



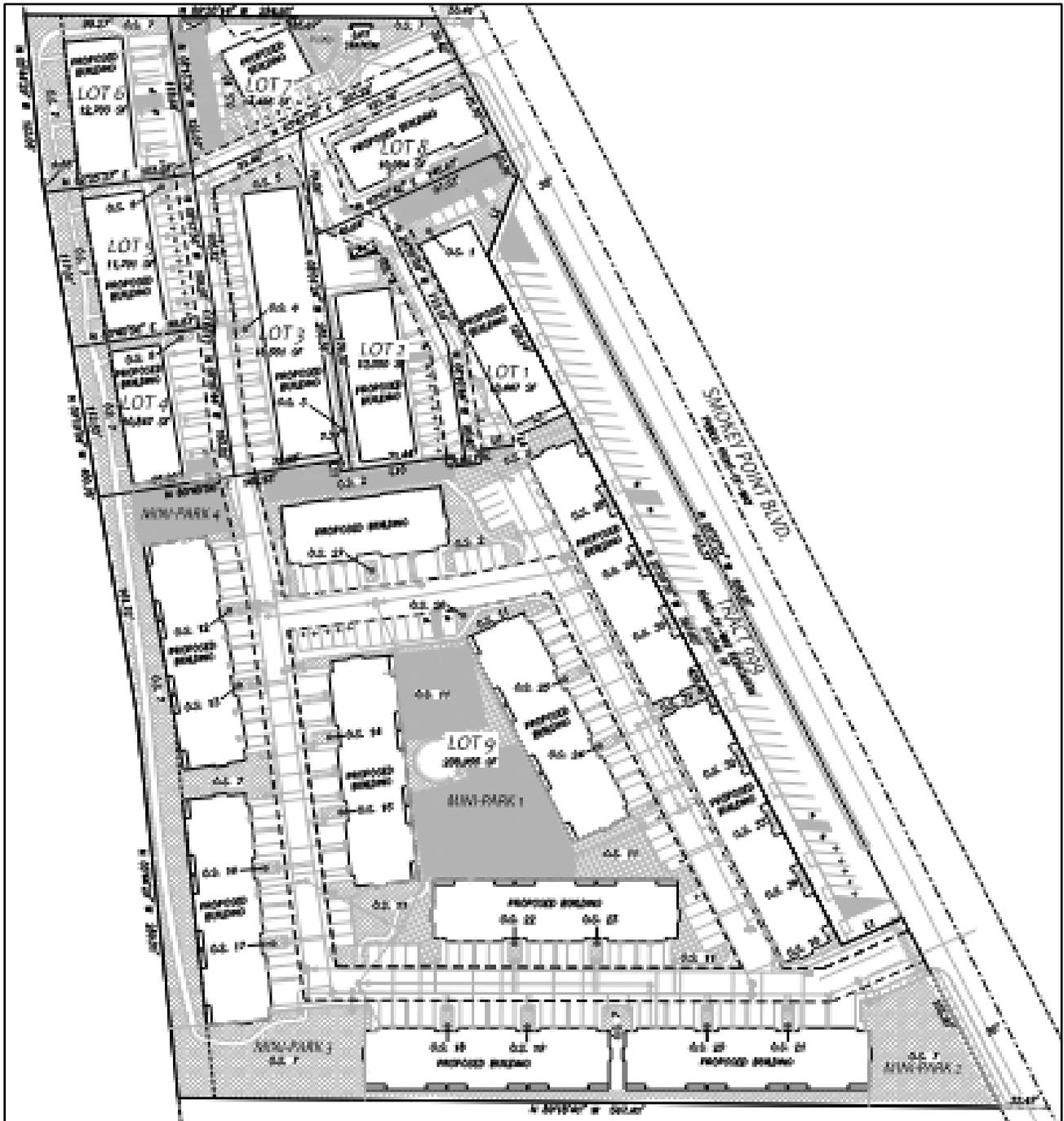
Community and Economic Development

Planning Division

18204 59th Avenue NE, Arlington, WA 98223

STAFF REPORT & RECOMMENDATION

Smokey Point Ridge Binding Site Plan - PLN #1198 and Preliminary Major Unit Lot Subdivision Conditional Use Permit - PLN #1199





Townhouse Building Elevations Front and Rear



Live/Work Building Elevations Front and Rear



Commercial Building Elevations Front and Rear

A. PROJECT DESCRIPTION AND REQUEST

The applicant is proposing a 9-Lot Binding Site Plan on 7.83 and a 62-Lot Preliminary Major Unit Lot Subdivision on Lot 9 of the Smokey Point Ridge Binding Site Plan consisting of 16 Live/Work Units and 46 Townhouse Units on 4.82 acres. This project consists of two 8-unit live/work buildings, seven 6-unit buildings, and one 4-unit building. The live/work buildings are 3 stories in height and provide a garage and commercial space on the first floor and living area and bedrooms on the second and third floors. The townhome buildings are 2 stories in height and provide a garage and living area on the first floor and bedrooms on the second floor. The project improvements include parking, pedestrian paths and trails, private open space, shared and public open space, pickleball courts, bocce, playgrounds, picnic areas, dog run, fire pit, sitting areas, sidewalks, landscaping, and private drives throughout the site with access from Smokey Point Boulevard. Frontage improvements along Smokey Point Boulevard includes curb, gutter, sidewalks, landscape strips with trees, and back in parking spaces for the commercial uses. Stormwater runoff from the proposed development will be conveyed and managed on-site through multiple infiltration trenches and catch basins, along with a bioretention area. The project will be served by City of Arlington utilities and a new private sewer lift station is proposed to be constructed on Lot 7 of the binding site plan.

This proposed development is located in the Commercial Corridor zone and includes residential making the project subject to the City of Arlington's Mixed-Use Development Regulations which allows commercially zoned properties to site retail, commercial, professional, and certain manufacturing uses along the street frontages of the property while allowing for a higher density residential use to occur upon the remainder of the property. As such, the buildings and site will be reviewed utilizing Chapter 20.110 AMC (Mixed Use Development Regulations). This will ensure that the building form, position, and site configuration are designed to integrate the elements of "Form Based Code" to ensure a predictable outcome in both current and future development.

The Mixed-Use Overlay areas are all defined with Place Types and Transects per the Regulating Plan Place Types (Figure 20.110-A). The Smokey Point Ridge project is in the *Mixed-Use Neighborhood Corridor* Place Type and *Transect 4 Flex (T4-F)*. This allows for an appropriate transition from a neighborhood main street environment into the residential areas, and to provide flexible buildings that can allow a mix of residential and walkable local serving commercial and service uses.

PROJECT HISTORY

The application for a Binding Site Plan and Preliminary Major Unit Lot Subdivision – Conditional Use Permit was received on March 1, 2024. The application was deemed incomplete on March 7, 2024. The applicant submitted additional information on March 11, 2024 and March 13, 2024. The applications were deemed complete on March 14, 2024. The city issued review comment letters on April 8, 2024, July 19, 2024, September 19, 2024, and November 4, 2024. The applicant submitted revised plans and requested information on June 17, August 6, 2024, October 16, 2024, December 9, 2024, and December 16, 2024.

The Binding Site Plan and Preliminary Major Unit Lot Subdivision Notice of Application was issued on March 15, 2024 and was published in the city's official newspaper (The Herald), posted on site, mailed to required parties, and posted on the City's website on March 19, 2024. The public comment period ended on April 2, 2024.

The City issued a Mitigated Determination of Non-significance (MDNS) Adoption of Existing Document on April 11, 2024. The notice was published in The Herald, posted on site, mailed to required parties, and posted on the City's website on April 12, 2024. The public comment period ended on April 26, 2024.

A Neighborhood Meeting was held April 2, 2024 at 5:00 pm. Notice for the Neighborhood Meeting was published in The Herald, posted on site, mailed to required parties, and posted on the City's website on March 19, 2024.

A Public Hearing is to be held before the Hearing Examiner on February 4, 2025. The city issued the Notice of Public Hearing on January 15, 2025. Notice of Public Hearing was posted on the site, mailed to required parties, posted on the City's website, and published in The Herald on January 17, 2025.

B. GENERAL INFORMATION

1. **Property Owner:** Peak to Peak, LLC
2. **Applicant/Contact:** Carl Pirscher, CDA + Pirscher Architects
Brian Kalab, Insight Engineering Company
4. **General Location:** Northwest of the 193rd Street NE and Smokey Point Boulevard Intersection
5. **Address of Property:** 19402 Smokey Point Boulevard, Arlington, WA 98223
6. **Legal Description (Abbreviated):** Section 17 Township 31 Range 05 Quarter SE N ½ NW ¼ SE ¼ & N ½ S ½ NW ¼ SE ¼ SEC 17 TWP 31N RNG 5E LY WLY OF ST HWY LESS FDP – BEG AT INT WITH N LN NW ¼ SE ¼ SD SEC 17 & E LN OF PRIMARY ST HWY #1 TH E ALG N LN SD SUB FOR 250FT M/L T W LN OF ST RD #1 AKA OLD US 99 TH SELY ALG W LN SD SR #1 180 FT TH W PLT N LN NW ¼ SE ¼ SD SEC 17 312FT M/L TO POB LESS ANY PTN LY WHN R/W OF ST HWY #1 & LESS S 20FT CONVYD BY SWD REC AFN 201509300265
7. **Property Tax ID Numbers:** 31051700400600
8. **Topographical Description:** The existing site gently terraces and slopes up in elevation from north to south, with approximately 15 feet of vertical relief.
9. **Soil Type:** Everett very gravelly sandy loam, 0-8 percent slopes
10. **Acreage:** 4.82 acres
11. **Comprehensive Plan Land Use Designations, Zoning Designation and Existing Land Uses of the Site and Surrounding Area:**

Area	Land Use Designation	Zoning	Existing Use
Project Site	Commercial Corridor	CC	Single Family Residence
North of Site	Commercial Corridor	CC	Single-Family Residences
South of Site	Commercial Corridor	CC	Single-Family Residences
East of Site	Commercial Corridor and Snohomish County	CC & AG-10	Towing Company and Vacant Land
West of Site	Interstate 5 Right-of-Way	ROW	Interstate 5

12. Public Utilities and Services:

Water:	City of Arlington	Gas:	Cascade Natural Gas
Sewer:	City of Arlington	Cable:	Ziply
Garbage:	Waste Management NW	Police:	City of Arlington
Storm Water:	On-Site	Fire:	North County Regional Fire
Telephone:	Ziply	School:	Arlington School District #16
Electricity:	Snohomish County PUD #1	Hospital:	Cascade Valley Hospital

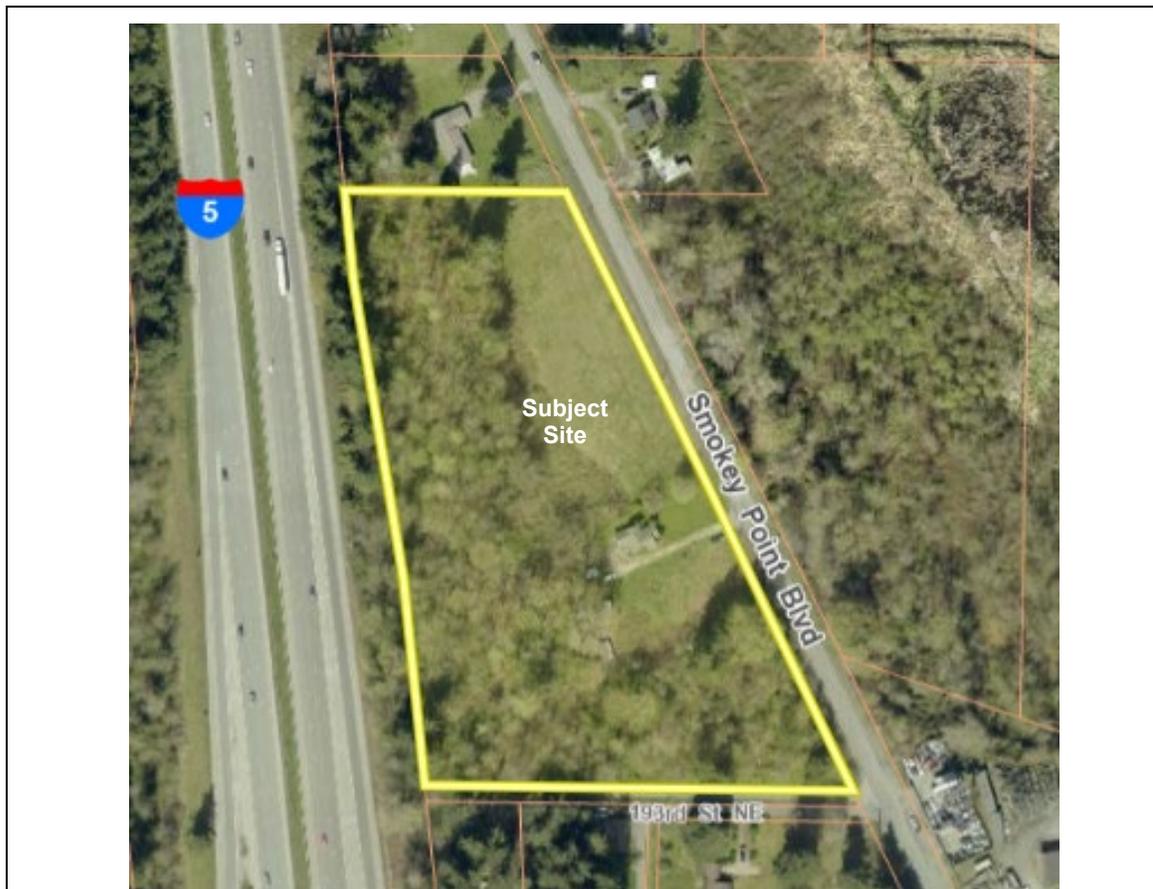
13. Applicable Land Use Code Regulations:

- AMC Chapter 20.08 Basic Definitions and Interpretation
- AMC Chapter 20.16 Permits and Final Plat Approval
- AMC Chapter 20.24 Hearing and Pre-Hearing Procedures for Appeals and Applications
- AMC Chapter 20.36 Zoning Districts and Zoning Map

