



CITY OF ARLINGTON NOTICE OF DECISION

A1 Gas Station Special Use Permit

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

Project Name: A1 Gas Station Level 3 Electric Vehicle Charging Stations and Tier 2 Battery Energy Storage System

Proponent: Aviat Group, LLC

Project Number: PLN #1278

Description of Proposal: The applicant is proposing to construct an eight stall Level 3 DC Fast Electric Vehicle Charging Station with four dispensers and one ADA accessible stall. The electric vehicle charging station is proposed to be load managed with a Battery Energy Storage System. The project aims to expand the electric vehicle charging infrastructure in the Arlington area, while incorporating energy storage technology to optimize grid integration and provide reliable charging services. The design incorporates available best practices for safety, efficiency, and environmental protection while providing an essential service to the community.

Location: 2216 State Route 530

Permit Decision: Approved, with Conditions

Notice of Decision Date: February 27, 2025

End of Appeal Period: March 13, 2025

Special Use Permit Expiration Date: February 27, 2027

Appeals: This decision may be appealed pursuant to AMC 20.20.010, which provides for a hearing of the special use permit decision before the Hearing Examiner. Any aggrieved party of record may file an appeal within 14 days of the permit decision. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development at 18204 59th Avenue NE, Arlington, WA 98223 by **5:00 PM on March 13, 2025**, and the appeal fee as set by resolution is paid.

Staff Contact: Amy Rusko, Deputy Director, arusko@arlingtonwa.gov, 360-403-3550



Community and Economic Development Planning Division

18204 59th Avenue NE, Arlington, WA 98223

SPECIAL USE PERMIT – SITE PLAN REVIEW STAFF REPORT AND PERMIT DECISION

GENERAL INFORMATION

File Number: PLN #1278

Project Title: A1 Gas Station Level 3 Electric Vehicle Charging Stations and Tier 2 Battery Energy Storage System

Owner: A1 Gas and Food, LLC

Applicant/Contact: Randy Hanson, Aviat Group LLC

Description: Site Plan Review

Address: 2216 State Route 530

Tax Parcel ID: 31050800300600

Lot Size: 0.48 acres

Topographical Description: Generally flat

Soil Type: Puget Silty Clay Loam

Zoning Classification: Highway Commercial

Land Use Designation: Highway Commercial

Proposed Use Classification: Electric Vehicle Charging and Battery Energy Storage System

