



Community and Economic Development Planning Division

18204 59th Avenue NE, Arlington, WA 98223

Planning Commission 2022 Comprehensive Plan Preliminary Docket

To: Planning Commission
From: 
Amy Rusko, Planning Manager
Date: March 8, 2022
Regarding: 2022 Comprehensive Plan and Development Regulation Code Amendment
Docket Items

There are two city-initiated proposals that have been submitted under the 2022 Comprehensive Update docket cycle.

CITY INITIATED PROPOSALS

1. **Amendment Type:** Rezone

Applicant: City of Arlington

File Name: York Park Rezone

File No: PLN#913

Description: The City is rezoning a 0.56-acre lot from Public/Semi-Public zoning to Residential Moderate Capacity. The parcel is currently owned the City of Arlington and the eastern parcel of J. Rudy York Park. The city intends to sell this parcel and the future zoning of the property is required to change to make the parcel marketable for development. Approval by the City Council is required for all rezone applications. If the request is granted, the City's Comprehensive Plan Land Use Map and the City's Official Zoning Map would need to be amended.

Staff Report: Attachment A

2. **Amendment Type:** Development Regulations Amendment

Applicant: City of Arlington

File Name: Title 20 Development Regulation Code Amendments

File No: PLN#915

Description: The City has revisions to most chapters of Title 20 Land Use Code. The City changed the zoning map, created new zoning designations, and has added new residential housing types over the past 2 years. The code amendments reflect these changes and provide necessary revisions to chapters of the code that have not been updated for many years. Revisions occur in the following chapters: 20.04 – General Provisions, 20.08 - Basic Definitions & Interpretations, 20.12 – Administrative Mechanisms, 20.16 – Permits & Final

Plat Approval, 20.20 – Appeals, Variances, Interpretations, 20.24 – Hearing Procedures, 20.32 – Nonconforming Situations, 20.36 – Zoning Districts, 20.38 – Airport Protection District, 20.40 – Permissible Uses, 20.44 – Supplemental Use Regulations, 20.46 – Design, 20.48 – Density & Dimensional Regulations, 20.52 – Recreational Facilities and Open Space, 20.56 – Streets and Sidewalks, 20.60 – Utilities, 20.64 – Floodplain Development Regulations, 20.68 – Signs, 20.72 – Parking, 20.76 – Screening and Trees, 20.80 – Forest Land Conversion, 20.90 Concurrency & Impact Fees, 20.93 Critical Area Ordinance, 20.94 – Annexations, 20.98 – SEPA, 20.110 Mixed Use Development Regulations.

Staff Report: Attachment B

RECOMMENDATION

Staff recommends that Planning Commission makes a recommendation to City Council to place the York Park Rezone and the Title 20 Development Regulation Code Amendments on the Final Docket.



Community and Economic Development Planning Division

18204 59th Avenue NE, Arlington, WA 98223

Planning Commission STAFF REPORT & RECOMMENDATION

To: Planning Commission
From: 
Amy Rusko, Planning Manager
Date: March 8, 2022
Regarding: York Park Rezone PLN#913

A. INTRODUCTION

The York Park Rezone is a City-initiated rezone that amends the City of Arlington Comprehensive Plan and Zoning Map, submitted under the 2022 Comprehensive Plan Update Docket cycle.

B. GENERAL INFORMATION

Applicant: City of Arlington
Project Description: 2022 Comprehensive Plan and Zoning Map Amendment
Requested Action: Make a recommendation of approval of the 2022 Preliminary Docket to the Arlington City Council

C. DETAILED PROJECT INFORMATION

York Park is owned by the City of Arlington and located on four parcels. The proposed rezone is for the parcel located furthest to the east, listed under tax parcel 00472500000806, and is approximately 0.56 acres in size. The remaining three lots will stay unchanged and be retained with existing park. The property is currently occupied by a single-family residence and garage/shop. The city has left the single-family residence vacant since the property was purchased in May of 2000. Minimal storage within the garage/shop has occurred over the last twenty years.

The proposed rezone would take the property out of the Public/Semi-Public zoning designation and change the property to Residential Moderate Capacity. The Residential Moderate Capacity is the same zoning designation that is located to the east, south, and west of the park property and would simply extend the zoning to an additional lot.

The City is looking to sell the property and the proposed rezone would allow the property to be placed on the real estate market and sold to an individual or company to develop the property into residential housing units that comply with the Residential Moderate Capacity development regulations. Approval by the City Council is required for all rezone applications. If the request is granted, the City's Future Land Use Map and the City's Official Zoning Map would need to be amended.

D. REGULATORY REQUIREMENTS

1. SEPA COMPLIANCE:

The amendment to the comprehensive plan is subject to provisions of the State Environmental Policy Act (SEPA) and Chapter 20.98 of the Arlington Municipal Code (AMC).

2. PUBLIC NOTIFICATION/INVOLVEMENT

- a. Presentations and/or updates on the proposed land use action to the Planning Commission will occur on March 1, 2022, March 15, 2022, April 5, 2022, and April 19, 2022.
- b. Two Public Hearings will be held at Planning Commission. The hearing on March 15, 2022 will be held online via Zoom. The hearing on April 19, 2022 will be held in person located at Arlington City Council Chambers located at 110 E Third Street, Arlington, WA 98223.
- c. The City will present information and advertise the Public Hearings regarding the Planning Docket Amendment York Park Rezone, PLN#913, in the Everett Herald, and distributed to all properties within 500' feet of the subject property.
- d. A Notice of Public Hearing for the March 15, 2022 and the April 19, 2022, Planning Commission meeting will be posted at the Arlington Library, City Hall, and City Website. The Notice will also be published in the Everett Herald, posted on site, and distributed to all properties within 500' feet of the subject property.

