


CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: May 9, 2022

AGENDA ITEM:	
Consider Planning Commission’s recommendation related to the Community Business Zone land use regulations.	
PREPARED BY:	DIRECTOR APPROVAL:
Haylie Miller, Community Development Director	
DEPARTMENT:	
Community Development	
ATTACHMENTS:	
<ol style="list-style-type: none"> 1. Memorandum – City Council 05-09-22 2. Alternative 1 – Maintain Existing Code 3. Alternative 2 – Remove multi-family as a permitted use in the CB zone 4. Alternative 3 – Reduce multi-family density in the CB zone 5. Alternative 4 – Code Change Reduce the maximum height of mixed use buildings in the CB zone. 6. Planning Commission Meeting Minutes – 2-22-22 7. CB Zone Map – Existing uses 	
BUDGET CODE:	AMOUNT:
N/A	N/A
<p>SUMMARY: Staff has received several development inquiries related to exclusive multi-family development within the Community Business (CB) zone and inquires with minimal commercial uses proposed. The CB zone currently requires a vertical mix of uses with commercial uses on the ground level with multifamily uses permitted above ground level commercial uses.</p> <p>The development inquiries within the CB zone appear to be different from the original vision for this area.</p> <p>Four alternatives were considered by the Planning Commission during a workshop session on April 12, 2022, as follows:</p> <ol style="list-style-type: none"> 1. Alternative 1: Maintain the existing code. 2. Alternative 2: Remove multifamily uses as a permitted use in the CB zone. 3. Alternative 3: Reduce the permitted multifamily density in the CB zone. 4. Alternative 4: Reduce the max height of mixed use buildings in the CB Zone. 5. Alternative 5: Rezone one or all parcels in the CB zone <p>The majority of the Planning Commission recommended Alternative 1, to maintain the existing code. Alternative 5 was added after discussions during the May 2 workshop with the City Council.</p>	
RECOMMENDED ACTION: Consider the recommendation from the Planning Commission and provide direction to staff on potential alternatives.	
RECOMMENDED MOTION: I move to select the approach outlined in Alternative #___ and direct staff to proceed with the next steps to execute Alternative #___.	

MEMORANDUM

TO: City Council

FROM: Haylie Miller, Community Development Director

DATE: May 9, 2022

SUBJECT: Code Amendments for the Community Business (CB) Zone, MMC 22C.020

CC: Gloria Hirashima, Chief Administrative Officer
Chris Holland, Planning Manager
Angela Gemmer, Senior Long Range Planner

Introduction:

Staff has received several development inquiries related to exclusive multi-family development within the Community Business (CB) zone and inquires with minimal commercial uses proposed. The CB zone currently requires a vertical mix of uses with commercial uses on the ground level with multifamily uses permitted above ground level commercial uses.

The development inquiries within the CB zone appear to be different from the original vision for this area.

Background:

Neither the County's Buildable Lands Report nor the City's Comprehensive Plan have assigned residential density to the Community Business zone as its primary use was envisioned to be commercial in nature.

As summarized in the Land Use Element of the Comprehensive Plan, the commercial areas in Marysville initially were located in the Downtown area and expanded along State Avenue and Smokey Point Boulevard. Improving these areas, and increasing the jobs-to-housing ratio in the City, are important to Marysville residents. The Community Business designation is one of a series of commercial land use categories identified in the Land Use Element to provide an adequate, convenient supply of goods and services for Marysville residents and workers as well as the traveling public. The CB zone is intended to furnish space for a wide variety of general retail activities and services, serving a number of neighborhoods.

The Comprehensive Plan further states, the CB zone is intended to serve a larger area than one neighborhood, but remain auxiliary to Marysville's downtown. Activities in this land use would be more automobile-oriented, serving a larger area and, therefore, might require an automobile to reach them. The uses would be such

that one might go to an area and be able to run several errands or accomplish several tasks in one or two stops. Activities that might be permitted could be department and large grocery stores, and other uses that would draw people from many areas as opposed to just the immediate neighborhood. Some personal services and office uses would also be permitted. The land use is intended for individual, small businesses or an integral complex of several firms or businesses serving retail, office, and personal services.

The criteria and standards listed in the Land Use Element for the CB land use designation¹ are provided below:

i. Criteria and Standards

- Site Size: 5 - 20 acres; serving radius: 1 1/2 - 2 mile (15 - 20,000 population)
- Types of Stores: department and large grocery stores; other uses that need the support of several neighborhoods rather than a single neighborhood; personal services and offices; individual, small businesses or an integral complex of several firms or businesses serving retail, office, and personal services
- Access: Arterial streets
- Number of Stores: 15-25, range of gross floor area: 100,000 - 200,000 sq. ft.
- Implementation: Some commercial activities that have a repair or light industrial component should be included here, e.g. bike sales and repair, coffee roasting (if in conjunction with a shop), shoe sales and repair, candy sales and manufacture, computer sales and service, dry cleaning plants and retail, jewelry and watch sales and repairs, hardware, appliances, and electrical items sales and service (these could be limited by size, to differentiate which should be in General Commercial, and which here); as well as other commercial activities such as banks, fabric stores, luggage and leather goods, barber and beauty shops, automotive and boat sales, trade or business schools, hobby, toy and game shops, laundromats, sun tanning salons, second hand stores, pawn shops. Day care are permitted within existing single family residences. Automotive repair and service is a conditional use. Things which should not be located in this land use are foundries or metal fabrication, flour, feed, and seed processing, go-cart tracks, race tracks, and outdoor storage.

ii. Identification of Areas For the general location of commercial land uses. Other land uses may also occupy these areas. For more detailed location information, see the Planning Area maps in Section G of the Land Use Element.

¹ As outlined in section IV.C.II.c.i., of the Land Use Element of the [Comprehensive Plan](#).

Marysville Municipal Code (MMC) Background: The primary intent of MMC section 22C.020.030 (2) Community Business and Community Business – Whiskey Ridge Zones is provided below.

- (a) The purpose of the community business (CB) and community business – Whiskey Ridge (CB-WR) zones is to provide convenience and comparison retail and personal services for local service areas which exceed the daily convenience needs of adjacent neighborhoods but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor storage or auto-related and industrial uses. These purposes are accomplished by:
 - (i) Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental and personal services than are found in neighborhood business areas;
 - (ii) Allowing for a mix of housing and retail/service uses; provided, that housing is not allowed in the community business – Whiskey Ridge zone; and
 - (iii) Excluding commercial uses with extensive outdoor storage or fabrication and industrial uses.
- (b) Use of this zone is appropriate in community business areas that are designated by the comprehensive plan and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

Discussion: City of Marysville Planning staff have received several inquiries over the last year related to high density residential uses within the CB zone. Some inquires have proposed hundreds of units on parcels zoned CB, with minimal to no commercial uses.

The market is highly conducive to residential uses and many applicants are seeking to develop large multifamily development projects in this zone throughout the City with as minimal commercial uses as possible to address the minimum code requirements. The CB zone currently permits multifamily units; however, all units must be located above a street-level commercial use. Inquiries have included ground level parking, leasing offices, recreational facilities, live-work units, etc., rather than traditional commercial uses.

Proposed Amendment: Staff has provided 5 alternatives for consideration related to the Community Business zone. Staff is supportive of any of the alternatives below.

Alternative 1: Maintain the existing code (Attachment 2).

The CB zone currently permits multifamily uses above a street-level commercial use. Maintaining the current code would allow for vertical mixed use developments in the CB zone. Under the current code, staff would continue to strictly require commercial uses on the first level of the structure and not allow for the first level to be used for live/work units, clubhouses, residential parking or extended stay hotels as requested previously by prospective applicants on these properties. Maintaining the existing code could result in projects with well-designed, vertical, mixed use buildings as shown below:



Process:

If Alternative 1 is selected, no code change will take place and the existing code (requiring vertical mixed use projects) will be maintained. If any other alternative is selected, staff would prepare a code change for consideration by the City Council.

Alternative 2: Remove multifamily uses as a permitted use in the CB zone (Attachment 3).

Per MMC 22C.020.060 Permitted uses, multifamily uses are permitted outright in the CB zone with the condition that all units be located above a street-level commercial use. Up to two multifamily units are permitted conditionally on the first level of the building in the CB zone if designed to meet ADA guidelines. This amendment proposes to remove multifamily uses as a permitted use. See the proposed redlines in Exhibit 1.