City Approvals Required: Special Use Permit and Building Permits

Date of Decision: February 27, 2025

Decision: **APPROVED, with Conditions**

I. NATURE OF APPLICATION

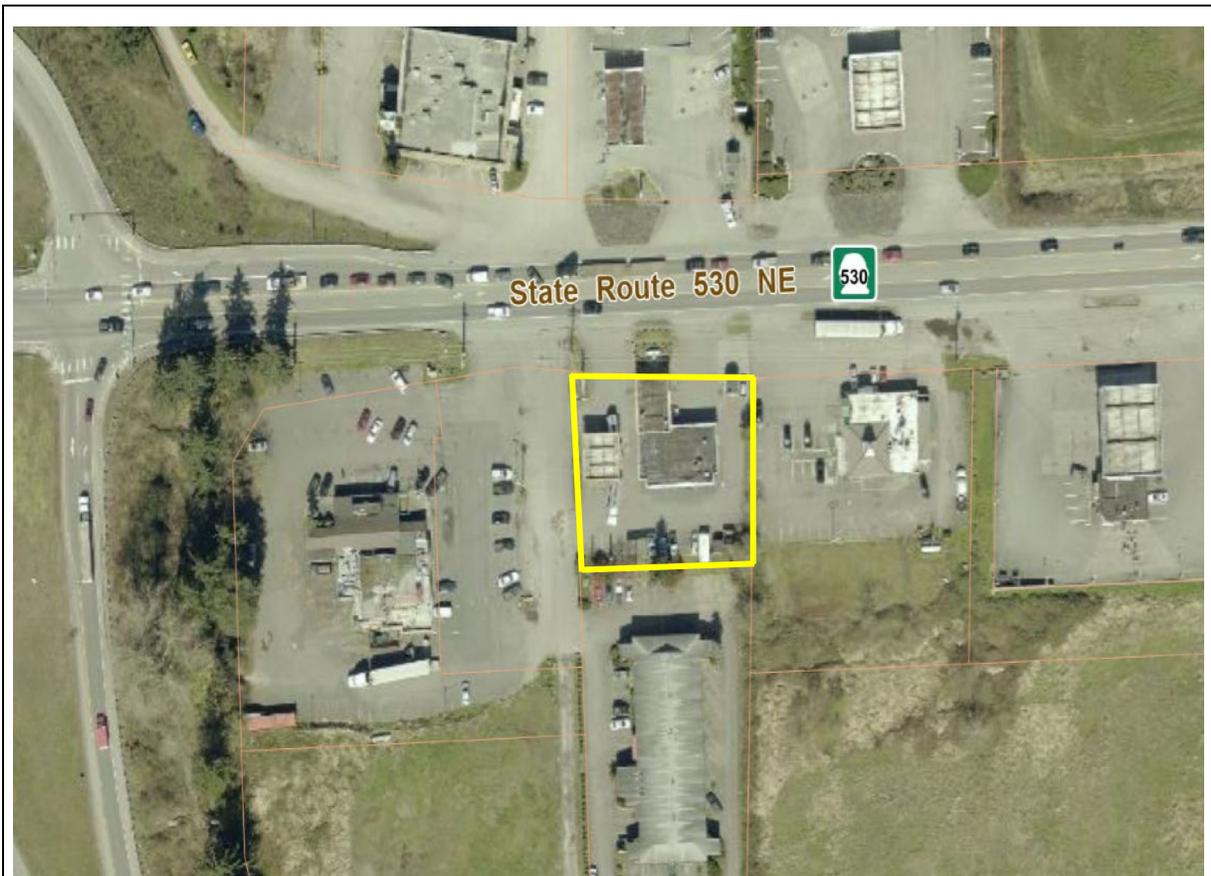
A. Request

The applicant is proposing to construct an eight stall Level 3 DC Fast Electric Vehicle Charging Station with four dispensers and one ADA accessible stall. The electric vehicle charging station is proposed to be load managed with a Battery Energy Storage System. The project aims to expand the electric vehicle charging infrastructure in the Arlington area, while incorporating energy storage technology to optimize grid integration and provide reliable charging services. The design incorporates best available science practices for safety, efficiency, and environmental protection while providing an essential service to the community.

