



Snohomish County Council
Public Hearings
Meeting Minutes

Council Chair Megan Dunn
Council Vice-Chair Sam Low
Councilmembers: Nate Nehring, Jared Mead, Strom Peterson

Friday, May 22, 2026

10:30 AM

**CLOSED RECORD
APPEAL HEARING
Jackson Board Room - 8th Floor
Robert J. Drewel Building
& Remote Meeting**

****SPECIAL MEETING****

PRESENT:

Council Chair Dunn
Council Vice-Chair Low
Councilmember Nehring
Councilmember Mead
Councilmember Peterson (*remote*)
Deb Bell, Council Staff
Alethea Hart, Prosecutor's Office
Peter Durland, Attorney for Appellant/Applicant
David Toyer, Representative for Appellant/Applicant
Lisa Hickey, Asst. Clerk of the Council
**See names below for parties-of-record who provided oral argument*

CALL TO ORDER

Chair Dunn called the closed record appeal hearing to order at 10:30 a.m.

ROLL CALL

The clerk called the roll and stated that all five members were present.

ACTION ITEM

1. Council considers an appeal of the Snohomish County Hearing Examiner's March 27, 2026, Decision in the case of PBSS Investments, Inc., File No. 25-105874 REZO; 25-105880 VAR located 19125 State Route 9 SE, Snohomish WA, 98290, denying the rezone from R-5 Rural Business and variances [2026-0996](#)

The clerk read the formal title of the appeal into the record.

Chair Dunn asked for any statements or disclosures from councilmembers. Chair Dunn disclosed that she is not aware of any campaign contributions but if she had received any it would not affect her ability to be neutral in this matter. She also stated that she has directed her staff to respond to any emails addressed to her related to this appeal, notifying the sender that councilmembers are prohibited from ex-parte communication and that she has not had any ex-parte communication related to this appeal. Vice-Chair Low made the same disclosure and disclosed that he may have received campaign donations in the past from a party-of-record. Councilmember Nehring, Councilmember Mead and Councilmember Peterson made the same disclosure as Councilmember Low.

Neither party expressed any objections to the councilmembers hearing this closed record appeal.

Deb Bell, Sr. Legislative Analyst, provided a detailed staff report.

Chair Dunn provided instructions for oral argument and instructions for parties-of-record wishing to provide argument for both in-person and remote via Zoom. She then opened the oral argument portion of the hearing.

Peter Durland, Attorney for the Appellant/Applicant, and Davido Toyer, representative for the Appellant/Applicant provided detailed oral argument.

The following parties-of-record provided oral argument:

1. Veronica Whitney-Robinson
2. Gary Davis
3. Rod Robinson

Peter Durland, Attorney for the Appellant/Applicant provided rebuttal.

There being no further argument, Chair Dunn closed the oral argument portion of the hearing calling for a motion or discussion of the Council.

EXECUTIVE SESSION
Quasi-Judicial Matter
Pursuant to RCW 42.30.140(2)

Pursuant to RCW 42.30.140(2) at 11:08 a.m. Chair Dunn stated that the Council will recess into an Executive Session to discuss a quasi-judicial matter for approximately 10 minutes with extensions, if necessary, and with possible action to follow.

PRESENT:

Council Chair Dunn
Council Vice-Chair Low
Councilmember Nehring
Councilmember Mead
Councilmember Peterson (*remote*)
Deb Bell, Council Staff
Alethea Hart, Prosecutor's Office
Bridget Casey, Prosecutor's Office (*remote*)
Heidi Beazizo, Council Chief of Staff (*remote*)

The Executive Session began at 11:08 a.m. for an initial 10 minutes to 11:18 a.m.

At 11:18 a.m., an extension was announced for 10 minutes to 11:28 a.m.

At 11:28 a.m., an extension was announced for 10 minutes to 11:38 a.m.

At 11:38 a.m., an extension was announced for 10 minutes to 11:48 a.m.

The Executive Session ended at 11:44 a.m.

Chair Dunn reconvened the Council at 11:48 a.m.

Chair Dunn stated that Council has heard argument in the matter of PBSS Investments, File Nos. 25-105874 and REZO 25-105880 VAR, a closed record appeal. As a closed record appeal, the hearing is limited to the record from the hearing examiner and all written argument timely filed with council and the appeal issues are limited to those expressly raised in the written appeal. Consistent with SCC 30.72.110, Council did not consider evidence not in the record and did not consider any new appeal issues. Chair Dunn called for a motion.

ACTION: Vice-Chair Low made a motion to direct staff to prepare a written motion affirming the Hearing Examiner's March 27, 2026, decision, adopting the Examiner's findings and conclusions, and adopting additional findings:

1. To address Appellant's Issues #1 and #2, finding that substantial evidence supports the Examiner's conclusions that the rezone application is inconsistent with the comprehensive plan and does not bear a substantial relationship to the health, safety, and welfare of the public based on changes to the subject property and ongoing impacts to neighboring properties.
2. To address Appellant's Issue #3, finding that the County's adopting of SCC 30.31F.020(4) or its application to PBSS's rezone application is not a change of circumstances supporting PBSS's rezone.

Staff shall prepare that written motion to be heard at 9:00 a.m. on May 27, 2026, at General Legislative Session.

Councilmember Nehring seconded the motion, and it carried unanimously.

APPROVED: 5-0

ADJOURN

Chair Dunn adjourned the Council for the day at 11:50 a.m.