

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. 3360

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, AMENDING CHAPTER 22G.110 OF THE MUNICIPAL CODE
REGARDING BOUNDARY LINE ADJUSTMENTS.**

WHEREAS, the State Growth Management Act, Chapter 36.70A RCW mandates that cities periodically review and amend development regulations, which include but are not limited to, zoning ordinances and official controls; and

WHEREAS, RCW 58.17 and MMC Chapter 22G.110, Boundary Line Adjustments, provides a method for approval of boundary line adjustments which does not create any additional lot, tract, parcel, building site or division, while ensuring that such boundary line adjustment (BLA) satisfies public concerns of health, safety and welfare; and

WHEREAS, the intent of this code amendment is to simplify the BLA code and process, ultimately making it easier to understand and implement, reducing the number of sections within the chapter from sixteen (16) to five (5); and

WHEREAS, RCW 36.70A.106 requires the processing of amendments to the City's development regulations in the same manner as the original adoption of the City's comprehensive plan and development regulations; and

WHEREAS, the State Growth Management Act requires notice and broad public participation when adopting or amending the City's comprehensive plan and development regulations; and

WHEREAS, the City, in reviewing and amending its development regulations has complied with the notice, public participation and processing requirements established by the Growth Management Act, as more fully described below; and

WHEREAS, the City Council of the City of Marysville finds that from time to time it is necessary and appropriate to review and revise provisions of the City's municipal code and development code (MMC Title 22); and

WHEREAS, the Planning Commission, during a public meeting held on April 28, 2026, discussed proposed amendments to municipal code chapter 22G.110; and

WHEREAS, on May 12, 2026, the Marysville Planning Commission held a duly-advertised public hearing and recommended that the City Council adopt the proposed amendments to the City's development regulations; and

WHEREAS, at a public meeting on July 13, 2026, the Marysville City Council reviewed and considered the Marysville Planning Commission's Recommendation and proposed amendments to the City's development regulations; and

WHEREAS, the City of Marysville has submitted the proposed development regulation revisions to the Washington State Department of Commerce on January 27, 2025 (Material ID 2025-S-8004), seeking expedited review under RCW 36.70A.160(3)(b) in compliance with the procedural requirement under RCW 36.70A.106; and

WHEREAS, the Community Development Department received a letter from the Washington State Department of Commerce granting expedited review for Submittal ID: 2025-S-8004 via email on February 2, 2025; and

WHEREAS, the amendments to the development regulations are exempt from State Environmental Policy Act review under WAC 197-11-800(19); and

WHEREAS, the development code amendments contemplated herein are consistent with the following required findings of MMC 22G.010.500:

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

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

SECTION 1. Amendment to MMC 22G.110. Chapter 22G.110 of the municipal code is amended as set forth in **Exhibit A**.

SECTION 2. Tracking of Amendments. MMC Section 22A.010.160, entitled "Amendments," is hereby amended as follows by adding reference to this adopted ordinance in order to track amendments to the City's Unified Development Code (all unchanged provisions of MMC 22A.010.160 remain unchanged and in effect):

"22A.010.160 Amendments.

The following amendments have been made to the UDC subsequent to its adoption:

<u>Ordinance</u>	<u>Title (description)</u>	<u>Effective Date</u>
<u>3380</u>	Boundary Line Adjustments	<u>July 21</u> , 2026

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

SECTION 5. Corrections. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 6. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this 13 day of July, 2026.

CITY OF MARYSVILLE

By: 
JON NEHRING, MAYOR

Attest:

By: 
CHARI TABER, DEPUTY CITY CLERK

Approved as to form:

By: 
JON WALKER, CITY ATTORNEY

Date of Publication: July 16, 2026

Effective Date: July 21, 2026
(5 days after publication)

EXHIBIT A

22G.110.010 Purpose and Administration.