B. Project Chronology / Background

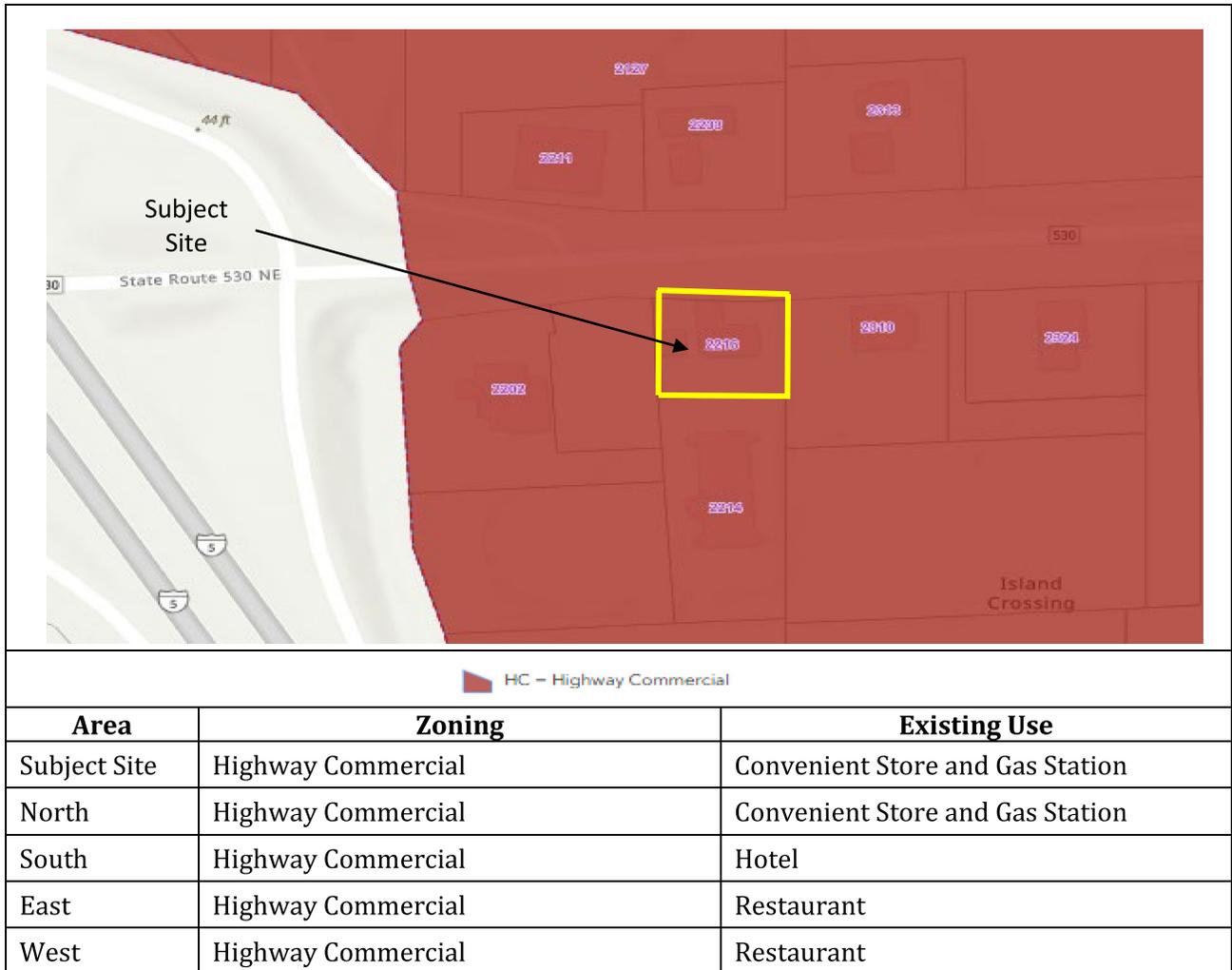
A formal application for the Special Use Permit was submitted to the Community & Economic Development Department on December 26, 2024. Staff routed the material to City review staff on December 26, 2024. Staff determined that the application was complete on January 15, 2025.

C. Site Location / Description



The Project Site is Located at 2216 State Route 530

D. Site and Adjacent Zoning / Uses



II. PROJECT CONSISTENCY WITH TITLE 20 AMC, ZONING

A. Applicable Review Criteria and Process

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

Regulation	Analysis	Meets
Chapter 20.16 AMC, Permits and Final Plat Approval		
20.16.100 (b) Special 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.	The applicant submitted a Special Use Permit for Site Plan Review. The Community & Economic Development Department is responsible for the permit decision and the decision is appealable to the Hearing Examiner.	Yes

Regulation	Analysis	Meets
<p>20.16.110 Who May Submit Permit Applications. (a) Applications for zoning will be accepted only from persons having the legal authority to take action in accordance with the permit or the subdivision plat approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this title.</p>	<p>The owner of the property, A1 Gas and Food LLC, signed the Special Use Permit application for site plan review that was submitted to the city.</p>	<p>Yes</p>
<p>20.16.120 Official Representative of the Applicant. The applicant for each land use permit shall designate an official representative, which may be himself, to receive all correspondence, determinations, and notices regarding the application.</p>	<p>The owner, A1 Gas and Food LLC, has designated Randy Hanson of Aviat Group LLC, as the official representative for the subject permit.</p>	<p>Yes</p>
<p>20.16.130 Staff Consultation Before Formal Application. To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this title, a general information meeting between the developer and the planning staff is encouraged as provided in this section.</p>	<p>The City held a General Information Meeting with the project applicant on November 13, 2024.</p>	<p>Yes</p>
<p>20.16.140 Submittal of Application. (a) To minimize development planning costs, avoid misunderstanding or misinterpretations, and ensure compliance with the requirements of this title, a submittal intake appointment is required between the developer and the Community Development staff as provided in this section.</p>	<p>The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the application on December 26, 2024.</p>	<p>Yes</p>
<p>20.16.150 Vesting of Permits. (1) Land use permit applications shall be considered vested on the date that an application is deemed complete pursuant to 20.16.205 and applications shall be processed under the land use regulations in effect on that date. However, subsequent permits on the same property are not vested on this date. (2) Filing of a permit application does not vest the payment of fees. Fees due, including impact mitigation fees, application fees, or other charges, shall be those fees in effect on the date the fee is paid in accordance with the most current city council fee resolution.</p>	<p>The proposed application for A1 Gas Station site plan review vested on January 15, 2025 with the issuance of the complete application.</p>	<p>Yes</p>

