



# CITY OF ARLINGTON NOTICE OF DECISION

## Wet Rabbit Express Car Wash Zoning Permit – Site Plan Review

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

**Project Name:** Wet Rabbit Express Car Wash

**Proponent:** Chris McClure, Wet Rabbit Express

**Project Number:** PLN #1160

**Description of Proposal:** The applicant, Wet Rabbit LLC, is seeking approval for the new construction of a 4,920 square foot conveyor wash and a 450 square foot canopy structure for attended, point-of-sale transactions. Additional site improvements include surface vehicle parking for thirteen (13) vacuum stations, one (1) accessible parking stall, and three (3) employee parking stalls, along with landscaping elements that include native, native-adapted and ornamental trees, shrubs, grasses, and groundcovers to increase plant diversity and habitat throughout the entire site.

The hours of operation for the car wash will be from 8:00 am to 8:00 pm during the summer hours and 8:00 am to 7:00 pm during the winter hours. The car wash will be a drive-through conveyor operation with staff onsite during business hours. The average wash cycle for the car wash is approximately three (3) minutes, with the dryers operating for the last 20 seconds of the cycle. The car wash process will utilize a reclaim water system to filter and reuse the wash water to reduce usage and demand.

The site is located at the southeast corner of the 204th Street and State Route 9 intersection, in the General Commercial (GC) zone and in Airport Protection District C. The project site is located on two tax parcels that are approximately 1.52 acres combined.

The building will be primarily concrete masonry with integral color, and an accent canopy around much of the building. A tower element with a pyramid hip metal roof will face the northwest corner of the site. The perimeter canopy is intended to provide both articulation as well as a sense of pedestrian scale on all sides of the building. The main pedestrian access points to the building will face the parking lot and the car wash tunnel will have large windows highlighting the function of the building to create interest.

**Location:** 7530 204<sup>th</sup> Street NE

**Permit Decision:** Approved, with Conditions

**Notice of Decision Date:** January 22, 2024

**End of Appeal Period:** February 5, 2024

**Conditional Use Permit Expiration Date:** January 22, 2026

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

**Staff Contact:** Amy Rusko, Planning Manager, [arusko@arlingtonw.gov](mailto:arusko@arlingtonw.gov), 360-403-3550



# Community and Economic Development Planning Division

18204 59<sup>th</sup> Avenue NE, Arlington, WA 98223

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

### GENERAL INFORMATION

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File Number: PLN #1160

Project Title: Wet Rabbit Express Car Wash

Owner: Charles Chaffee  
Mark Lucianna

Applicant: Chris McClure, Wet Rabbit Express

Contact: Travis Cheshire, Pacland

Description: Site Plan Review

Location: Southeast of the State Route 9 and 204<sup>th</sup> Street Intersection

Address: 7530 204<sup>th</sup> Street NE

Tax Parcel ID: 31051400100600 and 31051400101000

Lot Size: 1.52 acres/ 66,117 sf

Topographical Description: Generally flat

Zoning Classification: General Commercial / Mixed-Use Overlay

Land Use Designation: General Commercial / Mixed-Use Overlay

Proposed Use Classification: Car Wash

City Approvals Required: Zoning Permit, Design Review, Civil Permit, Building Permits

Date of Decision: January 22, 2024

Decision: **APPROVED, with Conditions**

## I. NATURE OF APPLICATION

### A. Request

The applicant, Wet Rabbit LLC, is seeking approval for the new construction of a 4,920 square foot conveyor wash and a 450 square foot canopy structure for attended, point-of-sale transactions. Additional site improvements include surface vehicle parking for thirteen (13) vacuum stations, one (1) accessible parking stall, and three (3) employee parking stalls, along with landscaping elements that include native, native-adapted and ornamental trees, shrubs, grasses, and groundcovers to increase plant diversity and habitat throughout the entire site.

