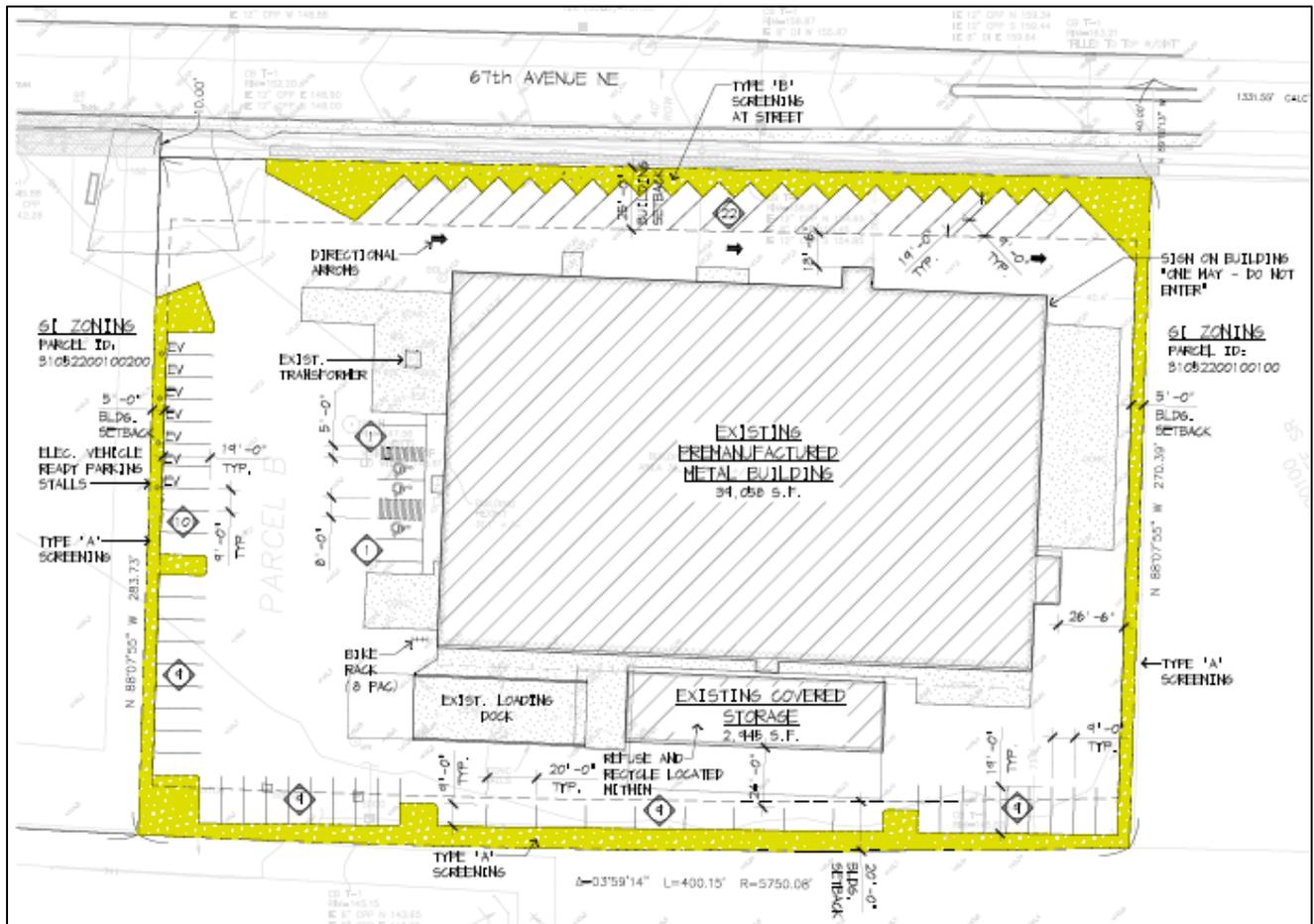




Community and Economic Development Planning Division

18204 59th Avenue NE, Arlington, WA 98223

STAFF REPORT AND RECOMMENDATION Seattle Galvanizing Small Parts and Storage Special Use Permit - PLN#1145



A. PROJECT DESCRIPTION AND REQUEST

The applicant is proposing to create a small parts hot-dip galvanizing line within an existing 39,058 square foot principal building. The proposed use will also utilize a 2,945 square foot storage building with a loading dock. Hot-dip galvanizing is the process of dipping fabricated steel into a kettle or vat containing molten zinc. The project site is approximately 2.5 acres and zoned as General Industrial within the Cascade Industrial Center. Onsite improvements include upgrades to the interior of the existing building, 73 parking spaces (70 standard and 3 ADA), paving the parking lot area, and landscaping around the perimeter of the lot. New stormwater treatment and infiltration facilities are proposed for the improvements.

Though “processing” is listed as a permitted use in the General Industrial zone under AMC 20.40.140, the municipal code does not specifically define the galvanizing process. The galvanizing process has the potential to produce hazardous waste into the environment, therefore, the city will process the permit utilizing section AMC 20.40.030.

AMC 20.40.030 states whenever the Tables of Permissible Uses provides that a use is permissible with a zoning permit, a special use permit shall nevertheless be required if the community and economic development director finds that the proposed use would have an extraordinary impact on neighboring properties or the public. In making this determination, the community and economic development director shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question. The community and economic development director has determined that a Special Use Permit shall be obtained for this project per the process in AMC 20.16 and the criteria in AMC Title 20.

Per AMC 20.16.225 A Special Use Permit decision is made by the community and economic development director unless an interested party requests a hearing before the hearing examiner by the close of the comment period of the notice of application filed. A hearing was requested during the comment period of the notice of application public comment period and a public hearing shall be held.

B. PROJECT HISTORY

A formal application for the Special Use Permit was submitted to the Community & Economic Development Department on October 18, 2023. Staff routed the material to City review staff on October 19, 2023. Staff determined that the application was incomplete on November 8, 2023. The applicant submitted the requested items from the notice of incomplete application on November 30, 2023. Staff routed the material to City review staff on November 30, 2023. The application was deemed complete on December 8, 2023.

The notice of application was published in the city’s official newspaper (The Herald), posted on site, mailed to required parties, and posted on the City’s website on December 21, 2023. During the public comment period the city received a request for the project to be heard at a public hearing with the Hearing Examiner.

The applicant submitted a request for review of the proposed project “Seattle Galvanizing Small Parts and Storage” under the State Environmental Policy Act (SEPA) on November 30, 2023, along with additional information with the February 16, 2024 and May 16, 2024 resubmittals. The City issued a Mitigated Determination of Non-significance (MDNS) on June 6, 2024. The notice was published in the city’s official newspaper (The Herald), posted on the site, mailed to required parties, and posted on the City’s website on June 11, 2024.

A Public Hearing is to be held before the Hearing Examiner on July 9, 2024. The Notice of Public Hearing was published in the city’s official newspaper (The Herald), posted on the site, mailed to required parties, and posted on the City’s website on June 18, 2024.

C. GENERAL INFORMATION

1. **Property Owner:** Mini Investment Holdings
2. **Applicant:** Hadi Mirzai
3. **Contact:** Adam Clark, 2812 Architecture
4. **General Location:** Southwest of the 67th Avenue NE and 188th Street Intersection
5. **Property Legal Description (Abbreviated):** SEC 22 TWP 31 RGE 05 RT-1C) S 400 FT OF NE1/4 NE1/4 LY E OF NP R/W EXC CO RDS ALSO LESS R/W TO CITY OF ARL PER SWD REC AFN 200201100393 AND CORR AFN 200202080086
6. **Property Tax ID Number:** 31052200102000
7. **Address:** 18520 67th Avenue NE
8. **Soil Type:** Lynnwood loamy sand, 0 – 3 percent slopes
9. **Acreage:** 2.51 acres
10. **Comprehensive Plan Land Use Designations, Zoning Designation and Existing Land Uses of the Site and Surrounding Area: Property Owner:**

Area	Land Use Designation	Zoning	Existing Use
Project Site	General Industrial	GI	Existing Vacant Building
North of Site	General Industrial	GI	Manufacturing Business
South of Site	General Industrial	GI	Trucking Business
East of Site	Residential Low Capacity	RLC	Single-Family Residential
West of Site	General Industrial	GI	Lumber Processing Business

11. Public Utilities and Services:

Water:	City of Arlington	Gas:	Cascade Natural Gas
Sewer:	City of Arlington	Cable:	Comcast
Garbage:	Waste Management NW	Police:	City of Arlington
Storm Water:	On-Site	Fire:	North County Fire & EMS
Telephone:	Comcast	School:	Arlington School District
Electricity:	Snohomish Co. PUD #1	Hospital:	Cascade Valley

