



CITY OF ARLINGTON NOTICE OF DECISION

King Short Plat Zoning Permit – Site Plan Review

The City of Arlington has issued a Notice of Decision for a Zoning Permit as required by Arlington Municipal Code. The following project has been **APPROVED**, with the conditions listed in the attached permit decision.

Project Name: King Short Plat

Proponent: Eric Scott, Terra Vista NW

Project Number: PLN #1191

Description of Proposal: The applicant is proposing to demolish the existing single-family residence and subdivide the current lot into three lots containing one single family residence and two duplex lots. Each unit has its own attached garage for 2 parking spaces. The site grading includes 20 cubic yards of cut and 1660 cubic yards of fill. Stormwater will infiltrate onsite. The project removes significant trees from the site and replanting is proposed. Access to the site includes a new public road on the west side of the property. The preliminary minor plat includes the dedication of right-of-way (ROW) for 44th Avenue NE and the creation of recreational open space on Tract 999. Frontage improvements and dedication will be provided along 188th St.

Location: 4405 188th St NE

Permit Decision: Approved, with Conditions

Notice of Decision Date: August 28, 2024

End of Appeal Period: September 11, 2024

Zoning Permit Expiration Date: August 28, 2026

Appeals: This decision may be appealed pursuant to AMC 20.20.010, which provides for a hearing of the zoning permit decision before the Hearing Examiner. Any aggrieved party of record may file an appeal within 14 days of the permit decision. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development by 5:00 PM on August 28, 2024, and the appeal fee as set by resolution is paid.

Staff Contact: Ameresia Lawlis, Assistant Planner I, alawlis@arlingtonw.gov, 360-403-3548



**ZONING PERMIT – SITE PLAN REVIEW
STAFF REPORT AND PERMIT DECISION**

GENERAL INFORMATION

File Number: PLN #1191

Project Title: King Short Plat

Owner: Jordan King & Jon King

Applicant: Eric Scott, Terra Vista NW

Contact: Eric Scott

Description: Site Plan Review

Location: Along the North side of 188th St NE, East of 43rd Dr NE

Address: 4405 188th St NE

Tax Parcel ID: 31051600400300

Lot Size: 1 acre/ 43560sf

Topographical Description: Generally flat

Zoning Classification: Residential Low Capacity

Land Use Designation: Residential Low Capacity

Proposed Use Classification: Preliminary Minor Plat

City Approvals Required: Preliminary Minor Plat, Civil Permit,
Final Minor Plat, Building Permits

Date of Decision: August 28, 2024

Decision: **APPROVED, with Conditions**

I. NATURE OF APPLICATION

A. Request

The applicant is proposing to demolish the existing single-family residence and subdivide the current lot into three lots containing one single family residence and two duplex lots. Each unit has its own attached garage for 2 parking spaces. The site grading includes 20 cubic yards of cut and 1660 cubic yards of fill. Stormwater will infiltrate onsite. The project removes significant trees from the site and replanting is proposed. Access to the site includes a new public road on the west side of the property. The preliminary minor plat includes the dedication of right-of-way (ROW) for 44th Avenue NE and the creation of recreational open space on Tract 999. Frontage improvements and dedication will be provided along 188th St.