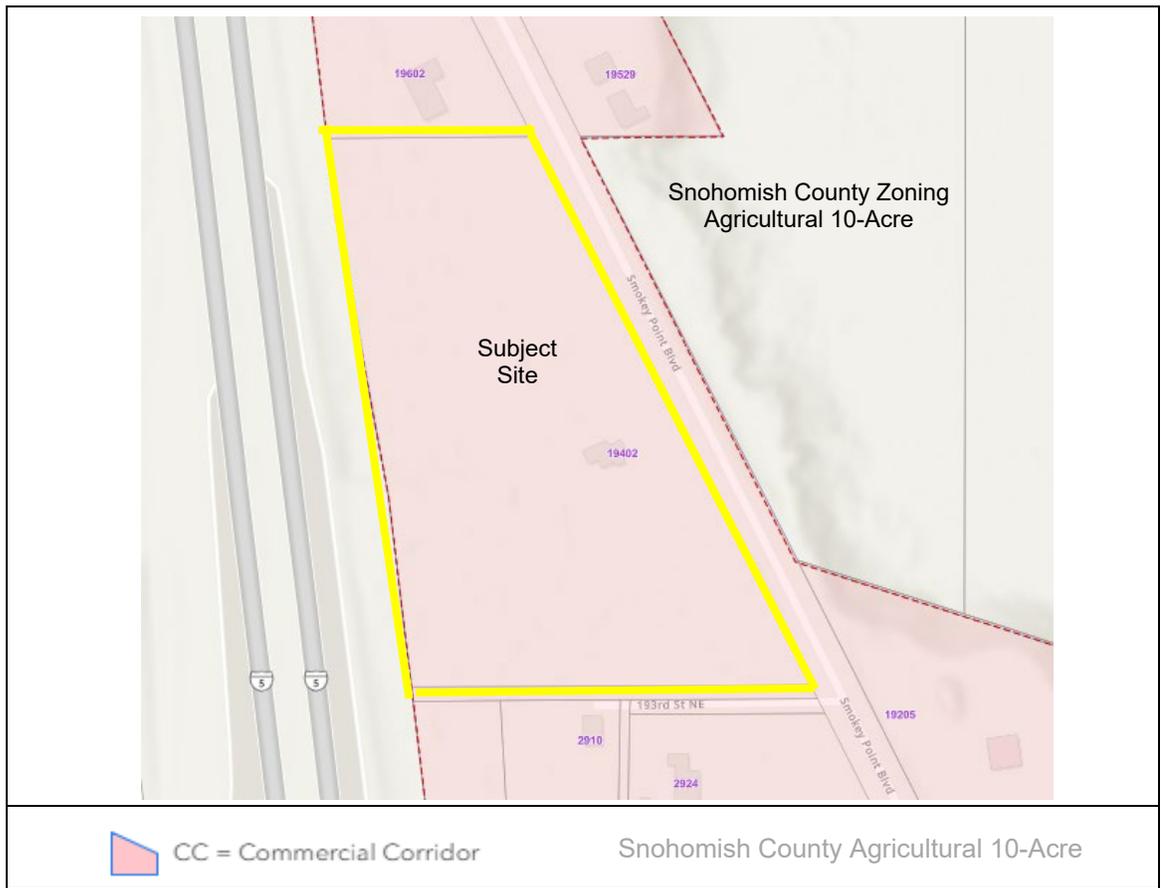
- AMC Chapter 20.38 Airport Protection District
- AMC Chapter 20.40 Permissible Uses
- AMC Chapter 20.44 Supplemental Use Regulations – Unit Lot Subdivisions
- AMC Chapter 20.46 Design
- AMC Chapter 20.56 Streets and Sidewalks
- AMC Chapter 20.60 Utilities
- AMC Chapter 20.90 Concurrency and Impact Fees
- AMC Chapter 20.93 Critical Areas Ordinance
- AMC Chapter 20.98 State Environmental Policy Act
- AMC Chapter 20.110 Mixed Use Development Regulations
- AMC Chapter 13.28 Stormwater Utility

14. Proposed Use: The proposed project includes a 9-lot binding site plan and unit lot subdivision for live/work and townhome construction, through two 8-unit live/work buildings, seven 6-unit buildings, and one 4-unit buildings on sixty (62) fee simple lots on lot 9. The property is zoned Commercial Corridor. The Binding Site Plan provides 8 commercial lots and 1 residential mixed-use lot. The Preliminary Major Unit Lot Subdivision provides fee simple lots, which follows the Conditional Use Permit process as required for this project per AMC 20.40.020 and AMC 20.40.130 Commercial and Mixed-Use Zones Permissible Use Table.

15. Surrounding Land Uses and Land Use Permits: Surrounding properties of the subject parcel are zoned Commercial Corridor to the north, south, east, and west, along with Agricultural – 10 acres Snohomish County zoning. The properties include single-family residences, commercial towing company, and vacant land. Public roads are Interstate 5 to the west and Smokey Point Boulevard to the east.



The project is located northwest of the 193rd Street NE and Smokey Point Boulevard intersection



16. Compatibility and Impacts on Existing Development: The proposed development is a 62-unit live/work and townhouse unit project and provides middle housing and small commercial options to the surrounding area that is surrounded by single-family residential, and vacant properties. The project is part of a binding site plan that provides for horizontal and vertical mixed-use over nine properties that consists of eight future commercial lots and one mixed-use lot. The proposed live/work and townhouse development is bound by Interstate 5 on the west and Smokey Point Boulevard to the east. The proposed development is located almost directly between the Island Crossing development area and the Smokey Point development area.

17. Compatibility with the Comprehensive Plan: The proposed project meets the following goals and policies of the Comprehensive Plan by encouraging middle density housing within the Commercial Corridor zone and by providing open space and recreational opportunities on the project site for future residents within the finished project.

Comprehensive Plan Goals and Policies	
GO - 1	Ensure City Goals and Policies are consistent with the Growth Management Act.
GO - 3	Work towards promoting and maintaining an urban environment within the City that enhances livability for its residents.
PO-6.1	Building architecture in residential and commercial developments should be human scaled and conducive to social interaction.
PO-6.4	Land-use developments should be conducive to social interaction.
PO-6.5	Public and private civic spaces should be included in both commercial and residential neighborhoods to ensure adequate gathering places.

Comprehensive Plan Goals and Policies	
PO-6.6	Design standards should be enforced to ensure that all new developments are in harmony with the desired character of each subarea.
GH - 1	Diversify the City's housing stock.
GH - 2	Ensure the development of new multi-family housing and small single-family units occur within close proximity of commercial areas of the city.
PH-2.1	Multi-family housing should be located close to commercial centers.
PH-2.3	Utilize mixed-use mechanisms to incentivize housing within close proximity to commercial uses.
GL - 1	<p>Work to ensure that the character and location of land uses optimize the economic benefit, enjoyment by residents, and protection of natural resources while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation through implementation of the following:</p> <p>a) <u>Growth Management</u>: Manage growth so that the delivery of public facilities and services will occur in a fiscally responsible manner to support development and redevelopment within the City.</p> <p>c) <u>Neighborhood Conservation</u>: Achieve a well-balanced and well-organized combination of open space, commercial, industrial, recreation and public uses that are served by an efficient transportation network while protecting the fabric and character of residential neighborhoods.</p> <p>d) <u>Environmental Preservation and Conservation</u>: Through both preservation and conservation ensure the proper management of the natural environment and resources.</p>
GL - 4	Accommodate new development in a manner that supports a growth rate consistent with the goals of the State Growth Management Act but also preserves and enhances Arlington's quality of life, its natural environment, and its historical and cultural amenities.
PL - 4.2	The City should ensure that growth and development is consistent with the City's Capital Facilities Plan for providing public facilities including streets, sidewalks, lighting systems, traffic signals, water, storm, and sanitary sewer, parks and recreational facilities, and schools.
PL - 4.5	All new commercial, industrial, and residential plat developments should provide additional transportation infrastructure consistent with the City's comprehensive transportation plan and development regulations through installation, dedication, fee-in-lieu, or some other acceptable form of mitigation.
GL - 7	Encourage a mix of residential densities throughout the City.
PL-7.2	Higher density residential uses should be located around commercial areas.
PL-7.3	Vertical and Mixed-Use developments with a residential component should be permissible in designated zones within the City.
GL - 9	Create pedestrian links between commercial and residential developments.
PL-9.1	Where commercial and residential areas abut, new development should include the design and construction of walkways, sidewalks, or other non-motorized features to integrate and link commercial activities to neighborhoods.
GL - 15	Protect and enhance our various neighborhoods as follows:
PL - 15.53	The properties around the SR-9 and SR-531 intersection should be planned to become an urban village, with mixed commercial and high-density residential uses (mixed-use).
PL - 18.3	The City should work to ensure compatibility of land uses with topography, geology, soil suitability, surface water, groundwater & aquifers, frequently flooded areas wetlands, climate, and vegetation and wildlife.
PL - 19.1	Significant trees within the City should be preserved to the extent feasible. In instances where it is not feasible to preserve significant trees, any significant tree cut down should be mitigated either through re-planting or payment of a fee-in-lieu.

Comprehensive Plan Goals and Policies	
GL - 20	Minimize storm water runoff and urban drainage impacts by utilizing the natural drainage system where it is possible to do so without significantly altering the natural drainage ways.
PL - 20.1	The City should encourage the design of developments to use natural drainage patterns and incorporate means to entrap storm water and water pollutants before they are carried down slope or before they enter wetlands and/or other bodies of water.
PL - 20.4	To minimize impacts on natural resources, the evaluation of Low Impact Development techniques should be evaluated as the preferred approach prior to implementing traditional stormwater treatment and flow control facilities.
T - 1	System Development: Plan, develop, and maintain a balanced transportation system for the efficient movement of people, goods, and services within the city and between the community and other activity centers in the region.
PT - 1.3	Ensure that safe, convenient, and efficient transportation facilities are provided for all residents of and visitors to the City. This will include improvements to existing facilities as well as extensions to serve growth areas.
PT-1.9	Require developers to construct those streets directly serving new development and pay a fair-share fee for specific off-site improvements necessary to mitigate any adverse impacts.
PT-4.1	Improving the appearance of existing corridors should be a primary objective in designing and maintaining the street system in Arlington. Appropriate design standards, including landscape standards for the construction of new streets shall be maintained.
PT-4.8	All developments in all zoning districts shall provide sufficient parking spaces to accommodate the number of vehicles that are likely to be attracted to the development.
PT-4.10	Require new construction to construct sidewalks, bicycle storage/parking facilities, and access to mass transit where possible and in proportion to the proposal.
PT-4.13	All public streets shall be constructed with curb, gutter, sidewalk, landscape strips and street trees.
PT-5.6	Provide ramps and curb cuts that comply with the Americans with Disabilities Act.
PT-5.7	Provide street lighting along sidewalks to encourage nighttime use and for safety.

Multi-County Planning Goals and Policies	
PP-1.4	New residential developments should be required to mitigate impacts to park, recreation, and open space through improvements to property.
PP-1.12	New residential developments should provide adequate on-site park space or pay a fee-in-lieu.
PS-1.7	The city should require new developments mitigate traffic impacts through at least two of the following methods as deemed acceptable by the city: dedication of right-of-way, frontage improvements, or traffic mitigation fees.
PS-1.8	Any infrastructure improvements needed to serve a proposed development should be installed prior to the issuance of any building permit.
MPP-DP-2	Encourage efficient use of urban land by maximizing the development potential of existing urban lands, such as advancing development that achieves zoned density.

Multi-County Planning Goals and Policies	
MPP-DP-14	Preserve and enhance existing neighborhoods and create vibrant, sustainable compact urban communities that provide diverse choices of housing types, a high degree of connectivity in the street network to accommodate walking, bicycling and transit use, and sufficient public spaces.
MPP-H-1	Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.
MPP-T-11	Prioritize investments in transportation facilities and services in the urban growth area that support compact, pedestrian- and transit-oriented densities and development.

18. Public Notification:

Notice Type	Issuance Date	Meeting Date	Distribution
Notice of Complete Application	3/14/2024	N/A	Property Owner/Applicant
Notice of Application & Neighborhood Meeting	3/15/2024	4/2/2024	Property Owner/Applicant Property Owners (within 500 ft) On-Site & Website Affected Agencies The Herald-published – 3/19/2023
SEPA MDNS Adoption of Existing Document Determination	4/11/2024	N/A	Property Owner/Applicant Property Owners (within 500 ft) On-Site & Website Affected Agencies The Herald-published – 4/12/2024
Notice of Public Hearing	1/15/2025	2/4/2025	Property Owner/Applicant Property Owners (within 500 ft) On-Site & Website Party of Record The Herald-published – 1/17/2025

19. Public Comments: The city received comments during the Notice of Application and Notice of SEPA Mitigated Determination of Non-Significance Adoption of Existing Document Decision public comment periods for the subject projects. After reviewing the comments, city staff forwarded the comments to the applicant for their review. The public comments are summarized in Section F.

C. ENVIRONMENTAL REVIEW

The City issued a Mitigated Determination of Non-Significance Adoption of Existing Document on April 11, 2024. The 14-day comment period lasted until April 26, 2024. The public comments are summarized in Section F. After reviewing the initial comments, city staff forwarded the comments to the applicant for their review.

D. FINDINGS OF FACT

Sections “A” through “D” are incorporated into the Findings of Fact. Applicable Review Criteria and Process: The Conditional Use Permit request is subject to review for conformity with the Arlington Municipal Code (AMC), including but not limited to the following:

Regulation	Analysis	Meets
Chapter 20.08 AMC, Basic Definitions and Interpretations		
<p>20.08.010 Definitions of Basic Terms.</p> <p><i>Binding Site Plan</i> means a drawing to a scale specified in this title which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified herein; (b) contain inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established in this title; and (c) contains provisions making any development be in conformity with the site plan. A minor binding site plan is 9 lots or less.</p> <p><i>Subdivision, Unit Lot</i> means an alternative to conventional subdivision process by which the location of a building on a lot can be placed in such a manner that one or more of the building's sides rests directly on a lot line, allowing for the creation of fee simple lots for townhome, and cottage housing developments, in zones where such uses are permitted. Each building shall not be less than one unit or exceed ten units and shall maintain a ten-foot separation from other buildings. A major unit lot subdivision is 10 lots or more and a minor unit lot subdivision is 9 lots or less.</p>	<p>The application is for a binding site plan of 9 lots and a preliminary major unit lot subdivision of 62 fee simple lots on Lot 9 of the subject binding site plan. The preliminary major unit lot subdivision has 10 total proposed buildings, two 8-unit live/work buildings, seven 6-unit buildings, and one 4-unit buildings All buildings are separated by a minimum of 10 feet. The project is being processed concurrently with the binding site plan and as a preliminary major unit lot subdivision through a conditional use permit.</p>	<p>Yes</p>
Chapter 20.16 AMC, Permits and Final Plat Approval		
<p>20.16.010 (b) Conditional Use 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.</p>	<p>The applicant submitted for the binding site plan and a conditional use permit for a preliminary unit lot subdivision. The Hearing Examiner is responsible for the permit decision and the decision is appealable to Snohomish County Superior Court.</p>	<p>Yes</p>
<p>20.16.110 Who May Submit Permit Applications. (a) Applications for zoning, special use, conditional use, or sign permits or subdivision plat approval 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 owner of the property is Peak to Peak LLC and Mike Weeks, a governor of the corporation signed the permit applications that were 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 owner, Peak to Peak LLC, has designated both Brian Kalab of Insight Engineering and Carl Pirscher of CDA + Pirscher Architects, as the official representative for the subject permits.</p>	<p>Yes</p>

Regulation	Analysis	Meets
20.16.130 Staff Consultation Before Formal Application. To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this title, a general information meeting between the developer and the planning staff is encouraged as provided in this section.	The city held a General Information Meetings with the project applicant on August 24, 2022, April 12, 2023, and September 13, 2023.	Yes
20.16.140 Submittal of Application. (a) To minimize development planning costs, avoid misunderstanding or misinterpretations, and ensure compliance with the requirements of this title, a submittal intake appointment is required between the developer and the Community Development staff as provided in this section.	The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the applications on March 1, 2024.	Yes
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.	The proposed application for the Smokey Point Ridge binding site plan and preliminary major unit lot subdivision became vested on March 14, 2024 with the issuance of the Notice of Complete Application. The required impact fees for the subdivision do not vest with the project and the fee in place at the time of payment is the amount due.	Yes
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.	The applicant submitted a complete application for the Smokey Point Ridge binding site plan and preliminary major unit lot subdivision conditional use permit on March 11, 2024 after providing additional information.	Yes
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.	The application was submitted on March 1, 2024. The City issued a Notice of Incomplete Applications on March 7, 2024 and a Notice of Complete Application on March 14, 2024. The Notice was issued within the 28-day timeframe.	Yes
20.16.215 Distribution of Application. Upon receipt of a 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.	The binding site plan was routed to all effected city departments on March 7, 2024 and after each resubmittal on March 13, 2024, June 17, 2024, October 16, 2024, and December 9, 2024. The preliminary major unit lot subdivision was routed to all effected city departments on March 7, 2024, and after each resubmittal on March 12, 2024, August 16, 2024, and December 16, 2024.	Yes