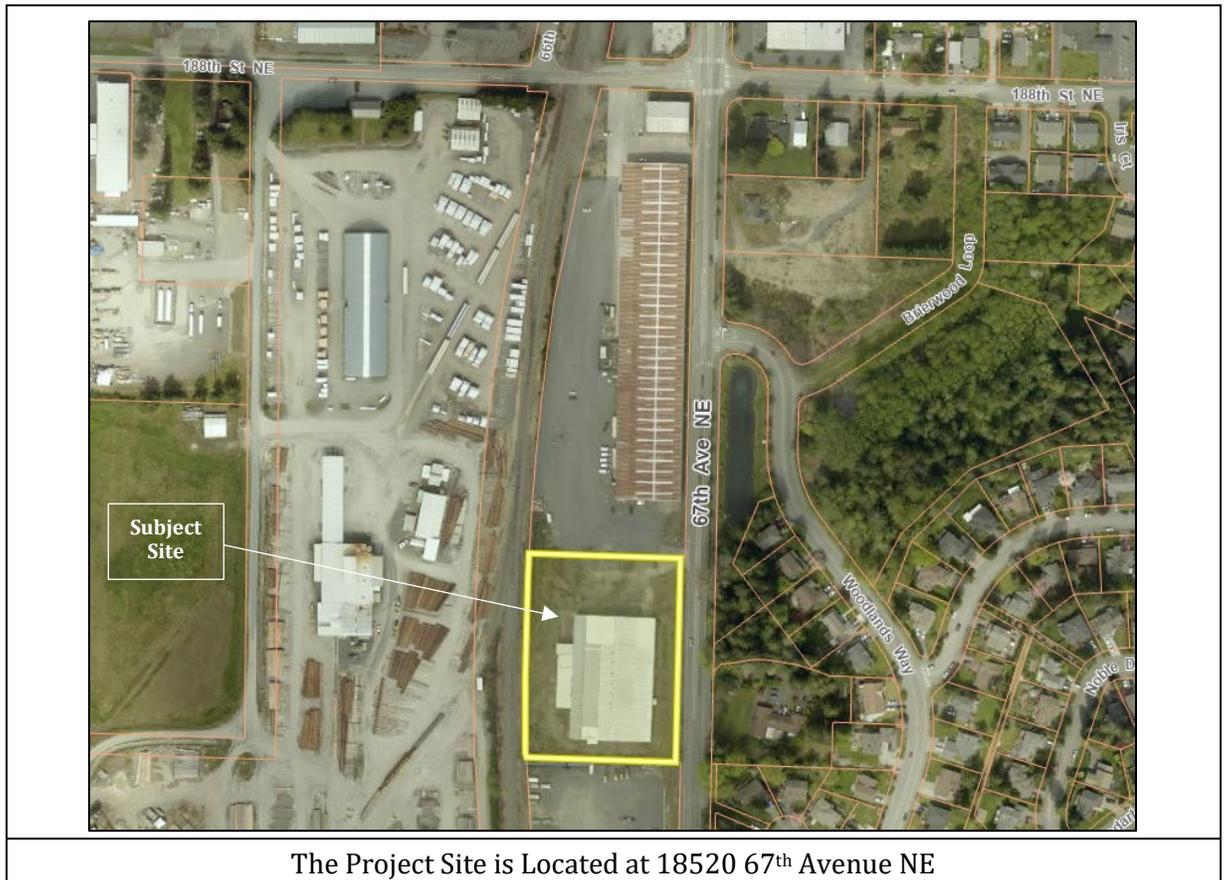
12. Applicable Land Use Code Regulations:

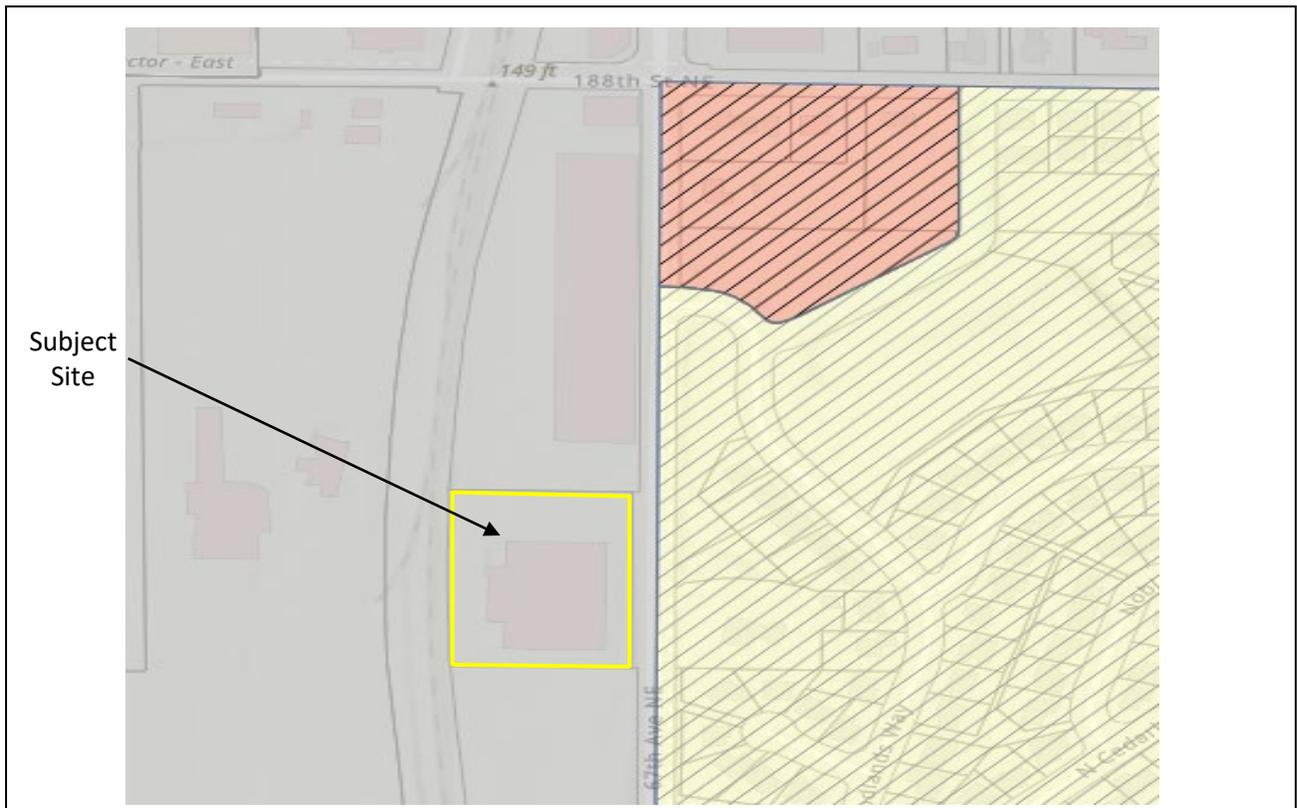
- AMC Chapter 20.16 Permits and Final Plat Approval
- AMC Chapter 20.24 Hearing and Pre-Hearing Procedures for Appeals and Applications
- AMC Chapter 20.36 Zoning Districts and Zoning Map
- AMC Chapter 20.38 Airport Protection District
- AMC Chapter 20.40 Permissible Uses
- AMC Chapter 20.44 Supplemental Use Regulations – Part III. Performance Standards
- AMC Chapter 20.46 Design

- AMC Chapter 20.48 Density and Dimensions
- AMC Chapter 20.56 Streets and Sidewalks
- AMC Chapter 20.60 Utilities
- AMC Chapter 20.72 Parking
- AMC Chapter 20.76 Screening and Trees
- AMC Chapter 20.90 Concurrency and Impact Fees
- AMC Chapter 20.98 State Environmental Policy Act
- AMC Chapter 13.28 Stormwater Utility

13. Proposed Use: The proposed project includes a tenant improvement to the existing building on the site and updating the site to conform with current code regulations. The property is zoned General Industrial and located in the Cascade Industrial Center. The site plan review is required to follow the Special Use Permit process for the project per AMC 20.40.020 and AMC 20.40.140 Industrial Zones Permissible Use Table.

14. Surrounding Land Uses and Land Use Permits: Surrounding properties of the subject parcel are zoned General Industrial to the north, south, and west with industrial or manufacturing businesses and Residential Low Capacity to the east, with single-family residences. A public road is located to the east, 67th Avenue NE, that provides access to the parcel.





General Industrial
 Residential Low-Capacity

Area	Zoning	Existing Use
Subject Site	General Industrial	Existing Vacant Building
North	General Industrial	Industrial Businesses
South	General Industrial	Industrial Businesses
East	Residential Low Capacity	Single-Family Residences
West	General Industrial	Industrial Businesses

15. Compatibility and Impacts on Existing Development: The project is proposing a manufacturing and processing business within the General Industrial zone and is compliant with the general intent of the zoning, however the galvanizing process does have a unique processing element with potential hazardous chemicals to surrounding property, businesses, and/or residents. The proposed galvanizing business can potentially eliminate impacts on others if the processing is conducted entirely within a fully enclosed building to allow the baghouse to operate correctly.

16. Public Notification:

Notice Type	Issuance Date	Meeting Date	Distribution
Notice of Application	12/19/2023	N/A	Property Owners (500ft) On-Site City Hall, Arlington Library, Smokey Point Post Office Affected Agencies City Website The Herald-published – 12/21/2023
Notice of SEPA Mitigated Determination of Non-Significance	6/6/2024	N/A	Property Owners (500ft) On-Site City Hall, Arlington Library, Smokey Point Post Office, Affected Agencies City Website The Herald-published – 6/11/2024
Public Hearing	6/13/2024	7/9/2024	Property Owners (500ft) On-Site City Hall, Arlington Library, Smokey Point Post Office, Affected Agencies City Website The Herald-published – 6/18/2024

17. Public Comments: Public comments were received during the Notice of Application and SEPA DNS public comment periods for the subject project. The Public Comments are summarized in Section F.

D. ENVIRONMENTAL REVIEW

The City issued a Mitigated Determination of Non-Significance on June 6, 2024. The City published, posted and mailed the decision on June 11, 2024. The 14-day SEPA comment period ran from June 11, 2024 to June 25, 2024.