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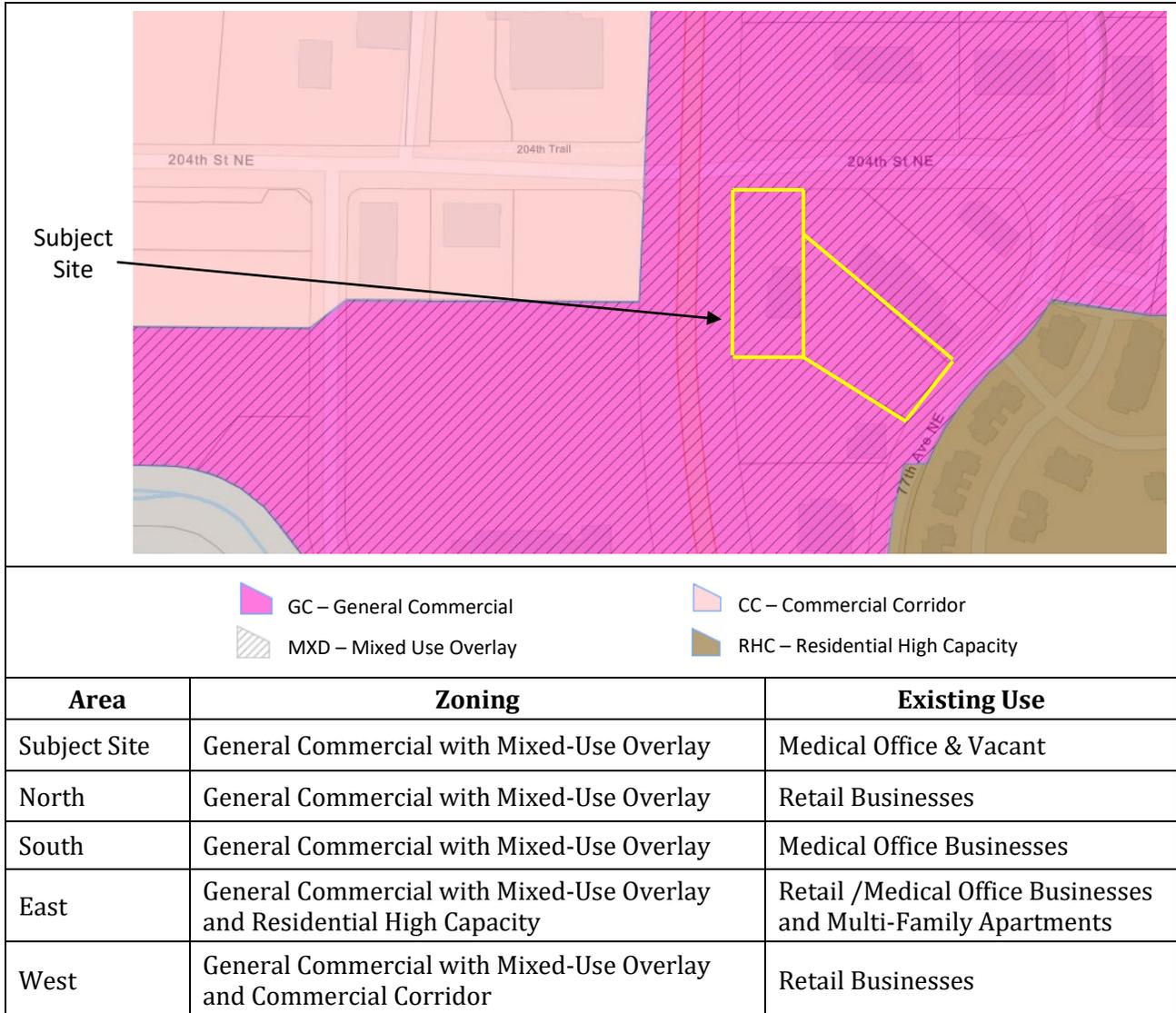
### B. Project Chronology / Background

A formal application for the Zoning Permit was submitted to the Community & Economic Development Department on December 20, 2023. Staff routed the material to City review staff on December 20, 2023. Staff determined that the application was complete on December 29, 2023.

### C. Site Location / Description



## D. Site and Adjacent Zoning / Uses



## II. PROJECT CONSISTENCY WITH TITLE 20 AMC, ZONING

### A. Applicable Review Criteria and Process

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

Regulation	Analysis	Meets
<b>Chapter 20.16 AMC, Permits and Final Plat Approval</b>		
20.16.100 (b) Zoning Permits are issued under this title only when a review of the application submitted, including plans contained therein, indicates that the development will comply with the provisions of this title if completed as proposed. All development shall occur strictly in accordance with such approved plans and applications.	The applicant submitted a zoning permit for site plan review. The Community & Economic Development Department is responsible for the permit decision and the decision is appealable to the Hearing Examiner.	Yes

Regulation	Analysis	Meets
<p>20.16.110 Who May Submit Permit Applications.  (a) Applications for zoning will be accepted only from persons having the legal authority to take action in accordance with the permit or the subdivision plat approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this title.</p>	<p>The owners of the property, Charles Chaffee and Mark Lucianna, signed the zoning permit application for site plan review that was submitted to the city.</p>	<p>Yes</p>
<p>20.16.120 Official Representative of the Applicant. The applicant for each land use permit shall designate an official representative, which may be himself, to receive all correspondence, determinations, and notices regarding the application.</p>	<p>The owners, Charles Chaffee and Mark Lucianna, have designated Chris McClure with Wet Rabbit Express, as the official representative for the subject permit.</p>	<p>Yes</p>
<p>20.16.130 Staff Consultation Before Formal Application. To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this title, a general information meeting between the developer and the planning staff is encouraged as provided in this section.</p>	<p>The City held a General Information Meeting with the project applicant on October 4, 2023.</p>	<p>Yes</p>
<p>20.16.140 Submittal of Application.  (a) To minimize development planning costs, avoid misunderstanding or misinterpretations, and ensure compliance with the requirements of this title, a submittal intake appointment is required between the developer and the Community Development staff as provided in this section.</p>	<p>The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the application on December 20, 2023.</p>	<p>Yes</p>
<p>20.16.150 Vesting of Permits.  (1) Land use permit applications shall be considered vested on the date that an application is deemed complete pursuant to 20.16.205 and applications shall be processed under the land use regulations in effect on that date. However, subsequent permits on the same property are not vested on this date.  (2) Filing of a permit application does not vest the payment of fees. Fees due, including impact mitigation fees, application fees, or other charges, shall be those fees in effect on the date the fee is paid in accordance with the most current city council fee resolution.</p>	<p>The proposed application for Wet Rabbit Express Car Wash site plan review vested on December 29, 2023 with the issuance of the complete application. The required impact fees for the proposal do not vest with the project and the fee in place at the time of payment is the amount due.</p>	<p>Yes</p>