3. WASHINGTON STATE DEPARTMENT OF COMMERCE NOTIFICATION

The York Park Rezone, along with the additional docket items will be submitted to the Washington State Department of Commerce (DOC), and the DOC will notify the City that if it is in procedural compliance with RCW 36.70A.106.

E. BACKGROUND INFORMATION

Staff has reviewed the draft findings during review of the project and finds that the applicant has met the intent of all applicable requirements and standards. The plan supplements the Comprehensive Plan, through planning goals: PH-1.1, GH-2, PH-2.1, GL-1, PL-1.2, GL-7, PL-7.1, PL-7.2, GL-8, and PL-8.1. The rezone will contribute to a variety of housing types and densities, located near commercial and employment centers.

F. ANALYSIS

Staff recommends that the Planning Commission recommend for approval of the 2022 Preliminary Docket, the rezoning of tax parcel 00472500000806 from Public/Semi-Public to Residential Moderate Capacity by City Council.

G. FINDINGS AND CONCLUSIONS

1. Public meetings will be held on March 1, 2022, March 15, 2022, April 4, 2022, and April 19, 2022.
2. The Comprehensive Plan Amendment and associated staff report will be submitted to the DOC in accordance with RCW 36.70A.106 and the submittal will meet all DOC's procedural requirements.
3. On March 1, 2022, the Planning Commission will review a draft of the City of Arlington 2022 Comprehensive Plan Docket at their workshop meeting.
4. On February 25, 2022, a Notice of Public Hearing for the March 15, 2022, Planning Commission public hearing online via Zoom will be posted at Arlington City Hall, Arlington Public Library, and the City's Website, as well as on site.
5. On April 1, 2022, Notice of Public Hearing for the April 19, 2022, Planning Commission public hearing will be posted at Arlington City Hall, Arlington Public Library, and the City's Website, as well as on site. This meeting will be held in person in the City Council Chambers located at 110 E Third Street, Arlington, WA 98223.
6. The application for PLN#913 has been reviewed for consistency with the Arlington Comprehensive Plan and for internal consistency and the 2022 Comprehensive Plan amendments are consistent with, and internally consistent with, the Arlington Comprehensive Plan.
7. PLN#913 has been reviewed in accordance with, and is consistent with, the Snohomish County Countywide Planning Policies.
8. The proposed Comprehensive Plan Amendment was prepared in accordance with the Washington State Enabling Legislation (RCW 35A.63) and the Growth Management Act.
9. Documentation supporting the findings of fact is in file PLN#913, which is adopted by reference into this approval.
10. Adoption of the proposed Comprehensive Plan Amendment, PLN#913, furthers the public health, safety, and general welfare.

H. RECOMMENDATION

Staff recommends the Planning Commission make a recommendation to City Council to place the York Park Rezone, Comprehensive Plan and Map Amendment, PLN#913 on the Final Docket.

LAND USE APPLICATION



LAND USE REQUEST COUNCIL DECISIONS COMMUNITY & ECONOMIC DEVELOPMENT

18204 59th Avenue NE • Arlington, WA 98223 • Main Line 360.403.3551

FOR AGENCY USE		Date:	File:	Fee: \$	
REQUEST TYPE					
Type of Land Use Request	<input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input checked="" type="checkbox"/> Comprehensive Plan Amendment <input type="checkbox"/> Land Use Code Amendment <input checked="" type="checkbox"/> Rezone		Required Submittals (Check All That Apply)	<input checked="" type="checkbox"/> Land Use Request Submittal Requirements Checklist <input checked="" type="checkbox"/> Required Submittal Items	
SITE INFORMATION					
Project Name	York Park Rezone				
Site Address <small>(Use block # if no bldg. #)</small>	3209 180 th Street NE	Tax Parcel ID Number(s)		0047250000806	
Property Acreage	0.56 acres	Zoning Classification		P/SP	
Property Square Feet	Approximately 24,394 sf	Use Classification No.		Park	
Water Supply	Current City	Proposed City	Sewer Supply	Current Septic	Proposed City
Existing Use of Property	The property is owned by the City of Arlington and part of the York Park property. The exiting house and outbuildings on the property are used by the city.				
On-Site Critical Areas?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Critical Area Type <small>(e.g. wetland, steep slope, etc.)</small>		
OWNER		APPLICANT		CONTACT	
Name	City of Arlington		City of Arlington		Amy Rusko
Full Address	238 North Olympic Avenue Arlington, WA 98223		18204 59 th Avenue NE Arlington, WA 98223		18204 59 th Avenue NE Arlington, WA 98223
Phone Number	360-403-3441		360-403-3550		360-403-3550
E-mail			arusko@arlingtonwa.gov		arusko@arlingtonwa.gov
Relationship of Applicant to Property (check one)	<input checked="" type="checkbox"/> Owner		<input type="checkbox"/> Contract Purchaser		<input type="checkbox"/> Lessee
				<input type="checkbox"/> Other: _____	
PROJECT ARCHITECT		PROJECT ENGINEER		PROJECT SURVEYOR	
Name					
Full Address					
Phone Number					
E-mail					