Regulation	Analysis	Meets														
<p>20.16.225 Conditional Use Permits. (a) An application for a conditional use permit shall be submitted to the Hearing Examiner by filing a copy of the application with the Community and Economic Development Director in the planning department.</p>	<p>The binding site plan and preliminary major unit lot subdivision conditional use permit was submitted to city staff and reviewed for compliance with the Arlington Municipal Code. The project application documents were sent to the Hearing Examiner on January 17, 2025 for review prior to the public hearing.</p>	<p>Yes</p>														
<p>20.16.230 Notice of Application Filed. The Community and Economic Development Director shall give public notice of any application filed for a conditional use permit by issuing, distributing, and advertising a “Notice of Application Filed”.</p>	<p>The city issued a Notice of Application on March 15, 2024. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property on March 19, 2024. The comment period was open until April 2, 2024.</p>	<p>Yes</p>														
<p>20.16.235 Neighborhood Meetings for Conditional Use Permits Required. All applications for conditional use permits shall be publicly scoped through a public neighborhood meeting.</p>	<p>The city issued a Notice of Neighborhood Meeting on March 15, 2024. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property on March 19, 2024. The Neighborhood Meeting was held on April 2, 2024.</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 Smokey Point Ridge preliminary major unit lot subdivision conditional use permit was taken to Public Hearing on day 119 of the 120-day timeframe per the following dates:</p> <table border="1" data-bbox="834 1230 1349 1598"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Notice of Complete Application</td> <td>3-14-2024</td> </tr> <tr> <td>1st Comments Issued</td> <td>4-8-2024</td> </tr> <tr> <td>1st Resubmittal</td> <td>8-6-2024</td> </tr> <tr> <td>2nd Comments Issued</td> <td>9-19-2024</td> </tr> <tr> <td>2nd Resubmittal</td> <td>12-16-2024</td> </tr> <tr> <td>Public Hearing</td> <td>2-4-2025</td> </tr> </tbody> </table>	Action	Date	Notice of Complete Application	3-14-2024	1 st Comments Issued	4-8-2024	1 st Resubmittal	8-6-2024	2 nd Comments Issued	9-19-2024	2 nd Resubmittal	12-16-2024	Public Hearing	2-4-2025	<p>Yes</p>
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2 nd Resubmittal	12-16-2024															
Public Hearing	2-4-2025															
<p>20.16.400 Regulation of Major, Minor and Unit Lot Subdivisions. Major and minor subdivisions are subject to a two-step approval process. Physical improvements to the land to be subdivided are authorized by a conditional use permit or zoning permit, respectively as provided in Part I through Part III of 20.16 of these articles, and sale of lots is permitted after final plat approval as provided in 20.16.425.</p>	<p>The proposed binding site plan and preliminary major unit lot subdivision conditional use permit is the first step in the subdivision process. After the civil construction permit is issued and all correlating improvements have been made the site, the applicant may apply for final major unit lot subdivision.</p>	<p>Yes</p>														

Regulation	Analysis	Meets
<p>20.16.435 Major and Minor Binding Site Plans. The intent and purpose of this chapter is to establish an alternative process by which the subdividing of commercial and industrial properties can be done, and which specifically depicts lot configurations, street and road improvements, utilities, open space, and other provisions to ensure a uniform development.</p>	<p>The applicant has submitted a binding site plan to create 9 lots for commercial and mixed-use residential. There are 8 proposed commercial lots and 1 proposed residential mixed-use lot. The plans have depicted lots, streets and road improvements, utilities, open space, and recreational areas throughout the commercial and residential portions of the project.</p>	<p>Yes</p>
<p>(a) Any person seeking a division of industrial or commercial land for the purpose of lease or sale or transfer of ownership of lots or upon which more than one principal building is to be constructed upon one lot of record is required to have an approved binding site plan prior to any division and development of property and shall be governed by the provisions of this chapter.</p>	<p>The applicant shall receive approval and record the binding site plan prior to final major unit lot subdivision of lot 9.</p>	<p>Yes</p>
<p>(b) (1) The binding site plan shall ensure that the collective lots continue to function as one site with respect to, but not limited to, lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance and parking. (2) The binding site plan shall: (A) Identify the areas and locations of all streets, roads, improvements, utilities, open spaces, sensitive areas, parking areas, landscape areas, surveyed topography for map, water bodies and drainage features and building envelopes; (B) Contain inscriptions or attachments setting forth such limitations and conditions for the use of the land as are established by the Community and Economic Development Director or the hearing examiner; (C) Contain provisions requiring any development or division of land to be in conformance with the approved site plan; (D) Contain requirements for street right-of-way realignment, dedication or widening either required by the city or by voluntary agreement; (E) Adhere to all applicable provisions set forth in the land use code.</p>	<p>The binding site plan has identified all lots, access, internal private road circulations, open space, trail and sidewalk connections, landscaping, drainage facilities, and parking stalls and lots on the plans.</p> <p>The binding site plan sheets have identified all required elements. The site plan shows dedication and improvements along Smokey Point Boulevard, the construction of internal private roads that connect and provide internal circulation throughout the site, along with residential and commercial parking areas.</p> <p>The subject site has been surveyed with topography and the proposed and future building footprints.</p> <p>The applicant submitted proposed drainage features and a private wastewater lift station, along with water, sewer, and drainage easements throughout the entire development area.</p>	<p>Yes</p>
<p>(3) Both the design and development shall preserve the trees and vegetation, natural drainage, existing topsoil, and wetland/critical areas to the fullest extent that is reasonably possible.</p>	<p>The applicant has proposed to retain a few trees along the west side of the property along Interstate 5. A Forest Practice Permit to remove trees on the property was issued under PLN #1163 issued on February 7, 2024.</p>	

Regulation	Analysis	Meets
(4) Conditions of use, maintenance, restrictions on redevelopment of required open space, parking, access to other improvements shall be identified and enforced by covenants, easements, dedications, or other similar mechanisms.	All conditions, maintenance, and restrictions on redevelopment of the required open space, and access to improvements are identified on the binding site plan through conditions, covenants, easements, and dedications listed on the document.	Yes
Chapter 20.24 AMC, Hearing and Pre-Hearing Procedures for Appeals and Applications		
20.24.010 Hearing Required on Appeals and Applications. (a) Before making a decision on an application for a conditional use permit, a hearing shall be held on the matter by the appropriate hearing body.	The proposed Smokey Point Ridge binding site plan and preliminary major unit lot subdivision project is subject to a Public Hearing before the Hearing Examiner for the conditional use permit.	Yes
20.24.020 Public Notice. The Community and Economic Development Director shall give public notice of any hearing required by 20.24.010 or 20.16.230 for special use permits, conditional use permits or variances, or any other required public notices.	The city issued a Notice of Public Hearing on January 15, 2025. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, mailed to all property owners within 500 feet of the property, and emailed Party's of Record on January 17, 2025. The Public Hearing is scheduled for February 4, 2025.	Yes
Chapter 20.36 AMC, Zoning Districts and Zoning Map		
20.36.020 Commercial Districts Established. (g) The Commercial Corridor (CC) zone is established to create pedestrian oriented, urbanized, mixed-use neighborhoods, along designated transit routes. Design elements include widened sidewalks, drop lanes with on street parking, mid-block pedestrian crossings, planted medians and bike lanes. These zones are established to utilize the stringent use of the mixed-use development regulations/form-based code, therefor negating the underlying zoning to accommodate mixed-use as the primary land use.	The subject property for the proposed binding site plan and preliminary major unit lot subdivision conditional use permit is zoned Commercial Corridor. The project is located in an area of developed single-family residences and commercial zoned property, as well as underdeveloped properties, while abutting Interstate 5 and Smokey Point Boulevard.	Yes
Chapter 20.38 AMC, Airport Protection District		
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 Airport Protection District – Subdistrict C.	Yes

Regulation	Analysis	Meets					
<p>20.38.090 Notice to Future Owners. To mitigate impacts to the Arlington Airport, and to provide notice to future property owners, all property owners within the Airport Protection Subdistricts A, B, and C seeking a land use or building permit or undertaking substantial reconstruction shall dedicate an avigation easement over their property to the City of Arlington. The language of the easement and notice shall be as provided by the airport, as approved by the city attorney, and recorded with Snohomish County.</p>	<p>The applicant has provides language on both the binding site plan and preliminary major unit lot subdivision</p> <p>Language shall be placed on the face of the final unit lot subdivision notifying future owners of possible affects from aviation activities.</p>	<p>Yes</p>					
<p>Chapter 20.40 AMC, Permissible Uses</p>							
<p>20.40.010 Table of Permissible Uses. The Tables of Permissible Uses sets forth the permissible uses within the respective zoning classifications in the city, subject to other applicable provisions in this title. It should be read in close conjunction with the definitions of terms set forth in section 20.08 and the other interpretative provisions set forth in this article.</p>	<p>The proposed binding site plan and preliminary major unit lot subdivision is an allowed use per the permissible use table within the Commercial Corridor (CC) zone, as shown below, with a conditional use permit.</p>	<p>Yes</p>					
<p>Chapter 20.40.130 AMC, Commercial and Mixed-Use Zones Permissible Use Table</p>							
<p>Use</p>	<p>NC</p>	<p>OTBD-1</p>	<p>OTBD-2</p>	<p>OTBD-3</p>	<p>GC</p>	<p>CC</p>	<p>HC</p>
<p>Binding Site Plan Minor</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>	<p>Z</p>
<p>Unit Lot Subdivision Major ⁶</p>	<p>C</p>			<p>C</p>	<p>C</p>	<p>C</p>	<p>C</p>
<p>Residential Multi-Family Townhouses</p>	<p>ZSC</p>			<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>
<p>Residential Multi-Family Use Above a Permitted Non-Residential Use (Mixed Use)</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>	<p>ZSC</p>
<ul style="list-style-type: none"> • C = Conditional Use Permit (subdivision of 10 lots or more) – Residential Use included with Permit. • ZSC = Zoning Permit (3-19 units), Special Use Permit (20-49 units), and Conditional use Permit (50+ units) • ⁶ = Subject to Section 20.44.020 Unit Lot Subdivisions 							
<p>Chapter 20.44 AMC, Supplemental Uses – Unit Lot Subdivision</p>							
<p>20.44.020A Unit Lot Subdivision. (a) Unit lot subdivision is an alternative to conventional subdivision process by which the location of a building on a lot can be placed in such a manner that one or more of the building’s sides rests directly on a lot line, allowing for the creation of fee simple lots for townhome, and cottage housing developments, in zones where such uses are permitted. Each building shall not be less than one units or exceed ten units and shall maintain a ten-foot separation from other buildings.</p>	<p>The preliminary major unit lot subdivision has proposed 16 live/work units and 46 townhouse units on 62 fee simple lots.</p>						<p>Yes</p>
<p>(b) Unit lot subdivisions shall be permitted in the Residential High-Density zones and all commercial zones (in conjunction with the horizontal mixed-use overlay).</p>	<p>The proposed preliminary major unit lot subdivision is located in the Commercial Corridor zone and subject to the Mixed-Use Development Regulations.</p>						<p>Yes</p>

Regulation	Analysis	Meets
(c) Prior to submittal of the final plat, the design of all buildings shall meet the design standards and shall have received design review approval.	The design of the project is processed concurrently with the project when located in the Commercial Corridor zone following the Mixed-Use Development Regulations.	Yes
(d) All units created by a unit lot subdivision shall provide attached private open space for each individual unit equaling fifteen percent of the total lot area, but in no case shall be less than two hundred square feet. The required open space may be provided by one or more of the following: ground level open space, balconies, roof decks or porches	The proposed preliminary major unit lot subdivision has provided a minimum of fifteen percent of private open space per lot and equal to or more than 200 square feet. The private open space calculations are shown on Landscape Plan Sheet L-1 and shows each lot provides between 208 and 552 square feet.	Yes
20.44.020B Unit Lot Subdivision Lot Standards. As allowed by this chapter, development on individual unit lots within the unit lot subdivision need to conform to the minimum lot area or dimensional standards of Title 20 – Land Use Code, provided that overall development of the parent parcel meets the development and design standards of the underlying zone and the requirements of this section. There shall be no minimum required lot area for individual lots within a unit lot subdivision, provided that the area of the unit lot shall be large enough to contain the dwelling unit and any accessory structures, decks, fences, garages, driveways, private yard areas, parking, landscaping or other improvements that are accessory to the dwelling unit; provided further, so long as conforming to the approved site development plan, such accessory improvements may encroach upon or be located in an adjoining unit lot or common area pursuant to an appropriate easement.	The parent parcel of the preliminary major unit lot subdivision, Lot 9 of the Smokey Point Ridge Binding Site Plan, has met the dimensional standards per AMC 20.110 Mixed-Use Development Regulations as shown in this staff analysis.	Yes
20.44.020C Development and Design Standards. All development using unit lot subdivisions in residential zones, shall be in compliance with the rules and regulations set forth in Title 20 AMC – Land Use Code, specifically Chapter 20.16 – Permits and Final Plat Approval.	The proposed preliminary major unit lot subdivision in the Commercial Corridor zone has complied with the AMC 20.16 as shown in this staff analysis.	Yes
20.44.020E Ownership of Common Areas. Portions of the parent parcel not subdivided for individual unit lots or not dedicated as public right-of-way or municipal utility systems shall be owned in common by the owners of the individual lots within the subdivision, or by a homeowner’s association comprised of the owners of the individual unit lots within the subdivision.	The preliminary major unit lot subdivision proposes common open space, recreational areas, and trails, these areas shall be owned in common by all lots within the subdivision through the required homeowner’s association. The creation of the homeowner’s association is required to be recorded with the Final Unit Lot Subdivision.	Yes