Regulation	Analysis	Meets								
<p>20.16.200 Applications to Be Complete. (a) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit-issuing authority is required to consider the application.</p>	<p>The applicant submitted a complete application for Wet Rabbit Express Car Wash zoning permit.</p>	<p>Yes</p>								
<p>20.16.205 (c) Complete Application. Within 28 days of receiving the permit application, the Community Development Director shall mail or provide in person a written determination to the applicant.</p>	<p>The application was submitted on December 20, 2023. The City issued a Notice of Complete Application on December 29, 2023. The Notice was issued within the 28-day timeframe.</p>	<p>Yes</p>								
<p>20.16.215 Distribution of Application. Upon receipt of a zoning, special use or conditional use permit application, the Planning Official shall, in addition to all interested City Department, send a copy of the application to the authorities and agencies reviewing or furnishing water, fire, school, and sanitary sewer service to the proposed project.</p>	<p>The application was routed to all effected city departments on December 20, 2023.</p>	<p>Yes</p>								
<p>20.16.220 Zoning Permits. (a) A completed application form for a zoning permit shall be submitted to the community and economic development director by filing a copy of the application with the planning department.</p>	<p>The zoning permit was submitted to city staff on December 20, 2023. The project was reviewed for compliance with the Arlington Municipal Code.</p>	<p>Yes</p>								
<p>20.16.270 Time Limitations for Permit Processing. (a) The City shall issue its notice of final decision on a permit application within 120 days after the Community and Economic Development Director notifies the applicant that the application is complete, as provided in 20.16.205. In determining the number of days that have elapsed, the following periods shall be excluded: (1) Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.</p>	<p>The proposed zoning permit was reviewed and issued within the 120 day timeframe per the following dates:</p> <table border="1" data-bbox="847 1171 1339 1396"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Date of Application</td> <td>12-20-2023</td> </tr> <tr> <td>Notice of Complete Application</td> <td>12-29-2023</td> </tr> <tr> <td>Decision</td> <td>1-22-2024</td> </tr> </tbody> </table> <p>Total Process Days: 24 Days</p>	Action	Date	Date of Application	12-20-2023	Notice of Complete Application	12-29-2023	Decision	1-22-2024	<p>Yes</p>
Action	Date									
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<p><b>Chapter 20.36 AMC, Zoning Districts and Zoning Map</b></p>										
<p>20.36.020 Commercial Districts Established. (e) The highway commercial (HC) zone is established to accommodate the widest range of commercial activities. Uses allowed here include those allowed in other commercial districts, but also those that require highway access or that should be separated from residential uses.</p>	<p>The subject property for the proposed zoning permit is zoned General Commercial with Mixed-Use Overlay. The proposal does not include residential uses, the proposed car wash is to follow the General Commercial zone requirements.</p>	<p>Yes</p>								

Regulation	Analysis	Meets					
<b>Chapter 20.38 AMC, Airport Protection District</b>							
20.38.060 Airport Protection District Boundaries. (a) Airport Protection Subdistrict A (b) Airport Protection Subdistrict B (c) Airport Protection Subdistrict C (d) Airport Protection Subdistrict D	The property is located under Subdistrict C.	Yes					
20.38.090 Notice to Future Owners. In order to mitigate impacts to the Arlington Airport, and to provide notice to future property owners, all property owners within the Airport Protection Subdistricts A, B, and C seeking a land use or building permit or undertaking substantial reconstruction shall dedicate an avigation easement over their property to the City of Arlington. The language of the easement and notice shall be as provided by the airport, as approved by the city attorney and recorded with Snohomish County.	The applicant is required to submit and record an avigation easement with the Arlington Municipal Airport prior to final occupancy of the building permit.	Yes					
<b>Chapter 20.40 AMC, Permissible Uses</b>							
20.40.010 Table of Permissible Uses. The Tables of Permissible Uses sets forth the permissible uses within the respective zoning classifications in the city, subject to other applicable provisions in this title. It should be read in close conjunction with the definitions of terms set forth in section 20.08 and the other interpretative provisions set forth in this article.	The proposed Car Wash is an allowed use per the permissible use table within the Highway Commercial zone, as shown below, with a zoning permit.	Yes					
<b>Chapter 20.40.140 Industrial Zones Permissible Use Table</b>							
Use	NC	OTBD-1	OTBD-2	OTBD-3	GC	CC	HC
Car Wash					ZS		ZS
<ul style="list-style-type: none"> <li>ZS = Zoning or Special Use Permit (Zoning = Less than 4 acres and Special Use = 4 acres or more)</li> </ul>							
<b>Chapter 20.46 AMC, Design</b>							
20.46.010 (a) Conformance with Design Standards. Structures within the following zones are subject to the relevant design standards adopted in this chapter. No building or land use permit shall be issued for structures or uses that do not conform to the applicable standards. (1) Zones (e) General Commercial	The Design Review application was submitted to the City under permit number PLN#1161. The Design Review Board approved the design of the car wash building at the January 18, 2024 Planning Commission Meeting. The Decision was issued as a separate document. All design review permit conditions are required to be met.	Yes					