Process:

The City Council discussed this item during the May 2 workshop session. Council asked if Area 1 (See Attachment 7) could be modified to remove multifamily uses and keep the remaining CB zoned areas (2-8) in Attachment 7 as-is. Changing one area of the CB zone would be considered a rezone. See Alternative 5 below for the options and timing related to a rezone of one particular area.

If the Council chooses Alternative 2, this would be considered a zoning text amendment as the code change (to remove multifamily uses in all CB areas) would be applied to the entire zone. Staff recommends that if multifamily uses are removed or reduced that it be applied to the entire zone.

Attachment 7 shows a map of all CB areas and the existing uses in those zones. The majority of the CB areas will be largely unaffected by the text amendment because these areas are fully developed with commercial uses. Areas 1 and 5 will be mostly effected by this change given that these areas are not developed.

The expedited text amendment process would take approximately two weeks to complete. If the City Council wishes to pursue this option, the following timeline would apply.

The expedited text amendment process would take approximately two weeks to complete. If the City Council wishes to pursue this option, the following timeline would apply.

- 5/4 – 5/18 Commerce Notice for text amendment. This option was submitted to Commerce on 5/4 for and expedited review.
- 5/9 Council meeting scheduled to discuss alternatives.
- 5/10 - 5/23 Public Hearing Notice for the text amendment (required ten days prior to a public hearing)
- 5/23 Public Hearing at the City Council meeting to consider the text amendment would be held. If the text changes are approved, the code change would take effect 5 days after publication.

Alternative 3: Reduce the permitted multifamily density in the CB zone (Attachment 4).

Per MMC 22C.020.080 (2), the base density is 12 units per gross acre with no maximum. The Planning Commission may also consider a lower density range such as 8 to 10 or 12 units per gross acre. See the proposed redlines in Exhibit 3.

Process:

If Council selected this alternative for all of the CB zone, the timeline would match the timeline outlined under Alternative 1 above.

Alternative 4: Reduce the max height of mixed use buildings in the CB Zone (Attachment 5).

This alternative would maintain the requirement for a commercial use on the ground floor with multifamily uses above the first level. Currently, MMC 22C.020.080 (2) allows for all buildings in the CB zone to have a base height of 55 feet. However, height limits may be increased when portions of the structure or building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit. This means a building located in the center of a large site could be much taller than 55 feet.

The Planning Commission could consider limiting the height for buildings to 35 feet which would yield at most, two stories of residential uses above a ground floor use.

See the proposed redlines in Exhibit 4.

Process:

If Council selected this alternative for all of the CB zone, the timeline would match the timeline outlined under Alternative 1 above.

Alternative 5: Rezone one area or all areas in the CB zone.

This option has been added for discussion at the request of the City Council. Eliminating multifamily from only one portion of the CB zone would require a new name for the area and thus would be creating a new zone. It was also suggested that one area be rezoned to General Commercial zone. The general commercial zone also requires commercial uses on the first floor and residential uses above the first floor. If rezoning one area is an option, staff recommends this be looked at closer during the Comprehensive Plan process over the next two years. Alternatively, staff can process the rezone within the timeframe noted below (before the Comprehensive Plan update is finalized).

Process:

The rezone would require a Comprehensive Plan Map Amendment, Concurrent Rezone and Text Amendments to the MMC related to the new zone, permitted uses, etc. This would need to be included as part of the 2022 Docket Process and could not be approved until the end of the year with the rest of the docket items.

The steps to process the application would include:

- Notice of Application
- Request for Review (RFR) to Agencies and Commerce (60-day Review)
- Draft Amendments
- Environmental Checklist
- SEPA Determination
- Planning Commission (PC) Workshop(s)
- PC Public Hearing and Recommendation
- Council Action on ALL 2022 Docket items

Planning Commission Review/Summary:

The Planning Commission reviewed the four alternatives provided above by staff and have recommended the approach outlined in Alternative 1, resulting in no code change. This approach maintains the existing code that requires commercial uses on the first level with an unlimited amount of multifamily units above the first level.

Some Planning Commissioners noted that commercial construction is not viable at this time and that residential uses are needed to bridge the housing shortage in Marysville. The Planning Commission further suggested that there be more flexible options provided on the first level to allow parking on the first level (in place of part of the required commercial use on the first level) or to allow for a flex type use which would allow the space to be built for commercial but occupied by residential to a future date when commercial uses may be more feasible. This concept is currently allowed in Arlington.

Staff recommended that at the very least, the code be maintained to require 100% commercial uses on the first level (with the exception of a limited number of ADA units) as cited in code. Staff cautioned against allowing any further flexibility in the code related to multifamily uses in the CB zone.

The majority of the Planning Commission was in support of Alternative 1 while one commissioner was not in support of Alternative 1 and requested that a conditional use permit or other flexibility measures be implemented to allow for multifamily-only developments in this zone on a case-by-case basis, or on a temporary or permanent basis. The meeting minutes for the Planning Commission meeting are attached as Attachment 6.

The Planning Commission considered the four alternatives proposed by staff related to the Community Business zone during a workshop meeting held on April 12, 2022 and recommended Alternative 1.

Recommendation:

Staff recommends the City Council consider the recommendation from the Planning Commission and select one of the five alternatives below for consideration.

1. Alternative 1: Maintain the existing code
2. Alternative 2: Remove multifamily uses as a permitted use in the CB zone.
3. Alternative 3: Reduce the permitted multifamily density in the CB zone.
4. Alternative 4: Reduce the max height of mixed use buildings in the CB Zone.
5. Alternative 5: Rezone one area or all areas in the CB zone.

Alternatives 2 – 4 can be considered for final approval at a public hearing on May 23. Alternative 5 will take 6 months to one year to process.

**ALTERNATIVE 1:
MAKE NO CHANGES TO THE CB ZONE**

Applicable sections highlighted in yellow below.

22C.020.030 Characteristics of commercial, industrial, recreation and public institutional zones. 

(1) Neighborhood Business Zone.

(a) The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties. These purposes are accomplished by:

- (i) Limiting nonresidential uses to those retail or personal services which can serve the everyday needs of a surrounding residential area;
- (ii) Allowing for a mix of housing and retail/service uses; and
- (iii) Excluding industrial and community/regional business-scaled uses.

(b) Use of this zone is appropriate in neighborhood centers designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

(2) Community Business and Community Business – Whiskey Ridge Zones.

(a) The purpose of the community business (CB) and community business – Whiskey Ridge (CB-WR) zones is to provide convenience and comparison retail and personal services for local service areas which exceed the daily convenience needs of adjacent neighborhoods but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor storage or auto-related and industrial uses. These purposes are accomplished by:

- (i) Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental and personal services than are found in neighborhood business areas;
- (ii) Allowing for a mix of housing and retail/service uses; provided, that housing is not allowed in the community business – Whiskey Ridge zone; and
- (iii) Excluding commercial uses with extensive outdoor storage or fabrication and industrial uses.

(b) Use of this zone is appropriate in community business areas that are designated by the comprehensive plan and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

22C.020.060 Permitted uses. [SHARE](#)

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Residential Land Uses									
Dwelling Units, Types:									
Townhouse					P				
Multiple-family	C4	P4, C5		P4, C5	P				
Mobile home	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
Group Residences:									
Adult family home (70)	P	P	P	P	P				P
Convalescent, nursing, retirement	C	P			P				P
Residential care facility	P	P			P	P70	P70	P70	P
Master planned senior community (10)					C				C
Enhanced services facility (77)		P		P	P				
Transitional housing facilities (79)	P	P	P	P	P	P			
Permanent supportive housing (79)	P	P	P	P	P	P			
Emergency housing (80)	P, C	P, C	P, C	P, C	P, C	P, C			
Emergency shelters – Indoor (80)	P, C	P, C	P, C	P, C	P, C	P, C			
Accessory Uses:									
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	P9	P9		
Temporary Lodging:									
Hotel/motel	P	P	P	P	P	P75			
Bed and breakfast guesthouse (1)									
Bed and breakfast inn (1)	P	P	P	P					
Recreation/Cultural Land Uses									
Park/Recreation:									
Park	P11	P	P	P	P	P	P	P11	P
Marina							P	C	P
Dock and boathouse, private, noncommercial							P	P16	P
Recreational vehicle park				C12		C12		C	P
Boat launch, commercial or public							P		P