Regulation	Analysis	Meets
<p>20.44.020F Building Setbacks. Building setbacks shall be as required for the zone as applied to the underlying parent parcel as a whole. There shall be no setback required from unit lot lines which are interior to the perimeter of the parent parcel; provided, however, that any structure located upon a unit lot created hereunder shall comply with the setbacks applicable to the approved site development plan. The unit lot subdivision shall comply with the density and dimensional standards set forth in Chapter 20.48. However, if alley access is proposed, the minimum setback for any structure from the alley shall be five feet.</p>	<p>The proposed preliminary major unit lot subdivision has met the requirements of AMC 20.48 Density and Dimensional Standards for the parent parcel per the submitted site plan and the recorded Smokey Point Ridge Binding Site Plan.</p>	<p>Yes</p>
<p>20.44.020G Off-Street Parking. (a) The minimum amount of parking shall be required by Chapter 20.72. Required off-street parking space may be provided in an area owned and maintained in common by the homeowner's association. Parking spaces are located in a common area shall be available to residents or guest or invitees of residents and shall not be reserved for any specific dwelling units.</p>	<p>The preliminary unit lot subdivision for townhouses requires 2 parking spaces per unit. The townhomes take driveway and garage access from the private internal drive aisle that loops throughout the site. Access to the private internal drive aisle is taken from Smokey Point Boulevard.</p>	<p>Yes</p>
<p>(b) One additional off-street parking space shall be provided for every four lots proposed and be adjacent to the units for which they are required. 62 units / 4 = 16 additional spaces</p>	<p>The proposed preliminary major unit lot subdivision has 32 standard/compact and 2 ADA additional residential off-street parking spaces. Commercial parking for the site is shown under the requirements of 20.110 and shown on the site plan in Tract 999.</p>	<p>Yes</p>
<p>(c) All required off-street parking spaces shall be maintained in perpetuity for off-street parking for the residents, or guests of residents. Such spaces shall not be used at any time or in any manner that precluded use for off-street parking of operable motor vehicles regularly used by occupants of the unit lot dwellings.</p>	<p>The proposed parking spaces on the site shall be used by residents or guests of residents and shall not store inoperable motor vehicles.</p>	<p>Yes</p>
<p>(d) Parking shall be prohibited in fire lanes, and each fire lane shall be clearly identified with signage and pavement markings to indicate that the fire lane is not to be used for parking at any time. The homeowner's association shall be responsible for enforcing this requirement. The city shall have the authority to remove any vehicle illegally parked in a fire lane at the vehicle owner's expense.</p>	<p>There shall be no parking within or along the private internal drive aisle, except for the designated parking areas for each unit and the shared parking stalls. The private internal drive aisle is the fire access to the residential structures.</p>	<p>Yes</p>
<p>(e) The unit lot subdivision shall provide bicycle parking facilities equal to one stall for every four lots.</p>	<p>The townhouse project provides bicycle parking in the garage of each unit. The commercial portion is under 20.110.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.44.020H Private Access Drives. Private access drives are allowed, to provide access to dwellings and off-street parking areas within a unit lot subdivision. All private access drives shall be designed and constructed to city design and construction standards. A separate pedestrian walkway is required from the dwelling units to a public sidewalk. Parking within any access drive shall be prohibited, but off-street parking may be located adjacent to an approved access drive outside the minimum required dimensions of the access drive. The homeowner's association shall be responsible for enforcing this requirement. The city shall have the authority to remove any vehicle illegally parked in a fire lane at the vehicle owner's expense. As an alternative to the private access drive, the applicant may provide a public street meeting the city's design and construction standards.</p>	<p>The preliminary major unit lot subdivision proposes vehicular access to the lots through a private internal drive aisle access. Pedestrian access is provided from both the private internal drive aisle and from walkways to the front doors along Smokey Point Boulevard.</p>	<p>Yes</p>
<p>20.44.020I Public Water Mains, Sewer Mains and Fire Hydrants. All water mains, sewer mains and fire hydrants within the unit lot subdivision shall be constructed to city design and construction standards and dedicated to the city. The city shall have the discretion to refuse or accept dedication of utility systems in developments that this chapter that are not constructed to city standards.</p>	<p>The utilities proposed with the preliminary major unit lot subdivision are required to be installed per the Public Works Construction Standards and Specifications. The final approval of all utilities is completed with the civil permit. All utility installation shall be approved prior to final unit lot subdivision approval.</p>	<p>Yes</p>
<p>20.44.020J Ingress, Egress and Utility Access. Each unit lot subdivision shall make adequate provisions for ingress, egress, and utilities access to and from each unit lot by dedicating streets or by reserving such common areas or easements over and across the parent parcel necessary to comply with all other design and development standards applicable to the approved site development plan.</p>	<p>The preliminary major unit lot subdivision provides access to the site from the public street of Smokey Point Boulevard and through the private internal drive aisles. Dedication of right-of-way is required along the Smokey Point Boulevard frontage.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.44.020K Landscaping.</p> <p>In addition to perimeter landscaping required for the parent parcel, landscaping shall be provided on each unit lot where yard area abuts an access drive, and between driveways and/or parking areas on abutting lots. A landscape plan shall be submitted with the land use application showing the following:</p> <p>(1) Perimeter landscape standard along rear or interior lot lines of parent parcel. All required perimeter landscaping shall be placed within a common area and shall be maintained by the homeowner's association. Conversion of perimeter landscaping to private yard area is prohibited.</p> <p>(2) Street trees on public streets shall be per city approved tree list.</p> <p>Street trees on private access drives shall be per city approved tree list.</p>	<p>The preliminary major unit lot subdivision has provided landscaping throughout the site, as shown on Landscape Plan L-1. Street trees are proposed along the public street frontage to the east, perimeter landscaping to the north, south, and west on the site.</p> <p>All proposed street trees are required to be on the city approved tree list.</p>	<p>Yes</p>
<p>20.44.020L Homeowners Association Incorporation.</p> <p>Prior to the recording of the subdivision, the applicant shall provide evidence that the homeowner's association has been incorporated pursuant to the laws of the State of Washington Secretary of State. In the event the homeowner's association should cease to be a corporation under the laws of the State of Washington and as required by this section, such association shall continue as an unincorporated association governed by the Washington Uniform Common Interest Act (RCW Chapter 64.90).</p>	<p>A homeowner's association is required to be established and documentation submitted to the city prior to recording the final major unit lot subdivision.</p>	<p>Yes</p>
<p>20.44.020M Covenants and Maintenance.</p> <p>(a) Covenants and Homeowners Association. The applicant shall provide a preliminary draft of covenants, declarations, and restrictions with the subdivision application for review as part of the subdivision. Prior to the recording of the subdivision, the applicant shall provide final covenants, declarations, and restrictions in a form satisfactory to the city attorney, which shall be recorded with the county auditor's office providing that the homeowner's association shall be subject to and comply with:</p> <p>(1) Such covenants, declarations, and restrictions;</p> <p>(2) The Washington Uniform Common Interest Act</p> <p>(3) The applicable Washington corporation statute;</p> <p>(4) An applicable provision of the city code including, but not limited to, subsections (b) and (c) of this section below.</p>	<p>Covenants, Conditions, and Restrictions (CC&Rs) shall be submitted with the final major unit lot subdivision for city review. The CC&Rs are required to be recorded and the recording number shall be placed on the final major unit lot subdivision before recording with Snohomish County Auditor's Office.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>(b) Maintenance of Private Common Areas and Infrastructure. All common open space and recreation areas and all private utility infrastructure located within a unit lot subdivision shall be maintained in perpetuity by the homeowner's association.</p> <p>(1) Private access drives;</p> <p>(2) Vehicle and pedestrian access easements;</p> <p>(3) Joint use and maintenance agreements;</p> <p>(4) Common off-street parking;</p> <p>(5) Common open space (including, but not limited to, landscape areas, gardens, woodlands, walkways, courtyards, or lawns and outdoor recreation areas);</p> <p>(6) Private utility infrastructure (including, but not limited to, underground utilities and utility easement);</p> <p>(7) Any other common buildings or improvements.</p>	<p>All private common areas within the major unit lot subdivision are required to be maintained by the homeowner's association and shall be stated within the CC&Rs and stated on the final major unit lot subdivision.</p>	<p>Yes</p>
<p>(c) Maintenance of Lot, Buildings and Facilities, Buildings, Utilities, and Facilities on individual unit lots shall be maintained by the property owner in accordance with city codes and the requirements of the covenants, declarations, and restrictions applicable to the development.</p>	<p>All private lots, buildings, and facilities within the major unit lot subdivision are required to be maintained by the individual lot owner and shall be stated in the CC&Rs and stated on the final major unit lot subdivision.</p>	<p>Yes</p>
<p>20.44.020N Recorded Conditions. Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:</p> <p>(1) Approval of the design and layout of the unit lot subdivision was granted by the review of the subdivision as a whole, on the parent parcel by the site development plan approval (stating the project file number);</p> <p>(2) Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent parcel as a whole, and shall conform to the approved site development plan;</p> <p>(3) If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;</p> <p>(4) The individual unit lots are not separately buildable outside of the context of the approved site development plan for the subdivision and additional development of the individual unit lots may be limited as a result of the application of development standards to the parent parcel.</p>	<p>The applicant shall provide the conditions listed as 1-4 of this section on the final major unit lot subdivision</p>	<p>Yes</p>

Regulation	Analysis	Meets
Chapter 20.46 AMC, Design		
<p>20.46.010 (a) Conformance with Design Standards. Structures within the following zones are subject to the relevant design standards adopted in this chapter. No building or land use permit shall be issued for structures or uses that do not conform to the applicable standards.</p> <p>(4) Zones (A) Commercial Corridor</p>	<p>The preliminary major unit lot subdivision has submitted for design review concurrently with the project as required by the Mixed-Use Development Regulations per 20.46 Section III. Commercial Corridor and Mixed-Use Overlay.</p>	<p>Yes</p>
<p>20.46.200 Conformance with Mixed-Use Development Regulations.</p> <p>(a) All buildings and/or structures located in the commercial corridor or mixed-use overlay zones shall comply with the mixed-use development regulations of Chapter 20.110.</p> <p>(b) For any design items not addressed under the mixed-use development regulations, the development design standards shall be followed.</p>	<p>The architectural design of the live/work and townhouse buildings are required to comply with Chapter 20.110. The analysis for this project is located under the subject section of this staff report.</p>	
Chapter 20.56 AMC, Streets and Sidewalks		
<p>20.56.015 Complete Streets.</p> <p>(a) The city will, to the maximum extent practical, implement complete streets. For this section, “complete streets” means streets that provide appropriate facilities to meet the mobility needs of people of all ages and abilities who are walking, bicycling, riding transit, driving, and transporting goods.</p> <p>(b) The application of complete streets may require the property owner or developer to install additional improvements for the installation of certain street types or provide additional right-of-way dedication depending on the location of a proposed project and the surrounding areas level of street improvements. The applicant is required to work with the community and economic development department regarding the specific type of street required.</p> <p>(c) Complete streets will be implemented through the scoping, planning, designing, building, operating, and maintaining an integrated and connected transportation system.</p> <p>(d) All development projects shall submit a complete streets checklist with permit application and follow the complete streets policy.</p>	<p>The applicant submitted a Complete Streets Checklist. The checklist was reviewed, and city staff agrees that the intent of the complete streets policy has been met.</p> <p>The proposed development includes access to and from Smokey Point Boulevard through proposed sidewalks. The applicant is dedicating improved right-of-way along Smokey Point Boulevard as shown on the Binding Site Plan. This area will serve vehicles, pedestrians, and bicycles to the project site.</p> <p>There are sidewalks, crosswalks, and private drives throughout the entire site.</p> <p>The applicant has met the intent of the complete streets policy.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.56.020 Costs of Right-of-Way Installation and Improvements Borne by Applicant. When rights-of-way improvements are required or volunteer in conjunction with permit approval, all costs, and expenses incident to the installation of the improvement to be dedicated to the public shall be borne by the applicant.</p>	<p>The applicant or developer of the proposed project is financially responsible for the construction of improvements along Smokey Point Boulevard. All improvements are required to be reviewed and approved with the Civil Permit.</p>	<p>Yes</p>
<p>20.56.030 Access to Lots. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. Access includes vehicular, pedestrian, bicycle, and other common forms of transportation.</p>	<p>The proposed project provides vehicular, pedestrian, and bicycle access to the property from the public streets of Smokey Point Boulevard to the internal private drive aisles.</p>	<p>Yes</p>
<p>20.56.050 Entrances to Streets. (a) All driveway entrances and other openings onto streets within the city’s planning jurisdiction shall be constructed so that:</p> <ol style="list-style-type: none"> 1. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and 2. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized. 3. Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property. 4. Driveways shall not be located adjacent to one another in such a manner as to create a “double width” driveway without any landscaping between the driveways. 	<p>The proposed binding site plan and preliminary major unit lot subdivision project provides driveway access to each building lot from internal private drive aisles. The proposed project complies with the following City of Arlington Standards and Specifications:</p> <ul style="list-style-type: none"> • The proposed entrances have the appropriate signage, stop bars, and crosswalks to protect vehicles, pedestrians, and bicyclists. • The proposed driveway entrances are in areas that would have the least interference with surrounding streets. • The proposed drive aisles from the public right-of-way to the private drives to the preliminary unit lot subdivision are 36’6” at the north and south entrances from Smokey Point Boulevard • The proposed parking for each townhome are located within garages that are accessed from the private drive aisle. • Dedication of Right-of-Way is required along Smokey Point Boulevard. The dedication will be accepted by the City of Arlington at the time of recording of the final unit lot subdivision. 	<p>Yes</p>

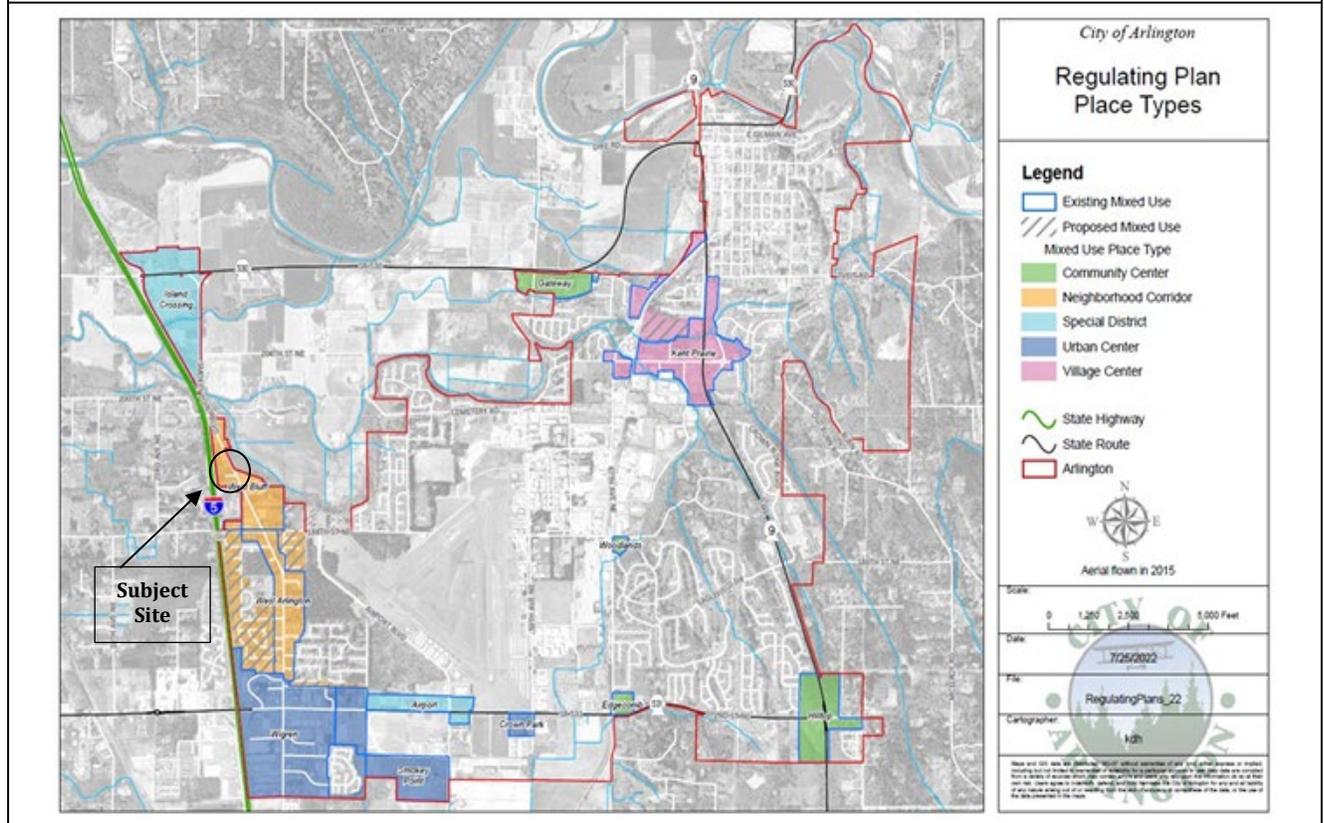
Regulation	Analysis	Meets
<p>20.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions. (d) All public streets shall be constructed with curbs, gutter, sidewalk, and, as provided in Section 20.76.110 (required trees along dedicated streets), landscape strips and street trees. Only standard vertical curbs may be used. Street pavement width shall be measured from curb face to curb face.</p>	<p>The proposed binding site plan and preliminary major unit lot subdivision is required to construct improvements to Smokey Point Boulevard and complete new private drive aisles. The new street sections are required to meet the public works construction standards and be reviewed and approved with the Civil permit.</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 Civil permit prior to the installation of improvements on the site and a Right-of-Way permit prior to the installation of improvement within the public right-of-way.</p>	<p>Yes</p>
<p>Chapter 20.60 AMC, Utilities</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 and comply with the sewer availability approved by the Public Works Director on February 18, 2024.</p>	<p>Yes</p>
<p>20.60.300 Water Supply System Required. Every principal use and every lot within a subdivision shall be served by a water supply system that is adequate to accommodate the reasonable needs of such use or subdivision lot and that complies with all applicable health regulations.</p>	<p>The proposed project 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 and comply with the sewer availability approved by the Public Works Director on February 18, 2024.</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 shall provide sufficient lighting throughout the site that will illuminate the private drive, parking areas, and residences. The street lighting along Smokey Point Boulevard is required to comply with the Complete Streets Lighting Guide. The final lighting plan is required to be submitted, reviewed, and approved with the Civil permit.</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 requires LED or similar lamp type outdoor lighting. The lighting is down shielded to prevent light pollution. The final lighting plans is required to be submitted, reviewed, and approved with the Civil permit.</p>	<p>Yes</p>