ANNEXATIONS			
Type of Annexation Method	<input type="checkbox"/> Election Method <input type="checkbox"/> Direct Petition Method <input type="checkbox"/> Municipal Method <input type="checkbox"/> Alternative Direct Petition Method <input type="checkbox"/> Interlocal Agreement Method (for areas served by fire district) <input type="checkbox"/> Interlocal Agreement Method (Unincorporated Island)		
Is the Proposed Area Within the City's Urban Growth Area?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <small>*Only lands within the City's UGA can be considered for annexation.</small>	Pre-Zoning Classification	
Total Acreage of Area to Annexed		Proposed Zoning Classification	
APPEALS			
Original or Associated Land Use File Number		FOR AGENCY USE	Date & Time of Submittal
Date of Original Decision			
COMPREHENSIVE PLAN AMENDMENT			
Chapter or Section			
Proposed Changes			
LAND USE CODE AMENDMENT			
Chapter or Section			
Proposed Changes			
REZONE			
Current Zoning Classification	Public/Semi-Public – P/SP	Proposed Zoning Classification	Residential Moderate Capacity - RMod
Description of Proposal	Rezone the of the park property to residential moderate capacity so the property can be placed on the real estate market for residential development.		

APPLICANT CERTIFICATION

I certify that I am the Owner or Owner's authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owners agent regarding the property at the above referenced address for the purpose of filing applications for permits or review under the Arlington Municipal Code and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I do hereby declare under penalty of perjury under the laws of the state of Washington that I have familiarized myself with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my knowledge and belief.

DATED AT Arlington , Washington on this date: January 4, 2022

Applicant's Signature: 

REAL PROPERTY OWNER CERTIFICATION

I do hereby declare under penalty of perjury under the laws of the state of Washington that I am the owner of the subject property or an officer/member of the entity owning the subject property, that it is my desire to seek the subject land use permit, and that I will abide by any requirements and conditions that may be part of the approval of this request. I also hereby grant permission for City employees, agents of the City and/or other agency officials to enter the subject property, if necessary, for the purpose of site inspections.

DATED AT _____ , Washington on this date: _____

Owner's Signature: _____

All other property owners of the subject property must also sign below (attach additional sheets if necessary):