Regulation	Analysis	Meets												
<p>20.16.200 Applications to Be Complete. (a) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit-issuing authority is required to consider the application.</p>	<p>The applicant submitted a complete application for A1 Gas Station Special Use Permit.</p>	<p>Yes</p>												
<p>20.16.205 (c) Complete Application. Within 28 days of receiving the permit application, the Community Development Director shall mail or provide in person a written determination to the applicant.</p>	<p>The application was submitted on December 26, 2024. The City issued a Notice of Complete Application on January 15, 2025. The Notice was issued within the 28-day timeframe.</p>	<p>Yes</p>												
<p>20.16.215 Distribution of Application. Upon receipt of a zoning, special use or conditional use permit application, the Planning Official shall, in addition to all interested City Departments, send a copy of the application to the authorities and agencies reviewing or furnishing water, fire, school, and sanitary sewer service to the proposed project.</p>	<p>The application was routed to all affected city departments on December 26, 2024 and after resubmittal on February 20, 2025.</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 special use permit by issuing, distributing, and advertising a "Notice of Application Filed".</p>	<p>The city issued a Notice of Application on January 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. The comment period ran from January 17, 2025 to January 31, 2025.</p>	<p>Yes</p>												
<p>20.16.270 Time Limitations for Permit Processing. (a)(2) A notice of final decision for special use permits shall be issued within 100 days of the determination of complete application. (b) The number of days an application is in review with the city shall be calculated from the day completeness is determined under RCW 36.70B.070 to the date a final decision is issued on the project permit application. (1) Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.</p>	<p>The proposed zoning permit was reviewed and issued within the 100 day timeframe per the following dates:</p> <table border="1" data-bbox="846 1220 1349 1545"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Date of Application</td> <td>12-26-2024</td> </tr> <tr> <td>Notice of Complete Application</td> <td>1-15-2025</td> </tr> <tr> <td>Review Comments</td> <td>1-31-2025</td> </tr> <tr> <td>1st Resubmittal</td> <td>2-20-2025</td> </tr> <tr> <td>Decision</td> <td>2-27-2025</td> </tr> </tbody> </table> <p>Total Process Days: 23 Days</p>	Action	Date	Date of Application	12-26-2024	Notice of Complete Application	1-15-2025	Review Comments	1-31-2025	1 st Resubmittal	2-20-2025	Decision	2-27-2025	<p>Yes</p>
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<p>Chapter 20.36 AMC, Zoning Districts and Zoning Map</p>														
<p>20.36.020(e) The Highway Commercial (HC) zone is established to accommodate the widest range of commercial activities. Uses allowed here include those allowed in other commercial districts, but also those that require highway access or that should be separated from residential uses.</p>	<p>The subject property for the proposed special use permit is Highway Commercial. The proposed use of the new electric vehicle charging station and battery energy storage system falls within the expected uses within the highway commercial zone when installed in conjunction with a primary use on the property.</p>	<p>Yes</p>												