Regulation	Analysis	Meets
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.	The proposed project requires down-shielded lighting that illuminates the site but does not shine onto neighboring properties or public rights-of-way. The final lighting plans is required to be submitted, reviewed, and approved with the Civil permit.	Yes
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.	All proposed utilities to and on the site shall be located underground. All utility lines are required to be shown on the Civil plans and shall be approved by the City of Arlington prior to construction activities on the site.	Yes
Chapter 20.72 AMC, Parking		
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.	The project site plan shows paving throughout all drive aisles and parking spaces on the site, with all parking spaces striped. These requirements shall be reviewed and approved through the Civil permit.	Yes
20.72.064 Accessible Parking Spaces. All handicapped parking spaces shall meet all State and Federal Regulations. The parking spaces shall be at least 8 feet wide and shall have an adjacent access aisle at least 5 feet wide. The parking spaces shall have adjacent aisle access to the sidewalk, have required striping and provide display symbols required on the pavement and signage.	The project site plan shows the layout of the accessible parking spaces. The proposed spaces provide 8-foot stalls with 8 feet of adjacent striped area, along with appropriate striping and signage.	Yes

Regulation	Analysis	Meets						
Chapter 20.90 AMC, Concurrency & Impact Fees								
<p>20.90.040 (a) Imposition of Impact Fees on Development Activity. All development projects within the City shall be assessed a transportation impact fee, at the rate of \$3,355.00, based on peak p.m. trips, as computed in accordance with the most current edition of the Institute of Transportation Engineers Trip Generation Manual, as applied to the City's transportation element of the adopted Comprehensive Plan.</p>	<p>The applicant provided a Traffic Impact Analysis prepared by Heath & Associates in January 2024. The traffic analysis concluded that the proposed use would produce 152 new PM peak-hour-trips to the site under Land Use Code (LUC) 220 and LUC 821. The city concurs with the amount proposed for City Traffic Impact Fees as shown below. The fees will be proportionately collected for each phase of the project.</p> <table border="1" data-bbox="834 562 1357 636"> <thead> <tr> <th>Traffic Fee</th> <th># Of Trips</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$3,355.00</td> <td>152</td> <td>\$509,960.00</td> </tr> </tbody> </table>	Traffic Fee	# Of Trips	Total Amount	\$3,355.00	152	\$509,960.00	Yes
Traffic Fee	# Of Trips	Total Amount						
\$3,355.00	152	\$509,960.00						
<p>20.90.230 School Impact Fees. Each development activity, as a condition of approval, shall be subject to the school impact fee of \$0 for each multi-family dwelling units, \$441 per dwelling unit for townhome/duplex, and \$544 per single-family dwelling unit per the Arlington School District most current Capital Facilities Plan and Ordinance No. 2024-025.</p>	<p>The applicant is required to pay the following Arlington School District Impact Fees. This fee is different from the MDNS, as impact fees do not vest and are the fee in place at time of payment.</p> <table border="1" data-bbox="834 835 1357 940"> <thead> <tr> <th>School Impact Fee</th> <th># of 3-Bed Units</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$441.00</td> <td>62</td> <td>\$27,342.00</td> </tr> </tbody> </table>	School Impact Fee	# of 3-Bed Units	Total Amount	\$441.00	62	\$27,342.00	Yes
School Impact Fee	# of 3-Bed Units	Total Amount						
\$441.00	62	\$27,342.00						
<p>20.90.400 Community Parks Impact Fee. (a) Residential developments shall pay a community park impact fee of \$1,497 for each multi-family dwelling unit prior to the issuance of a building permit.</p>	<p>The applicant is required to pay the following Community Parks Impact Fees.</p> <table border="1" data-bbox="834 1031 1357 1146"> <thead> <tr> <th>Community Park Fee</th> <th># of units</th> <th>Total Amount</th> </tr> </thead> <tbody> <tr> <td>\$1,497.00</td> <td>62</td> <td>\$92,814.00</td> </tr> </tbody> </table>	Community Park Fee	# of units	Total Amount	\$1,497.00	62	\$92,814.00	Yes
Community Park Fee	# of units	Total Amount						
\$1,497.00	62	\$92,814.00						
Chapter 20.93 AMC, Critical Area Ordinance								
<p>20.93.230 Compliance. All land uses or development applications shall be reviewed to determine whether an environmentally critical area exists on the property for which the application is filed, what the action's impact to any existing environmentally critical area would be, and what actions are required for compliance with this chapter.</p>	<p>The city concludes that there are no critical areas on or near the site.</p>	Yes						
Chapter 20.98 AMC, State Environmental Policy Act (SEPA)								
<p>20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.</p>	<p>The applicant provided an environmental checklist with the application. The City of Arlington was determined to be the lead agency. A Mitigated Determination of Non-Significance Adoption of Existing Documents was issued for the proposal on April 11, 2024. The comment period for the MDNS was from April 12, 2024 to April 26, 2024. The city received comments during the public comment period, which are listed under Section F</p>	Yes						

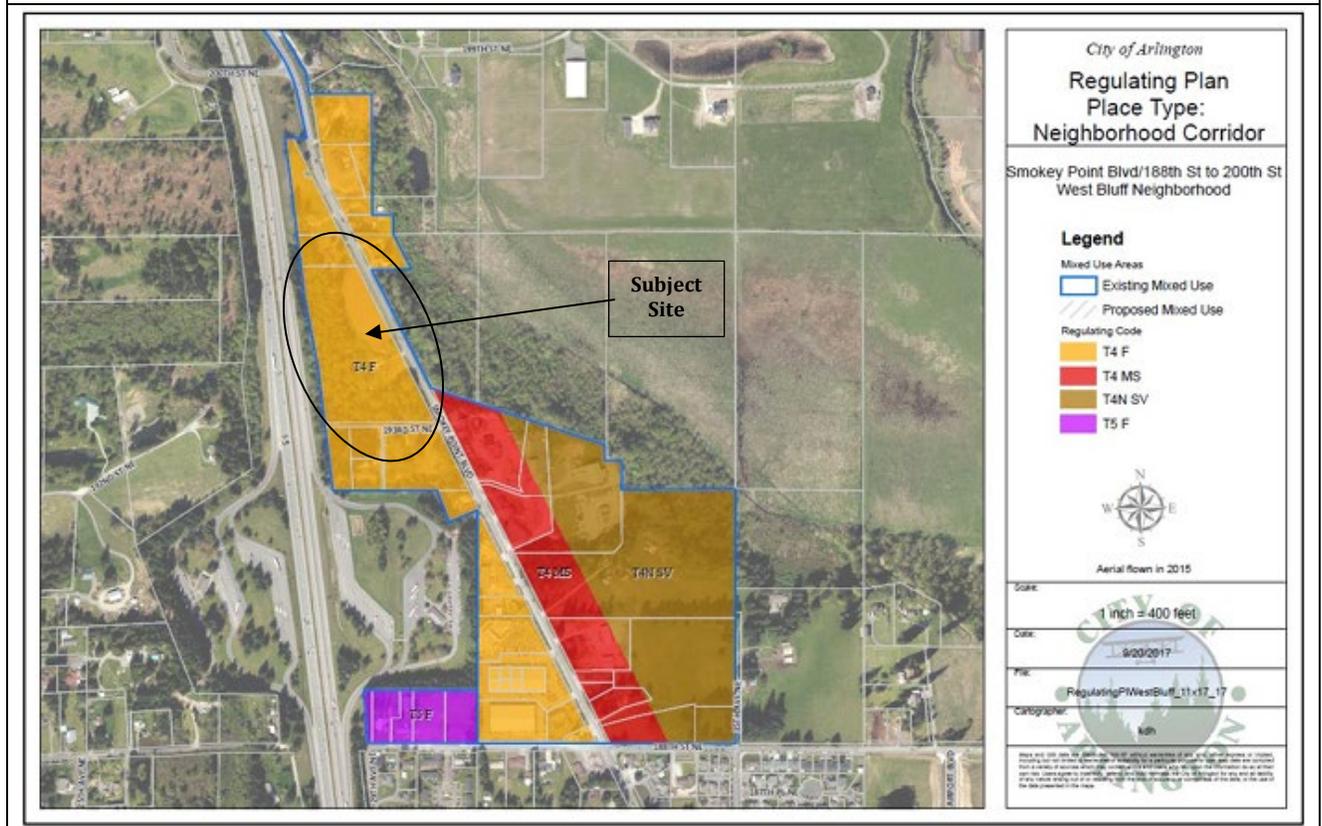
Regulation	Analysis	Meets
Chapter 20.110 AMC, Mixed Use Development Regulations		
20.110.012 (d) Place Types. Place Types are defined by their location and by their intensity of use. The Mixed-Use Development Overlay Plan creates four “Place Type” overlay descriptions, Neighborhood Corridor, Neighborhood Community Center, Neighborhood Village Center, and Urban Center. In addition, due to their unique development context, two Special Districts were created. Special District I and Special District II with unique characteristics.	The proposed project is in the Neighborhood Corridor place type established by the Mixed-Use Development Regulations.	Yes

Regulating Plan Place Types



Regulation	Analysis	Meets
<p>20.110.012 (e) Transect Summary. Zone – T4 Flex (T4-F).</p> <p>Desired Form: Attached, Small to Large Footprint, Simple Wall Plane along Street, Building At ROW, Small to No Side Setbacks, Diverse Mix of Frontages, First Floor Flush with Sidewalk</p> <p>General Use: Vertical and horizontal mixed use: retail, commercial, and residential uses on any floor. Ideal location for live/work conditions.</p> <p>Intent: To provide an urban form that can accommodate a very diverse range of uses, including some light industrial to reinforce walkable neighborhoods and to provide a mix of uses on the ground floor, including residential, thus enabling the retail and service sectors to mature over time, while still allowing occupancy.</p>	<p>The proposed project is in the T4-F Transect of the Neighborhood Corridor Mixed-Use Development Regulations. The project provides medium footprint 3-story live/work units and 2-story townhouses. The project provides a simple wall plane along the east portion of the property, as well as along the private drive aisle throughout the subdivision.</p> <p>The project is part of a mixed-use binding site plan with the commercial located on the north and east portions of the site.</p> <p>The project continues urban form in the area and is accommodating a diverse range of uses. The unit lot subdivision reinforces an internal walkable neighborhood to future commercial uses and provides residential uses on the ground floor. The project will increase walkability along Smokey Point Boulevard to the south as the roadway is reconstructed and additional development occurs.</p>	<p>Yes</p>

Regulating Plan Place Type: Neighborhood Corridor



Regulation	Analysis	Meets												
<p>20.110.014(c)(3) Place Types. <u>Place Type:</u> Mixed Use Neighborhood Corridor <u>Location:</u> Smokey point Boulevard – 173rd Street to 200th Street <u>Use Intensity Transects:</u> T4 Flex (T4-F)</p>	<p>The proposed development is located within the Mixed-Use Neighborhood Corridor. The project is located northwest of the 193rd Street and Smokey Point Boulevard Intersection and in the T4-F Transect.</p>	<p>Yes</p>												
<p>20.110.014(c)(3) T4-F. <u>Intent:</u> To provide a vibrant main street mixed use residential and commercial environment that serves as a focal point for the surrounding neighborhood and provides access to day-to-day amenities within walking distance in urban form. This Mixed-Use Neighborhood Corridor will likely develop into a series of smaller, walkable centers along Smokey Point Boulevard which will ultimately provide sustainable transit service along the route. <u>Key Features:</u> Primary Steet with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.</p>	<p>The proposed project provides a transition of residential and small commercial with the existing residential and commercial uses to the north and south along Smokey Point Boulevard. The project provides medium footprint 3-story live/work units and 2-story townhouses. The project is part of a mixed-use binding site plan with the commercial located within the north and east portions of the site.</p>	<p>Yes</p>												
<p>20.110.014(c)(3) Allowed Building Types. Live / Work Row House / Townhouse</p>	<p>The project has proposed to utilize live/work units and residential townhouses on the subject property. These are allowed building type within the T4-F Transect.</p>	<p>Yes</p>												
<p>20.110.014(c)(3) Building Form, Height.</p> <table border="1" data-bbox="191 1178 740 1591"> <tr> <td>Main Building Stories</td> <td>3 stories max.</td> </tr> <tr> <td>Ground Floor Ceiling Height: Residential</td> <td>10' min. clear</td> </tr> <tr> <td>Ground Floor Ceiling Height: Retail or Service</td> <td>12' min. clear</td> </tr> <tr> <td>Upper Floor Ceiling Height: Residential</td> <td>8' min. clear</td> </tr> <tr> <td>Ground Floor Finish Level: Residential</td> <td>18" max.</td> </tr> <tr> <td>Ground Floor Finish Level: Retail or Service</td> <td>6" max.</td> </tr> </table>	Main Building Stories	3 stories max.	Ground Floor Ceiling Height: Residential	10' min. clear	Ground Floor Ceiling Height: Retail or Service	12' min. clear	Upper Floor Ceiling Height: Residential	8' min. clear	Ground Floor Finish Level: Residential	18" max.	Ground Floor Finish Level: Retail or Service	6" max.	<p>The proposed elevation and floor plans show that the project meets the regulations. Live/Work Building Stories: 3 stories Ground Floor Ceiling Height: 12' 2nd Floor Ceiling Height: 8' 3rd Floor Ceiling Height: 9' Ground Floor Finish Level: 0' Townhouse Building Stories: 2 stories Ground Floor Ceiling Height: 10' 2nd Floor Ceiling Height: 9' Ground Floor Finish Level: 0'</p>	<p>Yes</p>
Main Building Stories	3 stories max.													
Ground Floor Ceiling Height: Residential	10' min. clear													
Ground Floor Ceiling Height: Retail or Service	12' min. clear													
Upper Floor Ceiling Height: Residential	8' min. clear													
Ground Floor Finish Level: Residential	18" max.													
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<p>20.110.014(c)(3) Building Form, Footprint.</p> <table border="1" data-bbox="191 1661 740 1772"> <tr> <td>Ground Floor Space Depth: Residential and Retail or Service - Front</td> <td>40' min.</td> </tr> </table>	Ground Floor Space Depth: Residential and Retail or Service - Front	40' min.	<p>The proposed project has provided a ground floor space depth of 45' 7" for the residential townhouse units and 40'9" for the live/work units.</p>	<p>Yes</p>										
Ground Floor Space Depth: Residential and Retail or Service - Front	40' min.													