- (1) The purpose of this chapter is to establish criteria for the review and approval of boundary line adjustments.
- (2) A boundary line adjustment may be used for:
 - (a) Resolving boundary line issues, such as encroachments.
 - (b) Consolidating two or more lots.
 - (c) Other minor adjustments that meet the requirements and purpose of this chapter.
- (3) The community development director shall have the duty and responsibility of administering and interpreting the provisions of this chapter.
- (4) Case-by-case deviations to the review and decision criteria of MMC 22G.110.030 may be allowed as determined and approved by the director.

22G.110.020 Application Requirements.

- (1) Application Fees. The applicant shall pay the required fees as established by the city's fee ordinance when submitting the boundary line adjustment application. Note: recording fees are the applicant's responsibility and must be paid by the applicant to the Snohomish County Auditor at the time of recording.
- (2) Application Documents. A boundary line adjustment application shall consist of the following documents: application form; legal descriptions of existing and adjusted lot, tract, or parcel; affidavit of ownership; vicinity map; plat certificate including proof of legal lot status; and proposed boundary line adjustment/survey map.
- (3) Boundary lines may not be adjusted between lots that have been created for tax purposes only. The applicant shall provide evidence of legal lot status, if applicable.

22G.110.030 Review and Decision Criteria.

- (1) A proposed boundary line adjustment that does not meet all of the criteria of this section must be processed under the appropriate land division requirements of MMC 22G.090 Subdivisions and Short Subdivisions or MMC 22G.100 Binding Site Plan.
- (2) In order to approve a boundary line adjustment, the director must find that the boundary line adjustment will not result in:
 - (a) The creation of any additional lot, tract or parcel;
 - (b) Making the lots, tracts, parcels or building sites more nonconforming;
 - (c) A lot that contains insufficient area and dimensions to meet the minimum lot size for the applicable zone, or an inadequate building site due to critical areas or buffers;

- (d) A lot that results in non-conforming site conditions and/or development requirements, including, but not limited to, building setbacks, parking, height allowances, site landscaping, or access requirements;
 - (e) A lot without adequate frontage on a public street or vehicular access, including access for emergency response vehicles;
 - (f) The city being unable to provide adequate utilities, including drainage, water supply, or sanitary sewage disposal; or
 - (g) A lot having more than one zoning or land use designation.
- (3) When boundary line adjustments are submitted proposing the adjustment of lines with existing structures in commercial or industrial zones, the existing structures shall be required to comply with all zoning code requirements including, but not limited to, such things as setback, parking, height, landscaping and access requirements as a condition of boundary line adjustment approval. The applicant shall be required to submit a site plan showing that all of these requirements can be met prior to approval.

22G.110.040 Final Approval and Recording.

- (1) To finalize a boundary line adjustment, the applicant must submit and complete all required documents within one year following the date of preliminary approval. Failure to submit and complete the required documents within the one-year period will result in a lapse of the approval, requiring the submittal of a new application for consideration of the department. No time extension will be granted; the final required documents must be recorded within the above-stated time frame. The final review documents must include the following:
- (a) Original Boundary Line Adjustment/Survey Map. After the city has given the applicant approval, the applicant shall submit the original survey map, prepared by or under the supervision of a registered land surveyor, having a trimmed size of 18 inches by 24 inches. The original map shall be accompanied by original signatures. Information required on the map shall include:
 - (i) The date, scale and north arrow;
 - (ii) The Assessor's Parcel Number of all affected parcels depicted on page one of the map;
 - (iii) Vicinity map;
 - (iv) Legal descriptions of existing and adjusted lot, tract, or parcel;
 - (v) Boundary lines (both present and revised), right-of-way for streets, easements, and property lines of lots, tracts, parcels or sites, with accurate bearings, dimensions or angles and arcs, and central angles of all curves;
 - A. Names and right-of-way widths of all streets;
 - B. Location, dimensions and purpose of any easements;

