



CITY OF ARLINGTON NOTICE OF DECISION

Cascade Business Park Preliminary Binding Site Plan Zoning Permit Decision

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 Staff Report and Permit Decision.

Project Name: Cascade Business Park

Proponent: North Point Development

Project Number: PLN#880

Description of Proposal: The proposed project, Cascade Business Park, is located at 6600 172nd Street NE, in Arlington, Washington. The total site, within Arlington jurisdiction, consists of 99.31 acres, with 89.47 acres that are developable. This proposal includes lots 1, 2, and 3 of the Binding Site Plan and for buildings 6 and 7 of the Cascade Business Park. One of the parcels is located on the east side of the BNSF railroad tracks and is not included in the development area, although is included in the total project area. The proposal includes the construction of two warehouse buildings that will range from approximately 596,000 to 656,000 square feet, along with parking lots, private drives, storm water detention facilities, landscaping, pedestrian trails, and utilities to service the proposed buildings. This project is part of a multi-phase commercial/industrial development within the Cascade Industrial Center, a regionally designated Manufacturing Industrial Center, which includes both the City of Arlington and City of Marysville.

Location: The project is located at 6600 172nd Street NE

City of Arlington Decision: Approved, with Conditions

Notice of Decision Date: Monday, February 14, 2022

End of Appeal Period: Monday, February 28, 2022

Zoning Permit Expiration Date: February 14, 2027

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 Monday, February 28, 2022**, and the appeal fee as set by resolution is paid.

Staff Contact: Amy Rusko, Planning Manager, arusko@arlingtonwa.gov, 360-403-3550

ZONING PERMIT
FOR
NORTH POINT DEVELOPMENT

This certifies that the proposed
PRELIMINARY BINDING SITE PLAN
Located at 6600 172nd Street NE

Meets all applicable requirements, as conditioned in the attached permit report, of

TITLE 20

Of the City of Arlington Municipal Code



ISSUED BY THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

February 14, 2022

PLN #880

A handwritten signature in blue ink, appearing to read "Ay Ruskov", is written over a horizontal line.

ISSUANCE DATE

FILE No

SIGNATURE





Community and Economic Development Planning Division

18204 59th Avenue NE, Arlington, WA 98223

PRELIMINARY BINDING SITE PLAN STAFF REPORT AND PERMIT DECISION

GENERAL INFORMATION

File Number:	PLN #880
Project Title:	Cascade Business Park
Owner/Applicant:	North Point Development
Contact:	Thane Smith
Description:	Preliminary 3-Lot Binding Site Plan
Location:	6600 172 nd Street NE
Tax Parcel ID:	31052700100100 and 31052700100900
Lot Size:	99.31 acres
Topographical Description:	Generally Flat
Soil Type:	Norma Loam with areas of Custer Fine Sandy Loam
Zoning Classification:	Light Industrial
Land Use Designation:	Light Industrial
Proposed Use Classification:	28.000 Binding Site Plan
City Approvals Required:	Preliminary Binding Site Plan, SEPA Decision, Site Civil Construction Permit, Final Binding Site Plan, Special Use Permits, Building Permits, and Utility Permits
Decision Date:	February 14, 2022
Decision:	APPROVED, with Conditions

I. NATURE OF APPLICATION

A. Request

The proposed project, Cascade Business Park, is located at 6600 172nd Street NE, in Arlington, Washington. The total site, within Arlington jurisdiction, consists of 99.31 acres, with 89.47 acres that are developable. This proposal includes lots 1, 2, and 3 of the Binding Site Plan and for buildings 6 and 7 of the Cascade Business Park. One of the parcels is located on the east side of the BNSF railroad tracks and is not included in the development area, although is included in the total project area. The proposal includes the construction of two warehouse buildings that will range from approximately 596,000 to 656,000 square feet, along with parking lots, private drives, storm water detention facilities, landscaping, pedestrian trails, and utilities to service the proposed buildings. This project is part of a multi-phase commercial/industrial development within the Cascade Industrial Center, a regionally designated Manufacturing Industrial Center, which includes both the City of Arlington and City of Marysville.

B. Project Chronology / Background

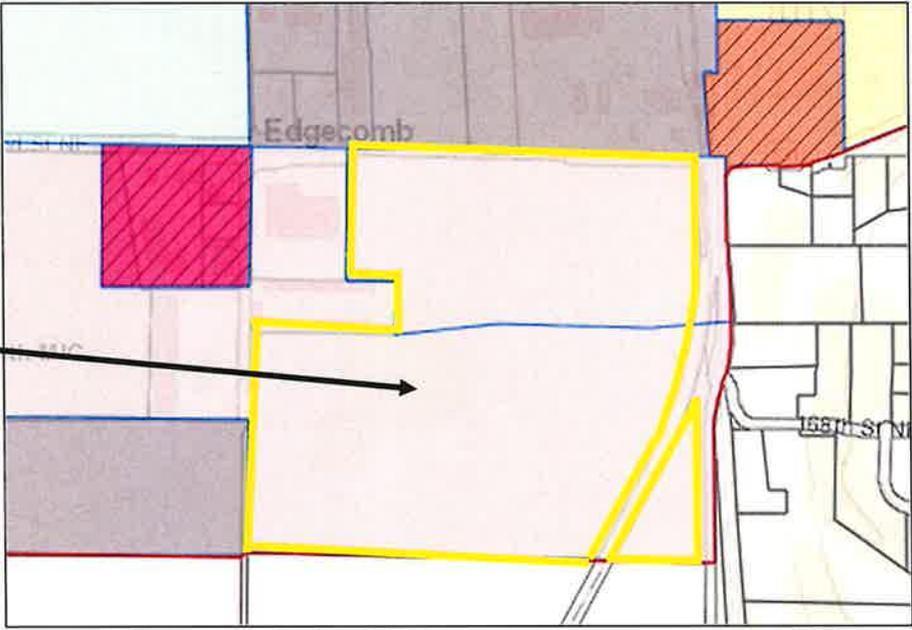
A formal application for the preliminary binding site plan was submitted to the Community & Economic Development Department on August 9, 2021. Staff routed the material to City review staff on August 25, 2021. The applicant provided revised plans on December 10, 2021, and January 20, 2021. The revised plans were routed to staff after each submittal.

C. Site Location / Description



The project is located southwest of the 67th Avenue and 172nd Street intersection.
The project is located on two parcels and is approximately 99.31 acres in size.