Regulation	Analysis	Meets
<b>Chapter 20.48 AMC, Density and Dimensional Regulations</b>		
20.48.040 Building Setback Requirements. No portion of any building or any freestanding sign may be located on any lot closer to any lot line than is authorized in Table 20.48-1 Density and Dimensional Standards for the general industrial zone.	The proposed project is within the general commercial zone and complies with the below regulations.	Yes
20.48.042 Sight Visibility Areas at Intersections. At the intersection of two streets, either public or private, no structure, sign, vegetation, or anything else that obscures sight shall exceed 30 inches in height in the area described by a triangle having two 25-foot legs along the curb faces of the streets from the streets' point of intersection, and a diagonal line connecting the ends of these lines.	The proposed project's main access to the site is from 204 <sup>th</sup> Street NE. There is also access to the site on the southeast through a new shared private access from 77 <sup>th</sup> Avenue NE. The site plan shows that the improvements will not obscure sight at any entrance or exit from the site.	Yes
<b>Table 20.48-1 Density and Dimensional Standards</b>		
Minimum Lot Size: 0 square feet	66,117 sf	Yes
Minimum Lot Width: 70 feet	117.70 ft	Yes
Front Lot Boundary Line: 25 feet	50 ft	Yes
Rear Lot Boundary Line – Primary: 20 feet Accessory: 5 feet	90 ft 8.5 ft	Yes
Side Lot Line or Alley Building Setback: 5 feet	14 ft – 60 ft	Yes
Building Height Limitation: 45 feet	35 ft	Yes
Maximum Lot Coverage: 100%	52% Total Impervious	Yes
<b>Chapter 20.56 AMC, Streets and Sidewalks</b>		
20.56.030 Access to Lots. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. Access includes vehicular, pedestrian, bicycle, and other common forms of transportation.	The proposed project provides one driveway access point 204 <sup>th</sup> Street NE. This driveway access provides a public means of ingress and egress for emergency vehicles, passenger vehicles, pedestrian, and bicycle transportation.  There is also access to 77 <sup>th</sup> Avenue NE southeast of the site through a new shared private access drive.	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"> <li>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</li> <li>2. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.</li> <li>3. Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property.</li> <li>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.</li> </ol>	<p>The proposed project provides one main driveway access point to the building lot, along with a secondary private drive access to the southeast and internal private drive aisles that have access to the site. The proposed project complies with the following City of Arlington Standards and Specifications:</p> <ul style="list-style-type: none"> <li>• The driveway entrance provides safe access to the site and does not propose to impede vehicle or pedestrian travel.</li> <li>• Access to the site is not proposed to interfere with 204<sup>th</sup> Street NE or 77<sup>th</sup> Avenue NE.</li> <li>• The driveway width on both 204<sup>th</sup> Street and 77<sup>th</sup> Avenue NE is 30 feet in width to provide two way vehicular movement to and from the site.</li> <li>• The new shared private access road on the site is shared with a vacant parcel that is owned by the same property owner. This access also provides ingress and egress and connects to the internal drive aisle.</li> </ul>	<p>Yes</p>
<p>20.56.120 Street Intersections. (a) Streets shall intersect at 80° to 90°. Not more than two streets shall intersect at any one point or vary from the above angle of connections.</p>	<p>The proposed project provides 90° driveway intersections at all access points.</p>	<p>Yes</p>
<p>20.56.130 Construction Standards and Specifications. Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the “Public Works Construction Standards and Specifications,” and all such facilities shall be completed in accordance with these standards.</p>	<p>The proposed project is subject to a site civil construction permit.</p>	<p>Yes</p>
<p><b>Chapter 20.60 AMC, Utilities</b></p>		
<p>20.60.100 Sewage Disposal Facilities Required. Every principal use and every lot within a subdivision shall be served by a sewage disposal system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.</p>	<p>The proposed project shall connect to the City of Arlington Sanitary Sewer. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.</p>	<p>Yes</p>