1) Name: _____ Signature: _____

Address: _____ Phone: _____

2) Name: _____ Signature: _____

Address: _____ Phone: _____

3) Name: _____ Signature: _____

Address: _____ Phone: _____

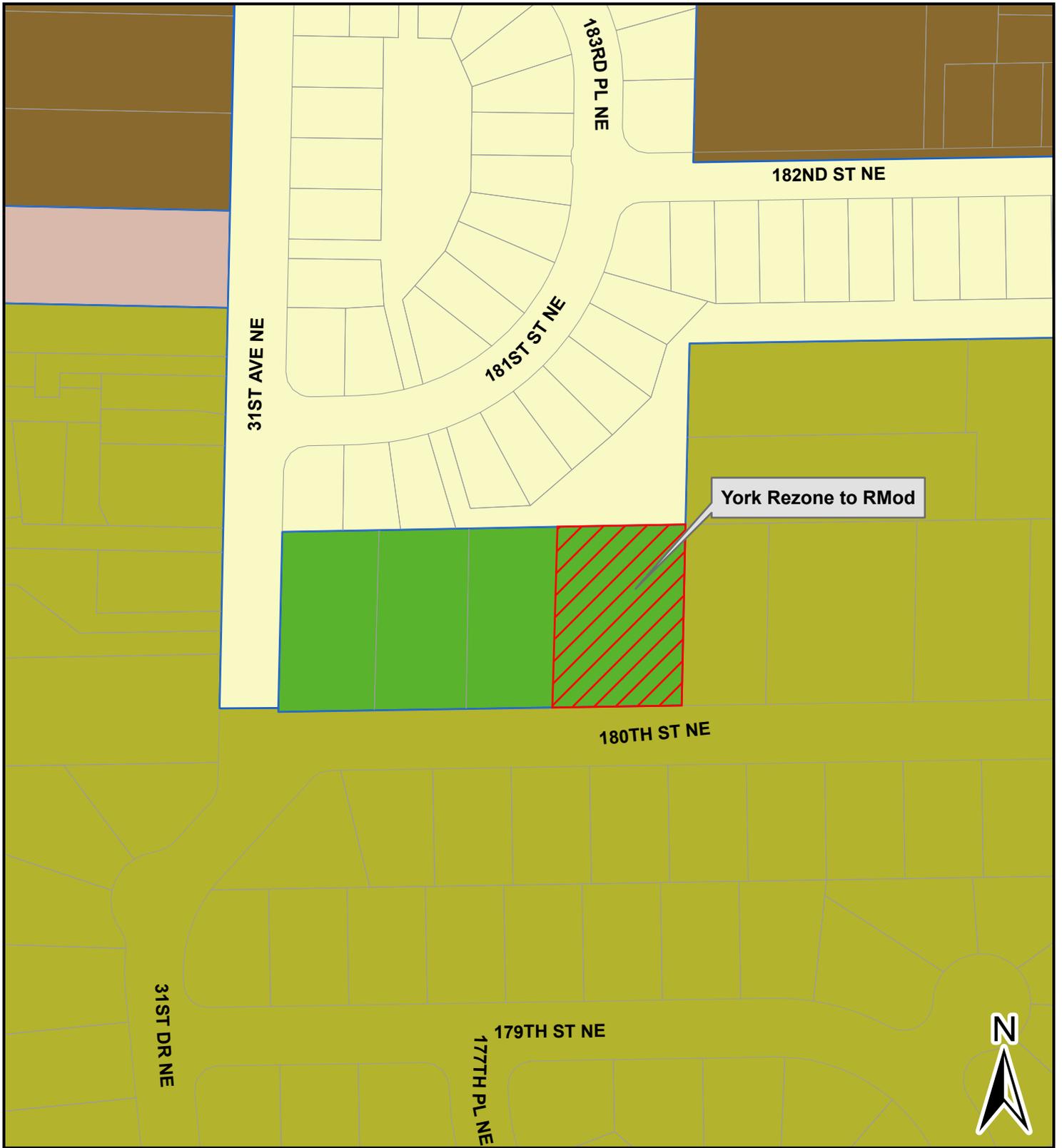
York Park Rezone

Narrative

York Park is owned by the City of Arlington and located on four parcels. The proposed rezone is for the parcel located furthest to the east, listed under tax parcel 00472500000806, and is approximately 0.56 acres in size. The remaining three lots will stay unchanged and be retained with existing park. The property is currently occupied by a single-family residence and garage/shop. The city has left the single-family residence vacant since the property was purchased in May of 2000. Minimal storage within the garage/shop has occurred over the last twenty years.

The proposed rezone would take the property out of the Public/Semi-Public zoning designation and change the property to Residential Moderate Capacity. The Residential Moderate Capacity is the same zoning designation that is located to the east, south, and west of the park property and would simply extend the zoning to an additional lot.

The City is looking to sell the property and the proposed rezone would allow the property to be placed on the real estate market and sold to an individual or company to develop the property into residential housing units that comply with the Residential Moderate Capacity development regulations.



Legend		Existing Zoning	
	Rezone Area		RMod = Residential Moderate Capacity
	Assessor Parcels		RHC = Residential High Capacity
			P/SP = Public/Semi-Public
			RLC = Residential Low Capacity
<small>Maps and GIS data are distributed "AS-IS" without warranties of any kind, either express or implied, including but not limited to warranties of suitability for a particular purpose or use. Map data are compiled from a variety of sources which may contain errors and users who rely upon the information do so at their own risk. Users agree to indemnify, defend, and hold harmless the City of Arlington for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data presented in the maps.</small>			

<i>City of Arlington</i>	
Proposed York Rezone	
Scale:	File: ZoningLayouts/ YorkRezone8.5x11_22
1:1,670	
Date:	Cartographer:
1/10/2022	hmd



Community and Economic Development Planning Division

18204 59th Avenue NE, Arlington, WA 98223

Planning Commission STAFF REPORT & RECOMMENDATION

To: Planning Commission
From: 
Amy Rusko, Planning Manager
Date: March 8, 2022
Regarding: Title 20 Development Regulation Amendments PLN#915

A. INTRODUCTION

The Title 20 Development Regulation Amendments are City-initiated amendments to the Arlington Municipal Code Title 20 Land Use Code Development Regulations, submitted under the 2022 Docket cycle.

B. GENERAL INFORMATION

Applicant: City of Arlington
Project Description: Development Regulation Amendments
Requested Action: Make a recommendation of approval of the 2022 Preliminary Docket to the Arlington City Council

C. DETAILED PROJECT INFORMATION

The City has revisions to most chapters of Title 20 Land Use Code. The City changed the zoning map, created new zoning designations, and has added new residential housing types over the past 2 years. The code amendments reflect these changes and provide necessary revisions to chapters of the code that have not been updated for many years. Revisions occur in the following chapters: 20.04 – General Provisions, 20.08 – Basic Definitions & Interpretations, 20.12 – Administrative Mechanisms, 20.16 – Permits & Final Plat Approval, 20.20 – Appeals, Variances, Interpretations, 20.24 – Hearing Procedures, 20.32 – Nonconforming Situations, 20.36 – Zoning Districts, 20.38 – Airport Protection District, 20.40 – Permissible Uses, 20.44 – Supplemental Use Regulations, 20.46 – Design, 20.48 – Density & Dimensional Regulations, 20.52 – Recreational Facilities and Open Space, 20.56 – Streets and Sidewalks, 20.60 – Utilities, 20.64 – Floodplain Development Regulations, 20.68 – Signs, 20.72 – Parking, 20.76 – Screening and Trees, 20.80 – Forest Land Conversion, 20.90 Concurrency & Impact Fees, 20.93 Critical Area Ordinance, 20.94 – Annexations, 20.98 – SEPA, 20.110 Mixed Use Development Regulations. See attached detailed list of code amendments.

D. REGULATORY REQUIREMENTS

1. SEPA COMPLIANCE:

The amendment to the comprehensive plan amendment is subject to provisions of the State Environmental Policy Act (SEPA) and Chapter 20.98 of the Arlington Municipal Code (AMC).

2. PUBLIC NOTIFICATION/INVOLVEMENT

- a. Presentations and/or updates on the proposed land use action to the Planning Commission will occur on March 1, 2022, March 15, 2022, May 3, 2022, and May 17, 2022.
- b. Two Public Hearings will be held at Planning Commission. The hearing on March 15, 2022 will be held online via Zoom. The hearing on May 17, 2022 will be held in person located at Arlington City Council Chambers located at 110 E Third Street, Arlington, WA 98223.
- c. The City will present information and advertise the Public Hearings regarding the Planning Docket Amendment Title 20 Development Regulation Amendments, PLN#915, in the Everett Herald, and distributed to all properties within 500' feet of the subject property.
- d. A Notice of Public Hearing for the March 15, 2022 and the May 17, 2022, Planning Commission meeting will be posted at the Arlington Library, City Hall, and City Website. The Notice will also be published in the Everett Herald, posted on site, and distributed to all properties within 500' feet of the subject property.