E. FINDINGS OF FACT

Sections “A” through “D” are incorporated into the Findings of Fact. Applicable Review Criteria and Process: The Preliminary Major Unit Lot Subdivision Conditional Use Permit Review request is subject to review for conformity with the Arlington Municipal Code (AMC), including but not limited to the following:

Regulation	Analysis	Meets
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Chapter 20.16 AMC, Permits and Final Plat Approval		
20.16.100 (b) Special Use Permits are issued under this title only when a review of the application submitted, including plans contained therein, indicates that the development will comply with the provisions of this title if completed as proposed. All development shall occur strictly in accordance with such approved plans and applications.	The applicant submitted a Special Use Permit for Site Plan Review. The Community & Economic Development Department is responsible for the permit decision and the decision is appealable to the Hearing Examiner, unless a hearing is requested through the public comment period, then the Hearing Examiner makes the decision, and the decision is appealable to Snohomish County Superior Court.	Yes
20.16.110 Who May Submit Permit Applications. (a) Applications for zoning will be accepted only from persons having the legal authority to take action in accordance with the permit or the subdivision plat approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this title.	The owner of the property, Hadi Mirzai of Mina Investment Holdings, signed the Special Use Permit application for site plan review that was submitted to the city.	Yes
20.16.120 Official Representative of the Applicant. The applicant for each land use permit shall designate an official representative, which may be himself, to receive all correspondence, determinations, and notices regarding the application.	The owner, Hadi Mirzai of Mina Investment Holdings, has designated Adam Clark of 2812 Architecture, as the official representative for the subject permit.	Yes
20.16.130 Staff Consultation Before Formal Application. To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this title, a general information meeting between the developer and the planning staff is encouraged as provided in this section.	The City held a General Information Meeting with the project applicant on May 31, 2023.	Yes
20.16.140 Submittal of Application. (a) To minimize development planning costs, avoid misunderstanding or misinterpretations, and ensure compliance with the requirements of this title, a submittal intake appointment is required between the developer and the Community Development staff as provided in this section.	The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the application on October 18, 2023.	Yes

Regulation	Analysis	Meets
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<p>20.16.150 Vesting of Permits.</p> <p>(1) Land use permit applications shall be considered vested on the date that an application is deemed complete pursuant to 20.16.205 and applications shall be processed under the land use regulations in effect on that date. However, subsequent permits on the same property are not vested on this date.</p> <p>(2) Filing of a permit application does not vest the payment of fees. Fees due, including impact mitigation fees, application fees, or other charges, shall be those fees in effect on the date the fee is paid in accordance with the most current city council fee resolution.</p>	<p>The proposed application for Seattle Galvanizing Small Parts and Storage site plan review vested on December 8, 2023 with the issuance of the complete application.</p>	<p>Yes</p>
<p>20.16.200 Applications to Be Complete.</p> <p>(a) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit-issuing authority is required to consider the application.</p>	<p>The applicant submitted a complete application for Seattle Galvanizing Small Parts and Storage Special Use Permit on November 30, 2023.</p>	<p>Yes</p>
<p>20.16.205 (c) Complete Application. Within 28 days of receiving the permit application, the Community Development Director shall mail or provide in person a written determination to the applicant.</p>	<p>The application was submitted on October 18, 2023. The City issued a Notice of Incomplete Application on November 8, 2023. The applicant resubmitted on November 30, 2023 and the City issued a Notice of Complete Application on December 8, 2023. The Notice was issued within the 28-day timeframe.</p>	<p>Yes</p>
<p>20.16.215 Distribution of Application. Upon receipt of a zoning, special use or conditional use permit application, the Planning Official shall, in addition to all interested City Department, send a copy of the application to the authorities and agencies reviewing or furnishing water, fire, school, and sanitary sewer service to the proposed project.</p>	<p>The application was routed to all affected city departments on October 19, 2023 and after each resubmittal on November 30, 2023, February 16, 2024, and May 16, 2024.</p>	<p>Yes</p>
<p>20.16.225 Special Use Permits</p> <p>(b) Decisions on special use permits are:</p> <p>(1) Made by the community and economic development director unless any interested party requests a hearing before the hearing examiner by the close of the review period of the Notice of Application filed.</p> <p>(2) Made by the hearing examiner if a hearing is requested, in which case the community and economic development director shall forward the special use permit application to said board for their consideration.</p>	<p>The special use permit received a request for a hearing before the hearing examiner during the Notice of Application public comment period, shown as Exhibit 28. City staff reviewed for compliance with the Arlington Municipal Code and scheduled a public hearing. The project documents will be sent to the Hearing Examiner on June 26, 2024 for review prior to the public hearing.</p>	<p>Yes</p>

Regulation	Analysis	Meets
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<p>20.16.230 Notice of Application Filed. The Community and Economic Development Director shall give public notice of any application filed for a special use permit by issuing, distributing, and advertising a “Notice of Application Filed”.</p>	<p>The city issued a Notice of Application on December 19, 2023. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property on December 21, 2023. The comment period ran from December 23, 2023 to January 4, 2024.</p>	<p>Yes</p>														
<p>20.16.270 Time Limitations for Permit Processing. (a) The City shall issue its notice of final decision on a permit application within 120 days after the Community and Economic Development Director notifies the applicant that the application is complete, as provided in 20.16.205. In determining the number of days that have elapsed, the following periods shall be excluded:</p> <p>(1) Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.</p>	<p>The proposed special use permit was reviewed and heard at a public hearing before the hearing examiner on day 107 of the 120-day timeframe per the following dates:</p> <table border="1" data-bbox="847 630 1347 1045"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Notice of Complete Application</td> <td>12-8-2023</td> </tr> <tr> <td>1st Review Comments</td> <td>12-20-2023</td> </tr> <tr> <td>1st Resubmittal</td> <td>2-16-2024</td> </tr> <tr> <td>2nd Review Comments</td> <td>3-28-2024</td> </tr> <tr> <td>2nd Resubmittal</td> <td>5-16-2024</td> </tr> <tr> <td>Public Hearing</td> <td>7-9-2024</td> </tr> </tbody> </table>	Action	Date	Notice of Complete Application	12-8-2023	1 st Review Comments	12-20-2023	1 st Resubmittal	2-16-2024	2 nd Review Comments	3-28-2024	2 nd Resubmittal	5-16-2024	Public Hearing	7-9-2024	<p>Yes</p>
Action	Date															
Notice of Complete Application	12-8-2023															
1 st Review Comments	12-20-2023															
1 st Resubmittal	2-16-2024															
2 nd Review Comments	3-28-2024															
2 nd Resubmittal	5-16-2024															
Public Hearing	7-9-2024															
<p>Chapter 20.24 AMC, Hearing and Pre-Hearing Procedures for Appeals and Applications</p>																
<p>20.24.010 Hearing Required on Appeals and Applications. (a) Before making a decision on an application for a conditional use permit, a hearing shall be held on the matter by the appropriate hearing body.</p>	<p>The proposed Seattle Galvanizing Small Parts and Storage project is subject to a Public Hearing before the Hearing Examiner for the special use permit per section 20.16.225.</p>	<p>Yes</p>														
<p>20.24.020 Public Notice. The Community and Economic Development Director shall give public notice of any hearing required by 20.24.010 or 20.16.230 for special use permits, conditional use permits or variances, or any other required public notices.</p>	<p>The city issued a Notice of Public Hearing on June 13, 2024. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property and Party’s of Record on June 18, 2024. The Public Hearing is scheduled for July 9, 2024</p>	<p>Yes</p>														

<p>Regulation</p>	<p>Analysis</p>	<p>Meets</p>
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Chapter 20.36 AMC, Zoning Districts and Zoning Map		
<p>20.36.030 Manufacturing Districts Established.</p> <p>The general industrial (GI) and light industrial (LI) districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. The performance standards set forth in Chapter 20.44 place limitations on the characteristics of uses located in these districts. The light industrial district is distinguished from the general industrial district in that the light industrial district is intended to be a cleaner, more business park like area, whereas the general industrial district allows more resource-based manufacturing. Furthermore, the limitations in the light industrial district are more restrictive than those in the general industrial district.</p>	<p>The subject property for the proposed special use permit is zoned General Industrial. Manufacturing and Industrial uses are expected within the general industrial zone.</p>	<p>Yes</p>
Chapter 20.38 AMC, Airport Protection District		
<p>20.38.060 Airport Protection District Boundaries.</p> <p>(a) Airport Protection Subdistrict A (b) Airport Protection Subdistrict B (c) Airport Protection Subdistrict C (d) Airport Protection Subdistrict D</p>	<p>The property is located under, Subdistrict C.</p>	<p>Yes</p>
<p>20.38.090 Notice to Future Owners. In order to mitigate impacts to the Arlington Airport, and to provide notice to future property owners, all property owners within the Airport Protection Subdistricts A, B, and C seeking a land use or building permit or undertaking substantial reconstruction shall dedicate an avigation easement over their property to the City of Arlington. The language of the easement and notice shall be as provided by the airport, as approved by the city attorney and recorded with Snohomish County.</p>	<p>An Avigation Easement approved by the Arlington Municipal Airport is required to be recorded prior to final occupancy of the building.</p>	<p>Yes</p>
Chapter 20.40 AMC, Permissible Uses		
<p>20.40.010 Table of Permissible Uses. The Tables of Permissible Uses sets forth the permissible uses within the respective zoning classifications in the city, subject to other applicable provisions in this title. It should be read in close conjunction with the definitions of terms set forth in section 20.08 and the other interpretative provisions set forth in this article.</p>	<p>The proposed project is allowed under Industrial, Manufacturing, Processing, Repairing, Renovating, Assembly of Goods, Merchandise or Equipment – Operations Conducted Entirely Within Fully Enclosed Building within the General Industrial zone, as shown below, with a Special Use Permit.</p>	<p>Yes</p>