Regulation	Analysis	Meets																
<p>20.60.300 Water Supply System Required. Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.</p>	<p>The proposed project shall connect to the City of Arlington water. The construction of utilities will take place after Civil Permit approval and shall meet all requirements of the Public Works Construction Standards and Specifications.</p>	<p>Yes</p>																
<p>20.60.400 Lighting Requirements. (a) All public streets, sidewalks, and other common areas or facilities shall be sufficiently illuminated to ensure security of property and the safety of persons using such streets, sidewalks and other common areas or facilities.</p>	<p>The proposed project provides adequate lighting throughout the site as approved with the Design Review Board decision.</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 proposed project provides LED lighting that is down shielded throughout the site as approved with the Design Review Board decision.</p>	<p>Yes</p>																
<p>20.60.410 Excessive Illumination. Lighting within any lot that unnecessarily illuminates any other lot or public right-of-way and substantially interferes with the use or enjoyment of such other lot or public right-of-way is prohibited.</p>	<p>The proposed project provides adequate lighting throughout the site that does not unnecessarily illuminate to neighboring properties, as approved with the Design Review Board decision.</p>	<p>Yes</p>																
<p>20.60.450 Underground Utilities. All existing, extended, new electrical power lines, telephone, gas distribution, cable television, and other communication and utility lines shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the Public Works Construction Standards and Specifications.</p>	<p>All proposed utilities to and on the site shall be located underground. All utility lines are required to be shown on the site civil plans and shall be approved by the City of Arlington prior to construction activities on the site.</p>	<p>Yes</p>																
<p><b>Chapter 20.72 AMC, Parking</b></p>																		
<p>20.72.010 Number of Parking Spaces Required. (a) All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question.</p> <p>Car Wash: 1 space for every six employees on the maximum shift, plus reservoir capacity equal to 5 times the capacity of the washing operations.</p>	<p>The proposed project has shown on the approved site plan that it meets the required parking for the site.</p> <table border="1" data-bbox="873 1465 1344 1646"> <thead> <tr> <th colspan="2">Required Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>1 Employee</td> <td>1 Space</td> </tr> <tr> <td>Reservoir Spaces 5 x Wash Capacity (5 x 3)</td> <td>15 Reservoir Spaces</td> </tr> </tbody> </table> <table border="1" data-bbox="873 1688 1344 1898"> <thead> <tr> <th colspan="2">Provided Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>Employee &amp; ADA</td> <td>4 Spaces</td> </tr> <tr> <td>Reservoir Spaces</td> <td>15 Reservoir Spaces</td> </tr> <tr> <td>Vacuum Spaces</td> <td>13 Spaces</td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>32 Spaces</b></td> </tr> </tbody> </table>	Required Parking Spaces		1 Employee	1 Space	Reservoir Spaces 5 x Wash Capacity (5 x 3)	15 Reservoir Spaces	Provided Parking Spaces		Employee & ADA	4 Spaces	Reservoir Spaces	15 Reservoir Spaces	Vacuum Spaces	13 Spaces	<b>TOTAL</b>	<b>32 Spaces</b>	<p>Yes</p>
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<p>20.72.030 Parking Space Dimensions.  (a) Except accessible parking spaces, each parking space shall contain a rectangular area of at least 19 feet long and 9 feet wide.</p>	<p>The site plan shows that the parking spaces proposed are 9 feet wide by 19 feet long, meeting the dimension regulations.</p>	<p>Yes</p>																																					
<p>20.72.060 Parking Area Surface.  (a) All parking areas shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in the Public Works Construction Standards and Specifications.  (b) Parking spaces shall be appropriately demarcated with painted lines or other markings.  (c) Parking areas shall be properly maintained in all respects.</p>	<p>The proposed project has shown asphalt for the parking and vehicle drive aisle areas throughout the site. All parking spaces are painted with lines and other required markings.</p>	<p>Yes</p>																																					
<p>20.72.064 Accessible Parking Spaces.  (b) The number of handicapped parking spaces to be provided in any lot or facility shall be in accordance with the current state standard and International Building Code. Accessible parking spaces are to be calculated in addition to the required off-street parking spaces required and not included in the parking calculations in Table 20.72-1.</p> <table border="1" data-bbox="204 1045 842 1167"> <thead> <tr> <th colspan="4">Table 20.72-3</th> </tr> <tr> <th rowspan="2">Parking Facility</th> <th colspan="3">Minimum Number of Accessible Spaces</th> </tr> <tr> <th>Standard</th> <th>Van</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Total</td> <td></td> <td></td> <td></td> </tr> <tr> <td>1-25</td> <td>0</td> <td>1</td> <td>1</td> </tr> </tbody> </table>	Table 20.72-3				Parking Facility	Minimum Number of Accessible Spaces			Standard	Van	Total	Total				1-25	0	1	1	<p>The proposed project has provided one accessible parking space on the site that is sized to accommodate van dimensions. This calculation does not include the vacuum parking spaces.</p> <table border="1" data-bbox="870 907 1346 1251"> <thead> <tr> <th colspan="2">Total Standard Vehicle and ADA Parking Requirements for the Site</th> </tr> <tr> <th colspan="2">Required</th> </tr> </thead> <tbody> <tr> <td>Total Standard Vehicle</td> <td>1</td> </tr> <tr> <td>Total ADA Standard &amp; Van</td> <td>1</td> </tr> <tr> <td>Total Required On Site</td> <td>2</td> </tr> <tr> <th colspan="2">Proposed</th> </tr> <tr> <td>Total Standard Vehicle</td> <td>3</td> </tr> <tr> <td>Total ADA Standard &amp; Van</td> <td>1</td> </tr> <tr> <td>Total Proposed On Site</td> <td>4</td> </tr> </tbody> </table>	Total Standard Vehicle and ADA Parking Requirements for the Site		Required		Total Standard Vehicle	1	Total ADA Standard & Van	1	Total Required On Site	2	Proposed		Total Standard Vehicle	3	Total ADA Standard & Van	1	Total Proposed On Site	4	<p>Yes</p>
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<p><b>Chapter 20.76 AMC, Screening and Trees</b></p>																																							
<p>20.76.020 General Screening Standard.  Developments shall provide sufficient screening so that:  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>	<p>The project is in the general commercial zone surrounded by commercial retail businesses, office businesses, multi-family apartments, and abuts both State Route 9 &amp; 204<sup>th</sup> Street NE.</p>	<p>Yes</p>																																					
<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 proposed project has provided a Type B landscape buffer around the perimeter of the site. The landscape plan shows a 14-20 foot buffer along the north property line, 5-10 foot buffer along the east property line, 13.5 foot buffer along the south property line, and a 14-17 foot buffer along the west property line.</p>	<p>Yes</p>																																					