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Boat launch, noncommercial or private							P	P17	P
Community center	P	P	P	P	P	P	P	P	P
Amusement/Entertainment:									
Theater		P	P	P	P				
Theater, drive-in				C					
Amusement and recreation services		P18	P18	P18	P19	P	C		
Sports club	P	P	P	P	P	P	P		
Golf facility (13)		P	P	P		P	P	C	
Shooting range (14)				P15		P15			
Outdoor performance center				C		C		C	C
Riding academy						P		C	
Cultural:									
Library, museum and art gallery	P	P	P	P	P	P	P	C	P
Church, synagogue and temple	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		
Dry cleaning plant		P	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	P76	P		
Cemetery, columbarium or mausoleum	P24	P24	P24	P24, C20		P	P		
Day care I	P70	P70	P70	P70	P70	P21, 70	P70	P70	P70
Day care II	P	P	P	P	P	P21			
Veterinary clinic	P	P	P	P	P	P76	P		
Automotive repair and service	P22	C, P28	C, P28	P		P	P		
Electric vehicle (EV) charging station (64)	P	P	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	P	P	P67	P	P		
EV battery exchange station				P		P	P		
Miscellaneous repair		P	P	P		P	P		
Social services		P	P	P	P				P
Kennel, commercial and exhibitor/breeding (71)		P	P	P		P	P		

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Pet daycare (71), (72)		P	P	P	P	P76	P		
Civic, social and fraternal association		P	P	P	C		P		P
Club (community, country, yacht, etc.)							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
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	P	C	P	P		P
Private storm water management facility	P	P	P	P	P	P	P		P
Public storm water management facility	P	P	P	P	P	P	P		P
Business Services:									
Contractors' office and storage yard				P30	P30	P	P		
Interim recycling facility		P23	P23	P23		P			P
Taxi stands		P	P	P		P	P		
Trucking and courier service		P31	P31	P31		P	P		
Warehousing and wholesale trade				P		P	P		
Mini-storage (36)		C78		C78		P76	P		
Freight and cargo service				P		P	P		
Cold storage warehousing						P	P		
General business service and office	P	P	P	P	P30	P	P		
Commercial vehicle storage						P	P		
Professional office	P	P	P	P	P	P			

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Miscellaneous equipment rental		P30, 37	P30, 37	C38	P30, 37	P	P		
Automotive rental and leasing				P		P	P		
Automotive parking	P	P	P	P	P	P	P		
Research, development and testing				P		P	P		
Heavy equipment and truck repair						P	P		
Automobile holding yard				C		P	P		
Commercial/industrial accessory uses (73)	P39, 40	P39	P39	P39	P39, 40	P	P		
Adult facility							P33		
Factory-built commercial building (35)	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
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		P			
Department and variety stores	P	P	P	P	P	P76			
Food stores	P	P	P	P	P45	P76			
Agricultural crop sales		P	P	P	C	P76			
Storage/retail sales, livestock feed						P76	P		
Motor vehicle and boat dealers		P	P	P		P	P		
Motorcycle dealers		C	C	P		P	P		
Gasoline service stations	P	P	P	P		P76	P		
Eating and drinking places	P41	P	P	P	P46	P46	P		
Drugstores	P	P	P	P	P	P76	P		
Liquor stores		P	P	P					
Used goods: antiques/secondhand shops		P	P	P	P				
Sporting goods and related stores		P	P	P	P				
Book, stationery, video and art supply stores	P	P	P	P	P				
Jewelry stores		P	P	P	P				

Specific Land Use	NB	CB	CB- WR	GC	MU (63)	LI	GI	REC	P/I
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		
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	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, 76	P44		
Automobile wrecking yards						C	P		
Manufacturing Land Uses									
Food and kindred products		P50, 52	P50, 52	P50		P50	P		
Winery/brewery		P53	P53	P	P53	P	P		
Textile mill products						P	P		
Apparel and other textile products				C		P	P		
Wood products, except furniture				P		P	P		
Furniture and fixtures				P		P	P		
Paper and allied products						P	P		
Printing and publishing	P51	P51	P51	P	P51	P	P		
Chemicals and allied products						C	C		
Petroleum refining and related industries						C	C		
Rubber and misc. plastics products						P	P		
Leather and leather goods						C	C		
Stone, clay, glass and concrete products						P	P		
Primary metal industries						C	P		
Fabricated metal products				C		P	P		
Industrial and commercial machinery						C	P		
Heavy machinery and equipment						C	P		
Computer and office equipment				C		P			
Electronic and other electric equipment				C		P			
Railroad equipment						C	P		

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Miscellaneous light manufacturing				P54, 74		P	P		
Motor vehicle and bicycle manufacturing						C	P		
Aircraft, ship and boat building						C	P		
Tire retreading						C	P		
Movie production/distribution				P		P			
Resource Land Uses									
Agriculture:									
Growing and harvesting crops						P	P	P	
Raising livestock and small animals						P	P	P	
Greenhouse or nursery, wholesale and retail				P		P	P	C	
Farm product processing						P	P		
Forestry:									
Growing and harvesting forest products						P			
Forest research						P			
Wood waste recycling and storage						C	C		
Fish and Wildlife Management:									
Hatchery/fish preserve (55)						P	P	C	
Aquaculture (55)						P	P	C	
Wildlife shelters	C	C	C					P	
Mineral:									
Processing of minerals						P	P		
Asphalt paving mixtures and block						P	P		
Regional Land Uses									
Jail		C	C	C		C			
Regional storm water management facility		C	C	C		C	C		P
Public agency animal control facility				C		P	P		C
Public agency training facility		C56	C56	C56	C56	C57			C57
Nonhydroelectric generation facility	C	C	C	C		C	C		C
Energy resource recovery facility						C			
Soil recycling/incineration facility						C	C		
Solid waste recycling							C		C
Transfer station						C	C		C
Wastewater treatment facility						C	C		C
Transit bus base				C		P			C

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Transit park and pool lot	P	P	P	P	P	P	P		P
Transit park and ride lot	P	P	P	P	P	P	P		C
School bus base	C	C	C	C		P			C58
Racetrack	C59	C59	C59	C		P			
Fairground						P	P		C
Zoo/wildlife exhibit		C	C	C					C
Stadium/arena				C		C	P		C
College/university	C	P	P	P	P	P	P		C
Secure community transition facility							C60		
Opiate substitution treatment program facilities		P61, 62	P61, 62	P61, 62		P62	P62		

(Ord. 3205 § 5, 2022; Ord. 3196 § 3 (Exh. A), 2021; Ord. 3193 § 14, 2021; Ord. 3180 § 2 (Exh. A), 2021; Ord. 3164 § 6, 2020; Ord. 3159 § 3, 2020; Ord. 3137 § 3 (Exh. B), 2019; Ord. 3086 § 1, 2018; Ord. 3085 § 3, 2018; Ord. 3071 § 4, 2017; Ord. 3057 § 6, 2017*; Ord. 3054 § 12, 2017; Ord. 3022 § 9, 2016; Ord. 2985 § 5, 2015; Ord. 2981 § 1, 2015; Ord. 2980 § 1, 2015; Ord. 2959 § 7, 2014; Ord. 2932 § 3, 2013; Ord. 2898 § 9, 2012; Ord. 2852 § 10 (Exh. A), 2011).

* Code reviser’s note: Ord. 3057 amends this section without taking into account the amendments of Ord. 3054. The amendments of Ord. 3054 have been retained per the intent of the city.

22C.020.070 Permitted uses – Development conditions. + SHARE

(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) Reserved.

(7) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.

(8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.

(9) Permitted in a legal nonconforming or conforming residential structure.

(10) Subject to Chapter [22C.220](#) MMC, Master Planned Senior Communities.

(11) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise, a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(12) Recreational vehicle parks are subject to the requirements and conditions of Chapter [22C.240](#) MMC.

(13) Golf Facility.

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(14) Shooting Range.

(a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;

(b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and

(c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.

(15) Only in an enclosed building.

(16) Dock and Boathouse, Private, Noncommercial.

(a) The height of any covered overwater structure shall not exceed 20 feet as measured from the line of ordinary high water;

(b) The total roof area of covered, overwater structures shall not exceed 1,000 square feet;

(c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;

(d) No overwater structure shall extend beyond the average length of all preexisting over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;

(e) Structures permitted hereunder shall not be used as a dwelling; and

(f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.

(17) Boat Launch, Noncommercial or Private.

(a) The city may regulate, among other factors, required launching depth, and length of docks and piers;

(b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and

(c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which they are 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) Reserved.
- (50) Except slaughterhouses.
- (51) Limited to photocopying and printing services offered to the general public.
- (52) Limited to less than 10 employees.
- (53) In conjunction with an eating and drinking establishment.
- (54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
- (55) May be further subject to the provisions of city of Marysville shoreline management program.