Regulation		Analysis	Meets
20.110.014(c)(3) Building Placement, Setbacks.		The proposed project has complied with the building placement and setbacks proposed per the site plan and architectural plans. Front: 5' Smokey Point Blvd & Private Dr Side Street: No Public Side Streets Side: 5' on exterior sides and 0' on interior Rear: 5'	Yes
Front	5' min. 15' max.		
Side Street	5' min. 15' max.		
Rear:	5' min.		
20.110.014(c)(3) Parking, Required Spaces.		The applicant has provided a total of 124 parking spaces within the garages of each individual townhouse unit. The applicant is required to also provide guest parking at a rate of 1 parking space for every 4 units per 20.44.020G(b) for 16 spaces. The commercial is at a rate of 2 per 1,000 sf of commercial square footage. The required minimum parking for all uses is 233 parking spaces. The applicant has provided a total of 285 parking spaces throughout the entire development area: Townhouse Garages: 124 Standard Surface Parking: 104 Compact Surface Parking: 57 ADA Surface Parking: 14	Yes
Townhomes	2 per unit 62 x 2 = 124		
Guest Parking per 20.44.020G(b)	62 / 4 = 16		
Live / Work	2 / 1,000 sf min.		
	3072 / 1000 = 3.072 3.072 x 2 = 6.14 = 7		
Commercial (Lots 1-8)	42,929 / 1000 = 42.929		
	42.929 x 2 = 85.86 = 86		
Total Lot 9	147 Parking Spaces		
Total Site	233 Parking Spaces		
20.110.014(c)(3) Parking, Location		The proposed project complies with the parking space setbacks, as shown on the site plan. The parking is located behind the residential structures and greater than 40 feet from Smokey Point Boulevard. There are no public side streets. The public street parking is exempt.	Yes
Front Setback	40' min.		
Side Street Setback	0' min. 10' max.		
Rear Setback	5' min.		
20.110.014(c)(3) Parking, Parking Drive Width		The proposed project has provided private parking drive aisle widths are 20 - 24 feet in width throughout the site.	Yes
Front < 40 Spaces	20' - 24'		
Side Street/Alley	20' - 24'		
20.110.014(c)(3) Encroachments and Frontage Types, Allowed Encroachments.		The proposed project has not shown any encroachments of the building into the setbacks established from the public right of way.	Yes
Front	10' max.		
Side Street	8' max.		
Rear	2' 6" max.		
20.110.014(c)(3) Encroachments and Frontage Types, Allowed Frontage Types. Shopfront and Awning Porch Engaged		The proposed live/work unit have a shopfront/awning and the townhouses have an engage porch from the ground floor entry to the buildings.	Yes

Regulation	Analysis	Meets						
<p>20.110.014(c)(3) Use Table.</p> <table border="1" data-bbox="191 174 735 296"> <tr> <td data-bbox="191 174 557 212">Residential: Multi-Family</td> <td data-bbox="557 174 735 212">SUP/CUP</td> </tr> <tr> <td data-bbox="191 212 557 249">Retail</td> <td data-bbox="557 212 735 249">SUP/CUP</td> </tr> <tr> <td data-bbox="191 249 557 296">Services</td> <td data-bbox="557 249 735 296">SUP/CUP</td> </tr> </table>	Residential: Multi-Family	SUP/CUP	Retail	SUP/CUP	Services	SUP/CUP	<p>The proposed use of commercial, live/work, and townhouses are allowed on the site. The project is being processed as a binding site plan and preliminary unit lot subdivision, which requires a conditional use permit.</p>	<p>Yes</p>
Residential: Multi-Family	SUP/CUP							
Retail	SUP/CUP							
Services	SUP/CUP							
<p>20.110.014(d) Private Frontage Types.</p> <p>Shopfront and Awning: A frontage wherein the facade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It has substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to the maximum extent possible.</p> <p>Porch Engaged: The main facade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The engaged porch has two adjacent sides of the porch that are engaged to the building while the other two sides are open.</p>	<p>The proposed live/work units are located along the frontage line facing Smokey Point Boulevard to allow building entrance at grade from the sidewalk. Each commercial unit has substantial glazing and an awning that overhangs the sidewalk.</p> <p>The proposed townhouses have an engage porch from the ground floor through a patio and walkway, with landscaping that leads to a covered entry. The porch has two sides engaged to the building and two sides that are open, meeting the requirements.</p>	<p>Yes</p>						
<p>20.110.014 (e) Building Types.</p> <p>Live / Work: This building type is a small to medium sized attached or detached structure that consists of one dwelling unit above and/or behind a flexible ground floor space that can be used for residential, service, or retail uses. Both the ground floor flex space and the unit above are owned by one entity. This type is typically located within medium density neighborhoods or in a location that transitions from a neighborhood into a neighborhood main street. It is especially appropriate for incubating neighborhood serving retail and service uses and allowing neighborhood main streets to expand as the market demands.</p> <p>Row House / Townhouse: This building type is a small to medium sized typically attached structure that consists of 2-8 houses placed side-by-side. This type is typically located within medium density neighborhoods or in a location that transitions from a primarily single-family neighborhood into a neighborhood main street. This type enables appropriate scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.</p>	<p>The proposed project is for a 62-unit lot subdivision project with 62 fee simple lots.</p> <p>The preliminary major unit lot subdivision provides two 8-unit live/work buildings, seven 6-unit townhouse buildings and one 4-unit townhouse building buildings.</p> <p>The project promotes walkability to the commercial uses within the site. Walkability to the surrounding area will improve as Smokey Point Boulevard is reconstructed, along with the development of future commercial and residential developments.</p>	<p>Yes</p>						

Regulation	Analysis	Meets																																				
<p>20.110.014 (f) Block, Thoroughfare, and Public Rights of Way Standards. This section requires block structure, walkability, connectivity, compliance with complete streets program, accessibility, pedestrian facilities, street scrape elements, bicycle facilities, intersection treatments, and meets the thoroughfare standards. Thoroughfare types for this project include a new public street frontage to the north, with private drive aisle throughout the site.</p>	<p>The proposed project is located along Smokey Point Boulevard. The preliminary major unit lot subdivision provides pedestrian and bicycle access to the site from the public street to the private drives. There is connectivity throughout the site. The site complies with complete streets and provides for multiple modes of travel throughout the entire site.</p>	<p>Yes</p>																																				
<p>20.110.014 (g) Parking Standards.</p> <table border="1" data-bbox="191 575 773 730"> <caption>Table 20.110-7: Minimum Parking Spaces Required</caption> <thead> <tr> <th>Residential Townhouse</th> <th>2 per unit</th> </tr> </thead> <tbody> <tr> <td>Residential Guest Parking</td> <td>1 for every 4 units</td> </tr> <tr> <td>Retail or Service</td> <td>2/1000 sf</td> </tr> </tbody> </table> <table border="1" data-bbox="191 751 773 928"> <caption>Table 20.110-8: Minimum Dimensional Requirements</caption> <thead> <tr> <th>Angle</th> <th>Depth</th> <th>Two-Way Drive Aisle</th> <th>Width</th> <th>Length</th> </tr> </thead> <tbody> <tr> <td>60°</td> <td>21'</td> <td>18'</td> <td>9'</td> <td>20'</td> </tr> <tr> <td>Perpendicular</td> <td>18'</td> <td>24'</td> <td>8'</td> <td>18'</td> </tr> </tbody> </table> <table border="1" data-bbox="191 953 773 1087"> <caption>Table 20.110-9: Parking and Loading Area Screening</caption> <thead> <tr> <th>Zone</th> <th>Adjacent Zone</th> <th>Required Screening</th> </tr> </thead> <tbody> <tr> <td>T4, T5</td> <td>T4, or Residential Non-Transsect Zone</td> <td>6' wall, fence, or evergreen hedge</td> </tr> </tbody> </table> <table border="1" data-bbox="191 1117 773 1478"> <caption>Table 20.110-10: Bicycle Parking Requirements</caption> <thead> <tr> <th>Use Type</th> <th>Required Spaces</th> <th>Location</th> </tr> </thead> <tbody> <tr> <td>Residential: Multi-Family</td> <td>1 per 4 bedrooms</td> <td>Either within the building or within 25 feet of the building entrance</td> </tr> <tr> <td>Retail or Service</td> <td>4 stalls or 20% of required off-street automobile parking spaces, which ever is greater (up to a maximum of 30 bicycle spaces)</td> <td>Within 50 feet of public entrance to the building and adjacent to a bicycle path and/or pedestrian walks</td> </tr> </tbody> </table>	Residential Townhouse	2 per unit	Residential Guest Parking	1 for every 4 units	Retail or Service	2/1000 sf	Angle	Depth	Two-Way Drive Aisle	Width	Length	60°	21'	18'	9'	20'	Perpendicular	18'	24'	8'	18'	Zone	Adjacent Zone	Required Screening	T4, T5	T4, or Residential Non-Transsect Zone	6' wall, fence, or evergreen hedge	Use Type	Required Spaces	Location	Residential: Multi-Family	1 per 4 bedrooms	Either within the building or within 25 feet of the building entrance	Retail or Service	4 stalls or 20% of required off-street automobile parking spaces, which ever is greater (up to a maximum of 30 bicycle spaces)	Within 50 feet of public entrance to the building and adjacent to a bicycle path and/or pedestrian walks	<p>The proposed project provides 2 parking spaces in structured garages for each unit (124 parking spaces), along with 32 standard/compact and 2 ADA surface guest parking spaces. The parking spaces in the garages and the surface parking spaces are perpendicular.</p> <p>The commercial lots provide for perpendicular surface parking for 84 standard/compact parking spaces and 8 ADA parking spaces.</p> <p>The street parking in Tract 999 provides for 60° back in parking for 45 standard/compact parking spaces and 4 ADA parking spaces.</p> <p>The perpendicular parking within the garages and surface parking are all a minimum of 8' x 18' and the 60° parking within Tract 999 are all a minimum of 9' x 21'</p> <p>The proposal provides screening of the parking areas through buildings or landscaping on all sides of the development, except for the on-street back in parking along Smokey Point Boulevard, which does not require screening.</p> <p>The townhouses provide bicycle parking within the garage of each unit. The commercial portion of the project proposes a total of 20 parking spaces.</p>	<p>Yes</p>
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Residential Guest Parking	1 for every 4 units																																					
Retail or Service	2/1000 sf																																					
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<p>20.110.014 (h) Civic and Open Space Standards. Publicly accessible civic spaces are an essential component of a walkable urban environment. Every residential development shall be constructed so that at least 5% of the total development remains permanently as usable open space. The Gross Site Area is 340,970 and</p> <table border="1" data-bbox="191 1864 724 1936"> <thead> <tr> <th>Total Area</th> <th>Percent</th> <th>Total SF</th> </tr> </thead> <tbody> <tr> <td>340,970</td> <td>X 5%</td> <td>17,049</td> </tr> </tbody> </table>	Total Area	Percent	Total SF	340,970	X 5%	17,049	<p>The total site includes 340,970 sf, which requires a total of 17,049 square feet. The applicant has proposed 86,224 sf of open and park space, fulfilling this requirement. The proposed preliminary major unit lot subdivision has a gross area of 208,955, which requires 10,448 sf, and the applicant has provided 11,100 sf of open space on the site per Binding Site Plan Sheet 4 and Site Plan Sheet S2.</p>	<p>Yes</p>																														
Total Area	Percent	Total SF																																				
340,970	X 5%	17,049																																				