Regulation		Analysis	Meets
Table 20.76-1 Screening Requirements			
Use	Frontage Landscaping	Side and Rear Property Lines	
Car Wash	Type B	Type B – All Other Neighboring Properties	
20.76.110 Required Trees Along Dedicated Streets. The developer shall either plant or retain sufficient trees so that within the landscape strip there is for every 30 feet of street frontage at least an average of one deciduous tree of two inches dbh at the time of planting and with a canopy that starts at least eight feet above finished grade and has or will have when fully mature a trunk at least 8 inches in diameter. Root barriers shall be provided for all street trees and the landscape strip shall be planted per the Department of Public Works Standards and Specifications.		The existing layout of 204 <sup>th</sup> Street NE has a sidewalk abutting the curb and roadway pavement. It is not practical to redesign and construct the entire street corridor to provide a landscape strip between the sidewalk and the curb. The applicant has provided trees along the property line that act as street trees to the 204 <sup>th</sup> Street NE roadway and part of the Type B landscaping.	Yes
20.76.130 Shade Trees in Parking Areas. (a) Vehicle accommodation areas that are required to be paved must be shaded by deciduous trees that have or will have when fully mature a trunk at least 8 inches in diameter. (b) Landscaping within vehicle accommodation areas shall meet the requirements of 20.46 and the Development Design Standards. (c) Each tree of the type described in subsection (a) shall be presumed to shade a circular area having a radius of 15 feet with the trunk of the tree as the center, and there must be sufficient trees so that, using this standard, 20 percent of the vehicle accommodation area will be shaded.		The project provides shading of the parking lot area on the site.  The total parking area is calculated at 3,500 square feet, requiring 700 square feet of required shading at 20% of the total.  The applicant has provided 1,495 square feet, which equates to 43%.	Yes
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: 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.		The property owner(s) shall maintain the landscaping on the property and within the right-of-way per AMC 20.76.	Yes

Regulation	Analysis	Meets								
<b>Chapter 20.90 AMC, Concurrency &amp; Impact Fees</b>										
<p>20.90.032 Interlocal Agreements Allowed. Pursuant to state law, the council may enter into an interlocal agreement with any jurisdiction that requires reciprocal traffic mitigation for extraterritorial impacts to one another's transportation systems.</p> <ol style="list-style-type: none"> <li>1. Snohomish County</li> <li>2. WSDOT</li> </ol>	<p>The applicant provided a Traffic Impact Analysis prepared by Transpo Group Traffic Consultants in December 2023. The traffic analysis concluded that the proposed use would produce 797 Average Daily Trips (ADT) that would impact Snohomish County Streets</p> <table border="1" data-bbox="824 447 1349 518"> <thead> <tr> <th>Percent</th> <th>ADT</th> <th>\$ per ADT</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>90%</td> <td>170</td> <td>\$157</td> <td>\$24,021.00</td> </tr> </tbody> </table> <p>No WSDOT Traffic Impact Fees were requested or required.</p>	Percent	ADT	\$ per ADT	Total	90%	170	\$157	\$24,021.00	Yes
Percent	ADT	\$ per ADT	Total							
90%	170	\$157	\$24,021.00							
<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 Transpo Group Traffic Consultants in December 2023. The traffic analysis concluded that the proposed use would produce 33 new PM peak-hour trips. The existing medical clinic on the site was calculated at 15 existing PM peak-hour trips. The City allows credit for the existing use on the site, which results in this project creating 18 new PM peak-hour trips to the site.</p> <table border="1" data-bbox="824 1119 1349 1190"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,355.00</td> <td>18</td> <td>\$60,390.00</td> </tr> </tbody> </table>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	18	\$60,390.00	Yes		
Traffic Fee	# Of Trips	Total Amount								
\$3,355.00	18	\$60,390.00								
<b>Chapter 20.98 AMC, State Environmental Policy Act (SEPA)</b>										
<p>20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.</p>	<p>The applicant provided an environmental checklist with the application and a revised checklist with the resubmittal. The City of Arlington was determined to be the lead agency. A Mitigated Determination of Non-Significance was issued for the proposal on January 5, 2024. The comment period for the MDNS was from January 5, 2024 to January 19, 2024.</p>	Yes								