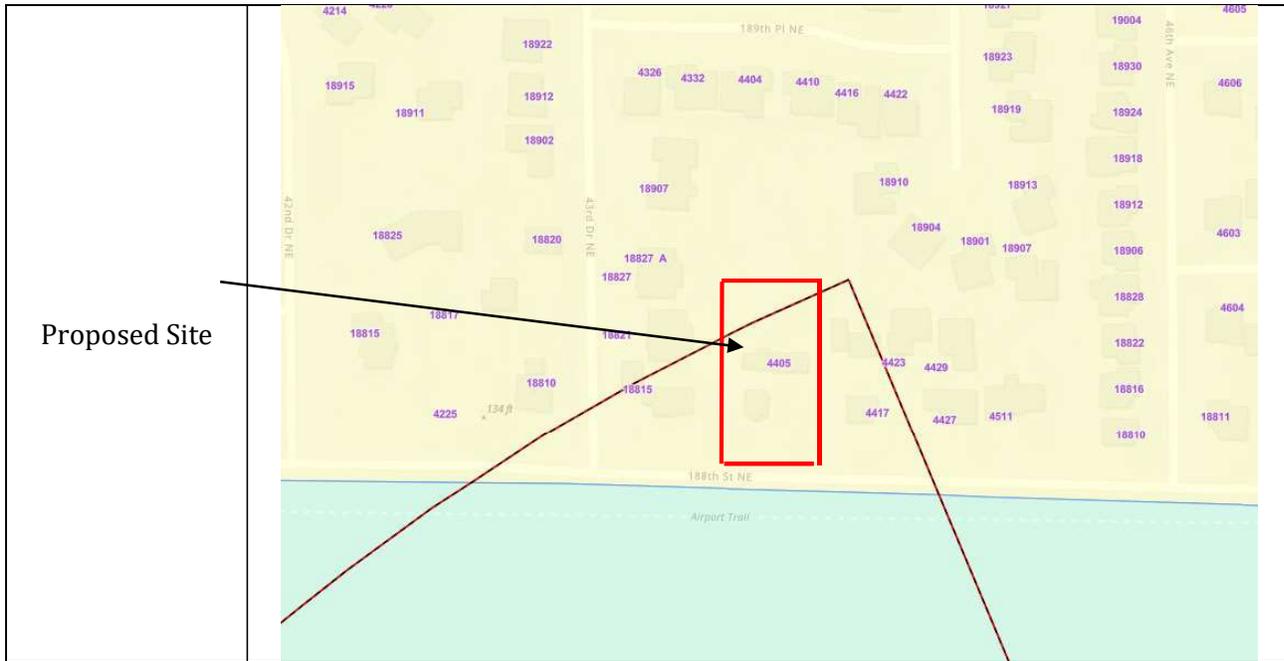
B. Project Chronology / Background

A formal application for the preliminary plat was submitted to the Community & Economic Development Department on February 7, 2024. Staff routed the material for City review staff on February 7, 2024. The applicant provided revised plans on April 25, 2024, May 30, 2024, July 26, 2024, and August 5, 2024.

C. Site Location / Description



D. Site and Adjacent Zoning / Uses



Area	Zoning	Existing Use
Subject Site	RLC	Single-Family Residence
North	RLC	Single-Family Residence
South	AF	Airport
East	RLC	Single-Family Residence
West	RLC	Duplexes

II. PROJECT CONSISTENCY WITH TITLE 20 AMC, ZONING

A. Applicable Review Criteria and Process

The Zoning Permit – Preliminary Minor Plat request is subject to review for conformity with the Arlington Municipal Code (AMC), including but not limited to the following:

Regulation	Analysis	Meets
Chapter 20.16 AMC, Permits and Land Division Approval		
20.16.100 Permits Required (c) Physical improvements to land to be subdivided may not be commenced except in accordance with a zoning permit issued by the Community and Economic Development Director for minor subdivisions.	The applicant submitted a zoning permit for Preliminary Minor Plat. The Community and Economic Development Director is responsible for the permit decision and the decision is appealable to the Hearing Examiner.	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 owners of the property, Jordan King and Jon King signed the zoning 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 owners, Jordan King and Jon King have designated Eric Scott with Terra Vista NW, 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 September 20, 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 February 7, 2024.	Yes

Regulation	Analysis	Meets
<p>20.16.150 Vesting of Permits. (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. (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 King Short Plat’s Preliminary Minor Plat review vested on February 8, 2024, with the issuance of the complete application. The required impact fees for the proposal do not vest with the project and the fee in place at the time of payment is the amount due.</p>	<p>Yes</p>
<p>20.16.200 Applications to Be Complete. (a) All applications for zoning permits must be complete before the permit-issuing authority is required to consider the application.</p>	<p>The applicant submitted a complete application for King Short Plat zoning permit.</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 February 7, 2024. The City issued a Notice of Complete Application on February 8, 2024. 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 effected city departments on February 7, 2024.</p>	<p>Yes</p>
<p>20.16.220 Zoning Permits. (a) A completed application form for a zoning permit shall be submitted to the community and economic development director by filing a copy of the application with the planning department.</p>	<p>The zoning permit was submitted to city staff on February 7, 2024. The project was reviewed for compliance with the Arlington Municipal Code.</p>	<p>Yes</p>

Regulation	Analysis	Meets																								
<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 zoning permit was reviewed and issued within the 120 day timeframe per the following dates:</p> <table border="1" data-bbox="849 268 1339 1167"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Date of Application</td> <td>2-7-2024</td> </tr> <tr> <td>Notice of Complete Application</td> <td>2-8-2024</td> </tr> <tr> <td>Review Comments Sent</td> <td>2-22-2024</td> </tr> <tr> <td>Revisions Received</td> <td>4-25-2024</td> </tr> <tr> <td>2nd Review Comments Sent</td> <td>05-16-2024</td> </tr> <tr> <td>2nd Revisions Received</td> <td>5-30-2024</td> </tr> <tr> <td>3rd Review Comments Sent</td> <td>6-13-2024</td> </tr> <tr> <td>3rd Revisions Received</td> <td>7-26-2024</td> </tr> <tr> <td>4th Review Comments</td> <td>7-31-2024</td> </tr> <tr> <td>4th Revisions Received</td> <td>8-5-2024</td> </tr> <tr> <td>Decision</td> <td>8-28-2024</td> </tr> </tbody> </table> <p>Total Process Days: 76 Days</p>	Action	Date	Date of Application	2-7-2024	Notice of Complete Application	2-8-2024	Review Comments Sent	2-22-2024	Revisions Received	4-25-2024	2 nd Review Comments Sent	05-16-2024	2 nd Revisions Received	5-30-2024	3 rd Review Comments Sent	6-13-2024	3 rd Revisions Received	7-26-2024	4 th Review Comments	7-31-2024	4 th Revisions Received	8-5-2024	Decision	8-28-2024	<p>Yes</p>
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<p>Chapter 20.36 AMC, Zoning Districts and Zoning Map</p>																										
<p>20.36.010 Residential Districts Established. (c) The Residential Low Capacity (RLC) district is established primarily to accommodate detached single-family residential uses at lower capacity levels typically on 7200 – 9600 square foot parcels, but also allows for recreational, quasi-public, and public uses that customarily serve residential development. Some types of two-family residences are allowed in this district on larger lots.</p>	<p>The subject property for the proposed zoning permit is zoned Residential Low Capacity. The proposal does not include recreational, quasi-public or public uses.</p>	<p>Yes</p>																								
<p>Chapter 20.38 AMC, Airport Protection District</p>																										
<p>20.38.060 Airport Protection District Boundaries. (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 B & ITZ 3.</p>	<p>Yes</p>																								