Regulation	Analysis	Meets
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<p>20.40.030 Community and Economic Development Director jurisdiction over uses otherwise permissible with a zoning permit.</p> <p>Notwithstanding any other provisions of this chapter, whenever the Tables of Permissible Uses (interpreted in the light of Section 20.40.020 (Use of the Designations Z, S, C in Tables of Permissible Uses) and the other provisions of this chapter) provides that a use in a nonresidential zone or a nonconforming use in a residential zone is permissible with a zoning permit, a special use permit shall nevertheless be required if the community and economic development director finds that the proposed use would have an extraordinary impact on neighboring properties or the general public. In making this determination, the community and economic development director shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question.</p>	<p>The size of the parcel for the Seattle Galvanizing Small Parts and Storage use required a zoning permit per 20.40.140 Industrial Zones Permissible Use Table. The community and economic development director determined that the application should be processed as a special use permit due to the potential negative impacts to the environment and to provide for additional analysis of the galvanizing process.</p>	<p>Yes</p>
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Chapter 20.40.140 Industrial Zones Permissible Use Table

Use	LI	GI
Industrial, Manufacturing, Processing, Repairing, Renovating, Assembly of Goods, Merchandise or Equipment		
Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Not Done with Walk-In Trade	ZS	ZS
<ul style="list-style-type: none"> ZS = Zoning or Special Use Permit 		

Chapter 20.44.020 AMC, Supplemental Use Regulations

<p>20.44.098 (d)(1) Electric Vehicle Charging Stations – Allowed as Required Spaces. Electric vehicle charging station spaces shall be allowed to be used in the computation of the required off-street parking spaces as provided under 20.44.098(e), provided; that the electric vehicle charging station(s) is accessory to the primary use of the property.</p>	<p>The project is required to provide electric vehicle charging stations on the site. The charging stations will be accessory to the primary use of the property.</p>	<p>Yes</p>
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Regulation	Analysis	Meets
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<p>20.44.098 Charging Station Spaces.</p> <p>(e)(1) No minimum number of charging station spaces is required, except WAC 51-50-0429 requires 10% of the parking spaces provided to be for electric vehicle charging infrastructure.</p> <p>(e)(2) Location and Design Criteria. The provision of electric vehicle parking will vary based on design and use of the primary parking lot.</p> <p>(A) Where provided, parking for electric vehicle charging purposes is required to include the following:</p> <ul style="list-style-type: none"> i. Signage ii. Maintenance iii. Accessibility iv. Lighting <p>(B) Parking for electric vehicles should also consider the following:</p> <ul style="list-style-type: none"> i. Notification ii. Directional Signage 	<p>The project provides 70 vehicular parking spaces on the site. The required electric vehicle parking spaces is 7.</p> <table border="1" data-bbox="847 268 1347 365"> <thead> <tr> <th>Total Parking Spaces</th> <th>X 10%</th> <th>Total EV</th> </tr> </thead> <tbody> <tr> <td>70</td> <td>X 0.10</td> <td>7</td> </tr> </tbody> </table> <p>The electric vehicle parking spaces are required to be shown on the Civil construction plans and include required regulations for signage, maintenance, accessibility, lighting, notifications, and directional signage per AMC 20.44.098.</p>	Total Parking Spaces	X 10%	Total EV	70	X 0.10	7	<p>Yes</p>		
Total Parking Spaces	X 10%	Total EV								
70	X 0.10	7								
<p>20.44.098 (f)(1) Accessible electric vehicle charging stations are provided in the ratios shown in the following table.</p> <table border="1" data-bbox="204 974 821 1136"> <thead> <tr> <th>Number of EV Charging Stations</th> <th>Minimum Accessible EV Charging Stations</th> </tr> </thead> <tbody> <tr> <td>1 - 50</td> <td>1</td> </tr> <tr> <td>51 - 100</td> <td>2</td> </tr> <tr> <td>101 - 150</td> <td>3</td> </tr> </tbody> </table>	Number of EV Charging Stations	Minimum Accessible EV Charging Stations	1 - 50	1	51 - 100	2	101 - 150	3	<p>The project is required to install 7 electric vehicle charging stations, with a minimum of 1 charging stations being accessible.</p>	<p>Yes</p>
Number of EV Charging Stations	Minimum Accessible EV Charging Stations									
1 - 50	1									
51 - 100	2									
101 - 150	3									

Regulation	Analysis	Meets
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Part III. Performance Standards

20.44.208 Obligation to Comply.

(a) All uses in any zoning district must continually comply with the performance and operational standards of this Part.

20.44.210 Noise.

(c) Pursuant to WAC 173-60-030(2), the following zones are designated to conform with the EDNAs as provided:

(3) BP, AF, LI, and GI – Class C EDNA

20.44.220 Vibration.

(b) No use in the Light Industrial or General Industrial may generate any ground-transmitted vibration in excess of the limits set for in subsection (e). Vibration shall be measured at any adjacent lot line or residential district line as indicated in the below table:

Zoning District	Particle Velocity, Inches-Per-Second	
	Adjacent to Lot Line	Residential District
GI	0.20	0.02

20.44.230 Odors.

(a) For purposes of this section, the “odor threshold” is defined as the minimum concentration in air of agas, vapor, or particulate matter that is found to be overwhelming and a nuisance to the olfactory systems of a majority of a panel of five healthy observers.

20.44.240 Smoke and Air Pollution.

(a) Any use that emits any “air contaminant” as defined in Regulations 1, 2, or 3 of the Puget Sound Clean Air Agency shall comply with applicable state standards concerning air pollution, as set forth in Regulations 1, 2, or 3 of the Puget Sound Clean Air Agency.

(b) No zoning, special use, or conditional use permit may be issued with respect to any development covered by subsection (a) until the Puget Sound Clean Air Agency has certified to the permit-issuing authority that the appropriate state permits have been received by the developer, or that the developer is eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

The applicant submitted information to city staff that stated that the proposed use would not cause any effects to the performance standards listed in this section. The applicant statements are listed below:

- Noise – The facility will generate noise levels well below city thresholds.
- Vibration – No vibrations will be generated by facility operations.
- Odors – Odors are not anticipated but it is understood that all people have different reactions to odors. This will be addressed as part of the PSCAA review.
- Smoke and Air Pollution – Smoke will not be generated. Air pollution will be addressed as part of the PSCAA review.
- The PSCAA is the governing agency for air quality and air pollution in Washington State.

Yes*

Regulation	Analysis	Meets
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<p>20.44 Part III. Performance Standards Continued</p> <p>20.44.250 Disposal of Liquid and Hazardous Wastes (a) No use in any district may discharge any waste contrary to the provisions of RCW 70.105 or RCW 90.48.</p> <p>(b) No use in any district may discharge into the city of Arlington’s sewage treatment facilities any waste that cannot be adequately treated by biological means or in a manner inconsistent with the requirements and sewer service policies.</p> <p>20.44.260 – Water Consumption. No use shall consume and/or use water supplied by the city of Arlington in a manner inconsistent with the requirements and water service policies.</p> <p>2044.270 – Electrical Disturbance or Interference. No use may create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance.</p> <p>20.44.280 – Lighting (a) Lighting shall not be used in such a manner as to produce a glare on public streets or neighboring property.</p> <p>20.44.290 – Site and Building Maintenance. All exteriors of all buildings and other structures shall be maintained in a clean and well-maintained condition. All outside space, including landscaped and open space areas shall be kept free of litter and debris. All plant material shall be kept free of disease, dead material, and weeds that may constitute a health or fire nuisance.</p>	<p>Continued statements are listed below:</p> <ul style="list-style-type: none"> • Disposal of Liquid Hazardous Wastes – This is addressed in the Galvanizing Facility Overview that was submitted with the original submittal. The majority of liquids are recycled within the production line. • Water Consumption – This use is minimal and is addressed in the Galvanizing Facility Overview that was submitted with the original submittal. • Electrical Disturbance or Interference – There are no electrical uses associated with the process other than lighting. • Lighting – Lighting of the site will be the same as any other project in the city. All lighting will be shielded and directed within the property boundaries. • Site and Building Maintenance – The owner will keep the site and building maintained in keeping with jurisdictional requirements. 	<p>Yes</p>
<p>Chapter 20.46 AMC, Design</p>		
<p>20.46.010 (a) Conformance with Design Standards. Structures within the following zones are subject to the relevant design standards adopted in this chapter. No building or land use permit shall be issued for structures or uses that do not conform to the applicable standards.</p> <p>(1) Zones</p> <p>(I) General Industrial</p>	<p>The proposed project is within an existing building on the site. The applicant has stated that no improvements would be occurring on the exterior façade of the building. At this time design review is not required. In the future if changes to the exterior occur then design review approval is required.</p>	<p>Yes</p>

Regulation	Analysis	Meets
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Chapter 20.48 AMC, Density and Dimensional Regulations		
20.48.040 Building Setback Requirements. No portion of any building or any freestanding sign may be located on any lot closer to any lot line than is authorized in Table 20.48-1 Density and Dimensional Standards for the general industrial zone.	The proposed project is within the general industrial zone and the existing building complies with the below regulations.	Yes
20.48.042 Sight Visibility Areas at Intersections. At the intersection of two streets, either public or private, no structure, sign, vegetation, or anything else that obscures sight shall exceed 30 inches in height in the area described by a triangle having two 25-foot legs along the curb faces of the streets from the streets' point of intersection, and a diagonal line connecting the ends of these lines.	The proposed project has one driveway access to the site from 67 th Avenue NE. The site plan shows the proposed improvements do not change or obscure sight from the entrance/exit to and from the site.	Yes
Table 20.48-1 Density and Dimensional Standards		
Minimum Lot Size: 10,000 square feet	109,336 sf	Yes
Minimum Lot Width: 70 feet	+/- 400'	Yes
Front Lot Boundary Line: 25 feet	38' 6"	Yes
Rear Lot Boundary Line – Primary: 20 feet	43'	Yes
Side Lot Line or Alley Building Setback: 5 feet	26'6" – 117'	Yes
Building Height Limitation: 50 feet	31' 2"	Yes
Maximum Lot Coverage: 100%	91%	Yes
Chapter 20.56 AMC, Streets and Sidewalks		
20.56.030 Access to Lots. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. Access includes vehicular, pedestrian, bicycle, and other common forms of transportation.	The proposed project has one access point to the site from 67 th Avenue NE, which can accommodate all ingress and egress for vehicles, pedestrians, bicycles, and emergency vehicles.	Yes