3. WASHINGTON STATE DEPARTMENT OF COMMERCE NOTIFICATION

The Title 20 Development Regulation Amendments, along with the additional docket items will be submitted to the Washington State Department of Commerce (DOC), and the DOC will notify the City that if it is in procedural compliance with RCW 36.70A.106.

E. BACKGROUND INFORMATION

In the past two years there have been changes to the city's zoning designations, updates from Department of Ecology, and updates from the State that have made the amendments to Title 20 Land Use Code Chapters necessary.

F. ANALYSIS

Staff recommends that the Planning Commission recommend for approval of the 2022 Preliminary Docket, Arlington Municipal Code Title 20 Development Regulation Amendments by City Council.

G. FINDINGS AND CONCLUSIONS

1. Public meetings will be held on March 1, 2022, March 15, 2022, May 3, 2022, and May 17, 2022.
2. The Development Regulations Amendment and associated staff report will be submitted to the DOC in accordance with RCW 36.70A.106 and the submittal will meet all DOC's procedural requirements.
3. On March 1, 2022, the Planning Commission will review a draft of the City of Arlington 2022 Comprehensive Plan Docket at their workshop meeting.
4. On February 25, 2022, a Notice of Public Hearing for the March 15, 2022, Planning Commission public hearing online via Zoom will be posted at Arlington City Hall, Arlington Public Library, and the City's Website.
5. On April 29, 2022, Notice of Public Hearing for the May 17, 2022, Planning Commission public hearing will be posted at Arlington City Hall, Arlington Public Library, and the City's Website. This meeting will be held in person in the City Council Chambers located at 110 E Third Street, Arlington, WA 98223.

6. The application for PLN#915 has been reviewed for consistency with the Arlington Comprehensive Plan and for internal consistency and the 2022 Development Regulation amendments are consistent with, and internally consistent with, the Arlington Comprehensive Plan.
7. PLN#915 has been reviewed in accordance with, and is consistent with, the Snohomish County Countywide Planning Policies.
8. The proposed Comprehensive Plan Amendment was prepared in accordance with the Washington State Enabling Legislation (RCW 35A.63) and the Growth Management Act.
9. Documentation supporting the findings of fact is in file PLN#915, which is adopted by reference into this approval.
10. Adoption of the proposed Development Regulation Amendments, PLN#915, furthers the public health, safety, and general welfare.

H. RECOMMENDATION

Staff recommends the Planning Commission make a recommendation to City Council to place the Arlington Municipal Code Title 20 Land Use Code Development Regulations Amendment, PLN #915, on the Final Docket.

LAND USE APPLICATION



LAND USE REQUEST COUNCIL DECISIONS

COMMUNITY & ECONOMIC DEVELOPMENT

18204 59th Avenue NE • Arlington, WA 98223 • Main Line 360.403.3551

FOR AGENCY USE		Date:	File:	Fee: \$	
REQUEST TYPE					
Type of Land Use Request	<input type="checkbox"/> Annexation <input type="checkbox"/> Appeal <input type="checkbox"/> Comprehensive Plan Amendment <input checked="" type="checkbox"/> Land Use Code Amendment <input type="checkbox"/> Rezone		Required Submittals (Check All That Apply)	<input checked="" type="checkbox"/> Land Use Request Submittal Requirements Checklist <input checked="" type="checkbox"/> Required Submittal Items	
SITE INFORMATION					
Project Name	Title 20 Development Regulation Code Amendments				
Site Address (Use block # if no bldg. #)	N/A – No specific location		Tax Parcel ID Number(s)	N/A – No specific location	
Property Acreage	N/A – No specific location		Zoning Classification	N/A – No specific location	
Property Square Feet	N/A – No specific location		Use Classification No.		
Water Supply	Current	Proposed	Sewer Supply	Current	Proposed
	N/A	N/A		N/A	N/A
Existing Use of Property	N/A – No specific location				
On-Site Critical Areas?	<input type="checkbox"/> Yes <input type="checkbox"/> No		Critical Area Type (e.g. wetland, steep slope, etc.)		
		OWNER	APPLICANT	CONTACT	
Name	City of Arlington		City of Arlington	Amy Rusko	
Full Address	238 North Olympic Avenue Arlington, WA 98223		18204 59 th Avenue NE Arlington, WA 98223	18204 59 th Avenue NE Arlington, WA 98223	
Phone Number	360-403-3441		360-403-3550	360-403-3550	
E-mail			arusko@arlingtonwa.gov	arusko@arlingtonwa.gov	
Relationship of Applicant to Property (check one)	<input checked="" type="checkbox"/> Owner		<input type="checkbox"/> Contract Purchaser	<input type="checkbox"/> Lessee	<input type="checkbox"/> Other: _____
		PROJECT ARCHITECT	PROJECT ENGINEER	PROJECT SURVEYOR	
Name					
Full Address					
Phone Number					
E-mail					