D. Site and Adjacent Zoning / Uses

Subject Site		
Area	Zoning	Existing Use
Subject Site	Light Industrial	Vacant
North	General Industrial	Industrial Businesses
South	City Marysville Light Industrial & Unincorporated Snohomish County Agricultural -10	Vacant & Single-Family Residences
East	Unincorporated Snohomish County Rural-5	Single-Family Residences
West	Light & General Industrial	Industrial & Commercial Businesses

II. PROJECT CONSISTENCY WITH TITLE 20 AMC, ZONING

A. Applicable Review Criteria and Process

The preliminary binding site plan 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 Final Plat Approval		
20.16.010 (c) Permits Required. Physical improvements to land to be subdivided may not be commenced except in accordance with a zoning permit issued by the Community Development Director for short subdivisions.	The applicant submitted for a zoning permit review for Preliminary Binding Site Plan. The Community Development Director is responsible for the permit decision and the decision is appealable to the Hearing Examiner.	Yes

Regulation	Analysis	Meets
20.16.034 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, North Point Development, has designated Thane Smith as the official representative for the subject permit.	Yes
20.16.070 (c) Complete Application. Within 28 days of after receiving the permit application, the Community Development Director shall mail or provide in person a written determination to the applicant, stating either: 1. That the application is complete; or, 2. That the application is incomplete and what is necessary to make the application complete.	The City of Arlington issued a Notice of Complete Application on August 27, 2021, which is within the 28-day timeframe.	Yes
Chapter 20.36 AMC, Zoning Districts and Zoning Map		
20.36.030 Manufacturing districts established. 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 Part I of 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 has a greater tolerance of the nuisances that typically accompany such manufacturing. Furthermore, the limitations in the light industrial district are more restrictive than those in the general industrial district.	The proposed binding site plan depicts the property as being split into 3 lots within the City of Arlington with the remaining lots to be located within the City of Marysville. All lots within the preliminary binding site plan are within the Cascade Industrial Center and zoned Light Industrial. The uses proposed for the lots at this time meet the types of business that support the intent of the industrial center. Each lot requires an individual land use permit at the time of development, the use and performance standards for the specific use are reviewed at that time.	Yes

Regulation	Analysis	Meets						
Chapter 20.38 AMC, Airport Protection District								
<p>20.38.080 Performance Standards and Miscellaneous Restrictions. Restrictions of the following zones are required of all development under the Airport Protection District Boundaries:</p> <p>(a) Subdistrict A (b) Subdistrict B (c) Subdistrict A, B, and C (d) Subdistrict A, B, C, and D</p>	<p>Preliminary Binding Site Plan has property that is located under Subdistrict A ITZ Zone 3, Subdistrict A OSZ Zone 4, Subdistrict B, and Subdistrict C.</p> <p>The requirements set forth by 20.38.080 address structures, above ground storage tanks, public assembly, residential and non-residential densities limits, emergency services, prohibited uses under traffic patterns, open ponds, bird activity impacts, radio or electrical communication interference, aviation easements, FAA Form 7460, that the applicant is required to meet at the time of land use development permit for the individual parcels.</p> <table border="1" data-bbox="828 808 1344 955"> <thead> <tr> <th data-bbox="828 808 1063 840">Land Use¹</th> <th data-bbox="1066 808 1209 840">Zone 3 ITZ²</th> <th data-bbox="1213 808 1344 840">Zone 4 OSZ²</th> </tr> </thead> <tbody> <tr> <td data-bbox="828 844 1063 955">Maximum Non-Residential Intensity (average number of people per gross acre)</td> <td data-bbox="1066 844 1209 955">60</td> <td data-bbox="1213 844 1344 955">60</td> </tr> </tbody> </table> <p>¹ Exceptions can be permitted for agriculture activities, roads, and automobile parking if FAA criteria are satisfied. ² Clustering of buildings to either side of the extended runway centerlines is encouraged to preserve open space in the event of an emergency aircraft landing.</p> <p>The preliminary binding site plan states the Arlington Airport Protection Zones impacted by the development. All airport performance standards shall be met and will be listed as a condition of this permit.</p>	Land Use ¹	Zone 3 ITZ ²	Zone 4 OSZ ²	Maximum Non-Residential Intensity (average number of people per gross acre)	60	60	Yes
Land Use ¹	Zone 3 ITZ ²	Zone 4 OSZ ²						
Maximum Non-Residential Intensity (average number of people per gross acre)	60	60						
Chapter 20.40-1 AMC, Table of Permissible Uses								
Use	Light Industrial (LI)							
28.200 Binding Site Plan	Z							
<ul style="list-style-type: none"> • Z = Zoning Permit 								
Chapter 20.48 AMC, Density and Dimensional Regulations								
<p>20.48.040 The project is subject to Table 20.48-1: Density and Dimensional Standards under the Light Industrial zone.</p>	<p>The proposed preliminary binding site plan is within the Light Industrial Zone and complies with Table 20.48-1, see below.</p>	Yes						

Regulation	Analysis			Meets
Table 20.48-1 Density and Dimensional Standards				
	Lot 1	Lot 2	Lot 3	
Minimum Lot Size: 10,000 square feet	2,233,369 sf	1,629,199 sf	195,270 sf	Yes
Minimum Lot Width: 70 feet	1172.93'	1021.22'	665.68'	Yes
Arterial ROW Building Setback: 25 feet	~ 400'	N/A	N/A - Vacant	Yes
Non-Arterial ROW Building Setback: 25 feet	N/A	~ 150'	N/A - Vacant	Yes
Lot Line Building Setback: 5 feet	> 75'	>150'	N/A - Vacant	Yes
ECA Buffer Building Setback: 5'	> 175'	> 150'	N/A - Vacant	Yes
Building Height: 50 feet	TBD	TBD	N/A - Vacant	Yes*
Maximum Lot Coverage: 100%	TBD	TBD	N/A - Vacant	Yes*
*Building Height and Lot Coverage will be determined with individual land use permits for each lot				
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 preliminary binding site plan has proposed intersections with internal private roads on 172 nd Street NE, as a right-in right-out only and two intersections along 59 th Avenue NE. All three intersections are required to meet the sight triangle requirement at the time of site development.			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 preliminary binding site plan provides vehicular, pedestrian, and bicycle access to Lots 1 and Lot 2, Lot 3 is located between 67 th Avenue NE and the BNSF Railroad tracks and is proposed to remain vacant. Proposed public improvements will be made to both 59 th Avenue and 172 nd Street NE. The private road improvements include pedestrian sidewalks and vehicular access, along with a dedicated 12-foot multi-modal path between the development and Edgecomb Creek. WSDOT is proposing the completion of roadway improvements to 172 nd Street NE in 2025.			Yes