Regulation	Analysis	Meets
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<p>20.56.050 Entrances to Streets. (a) All driveway entrances and other openings onto streets within the city’s planning jurisdiction shall be constructed so that:</p> <ol style="list-style-type: none"> 1. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and 2. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized. 3. Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property. 4. Driveways shall not be located adjacent to one another in such a manner as to create a “double width” driveway without any landscaping between the driveways. 	<p>The proposed project provides one driveway access point to the site. The project site is served by internal private drive aisles around the entire building. The proposed project complies with the following City of Arlington Standards and Specifications:</p> <ul style="list-style-type: none"> • The existing driveway that provides access to the site shall not impede vehicle or pedestrian travel to 67th Avenue NE. • Access to the site shall not interfere with vehicular travel along 67th Avenue NE. • The existing driveway widths were previously approved with the past use of the property and can accommodate truck traffic to the site. • No double width driveway are proposed. 	<p>Yes</p>
<p>20.56.120 Street Intersections. (a) Streets shall intersect at 80° to 90°. Not more than two streets shall intersect at any one point or vary from the above angle of connections.</p>	<p>The proposed project provides 90° driveway intersection to the public right-of-way.</p>	<p>Yes</p>
<p>20.56.130 Construction Standards and Specifications. Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the “Public Works Construction Standards and Specifications,” and all such facilities shall be completed in accordance with these standards.</p>	<p>The proposed project is subject to a site civil construction permit.</p>	<p>Yes</p>
<p>Chapter 20.60 AMC, Utilities</p>		
<p>20.60.100 Sewage Disposal Facilities Required. Every principal use and every lot within a subdivision shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.</p>	<p>The proposed project shall connect to the City of Arlington Sanitary Sewer. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications and comply with the sewer availability approved by the Public Works Director on January 25, 2024.</p>	<p>Yes</p>

Regulation	Analysis	Meets
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<p>20.60.300 Water Supply System Required. Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.</p>	<p>The proposed project shall connect to the City of Arlington water. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications and comply with the water availability approved by the Public Works Director on January 25, 2024.</p>	<p>Yes</p>
<p>20.60.400 Lighting Requirements. (a) All public streets, sidewalks, and other common areas or facilities shall be sufficiently illuminated to ensure security of property and the safety of persons using such streets, sidewalks and other common areas or facilities.</p>	<p>The proposed project is required to provide adequate lighting throughout the site. This is required to be shown on the civil plans for approval.</p>	<p>Yes</p>
<p>(c) All entrances and exits in substantial buildings used for nonresidential purposes shall be adequately lighted to ensure the safety of persons and the security of buildings.</p>	<p>The proposed project is required to provide adequate lighting at the building entrance and throughout the site to ensure safety. This is required to be shown on the civil and/or building plans for approval.</p>	
<p>(d) All outdoor lights shall be low sodium or similar lamp type and be down shielded to prevent light pollution.</p>	<p>The proposed project is required to provide LED lighting that is down shielded throughout the site. This is required to be shown on the civil plans for approval.</p>	<p>Yes</p>
<p>20.60.410 Excessive Illumination. Lighting within any lot that unnecessarily illuminates any other lot or public right-of-way and substantially interferes with the use or enjoyment of such other lot or public right-of-way is prohibited.</p>	<p>The proposed project is required to provide adequate lighting throughout the site that does not unnecessarily illuminate neighboring properties. This is required to be shown on the civil plans for approval.</p>	<p>Yes</p>
<p>20.60.450 Underground Utilities. All existing, extended, new electrical power lines, telephone, gas distribution, cable television, and other communication and utility lines shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the Public Works Construction Standards and Specifications.</p>	<p>All proposed utilities to and on the site shall be located underground. All utility lines are required to be shown on the site civil plans and shall be approved by the City of Arlington prior to construction activities on the site.</p>	<p>Yes</p>

Regulation	Analysis	Meets
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Chapter 20.72 AMC, Parking																												
<p>20.72.010 Number of Parking Spaces Required.</p> <p>(a) All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question.</p> <table border="1"> <thead> <tr> <th>Use</th> <th>Required Parking Stalls</th> </tr> </thead> <tbody> <tr> <td>Operations Conducted Entirely Within a Fully Enclosed Building</td> <td>1 space per 600 sf of gross floor area</td> </tr> </tbody> </table>		Use	Required Parking Stalls	Operations Conducted Entirely Within a Fully Enclosed Building	1 space per 600 sf of gross floor area	<p>The existing building is 42,003 square feet, requiring 70 parking stalls.</p> <table border="1"> <thead> <tr> <th>Building Square Feet</th> <th>/ 600</th> <th>Total Required Parking Stalls</th> </tr> </thead> <tbody> <tr> <td>42,003</td> <td>/600</td> <td>70</td> </tr> </tbody> </table>			Building Square Feet	/ 600	Total Required Parking Stalls	42,003	/600	70	Yes													
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<p>20.72.030 Parking Space Dimensions.</p> <p>(a) Except accessible parking spaces, each parking space shall contain a rectangular area of at least nineteen feet long and nine feet wide.</p> <p>(b) Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking shall be not less than twenty-two feet by eight feet.</p>		<p>The site plan shows that perpendicular, angled, and parallel parking spaces are proposed that meet the required dimensions.</p>			Yes																							
<p>20.72.040 Required Widths of Parking Area Aisles and Driveways.</p> <table border="1"> <thead> <tr> <th rowspan="2">Parking Angle</th> <th colspan="5">Aisle Width</th> </tr> <tr> <th>0°</th> <th>30°</th> <th>45°</th> <th>60°</th> <th>90°</th> </tr> </thead> <tbody> <tr> <td>One-Way Traffic</td> <td>13'</td> <td>11'</td> <td>13'</td> <td>18'</td> <td>24'</td> </tr> <tr> <td>Two-Way Traffic</td> <td>22'</td> <td>22'</td> <td>22'</td> <td>22'</td> <td>24'</td> </tr> </tbody> </table>		Parking Angle	Aisle Width					0°	30°	45°	60°	90°	One-Way Traffic	13'	11'	13'	18'	24'	Two-Way Traffic	22'	22'	22'	22'	24'	<p>The project site plan shows a two-way aisle width of over 24 feet and a one-way aisle width of 13 feet 6 inches for the 45° parking spaces on the east side of the site, which meets or exceeds the requirements.</p>			Yes
Parking Angle	Aisle Width																											
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<p>20.72.060 Parking Area Surface.</p> <p>(a) All parking areas shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in the Public Works Construction Standards and Specifications.</p> <p>(b) Parking spaces shall be appropriately demarcated with painted lines or other markings.</p> <p>(c) Parking areas shall be properly maintained in all respects.</p>		<p>The proposed project has shown asphalt for the parking and vehicle drive aisle areas throughout the site. All parking spaces are painted with lines and other required markings. This will need to be shown on the civil plans.</p>			Yes																							

Regulation	Analysis	Meets
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<p>20.72.064 Accessible Parking Spaces.</p> <p>(b) The number of handicapped parking spaces to be provided in any lot or facility shall be in accordance with the current state standard and International Building Code. Accessible parking spaces are to be calculated in addition to the required off-street parking spaces required and not included in the parking calculations in Table 20.72-1.</p>	<p>The proposed project has provided three accessible parking spaces on site with one of which is sized to accommodate van dimensions.</p>	<p>Yes</p>																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="4" style="text-align: center;">Table 20.72-3</th> </tr> <tr> <th rowspan="2" style="text-align: center;">Parking Facility Total</th> <th colspan="3" style="text-align: center;">Minimum Number of Accessible Spaces</th> </tr> <tr> <th style="text-align: center;">Standard</th> <th style="text-align: center;">Van</th> <th style="text-align: center;">Total</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1-25</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">26-50</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: center;">51-75</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">3</td> </tr> </tbody> </table>	Table 20.72-3				Parking Facility Total	Minimum Number of Accessible Spaces			Standard	Van	Total	1-25	0	1	1	26-50	1	1	2	51-75	2	1	3	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">Total Standard Vehicle and Van ADA Parking Requirements for the Site</th> </tr> <tr> <th colspan="2" style="text-align: center;">Proposed</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Total Standard Vehicle</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: center;">Total ADA Standard & Van</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">Total Proposed On Site</td> <td style="text-align: center;">3</td> </tr> </tbody> </table>	Total Standard Vehicle and Van ADA Parking Requirements for the Site		Proposed		Total Standard Vehicle	2	Total ADA Standard & Van	1	Total Proposed On Site	3
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<p>20.72.110 Bicycle Parking Facilities.</p> <p>(b) All commercial and public uses shall provide “stalls” for bicycles at a ratio of 10% of the required automobile parking spaces required for a business or group of businesses. After twenty “stalls” have been provided by any business or group of businesses, the ratio shall be 5% of the total required automobile parking spaces.</p> <p>73 stalls x 10% = 7.3 = 8 bicycle stalls</p>	<p>The proposed site plan show that 8 bicycle parking stalls are provided and shows the location of the bicycle racks by the main entry area. The amount of bicycle parking stalls provided meets the requirement.</p>	<p>Yes</p>
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Chapter 20.76 AMC, Screening and Trees