Regulation	Analysis						Meets
<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>The applicant is required to provide the Avigation Easement language on the Final Minor Plat Cover Sheet and record with the plat. The applicant is required to reach out to the Arlington Municipal Airport to ensure all requirements have been met.</p>						<p>Yes</p>
<p>Chapter 20.40 AMC, Permissible Uses</p>							
<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 Duplexes and Single Family Residence are allowed uses per the permissible use table within the Residential Low Capacity Zone through the subdivision processed.</p>						<p>Yes</p>
<p>Chapter 20.40.120 Residential Use Zones Permissible Use Table</p>							
<p>Use</p>	<p>RULC</p>	<p>RLC</p>	<p>RMOD</p>	<p>RMC</p>	<p>RHC</p>	<p>OTR</p>	
<p>Subdivision Minor</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	
<p>Single Family Residence, Detached</p>	<p>ZV</p>	<p>ZV</p>	<p>ZV</p>			<p>ZV</p>	
<p>Duplex</p>		<p>ZV</p>	<p>ZV</p>	<p>ZV</p>	<p>ZV</p>	<p>ZV</p>	
<ul style="list-style-type: none"> • Z = Zoning Permit • ZV = Zoning Verification Approval (after Final Plat) 							
<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. (1) Zones (M) Residential Low Capacity</p>	<p>The proposed Duplex and Single-Family Residential structures are required to meet the Development Design standards and will be required to receive Design Review approval prior to the issuance of building permits.</p>						<p>Yes</p>
<p>20.48.010 Minimum Lot Size Requirements Subject to the provisions of 20.48.094, all lots in each zone shall have at least the amount of square footage indicated in Table 20.48-1 shown below.</p>	<p>The lots created from the preliminary minor plat comply with the minimum lot size as required per Table 20.48-1 shown below with the reductions per 20.48.020 and AMC 20.48.094.</p>						<p>Yes</p>

Regulation	Analysis	Meets		
Chapter 20.48 AMC, Density and Dimensional Regulations				
20.48.020 Residential Density (b) Duplexes and two-family conversions shall be allowed only on lots having at least one hundred fifty percent of the minimum square footage required for one dwelling unit on a lot within the Residential Ultra Low Capacity and Residential Low-Capacity districts.	The lots created from the preliminary minor plat comply with the minimum lot size as required per Table 20.48-1 shown below with the allowed reduction per AMC 20.48.094.	Yes		
20.48.030 Lot Shape and Minimum Lot Width (a) No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impracticable to construct on it a building that: (1) Could be used for purposes that are permissible in that zoning district, and (2) Could satisfy any applicable setback requirements for that district	The lots created from the preliminary minor plat are shaped in a way that allows existing and future development and buildings to be able to meet all setbacks.	Yes		
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 residential low-capacity zone.	The proposed project is within the residential low capacity zone and 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's main access to the site is from 188 th St NE to the new public road on the west side of the preliminary minor plat.	Yes		
Table 20.48-1 Density and Dimensional Standards				
<i>Building Setback Requirements:</i>	<i>Lot 1</i>	<i>Lot 2</i>	<i>Lot 3</i>	
Minimum Lot Size: 7,200sf – 9,600sf (Duplex: 10,800sf – 14,580sf) ¹	9,862sf	9,720sf	7,611sf	Yes
Minimum Lot Width: 50ft	100.96ft	91.99ft	65.37ft	Yes
Front Lot Boundary Line: Non-Arterial: 20ft Arterial: 40ft	20ft ⁴	20ft ⁴	20ft ⁴	Yes
Rear Lot Boundary Line: Primary: 20ft	20ft	20ft	20ft	Yes
Side Lot Line or Alley Building Setback: 5ft	5ft/10ft ³	5ft	5ft	Yes
Building Height Limitation: 35ft	TBD ²	TBD ²	TBD ²	Yes
Maximum Lot Coverage: 35%	35%	35%	35%	Yes
¹ The preliminary minor plat is for one single family residence and duplexes and utilizes reductions per 20.48.020 and AMC 20.48.094. ² The proposed residential units to be built within the subdivision are required to meet design review regulations and height restrictions prior to building permit issuance. ³ AMC 20.46.075(b)(2) On a corner lot the exterior side yard setback may be reduced to ten feet. ⁴ AMC 20.48.040(e) In any residential district, front porches may extend into the setback from the street right-of-way line up to fifty percent of that setback				