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 binding site plan has three (3) access points in the City of Arlington that meet the required criteria for both passenger cars and delivery trucks.</p> <p>Access drives from 59th Avenue NE provides for both left and right turns from the access points. The access drive from 172nd Street NE provides for right-in and right-out only.</p>	Yes
<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 property is currently developed and provides 90° intersections on both 172nd Street NE and 59th Avenue NE.</p>	Yes
<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 permit and Right-of-Way permit. This has been added as a permit condition.</p>	Yes
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. The construction of utilities will take place after Site Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.</p>	Yes
<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. The construction of utilities will take place after Site Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.</p>	Yes

Regulation	Analysis	Meets								
<p>20.60.400 Lighting Requirements.</p> <p>(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 applicant is required to submit lighting plans and details with the Site Civil permit. This has been added as a condition of the preliminary binding site plan.</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 applicant is required to submit lighting plans and details with the Site Civil permit. This has been added as a condition of the preliminary binding site plan.</p>	<p>Yes</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 applicant is required to submit lighting plans and details with the Site Civil permit. This has been added as a condition of the preliminary binding site plan.</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 applicant is required to submit lighting plans and details with the Site Civil permit. This has been added as a condition of the preliminary binding site plan.</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>The applicant is required to show all utilities underground on the Site Civil plans. This has been added as a condition of the preliminary binding site plan.</p>	<p>Yes</p>								
<p>Chapter 20.72 AMC, Parking</p>										
<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>	<p>The number of parking spaces will be verified with the Special Use Permit for the individual parcel at the time of development.</p>	<p>Yes</p>								
<p>(d) Uses in Table 20.72-1: Table of Parking Requirements are indicated by a numerical reference keyed to the Table of Permissible Uses.</p> <table border="1" data-bbox="212 1730 808 1892"> <thead> <tr> <th data-bbox="212 1730 415 1772">Use</th> <th data-bbox="415 1730 808 1772">Required Parking Spaces</th> </tr> </thead> <tbody> <tr> <td data-bbox="212 1772 415 1814">2.112/2.113</td> <td data-bbox="415 1772 808 1814">1 space per 300 gfa</td> </tr> <tr> <td data-bbox="212 1814 415 1856">2.120</td> <td data-bbox="415 1814 808 1856">1 space per 800 gfa</td> </tr> <tr> <td data-bbox="212 1856 415 1892">4.120</td> <td data-bbox="415 1856 808 1892">1 space for every 2 employees</td> </tr> </tbody> </table>	Use	Required Parking Spaces	2.112/2.113	1 space per 300 gfa	2.120	1 space per 800 gfa	4.120	1 space for every 2 employees	<p>The exact number of parking spaces required depend on the use of the building at the time of the individual land use permit submittal for each lot and will be determined at that time.</p>	<p>Yes</p>
Use	Required Parking Spaces									
2.112/2.113	1 space per 300 gfa									
2.120	1 space per 800 gfa									
4.120	1 space for every 2 employees									

Regulation	Analysis	Meets						
Table 20.72-1 Table of Parking Requirements								
<p>Proposed uses on the site include Use Classifications of 2.000 Sales and Rental of Goods, Merchandise, and Equipment (2.113 or 2.120) and 4.000 Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise, and Equipment (4.120).</p> <table border="1" data-bbox="207 499 792 676"> <thead> <tr> <th>Use</th> <th>Spaces Required</th> </tr> </thead> <tbody> <tr> <td>2.113 or 2.120</td> <td>1 parking space per 800 square feet of gross floor area</td> </tr> <tr> <td>4.120</td> <td>1 space for every two employees on maximum shift</td> </tr> </tbody> </table>	Use	Spaces Required	2.113 or 2.120	1 parking space per 800 square feet of gross floor area	4.120	1 space for every two employees on maximum shift	<p>The binding site plan shows building pads but not the use of the buildings. This will be determined with the land use permit for the individual parcels at the time of development. The binding site plan shows the following parking spaces combined between two developable parcels:</p> <p>Vehicular Car Parking Spaces: 503 ADA Vehicular Parking Spaces: 18 Truck Parking Spaces: 257</p> <p>Total Parking Spaces: 778</p>	Yes
Use	Spaces Required							
2.113 or 2.120	1 parking space per 800 square feet of gross floor area							
4.120	1 space for every two employees on maximum shift							
Chapter 20.76 AMC, Screening and Trees								
<p>20.76.020 General Screening Standard. Every development 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 Light Industrial zone, with adjacent industrial and manufacturing uses. All surrounding properties are zoned General Industrial. The proposed landscape plan shows that adequate screening is provided between the proposed use and the street and the proposed use and neighboring properties.</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>The project is in the Light Industrial zone, with adjacent industrial and manufacturing uses. All surrounding properties are zoned General Industrial. Type B landscaping is required along 59th Avenue NE and Type A landscaping is required so screen parking areas.</p>	Yes						
<p>20.76.040 (1) Intermittent Screen, Type A. A screen that is opaque from the ground to a height of at least six feet with intermittent visual obstructions from the opaque portion to a height of a least twenty feet. The width shall be a minimum of five feet wide, but may be increased if, in the opinion of the permit-issuing authority, it is needed to better insulate or isolate uses. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of spatial separation.</p>	<p>The proposed landscape plan shows that Type A landscaping has been provided in fourteen different areas around the proposed complex to screen the truck loading areas.</p>	Yes						

Regulation	Analysis	Meets
<p>20.76.040 (2) Intermittent Screen, Type B. A screen that is opaque from the ground to a height of three feet, with intermittent visual obstruction from above the opaque portion to a height of at least twenty feet. The width shall be a minimum of five feet wide.</p>	<p>The proposed landscape plan shows that Type B landscaping has been provided between the proposed building pad and 59th Avenue and surrounding the stormwater detention areas.</p>	<p>Yes</p>
<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 landscape plan shows street trees have been provided along 172nd Street NE and 67th Avenue NE. 49 street trees are proposed to be installed along 172nd Street NE and 46 street trees are proposed to be installed along 59th Avenue NE. The applicant shall provide the 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 right-of-way and sidewalk on the site civil construction plans.</p>	<p>Yes</p>
<p>20.76.130 Shade Trees in Parking Area. Vehicle accommodation areas that are paved are required to provide trees that shade 20 percent of the parking area.</p>	<p>The landscape plans show the vehicle accommodation area as 215, 486 square feet. The 20% shading required on the site is 43,097 square feet and the amount provided is 66, 458 square feet of trees and landscaping within multiple planting beds spaced throughout the site.</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 is required to maintain the landscaping on the property and within the right-of-way per AMC 20.76. The final landscape plan shall be approved with the Site Civil Permit.</p>	<p>Yes</p>

