



# NOTICE OF PUBLIC HEARING

<b>Publish Date:</b>	June 26, 2024
<b>Proposal Name and File Number:</b>	<b>2024 Code Amendments:</b> <b>1. Chapter 20.16 Permits &amp; Land Division Approval – PLN #1185</b> <b>2. Chapter 20.40 Permissible Uses – PLN #1175</b> <b>3. Chapter 20.44 Supplemental Uses – PLN #1176</b> <b>4. Chapter 20.114 Alternative Energy Systems Code – PLN #1181</b>
<b>Applicant:</b>	City of Arlington Community and Economic Development Department
<b>Location:</b>	City Limits of Arlington
<b>Documents Available:</b>	City of Arlington website at <a href="http://www.arlingtonwa.gov">www.arlingtonwa.gov</a> under Public Notices
<b>Lead Agency:</b>	City of Arlington
<b>Contact Person:</b>	Amy Rusko, Planning Manager, 360-403-3550, <a href="mailto:arusko@arlingtonwa.gov">arusko@arlingtonwa.gov</a>
<b>SEPA Responsible Official:</b>	Marc Hayes, Community Development Director
<b>Public Hearing Body:</b>	City of Arlington Planning Commission
<b>Public Hearing Date/Time:</b>	<b>Tuesday, July 16, 2024 at 6:30 pm</b>
<b>Public Hearing Location:</b>	City Council Chambers, 110 E. Third Street, Arlington, WA 98223
<b>Written Comment Deadline:</b>	<b>Tuesday, July 16, 2024 at 5:00 p.m.</b>

## Proposed Amendment Descriptions:

### 1. 2024 Chapter 20.16 Permits & Land Division Approval Code Amendment – PLN #1185

The 2024 AMC Chapter 20.16 Zoning Code Amendment include updates to the permits and land division approval chapter of the code. The city updated multiple sections, such as administrative conditional use permits required, consolidated permit process and review procedures, permit exemptions from timelines, submittal requirements, complete applications, time limit for resubmitting additional information, time limits for permit processing, notice of final decisions, expiration of permits, and amendments to and modifications of permits. The proposed amendments are required updates from Second Substitute Senate Bill 5290 to ensure city compliance with State Regulations and the upcoming Comprehensive Plan update.

### 2. 2024 Chapter 20.40 Permissible Uses Code Amendment – PLN #1175

Include updates to the permissible uses chapter of the code. The city updated multiple sections, such as permanent supportive housing, transitional housing, emergency shelters, emergency housing facilities, accessory uses, change in use, footnotes of the permissible use tables, co-living housing, residential homes emphasizing special services, treatment, or supervision, alternative energy systems, commercial corridor uses, temporary mobile or modular structures used for public services, health care facility, and other minor permit type changes throughout the permissible use tables to better align the permit type to the proposed use. Many of the proposed changes were required updates from Engrossed Substitute House Bill 1042, Engrossed Second Substitute House Bill 1110, and Engrossed Second Substitute House Bill 1220 to ensure city compliance with the upcoming Comprehensive Plan update.

### 3. 2024 Chapter 20.44 Supplemental Uses Code Amendment – PLN #1176

The 2024 AMC Chapter 20.44 Zoning Code Amendment include updates to the supplemental uses chapter of the code. The city updated the following sections, 20.44.020A Unit Lot Subdivisions (minor updates), 20.44.030 Flexible Development Standards (minor updates), 20.44.032 Subarea Plans (updates to public hearings and final ordinances), 20.44.037 Administrative Conditional Use Permits for Temporary, Seasonal Use or Special Event (removal of special events), 20.44.050 Co-Living Housing (new section), 20.44.070 Homes Emphasizing Special Services, Treatment, or Supervision (updates to entire section), 20.44.080 Administrative Conditional Use Permits for Mobile Sales and Delivery (update to accessory versus primary use), 20.77.098 Electrical Vehicle Infrastructure (update removed from this chapter and added to chapter 20.114 Alternative Energy Systems), and Part II. Land Clearing, Grading, Filling, and Excavation (updates include correct permitting process). Some of the proposed changes were required updates from Engrossed Second Substitute House Bill 1220, Engrossed Substitute House Bill 1998, and under RCW 36.01.290(6)(c), RCW 84.36.043(3)(c), RCW 35.21.683, RCW 36.70A.070(2)(c), RCW 36.70A.545, and the Fair Housing Act and 1988 Amendment to ensure city compliance with State Regulations and the upcoming Comprehensive Plan update.

### 4. 2024 Chapter 20.114 Alternative Energy Systems Code Amendment – PLN #1181

The 2024 AMC Chapter 20.114 Zoning Code Amendment is a new alternative energy systems and technology chapter of the code. The new chapter includes general regulations for all types of energy storage systems, and specific requirements for battery energy storage systems and electric vehicle infrastructure (updated and moved from previous section of 20.44.098). Although the chapter addresses numerous types of energy storage systems, the City of Arlington is currently only permitting battery energy storage systems. The purpose and intent of this chapter is to ensure energy storage systems are installed and maintained to the most current National Fire Protection Association (NFPA), International Fire Codes (IFC), International Building Codes (IBC), International Residential Codes (IRC), International Electrical Codes (IEC), National Electric Code (NEC), Underwriters Laboratories (UL), and American National Standards Institute (ANSI) Standards that are available. The new code chapter provides a regulatory framework for the safe installation and use of energy storage systems. The battery energy storage systems are divided into three tiers of permitting for Residential-Scale (Tier 1), Medium-Scale/Commercial (Tier 2), and Industrial-Scale/Public Utility (Tier 3).

**How to View the Project:** All materials pertaining to this project may be examined online at [www.arlingtonwa.gov](http://www.arlingtonwa.gov) under Public Notices. The files are also available for viewing at the Community & Economic Development Department, located at 18294 59<sup>th</sup> Avenue NE, Arlington, WA 98223.

**How to Comment:** You may comment on the proposed project by attendance, letter, or email. Any person wishing to comment on this project may do so at the public hearing on the above-referenced date, place and time. You may also comment and become a party of record by sending written testimony by email or mail to the project contact listed above or to the following mailing address, 18204 59<sup>th</sup> Avenue NE, Arlington, WA 98223 on or before the written comment deadline stated above. Only persons who submit written or oral testimony to the permit issuing authority may appeal the decision.

**Special Accommodations:** The City of Arlington strives to provide accessible meetings for people with disabilities. Please contact the ADA coordinator at (360) 403-3441 or 711 (TDD only) prior to the meeting date if special accommodations are required.