ANNEXATIONS			
Type of Annexation Method	<input type="checkbox"/> Election Method <input type="checkbox"/> Direct Petition Method <input type="checkbox"/> Municipal Method <input type="checkbox"/> Alternative Direct Petition Method <input type="checkbox"/> Interlocal Agreement Method (for areas served by fire district) <input type="checkbox"/> Interlocal Agreement Method (Unincorporated Island)		
Is the Proposed Area Within the City's Urban Growth Area?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <small>*Only lands within the City's UGA can be considered for annexation.</small>	Pre-Zoning Classification	
Total Acreage of Area to Annexed		Proposed Zoning Classification	
APPEALS			
Original or Associated Land Use File Number		FOR AGENCY USE	Date & Time of Submittal
Date of Original Decision			
COMPREHENSIVE PLAN AMENDMENT			
Chapter or Section			
Proposed Changes			
LAND USE CODE AMENDMENT			
Chapter or Section	The following Chapters of the Arlington Municipal Code will be proposed to change: 20.04, 20.08, 20.12, 20.16, 20.20, 20.24, 202, 20.36, 20.38, 20.40, 20.44, 20.46, 20.48, 20.52, 20.56, 20.60, 20.64, 20.68, 20.72, 20.76, 20.80, 20.90, 20.93, 20.94, 20.98, 20.110, Design Standards		
Proposed Changes	Clean up code language throughout the chapters, update definitions, update permit process and procedures, update design standards, add WAC and RCW to certain permit processes, re-write density and dimensional standards, update parking requirements, update wetland buffers, update all necessary code chapters with new zoning designations, and update with any new state requirements.		
REZONE			
Current Zoning Classification		Proposed Zoning Classification	
Description of Proposal			

APPLICANT CERTIFICATION

I certify that I am the Owner or Owner’s authorized agent. If acting as an authorized agent, I further certify that I am authorized to act as the Owners agent regarding the property at the above referenced address for the purpose of filing applications for permits or review under the Arlington Municipal Code and I have full power and authority to perform on behalf of the Owner all acts required to enable the City to process and review such applications.

I do hereby declare under penalty of perjury under the laws of the state of Washington that I have familiarized myself with the rules and regulations with respect to preparing and filing this application and that the statements and information submitted herewith are in all respects true and correct to the best of my knowledge and belief.

DATED AT Arlington , Washington on this date: January 4, 2022

Applicant’s Signature: *Aly Rusko*

REAL PROPERTY OWNER CERTIFICATION

I do hereby declare under penalty of perjury under the laws of the state of Washington that I am the owner of the subject property or an officer/member of the entity owning the subject property, that it is my desire to seek the subject land use permit, and that I will abide by any requirements and conditions that may be part of the approval of this request. I also hereby grant permission for City employees, agents of the City and/or other agency officials to enter the subject property, if necessary, for the purpose of site inspections.

DATED AT _____ , Washington on this date: _____

Owner’s Signature: _____

All other property owners of the subject property must also sign below (attach additional sheets if necessary):

1) Name: _____ Signature: _____

Address: _____ Phone: _____

2) Name: _____ Signature: _____

Address: _____ Phone: _____

3) Name: _____ Signature: _____

Address: _____ Phone: _____

Title 20 Development Regulation Code Amendments

Narrative

The City has revisions to most chapters of Title 20 Land Use Code. The City changed the zoning map, created new zoning designations, and has added new residential housing types over the past 2 years. The code amendments reflect these changes and provide necessary revisions to chapters of the code that have not been updated for many years. Revisions occur in the following chapters: 20.04 – General Provisions, 20.08 - Basic Definitions & Interpretations, 20.12 – Administrative Mechanisms, 20.16 – Permits & Final Plat Approval, 20.20 – Appeals, Variances, Interpretations, 20.24 – Hearing Procedures, 20.32 – Nonconforming Situations, 20.36 – Zoning Districts, 20.38 – Airport Protection District, 20.40 – Permissible Uses, 20.44 – Supplemental Use Regulations, 20.46 – Design, 20.48 – Density & Dimensional Regulations, 20.52 – Recreational Facilities and Open Space, 20.56 – Streets and Sidewalks, 20.60 – Utilities, 20.64 – Floodplain Development Regulations, 20.68 - Signs, 20.72 – Parking, 20.76 – Screening and Trees, 20.80 – Forest Land Conversion, 20.90 Concurrency & Impact Fees, 20.93 Critical Area Ordinance, 20.94 – Annexations, 20.98 – SEPA, 20.110 Mixed Use Development Regulations.