Regulation	Analysis	Meets						
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 applicant provided a Traffic Impact Analysis prepared by Gibson Traffic Consultants in August 2021. The traffic analysis concluded that the proposed use would produce 126 new PM peak-hour-trips to the site. The city concurs with the amount proposed for City of Arlington Traffic Impact Fees as shown below.</p> <table border="1" data-bbox="824 546 1347 619"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,355.00</td> <td>126</td> <td>\$422,730</td> </tr> </tbody> </table> <p>The project is required to construct 168th Street between 51st Avenue and 59th Avenue after the city acquires right-of-way from adjacent property owners. The development agreement will establish the regulations regarding this improvement.</p>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	126	\$422,730	<p>Yes</p>
Traffic Fee	# Of Trips	Total Amount						
\$3,355.00	126	\$422,730						
Chapter 20.93 AMC, Critical Area Ordinance								
<p>20.93.010 Purpose and Intent. This chapter establishes regulations for the protection of environmentally critical areas including critical areas, natural resource lands, and protective buffers.</p> <p>(1) If at all possible, avoid impacts to environmentally critical areas. If this is not practicable, then:</p> <p>(A) Minimize or limit the degree or magnitude of actions and their implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.</p> <p>(B) Mitigate any impacts by repairing, rehabilitating, or restoring the affected environment.</p> <p>(C) Reduce or eliminate any impacts over time by preservation and maintenance operations during the life of the action.</p> <p>(D) Compensate for unavoidable impacts by replacing, enhancing, or providing substitute resources or environments through monitoring of specific and cumulative impacts.</p>	<p>The portion of the project within the City of Arlington will impact the following: Edgecomb Creek, Ditch X and 14 wetlands (13 onsite and 1 offsite). A critical area assessment report was completed by Soundview Consultants in August 2020 and revised in December 2020. The project proposes to realign Edgecomb Creek and create wetlands within a restored riparian corridor (215 feet wide) on the eastern portion of the project area. Ditch X will also be re-aligned, lengthened, and reconnected to the re-aligned Edgecomb Creek. All 13 wetlands onsite are proposed to be filled and mitigated for in the new creek corridor. One wetland is located off site and will remain.</p> <p>The proposed project restores and relocates Edgecomb Creek and Ditch X to improve ecological conditions, habitat functionality, and fish passage. After relocation of the waters, the remnant channels will be filled. Compensatory wetland mitigation will consist of onsite wetland creation along the re-aligned creek corridor.</p>	<p>Yes</p>						

Regulation	Analysis	Meets
<p>20.93.220 Allowed Activities. Unless specifically prohibited elsewhere in this chapter, or unless the use affects a critical area structure, function or value, the following uses are allowed in any environmentally critical area:</p> <p>(1) Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife.</p> <p>(4) Education, scientific research, and use of nature trails.</p> <p>(8) Environmentally critical area restoration work or relocation work which would improve the function of the environmentally critical areas, when done pursuant to a plan approved by the city.</p>	<p>The proposed project creates a riparian corridor for the re-aligned Edgecomb Creek. This work includes a complete restoration project that was permitted through the City of Arlington, City of Marysville, Department of Ecology, Washington State Department of Fish and Wildlife, U.S. Army Corps of Engineers, Stillaguamish Tribe of Indians, and Tulalip Tribe of Indians.</p> <p>The project proposes a multi-modal trail parallel to the creek corridor in the buffer. Signs are to be installed with educational information.</p>	Yes
<p>20.93.230 General Provisions 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 of Arlington concludes that the subject property contains environmentally critical areas, including Edgecomb Creek, Ditch X and 14 wetlands. The applicant has received approval from the Department of Ecology, Washington State Department of Fish and Wildlife and U.S. Army Corps of Engineers to fill wetlands and for the re-alignment and restoration of the creek per the approved Edgecomb Creek Restoration Plans.</p>	Yes
<p>20.93.340 Building Setbacks from Buffers. A building setback of fifteen feet is required from the edge of any critical area buffer, as defined in subsequent sections of this chapter.</p>	<p>The proposed site plan layout shows a building setback of over 15 feet from all paved areas and/or buffers from the critical areas.</p>	Yes
<p>20.93.390 General Provisions Mitigation Plan Requirements. In the event that mitigation is required, the applicant shall be required to provide a mitigation plan for approval by the community development director. The plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area.</p>	<p>The applicant has submitted a Conceptual Mitigation Plan prepared by Soundview Consultants that provides the required information for construction and maintenance and monitoring of the critical areas affected by the project.</p>	Yes
<p>20.93.400 Fish and Wildlife Conservation Areas Classification.</p> <p>(1) Lands containing priority habitats and species, including plant and/or animal species listed on federal, or state threatened or endangered species lists.</p>	<p>The project streams identified a presence of Chinook Salmon and Steelhead per the Washington Department of Fish and Wildlife Salmon Scape Inventory.</p>	Yes