Regulation	Analysis	Meets																																																			
<p>20.110.014 (i) Landscaping, Fencing, and Screening Standards. Landscaping shall be a major component of site design to create a city that has a strong landscaped character.</p> <table border="1" data-bbox="191 285 784 411"> <thead> <tr> <th rowspan="2">Zones</th> <th colspan="3">Landscaping Components</th> </tr> <tr> <th>Frontage Landscaping</th> <th>Parking Area Landscaping</th> <th>Automatic Irrigation</th> </tr> </thead> <tbody> <tr> <td>T4-F</td> <td>Required</td> <td>Required</td> <td>Not Required</td> </tr> </tbody> </table> <table border="1" data-bbox="191 443 784 684"> <caption>Table 20.110-14: Required Interior Parking Lot Landscaping</caption> <thead> <tr> <th>Number of Parking Spaces</th> <th>Percent of Gross Parking Area in Landscaping</th> </tr> </thead> <tbody> <tr> <td>6 or fewer</td> <td>0%</td> </tr> <tr> <td>7-15</td> <td>4%</td> </tr> <tr> <td>16-30</td> <td>8%</td> </tr> <tr> <td>31-70</td> <td>12%</td> </tr> <tr> <td>71 and over</td> <td>16%</td> </tr> </tbody> </table> <table border="1" data-bbox="191 716 784 1549"> <caption>Table 20.110-15: Tree Requirements for Parking and Lot Landscaping</caption> <thead> <tr> <th>Landscaping Component</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Amount</td> <td>1 tree per 4 stalls*</td> </tr> <tr> <td>Can Size</td> <td>15 gallons</td> </tr> <tr> <td>Box Size</td> <td>20% must be 24 inches</td> </tr> <tr> <td>Caliper</td> <td>1" minimum</td> </tr> <tr> <td>Minimum Height at Installation</td> <td>6'8"</td> </tr> <tr> <td>Minimum Mature Canopy</td> <td>40'</td> </tr> <tr> <td>Characteristics</td> <td>High Branching, Broad Headed, Shaded Form</td> </tr> <tr> <td>Installation</td> <td>Root Barriers and Deep Root Irrigation</td> </tr> <tr> <td>Location</td> <td>Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.</td> </tr> <tr> <td>Required Border</td> <td>6" high curb or equivalent</td> </tr> <tr> <td>Border and Stormwater</td> <td>Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.</td> </tr> <tr> <td>Minimum Tree Well Width</td> <td>5'</td> </tr> <tr> <td>Car Overhangs</td> <td>Must be prevented by stops.</td> </tr> </tbody> </table>	Zones	Landscaping Components			Frontage Landscaping	Parking Area Landscaping	Automatic Irrigation	T4-F	Required	Required	Not Required	Number of Parking Spaces	Percent of Gross Parking Area in Landscaping	6 or fewer	0%	7-15	4%	16-30	8%	31-70	12%	71 and over	16%	Landscaping Component	Description	Amount	1 tree per 4 stalls*	Can Size	15 gallons	Box Size	20% must be 24 inches	Caliper	1" minimum	Minimum Height at Installation	6'8"	Minimum Mature Canopy	40'	Characteristics	High Branching, Broad Headed, Shaded Form	Installation	Root Barriers and Deep Root Irrigation	Location	Along the line between or at the back of parking bays. At both ends of a line of parking spaces. Evenly spaced to provide uniform shade.	Required Border	6" high curb or equivalent	Border and Stormwater	Curbs shall provide breaks every 4' to provide drainage to retention and filtration areas.	Minimum Tree Well Width	5'	Car Overhangs	Must be prevented by stops.	<p>The proposed project has provided landscaping throughout the property and within open space, recreational space, and parking areas per the Landscape Plans. Any proposed irrigation shall be submitted, reviewed, and approved with the Civil Permit.</p> <p>The project requires shading for the required surface parking on the site. The total required parking spaces (not including the garage parking) is 109 parking spaces. The required parking lot landscaping is 16%.</p> <p>The landscape plans show all required landscaping components have been met. The interior shade trees between the building and parking spaces are proposed to be 1 ½" or 2" caliper. The street frontage trees are proposed to be 2" caliper and be spaced every 30' on center. All trees will be planted with root barrier per the City of Arlington Standard R-260 along the public rights-of-way. All parking lot landscaping is proposed to be contained within planting beds with a minimum of 6" curbing that provides stormwater breaks.</p>	<p>Yes</p>
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<p>20.110.014 (i) Landscaping, Fencing, and Screening Standards. Fences shall be constructed of wood, metal, masonry, or other permanent materials designed for permanent fencing.</p> <table border="1" data-bbox="191 1717 769 1906"> <caption>Table 20.110-16: Maximum Height of Fences or Walls</caption> <thead> <tr> <th>Location of Fence or Wall</th> <th>Maximum Basic Height</th> <th>Maximum Height Exceptions</th> </tr> </thead> <tbody> <tr> <td>Within front or street side setback</td> <td>4'</td> <td>6'</td> </tr> <tr> <td>Within interior side or rear setback</td> <td>6'</td> <td>8'</td> </tr> </tbody> </table>	Location of Fence or Wall	Maximum Basic Height	Maximum Height Exceptions	Within front or street side setback	4'	6'	Within interior side or rear setback	6'	8'	<p>The applicant has proposed a wall on the west and south property lines. The wall provides a barrier from Interstate 5 to the west and 193rd Street to the south of the binding site plan and preliminary major unit lot subdivision.</p>	<p>Yes</p>																																										
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Regulation	Analysis	Meets																												
<p>20.110.014 (j) Low Impact Development. This is an approach to stormwater management with the goal to mimic a site’s predevelopment hydrology by using design methods that infiltrate, filter, store, evaporate, and detain runoff close to its source. The stormwater is regulated by AMC 13.28 and the 2019 DOE Stormwater Management Manual for Western Washington.</p>	<p>The preliminary drainage on the site is conceptually feasible. The stormwater is proposed to be conveyed and managed on-site through multiple infiltration trenches and catch basins, along with a bioretention area All stormwater is required to meet the most current version of the Department of Ecology Stormwater Management Manual for Western Washington and the City of Arlington Public Works Standards and Specifications. The final drainage plan shall be approved with the Civil permit.</p>	<p>Yes</p>																												
<p>20.110.014 (k) Outdoor Lighting Standards. All outdoor lighting must comply with the following requirements.</p> <table border="1" data-bbox="191 716 769 774"> <tr> <th colspan="2">Table 20.110-17: Lighting Zones</th> </tr> <tr> <td>LZ-4</td> <td>T4-F</td> </tr> </table> <table border="1" data-bbox="191 804 769 953"> <tr> <th colspan="2">Table 20.110-18: Total Site Lumen Limits</th> </tr> <tr> <td></td> <td>LZ-4</td> </tr> <tr> <td>Total site lumens allowed per square feet of impervious/semi-impervious surface area</td> <td>7.5 Lumens</td> </tr> </table>	Table 20.110-17: Lighting Zones		LZ-4	T4-F	Table 20.110-18: Total Site Lumen Limits			LZ-4	Total site lumens allowed per square feet of impervious/semi-impervious surface area	7.5 Lumens	<p>The project is required to provide lighting that meets the requirements of the T4-F transect. The lighting plan shows the project has followed the lighting zones and lumen limits. The final lighting plan is required to be submitted, reviewed, and approved with the Civil permit.</p>	<p>Yes</p>																		
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Regulation	Analysis	Meets
<p>20.110.014 (l) (1) Architectural Standards: Compatibility with Surrounding Developments. Arlington and Regional Compatibility Standard: At least one of the following elements:</p> <ol style="list-style-type: none"> 1. A roof overhang with a minimum depth of 4 feet where the entry is in a one-story form. 2. Recessed into the building to minimum depth of 3 feet. 3. An awning or canopy with a minimum depth of 4 feet; and/or 4. A gallery, where allowed in a Transect, construction per section 20.110.014(d). <p>Neighborhood Compatibility Standard:</p> <ol style="list-style-type: none"> 1. Materials and colors 2. Scale and proportions of form. 3. Scale, proportion, pattern, and approximate head heights of doors and windows; and 4. Approximate floor level elevations 	<p>The proposed development has met the compatibility of the surrounding developments, shown on the Architectural Plans.</p> <p>Regional Compatibility: The design of the building has incorporated design features to address the local weather and compliment regional aesthetics. Every entry has provided a roof overhang for the front porch, which creates cover from the elements.</p> <p>Neighborhood Compatibility: The building designs incorporate those forms located to the north and south of the property. The buildings have roof forms of shed, gabled, and hipped that are widely used throughout the entire area. The colors and materials are muted in tone but offer a variety of natural colors and textures that match existing buildings in the broader area, but also make this development unique. This is a multi-building development, and the proposed structures share roof forms, all have covered entries, provide lap, metal, brick, and board and batten siding, trim, glass railings, and garage doors with glazing. The exterior includes a palette of colors (grays and browns), along with textures creating a cohesive design.</p>	<p>Yes</p>
<p>20.110.014 (l) (2) Architectural Standards: Compatibility within a Multiple Building Development. All buildings in a multiple building development, shall be designed with size, building massing, building materials, colors, and setbacks that are consistent within the place types in which they are located.</p>	<p>The proposed project consists of ten buildings on Lot 9 and eight buildings on Lots 1-8, one on each lot, on the site that are the same general design, with similar colors and materials. This project is the first mixed-use development in the area.</p>	<p>Yes</p>
<p>20.110.014 (l) (3) Architectural Standards: Four-Sided Design. The building shall provide consistent architectural design and details to ensure consistent building details and proportions on all sides of the building. Roof equipment shall be screened from the view of pedestrians and vehicles on all sides with a screen that is at a minimum the same height as the equipment. Utilities shall be 100% screened from the view of the public and internal streets.</p>	<p>The proposed project has architectural design and details on all four sides of the buildings, providing consistent style, colors, and materials.</p> <p>The HVAC equipment shall be screened and designed to blend in with the building.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.110.014 (l) (4) Architectural Standards: Signage and Design Elements. A building shall not be dominated by corporate or trademark architectural details; a building shall be compatible with other surrounding buildings and should not consist of building forms that primarily serve as signage and marketing elements. All street frontages and signage material shall be integrated into the overall design of the building. Signs shall be located to complement the architectural features of a building such as above the building entrance, storefront opening, or other similar features.</p>	<p>The proposed project does not have any proposed dominate corporate or trademark architectural details. If the project provides future signage for the project. The signage shall meet all requirements of AMC 20.68 and blend in with the overall building.</p>	<p>Yes</p>
<p>20.110.014 (l) (5) Architectural Standards: Building Height and Transition. Abrupt or severe differences in building scale or massing within mixed use developments, or in adjacent developments can dwarf or overwhelm the neighboring areas. Buildings shall be designed to minimize this difference in scale.</p>	<p>The project has proposed three-story townhouse style live/work buildings, two-story townhouse buildings, and two-story commercial buildings. The design height of the building meets the requirements for the zone and there are no abrupt or severe differences in building scale or massing within the complex.</p>	<p>Yes</p>
<p>20.110.014 (l) (6) Architectural Standards: Building Materials. The building shall be attractive and durable. To ensure this, buildings shall be constructed of high-quality materials and require minimal maintenance. The exterior building materials are classified according to their visual weight; and shall include Heavy, Light and Roofing Materials. Heavy materials shall be located below medium and light materials and medium materials below light materials.</p>	<p>The proposed project buildings utilize a mixture of horizontal wide exposure fiber cement lap siding and brick to for the heavy base of the structures. Light and medium materials are located above the heavy materials and include both horizontal and vertical board and batten, interspersed with faux-wood vertical metal plank system. The structures provide vertical material changes where appropriate with changes in the building wall plane and massing. Trim is provided around all windows and throughout the building facades. This is shown on the Architectural Plans.</p>	<p>Yes</p>
<p>20.110.014 (l) (7) Architectural Standards: Building Modulation and Articulation. Long, large buildings can be monotonous if they contain large or long expanses of surface area with no detailing or shadow lines; recesses and projections in building walls help to proportion and subdivide the massing of large buildings. Any façade exceeding 30 feet in length shall include at least one change in wall plane, such as projections or recesses, having a depth of at least 3% of the entire length of the façade; this projection or recess shall extend over at least 20% of the entire length of the façade. A building base and building top shall be recognizable through materials, textures, treatments, and roofing.</p>	<p>The project has proposed many vertical and horizontal elements, including modulation and articulation on all sides of the building. The elevations show the building bump outs, shed, gable, and hip roofs, entry porches, and other modulation techniques.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.110.014 (l) (8) Architectural Standards: Building Scale. To ensure a comfortable pedestrian experience, the scale of large buildings shall be visually reduced by elements that divide a large building into smaller proportions. Building walls shall be subdivided and proportioned using features such as windows, entrances, storefronts, arcades, arbors, awnings, trellises, or other similarly scaled architectural details. These features shall cover at least 90% of the building's front wall length and at least 60% of other building wall lengths.</p>	<p>The project proposes a pleasing pedestrian experience by breaking up the building elements and dividing the building into smaller proportions. The front elevation incorporates porches, windows, and vertical and horizontal modulations that cover 90% of the street elevation. The remaining elevations utilize the same elements and cover at least 60% of each elevation.</p>	<p>Yes</p>
<p>20.110.014 (l) (9) Architectural Standards: Pitched Roofs and Eaves. Pitched roofs shall be simple hip, shed, or gable configurations. Roofline offsets shall be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. The use of alternating dormers, stepped roofs, gables, or other roof elements can be used to add visual relief and articulation to the overall building form.</p>	<p>The project proposes a pitched roof, through shed, gable, and hip roofs providing architectural interest and variety along the frontage and rear sides of the building structure.</p>	<p>Yes</p>
<p>20.110.014 (l) (10) Architectural Standards: Gutters, Downspouts, and Scuppers. Building devices used to control rainwater shall be compatible with the roofing system and shall not dominate the façade of a building. Parapets and cornices shall not be interrupted by stormwater elements. Gutters, downspouts, and scuppers shall be constructed of high-quality, commercial grade metal. These elements shall be integrated into the design of the elevation, placed in harmony with the forms and openings. Parapets shall be continuous above scuppers. Gutters are prohibited on float roofs.</p>	<p>The gutters and downspouts are proposed to be painted so they are incorporated into the building design.</p> <p>The gutters and downspouts for the buildings are required to be shown on the building plans and shall be approved prior to the issuance of the building permit.</p>	<p>Yes</p>
<p>20.110.014 (l) (11) Architectural Standards: Customer and Public Entrances. Customer and public entrances shall ensure accessibility to the public, create primary focal points for the façade, and provide a comfortable proportion for the pedestrian entry. Buildings larger than 50,000 square feet shall provide at least two customer or public entrances. Buildings smaller than 50,000 square feet are encouraged to provide multiple customer or public entrances. Buildings shall orient customer or public entrances toward a public street or an internal street or drive. Each building on a site shall have clearly defined, highly visible customer entrances.</p>	<p>The customer and public entrances are shown on the live/work units and the commercial buildings. The public entrances are visually dominant through the use of projecting canopies, storefront glazing, prominent lighting features, signage, structural posts on engaged plinths, and the use of enhanced exterior finishes.</p>	<p>Yes</p>

Regulation	Analysis	Meets						
<p>20.110.014 (l) (12) Architectural Standards: Windows. Windows shall be vertically proportioned; this allows the window opening to appear to be structurally supported. Window openings on brick, stone, cast stone, or synthetic stone buildings shall not be trimmed. Lintels, sills, and arches are not considered trim. Window openings without trim or molding shall have window frames at least 2 inches wide when looking at the finished façade of the building. Upper story windows shall align with ground floor windows, ground floor doors, and the building modulations. Display window light sources shall not be visible from the exterior of the building.</p>	<p>The live/work and commercial buildings provide storefront entrance systems that provide windows along the entire frontage of the buildings. The residential windows of the live/work units and townhomes proposed both horizontal and vertical alignments with a variety of sizes and strategic placement. All windows are proposed with 2 inches of trim.</p>	<p>Yes</p>						
<p>20.110.014 (l) (13) Architectural Standards: Glazing. The ground floor of commercial buildings shall be transparent for visual connection to the pedestrians and is usually necessary for most retail structures.</p> <table border="1" data-bbox="191 814 829 951"> <thead> <tr> <th data-bbox="191 814 354 890">Transect</th> <th data-bbox="354 814 591 890">Minimum Glazing on Primary Facades</th> <th data-bbox="591 814 829 890">Minimum Transparency on Primary Facades</th> </tr> </thead> <tbody> <tr> <td data-bbox="191 890 354 951">T4-F</td> <td data-bbox="354 890 591 951">50% of pedestrian view plane</td> <td data-bbox="591 890 829 951">25% of pedestrian view plane</td> </tr> </tbody> </table> <p>Between 25% and 60% of the second-floor façade and above shall be transparent glazing. Transparent glass shall possess a minimum 60% light transmittance factor. Areas of the buildings that are functionally restricted from providing vision glass may be exempted provided other architectural scaling techniques are employed. No highly reflective glazing shall be permitted within the lower 80% of the building façade (maximum reflectance factor of .20). No first-floor reflective coating is permitted.</p>	Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades	T4-F	50% of pedestrian view plane	25% of pedestrian view plane	<p>The project has proposed many windows on all floors of the building. The live/work units and the commercial buildings provides over 50% windows along the store fronts and provides over 25% of the second and third story facades with windows. The residential only buildings are exempt from this requirement. No first-floor reflective coating is permitted.</p>	<p>Yes</p>
Transect	Minimum Glazing on Primary Facades	Minimum Transparency on Primary Facades						
T4-F	50% of pedestrian view plane	25% of pedestrian view plane						
<p>Chapter 13.28 AMC, Stormwater</p>								
<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: (3) New Development</p>	<p>The proposed project is subject to meeting the required stormwater regulations for the site. The project has received conceptual approval for the stormwater design. A Civil Permit shall be required for all site improvements. 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>						

E. PUBLIC COMMENTS

Public Comment	Response
Public comments received during the Notice of Application and MDNS comment periods, along with the Neighborhood Meeting for the Smokey Point Ridge Binding Site Plan PLN #1198 and Preliminary Major Unit Lot Subdivision Conditional Use Permit PLN #1199.	The city received comments from the following agencies. The Stillaguamish Tribe of Indians Washington State Department of Transportation Washington State Department of Transportation – Aviation Division A summary of these comments is provided below.
The Stillaguamish Tribes of Indians provided comments regarding an archaeological monitor be on site for ground disturbing activities and would request review of any archaeological monitoring plans and notification of ground disturbance. Exhibit #25	The city responded to the Stillaguamish Tribe of Indians and sent the cultural report that was submitted with the project. The permit will be conditioned with a requirement to notify the tribe of any ground disturbance activities.
WSDOT requested to review a hydraulics report to ensure that Interstate 5 would not be affected, and that the stormwater would not be leaving the site for PLN #1198. WSDOT had no comments for PLN #1199. Exhibit #26	The city responded to WSDOT with updated stormwater and hydraulics report to show that stormwater drainage would be contained on site. WSDOT replied with an email that confirmed that the stormwater drainage would not leave the site and that no further review was needed.
WSDOT Aviation provided comments regarding the Airport Compatibility Zone 4 and asked that the residential development be less than 15 dwelling units per acre and at a minimum the residents should be notified of the proximity of the airport on real estate notices or on the property title. Exhibit #27	The city reviewed the comments. The applicant is required to provide aviation easement information on both the Binding Site Plan and on the Final Major Unit Lot Subdivision. Both of these documents will be recorded. The project provides 12.86 dwelling units per acre, which is under the maximum called out from the comment letter.