Chapter	Section	Proposed Correction
20.04 General Provisions		
	20.04.120	Add additional supporting documents to the list that have been adopted.
20.08 Basic Definitions & Interpretations		
	20.08.010	Add all permissible uses to the definitions
	General	Go through all definitions and the code to see if additional definitions should be added to the chapter.
20.12 Administrative Mechanisms		
	20.12.020	Change to Community and Economic Development Director
	20.12.120	Add additional permit types that are approved administratively
	20.12.130	This needs to be defined better and include a section on what the CED Department approves and what PW Department approves.
	20.410	Change Guidelines to Standards
20.16 Permits & Final Plat Approval		
	General	Add a table that shows what permits require the following: Public Comment Period or Notice Period, Pre-Application Meeting, Neighborhood Public Meeting, Open Record Hearing, Decision, Open Record Appeal, Closed Record Appeal, Judicial Appeal
	20.16.010 (c)	to "zoning permit"
	20.16.060	Add General Information Meeting
	20.16.120	Add a line for posting to the city website. Need to clarify if the applicant posts the site or the city.
	20.16.170	State whether an open or closed hearing is required.
	20.16.194	Add HE decision is the permit decision and the city CED department issues a notice of decision within 5 days of receiving the HE decision.
	20.16.220	Reference WAC for expiration and/or change to 5 years.
	20.16.240	Should this be changed since approval is done by CED.
	20.16.280	Reference state law.
	20.16.294	Reference state law.
	20.16.344	Add WAC or RCW to regulations that are followed
	20.16.350	Add WAC or RCW to regulations that are followed
	20.16.360	Discuss and possibly change the language for Council approval of final plats per the updated state law changes that allow Directors to approval all minor and major plats.
	20.16.353	Clarify Binding Site Plan process.
	20.16.370	Make sure all certificate and endorsement language has the correct information. They need to be defined to when they are needed on which permits. What is required for BLA, BSP, Final Short Plat, Final Major Plat
	20.16.410	Reference state law and the clarify between minor and major plats.
20.20 Appeals, Variances, Interpretations		
	20.20.010 (b)	Take this section out. We do not issue a DNS without a public comment period. Review to make sure all time periods are correct and match state law.
	20.20.010 (f)	This needs to be removed from the administrative section. This also needs to be defined better.
	20.20.020	Look up process under WAC or RCW and insert the language
	20.20.030	Review this section to see if any additional requirements should be added.
	20.20.040	Interpretations to the code needs to be better defined and possible expand the list of interpretations that are allowed.
20.24 Hearing and Pre- Hearing Procedures for Appeals and Applications		
	General	Need to clarify which hearing types are open or closed record hearings.
	20.24.020	Add City Website to the list.
	20.24.060	Add Notice of Decision language.
20.28 Enforcement and Review		
		NO CHANGES

20.32 Nonconforming Situations		
		NO CHANGES
20.36 Zoning Districts & Zoning Map		
	20.36.020	Change Central Business District to Old Town Business Districts.
	20.36.030	Remove Part 1 from the paragraph.
	20.36.070	Remove reference to Chapter 20.92, as it no longer exists, and enter Shoreline Master Program.
	20.36.080	Change zoning designations to correct names.
20.37 Transfer of Development Rights		
		NO CHANGES FOR NOW
20.38 Airport Protection District		
	20.38.080	Change NWEAA to Arlington
20.39 Development Agreements		
		NO CHANGES
20.40 Permissible Uses		
	20.40.070	Add language to the Change of Use to existing buildings and permitting process.
	Table 20.40-1	Re-write the table to split out Residential, Commercial, Industrial, Mixed-Use, Parks and Miscellaneous (BP, AF, MS). Re-write the use descriptions, combine uses, or separate out uses so they can be easily defined. Also look at the actual uses allowed in each zone to decide if they are really what we are wanting to be built in each zone.
20.44 Supplemental Use Regulations		
	20.44.020A(b)	Change language. With recent code changes townhouses are allowed in many zones and not just in the Mixed-Use Overlay areas.
	20.44.020H	Need to determine what private access standards are required for unit lot subdivisions.
	20.44.024	Add section for Change of Use
	20.44.030	Need to change the zoning districts to currently adopted zones.
	20.44.032 (f)	Add language to this section to include the development style of East Hill and Lindsay areas.
	20.44.034	Need to change the zoning districts to currently adopted zones.
	20.44.037	Need to add to the process. (a) states that only uses that would not normally be allowed in the zone. Need to add or clarify criteria for Administrative Conditional Use Permits. Need to change the zoning districts to currently adopted zones.
	20.44.042	The State put out a bill with additional language and suggested additions to ADU's within cities. Some of these items should be added to our code.
	20.44.046	This was repealed from the Permissible Use Table and this section should be removed.
	20.44.050	Add section for Outdoor Storage in Industrial areas.
	20.44.060	Need to change the zoning districts to currently adopted zones. Need to update permissible use table references.
	20.44.066	Need to update permissible use table references.
	20.44.068	Add section for Adult Family Home. Adult Family Home needs to have regulations in place. Refer to state regulations and require business license and building inspection.
	20.44.070	Need to update permissible use table references.
	20.44.080	Mobile Sales and Delivery has been added to our Administrative Conditional Use permit process. Change this and add any requirements.
	20.44.082	These requirements need to be reviewed and may need some additional requirements.
	20.44.084	Need to update permissible use table references.
	20.44.098	Re-write to add language requiring EV to be installed with new commercial, industrial, and multi-family developments. Need to decide on a ratio of how many spaces need to be installed. Develop language for SFR garages to install outlets that can support EV.
	20.44.100	Add language about when SEPA is required and compliance with Chapter 20.93. Public Works Director to Community and Economic Development Director.
	20.44.120	Chapter 20.88 no longer exists, and this section needs to reference Chapter 20.93.
	20.44.210	Need to change the zoning districts to currently adopted zones.
20.46 Design		
	General	Add all residential zones with criteria. Need to change the zoning districts to currently adopted zones
	General	There are no specific design standards for single family residences and duplexes outside of the OTRD. The standards mainly revolve around multi-family and commercial developments. Would like to develop standards for single family and duplexes in residential zones for infill and subdivisions for all residential zones.
	General	Re-write Chapter to include Development Design Standards, Old Town Residential Design Standards, and Olympic Avenue Design Standards.
	General	Add Fence requirement section.