- (56) Except weapons armories and outdoor shooting ranges.
- (57) Except outdoor shooting ranges.
- (58) Only in conjunction with an existing or proposed school.
- (59) Except racing of motorized vehicles.
- (60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00) and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.
- (61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter [22G.070](#) MMC, Siting Process for Essential Public Facilities.
- (62) Opiate substitution treatment program facilities, as defined in MMC [22A.020.160](#), are subject to the standards set forth below:
- (a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child care facility, or actual place of regular worship established prior to the proposed treatment facility.
 - (b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.
 - (c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.
- (63) Permitted uses include Whiskey Ridge zones.
- (64) Level 1 and Level 2 charging only.
- (65) The term “rapid” is used interchangeably with Level 3 and fast charging.
- (66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC [22C.020.265](#).
- (67) Rapid (Level 3) charging stations are required to be placed within a parking garage.
- (68) Excepting “marijuana (cannabis) dispensaries,” “marijuana (cannabis) collective gardens,” and “marijuana cooperatives” as those terms are defined or described in this code and/or under state law; such facilities and/or uses are prohibited in all zoning districts of the city of Marysville.
- (69) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within commercial,

industrial, recreation, and public institution zones in the city. Provided, activities in strict compliance with RCW [69.51A.210](#) and [69.51A.260](#) are not a violation of the Marysville Municipal Code.

(70) Permitted within existing legal nonconforming single-family residences.

(71) Subject to the requirements set forth in MMC [10.04.460](#).

(72) Pet daycares are restricted to indoor facilities with limited, supervised access to an outdoor fenced yard. Overnight boarding may be permitted as a limited, incidental use. Both outdoor access and overnight boarding privileges may be revoked or modified if the facility is not able to comply with the noise standards set forth in WAC [173-60-040](#).

(73) Shipping/cargo and similar storage containers may be installed on commercial or industrial properties provided they are screened from public view pursuant to MMC [22C.120.160](#), Screening and impact abatement.

(74) Tanks, generators, and other machinery which does not generate nuisance noise may be located in the service/loading area. Truck service/loading areas shall not face the public street and shall be screened from the public street.

(75) Hotels/motels are prohibited within Arlington Airport Inner Safety Zones (ISZ) 2, 3, and 4. Hotels/motels that are proposed to locate within Arlington Airport Protection Subdistricts B and C shall be required to coordinate with the Arlington Municipal Airport to ensure that height, glare, and other aspects of the hotels/motels are compatible with air traffic and airport operations.

(76) Use limited to properties that have property frontage along State Avenue/Smokey Point Boulevard.

(77) Enhanced services facilities (ESFs) are permitted when the building is located within the area depicted in MMC [22C.280.050](#), Figure 1. In the GC and CB zones, ESFs shall be located in a building in which the ESF is located above a permitted ground floor commercial use. See Chapter [22C.280](#) MMC for enhanced services facility regulations.

(78) Mini-storage facilities may be allowed in the CB and GC zones as a conditional use on property located east of Interstate 5, north of 100th Street, and west of 47th Avenue NE, subject to the following conditions:

(a) The property does not have direct frontage on an arterial street.

(b) Vehicular access to the property is limited by physical constraints, such as railroad tracks, proximity to congested public street intersections where turning movements are restricted, or other physical barriers that limit convenient vehicular access for higher-traffic-generating uses such as retail or office.

(c) Buildings shall be located a minimum of 150 feet from the nearest arterial street or interstate highway right-of-way.

(79) An operations plan, to mitigate potential impacts on the surrounding community, must be provided by the sponsor and/or property owner at the time of application. The operations plan must address the following elements to the satisfaction of the city:

- (a) Name and contact information for key staff;
- (b) Roles and responsibilities of key staff;
- (c) Site/facility management, including a security and emergency plan;
- (d) Site/facility maintenance;
- (e) Occupancy policies, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;
- (f) Provision of human and social services, including staffing plan and outcome measures;
- (g) Outreach with surrounding property owners and residents and ongoing good neighbor policy;
- (h) Procedures for maintaining accurate and complete records; and
- (i) Additional information as requested by the community development director to ensure current best practices for permanent supportive housing and transitional housing facilities are used.

(80) All facilities are subject to the regulations set forth in Chapter [22C.290](#) MMC, Emergency Housing and Shelters. Facilities with 30 or more residents require a conditional use permit. (Ord. 3205 § 6, 2022; Ord. 3196 § 3 (Exh. A), 2021; Ord. 3193 § 15, 2021; Ord. 3180 § 2 (Exh. A), 2021; Ord. 3164 § 7, 2020; Ord. 3159 § 4, 2020; Ord. 3137 § 3 (Exh. B), 2019; Ord. 3086 § 2, 2018; Ord. 3054 § 13, 2017; Ord. 3022 § 10, 2016; Ord. 2985 § 6, 2015; Ord. 2981 § 2, 2015; Ord. 2979 § 4, 2014; Ord. 2959 § 8, 2014; Ord. 2932 § 4, 2013; Ord. 2898 § 10, 2012; Ord. 2852 § 10 (Exh. A), 2011).

22C.020.080 Densities and dimensions.

(1) Interpretation of Tables.

(a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC [22C.020.090](#).

(b) The density and dimension table is arranged in a matrix format and is delineated into the commercial, industrial, recreation and public institutional use categories.

(c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote set forth in MMC [22C.020.090](#).

(2) General Densities and Dimension Standards.

Standards	NB	CB	GC	MU (12)	LI	GI	BP	REC	P/I	WR-MU (15)	WR-CB (15)
Base density: Dwelling unit/acre	None (18)	12	12	28 (1)	0	0	0	0	0	12	0
Maximum density: Dwelling unit/acre	None (18)	None (13)	None (13)	28	0	0	0	0	0	18 (13)	0
Minimum street setback (3)	20 feet	None (7)	None (7)	None (7, 8)	None (7)	None (7)	None (7)	20 feet	None (7, 8)	None (7, 8, 14)	None (7, 14)
Minimum interior setback	10 feet (side) 20 feet (rear)	None (4)	None (4)	None (9)	None (4) 50 feet (5)	None (4) 50 feet (5)	None (4)	None (4)	None (4)	5 feet (9, 16, 17)	None (4)
Base height (6)	25 feet	55 feet	35 feet	45 feet	65 feet	65 feet	45 feet	35 feet	45 feet	45 feet	55 feet
Maximum impervious surface: Percentage	75%	85%	85%	85%, 75% (11)	85%	85%	75%	35%	75%	85%, 75% (11)	85%

(Ord. 3193 § 16, 2021; Ord. 3159 § 5, 2020; Ord. 3107 § 3, 2018; Ord. 2852 § 10 (Exh. A), 2011)

**ALTERNATIVE 2:
REMOVE MULTIFAMILY USES AS A PERMITTED USE IN CB ZONE**

22C.020.030 Characteristics of commercial, industrial, recreation and public institutional zones.

(1) Neighborhood Business Zone.

(a) The purpose of the neighborhood business zone (NB) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties. These purposes are accomplished by:

- (i) Limiting nonresidential uses to those retail or personal services which can serve the everyday needs of a surrounding residential area;
- (ii) Allowing for a mix of housing and retail/service uses; and
- (iii) Excluding industrial and community/regional business-scaled uses.

(b) Use of this zone is appropriate in neighborhood centers designated by the comprehensive plan which are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

(2) Community Business and Community Business – Whiskey Ridge Zones.

(a) The purpose of the community business (CB) and community business – Whiskey Ridge (CB-WR) zones is to provide convenience and comparison retail and personal services for local service areas which exceed the daily convenience needs of adjacent neighborhoods but which cannot be served conveniently by larger activity centers, and to provide retail and personal services in locations within activity centers that are not appropriate for extensive outdoor storage or auto-related and industrial uses. These purposes are accomplished by:

- (i) Providing for limited small-scale offices as well as a wider range of the retail, professional, governmental and personal services than are found in neighborhood business areas;
- (ii) Allowing for a mix of ~~housing and~~ retail/ and service uses; ~~provided, that housing is not allowed in the community business—Whiskey Ridge zone~~; and
- (iii) Excluding commercial uses with extensive outdoor storage or fabrication and industrial uses.

(b) Use of this zone is appropriate in community business areas that are designated by the comprehensive plan and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services.

22C.020.060 Permitted uses.