Regulation	Analysis	Meets					
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 Subdistrict D. The property owner is required to sign a Disclosure Notice with the Arlington Municipal Airport.	Yes					
Chapter 20.40 AMC, Permissible Uses							
20.40.010 Table of Permissible Uses. The Tables of Permissible Uses sets forth the permissible uses within the respective zoning classifications in the city, subject to other applicable provisions in this title. It should be read in close conjunction with the definitions of terms set forth in section 20.08 and the other interpretative provisions set forth in this article.	The proposed electric vehicle charging station and battery energy storage system is an allowed use per the permissible use table listed below. A combination permit requires the highest level permit to be utilized, in this case, a Special Use Permit.	Yes					
Chapter 20.40.140 Industrial Zones Permissible Use Table							
Use	NC	OTBD-1	OTBD-2	OTBD-3	GC	CC	HC
Motor Vehicles – Electric ⁸	Z	Z	Z	Z	Z	Z	Z
Utility Facility – Alternative Energy System ⁸	ZS	ZS	ZS	ZS	ZS	ZS	ZS
<ul style="list-style-type: none"> • Z = Zoning Permit • ZS = Zoning or Special Use Permit 							
Chapter 20.48 AMC, Density and Dimensional Regulations							
Table 20.48-1 Density and Dimensional Standards							
Minimum Lot Size: 0 square feet	19,747 sf		Yes				
Minimum Lot Width: 70 feet	140 - 148 ft		Yes				
Front Lot Boundary Line: 10 feet	112 ft		Yes				
Rear Lot Boundary Line – Primary: 20 feet / Accessory: 5 feet	≥ 5 ft		Yes				
Side Lot Line or Alley Building Setback: 5 feet	7 – 44 ft		Yes				
Building Height Limitation: 50 feet	≤ 10 ft		Yes				
Maximum Lot Coverage: 100%	All Buildings – 17%		Yes				
Chapter 20.60 AMC, Utilities							
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 (except the transmission lines to the substation, which are exempt from this requirement). All utility lines are required to be shown on the plans and shall be approved by the City of Arlington prior to construction activities on the site.		Yes				