Regulation	Analysis	Meets												
<p>20.93.430 Allowed Activities. (1) Those activities listed in Section 20.93.220 (General Provisions – Allowed activities)</p>	<p>The proposed binding site plan shows a multi-modal path along the western buffer of the creek corridor and a driveway access to the property from 172nd Street that was unavoidable, being the only area to have an entry into the property from 172nd Street NE.</p>	<p>Yes</p>												
<p>20.93.440 Requirements. (a) (1) For endangered or threatened salmonid fish and wildlife conservation areas, a one hundred fifty-foot buffer shall be required for all regulated activities adjacent to the fish and wildlife conservation areas. This buffer shall consist of a one-hundred-foot area closest to the stream or river being designated a native growth protection easement in which no human activities may be allowed, and the remaining fifty-foot zone being designated a management zone, in which vegetation may be managed solely for public health and safety reasons that may threaten structures or public infrastructure.</p>	<p>The proposed binding site plan shows a minimum of a 215-foot-wide creek corridor buffer for Edgecomb Creek and a minimum 0 buffer for Ditch X, established by the Development Agreement approved on December 7, 2021, and by approved permitting through the Department of Ecology, Washington State Department of Fish and Wildlife and U.S. Army Corps of Engineers. A 12-foot multi-modal trail is located at the edge of the western buffer of the creek corridor. Signage and fencing are proposed to be installed to keep human activity away from the Edgecomb Creek corridor and Ditch X.</p>	<p>Yes</p>												
<p>20.93.700 Streams, Creeks, Rivers, Lakes, and other Surface Water Classification. (a) The city hereby adopts the stream classification system of the state, as specified in WAC 222-13-030, as may be amended. (2) Type F-ESA water means all the waters meeting the criteria of Type F stream but has been identified as having presumed use by ESA listed fish species.</p>	<p>There are two streams/creeks located on the subject property that are both classified as Type F-ESA waters.</p>	<p>Yes</p>												
<p>20.93.730 Streams, Creeks, Rivers, Lakes, and other Surface Water Requirements. (a) To retain the natural functions of streams and stream corridors, and unless modified by Part IV – Fish and Wildlife Habitat, the streamside buffers listed in Table 20.93-3: buffer width shall be maintained on both sides of the environmentally critical area.</p>	<p>The establishment of the creek corridor was approved through a Development Agreement approved on December 7, 2021, and with multiple agencies. The buffer width was established to provide protection of the Edgecomb Creek at 215 feet wide and Ditch X was allowed to have a minimum 0 buffer to allow for roadways into the development on the properties.</p> <table border="1" data-bbox="824 1772 1349 1900"> <thead> <tr> <th colspan="3">Table 20.93-3</th> </tr> <tr> <th>Name</th> <th>Type</th> <th>Standard Buffer</th> </tr> </thead> <tbody> <tr> <td>Edgecomb Creek</td> <td>F-ESA</td> <td>150 feet</td> </tr> <tr> <td>Ditch X</td> <td>F-ESA</td> <td>150 feet</td> </tr> </tbody> </table>	Table 20.93-3			Name	Type	Standard Buffer	Edgecomb Creek	F-ESA	150 feet	Ditch X	F-ESA	150 feet	<p>Yes</p>
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Name	Type	Standard Buffer												
Edgecomb Creek	F-ESA	150 feet												
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Regulation	Analysis	Meets										
<p>20.93.740 Streams, Creeks, Rivers, Lakes, and other Surface Water Mitigation. (a) In order to avoid significant environmental impacts for those activities not regulated by the Shoreline Master Program and allowed pursuant to Section 20.93.720. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact.</p>	<p>The project is proposing to relocate and realign Edgecomb Creek and Ditch X establishes a meandering channel with increased flood storage, wetland, forested buffers, and other habitat improvements. The creation of the new creek corridor provides for protection of the creek and habitat.</p>	<p>Yes</p>										
<p>(b) All ECA restoration, creation and/or enhancement projects required pursuant to this chapter shall follow a mitigation plan prepared in conformance with 20.93.390</p>	<p>The proposed project submitted a conceptual Mitigation Plan prepared by Soundview Consultants that provides all information required.</p>	<p>Yes</p>										
<p>20.93.800 Wetlands Classifications. (b)(2) Category II. Wetlands are difficult, though not impossible, to replace, and provide high levels of some functions.</p>	<p>The proposed binding site plan shows Wetland H as a Category II wetland.</p>	<p>Yes</p>										
<p>(b)(3) Category III. Generally, wetlands of this category may have been disturbed in some way and are often less diverse or more isolated form other natural resources in the landscape.</p>	<p>The proposed binding site plan shows Wetlands E-G, O, V, and Y are Category III wetlands. Wetland O is located off-site adjacent to Edgecomb creek and will remain in place.</p>	<p>Yes</p>										
<p>(b)(4) Category IV. Generally, wetlands of this category have the lowest levels of functions have low habitat scores and are often heavily disturbed. These are wetlands that should be replaceable, and in some cases may be improved.</p>	<p>The proposed binding site plan shows Wetlands A-D and P-R are Category IV wetlands</p>	<p>Yes</p>										
<p>20.93.830 Wetlands Requirements. (a) Buffers – ECA buffers shall be required for all regulated activities adjacent to regulated wetlands as provided in Table 20.93-4.</p>	<p>The project proposes to fill all wetlands listed above. No wetland buffers are proposed outside of the new creek corridor.</p>	<p>Yes</p>										
<p>20.93.840 Wetlands Mitigation (a) In order to avoid significant environmental impacts, the applicant for a land use or development permit shall compensate for unavoidable wetland impacts, listed in order of preference. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact. (1) On-site wetlands restoration/improvement – Restoration or improvement in functional value of degraded on-site wetlands and/or their buffers at the ratio listed in Table 20.93-6 according to the wetland type. (2) On-site wetlands creation – Creation of on-site wetlands and their buffers at the ratio listed in Table 20.93-6 according to the wetland type.</p>	<p>The project proposes the fill of 13 wetlands due to unavoidable impacts that are subject to the following mitigation.</p> <table border="1" data-bbox="837 1507 1357 1703"> <thead> <tr> <th colspan="2">Table 20.93-6</th> </tr> <tr> <th>Category</th> <th>Creation or Re-Establishment</th> </tr> </thead> <tbody> <tr> <td>Category II</td> <td>3:1</td> </tr> <tr> <td>Category III</td> <td>2:1</td> </tr> <tr> <td>Category IV</td> <td>1.5:1</td> </tr> </tbody> </table>	Table 20.93-6		Category	Creation or Re-Establishment	Category II	3:1	Category III	2:1	Category IV	1.5:1	<p>Yes</p>
Table 20.93-6												
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Category IV	1.5:1											

Regulation	Analysis	Meets												
<p>(b) All wetland restoration, creation and/or enhancement projects required pursuant to this chapter shall follow a mitigation plan prepared in conformance to the requirements of Section 20.93.390.</p> <p>(d) Mitigation ratios for the replacement of impacted wetlands shall be as listed in Table 20.93-6.</p>	<p>Per the conceptional wetland mitigation plan: Wetland H will be mitigated for at a 3:1 ratio, Wetland E-G, V, and Y will be mitigated for at a 2:1 ratio, and Wetland A-D and P-R will be mitigated for at a 1.5:1 ratio. All mitigation will be kept onsite in the new creek corridor.</p> <table border="1" data-bbox="828 468 1352 636"> <thead> <tr> <th>Category</th> <th>Total Acres Impacted</th> <th>Total Acres Mitigated</th> </tr> </thead> <tbody> <tr> <td>Category II</td> <td>0.144</td> <td>0.432</td> </tr> <tr> <td>Category III</td> <td>0.201</td> <td>0.402</td> </tr> <tr> <td>Category IV</td> <td>0.447</td> <td>0.671</td> </tr> </tbody> </table>	Category	Total Acres Impacted	Total Acres Mitigated	Category II	0.144	0.432	Category III	0.201	0.402	Category IV	0.447	0.671	<p>Yes</p>
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Chapter 20.98 AMC, State Environmental Policy Act (SEPA)														
<p>20.98.180 Using Existing Environmental Documents – Adoption by Reference. This section contains rules for using and supplementing existing environmental documents prepared under SEPA or NEPA for the city’s own environmental compliance. The City adopts the following section of WAC 197-11-600, 197-11-625, 197-11-706.</p>	<p>The City of Arlington issued a Mitigated Determination of Non-Significance Addendum and Adoption of Existing Documents on January 19, 2022. The addendum added details that were not available at the time of the early grading permit for the Stream Relocation project, such as building sizes and locations, private drives, parking lots, stormwater detention facilities, landscaping, pedestrian trails, public street improvements, and utilities. Public comment period was available from January 21, 2022 to February 4, 2022. Conditions of the MDNS and public comments have been added to the preliminary binding site plan permit and listed below in Section IV of this permit.</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>(3) New Development</p>	<p>The stormwater proposed on the site shall meet the most current version of the Department of Ecology Stormwater Manual for Western Washington and the City of Arlington Public Works Standards and Specifications. All stormwater will be approved through a separate Site Civil Construction Permit.</p>	<p>Yes</p>												