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Residential Land Uses									
Dwelling Units, Types:									
Townhouse					P				
Multiple-family	C4	P4, C5		P4, C5	P				
Mobile home	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
Group Residences:									
Adult family home (70)	P	P	P	P	P				P
Convalescent, nursing, retirement	C	P			P				P
Residential care facility	P	P			P	P70	P70	P70	P
Master planned senior community (10)					C				C
Enhanced services facility (77)		P		P	P				
Transitional housing facilities (79)	P	P	P	P	P	P			
Permanent supportive housing (79)	P	P	P	P	P	P			
Emergency housing (80)	P, C	P, C	P, C	P, C	P, C	P, C			
Emergency shelters – Indoor (80)	P, C	P, C	P, C	P, C	P, C	P, C			
Accessory Uses:									
Home occupation (2)	P8	P8, P9	P8, P9	P8, P9	P8, P9	P9	P9		
Temporary Lodging:									
Hotel/motel	P	P	P	P	P	P75			
Bed and breakfast guesthouse (1)									
Bed and breakfast inn (1)	P	P	P	P					
Recreation/Cultural Land Uses									
Park/Recreation:									
Park	P11	P	P	P	P	P	P	P11	P
Marina							P	C	P
Dock and boathouse, private, noncommercial							P	P16	P
Recreational vehicle park				C12		C12		C	P

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Boat launch, commercial or public							P		P
Boat launch, noncommercial or private							P	P17	P
Community center	P	P	P	P	P	P	P	P	P
Amusement/Entertainment:									
Theater		P	P	P	P				
Theater, drive-in				C					
Amusement and recreation services		P18	P18	P18	P19	P	C		
Sports club	P	P	P	P	P	P	P		
Golf facility (13)		P	P	P		P	P	C	
Shooting range (14)				P15		P15			
Outdoor performance center				C		C		C	C
Riding academy						P		C	
Cultural:									
Library, museum and art gallery	P	P	P	P	P	P	P	C	P
Church, synagogue and temple	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		
Dry cleaning plant		P	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	P76	P		
Cemetery, columbarium or mausoleum	P24	P24	P24	P24, C20		P	P		
Day care I	P70	P70	P70	P70	P70	P21, 70	P70	P70	P70
Day care II	P	P	P	P	P	P21			
Veterinary clinic	P	P	P	P	P	P76	P		
Automotive repair and service	P22	C, P28	C, P28	P		P	P		
Electric vehicle (EV) charging station (64)	P	P	P	P	P	P	P	P	P
EV rapid charging station (65), (66)	P	P	P	P	P67	P	P		
EV battery exchange station				P		P	P		
Miscellaneous repair		P	P	P		P	P		
Social services		P	P	P	P				P

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Kennel, commercial and exhibitor/breeding (71)		P	P	P		P	P		
Pet daycare (71), (72)		P	P	P	P	P76	P		
Civic, social and fraternal association		P	P	P	C		P		P
Club (community, country, yacht, etc.)							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
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	P	C	P	P		P
Private storm water management facility	P	P	P	P	P	P	P		P
Public storm water management facility	P	P	P	P	P	P	P		P
Business Services:									
Contractors' office and storage yard				P30	P30	P	P		
Interim recycling facility		P23	P23	P23		P			P
Taxi stands		P	P	P		P	P		
Trucking and courier service		P31	P31	P31		P	P		
Warehousing and wholesale trade				P		P	P		
Mini-storage (36)		C78		C78		P76	P		
Freight and cargo service				P		P	P		
Cold storage warehousing						P	P		
General business service and office	P	P	P	P	P30	P	P		
Commercial vehicle storage						P	P		

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Professional office	P	P	P	P	P	P			
Miscellaneous equipment rental		P30, 37	P30, 37	C38	P30, 37	P	P		
Automotive rental and leasing				P		P	P		
Automotive parking	P	P	P	P	P	P	P		
Research, development and testing				P		P	P		
Heavy equipment and truck repair						P	P		
Automobile holding yard				C		P	P		
Commercial/industrial accessory uses (73)	P39, 40	P39	P39	P39	P39, 40	P	P		
Adult facility							P33		
Factory-built commercial building (35)	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
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		P			
Department and variety stores	P	P	P	P	P	P76			
Food stores	P	P	P	P	P45	P76			
Agricultural crop sales		P	P	P	C	P76			
Storage/retail sales, livestock feed						P76	P		
Motor vehicle and boat dealers		P	P	P		P	P		
Motorcycle dealers		C	C	P		P	P		
Gasoline service stations	P	P	P	P		P76	P		
Eating and drinking places	P41	P	P	P	P46	P46	P		
Drugstores	P	P	P	P	P	P76	P		
Liquor stores		P	P	P					
Used goods: antiques/secondhand shops		P	P	P	P				
Sporting goods and related stores		P	P	P	P				
Book, stationery, video and art supply stores	P	P	P	P	P				

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
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		
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	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, 76	P44		
Automobile wrecking yards						C	P		
Manufacturing Land Uses									
Food and kindred products		P50, 52	P50, 52	P50		P50	P		
Winery/brewery		P53	P53	P	P53	P	P		
Textile mill products						P	P		
Apparel and other textile products				C		P	P		
Wood products, except furniture				P		P	P		
Furniture and fixtures				P		P	P		
Paper and allied products						P	P		
Printing and publishing	P51	P51	P51	P	P51	P	P		
Chemicals and allied products						C	C		
Petroleum refining and related industries						C	C		
Rubber and misc. plastics products						P	P		
Leather and leather goods						C	C		
Stone, clay, glass and concrete products						P	P		
Primary metal industries						C	P		
Fabricated metal products				C		P	P		
Industrial and commercial machinery						C	P		
Heavy machinery and equipment						C	P		
Computer and office equipment				C		P			
Electronic and other electric equipment				C		P			

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Railroad equipment						C	P		
Miscellaneous light manufacturing				P54, 74		P	P		
Motor vehicle and bicycle manufacturing						C	P		
Aircraft, ship and boat building						C	P		
Tire retreading						C	P		
Movie production/distribution				P		P			
Resource Land Uses									
Agriculture:									
Growing and harvesting crops						P	P	P	
Raising livestock and small animals						P	P	P	
Greenhouse or nursery, wholesale and retail				P		P	P	C	
Farm product processing						P	P		
Forestry:									
Growing and harvesting forest products						P			
Forest research						P			
Wood waste recycling and storage						C	C		
Fish and Wildlife Management:									
Hatchery/fish preserve (55)						P	P	C	
Aquaculture (55)						P	P	C	
Wildlife shelters	C	C	C					P	
Mineral:									
Processing of minerals						P	P		
Asphalt paving mixtures and block						P	P		
Regional Land Uses									
Jail		C	C	C		C			
Regional storm water management facility		C	C	C		C	C		P
Public agency animal control facility				C		P	P		C
Public agency training facility		C56	C56	C56	C56	C57			C57
Nonhydroelectric generation facility	C	C	C	C		C	C		C
Energy resource recovery facility						C			
Soil recycling/incineration facility						C	C		
Solid waste recycling							C		C
Transfer station						C	C		C
Wastewater treatment facility						C	C		C

Specific Land Use	NB	CB	CB-WR	GC	MU (63)	LI	GI	REC	P/I
Transit bus base				C		P			C
Transit park and pool lot	P	P	P	P	P	P	P		P
Transit park and ride lot	P	P	P	P	P	P	P		C
School bus base	C	C	C	C		P			C58
Racetrack	C59	C59	C59	C		P			
Fairground						P	P		C
Zoo/wildlife exhibit		C	C	C					C
Stadium/arena				C		C	P		C
College/university	C	P	P	P	P	P	P		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) Reserved.

(7) Mobile homes are only allowed in existing mobile home parks established prior to October 16, 2006.

(8) Home occupations are limited to home office uses in multifamily dwellings. No signage is permitted in townhouse or multifamily dwellings.

(9) Permitted in a legal nonconforming or conforming residential structure.

(10) Subject to Chapter [22C.220](#) MMC, Master Planned Senior Communities.

(11) The following conditions and limitations shall apply, where appropriate:

(a) Parks are permitted in residential and mixed use zones when reviewed as part of a subdivision or multiple-family development proposal; otherwise, a conditional use permit is required;

(b) Lighting for structures and fields shall be directed away from residential areas; and

(c) Structures or service yards shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(12) Recreational vehicle parks are subject to the requirements and conditions of Chapter [22C.240](#) MMC.

(13) Golf Facility.

(a) Structures, driving ranges and lighted areas shall maintain a minimum distance of 50 feet from property lines adjoining residential zones.