Regulation	Analysis	Meets
Chapter 20.72 AMC, Parking		
<p>20.72.060 Parking Area Surfaces.</p> <p>(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.</p> <p>(b) Parking spaces shall be appropriately demarcated with painted lines or other markings.</p> <p>(c) Parking areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, parking area surfaces shall be kept in good conditions (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.</p>	<p>The proposed project is utilizing existing parking spaces on the site. The existing parking surface is not proposed to change. The project does require that the new parking spaces to be appropriately striped for both the standard and ADA parking areas. This is shown on sheet number 24129.E2 of the approved site plans.</p>	<p>Yes</p>
Chapter 20.76 AMC, Screening and Trees		
<p>20.76.020 General Screening Standard. Developments shall provide sufficient screening so that:</p> <ol style="list-style-type: none"> 1. Neighboring properties are shielded from any adverse external effects of that development. 2. The development is shielded from the negative impacts of adjacent uses such as streets and railroads. 	<p>The project is in the Highway Commercial zone surrounded by retail, restaurant, and commercial businesses. The property owner is not required to provide screening for the existing business but shall provide screening around the battery energy storage system. The applicant is proposing to install an 8 foot PBR panel fence that is white with white trim.</p>	<p>Yes</p>
Chapter 20.114 Alternative Energy Systems and Technologies		
Part I. Energy Storage Systems		
<p>20.114.020 General Requirements.</p> <p>(a) All proposed energy storage systems (ESS) shall be designed, manufactured, and tested to meet the criteria required by UL 9540, NFPA 111 or the most current accepted certification process, and UL 9540A, if the energy storage system utilizes batteries as part of its operation.</p> <p>(b) Energy storage system capacities, including array capacity and separation, are limited to the thresholds contained in NFPA 855.</p> <p>(c) A land use permit, building permit and electrical permit shall be required for installation of all energy storage systems.</p>	<p>The applicant has applied for a Special Use Permit, Building Permit and Electrical Permits for the project.</p> <p>The applicant has provided the documentation that certifies the energy storage system meeting the criteria of UL 9540, NFPA 111, and UL9540A in the report submitted by CSA Group from the CCIC-CSA International Certification Co., Ltd. Kunshan Branch and Contemporary Amperex Technology Co., Limited Testing Laboratories.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.114.025 Plan and Specification Submittal Requirements.</p> <p>(a) Location and layout diagram of the room or area in which the ESS is to be installed.</p> <p>(b) Details on hourly fire-resistant-rated assemblies provided or relied upon in relation to the ESS.</p> <p>(c) The quantities and types of ESS units.</p> <p>(d) Manufacturer’s specifications, rating, and listings of ESS.</p> <p>(e) Description of energy storage management systems and their operation.</p> <p>(f) Location and content of required signage.</p> <p>(g) Details on fire suppression, smoke or fire detection, gas detection, thermal management, ventilation, exhaust, and deflagration venting systems, if provided.</p> <p>(h) Support arrangement associated with the installation, including any required seismic support.</p>	<p>The proposal is for a PowerNode Nexus battery energy storage system integrated with CATL EnerOne Battery Rack, Dynapower MPS-125 EHV inverter, and PowerNode Control Enclosure under model PN-NEXUS-V2.3S: 0552280-P</p> <p>The applicant has provided a site plan, location and layout diagram of the area for the energy storage system, along with manufacturers specifications, ratings, signage, fire suppression through the submitted site plans, operation manual, and manufacturer’s specifications.</p>	<p>Yes</p>
<p>20.114.030 Additional Required Information.</p> <p>(a) Fire and explosion testing data in accordance with Section 20.114.100.</p> <p>(b) Hazard mitigation analysis (HMA) in accordance with Section 20.114.095.</p> <p>(c) Calculations or modeling data to determine compliance with NFPA 68 and NFPA 69 in accordance with Section 20.114.100.</p> <p>(d) Other test data, evaluation information or calculations as required elsewhere in this standard.</p> <p>(e) If modeling data is provided, validation of the modeling results shall also be included.</p>	<p>The applicant has provided fire and explosion testing data, a hazard mitigation analysis, data meeting compliance with NFPA 68 and NFPA 69, and testing data in the submittal documents.</p>	<p>Yes</p>
<p>20.114.035 Operation and Maintenance Manual Requirements.</p> <p>(a) An operations and maintenance manual shall be provided to both the ESS owner or their authorized agent and system operator before the system is put into operation.</p> <p>(b) Submittal data stating the ESS size and selected options for each component of the system.</p> <p>(c) Manufacturer’s operation manuals and maintenance manuals for the entire ESS or for each component of the system requiring maintenance that clearly identify the required routine maintenance actions.</p> <p>(d) Contact information for a contracted service agency or responsible in-house personnel.</p> <p>(e) A narrative of how the ESS and its components and controls are intended to operate, including recommended operational set points.</p> <p>(f) A service record log that lists the schedule for all required service and maintenance actions with space for logging such actions that can be completed over time.</p>	<p>The applicant submitted a narrative of the how the ESS and its components and controls are intended to operate and the PowerNode Nexus Commission, Operation, and Decommission Manual.</p> <p>The property owner or authorized agent and systems operator is required to have the manual before the system is put into operation and maintain a service record log that lists the schedule for all required service and maintenance actions.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>(g) The operation and maintenance documentation.</p> <p>(h) Safety data sheet (SDS) for hazardous materials contained in the ESS shall be posted within sight of the disconnecting means of any ESS or at a location approved by the City of Arlington.