<p>20.76.020 General Screening Standard.</p> <p>Developments shall provide sufficient screening so that:</p> <ol style="list-style-type: none"> 1. Neighboring properties are shielded from any adverse external effects of that development. 2. The development is shielded from the negative impacts of adjacent uses such as streets and railroads. 	<p>The project is in the General Industrial zone surrounded by industrial and manufacturing businesses. The site is bordered by 67th Avenue NE on the east side of the property and Burlington Northern Railroad Tracks on the west side of the property.</p>	<p>Yes</p>
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<p>20.76.030 Compliance with Screening Standard.</p> <p>The table set forth in 20.76.050, in conjunction with the explanations in 20.76.040 concerning the types of screens, establishes screening requirements that presumptively satisfy the general standards established in 20.76.020. The table uses the permissible use designation to determine the type of screening that is required between two uses.</p>	<p>The proposed project has provided Type A landscaping on the north, south, and west sides of the property and Type B along 67th Avenue on the east side of the property.</p>	<p>Yes</p>
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Table 20.76-1 Screening Requirements		
Use	Frontage Landscaping	Side and Rear Property Lines
Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Done without Walk-In Trade	Type B	Type A – All Neighboring Properties

Regulation	Analysis	Meets
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<p>20.76.110 Required Trees Along Dedicated Streets. The developer shall either plant or retain sufficient trees so that within the landscape strip there is for every 30 feet of street frontage at least an average of one deciduous tree of two inches dbh at the time of planting and with a canopy that starts at least eight feet above finished grade and has or will have when fully mature a trunk at least 8 inches in diameter. Root barriers shall be provided for all street trees and the landscape strip shall be planted per the Department of Public Works Standards and Specifications.</p>	<p>The proposed project does not require street trees to be planted along the 67th Avenue NE frontage, as it is an existing improved street. The applicant is providing trees within the landscaping on the east property line.</p>	<p>Yes</p>						
<p>20.76.140 Maintenance of Screening and Shading Elements. All screening and shading elements required by this Chapter shall be maintained by the owner for the life of the project to the following standards:</p> <ol style="list-style-type: none"> 1. All plant material shall be maintained with respect to pruning, trimming, mowing, watering, insect control, and fertilizing to maintain a healthy growing condition, create an attractive appearance, and to accomplish the purpose for which it was required. 2. Dead, diseased, stolen, vandalized, or damaged plants shall be replaced within three months of the plants indicated on the approved landscape plans. 3. All screening and shading elements shall be maintained reasonably free of weeds and trash. 4. All screening and shading elements located within the public right-of-way shall be maintained by the abutting property owner. 	<p>The property owner(s) shall maintain the landscaping on the property and within the right-of-way per AMC 20.76.</p>	<p>Yes</p>						
<p>Chapter 20.90 AMC, Concurrency & Impact Fees</p>								
<p>20.90.045 (a) All development projects within the Cascade Industrial Center shall be assessed an additional transportation impact fee, at the rate of \$5,841.39, based on peak p.m. trips, as computed in accordance with the most current edition of the Institute of Transportation Engineers Trip Generation Manual.</p>	<p>The applicant provided a Traffic Impact Analysis prepared by Kimley Horn Traffic Consultants in August 2023. The City does not fully concur with the traffic impact analysis or the traffic memo. The city will not charge the city traffic impact fee but is requiring the City Cascade Industrial Center traffic impact fee for 5 PM peak-hour-trips.</p> <table border="1" data-bbox="824 1724 1349 1822"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$5,841.39</td> <td>5</td> <td>\$29,206.95</td> </tr> </tbody> </table>	Traffic Fee	# Of Trips	Total Amount	\$5,841.39	5	\$29,206.95	<p>Yes</p>
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\$5,841.39	5	\$29,206.95						

Regulation	Analysis	Meets
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Chapter 20.98 AMC, State Environmental Policy Act (SEPA)		
<p>20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.</p>	<p>The applicant provided an environmental checklist with the application. The City of Arlington was determined to be the lead agency. A Mitigated Determination of Non-Significance was issued for the proposal on June 6, 2024. The comment period for the MDNS was from June 11, 2024 to June 25, 2024.</p>	<p>Yes</p>
Chapter 13.28 AMC, Stormwater		
<p>13.28.070 Applicability of the Utility. The following actions or applications for the following permit and/or approvals will require submittal for approval by the utility: site plans, design drawings, and operations and maintenance plans. Submittals shall be consistent with the provisions of this Code, and shall comply with the stormwater manual and engineering standards:</p> <p>(4) Redevelopment that creates or alters hard surfaces</p> <p>(8) Commercial, industrial or multi-family site plan approval</p>	<p>The proposed project is subject to meeting the required stormwater regulations for the site. A Site Civil Permit shall be required for all site improvements. The approval of the stormwater system takes place during this review process. All stormwater systems shall comply with the City of Arlington Public Works Standards and Specifications and the most recent Department of Ecology Stormwater Manual for Western Washington.</p>	<p>Yes</p>

F. PUBLIC COMMENTS

Public Comment	Response
<p>Public comments received during the Notice of Application and MDNS comment periods for Seattle Galvanizing Small Parts and Storage project, PLN#1145.</p> <p>Below is a summary of the comments and concerns that were submitted to the city by agencies or citizens during the public comment periods. The original comments submitted are shown in the exhibits for this project.</p>	<p>Below is a summary of the responses provided by city staff for those comments received during the public comment periods.</p>

Public Comment	Response
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<p>Department of Archaeological and Historic Preservation (DAHP) provided a comment letter during the Notice of Application comment period requesting an archaeological survey of the project area prior to ground disturbing activities.</p> <p>After review of the archaeological survey DAHP sent another letter stating that they concurred with the results and recommendations of the survey report and a DAHP Permit must be applied for and granted to the project prior to ground disturbing activities.</p>	<p>City staff sent the comments to the applicant requiring an archaeological survey to be completed with the resubmittal of information for the project.</p> <p>The applicant submitted the archaeological survey, and the survey was sent to DAHP for approval.</p> <p>The city received additional comments from DAHP with their conditioned approval. The conditions were added to the SEPA MDNS Decision and are part of the conditions of this permit.</p>
<p>The Stillaguamish Tribe of Indians provided comments during the Notice of Application comment period and requested notification of archaeological field work.</p> <p>Another comment was submitted during the SEPA MDNS comment period stating that they saw the SEPA MDNS condition for the excavation permit from DAHP.</p>	<p>City staff sent the comments to the applicant, so they were included in the above-mentioned archaeological survey that was requested.</p> <p>The city has added a condition to this permit to notify the Stillaguamish Tribe of any ground disturbing activities on the site.</p>
<p>Don Backstrom – Exhibit 28</p> <p>Comments made and received during the Notice of Application comment period. The comments included a request for the city to hold a formal hearing for the project in front of the Hearing Examiner. He stated that he is familiar with Seattle Galvanizing’s current operation and feels that such an operation would have a serious negative impact on the neighboring properties and public. Some of the impact of particle discharge, from their current facility, is very apparent and that he is a neighboring property owner that has grave concerns for the installation and operation of a hot dip galvanizing facility.</p>	<p>City staff responded to Don Backstrom to let him know that his comments and request for a hearing were received and that the project would be heard before the Hearing Examiner at a public hearing.</p>
<p>The following comments were received during the SEPA MDNS public comment period. All public comments received expressed concerns with the hot dip galvanization process and how it produces toxic fumes, such as vaporization from lead and zinc and how it can lead to long term health problems. The comments express their concern that exposure to lead is particularly dangerous and is known to cause numerous serious health issues, including cancer. The proximity of the proposed plant to the Gleneagle residences is alarming and the location is unsuitable for metal chemical processing activities. The comments showed adamant objections and requests for the plan to be reconsidered and/or denied</p> <p>Please see the exhibits included in the public hearing documents for specific details from each of the commentors.</p>	

Public Comment	Response
Habib Arang – Exhibit 29	City staff responded to each of the commentors with information regarding the project documents, staff report, and public hearing information. There were no specific or individual issues addressed in the emails, but included how to obtain the information of the project through the exhibits that were placed on the city’s webpage, public comment dates, public hearing information, date, and time, and that they were a party of record for the project.
H.R. Malloy – Exhibit 30	
John Swizer – Exhibit 31	
Sally Hoy – Exhibit 32	
Elizabeth Viney – Exhibit 33	
Gina Jones – Exhibit 34	
Ken Root – Exhibit 35	
Janis Kimball – Exhibit 36	
Lorraine Cebollero – Exhibit 37	
Philip Lane – Exhibit 38	
Janine Armstrong – Exhibit 39	
Herman Vanloo – Exhibit 40	
Julie David – Exhibit 41	
Linda Beecher – Exhibit 42	
Mark DuBois – Exhibit 43	
Jacqueline Burkhalter – Exhibit 44	
Elisabeth Rosson – Exhibit 45	
Christian Wigington – Exhibit 46	
Glenda Blakely – Exhibit 47	
Erin Casey – Exhibit 48	
Rayna Allinger – Exhibit 49	
Karri Norberg – Exhibit 50	
Leanne Lopez – Exhibit 51	
Dianne Hascall – Exhibit 52	
Catherine Patterson – Exhibit 53	
Stacey Calvert – Exhibit 54	
Henry Cho – Exhibit 55	
Wayne Pollard – Exhibit 56	
Cynthia Cloutier – Exhibit 57	
Jenn O’Toole – Exhibit 58	
Cody Fagan – Exhibit 59	
Michael Ross – Exhibit 60	
Michael Martonick – Exhibit 61	
Dana Stoeckel – Exhibit 62	
Roy Matson – Exhibit 63	
David Brown – Exhibit 64	
Richard Lothamer – Exhibit 65	
Jenna DeWitte – Exhibit 66	
Westley Hunter – Exhibit 67	