Regulation	Analysis	Meets						
<p>20.48.094 Density of Lots Created Through Short Subdivision Where Portion Dedicated to City for Right-Of-Way.</p> <p>Where land is dedicated to the public for widening existing rights-of-way, the minimum parcel size for lots created through the short subdivision process only may be reduced by equivalent square footage as the dedicated, not to exceed ten percent of the required minimum parcel size.</p>	<p>Dedication of a new road is proposed with this minor plat. The duplex lots are proposed to be reduced by 10 percent or less and by less than the amount of land dedicated.</p> <p>Lot 1: 9,862sf = 8.7% reduction Lot 2: 9,720sf = 10% reduction</p> <p>Parcels were reduced by a total of 2,018sf.</p> <p>Dedicated land for road: 13,340</p>	<p>Yes</p>						
Chapter 20.52 AMC, Recreational Facilities and Open Space								
<p>20.52.010 Mini-Parks Required.</p> <p>(a) All residential developments shall provide recreational areas in the form of mini parks in an amount equal to 65 square feet per person expected to reside in that development.</p>	<p>The applicant has proposed to pay in-lieu fees for the mini-park requirement. See SEPA MDNS conditions listed under section VI as part of this report. The fee amount is located under Chapter 20.90 within this report.</p>	<p>Yes</p>						
<p>20.52.024 Community Parks Impact Fee.</p> <p>In addition to the requirements of mini parks each residential development shall pay a Community Park impact fee.</p>	<p>The applicant is required to pay Community Park Impact Fees for 4 single family residential units. The fee amount is located under 20.90 as part of this report.</p>	<p>Yes</p>						
<p>20.52.030 Usable Open Space.</p> <p>(a) Every residential development shall be developed so that at least ten percent of the total area of the development remains permanently as usable open space</p> <table border="1" data-bbox="204 1213 737 1283"> <thead> <tr> <th>Total Area</th> <th>Percent</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>30,221</td> <td>X 10%</td> <td>3,028</td> </tr> </tbody> </table>	Total Area	Percent	Total SF	30,221	X 10%	3,028	<p>The proposed project has provided 3,028 square feet of open space on the site, located within Tract 999 on the site plan.</p>	<p>Yes</p>
Total Area	Percent	Total SF						
30,221	X 10%	3,028						
Chapter 20.56 AMC, Streets and Sidewalks								
<p>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.</p>	<p>The proposed project provides vehicular, pedestrian, and bicycle access to the property through the public streets of 188th Ave NE and the creation of a new public road on the west side of the preliminary minor plat.</p>	<p>Yes</p>						

Regulation	Analysis	Meets
<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 development provides driveway access to each residence. The proposed project complies with the following City of Arlington Standards and Specifications:</p> <ul style="list-style-type: none"> • The proposed entrances shall have the appropriate signage, stop bars, and crosswalks to protect vehicles, pedestrians, and bicyclists to be reviewed and approved with the civil permit. • The proposed driveway entrances are located in the areas that would have the least interference with surrounding streets. • The proposed driveway cuts are over 95' from the intersection and provide safe access in and out of each property. • The proposed driveways are not "double width". • Dedication of a new roadway is required on the west side of the property connecting with 188th Ave NE. The dedication is required to be placed on the final minor plat for recording. 	<p>Yes</p>
<p>20.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions. (d) All public streets shall be constructed with curb, gutter, sidewalk, and, as provided in 20.76.110, landscape strips and street trees.</p>	<p>The proposed public street includes curb, gutter, sidewalk, and, as provided in AMC 20.76.110, landscape strips and street trees. Improvements to 188th St NE will include curb, gutter, sidewalk, landscape strip and street trees.</p>	<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-degree driveway intersection at all access points and 90-degree street intersection.</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>

Regulation	Analysis	Meets
Chapter 20.60 AMC, Utilities		
<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 is required to connect to City of Arlington Sanitary Sewer.</p> <p>Sanitary Sewer is available from the City of Arlington per the Water / Sewer Availability application that was approved by Public Works on March 5, 2024. Any existing on-site septic systems located on the property are required to be decommissioned.</p> <p>The construction of utilities will take place after the Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.</p>	<p>Yes</p>
<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 is required to connect to City of Arlington water.</p> <p>Water is available from the City of Arlington per the Water / Sewer Availability application that was approved by Public Works on March 5, 2024. Any existing on-site water wells located on the property are required to be decommissioned.</p> <p>The construction of utilities will take place after the Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.</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 new utilities to the properties and within the preliminary minor plat are required to be installed underground and shall be shown on Site Civil construction or Building Permit plans. Utility improvements are required to be installed prior to final plat approval.</p>	<p>Yes</p>

Regulation	Analysis	Meets														
Chapter 20.72 AMC, Parking																
<p>20.72.010 Number of Parking Spaces Required. (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> <p>Single Family Residence: 2 spaces for each dwelling unit, except that one-bedroom units require only one space</p> <p>Duplex: 2 spaces for each dwelling unit, except that one-bedroom units require only one space.</p>	<p>The proposed project has shown on the approved site plan that it meets the required parking for the site.</p> <table border="1" data-bbox="824 296 1297 436"> <thead> <tr> <th colspan="2">Required Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>Duplexes</td> <td>4 Spaces</td> </tr> <tr> <td>Single Family Residence</td> <td>2 Spaces</td> </tr> </tbody> </table> <table border="1" data-bbox="824 457 1297 632"> <thead> <tr> <th colspan="2">Provided Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>(2) Duplexes</td> <td>8 Spaces</td> </tr> <tr> <td>Single Family Residence</td> <td>2 Spaces</td> </tr> <tr> <td>TOTAL</td> <td>10 Spaces</td> </tr> </tbody> </table>	Required Parking Spaces		Duplexes	4 Spaces	Single Family Residence	2 Spaces	Provided Parking Spaces		(2) Duplexes	8 Spaces	Single Family Residence	2 Spaces	TOTAL	10 Spaces	Yes
Required Parking Spaces																
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(2) Duplexes	8 Spaces															
Single Family Residence	2 Spaces															
TOTAL	10 Spaces															
<p>20.72.060 Parking Area Surface. (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. (b) Parking spaces shall be appropriately demarcated with painted lines or other markings. (c) Parking areas shall be properly maintained in all respects.</p>	<p>The proposed project has shown concrete pavement for the driveways.</p>	Yes														
Chapter 20.76 AMC, Screening and Trees																
<p>20.76.020 General Screening Standard. 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 zoned Residential Low Capacity and surrounded by single-family residences and duplexes.</p>	Yes														
<p>20.76.030 Compliance with Screening Standard. 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>Properties to the east are single-family residential and require type C screening from the duplexes. Currently a solid wood fence exists and is proposed to stay. Properties to the west are duplexes and require no screening.</p>	Yes														