(b) Restaurants are permitted as an accessory use to a golf course.

(14) Shooting Range.

(a) Structures and ranges shall maintain a minimum distance of 50 feet from property lines adjoining residential zones;

(b) Ranges shall be designed to prevent stray or ricocheting projectiles or pellets from leaving the property; and

(c) Site plans shall include safety features of the range; provisions for reducing noise produced on the firing line; and elevations of the range showing target area, backdrops or butts.

(15) Only in an enclosed building.

(16) Dock and Boathouse, Private, Noncommercial.

(a) The height of any covered overwater structure shall not exceed 20 feet as measured from the line of ordinary high water;

(b) The total roof area of covered, overwater structures shall not exceed 1,000 square feet;

(c) The entirety of such structures shall have not greater than 50 percent of the width of the lot at the natural shoreline upon which it is located;

(d) No overwater structure shall extend beyond the average length of all preexisting over-water structures along the same shoreline and within 300 feet of the parcel on which proposed. Where no such preexisting structures exist within 300 feet, the pier length shall not exceed 50 feet;

(e) Structures permitted hereunder shall not be used as a dwelling; and

(f) Covered structures are subject to a minimum setback of five feet from any side lot line or extension thereof. No setback from adjacent properties is required for any uncovered structure, and no setback from water is required for any structure permitted hereunder.

(17) Boat Launch, Noncommercial or Private.

(a) The city may regulate, among other factors, required launching depth, and length of docks and piers;

(b) Safety buoys shall be installed and maintained separating boating activities from other water-oriented recreation and uses where this is reasonably required for public safety, welfare and health; and

(c) All site improvements for boat launch facilities shall comply with all other requirements of the zone in which they are 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) Reserved.
- (50) Except slaughterhouses.
- (51) Limited to photocopying and printing services offered to the general public.
- (52) Limited to less than 10 employees.
- (53) In conjunction with an eating and drinking establishment.
- (54) Provided there is no outdoor storage and/or display of any materials, products or vehicles.
- (55) May be further subject to the provisions of city of Marysville shoreline management program.
- (56) Except weapons armories and outdoor shooting ranges.
- (57) Except outdoor shooting ranges.
- (58) Only in conjunction with an existing or proposed school.
- (59) Except racing of motorized vehicles.
- (60) Limited to land located along east side of 47th Avenue NE alignment, in the east half of the northeast quarter of Section 33, Township 30N, Range 5E, W.M., and in the northeast quarter of the southeast quarter of Section 33, Township 30N, Range 5E, W.M., and land located east side of SR 529, north of Steamboat Slough, south and west of Ebey Slough (a.k.a. TP No. 300533-002-004-00)

and in the northwest and southwest quarters of Section 33, Township 30N, Range 5E, W.M., as identified in Exhibit A, attached to Ordinance No. 2452.

(61) Opiate substitution treatment program facilities permitted within commercial zones are subject to Chapter [22G.070](#) MMC, Siting Process for Essential Public Facilities.

(62) Opiate substitution treatment program facilities, as defined in MMC [22A.020.160](#), are subject to the standards set forth below:

(a) Shall not be established within 300 feet of an existing school, public playground, public park, residential housing area, child care facility, or actual place of regular worship established prior to the proposed treatment facility.

(b) Hours of operation shall be restricted to no earlier than 6:00 a.m. and no later than 7:00 p.m. daily.

(c) The owners and operators of the facility shall be required to take positive ongoing measures to preclude loitering in the vicinity of the facility.

(63) Permitted uses include Whiskey Ridge zones.

(64) Level 1 and Level 2 charging only.

(65) The term “rapid” is used interchangeably with Level 3 and fast charging.

(66) Rapid (Level 3) charging stations are required to comply with the design and landscaping standards outlined in MMC [22C.020.265](#).

(67) Rapid (Level 3) charging stations are required to be placed within a parking garage.

(68) Excepting “marijuana (cannabis) dispensaries,” “marijuana (cannabis) collective gardens,” and “marijuana cooperatives” as those terms are defined or described in this code and/or under state law; such facilities and/or uses are prohibited in all zoning districts of the city of Marysville.

(69) No person or entity may produce, grow, manufacture, process, accept donations for, give away, or sell marijuana concentrates, marijuana-infused products, or usable marijuana within commercial, industrial, recreation, and public institution zones in the city. Provided, activities in strict compliance with RCW [69.51A.210](#) and [69.51A.260](#) are not a violation of the Marysville Municipal Code.

(70) Permitted within existing legal nonconforming single-family residences.

(71) Subject to the requirements set forth in MMC [10.04.460](#).

(72) Pet daycares are restricted to indoor facilities with limited, supervised access to an outdoor fenced yard. Overnight boarding may be permitted as a limited, incidental use. Both outdoor access and overnight boarding privileges may be revoked or modified if the facility is not able to comply with the noise standards set forth in WAC [173-60-040](#).

(73) Shipping/cargo and similar storage containers may be installed on commercial or industrial properties provided they are screened from public view pursuant to MMC [22C.120.160](#), Screening and impact abatement.

(74) Tanks, generators, and other machinery which does not generate nuisance noise may be located in the service/loading area. Truck service/loading areas shall not face the public street and shall be screened from the public street.

(75) Hotels/motels are prohibited within Arlington Airport Inner Safety Zones (ISZ) 2, 3, and 4. Hotels/motels that are proposed to locate within Arlington Airport Protection Subdistricts B and C shall be required to coordinate with the Arlington Municipal Airport to ensure that height, glare, and other aspects of the hotels/motels are compatible with air traffic and airport operations.

(76) Use limited to properties that have property frontage along State Avenue/Smokey Point Boulevard.

(77) Enhanced services facilities (ESFs) are permitted when the building is located within the area depicted in MMC [22C.280.050](#), Figure 1. In the GC and CB zones, ESFs shall be located in a building in which the ESF is located above a permitted ground floor commercial use. See Chapter [22C.280](#) MMC for enhanced services facility regulations.

(78) Mini-storage facilities may be allowed in the CB and GC zones as a conditional use on property located east of Interstate 5, north of 100th Street, and west of 47th Avenue NE, subject to the following conditions:

(a) The property does not have direct frontage on an arterial street.

(b) Vehicular access to the property is limited by physical constraints, such as railroad tracks, proximity to congested public street intersections where turning movements are restricted, or other physical barriers that limit convenient vehicular access for higher-traffic-generating uses such as retail or office.

(c) Buildings shall be located a minimum of 150 feet from the nearest arterial street or interstate highway right-of-way.

(79) An operations plan, to mitigate potential impacts on the surrounding community, must be provided by the sponsor and/or property owner at the time of application. The operations plan must address the following elements to the satisfaction of the city:

(a) Name and contact information for key staff;

(b) Roles and responsibilities of key staff;

(c) Site/facility management, including a security and emergency plan;

(d) Site/facility maintenance;

(e) Occupancy policies, including resident responsibilities and a code of conduct that address, at a minimum, the use or sale of alcohol and illegal drugs, threatening or unsafe behavior, and weapon possession;

- (f) Provision of human and social services, including staffing plan and outcome measures;
- (g) Outreach with surrounding property owners and residents and ongoing good neighbor policy;
- (h) Procedures for maintaining accurate and complete records; and
- (i) Additional information as requested by the community development director to ensure current best practices for permanent supportive housing and transitional housing facilities are used.

(80) All facilities are subject to the regulations set forth in Chapter [22C.290](#) MMC, Emergency Housing and Shelters. Facilities with 30 or more residents require a conditional use permit.

22C.020.080 Densities and dimensions.

(1) Interpretation of Tables.

(a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC [22C.020.090](#).

(b) The density and dimension table is arranged in a matrix format and is delineated into the commercial, industrial, recreation and public institutional use categories.

(c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote set forth in MMC [22C.020.090](#).

(2) General Densities and Dimension Standards.