Public Comment	Response
John Weber – Exhibit 68	City staff responded to each of the commentors with information regarding the project documents, staff report, and public hearing information. There were no specific or individual issues addressed in the emails, but included how to obtain the information of the project through the exhibits that were placed on the city’s webpage, public comment dates, public hearing information, date, and time, and that they were a party of record for the project.
Audrey Conner – Exhibit 69	
Sarah Torres – Exhibit 70	
Danielle Sowinski – Exhibit 71	
Joe Montellano – Exhibit 72	
William Cutler – Exhibit 73	
Linda Lorig – Exhibit 74	
Ksenia Cutler – Exhibit 75	
Denis Egorov – Exhibit 76	
Kristina Egorova – Exhibit 77	
Sandi Bordsen – Exhibit 78	
Emily Heart – Exhibit 79	
Camille Pickett – Exhibit 80	
Alan Goldberg – Exhibit 81	
Judy Ness – Exhibit 82	
Paul Bordsen – Exhibit 83	
Tara Atkinson – Exhibit 84	
Crystal Williams – Exhibit 85	
Donald Coats – Exhibit 86	
Toni Southard – Exhibit 87	
Marc Stankey – Exhibit 88	
Connie Martinis – Exhibit 89	
Elisabeth Bacigalupi – Exhibit 90	
Tammy Olson – Exhibit 91	
Kiley Busby – Exhibit 92	
Clarence Downard – Exhibit 93	
Gary Gibbs – Exhibit 94	
Michael Burow – Exhibit 95	
Adena Doran – Exhibit 96	
Kyla Gray – Exhibit 97	
Lisa Peters – Exhibit 98	
Helen Downard – Exhibit 99	
Amy Taylor – Exhibit 100	
Frank Losos – Exhibit 101	
Michael Domonowski – Exhibit 102	
Debbie Orr – Exhibit 103	
Lynzee Schweigert – Exhibit 104	
Debra Bodda – Exhibit 105	
Gary Whitley – Exhibit 106	

Public Comment	Response
Sandra Matthews - Exhibit 107	City staff responded to each of the commentors with information regarding the project documents, staff report, and public hearing information. There were no specific or individual issues addressed in the emails, but included how to obtain the information of the project through the exhibits that were placed on the city's webpage, public comment dates, public hearing information, date, and time, and that they were a party of record for the project.
Michael Wolf - Exhibit 108	
Brian McEachron - Exhibit 109	
Nover Abes - Exhibit 110	
Francine Walbon - Exhibit 111	
Carlos Braulio - Exhibit 112	
Magnolia Estates Resident - Exhibit 113	
Kegan - Exhibit 114	
CarlieAnn Raff - Exhibit 115	
Thresa Reiff - Exhibit 116	
Nicole Egholm - Exhibit 117	
Katelynne Perry - Exhibit 118	
John Daus - Exhibit 119	
Ann Minks - Exhibit 120	
Beverly Lothamer - Exhibit 121	
Kandi Knott - Exhibit 122	
Linda Ferguson - Exhibit 123	
Barbara Bowles - Exhibit 124	
Karla Marsh - Exhibit 125	
Jeff Shumski - Exhibit 126	
Nikole Crutcher - Exhibit 127	
George Nemeth - Exhibit 128	
Andrea Misitano - Exhibit 129	
Kelsey Pierce - Exhibit 130	
Noel Turk - Exhibit 131	
14254180053 - Exhibit 132	
Denise Trautmann - Exhibit 133	
Andie Boyle - Exhibit 134	
Aaron Thompson - Exhibit 135	
Ginny Madison - Exhibit 136	
Kitty Smith - Exhibit 137	
Keith Russell - Exhibit 138	
Melissa MacNeal - Exhibit 139	
Leonard - Exhibit 140	
Travis Marsh - Exhibit 141	
Hilary MacTaggart - Exhibit 142	
Scott Tomkins - Exhibit 143	
Simona Devries - Exhibit 144	
Marsha Elliott - Exhibit 145	

Public Comment	Response
Tami Rystrom – Exhibit 146	City staff responded to each of the commentors with information regarding the project documents, staff report, and public hearing information. There were no specific or individual issues addressed in the emails, but included how to obtain the information of the project through the exhibits that were placed on the city’s webpage, public comment dates, public hearing information, date, and time, and that they were a party of record for the project.
Steve Maisch – Exhibit 147	
Todd Powell – Exhibit 148	
Andrea Powell – Exhibit 149	
Kathy Ladines – Exhibit 150	
Kristi Anderson – Exhibit 151	
Ryan Olson – Exhibit 152	
Pat Vaughn – Exhibit 153	
Dennis Hutton – Exhibit 154	
Susan Cotton – Exhibit 155	
Morgen Phillips – Exhibit 156	
Jorge Lopez – Exhibit 157	
Concerned Citizen – Exhibit 158	
Leanne Lopez – Exhibit 159	
Jerry Wilson – Exhibit 160	
Elizabeth Vincenzi – Exhibit 161	
Matt – Exhibit 162	
Blake Petersen – Exhibit 163	
Shalee Abram – Exhibit 164	
Sara Troup – Exhibit 165	
Sue Carmody – Exhibit 166	
Jack Miller – Exhibit 167	
Edward Beam – Exhibit 168	
Katrina Sperry – Exhibit 169	
Richard Edgerton – Exhibit 170	
Michael Boyko – Exhibit 171	
Cherese Sutton – Exhibit 172	
Kathy Yeadon – Exhibit 173	
Theresa Fournier – Exhibit 174	
Jessica Preder – Exhibit 175	
George Schweigert – Exhibit 176	
Jordin Kate – Exhibit 177	
Jordan Kurtz – Exhibit 178	
Christina Adamson – Exhibit 179	
Sondra Brunkhorst – Exhibit 180	
Karan Bush – Exhibit 181	
Gordon Snyder – Exhibit 182	
Robert Kircher – Exhibit 183	
Jim Brunkhorst – Exhibit 184	

Public Comment	Response
Heidi Valverde – Exhibit 185	City staff responded to each of the commentors with information regarding the project documents, staff report, and public hearing information. There were no specific or individual issues addressed in the emails, but included how to obtain the information of the project through the exhibits that were placed on the city’s webpage, public comment dates, public hearing information, date, and time, and that they were a party of record for the project.
Kimberly Brown – Exhibit 186	
Lewis Linville – Exhibit 187	
Karen Varnell – Exhibit 188	
George Weicker – Exhibit 189	
Linda Salish – Exhibit 190	
Michelle Basford – Exhibit 191	
Bruce Yeadon – Exhibit 192	
John Jury – Exhibit 193	
Joshua Miller – Exhibit 194	
Chris Anderson – Exhibit 195	
Cory Suit – Exhibit 196	
Elaine Hellwig – Exhibit 197	
Taylor Kasony – Exhibit 198	
David Thomas – Exhibit 199	
Magali Jaenz – Exhibit 200	
Kasondra Gilber – Exhibit 201	
Sandra Olson – Exhibit 202	
Michelle Tornetta – Exhibit 203	
Lorraine Koch – Exhibit 204	
Natalie Hollifield – Exhibit 205	
Karen McKellar – Exhibit 206	
Jack McCord – Exhibit 207	
Rex Martin – Exhibit 208	
Eyleen McCluskey-Shouman – Exhibit 209	
Jessica Guerrier – Exhibit 210	

G. CONCLUSIONS AND RECOMMENDATION

- (a) The applicant has applied for a Special Use Permit as required under AMC 20.16.
- (b) AMC 20.16.225 (c), Subject to Subsection (d), the designated decision-maker shall issue the requested permit unless it concludes, based upon the information submitted as a hearing if there is a hearing or by signed letter if there is not, that:

Regulation	Analysis	Meets
AMC 20.16.225(c)		
(1) The requested permit is not within its jurisdiction according to the table of permissible uses.	The requested site plan review is within the City of Arlington's jurisdiction per the above zoning map and permissible use table.	Yes
(2) The application is incomplete.	The application for the subject site plan review was deemed complete on December 8, 2023.	Yes
(3) If completed as proposed in the application, the development will not comply with one or more of the requirements of this title.	The project, if completed as proposed, will comply with the elements of AMC Title 20, for operations conducted entirely within an enclosed building.	Yes
(4) The proposed project has not complied with SEPA	The proposed project has complied with SEPA through the Mitigated Determination of Non-Significance decision issued on June 6, 2024.	Yes
(5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, or other adopted plans, regulations, or policies.	The proposed site plan review complies with the Arlington Municipal Code, Comprehensive Plan, and Transportation Plan for the subject site to be used for the proposed industrial operations conducted entirely within an enclosed building.	Yes

(c) AMC 20.16.225 (d), Even if the permit-issuing authority finds that the application complies with all other provisions of this title, it may still deny the permit if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development , more probably than not:

AMC 20.16.225 (d)		
Regulation	Analysis	Meets
(1) Will materially endanger the public health or safety	The project, if completed as proposed and under proper operating procedures, will not materially endanger public health and safety for operations conducted entirely within an enclosed building. Operating from within an enclosed building allows the baghouse to operate correctly and efficiently to minimize impacts.	No
(2) Will materially harm adjoining or abutting property	The project, if completed as proposed and under proper operating procedures, will not materially harm adjoining or abutting property if operations are conducted entirely within an enclosed building. Operating from within an enclosed building allows the baghouse to operate correctly and efficiently to minimize impacts.	No
(3) In terms of design and use will not be compatible with the area in which it is located	The project, if completed as proposed, is compatible within the area in which it is located for operations conducted entirely within an enclosed building. The applicant is proposing to use the current building on the site that was constructed in 1979. There are no changes to the design of the existing building proposed with this application. If design changes are proposed in the future then the applicant is required to submit for a design review permit.	No

(d) The Special use Permit should be approved subject to the conditions specified in Section H below.