III. CONCLUSIONS

Under AMC 20.16.100 and AMC 20.16.352, the Community Development Director shall issue the requested zoning permit for preliminary binding site plan, unless he concludes after reviewing the application that:

Regulation	Analysis	Meets
Chapter 20.16.100 AMC, Zoning Permits		
(a) The requested permit is not within its jurisdiction according to the table of permissible uses.	The requested preliminary binding site plan is within the City of Arlington's jurisdiction per the above zoning map and permissible use table.	Yes
(b) The application is incomplete.	The application for the subject preliminary binding site plan was deemed complete on August 27, 2021.	Yes
(c) 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 binding site plan complies with all required sections of AMC Title 20 per the above staff analysis.	Yes
(d) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, and the Arlington Municipal Code.	The proposed preliminary binding site plan divides the property into three (3) parcels, which complies with the Arlington Municipal Code, Comprehensive Plan, and Transportation Plan.	Yes
Chapter 20.16.352 AMC, Binding Site Plan Standards		
(a) The binding site plan shall ensure that the collective lots continue to function as one site with respect to, but not limited to, lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance, and parking.	The binding site plan shows connectivity between all lots through interior drive aisles, parking areas, open space, drainage, landscaping, and a multi-modal trail within the complex.	Yes
(b)(1) Identify the areas and locations of all streets, roads, improvements, utilities, open spaces, sensitive areas, parking areas, landscaped areas, surveyed topography for preliminary map, water bodies, and drainage features and building envelopes;	The binding site plan shows all proposed roads, drive aisles, parking areas, landscaping, open spaces, critical areas, drainage, legal boundaries, and building footprints within the complex.	Yes
(b)(2) Contain inscriptions or attachments setting forth such limitations and conditions for the use of the land as are established by the community development director or hearing examiner;	The project is subject to the recorded Development Agreement, along with all listed conditions of the SEPA MDNS decision and permit decision.	Yes
(b)(3) Contain provisions requiring any development or division of land to be in conformance with the approved site plan;	The proposed binding site plan is subject to the approved plans submitted on January 20, 2022.	Yes

Regulation	Analysis	Meets
(b)(4) The binding site plan shall meet: Adhere to all applicable provisions set forth in the land use code.	The proposed binding site plan has met all required sections of the Arlington Municipal Code per this permit decision.	Yes
(c) Both the design and development shall preserve the trees and vegetation, natural drainage, existing topsoil, and wetland/critical areas to the fullest extent that is reasonably possible.	The proposed binding site plan and development of the property has proposed the relocation and re-alignment of Edgecomb Creek and Ditch X, proposed drainage facilities, and preserved the site to the most reasonably possible extent for the development of an industrial/manufacturing complex on the site.	Yes
(d) Conditions of use, maintenance, and other restrictions on redevelopment of required open space, parking, access, and other improvements shall be identified and enforced by covenants, easements, dedications, or other similar mechanisms.	The Final Binding Site Plan shall list easements, dedications, covenants, conditions, and restrictions for the complex, along with the restrictions of the Arlington Municipal Airport.	Yes

IV. PUBLIC COMMENTS

Public Comment	Response
Public comments received during the SEPA Mitigated Determination of Non-Significance Addendum and Adoption of Existing Documents comment period for the Cascade Business Park Binding Site Plan, PLN #880.	The City received comments from the following agencies or citizens in the community: Ewing Stringfellow The Tulalip Tribe The Department of Ecology WSDOT Aviation Division WSDOT Transportation (after comment period) A summary of the comments and concerns are included below. The original comments submitted are in the official permit file and available upon request.
Ewing Stringfellow inquired about the project and property via a phone call. He owns property north of the project and was looking for information regarding the stream relocation project and how that would affect his property. He also had questions about the access points to the project from 172 nd Street and the WSDOT 172 nd Street Improvement project.	Planning Staff talked to Mr. Stringfellow about the project and the relocation of Edgecomb Creek and Ditch X. The improvements that are taking place will not be on his property. Ditch X collects drain water and flows from his property to the subject property by passing under 172 nd Street NE. His questions regarding the WSDOT project were answered and his concern was if there would be a round-about installed for access to his property. It was stated that his property would likely be a right-in, right-out intersection due to the proximity of the roundabout to be installed at 67 th Avenue and 172 nd Street NE. He is a party of record for all information on this project.