Standards	NB	CB	GC	MU (12)	LI	GI	BP	REC	P/I	WR-MU (15)	WR-CB (15)
Base density: Dwelling unit/acre	None (18)	0 12	12	28 (1)	0	0	0	0	0	12	0
Maximum density: Dwelling unit/acre	None (18)	0 None (13)	None (13)	28	0	0	0	0	0	18 (13)	0
Minimum street setback (3)	20 feet	None (7)	None (7)	None (7, 8)	None (7)	None (7)	None (7)	20 feet	None (7, 8)	None (7, 8, 14)	None (7, 14)
Minimum interior setback	10 feet (side) 20 feet (rear)	None (4)	None (4)	None (9)	None (4) 50 feet (5)	None (4) 50 feet (5)	None (4)	None (4)	None (4)	5 feet (9, 16, 17)	None (4)

Standards	NB	CB	GC	MU (12)	LI	GI	BP	REC	P/I	WR-MU (15)	WR-CB (15)
Base height (6)	25 feet	55 feet	35 feet	45 feet	65 feet	65 feet	45 feet	35 feet	45 feet	45 feet	55 feet
Maximum impervious surface: Percentage	75%	85%	85%	85%, 75% (11)	85%	85%	75%	35%	75%	85%, 75% (11)	85%

ALTERNATIVE 3:**REDUCE THE PERMITTED MULTIFAMILY DENSITY IN THE CB ZONE****22C.020.080 Densities and dimensions.**

(1) Interpretation of Tables.

(a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC [22C.020.090](#).

(b) The density and dimension table is arranged in a matrix format and is delineated into the commercial, industrial, recreation and public institutional use categories.

(c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote set forth in MMC [22C.020.090](#).

(2) General Densities and Dimension Standards.

Standards	NB	CB	GC	MU (12)	LI	GI	BP	REC	P/I	WR-MU (15)	WR-CB (15)
Base density: Dwelling unit/acre	None (18)	12	12	28 (1)	0	0	0	0	0	12	0
Maximum density: Dwelling unit/acre	None (18)	12 None (13)	None (13)	28	0	0	0	0	0	18 (13)	0
Minimum street setback (3)	20 feet	None (7)	None (7)	None (7, 8)	None (7)	None (7)	None (7)	20 feet	None (7, 8)	None (7, 8, 14)	None (7, 14)
Minimum interior setback	10 feet (side) 20 feet (rear)	None (4)	None (4)	None (9)	None (4) 50 feet (5)	None (4) 50 feet (5)	None (4)	None (4)	None (4)	5 feet (9, 16, 17)	None (4)
Base height (6)	25 feet	55 feet	35 feet	45 feet	65 feet	65 feet	45 feet	35 feet	45 feet	45 feet	55 feet
Maximum impervious surface: Percentage	75%	85%	85%	85%, 75% (11)	85%	85%	75%	35%	75%	85%, 75% (11)	85%

**ALTERNATIVE 4:
REDUCE THE MAX HEIGHT OF MIXED USE BUILDINGS IN THE CB ZONE**

22C.020.080 Densities and dimensions.

(1) Interpretation of Tables.

(a) Subsection (2) of this section contains general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules and exceptions, and methodology, are set forth in MMC [22C.020.090](#).

(b) The density and dimension table is arranged in a matrix format and is delineated into the commercial, industrial, recreation and public institutional use categories.

(c) Development standards are listed down the left side of the table, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote set forth in MMC [22C.020.090](#).

(2) General Densities and Dimension Standards.

Standards	NB	CB	GC	MU (12)	LI	GI	BP	REC	P/I	WR-MU (15)	WR-CB (15)
Base density: Dwelling unit/acre	None (18)	12	12	28 (1)	0	0	0	0	0	12	0
Maximum density: Dwelling unit/acre	None (18)	None (13)	None (13)	28	0	0	0	0	0	18 (13)	0
Minimum street setback (3)	20 feet	None (7)	None (7)	None (7, 8)	None (7)	None (7)	None (7)	20 feet	None (7, 8)	None (7, 8, 14)	None (7, 14)
Minimum interior setback	10 feet (side) 20 feet (rear)	None (4)	None (4)	None (9)	None (4) 50 feet (5)	None (4) 50 feet (5)	None (4)	None (4)	None (4)	5 feet (9, 16, 17)	None (4)
Base height (6)	25 feet	55 feet 35 feet (6)(b)	35 feet	45 feet	65 feet	65 feet	45 feet	35 feet	45 feet	45 feet	55 feet
Maximum impervious	75%	85%	85%	85%, 75% (11)	85%	85%	75%	35%	75%	85%, 75% (11)	85%

Standards	NB	CB	GC	MU (12)	LI	GI	BP	REC	P/I	WR-MU (15)	WR-CB (15)
surface: Percentage											

22C.020.090 Densities and dimensions – Development conditions.

- (1) These densities are allowed only through the application of mixed use development standards.
- (2) Reserved.
- (3) Gas station pump islands shall be placed no closer than 25 feet to street front lines. Pump island canopies shall be placed no closer than 15 feet to street front lines.
- (4) A 25-foot setback is required on property lines adjoining residentially designated property.
- (5) A 50-foot setback only required on property lines adjoining residentially designated property for industrial uses established by conditional use permits, otherwise no specific interior setback requirement.
- (6) (a) Height limits may be increased when portions of the structure or building which exceed the base height limit provide one additional foot of street and interior setback beyond the required setback for each foot above the base height limit.
- (b) The base height for buildings in the CB zone containing residential uses is limited to 35 feet. The height limit increase provisions outlined in 6(a) shall not apply.
- (7) Subject to sight distance review at driveways and street intersections.
- (8) A 20-foot setback is required for multiple-family structures.
- (9) A 15-foot setback is required for (a) commercial or multiple-family structures on property lines adjoining single-family residentially designated property, and (b) a rear yard of a multi-story residential structure, otherwise no specific interior setback requirement. Interior setbacks may be reduced where features such as critical area(s) and buffer(s), public/private right-of-way or access easements, or other conditions provide a comparable setback or separation from adjoining uses.
- (10) Reserved.
- (11) The 85 percent impervious surface percentage applies to commercial developments, and the 75 percent rate applies to multiple-family developments.
- (12) Reduced building setbacks and height requirements may be approved on a case-by-case basis to provide flexibility for innovative development plans; provided, that variance requests which are greater than 10 percent of the required setback shall be considered by the hearing examiner.

(13) Subject to the application of the residential density incentive requirements of Chapter [22C.090](#) MMC.

(14) Required landscaping setbacks for developments on the north side of Soper Hill Road are 25 feet from the edge of sidewalk.

(15) Projects with split zoning (two or more distinct land use zones) may propose a site plan to density average or adjust the zone boundaries using topography, access, critical areas, or other site characteristics in order to provide a more effective transition.

(16) Townhome setbacks are reduced to zero on an interior side yard setback where the units have a common wall for zero lot line developments.

(17) Townhome setbacks are reduced to five feet on side yard setbacks, provided the buildings meet a 10-foot separation between structures.

(18) There is no minimum or maximum density for this zone. Residential units are permitted if located above a ground-level commercial use.

Planning Commission



1049 State Avenue
Marysville, WA 98270

**Meeting Minutes
April 12, 2022**

CALL TO ORDER / ROLL CALL

Chair Leifer called the April 12, 2022 Planning Commission meeting to order via Zoom at 6:02 p.m.

Present:

Commissioner: Chair Steve Leifer, Vice Chair Brandon Whitaker, Commissioner Jerry Andes, Commissioner Roger Hoen, Commissioner Sunshine Kapus, Commissioner Kristen Michal

Absent: Commissioner Tom Thetford

Staff: Community Development Director Haylie Miller, Project Specialist Janis Lamoureux

APPROVAL OF MINUTES

March 22 Planning Commission Minutes

Commissioner Andes noted that his title is no longer Vice Chair. Commissioner Whitaker is now the Vice Chair.

Motion made by Vice Chair Whitaker, seconded by Commissioner Kapus, to approve the minutes as corrected.

AYES: ALL

AUDIENCE PARTICIPATION

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

NEW BUSINESS

Code Amendment – Multi-family Residential in the Community Business Zone

Director Miller reviewed a potential code amendment related to the Community Business (CB) Zone. All of the areas zoned CB throughout the City are evenly distributed in little pockets. The original intent of the zone was to primarily be business in nature and provide for commercial uses in these certain areas that are an accessory to the residential neighborhoods next to them. Residential development is very popular right now, and staff has received several requests for high density multifamily development for this area. Some applicants have said they only want residential development and are not interested in having commercial at all.

Staff has provided four alternatives for the Planning Commission to consider for this area:

1. Leave the chapter how it is: Require 100% commercial on the ground level with no limit to residential units on top.
2. Remove all multifamily uses as a permitted use in the CB Zone. This would make it primarily commercial. This has been done in the Whiskey Ridge area.
3. Reduce the multifamily density in the CB zone.
4. Reduce the maximum height in the buildings.