Regulation	Analysis	Meets
<b>Chapter 13.28 AMC, Stormwater</b>		
<p>13.28.070 Applicability of the Utility. The following actions or applications for the following permit and/or approvals will require submittal for approval by the utility: site plans, design drawings, and operations and maintenance plans. Submittals shall be consistent with the provisions of this Code, and shall comply with the stormwater manual and engineering standards:</p> <p>(3) New Development</p>	<p>The proposed project is subject to meeting the required stormwater regulations for the site. A Civil Permit shall be required for all site improvements. The approval of the stormwater system takes place during this review process. All stormwater systems shall comply with the City of Arlington Public Works Standards and Specifications and the most recent Department of Ecology Stormwater Manual for Western Washington.</p>	<p>Yes</p>

### III. PUBLIC COMMENTS

Public Comment	Response
<p>Public comments received during the SEPA Determination of Non Significance comment period for the Wet Rabbit Express project, PLN#1160.</p>	<p>The City received comments from the following agencies or citizens in the community:</p> <ul style="list-style-type: none"> <li>• Dana Cogswell</li> <li>• Department of Archaeology &amp; Historic Preservation (DAHP)</li> <li>• Stillaguamish Tribe of Indians</li> </ul>
<p>Dana Cogswell submitted an email comment supporting the proposed project and believes the car wash will be a positive addition to the local retail ecosystem.</p>	<p>The City responded via email thanking Dana for the comment and support for the project.</p>
<p>DAHP submitted an email comment about an active archaeological survey on the property and asked for a copy of the report. The email referenced the Allen Townhomes project which is at a different location.</p>	<p>This City contacted the project applicant in regard to an archaeological survey on the property. The applicant indicated they had not completed an archaeological survey on the property. The City then responded to DAHP via email to clarify the location of the project. No additional response for this project was received.</p>
<p>The Stillaguamish Tribe of Indians was copied on the DAHP email. The location of several other projects were discussed.</p>	<p>The City responded to the Stillaguamish Tribe in the same email that was sent to DAHP. No additional response for this project was received.</p>

### IV. CONCLUSIONS

- (a) The applicant has applied for a Zoning Permit as required under AMC 20.16.
- (b) Under AMC 20.16.220 (b), the community and economic development director shall issue the zoning permit unless he finds, after reviewing the application and consulting with the applicant as provided in section 20.16.130, that:

Regulation	Analysis	Meets
<b>Chapter 20.16.225(b)</b>		
(1) The requested permit is not within its jurisdiction according to the table of permissible uses.	The requested site plan review is within the City of Arlington’s jurisdiction per the above zoning map and permissible use table.	Yes
(2) The application is incomplete.	The application for the subject site plan review was deemed complete on December 29, 2023.	Yes
(3) If completed as proposed in the application, the development will not comply with one or more of the requirements of this title.	The proposed site plan review complies with all required sections of AMC Title 20 per the above staff analysis.	Yes
(4) The proposed project has not complied with SEPA	The proposed project has complied with SEPA through the Mitigated Determination of Non-Significance decision issued on January 5, 2024.	Yes
(5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, or other adopted plans, regulations, or policies.	The proposed site plan review complies with the Arlington Municipal Code, Comprehensive Plan, and Transportation Plan.	Yes

**IV. ADMINISTRATIVE DECISION**

The proposed project was found to be consistent with and meets the intent of the Arlington Zoning Code, Comprehensive Plan, and the Arlington Municipal Code, therefore the Zoning Permit – Site Plan Review for Wet Rabbit Express Car Wash (PLN#1160) is hereby **APPROVED**, subject to the following conditions.

**V. CONDITIONS**

**Zoning Permit:**

1. All development shall be in substantial conformance with the approved Site Plans, Landscape Plans, and Supplemental Drawings received on December 20, 2023, subject to any conditions or modifications that may be required as part of the permit review.
2. The building shall be constructed per the design review board elevations received on December 20, 2023 (under PLN #1161) and approved by the Design Review Board on January 18, 2024.
3. The applicant shall meet all local, state, or federal code requirements. Please refer to the Arlington Municipal Code for a complete list of code requirements for your project type.
4. The applicant shall comply with all permits and conditions thereof from the City of Arlington and other government agencies with jurisdiction.
5. The applicant shall submit and record an avigation easement with the Arlington Municipal Airport prior to final occupancy of the building permit.

6. The proposed electrical transformer on the site shall be sufficiently screened or wrapped per the Development Design Standards and receive approval by the City of Arlington prior to installation.
7. The proposed utility services to the building and site that cannot be located underground shall be screened from all public rights-of-way per the Development Design Standards.