Regulation		Analysis	Meets						
Table 20.76-1 Screening Requirements									
Use	Frontage Landscaping	Side and Rear Property Lines							
Single Family Residence	1 Tree in the Front Yard and/or Street Trees and 1 Tree in the Rear Yard	N/A – All Other Neighboring Properties							
Duplex	1 Tree in the Front Yard and/or Street Trees and 1 Tree in the Rear Yard	Type C – Neighboring Single-Family Residential Only. N/A – Neighboring Residential Type A – All Other Neighboring Properties							
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.		The preliminary minor plat landscape plan shows street trees have been provided along 188 th Ave NE and the new public road. The applicant shall install trees per the standard detail for City of Arlington Planting Strip Behind Sidewalk Tree Detail R-270 that shows the installation of street trees with a root barrier on both sides of the root ball facing the street and sidewalk.	Yes						
20.76.120 Retention and Protection of Significant Trees. (a) Every development shall retain all existing significant trees and significant stands of trees, with a diameter at breast height (dbh) of at least eight (8) inches for deciduous trees and at least twelve (12) inches dbh for evergreen trees, unless the retention of such trees would unreasonably burden the development or in the opinion of the permit issuing authority cause a significant safety problem. (b) Any significant trees removed because their retention would unreasonably burden a development shall be replaced with 5-gallon-sized native species at a ratio of 3:1. (e) If it is physically impossible to replant all replacement trees on-site, then the applicant may mitigate the loss of trees by paying a mitigation fee into the City's Tree Mitigation In-Lieu Fund. This fee shall be set forth in the City' Fee Resolution.		<p>The proposed preliminary minor plat has proposed to remove a total of 4 significant trees, per the tree survey site plan submitted with the application.</p> <table border="1"> <thead> <tr> <th># Trees Removed</th> <th>Mitigation</th> <th># Trees Replanted</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>X 3</td> <td>12</td> </tr> </tbody> </table> <p>In the original site plan and SEPA notice, 18 trees were proposed. However, to meet screening requirements, additional trees were added. The proposed preliminary minor plat shows the replacement of 24 trees on the site.</p>	# Trees Removed	Mitigation	# Trees Replanted	4	X 3	12	Yes
# Trees Removed	Mitigation	# Trees Replanted							
4	X 3	12							
20.76.124 Shade Trees on Lots. (a) Each new or existing lot within the City shall maintain a minimum number of trees on-site, as specified in Subsection (b). (b) The minimum number of required trees depends on the Zoning District in which the site falls, as follows: 1. Residential Low Capacity – 2 trees per lot.		The proposed preliminary minor plat shows that trees are planted in the planter strip in front and rear yard of each residential dwelling units.	Yes						

Regulation	Analysis	Meets						
<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) or homeowners' association of the minor plat are required to maintain the landscaping on the property and within the right-of-way. This shall be stated on the cover sheet for the Final Minor Plat.</p>	<p>Yes</p>						
Chapter 20.90 AMC, Concurrency & Impact Fees								
<p>20.90.040 (a) Imposition of Impact Fees on Development Activity. All development projects within the City shall be assessed a transportation impact fee, at the rate of \$3,355.00, based on peak p.m. trips, as computed in accordance with the most current edition of the Institute of Transportation Engineers Trip Generation Manual, as applied to the City's transportation element of the adopted Comprehensive Plan.</p>	<p>The proposal includes (2) duplexes and (1) single-family residence. The City allows credit for the existing use on the site, which results in this project creating 4 new PM peak-hour trips to the site.</p> <table border="1" data-bbox="824 1094 1328 1188"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,355.00</td> <td>4</td> <td>\$13,420.00</td> </tr> </tbody> </table>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	4	\$13,420.00	<p>Yes</p>
Traffic Fee	# Of Trips	Total Amount						
\$3,355.00	4	\$13,420.00						
<p>20.90.040 (b) For subdivisions, short plats, and all other development activities, impact fees shall be assessed prior to the issuance of the building permit.</p>	<p>A building permit is required for each building proposed with this project. Traffic Impact Fees are required to be paid at that time.</p>	<p>Yes</p>						
<p>20.90.040 Imposition of Impact Fees on Development Activity. (e) A trip-for-trip credit for existing trips may be given when a site is being expanded or undergoing a change in use. However, no credits for existing trips may be transferred from one site to another</p>	<p>The proposal will be given a credit for the existing single-family residence when Traffic Impact Fees are paid.</p>	<p>Yes</p>						
<p>20.93.230 School Fees Required. Each residential development shall be subject to the school impact fee as adopted by Ordinance 2020-031.</p> <p>Arlington School District Mitigation Fee: \$4,002 per single family dwelling unit</p>	<p>The preliminary minor plat is subject to Arlington School District Mitigation Fees.</p> <p>The school district has determined they will not give credit for existing residences.</p> <table border="1" data-bbox="824 1791 1338 1866"> <thead> <tr> <th>Dwelling Units</th> <th>Traffic Fee</th> <th>Total Fee</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>X \$4,002</td> <td>\$20,010.00</td> </tr> </tbody> </table>	Dwelling Units	Traffic Fee	Total Fee	5	X \$4,002	\$20,010.00	<p>Yes</p>
Dwelling Units	Traffic Fee	Total Fee						
5	X \$4,002	\$20,010.00						