Commissioner Kapus was not in favor of removing the multifamily use but was in favor of a Commercial Use Permit that she has seen in other jurisdictions. She thought that requiring a commercial component was a very old approach. She pointed out how dilapidated a lot of commercial buildings are right now. She wondered about the vacancy rate of the existing commercial in Marysville. Director Miller indicated she could look into that. She acknowledged that there is a high vacancy rate right now, but emphasized they are trying to discern what the long-term vision for the area is. She noted that staff has been told by applicants that requiring 100% on the ground floor would kill their projects.

Vice Chair Whitaker recalled a discussion they had previously about mixed-use capability throughout the City. He noted that commercial can kill projects right now. However, if it is all opened up to high-density residential and remove the commercial, it could potentially impact the long-term operations in Marysville. He thought they had discussed that perhaps the mixed use would not have to be a traditional vertical structure with commercial on the ground and residential on the top. Director Miller clarified that the previous multifamily conversations he was referring to were around the Lakewood area which is a horizontal mixed-use area. The CB zone automatically requires a vertical mixed use.

Commissioner Kapus asked how many units they have missed out on by requiring the commercial. Director Miller thought it was probably a couple hundred units recently. She has told developers that there are other areas that are zoned for multifamily or that could be redeveloped.

Commissioner Hoen referred to a prior comment that the decisions they make about development are 50-year decisions. It seems to him that Highway 9 would actually become more commercial than just a thoroughfare, especially with the expansion of the population. He wondered about a long-term vision for the Highway 9 corridor. Director Miller explained that there are plans for it to be a commercial thoroughfare. The City is starting meetings with the City of Arlington about UGA boundaries. There are pockets of CB zone where Highway 9 intersects with busy roads that are intended to be commercial.

Commissioner Andes thought there should still be some commercial required on the bottom. He believes that sometime in the future we will be needing more commercial. He suggested that the percentage could be something less, like maybe 50 to 80%. Director Miller thought the Council would want 100% commercial on the bottom. However, she suggested that they could consider requiring only 80% commercial on the bottom and maybe the other 20% could be parking for the commercial use. Commissioner Andes thought that maybe there was a happy medium of commercial somewhere in there. Director Miller thought that was a good gesture but noted that her understanding was that any amount of commercial was problematic for developers.

Commercial Michal referred to Whiskey Ridge and noted that saving some areas for commercial or requiring commercial at least provides some services a little closer to the residents. She also noted that by not allowing 100% multifamily in these areas it could encourage development and redevelopment in other areas.

Director Miller clarified that in the long-range Comprehensive Plan they did not assign any theoretical population numbers to the CB zone. Changing anything in this zone will not impact the City's growth targets; the original vision for it was commercial with multifamily uses as a supplement.

Chair Leifer spoke in support of leaving the zone as is. There are still people that want to go into a physical store to do business. He doesn't see anything that is mutually exclusive about having retail on the first floor with many stories of residential above it. He thinks there should be some business required or they need to quit calling it Community Business Zone. He doesn't have a problem with only having only some portion of the ground floor as commercial with parking in the back. He was comfortable with a range of 50-80% commercial required on the ground floor. He referred to the example in the packet and thought that was a positive thing to aim for.

Commissioner Kapus noted that the City of Arlington is allowing the first floor to be built for commercial standards but used as residential rental units until there is a market for commercial. She commented on the challenges that requiring commercial puts on financing. She spoke in support of allowing flexibility in the projects in order to get something there and get housing built for the community. Director Miller wondered what will happen to those units in Arlington once the timer runs out. She thought this might put the City in a bind and did not think the Council would be supportive of going backwards. She explained there was a concern voiced at the Economic Development

Committee meeting that this area, even as written in code, was turning into something that City had not envisioned for this area.

Chair Leifer agreed with Commissioner Kapus not blocking projects because the bar is too high. He wondered if there is a mechanism that could be applied to incentivize more commercial on the first floor. He also commented on the massive transportation changes coming with mass transit and the interchange. Along with that there is a desire to intensify development around the nodes in high traffic areas. It did not make sense to him to eliminate commercial completely. He is in support of leaving the zone as is but possibly changing the ratio of commercial.

Commissioner Andes also spoke in support of option 1.

Vice Chair Whitaker also agreed with option 1.

Commissioner Kapus spoke in support of a Conditional Use Permit or some option to review what the commercial component looks like. She has lived in Maryville a long time and doesn't think COVID is the reason these buildings are vacant.

Commissioner Michal spoke in support of leaving the code as it is, option 1. She asked why these sites are more attractive than what is currently existing in multifamily zone sites. Director Miller replied that the sites are flat and some have better visibility, but generally developers just want to build multifamily even on sites that are more difficult. Regarding parking, she added that there is discretion built into the code already for unique situations.

Commissioner Hoen spoke in support of option 1.

The majority of the Commission was in support of option 1, leaving the code as it is. Director Miller indicated she would check with staff to see if this needs to go to Council if it a change isn't recommended. She thanked the Commission for their consideration and input.

PRESENTATION

Development Project Update

This item was continued to the next meeting.

COMMISSION DISCUSSION ABOUT IN-PERSON MEETINGS

Commissioners spoke in support of a hybrid option and shifting the meeting time to 6:30 p.m. starting with the first meeting in May.

ADJOURNMENT

Motion to adjourn at the meeting at 7:16 p.m., moved by Commissioner Kapus, seconded by Vice Chair Whitaker.

AYES: ALL

Laurie Hugdahl, Recording Secretary

Next Meeting:

- April 26 – via Zoom at 6:00 p.m.
- May 10 – in-person/hybrid at 6:30 p.m.

City of Marysville Comprehensive Plan

Urban Growth Boundary

City Limits

Master Plan Area

PSRC Manufacturing/ Industrial Center

General Commercial

Community Business

Community Business - Whiskey Ridge

Downtown Core

Flex

Flex Residential

Neighborhood Business

Main Street

Middle Housing 1

Middle Housing 2

Midrise Multi-Family

Mixed Use

88 - Mixed Use

General Industrial

Light Industrial

R28 Multi-Family High

R18 Multi-Family Medium

R12 Multi-Family Low

R8 Single Family High Small Lot

R6.5 Single Family High

R4.5 Single Family Medium

WR-R-4.8 Whiskey Ridge, Single Family High

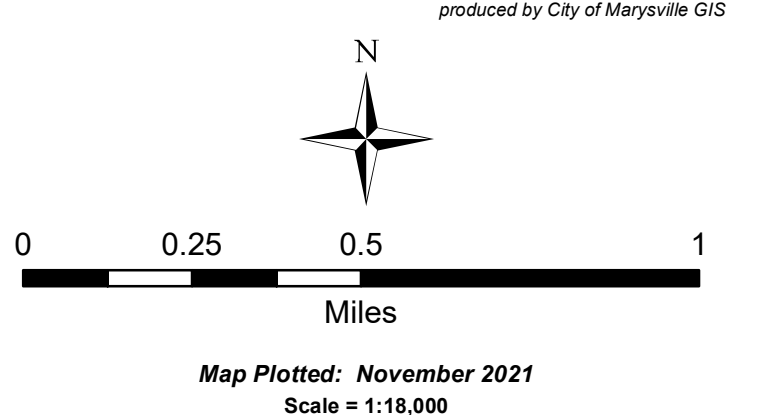
WR-R-6-18 Whiskey Ridge, Multi-Family Medium

Public-Institutional

Recreation

Open

produced by City of Marysville GIS



Map Plotted: November 2021
Scale = 1:18,000

EST. 1891
MARYSVILLE
WASHINGTON

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Cascade Industrial Center (CIC) includes land within the cities of Marysville and Arlington. The full extent of the CIC within Arlington is not shown.

SMOKEY POINT MASTER PLAN

CASCADE INDUSTRIAL CENTER

116TH STREET MASTER PLAN

88TH STREET MASTER PLAN

DOWNTOWN MASTER PLAN

WHISKEY RIDGE MASTER PLAN

1. Predominately Vacant "Greenland"

May be rezoned to R-4.5 SFM subject to a traffic analysis that assesses 140th Street and the future connector from 140th Street NE to 172nd Street NE including the alignment of said connector.

2. "Gateway Shopping Center," MHP, Hotels, Fast Food, Car Wash and Retail.

3. Fred Meyer, Coastal, Cinema, Retail, Credit Union & Office

4. Hagen, Bank, Retail, Chick-fil-A, Starbucks, Holiday Inn Express, Applebee's & Fuel

6. Safeway Plaza, MHP, Retail & Office

7. Bartell Drugs, Altitude, Retail & Office

5. Vacant "Greenland" & Critical Areas

8. Walmart