H. CONDITIONS

Special Use Permit:

1. All development shall be in substantial conformance with the approved Site Plans and Landscape Plans received on May 16, 2024, subject to any conditions or modifications that may be required as part of the permit review.
2. The applicant shall meet all local, state, or federal code requirements. Please refer to the Arlington Municipal Code for a complete list of code requirements for your project type.
3. The applicant shall comply with all permits and conditions thereof from the City of Arlington and other government agencies with jurisdiction.
4. The applicant shall perform all processing and manufacturing from within an enclosed building and follow proper operating procedures, in order for the baghouse to operate correctly and minimize the impact on the surrounding area.

SEPA MDNS Conditions:

5. **(B)(1) Earth:** In order to mitigate potential earth impacts, the applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction. A Certified Erosion and Sediment Control Lead is required to monitor the site.
6. **(B)(2) Air:** In order to mitigate potential air impacts during construction, the applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.

To mitigate potential air pollution and impacts once operational, the applicant shall submit the correct information to and comply with all Puget Sound Clean Air requirements. The applicant shall comply with the manufacturer's requirements and recommendations of the proposed baghouse to ensure adequate emission control during the galvanizing process. This requires the building to remain fully enclosed, with no doors allowed to be open during the galvanizing process.
7. **(B)(3)(a)(b) Surface Water and Ground Water:** In order to mitigate potential impacts to ground water the applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
8. **(B)(3)(c) Water Runoff:** In order to mitigate potential impacts to water runoff the applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater. The operation is required to remain fully enclosed so no fume emissions from the galvanizing kettle shall be present outside to enter surface waters.
9. **(B)(4)(b) Plants:** The applicant shall comply with the current codes to ensure screening and parking lot shading on the site. The landscape plans show 91 trees to be planted on the site.
10. **(B)(6)(c) Energy and Natural Resources:** In order to conserve energy, the applicant has proposed to recover heat from the galvanizing kettle exhaust to heat other processing tanks and also utilize appropriate insulation to minimize overall tank heating.

11. **(B)(7)(a) Environmental Health:** The applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies. The chemicals used for the galvanizing process include Hydrochloric Acid, Zinc Ammonium Chloride, Caustic Soda, and Zinc. These chemicals shall be stored according to the requirements of the International Building Code and International Fire Code. The project proposes to provide restricted access areas, signage, personnel training, seismic designed secondary spill containment, emergency contingency plans, proper materials of construction, adequate ventilation, and proper operations and maintenance activities
12. **(B)(7)(b)(2) Noise:** City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday and all day on Sunday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements.

Noise from operations and vehicle/truck traffic will be generated during business hours at project completion. The galvanizing facility proposes to operate 24 hours a day and 7 days a week. Residential homes are located just east of this project, the city will monitor potential noise complaints and the hours of operation for the facility may be required to be reduced or limited.
13. **(B)(11)(a) Light and Glare:** To mitigate potential light pollution, the applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict C – that is comprised of the Federal Aviation Regulations (FAR) parts 77 Imaginary surfaces.
14. **(B)(8)(i) Land and Shoreline Use:** The number of employees listed in the checklist is ten (10). If changes to the employee count at the site occur, then additional regulations may need to be considered. The site was designed around the numbers provided by the applicant, however, there are inconsistencies throughout the documents provided regarding the number of employees on the site.
15. **(B)(10)(c) Aesthetics:** The proposed use utilizes an existing building on the site. If there are changes to the building footprint or exterior of the building, then a design review permit is required by the city.
16. **(B)(13) Historic and Cultural Preservation:** During the notice of application period for the proposed project the Department of Archaeology and Historic Preservation requested an archaeological survey to be completed prior to ground disturbing activities. The applicant shall comply with the conditions of the archaeological survey and obtain an excavation permit through the Department of Archaeology and Historic Preservation prior to ground disturbance on the site. The applicant shall also notify the Stillaguamish Tribe of Indians prior to all ground disturbance on the site.
17. **(B)(14)(f) Transportation:** Trip generation has been calculated by Kimly-Horn and Associates, Inc per a Traffic Impact Analysis, completed in August 2023, with 5 PM Peak Hour Trips. The report references the existing building constructed in 1979 is not required to pay City of Arlington traffic impact fees. The City of Arlington enacted a Cascade Industrial Center Traffic Impact Fee per Ordinance 2021-002 that does apply to the proposed use.

The applicant is required to pay Cascade Industrial Center Traffic Impact Fees in the amount of \$29,206.95 (\$5,841.39 x 5 PM Peak Hour Trips).

The number of employees and hours of operation have been listed inconsistently throughout the permit documents. For this reason, the City reserves the right to monitor and require a re-evaluation of the Traffic Impact Analysis based on actual use of the site within 1 year after Certificate of Occupancy has been issued.

18. **(B)(16)(a) Utilities:** The applicant shall connect to the City of Arlington water and wastewater systems, extend utility lines as necessary and pay water and sewer connection fees. All improvements shall be installed during the Site Civil Construction phase of the project. All utilities shall be installed underground.

Civil Permit:

19. A Site Civil construction permit shall be applied for and approved prior to any land disturbance on the subject property.
20. The project is subject to submit a Right-of-Way Permit for all work with public rights-of-way.
21. Prior to any construction activities, the applicant shall file and receive approval of site civil construction plans, which comply with all requirements of the Arlington Municipal Code, International Building Code(s), International Fire Code and Public Works Construction Standards and Specifications. Said plans shall address all site improvements.
22. The applicant shall comply with AMC Chapter 13.28, Stormwater Management, and the most current City-adopted edition of the Department of Ecology Stormwater Management Manual for Western Washington.
23. The applicant shall construct all existing, extended, and new electrical power lines (not to include transformers or enclosures containing electrical equipment including but not limited to, switches, meters, or capacitors which may be pad mounted), telephone, gas distribution, cable television, and other communication and utility lines in or adjacent to any land use or building permit approved after the effective date of this chapter shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the administrative guideline entitled "Public Works Construction Standards and Specification." Even in the event the distribution line originates from a point opposite any public roadway from the new construction the service lines shall be placed beneath said roadway by means of boring or surface excavation across said roadway.

Building:

24. A building permit application shall be reviewed and approved prior to building construction on the site.
25. All building permits shall meet the most current edition of the International Building Code.

Other:

26. All contractors working on the site are required to obtain a Washington State Business License and a City of Arlington Endorsement.

I. DECISION

- (a) The decision whether to approve or deny this proposal shall be made by the Hearing Examiner.
- (b) Per AMC 20.16.280 (a), a Special Use Permit shall expire automatically if, within two (2) years after the issuance of such permits:
1. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, or

2. Less than ten percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site. With respect to phased development, (see section 20.16.170 – completing development in phases), this requirement shall apply only to the first phase.

J. RECONSIDERATION OF PERMIT – ISSUING AUTHORITY’S ACTION

Reconsideration of permits shall follow the requirements of AMC 20.16.300.

- (a) Except as pursuant to Subsection (b), whenever (i) the hearing examiner disapproves a conditional use permit application, or (ii) the community and economic development director or hearing examiner disapproves an application for a special use permit or a variance, on any basis other than the failure of the application to submit a complete application, such action may not be reconsidered by the respective permit-issuing authority at a later time unless the applicant clearly demonstrates that:
 - (1) Circumstances affecting the property that is the subject of the application have substantially changed, or
 - (2) New information is available that could not with reasonable diligence have been presented at a previous hearing.
- (b) Whenever the permit-issuing authority approves or disapproves a permit application or variance the respective permit-issuing authority may reconsider such action if either the applicant or a party of record clearly demonstrates that in the written decision for the permit or variance either a finding of fact or testimony has been incorrectly recorded.
- (c) A request to be heard for reconsideration on this basis must be filed with the Community and Economic Development Director within the time period for an appeal to superior court (see section 20.28.060, judicial review). However, such a request does not extend the period within which an appeal must be taken.
- (d) Notwithstanding Subsection (a), the hearing examiner or community and economic development director may at any time consider a new application affecting the same property as an application previously denied. A new application is one that differs in some substantial way from the one previously considered.

K. APPEALS

AMC 20.16.310 Appeals of Permits and Final Plats.

- (b) The action of the hearing examiner in granting or denying a special use or conditional use permit may be reviewed for unlawful, arbitrary, capricious, or corrupt action to Snohomish County Superior Court. The petition for review must be filed within twenty-one calendar days of the notice of final decision issued by the city.

AMC 20.20.020 Appeals of Hearing Examiner Decisions.

- (a) Appeals from the final decision of the hearing examiner, or other city board or body involving the city’s land use code and for which all other appeals specifically authorized have been timely exhausted, shall be made to Snohomish County Superior Court pursuant to the Land Use Petition Act, Chapter 36.70C RCW, within twenty-one days of the date the decision or action became final, unless another applicable appeal process or time period is established by state law or local ordinance.

- (b) Upon motion for reconsideration, the date of the decision is the date of entry of the decision on the reconsideration motion by the hearing examiner and not the original decision date by the city.
- (c) Notice of the appeal and any other pleadings required to be filed with the court shall be served as required by law within the applicable time period. This requirement is jurisdictional.
- (d) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The record of proceedings shall be prepared by the city or such qualified person as it selects. Prior to the preparation of any records the appellant shall post with the city community and economic development department an advance fee deposit in the amount specified by the city's planning division. Any overage will be promptly returned to the appellant.

L. EXHIBITS

File PLN#1145 – Seattle Galvanizing Small Parts & Storage Special Use Permit (on file at Arlington CED Office and viewable on the City of Arlington website)

Distributed to the Following Parties:

- Hadi Mirzai, Owner/Applicant
- Adam Clark, Contact
- Peregrin Sorter, Hearing Examiner
- Steve Peiffle, City Attorney
- Marc Hayes, Community & Economic Development Director