Regulation	Analysis	Meets									
<p>20.90.400 Neighborhood and Community Park Fees.</p> <p>Each residential development shall pay a Community Park Impact Fee of \$1,662 for each single-family dwelling unit prior to issuance of a building permit. Short subdivisions which do not set land aside for development of a Neighborhood Park or existing lot shall pay, prior to building permit issuance, \$484 for each single-family dwelling unit.</p>	<p>The preliminary minor plat is subject to both Community Park Impact Fees and Neighborhood/Mini Park In-Lieu Fees.</p> <p>There will be 1 park fee credit applied for the existing house that is proposed to be demolished.</p> <table border="1" data-bbox="824 390 1347 485"> <thead> <tr> <th>Dwelling Units</th> <th>Park Fee</th> <th>Total Fee</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>X \$1,662</td> <td>\$6,648</td> </tr> <tr> <td>4</td> <td>X \$484</td> <td>\$1,936</td> </tr> </tbody> </table>	Dwelling Units	Park Fee	Total Fee	4	X \$1,662	\$6,648	4	X \$484	\$1,936	Yes
Dwelling Units	Park Fee	Total Fee									
4	X \$1,662	\$6,648									
4	X \$484	\$1,936									
Chapter 20.93 AMC, Critical Area Ordinance											
<p>20.93.230 Compliance. All land uses or development applications shall be reviewed to determine whether an environmentally critical area exists on the property for which the application is filed, what the action's impact to any existing environmentally critical area would be, and what actions are required for compliance with this chapter.</p>	<p>The City concurs with the critical areas statement submitted by the applicant, that the subject property does not contain environmentally critical areas and does not impact nearby critical areas.</p>	Yes									
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 February 22, 2024. The comment period for the MDNS was from February 22, 2024, to March 7, 2024. Comments received are listed in Section IV below.</p>	Yes									
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>(3) New Development</p>	<p>The proposed minor plat will divide the property into 2 duplex lots and a single-family residential lot.</p> <p>Stormwater for this proposal is considered feasible through infiltration. The final stormwater design is subject to Civil approval.</p>	Yes									

III. PUBLIC COMMENTS

Public Comment	Response
<p>Public comments received during the SEPA Determination of Non-Significance comment period for the King Short Plat project, PLN#.</p>	<p>The City received comments: Mary Wicklund, Snohomish County PUD David Ison, WSDOT Aviation Division Dawn Anderson, WSDOT</p> <p>A summary of the comments and concerns are included below. The original comments submitted are in the official permit file and available upon request.</p>
<p>Snohomish County PUD provided comments on utility capabilities and hookup requirements.</p>	<p>These comments were provided to the applicant to ensure they contact the Snohomish County PUD to plan the construction.</p>
<p>David Ison, with WSDOT Aviation Division reviewed this on 2/23/24. It is recommended if not already required that a requirement for real estate disclosure for proximity to the Arlington Airport be recorded on the plat. Also, if any construction requires equipment that would be higher than the surrounding homes or trees, a FAA Form 7460 may be required to be completed.</p>	<p>The city has provided comment to the applicant that a disclosure will be required as part of the final plat and notified them of the height requirements. The requested documents shall be submitted through the Arlington Municipal Airport.</p>
<p>Dawn Anderson with WSDOT provided an email stating they had no comments for the project.</p>	<p>Staff had no comments on this email.</p>

IV. CONCLUSIONS

- (a) The applicant has applied for a Preliminary Minor Plat as required under AMC 20.16.
- (b) Under AMC 20.16.220 (b), the Community and Economic Development Director shall issue the zoning permit unless he finds, after reviewing the application and consulting with the applicant as provided in section 20.16.130, that:

Regulation	Analysis	Meets
Chapter 20.16.220(b)		
(1) The requested permit is not within its jurisdiction according to the table of permissible uses.	The requested preliminary minor plat 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 preliminary minor plat was deemed complete on February 8, 2024.	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 proposed preliminary minor plat complies with all required sections of AMC Title 20 per the above staff analysis.	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 February 5, 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 preliminary minor plat divides the property into three parcels and one tract, which complies with the Arlington Municipal Code, Comprehensive Plan, and Transportation Plan.	Yes

IV. ADMINISTRATIVE DECISION

The proposed project was found to be consistent with and meets the intent of the Arlington Zoning Code, Comprehensive Plan, and the Arlington Municipal Code, therefore the Preliminary Minor Plat – King Short Plat (PLN#1191) is hereby **APPROVED**, subject to the following conditions.