20.48 Density & Dimensional Regulations		
	Entire Chapter	Re-write entire chapter with new zoning districts and drawing and tables.
	20.48.040	Fence height conflicts with building code. Change zoning designations.
	General	Add language regarding flag lots and that they are not allowed.
	General	Clearly define Primary and Accessory buildings on lots. Provide definitions either within this section or in the definitions chapter
	General	Add language to not allow accessory buildings between the primary structure and the street.
	General	Setbacks from drainage facilities for both residential and commercial is currently not listed in the table of density and dimensions.
20.52 Recreational Facilities and Open Space		
	General	Consider language that requires a park within a development to be centrally located for all units to be able to use equally. Think about adding a maximum linear foot from each unit to the park.
	20.52.030 (b) (3)	Change "subdivision" to "section".
20.56 Streets and Sidewalks		
	General	Find a location to add complete street regulations so they become standard regulations.
	General	Add language for infill development, remodels, etc. that these projects are responsible for repairing the sidewalk, curbs, and/or ramps from property line to property line that borders a public or private street or alley. The permit required could be zoning permit, design review only, or building permit.
	20.56.010 (b)	Need to ensure that the street classification names match the PW Standards and WSDOT Standards, so the standard details match.
	20.56.050	Add language that states one driveway per SFR is allowed.
	Table 20.56-6	Re-write Table with additional information.
	Table 20.56-6	Add any changes needed to the street classification names
	Table 20.56-6	Planting Strip width needs to be changed to 5 feet.
	Table 20.56-6	When the planting strip changes, other items within the table need to change as well due to adding an extra one (1) foot to the width of the ROW. Need a discussion between CED and PW to determine what these changes will be.
	Table 20.56-6	Need to define the regulations for a Private Access Tract. Require a sidewalk or planting strip and decide the width and other standards.
	20.56.140	Decide who will be listed for construction approval
	20.56.150	Decide who will be listed for approval and inspections
	20.56.160	The code addresses private road access for SFR subdivisions of more or less than 4 lots but does not address private road access for duplexes, triplexes, fourplexes, townhouses, or small multi-family.
20.60 Utilities		
	20.60.400	Reference other code sections where lighting specifications are located. Including new guidance that Nova has referenced.
	20.60.450	Look at all underground utility regulations because there are some instances where overhead is still allowed.
20.64 Floodplain Development Regulations		
	General	FEMA Updated Maps and Guidance may need to re-write portions of this code to add new information.
20.68 Signs		
	General	The entire chapter needs to be updated with the new zoning designations.
	General	Update to add sections for new zones.
20.72 Parking		
	Table 20.72-1	All permissible uses need to be added to the table. Many uses are not shown in the table.
	Table 20.72-1	Simplify the table uses and parking requirements.
	20.72.070	Add language to this section for joint use regulations between residential and commercial uses. Section (b) only addresses weekday and weekend shared use and not daytime to nighttime use.
	General	Add language for EV charging stations.
	20.72.050?	Circulation areas, parking areas, driveway, access, vehicle accommodation areas, and access ways are all listed. Not very clear, specify what these should be called and clean up requirements. and that they must be paved.
	20.72.060?	Clean up language and clearly specify that driveways and alleys must be paved, and to what extent (alleys need paved just across property, or all the way to the street)
20.76 Screening and Trees		
	20.76-1	Re-write Screening Requirements Table to add all permissible uses to the table. Look at re-writing the table to clarify when screening is required. The table is hard to understand.
20.80 Forest Land Conversion		
		NO CHANGES

20.90 Concurrency & Impact Fees		
	Part I. Transportation	Add CIC Transportation Fees
	Part III.	Split section to have one for Neighborhood Parks and Community Parks.
20.93 Critical Area Ordinance		
	20.93.100	Update regulations with 2018 DOE guidance.
	Table 20.93-4	Update regulations with 2018 DOE guidance.
	Table 20.93-5	Update regulations with 2018 DOE guidance.
	Table 20.93-6	Update regulations with 2018 DOE guidance.
	General	Add a Shoreline Section as Part X - Shorelines
20.94 Annexations		
	General	Need to add language to outline the annexation process. Use the annexation process sheet that we already have for the layout.
20.96 Amendments		
		NO CHANGES
20.98 SEPA		
	General	Look for any updates that the State has made to SEPA requirements.
	20.98.010	Change RCW 43.21C.120 to just 43.21C and WAC 197-11-904 to just 197-11.
	20.98.090	Under WAC 197-11-800 (23) Utilities: Stormwater, water, and sewer lines are exempt from SEPA if utility lines are 12 inches or less. If over 12 inches than utility projects require SEPA Determination.
	20.98.200 (b) (1)	Change Unified Development Code to Arlington Municipal Code
20.102 Eligible Facilities Modifications		
		NO CHANGES
20.110 Mixed Use Development Regulations		
	General	Now that the Mixed-Use Development Regulations have been used on projects this code section needs to be adjusted in the areas listed below. Re-format the chapter so it can be viewed in Municode correctly.
	General	Need to make changes to when a Zoning Permit, Special Use Permit, or Conditional Use is required for certain uses.
	General	Need to clarify the zoning we are using for certain locations. Especially the commercial corridor area and the areas east and west of the corridor.
	General	Neighborhood Corridor and Commercial Corridor regulations need to be aligned with uses and regulations.
	General	Need to make changes to the building types allowed in each Place Type.
	General	Need to make changes to the building forms allowed in each Place Type.
	General	Need to make changes to the building placements in each Place Type.
	General	Need to make changes to the Parking Requirements throughout the chapter.
	General	Need to make changes to the Frontage Types in each Place Type.
	General	Need to make changes to the Use Tables in each Place Type.
	General	Need to make changes to the Parking Requirements.