020 the Marysville City Council reviewed and considered the Planning Commission's Recommendation and the proposed amendments to MMC Sections 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, and 22C.110.030; and

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

Section 1. Required Findings. In accordance with MMC 22G.010.520, the following findings are made regarding the proposed amendments to MMC Sections 22C.010.060, 22C.010.070, 22C.180.030, 22C.110.020, and 22C.110.030 which comprise this ordinance:

- (1) The amendments are consistent with the purposes of the comprehensive plan; and
- (2) The amendments are consistent with the purpose of Title 22 MMC; and
- (3) There have been significant changes in the circumstances to warrant a change; and
- (4) The benefit or cost to the public health, safety, and welfare is sufficient to warrant the action.

Section 2. Section 22C.180.030, Accessory dwelling unit standards, of MMC Chapter 22C.180, Accessory Structures, is hereby amended to read as follows:

22C.180.030 Accessory dwelling unit standards. 

In the zones in which an accessory dwelling is listed as a permitted use, the community development director shall review all proposals to establish an accessory dwelling unit. The following standards and regulations shall apply to all proposed accessory dwelling units:

- (1) An owner-occupant of a single-family dwelling unit may establish only one accessory unit, which may be attached to the single-family dwelling or detached in an accessory building. An accessory dwelling unit may not be located on a lot on which a temporary dwelling, as defined in Chapter [22C.110](#) MMC, is located.
- (2) The single-family dwelling unit must be owner-occupied on the date of application and remain owner-occupied for as long as the accessory unit exists. A covenant shall be required which is signed by the owner and recorded against the property as part of the application process.
- (3) The floor area of the accessory dwelling unit shall not exceed 35 percent of the total floor area of the single-family dwelling, and shall comply with the density and dimensional requirements set forth in MMC [22C.010.080](#). The community development director is authorized to conditionally allow a deviation of the setbacks set forth in MMC [22C.010.080](#) of an existing detached accessory structure to be converted to an accessory dwelling unit, subject to the following conditions:
 - (a) The application shall be subject to the public notice criteria outlined in MMC [22G.010.090](#) and is subject to a \$250.00 permit processing fee in addition to the accessory dwelling unit land use review fee outlined in MMC [22G.030.020](#);
 - (b) The existing detached accessory structure was constructed prior to the effective date of Ordinance 3093, adopted on May 14, 2018;
 - (c) The applicant shall be required to demonstrate that the existing detached accessory structure was legally permitted and complied with the required structure setbacks in effect at the time the accessory structure was constructed;
 - (d) If the existing detached accessory structure is determined to be legal nonconforming, conversion to an accessory dwelling unit shall not increase the pre-existing degree of nonconformance;
 - (e) The accessory dwelling unit shall not result in a lack of compatibility with existing and potential uses in the immediate area;
 - (f) Adverse impacts of the proposed accessory dwelling unit shall be mitigated by site design elements such as landscaping, fencing and general visual improvement of the property; and
 - (g) Adequate provisions must be made for public improvements such as sewer, water, drainage, pedestrian and vehicular circulation.

(4) In no case shall the accessory dwelling unit be less than 300 square feet in size, or have more than two bedrooms; provided that, a tiny house used as an accessory dwelling unit shall be exempt from the minimum square footage requirement. Floor areas shall be exclusive of garages, porches, or unfinished basements.

(5) The architectural character of the single-family dwelling shall be preserved. Exterior materials, roof form, and window spacing and proportions shall match that of the existing single-family dwelling. A tiny house used as an accessory dwelling unit shall have a permanent foundation as specified by the manufacturer, and be enclosed with an approved concrete product from the bottom of the dwelling to the ground which may be either load-bearing or decorative. Only one main entrance shall be permitted on the front (street face) of the dwelling; provided, that this limitation shall not affect the eligibility of a residential structure which has more than one entrance on the front or street side on the effective date of the ordinance codified in this chapter.

(6) One off-street parking space shall be provided and designated for the accessory dwelling unit (in addition to the two off-street parking spaces required for the primary single-family dwelling unit). Driveways may be counted as one parking space but no parking areas other than driveways shall be created in front yards. When the property abuts an alley, the off-street parking space for the accessory dwelling unit shall gain access from the alley.