**SEPA Conditions:**

8. **(B)(1) Earth:** In order to mitigate potential earth impacts, the applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction. A Certified Erosion and Sediment Control Lead is required to monitor the site.
9. **(B)(2) Air:** In order to mitigate 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)(b) Ground Water:** In order to mitigate potential impacts to ground water the applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
11. **(B)(3)(c) Water Runoff:** In order to mitigate potential impacts to water runoff the applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater.
12. **(B)(4)(b) Plants:** In order to mitigate the removal of significant trees on the property the applicant shall replant trees on the site and pay in-lieu mitigation fees. Per AMC Chapter §20.76.120 (d) (e) any significant trees that are removed shall be replaced with native species at a ratio of 3:1. The project removes 30 significant trees, which would result in 90 trees to be planted on the site. The project landscape plan shows 30 trees are proposed to be replanted on the site. The remaining 60 trees are required to be mitigated at a rate of \$32.50 per replacement tree. The total Tree Replacement Mitigation In-Lieu Fee required is \$1,950.00 (30 x 3 - 30 x \$32.50).
13. **(B)(7)(A) Environmental Health:** The applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies.
14. **(B)(7)(b)(2) Noise:** City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday 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.
15. **(B)(10) Aesthetics:** The proposal is required to construct the building according to the elevations approved with the Design Review Board Decision.
16. **(B)(11)(a) Light and Glare:** To mitigate potential light pollution, the applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict C – that is comprised of the Federal Aviation Regulations (FAR) parts 77 Imaginary surfaces.

17. **(B)(13) Historic and Cultural Preservation:** If during construction historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and reported as soon as possible to the planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes. The applicant shall follow the submitted Unanticipated Discovery Plan and shall notify the Stillaguamish Tribe prior to ground disturbance. The Stillaguamish Tribe may have a monitor on-site to observe site disturbances during the construction of the project.
18. **(B)(14)(f) Transportation:** Trip generation has been calculated by Transpo Group through a Traffic Impact Analysis, completed in December 2023. The report references land use code 948 for Automated Car Wash and land use 630 for the existing medical clinic per the ITE Trip Generation Manual, 11<sup>th</sup> Edition. The analysis includes the traffic calculation for a 4,920 square foot single tunnel carwash with 13 vacuum stations on a lot currently occupied by a medical clinic use. The analysis shows the proposed project will contribute 33 PM Peak Hour Trips to the site and the existing use had 15 PM Peak Hour Trips.
  - The Applicant is required to pay Traffic Impact Fees in the amount of \$60,390.00 (\$3,355/trip x 18 trips) to the City of Arlington for the increased difference of traffic trips to the site. City traffic impact fees shall be paid prior to building permit issuance.
  - The Applicant is required to pay Traffic Impact Fees in the amount of \$24,021.00 (90% x 170 ADT x \$157 per ADT) to Snohomish County. Snohomish County traffic impact fees shall be paid prior to building permit issuance.
19. **(B)(16)(a) Utilities:** The applicant shall connect to the City of Arlington water and wastewater systems, extend utility lines as necessary and pay water and sewer connection fees. All improvements shall be installed during the Site Civil Construction phase of the project. All utilities shall be installed underground.

**Civil Permit:**

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

**Building:**

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

**Other:**

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

**VI. EXPIRATION**

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Per AMC 20.16.220, a Zoning Permit shall expire automatically if, within two (2) years after the issuance of such permits:

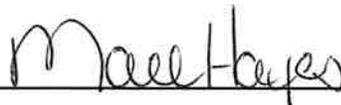
1. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, or
2. Less than 10 percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site.

**VII. APPEAL**

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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 February 5, 2024, and the appeal fee as set by resolution is paid.

ORDERED THIS ON THE 22<sup>nd</sup> DAY OF January, 2024

  
\_\_\_\_\_  
Marc Hayes, Community and Economic Development Department Director

Distributed to the Following Parties:  
Chris McClure, Wet Rabbit Express  
Travis Cheshire, Pacland

## ATTACHMENT B CODE REQUIREMENTS

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

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

3. **Construction Phase.** The following conditions shall apply during construction.
  - a. The developer shall follow all applicable noise and other nuisance codes.
  - b. The developer shall not track mud and dirt onto public rights-of-way, but if tracked by accident, the developer shall clean it up immediately.
  - c. During any site grading or clearing activity, the developer and contractor shall use all available means of controlling air pollution (dust, ash, and smoke).
  - d. The restrictions of the AMC shall apply to any and all grading.
  
4. **Installation of Improvements.** Prior to receiving a Certificate of Occupancy, the developer shall:
  - a. Install all rights-of-way and access easement improvements on all proposed streets internal and existing streets adjacent to the project in accordance with the requirements of AMC Chapter 20.56 and per COA Public Works Design, Construction Standards and Specifications. The developer shall coordinate with all adjacent developments the final design of the street improvements and/or include the appropriate transition tapers for the street pavement from the property.
  - b. Install a potable water system to serve the project per the COA Public Works Design, Construction Standards and Specifications. Water is to be served by the City of Arlington. This system cannot be deferred if a performance bond is secured. Both water and sanitary sewer must be completely installed and approved before either a temporary or permanent Certificate of Occupancy is issued.
  - c. Relocate any existing water facilities and/or install water services/fire hydrants at the expense of the developer.
  - d. Install a sanitary sewer system per COA Public Works Design, Construction Standards and Specifications. This system cannot be deferred if a performance bond is secured. Both water and sanitary sewer must be completely installed and approved before either a temporary or permanent Certificate of Occupancy is issued.
  - e. Install a permanent storm water control system per AMC Chapter 13.28.
  - f. Prior to issuance of a Certificate of Occupancy, the applicant shall complete all required or voluntary improvements unless otherwise secured by the developer and authorized by the City Engineer.

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