V. CONDITIONS

Preliminary Minor Plat:

1. All development shall be in substantial conformance with the approved site plan received on August 5, 2024, subject to any conditions or modifications that may be required as part of the permit review.
2. The developer shall meet all local, state, or federal code requirements. Attached is a list of code requirements that are specifically called to the developer’s attention. It is in no way intended to be a complete list of code requirements, but a general checklist of major steps and issues. 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. Real estate disclosure for proximity to the Arlington Airport shall be recorded on the final plat.
5. If any construction requires equipment that would be higher than the surrounding homes or trees, a FAA Form 7460 may be required to be completed.
6. Applicant shall coordinate with Snohomish County PUD shall be required for utility capabilities and hookup requirements.

SEPA Conditions:

7. **(B)(1) Earth:** The applicant proposes an estimated total cut and fill of 1,680 cubic yards. To mitigate for 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.
8. **(B)(2) Air:** To mitigate for potential air impacts, 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.
9. **(B)(3)(b) Ground Water:** 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.
10. **(B)(3)(c) Water Runoff:** To mitigate for 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.
11. **(B)(4)(b) Plants:** To mitigate for the removal of significant trees on the site the Applicant shall replant at a ratio of 3:1 for every significant tree removed. A total of 4 significant trees are proposed to be removed from the site. Tree mitigation is required for 12 trees. The applicant has proposed planting 18 replacement trees on the site.
12. **(B)(7)(A) Environmental Health:** 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.
13. **(B)(7)(b) 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 shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from vehicle traffic and residential units will be generated after project completion.
14. **(B)(8) Land and Shoreline Use:** The property is located within Subdistrict B & ITZ 3 and shall comply with the Federal Aviation Regulations (FAR) Part 77 and complete a Federal Aviation Administration form 7460. An Avigation Easement shall be placed on the final plat and recorded at the Snohomish County Auditor's Office. Approval from the Airport has been received to allow for higher density than 1 dwelling unit per 5 acres on this parcel.
15. **(B)(10)(c) Aesthetics:** The applicant shall obtain design approval for the proposed structures with the building permits when submitted. The proposal is required to adhere to the development design standards.
16. **(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 B & ITZ 3.

17. **(B)(12)(c) Recreation:** The proposed residential development of one single family residence and two duplexes shall pay the following Community Park Impact Fees and Neighborhood/Mini-Park In-Lieu Fees:
- Community Park Impact Fees:
 - 4 residential units (2 Duplexes) = \$6,648 (\$1,662 x 4 units)
 - 1 credit applied for existing single family residence
 - Neighborhood/Mini Park In-Lieu Fees:
 - 4 residential units (2 Duplexes) = \$1,936 (\$484 x 4 units)
 - 1 credit applied for existing single family residence
- The applicant shall pay all community park impact fees and neighborhood/mini-park in-lieu fees prior to building permit issuance.
18. **(B)(13) Historic and Cultural Preservation:** The applicant submitted an Unanticipated Discovery Plan. If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and the find reported as soon as possible to the planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes. The applicant shall provide ground disturbance notification to the Stillaguamish Tribe of Indians and allow for monitoring on the site.
19. **(B)(14)(c) Transportation:** The proposal is required to improve the public right of way along 188th St NE, and the local access road will need to be installed. All public improvements and private access shall be approved with the Civil Construction plans.
20. **(B)(14)(f) Transportation:** The proposal is for a single-family residence and duplexes, which are equivalent to single-family homes per the Arlington Municipal Code for calculating traffic impact fees. Each duplex unit is calculated with 1 PM Peak Hour Trip.
- 4 residential units (2 Duplexes) = \$13,420 (\$3,355 x 4 units)
 - 1 credit applied for existing single family residence
- The applicant shall pay the required fees prior to building permit issuance.
21. **(B)(15)(b) Public Services:** The proposal is within the Arlington School District and is required to pay \$4,002 for every single-family dwelling unit. For the proposed 5 units the total is \$20,010 in school mitigation fees. The applicant shall provide the City a copy of payment/receipt to Arlington School District prior to building permit issuance.
22. **(B)(16)(a) Utilities:** The applicant shall remove existing well and septic on the property and receive approval for connection 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 Civil Construction phase of the project. All utilities shall be installed underground.

Civil Permit:

23. A Site Civil construction permit shall be applied for and approved prior to any land disturbance on the subject property.
24. The project is subject to submit a Right-of-Way Permit for any work within public rights-of-way.
25. 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.
26. 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.
27. 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.

Prior to Final Minor Plat Submittal:

28. The applicant shall submit a copy of the incorporation of the Homeowner's Association and the Covenants, Conditions, and Restrictions with the final minor plat application. The CC&Rs shall include the following:
 - No storage of inoperable motor vehicles
 - Maintenance of private lots, buildings, and abutting right-of-way for the site.

Prior to Final Minor Plat Approval:

29. The applicant shall complete all required Civil Construction improvements on the subject site.
30. The applicant shall submit as-builts, acquire all required bonds, and complete the civil construction punch list for the project.
31. The applicant shall provide the conditions found in AMC 20.44.020N on the face of the final plat document.
32. The applicant shall provide language to be placed on the final minor plat that notifies future property owners of possible effects from aviation activities and the proximity of the Arlington Municipal Airport.

Building:

33. A building permit application shall be reviewed and approved prior to building construction on the site.
34. All building permits shall meet the most current edition of the International Building Code.
35. The project is subject to applicable water and sewer utility fees. These fees are collected at the time of building permit issuance.
36. Prior to issuance of building permits, all associated impact fees shall be paid.