(7) An owner-occupant of a single-family dwelling with an accessory dwelling unit shall file, on a form available from the planning department, a declaration of owner occupancy with the planning department prior to issuance of the building permit for the accessory dwelling unit and shall renew the declaration annually. The initial declaration of owner occupancy shall be recorded with the county auditor prior to filing the declaration with the planning department.

(8) The owner-occupant(s) may reside in the single-family dwelling unit or the accessory dwelling unit.

(9) In addition to the conditions which may be imposed by the community development director, all accessory dwelling units shall also be subject to the condition that such a permit will automatically expire whenever:

(a) The accessory dwelling unit is substantially altered and is thus no longer in conformance with the plans approved by both the community development director and the building official; or

(b) The subject lot ceases to maintain at least three off-street parking spaces; or

(c) The owner ceases to reside in either the principal or the accessory dwelling unit; provided, that in the event of illness, death or other unforeseeable event which prevents the owner's continued occupancy of the premises, the community development director may, upon a finding that discontinuance of the accessory dwelling unit would cause a hardship on the owner and/or tenants, grant a temporary suspension of this owner-occupancy requirement for a period of one year. The community development director may grant an extension of such suspension for one additional year, upon a finding of continued hardship. (Ord. 3093 § 5, 2018; Ord. 2852 § 10 (Exh. A), 2011).

Section 3. Section 22C.110.020, Permitted temporary uses, of MMC Chapter 22C.110, Temporary Uses, is hereby amended to read as follows:

22C.110.020 Permitted temporary uses. 

(1) Except as provided in MMC [22C.110.030](#), a temporary use permit shall be required for all permitted temporary uses listed in subsection (2) of this section.

(2) The following types of temporary uses, activities and associated structures may be authorized, subject to the specific limitations noted herein and as noted in MMC [22C.110.040](#) and as may be established by the community development director:

- (a) Outdoor art and craft shows and exhibits;
- (b) Use associated with the sale of fresh fruits, produce and flowers;
- (c) Mobile services such as veterinary services for purposes of giving shots;
- (d) Group retail sales such as swap meets, flea markets, parking lot sales, Saturday market, auctions, etc. Automobile sales are not a permitted temporary use;
- (e) Use associated with festivals, grand openings or celebrations;
- (f) Temporary fundraising and other civic activities in commercial or industrial zoning districts;
- (g) When elderly or disabled relatives of the occupant of an existing residence require constant supervision and care, a manufactured home or tiny house with adequate water and sewer services located adjacent to such residences may be permitted to house the relatives, subject to the following requirements:

- (i) The need for such continuous care and assistance shall be attested to in writing by a licensed physician;
- (ii) The temporary dwelling shall be occupied by not more than two persons;
- (iii) Use as a commercial residence is prohibited;
- (iv) The temporary dwelling shall be situated not less than 20 feet from the principal dwelling on the same lot and shall not be located in any required setbacks outlined in this title;
- (v) A current vehicular license plate, if applicable, shall be maintained during the period of time the temporary unit is situated on the premises;
- (vi) Adequate screening, landscaping or other measures shall be provided to protect surrounding property values and ensure compatibility with the immediate neighborhood;
- (vii) An annual building permit or manufactured home permit renewal for the temporary dwelling shall be required, at which time the property owner shall certify, on a form provided by the community development department, to the continuing need for the temporary dwelling and, in writing, agree that such use of the property shall terminate at such time as the need no longer exists;

(h) Watchmen's or caretaker's quarters when approved in writing by the community development director. Said caretaker's quarters must comply with the definition set forth in MMC [22A.020.040](#) and will require submittal of the following:

- (i) A consent letter from the owner and/or proof of ownership of the subject property or structure;
- (ii) A letter identifying the business or institution to be served by the caretaker's quarters, and the purpose of, and need for, the caretaker's quarters;
- (iii) A site plan identifying the location of the structure which will be occupied; and
- (iv) A floor plan identifying the area within the structure which will be occupied to ensure that the use will be incidental to the primary business or institutional use of the structure.