Public Comment	Response
<p>The Tulalip Tribe provided comments and questions regarding the buffer of "Ditch X", which is a fish bearing stream. He also inquired about the requirements for fish passage at all crossings.</p>	<p>Planning Staff replied to these comments via email. 172nd Street abuts Ditch X and access roads into the property from 172nd Street NE that are required for the project, therefore the buffer for Ditch X has a minimum buffer of 0 (zero) is established within the site as much as feasible per the Development Agreement approved on December 7, 2021. The remaining buffer is being mitigated for and used for enhancement and re-alignment of both Ditch X and Edgcomb creek.</p> <p>The fish passage areas within the WSDOT Project for 172nd Street are to be replaced by WSDOT. The applicant has been working with both WSDOT and BNSF Railroad to make sure all fish passage barriers are removed.</p>
<p>The Department of Ecology provided comments regarding the proposed extension of 59th Avenue will partially extend onto parcel #31052700200900, owned by Copart of Washington Inc. This portion of the Copart property contains "habitat loop" extensions of Edgcomb Creek, which were required by the City of Arlington when the Copart property was initially development. With the relocation of Edgcomb Creek to the east of the side of the property the "habitat loops" will be partially impacted and isolated. The developer has proposed mitigation for the impacts to these "habitat loops" through replacement. However, there could also be areas adjacent to the loops that meet wetland criteria which may be impacted by the extension of 59th Avenue.</p> <p>DOE SEA recommends that a wetland delineation be conducted on the Copart and City property within and adjacent to the footprint of the proposed extension of 59th Avenue NE prior to any grading and filling activity in this area.</p>	<p>Planning Staff replied to the Department of Ecology and stated that the City will take their recommendation into consideration and require the applicant to provide a wetland delineation of the area described with the submittal of the Site Civil Construction permit. Approval of the wetland delineation area shall be required prior to approving the Site Civil Construction permit for construction of 59th Avenue NE extension.</p> <p>Because the applicant is responsible for the construction of the 168th Street roadway, which will intersect with 59th Avenue. at this subject area, and will, most likely, also impact the "habitat loops" it is required that the wetland delineation also include the proposed 168th Street/59th Avenue construction limits and incorporate this into the ultimate mitigation plan.</p>
<p>WSDOT Aviation Division provided comments regarding concerns about the possible creation of a wildlife attractant with the restoration and relocation of Edgcomb Creek and Ditch X as well as the plan for stormwater retention and treatment. Given the proximity to the Arlington Municipal Airport, open water can be a wildlife attractant which can cause a safety hazard to aircraft operations at the airport.</p>	<p>Planning Staff replied to WSDOT Aviation Division that all improvements on the site are subject to Arlington Municipal Airport, WSDOT Aviation Division, and FAA requirements. Edgcomb Creek and Ditch X are existing throughout the site and are only to be relocated to the east side of the property, which moves the corridor outside of the most critical path of the Arlington Airport runway approach. The drainage area shall be designed as to not attract birds or waterfowl. The final design shall be approved with the Site Civil Construction Plans.</p>

Public Comment	Response
WSDOT Transportation Division provided comments regarding the Community Transit stop along 172 nd Street NE. A Community Transit stop requires a WSDOT approved channelization plan. The Channelization Plan limits will need to show all frontage improvements along 172 nd Street Ne.	Planning Staff replied to WSDOT Transportation Division that all street improvements and the Community Transit stop are to be shown on the submittal for the Site Civil Construction Plans. At this time a Community Transit pad is to be installed on the subject property, but no other improvements until a bus route is established along 172 nd Street.

V. 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 Binding Site Plan (PLN #880) is hereby APPROVED, subject to the following conditions.

VI. CONDITIONS

Preliminary Binding Site Plan:

1. All development shall be in substantial conformance with the approved site plan received on January 20, 2022, 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.
3. The binding site plan is subject to the Development Agreement for the site is recorded under Auditor's File Number 202107260182. The project vested on December 7, 2020, through approval of the Development Agreement by Arlington City Council.
4. The applicant may revise the Development Agreement by following the procedures in Arlington Municipal Code.
5. The proposed preliminary binding site plan shall comply with all permits and conditions thereof from the City of Arlington, City of Marysville, Department of Ecology, Washington State Department of Fish and Wildlife, U.S. Army Corps of Engineers, Stillaguamish Tribe of Indians, and Tulalip Tribe of Indians.
6. Prior to any future development or property sales the final binding site plan shall be submitted and approved by the City of Arlington and recorded with the Snohomish County Auditor's Office.
7. Each lot created from the Binding Site Plan is required to obtain a Special Use Permit, Site Civil Permit, Building Permit(s), Utility Permit, and meet all requirements of the Arlington Municipal Code.

SEPA MDNS Conditions:

8. (B)(1) Earth:
 - a. 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.
 - b. Heavy equipment shall be refueled in a designated area. Absorbent pads and spill containment equipment shall be stored on-site for quick response and placement to reduce the potential for contaminants to reach the streams or wetlands should any sort of spill or leakage occur.

- c. Sediment fencing shall be placed around the perimeter of the staging areas, between the staging area and any surface water, wetland, or stream.
 - d. The contractor shall be responsible for adhering to the Spill Prevention Control and Countermeasures (SPCC) Plan. The contractor shall designate at least one employee as the Certified Erosion and Spill Control Lead (CESCL). The CESCL shall be responsible for installing and monitoring erosion control measures and maintaining spill containment and control equipment. The CESCL shall also be responsible for ensuring compliance with all local, state, and federal erosion and sediment control requirements. Moreover, the CESCL shall be responsible for inspecting all temporary erosion and sediment control measures on a regular basis, as well as maintaining and repairing such measures and ensuring their continued performance.
9. (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.
10. (B)(3)(a) Surface Water:
- a. There are Two Fish-bearing (Type F) Waters located within agricultural ditches: Edgecomb Creek and "Ditch X". The Linear ditches drain into the offsite Middle Fork of the Quilceda River which is located approximately 0.35 miles downstream of the overall Cascade Industrial Center Project. Fourteen (14) wetlands have been identified on the site within Arlington city limits (Wetlands A, B, C, D, E, F, G, H, O, P, Q, R, V, and Y). Wetlands A-D and P-R are Category IV wetlands; Wetlands E-G, O, V, and Y are Category III wetlands; and Wetland H is a Category II Wetland. The proposed project will restore and relocate Edgecomb Creek and Ditch X to improve ecological conditions, habitat functionality, and fish passage. After relocation of the waters, the remnant channels will be filled. The project may include replacement of an existing, undersized culvert that conveys Edgecomb Creek under the BNSF railroad with a larger box culvert to improve fish passage. The project will also fill Wetlands A, B, C, D, E, F, G, H, P, Q, R, V, and Y. Compensatory wetland mitigation will consist of onsite wetland creation along the re-aligned Edgecomb Creek. An estimated 20, 000 cubic yards of fill are required to fill Edgecomb Creek (after relocation), Ditch X (after relocation), and onsite wetlands. The ditched Edgecomb Creek will be re-aligned to the eastern portion of the site in order to restore the creek and establish a meandering channel with increased flood storage, wetland, forested buffers, and other habitat improvements. Ditch X will also be re-aligned and lengthened.
 - b. The proposal shall comply with the Wetland and Fish and Wildlife Habitat Assessment Report and Conceptual Mitigation Plan completed by Soundview Consultants, revised December 2020.
 - c. Required Department of Ecology permits shall be obtained prior to any construction activities commencing on the site.
11. (B)(3)(b) Ground Water: To mitigate for potential impacts to ground water the Applicant shall employ best design practices meeting the current Department of Ecology Stormwater Management Manual for Western Washington.
12. (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 Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater. All onsite stormwaters will be collected, treated, and detained or infiltrated to match preexisting runoff conditions on site.