Other:

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

VI. EXPIRATION

Per AMC 20.16.280 (b), a Preliminary Minor Plat – Zoning Permit shall expire automatically if, within five (5) years after the issuance of such permits:

1. 1. The plat has not been submitted for final plat, or
2. 2. A one-year extension has not been granted per 20.16.280 (e).

VII. APPEAL

This decision may be appealed pursuant to AMC 20.20.010, which provides for a hearing of the zoning permit decision before the Hearing Examiner. Any aggrieved party of record may file an appeal within 14 days of the permit decision. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development by 5:00 PM on September 11, 2024, and the appeal fee as set by resolution is paid.

ORDERED THIS ON THE 28th DAY OF August, 2024

Marc Hayes
Marc Hayes (Aug 27, 2024 16:27 PDT)

Marc Hayes, Community and Economic Development Department Director

Distributed to the Following Parties:

Eric Scott – Terra Vista NW
Jon King - Owner

ATTACHMENT B CODE REQUIREMENTS

NOTE: The following items are not conditions of permit approval but rather certain local, state, or federal code requirements that the developer needs to be aware of. This is in no way intended to be a complete list of code requirements but is a general checklist of major steps and issues. Please refer to the Arlington Municipal Code for a complete list of code requirements for your particular project type.

1. **Code Applicability.** This permit is subject to the applicable requirements contained in the Arlington Municipal Code, Land Use Code, Building Code, and COA Public Works Design, Construction Standards and Specifications. It is the responsibility of the developer to ensure compliance with the various provisions contained in these ordinances.

2. **Pre-Construction Phase.** Prior to commencing any site work, including installing any easement or right-of-way improvements, utility systems, drainage systems, streetlights, mailbox structures, emergency facilities, storm water control systems, or any other improvements, the developer shall submit site civil construction improvement plans for review and approval by the Public Works Director. Said plans shall be in conformance with applicable code and below listed conditions.
 - a. The developer shall survey and mark all property corners prior to review of any submitted construction plans.
 - b. The developer shall design and install erosion control measures deemed necessary by the City. These measures shall be implemented and inspected by the City prior to the issuance of any permits.
 - c. The developer shall undertake no site preparation or other disturbances within environmentally sensitive areas or their required buffers.
 - d. The developer shall submit to the Community & Economic Development Department and receive approval of a storm-water run-off and detention plan in conformance with the AMC Chapter 13.28, Stormwater Management, and the most current City-adopted edition of the Department of Ecology's Stormwater Management Manual for the Puget Sound Basin (The Technical Manual) for both the construction phase and a permanent system. All site drainage must be directed through bio filtration swales prior to discharge into wetlands.
 - e. The developer shall place all new utility lines underground.
 - f. The developer shall provide a temporary rock pad at all points of ingress and egress to the site throughout the construction phase.
 - g. The developer shall show locations of all required streetlights on the construction plans and install them as designed.
 - h. The developer shall obtain a right-of-way permit prior to any work done in a public right-of-way. (NOTE: City departments are exempt from right-of-way permits.)
 - i. The developer shall install all low sodium or similar low intensity illumination lighting and it shall be placed in a way as to not cause glare on an adjoining property or right-of-way.

3. **Construction Phase.** The following conditions shall apply during construction.

- a. The developer shall follow all applicable noise and other nuisance codes.
- b. The developer shall not track mud and dirt onto public rights-of-way, but if tracked by accident, the developer shall clean it up immediately.
- c. During any site grading or clearing activity, the developer and contractor shall use all available means of controlling air pollution (dust, ash, and smoke).
- d. The restrictions of the AMC shall apply to any and all grading.

4. Installation of Improvements. Prior to receiving a Certificate of Occupancy, the developer shall:

- a. Install all rights-of-way and access easement improvements on all proposed streets internal and existing streets adjacent to the project in accordance with the requirements of AMC Chapter 20.56 and per COA Public Works Design, Construction Standards and Specifications. The developer shall coordinate with all adjacent developments the final design of the street improvements and/or include the appropriate transition tapers for the street pavement from the property.
- b. Install a potable water system to serve the project per the COA Public Works Design, Construction Standards and Specifications. Water is to be served by the City of Arlington. This system cannot be deferred if a performance bond is secured. Both water and sanitary sewer must be completely installed and approved before either a temporary or permanent Certificate of Occupancy is issued.
- c. Relocate any existing water facilities and/or install water services/fire hydrants at the expense of the developer.
- d. Install a sanitary sewer system per COA Public Works Design, Construction Standards and Specifications. This system cannot be deferred if a performance bond is secured. Both water and sanitary sewer must be completely installed and approved before either a temporary or permanent Certificate of Occupancy is issued.
- e. Install a permanent storm water control system per AMC Chapter 13.28.
- f. Prior to issuance of a Certificate of Occupancy, the applicant shall complete all required or voluntary improvements unless otherwise secured by the developer and authorized by the City Engineer.

(NOTE: Code requirements for infrastructure improvements are based on conceptual information as submitted by the applicant for the land use permit. Additional specific requirements may be required upon review of the engineered construction drawings submitted by the developer. All improvements are subject to review and approval by the City of Arlington Inspectors. All utilities shall be constructed underground.)