F. CONCLUSION & RECOMMENDATION

- (a) The applicant has applied for a Binding Site Plan and Preliminary Major Unit Lot Subdivision Conditional Use Permit as required under AMC 20.16.
- (b) Under AMC 20.16.225(c), subject to Subsection (d) the designated decision-maker shall issue the requested permit unless it concludes, based upon the information submitted at a hearing if there is a hearing or by signed letter if there is not, that:

Regulation	Analysis	Meets
Chapter 20.16.225 (c)		
(1) The requested permit is not within its jurisdiction according to the table of permissible uses.	The property is within the city limits and the City of Arlington Zoning Map identifies the subject property as Commercial Corridor. Binding Site Plans, Unit Lot Subdivisions and Townhomes are permissible uses per AMC 20.40.130.	Yes
(2) The application is incomplete.	The City determined the subject application complete on March 14, 2024.	Yes

Regulation	Analysis	Meets
(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 Binding Site Plan and Preliminary Unit Lot Subdivision projects comply with all required sections of AMC Title 20 per this staff analysis.	Yes
(4) The proposed project had not complied with SEPA.	The City issued an MDNS on April 11, 2024. No parties appealed the MDNS, and public comments received are addressed in Section F.	Yes
(5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, or other adopted plans, regulations, or policies.	The requested Binding Site Plan and Unit Lot Subdivision Conditional Use Permit, as conditioned, is consistent with all adopted plans, regulations, policies, and AMC Title 20 requirements.	Yes

Under AMC 20.16.225 (d), even if the permit-issuing authority finds that the application complies with all other provisions of this title, it may still deny the permit if it concludes, based upon the information submitted at the hearing, that if completed as proposed, the development, more probably than not will not meet the requirements of AMC 20.16.260 (a), shown below.

- (c) Under AMC 20.16.260(a), subject to Subsection (b), in granting a conditional use permit, the hearing examiner may attach to the permit such reasonable requirements in addition to those specified in this title as will ensure that the development in its proposed location:

Regulation	Analysis	Meets
Chapter 20.16.260 (a)		
(a) Will materially endanger the public health or safety.	The City concludes that the proposed development will not materially endanger the public health or safety of the City of Arlington. The proposed development has met the intent of the zoning and the mixed-use development regulations.	Yes
(2) Will materially harm adjoining or abutting property.	The City concludes that the proposed development, as mitigated and conditioned, will not materially harm adjoining or abutting property.	Yes
(3) In terms of design and use will not be compatible with the area in which it is located.	The City concludes that, in terms of the site design/layout, building design and the proposed residential use, that the proposed development will be compatible with the surrounding land uses in the area in which it is located.	Yes
(4) Will be in conformity with the land-use plan, transportation plan, or other plan officially adopted by the council.	The requested Binding Site Plan and Unit Lot Subdivision Conditional Use Permit, as conditioned, is consistent with all adopted plans, regulations, policies, and AMC Title 20 requirements.	Yes

Such reasonable requirements need not be specifically authorized by other chapters of the AMC but do need to address specifically identified, project-related impacts.

Under AMC 20.16.260(b), the permit-issuing authority may not attach additional conditions that modify or alter the specific requirements set forth in this code unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements.

- (d) The City of Arlington recommends approval of the Binding Site Plan and Preliminary Major Unit Lot Subdivision Conditional Use Permit subject to conditions specified in Section G below.

G. CONDITIONS

Land Use Approval

1. All development shall be in substantial conformance with the Binding Site Plan received on December 9, 2024, the Preliminary Major Unit Lot Subdivision and Civil Plans received on December 16, 2024, Landscape Plans received on December 16, 2024, Architectural Plans received on March 1, 2024, and Lighting Plans received on June 17, 2024, subject to any conditions or modifications that may be required as part of the permit and construction plan review.
2. All development shall be in substantial conformance with all Exhibits of the Hearing Examiner Public Hearing held on February 4, 2025.
3. The property owner or applicant of the project shall provide notification of ground disturbance to The Stillaguamish Tribe of Indians prior to any grading or clearing of the subject properties.
4. The property owner or applicant of the project shall clear all invasives and provide mitigation plantings as shown on the approved site plan and landscape plan on Tract A prior to dedication to the City of Arlington.
5. The approved Preliminary Major Unit Lot Subdivision Conditional Use Permit shall expire five (5) years after the date of the Notice of Decision per AMC §20.16.280.
6. No permits and/or construction pursuant to the Preliminary Major Unit Lot Subdivision Conditional Use Permit shall begin or be authorized until 21 days from the date of the decision.
7. The homeowner's association is responsible for managing all parking for residents on the site with the proposed number of parking stalls. If parking issues arise it is the responsibility of the homeowner's association to limit the number of cars a property owner or tenant can have on the site. Parking is not allowed off-site unless a parking agreement is reviewed and approved by the city and recorded with the Snohomish County Auditor's Office.
8. The development shall meet all Title 20 AMC regulation requirements.
9. The developer shall meet all local, state, or federal code requirements.
10. The developer shall clear any outstanding Planning Division permit-processing accounts with the City within 30 days of issuance of this permit.

SEPA MDNS Conditions

The developer shall comply with all conditions of the SEPA MDNS Adoption of Existing Documents issued on April 11, 2024.

Description of Document Being Adopted: Mitigated Determination of Non-Significance issued by the City of Arlington on January 3, 2024 for the Smokey Point Mixed Use Clearing Forest Practice Permit (PLN#1163) and Grading Permit (PWD#3514). This MDNS included all impacts and mitigation for the removal of 95 significant trees, approximately 3,950 cubic yards of cut, and 40,000 cubic yards of fill on the site. There was no appeal on the Mitigated Determination of Non-Significance.

Additional Mitigation Measures include the following:

11. **(B)(10) Aesthetics:** The proposal is required to meet the Mixed-Use Development Regulation Design Standards of AMC 20.110.014(l) with each development permit.

12. **(B)(11)(a) Light and Glare:** To mitigate for 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. Street lighting is required to be installed along Smokey Point Boulevard. The applicant shall follow the Street Lighting Guide of the Complete Streets Program for approved roadway lighting luminaire fixture and poles.
13. **(B)(12)(c) Recreation:** The proposed development has provided and met the mini-park requirements through a variety of amenities on the site. The proposed 62 multi-family residential units shall pay Community Park Impact Fees in the amount of \$92,814.00 (\$1,497 x 62). The applicant shall pay all community park impact fees prior to building permit issuance.
14. **(B)(14)(d) Transportation:** The proposal is required to construct frontage improvements along Smokey Point Boulevard. These improvements include drive aisle, back-in angled parking spaces, median, curb, gutter, sidewalk, and street trees.
15. **(B)(14)(f) Transportation:** Trip generation for the proposed development has been calculated by Heath & Associates Consultants through a Traffic Impact Analysis. The report references land use code 220 for low rise multi-family for the 62 residential townhomes and the residential portion of the live/work units, land use code 710 for general office to capture the approximate 4,448 square feet of commercial within the live/work units, and land use code 821 for shopping plaza for approximately 42,929 square feet of commercial per the ITE Trip Generation Manual, 11th Edition. These uses result in 152 PM Peak Hour Trips (1954 Average Daily Trips). The Applicant is required to pay the following Traffic Impact Fees as proposed in the Traffic Impact Analysis:
 - City of Arlington Traffic Impact Fees = \$509,960.00 (\$3,355/trip x 152 PMPHT)
 - WSDOT Traffic Impact Fees = \$70,344.00 (\$36/trip x 1954 ADT)The applicant shall pay all traffic impact fees prior to building permit issuance.
16. **(B)(15) Public Services:** The proposal is within the Arlington School District and is required to pay \$2,328 for every two/+ bedroom multi-family dwelling unit. The proposed development consists of 62 3-bedroom units, for a total of \$144,336.00 in school mitigation fees. The applicant shall provide the City a copy of payment/receipt to Arlington School District prior to building permit issuance.
17. **(B)(16)(a) Utilities:** The applicant shall receive approval and 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 Civil Construction phase of the project. All utilities shall be installed underground.

Civil Construction:

18. Prior to any construction activities, the applicant shall file and receive approval of a Civil Construction Permit which comply with all requirements of the Land Use Code, International Building Code, International Fire Code and Public Works Construction Standards and Specifications. Said plans shall address all site improvements, either required or voluntarily provided.
19. The applicant shall submit a final landscape and lighting plan with the Civil Construction Permit.
20. The project is subject to submit a Right-of-Way Permit for all work within the public right-of-way.
21. All stormwater is required to meet the most current edition Department of Ecology Stormwater Management Manual for Western Washington. The final drainage plan shall be approved with the Civil permit.
22. The applicant is required to obtain utility permits from the City of Arlington for water and sanitary sewer connections.
23. The applicant is required to provide an automatic irrigation system on the site. The proposed irrigation plan shall be submitted with the Civil Permit.

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.

Binding Site Plan Conditions:

25. The applicant shall record the use agreement along the north property line and all new legal descriptions and place recording numbers on Binding Site Plan prior to recording.
26. The Binding Site Plan shall be recorded prior to the Final Major Unit Lot Subdivision on Lot 9 of the project.
27. The applicant shall record the Binding Site Plan within 30 days of city signature with the Snohomish County Auditor's Office and provide the City of Arlington with an electronic conformed copy.
28. Binding Site Plan Lots #1-8 shall apply and receive approval for a Special Use Permit prior to the issuance of the building permits for each lot.

Prior to Final Unit Lot Subdivision Submittal:

29. The applicant shall submit a copy of the incorporation of the Homeowner's Association and the Covenants, Conditions, and Restrictions with the final major unit lot subdivision application. The CC&Rs shall include the following:
- a. No parking allowed along the public alley
 - b. No storage of inoperable motor vehicles.
 - c. Maintenance of private lots, buildings, and abutting right-of-way for the site.

Prior to Final Unit Lot Subdivision Approval:

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

Building:

34. The Final Unit Lot Subdivision shall be recorded at Snohomish County Auditor's Office and the recorded document returned to the City of Arlington prior to issuance of any Building Permits.
35. The proposed building plans shall be compliant with the elevations and floor plans meeting the architectural standards of AMC 20.110, that were received on December 20, 2024, subject to minor conditions or modification that may be required as part of the permit review.
36. Prior to issuance of the building permit, the applicant shall complete all required or voluntary improvements approved with the Civil Permit, unless otherwise secured and authorized by the City Engineer.

37. The project is subject to applicable water and sewer utility fees. These fees are collected at the time of building permit issuance.
38. Prior to issuance of building permits, all associated impact fees shall be paid.
39. Building signage is required to be permitted through a sign permit application. All signage requires city approval prior to installation. The signage shall meet all code requirements and blend in with the overall building design.

Other:

40. Business Licenses for all contractors working on the site shall be required to obtain a City of Arlington Business License.
41. The placement of Snohomish County PUD transformer cases shall be reviewed and approved by the city. All cases that abut public right-of-way are required to be decoratively wrapped.

I. DECISION

- (a) The decision whether to approve or deny this proposal shall be made by the Hearing Examiner.
- (b) Per AMC 20.16.280 (b), Conditional Use Permit for major plats shall expire automatically if, within five (5) years after the issuance of such permits:
 1. The plat has not been submitted for final plat, or
 2. A one-year extension has not been granted per AMC 20.16.280 (e).

J. RECONSIDERATION OF PERMIT – ISSUING AUTHORITY’S ACTION

Reconsideration of permits shall follow the requirements of AMC 20.16.300.

- (a) Except as pursuant to Subsection (b), whenever (i) the hearing examiner disapproves a conditional use permit application, or (ii) the community and economic development director or hearing examiner disapproves an application for a special use permit or a variance, on any basis other than the failure of the application to submit a complete application, such action may not be reconsidered by the respective permit-issuing authority at a later time unless the applicant clearly demonstrates that:
 - (1) Circumstances affecting the property that is the subject of the application have substantially changed, or
 - (2) New information is available that could not with reasonable diligence have been presented at a previous hearing.
- (b) Whenever the permit-issuing authority approves or disapproves a permit application or variance the respective permit-issuing authority may reconsider such action if either the applicant or a party of record clearly demonstrates that in the written decision for the permit or variance either a finding of fact or testimony has been incorrectly recorded.
- (c) A request to be heard for reconsideration on this basis must be filed with the Community and Economic Development Director within the time period for an appeal to superior court (see section 20.28.060, judicial review). However, such a request does not extend the period within which an appeal must be taken.
- (d) Notwithstanding Subsection (a), the hearing examiner or community and economic development director may at any time consider a new application affecting the same property as an application previously denied. A new application is one that differs in some substantial way from the one previously considered.

K. APPEALS

AMC 20.16.310 Appeals of Permits and Final Plats.

- (b) The action of the hearing examiner in granting or denying a special use or conditional use permit may be reviewed for unlawful, arbitrary, capricious, or corrupt action to Snohomish County Superior Court. The petition for review must be filed within twenty-one calendar days of the notice of final decision issued by the city.

AMC 20.20.020 Appeals of Hearing Examiner Decisions.

- (a) Appeals from the final decision of the hearing examiner, or other city board or body involving the city's land use code and for which all other appeals specifically authorized have been timely exhausted, shall be made to Snohomish County Superior Court pursuant to the Land Use Petition Act, Chapter 36.70C RCW, within twenty-one days of the date the decision or action became final, unless another applicable appeal process or time period is established by state law or local ordinance.
- (b) Upon motion for reconsideration, the date of the decision is the date of entry of the decision on the reconsideration motion by the hearing examiner and not the original decision date by the city.
- (c) Notice of the appeal and any other pleadings required to be filed with the court shall be served as required by law within the applicable time period. This requirement is jurisdictional.
- (d) The cost of transcribing and preparing all records ordered certified by the court or desired by the appellant for such appeal shall be borne by the appellant. The record of proceedings shall be prepared by the city or such qualified person as it selects. Prior to the preparation of any records the appellant shall post with the city community and economic development department an advance fee deposit in the amount specified by the city's planning division. Any overage will be promptly returned to the appellant.

L. EXHIBITS

File PLN #1198 – Smokey Point Ridge Binding Site Plan and PLN #1199 – Smokey Point Ridge Preliminary Major Unit Lot Subdivision Conditional Use Permit (on file at Arlington CED Office and viewable on the City of Arlington website).

Distributed to the Following Parties:

- Mike Weeks, Owner
- Carl Pirscher, Applicant
- Brian Kalab, Contact
- Marc Hayes, Community & Economic Development Director