(i) Transitory accommodations which comply with the provisions outlined in MMC [22C.110.050](#);

(j) The community development director may authorize additional temporary uses not listed in this subsection, when it is found that the proposed uses are in compliance with the provisions of this chapter. (Ord. 2979 § 2, 2014; Ord. 2923 § 4 (Exh. B), 2013).

Section 4. Section 22C.110.030, Exempted temporary uses, of MMC Chapter 22C.110, Temporary Uses, is hereby amended to read as follows:

22C.110.030 Exempted temporary uses.

The following activities and structures are exempt from requirements to obtain temporary use approval, but are not exempt from obtaining all other applicable permits outlined in the MMC, including but not limited to building permits, right-of-way permits, special events permits, business licenses, home occupation permits, sign permits, etc.:

- (1) Uses subject to the special events provisions of Chapter [5.46](#) MMC, Special Events, when the use does not exceed a total of 14 days each calendar year, whether at the same location in the city or at different locations;
- (2) Community festivals, amusement rides, carnivals, or circuses, when the use does not exceed a total of 14 days each calendar year, whether at the same location in the city or at different locations;

- (3) Activities, vendors and booths associated with city of Marysville sponsored or authorized special events such as Home Grown;
- (4) Retail sales such as Christmas trees, seasonal retail sale of agricultural or horticultural products. Christmas tree sales are allowed from the Saturday before Thanksgiving Day through Christmas Day only;
- (5) Individual booths in an approved temporary use site for group retail identified under MMC [22C.110.020](#)(2)(d);
- (6) Fireworks stands, subject to the provisions of Chapter [9.20](#) MMC, Fireworks;
- (7) Garage sales, moving sales, and similar activities for the sale of personal belongings when operated not more than three days in the same week and not more than twice in the same calendar year;
- (8) ~~A manufactured home, residence or travel trailers,~~ recreational vehicle, residences or travel trailers, or tiny house used for occupancy by supervisory and security personnel on the site of an active construction project;
- (9) Contractor's office, storage yard, and equipment parking and servicing on the site of an active construction project;
- (10) Portable units and manufactured homes on school sites or other public facilities when approved by the community development director;
- (11) A manufactured home ~~or, recreational vehicle,~~ recreational vehicle, travel trailer, or tiny house with adequate water and sewer service used as a dwelling while a residential building on the same lot is being constructed or while a damaged residential building is being repaired. The manufactured home ~~or, recreational vehicle,~~ recreational vehicle, travel trailer, or tiny house shall be removed upon completion of the permanent residential structure construction, when repair is completed, or after one year, whichever occurs first;
- (12) Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain. A temporary real estate office may be located in a temporary structure erected on an existing lot within a residential subdivision, if approved by the community development director. If approved, a temporary real estate office shall comply with the following conditions:
 - (a) The temporary real estate office may be used only for sale activities related to the subdivision in which it is located;
 - (b) The temporary real estate office shall have an Americans with Disabilities Act (ADA) accessible restroom located in or adjacent to said office;
 - (c) ADA accessibility shall be provided to the temporary real estate office. General site, accessible routes and building elements shall comply with ICC/ANSI A117.1-2003 or current edition;
 - (d) The temporary real estate office shall meet all applicable building and fire codes, or shall be immediately removed; and
 - (e) The temporary real estate office shall be removed immediately upon the sale of the last lot within the subdivision;
- (13) Home occupations that comply with Chapter [22C.190](#) MMC, Home Occupations;
- (14) Fundraising car washes. The fundraising coordinator is required to obtain a clean water car wash kit from the Marysville public works department in order to prevent water from entering the public storm sewer system;
- (15) Vehicular or motorized catering such as popsicle/ice cream scooters and self-contained lunch wagons which cater to construction sites or manufacturing facilities. Such a use must remain mobile and not be utilized as parking lot sales;
- (16) Any permitted temporary use not exceeding a cumulative total of two days each calendar year. (Ord. 2979 § 3, 2014; Ord. 2923 § 4 (Exh. B), 2013).

Section 5. 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> |
|------------------|----------------------------|-----------------------|
| _____ | Tiny House Amendments | _____, 2020" |

Section 6. 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 7. 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 8. 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 _____, 2020.

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)