C. Location and description of monuments and lot, tract, parcel or building site corners set and found

- (vi) Number of each lot, tract, parcel or building site and each block;
 - (vii) Description of private covenants and special restrictions;
 - (viii) If required to define flood elevations or other features relative to the lot, then datum elevations and primary control points approved by the city. Descriptions and ties to all control points will be shown with dimensions, angles and bearings;
 - (ix) Designation by dashed lines of the lot(s), tracts, parcels or building sites existing prior to the boundary line adjustment, and designation by solid lines of the proposed lots, tracts, parcels or building sites after adjustment;
 - (x) Special setback lines when different from city's zoning code;
 - (xi) A dedicatory statement acknowledging any public or private dedications, donations or grants;
 - (xii) Location of existing structures, utilities, setbacks, encroachments and area of all lots, tracts, parcels or building sites after adjustment; and
 - (xiii) The file number of the boundary line adjustment.
- (b) Acknowledgments and certificates. Acknowledgments and certificates required by this title shall be in language substantially similar to the following:
- (i) Declaration and acknowledgments.

- A. I am the owner, or owners, of the property subject to the boundary line adjustment, and acknowledge that I am solely responsible for securing and executing all necessary legal advice or assistance concerning the legal documents necessary to transfer title to those portions of the properties involved in the boundary line adjustment; and that the legal documents necessary to transfer title to the property in question have been prepared and executed so that, upon the recording of the boundary line adjustment, the title to the properties will accurately reflect the new configuration resulting from the boundary line adjustment as approved by the city.

Owner(s) Signature

B. STATE OF WASHINGTON):

ss.

COUNTY OF SNOHOMISH)

This is to certify that on this ____ day of ____, 20__, before me, the undersigned, a notary public, personally appeared _____, to me known to be the person(s) who executed the foregoing dedication and

acknowledgment to me that signed the same as _____ free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above-written.

NOTARY PUBLIC in and for the State of Washington, residing at

(Seal)

(ii) Approval.

- A. Examined, found to be in conformity with applicable zoning and other land use controls, and approved this ____ day of ____, 20__.

Community Development Director

(iii) Certificates.

- A. Surveyor's Certificate in accordance with [RCW 58.09.080](#).
- B. I hereby certify that all state and county taxes heretofore levied against the property described herein, according to the books and records of my office, have been fully paid and discharged, including ____ taxes.

Treasurer, Snohomish County

- C. Filed for record at the request of ____ this ____ day of ____, 20__, at ____ minutes past __m, and recorded in Vol. ____ of Plats, page __, records of Snohomish County, Washington.

Auditor, Snohomish County

- (c) If changes to title have occurred since the initial boundary line adjustment application submittal, an updated plat certificate, updated not more than 30 days prior to filing the final recording documents for the boundary line adjustment, which includes all lots within the adjustment, shall be required, or as requested by the director.
- (2) If the boundary line adjustment meets the provisions of this chapter, the director shall sign the final recording document and order the boundary line adjustment to be filed concurrently with the conveyance documents and deeds.
- (3) Recording with Auditor. When the boundary line adjustment proposed for recording has complied with all of the requirements of this title and state law, then the applicant shall record the original boundary line adjustment/survey map and the original affidavit of ownership with the county auditor in accordance with Chapter 58.09 RCW. The applicant will also furnish the city with a digital copy of the recorded boundary line adjustment/survey map. After this has been done and the boundary line adjustment has been properly recorded, the boundary line

adjustment will become valid. It shall be a violation of this title for anyone to record a boundary line adjustment which does not bear the verification of approval as defined by this title.

22G.110.050 Appeals.

- (1) Boundary line adjustments may be appealed to the hearing examiner as set forth in MMC 22G.010.550. Standing to appeal the boundary line adjustment is limited to:
 - (a) The applicant or owner of the property on which the boundary line adjustment is proposed; or
 - (b) Any aggrieved person who will suffer a direct and substantial impact from the proposed boundary line adjustment.