13. (B)(4)(b) Plants:
 - a. The project will remove existing vegetation and import fill. Landscaping of approximately 25% of the site will be included as part of the development consisting of native grasses and street trees as required by AMC 20.76.
 - b. The proposed project shall comply with the Conceptual Mitigation Plan for the stream and wetland areas. The project shall follow AMC Chapter 20.76 and the landscape plans proposed with the binding site plan.
14. (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.
15. (B)(7)(b) Noise: The applicant shall comply with the City of Arlington noise standards found in AMC 9.20.060. Specifically, in section 9.20.060(8), noises resulting from any construction activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday and all-day Sunday, shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from light vehicle traffic will be generated during business hours at project completion.
16. (B)(10) Aesthetics: The proposed buildings elevations shall be subject to approval by the City of Arlington Design Review Board and comply with the Development Design Standards. Building height shall be addressed through the Development Agreement.
17. (B)(11)(a) Light and Glare: To mitigate for potential light pollution the Applicant is required to install light fixtures that are down shielded. The Site is within the Arlington Airport Protection district zones A, B & C, and inner safety zone (ISZ) 3 and outer Safety zone (OSZ) 4. FAA approval via the 7460-1 process will be obtained.
18. (B)(13) Historic and Cultural Preservation:
 - a. A cultural Archaeological study was completed on the site, by Margaret Berger of Cultural Resource Consultants. The extent of investigation from Cultural Resource Consultants did identify eight (8) archaeological resources and two historic inventory properties. Five of the Archaeological resources were remains of demolished historic structures and three were precontact lithic isolates. None of the identified cultural resources are recommended eligible for the National Register. The three isolates have been donated by the client to the Stillaguamish Tribe of Indians. No Further work is recommended. None the less, an Unanticipated Discovery Plan will be required, and if any potential evidence is encountered during the site work, work will be halted and the State Historical Preservation Officer, Stillaguamish Tribe, and the City of Arlington will be contacted, and measures taken to implement the UDP.
 - b. A UDP was submitted to the city as part of the Binding Site Plan. Construction notification shall be provided to the Stillaguamish Tribe of Indians. Unanticipated Discovery Plan shall be submitted to the City of Arlington prior to construction activities on the site. If any potential evidence is encountered during the site work, work will be halted and the State Historical Preservation Officer, Stillaguamish Tribe, and the City of Arlington will be contacted, and measures taken to implement the UDP.
19. (B)(14)(d) Transportation:
 - a. The proposal requires frontage improvements along 59th Avenue NE and 172nd Street NE alignments with new sidewalks and planter strips. New on-site drive aisles and sidewalks will be installed, improving pedestrian, bicycle, and vehicular access to and within the site.
 - b. The proposal requires off-site street improvements, the applicant shall construct 168th Street, in its entirety, between 51st Avenue and 59th Avenue. Timelines and details of this construction shall require an amendment to the Development Agreement.

20. (B)(14)(f) Transportation:
 - a. City of Arlington trip generation is calculated at One Hundred and Twenty-six (126) PM Peak Hours Trips (PMPHT). The city traffic mitigation fee is \$3,355.00 per PMPHT for a total of \$422,730.00 in traffic mitigation fees. The City Reserves the right to evaluate additional fees at time of tenant space build out.
 - b. Snohomish County traffic impact fees are proposed with City of Marysville permits.
21. (B)(14)(h) Transportation:
 - a. The proposal is required to provide a Community Transit stop at the site for employees.
 - b. The project shall comply with the city's Complete Streets Policy.
22. (B)(16)(a) Utilities: The applicant shall connect to the City of Arlington water and wastewater systems.
23. (B)(16)(b) Utilities: 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.

Site Civil Permit:

24. The applicant is required to apply for a Site Civil Construction Permit and receive approval prior to any work commencing on the site.
25. The applicant shall submit the final landscape plans and mitigation plans with the Site Civil Construction Permit.
26. The applicant shall submit a lighting plan with the Site Civil Construction Permit.
27. The project is subject to submit a Right-of-Way Permit for all work with public rights-of-way.
28. The applicant shall submit a Channelization Plan for the Community Transit stop improvements along 172nd Street NE.
29. The applicant shall submit a wetland delineation for the construction of 59th Avenue NE as described in their public comments listed in Section IV – Public Comments of the permit decision. The delineation shall also include the area of the future 168th Street /59th Avenue intersection.
30. The applicant shall receive approval from Arlington Municipal Airport, WSDOT Aviation Division and the FAA for the construction of the stormwater pond proposed on the site.
31. The project is required to meet the most current version of the Department of Ecology Stormwater Manual for Western Washington and the City of Arlington Engineering Standards for the specific details of the project.
32. Maintenance responsibility of the private drainage facility shall rest with the owners of the property on which the facilities are located (AMC 13.28.220). Drainage facilities shall be maintained and operated in accordance with the approved Operations and Maintenance (O & M) plan and meet water quality standards. If an O & M plan does not exist, then stormwater facilities shall be maintained in accordance with the City of Arlington Standards and Specifications and/or the most current version of the Department of Ecology's Stormwater Manual for Western Washington.

Final Binding Site Plan:

- 32. Prior to submittal of the final binding site plan all site civil construction shall be completed.
- 33. Prior to submittal of the final binding site plan as-built drawings shall be submitted and approved.
- 34. Prior to submittal of the final binding site plan all bills of sales shall be submitted and bonding in place.
- 35. The final binding site plan shall provide Arlington Municipal Airport requirements for Subdistrict A ITZ Zone 3, Subdistrict A OSZ Zone 4, Subdistrict B, and Subdistrict C.
- 36. All utilities lines and connection points shall be depicted on the Final Binding site plan.
- 37. All easements and dedications shall be depicted on the Final Binding site plan.
- 38. City of Arlington Conditions, Covenants, and Easements shall be added to the face of the Final Binding Site Plan.

Other:

- 39. All contractors working on the site are required to obtain a Washington State Business License and a City of Arlington Endorsement.
- 40. The project is subject to applicable water and sewer utility fees. These fees are collected at the time of building permit issuance.
- 41. Prior to issuance of building permits, all associated impact fees shall be paid.

VII. EXPIRATION

Per RCW 58.17.140 (3) (a), a final binding site plan shall be submitted to the city for approval within five years of the date of the preliminary binding site plan approval. The expiration date for the Cascade Business Park Preliminary Binding Site Plan is February 14, 2027.

VIII. 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 Monday, February 28, 2022, and the appeal fee as set by resolution is paid.

ORDERED THIS ON THE 14th DAY OF February, 2022

Marc Hayes

Marc Hayes, Community and Economic Development Department Director

Distributed to the Following Parties:

Thane Smith
Joe Hopper
Parties of Record