</p> <p>(i) Where the operations and maintenance documentation calls for detailed procedures to be used for specific scheduled operational checks or assessments, an operations record that includes data associated with configurable system settings, system start-up, system shutdown, and long-term shutdown shall be maintained by the system owner or their designated agent and be made available to the City of Arlington upon request.</p> <p>(j) The operations record shall be kept in a readily accessible location, or a sign indicating where the record is located shall be posted adjacent to the system.</p> <p>(k) The operations and maintenance manual shall be prepared prior to final approval of the ESS and be readily accessible to personnel responsible for the ESS.</p> <p>(l) A copy of the operations and maintenance manual shall be placed in an approved location to be accessible to the Fire Department, emergency responders, and the City of Arlington.</p>	<p>The applicant is required to post all Safety Data Sheets for hazardous materials within sight of the disconnecting means of the energy storage system.</p> <p>The operations and maintenance documentation shall be made available to the City of Arlington and North County Fire & EMS upon request.</p>	<p>Yes</p>
<p>20.114.040 System Maintenance.</p> <p>(a) The ESS shall be maintained in accordance with the system manufacturer's instructions.</p> <p>(b) The maintenance documentation shall include a detailed maintenance schedule covering all affected equipment and the activities to be performed.</p> <p>(c) Maintenance documentation indicating the maintenance action taken, the date of the action, who implemented the action, and the results associated with the action shall be maintained as required by Section 20.114.035.</p> <p>(d) Maintenance documentation shall record information on any repair, renewal, or renovation made to the ESS.</p>	<p>The property owner shall comply with the system manufacturer's instructions and maintenance documentation shall include a detailed maintenance schedule covering all affected equipment. The maintenance documentation shall record information on repairs, renewal, or renovations made to the energy storage system.</p>	<p>Yes</p>
<p>20.114.045 System Training.</p> <p>(a) Training shall be provided to all those responsible for system operations and maintenance.</p> <p>(b) Training in system operation and maintenance shall be provided by the system owner or their designated agent.</p>	<p>The property owner is required to provide training from the system owner or their designated agent to all personnel responsible for the operations and maintenance of the energy storage system.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.110.050 System Testing.</p> <p>(a) System testing shall be performed when required by the operating instructions or maintenance documentation in accordance with testing procedures by the ESS manufacturer.</p> <p>(b) A record of all testing shall be maintained in accordance with the requirements in Section 20.114.035.</p> <p>(c) Testing records shall be permitted to be made available electronically.</p>	<p>The property owner shall perform system testing as required per the battery energy storage system manufacturer, keep a record of all tests, and make the tests available electronically.</p>	<p>Yes</p>
<p>20.114.055 Commissioning Plan.</p> <p>(a) The system installer or commissioning agent shall prepare a written commissioning plan that provides a description of the means and methods necessary to document and verify that the system and its associated controls and safety systems, as required by this standard, are in proper working condition.</p>	<p>The applicant has provided a written commissioning plan that provides a description of the means and methods to document and verify that the battery energy storage system is in proper working condition.</p>	<p>Yes</p>
<p>20.114.060 Commissioning Test.</p> <p>(a) ESS shall be evaluated for their proper operation by the system installer in accordance with the manufacturer's instructions, the commissioning plan, and the requirements of this section after the installation is complete but prior to final approval.</p> <p>(b) System testing shall be conducted as a component of the commissioning process and include functional performance testing of the ESS that demonstrates that the installation and operation of the system and associated components, controls, and safety-related systems are in accordance with approved plans and specifications and that the operation, function, and maintenance serviceability for each of the commissioned ESS is confirmed.</p>	<p>The property owner is responsible for the adequate commissioning testing per the manufacturer's specifications prior to becoming operational on the site.</p>	<p>Yes</p>
<p>20.114.065 Commissioning Report.</p> <p>(a) The commissioning report shall be provided by the system installer or commissioning agent to the system owner and the City of Arlington prior to final inspection and approval.</p> <p>(b) The commissioning report shall document the commissioning process and the results in accordance with Section 20.114.065(c), (d) and (e).</p> <p>(c) A commissioning report shall summarize the commissioning process and verify the proper operation of the system and associated operational controls and safety systems.</p> <p>(d) The report shall include the final commissioning plan, the results of the commissioning process, and a copy of the plans and specifications associated with the as-built system design and installation.</p> <p>(e) The report shall include any issues identified during commissioning and the measures taken to resolve them.</p>	<p>The property owner shall provide the City of Arlington with a commissioning report prior to becoming operational on the site. This report is required to be submitted to the Building Official.</p>	<p>Yes</p>

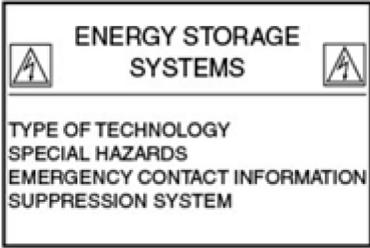
Regulation	Analysis	Meets
<p>20.114.070 Decommissioning Plan.</p> <p>(a) Prior to decommissioning, the owner of an ESS or their designated agent shall prepare a written decommissioning plan complying with Section 20.114.070 (d) that provides the organization, documentation requirements, and methods and tools necessary to indicate how the safety systems as required by this standard and the ESS and its components will be decommissioned, and the ESS removed from the site.</p>	<p>The applicant has provided a written decommissioning plan that provides a description of the means and methods to document and verify that the battery energy storage system is in proper working condition.</p>	<p>Yes</p>
<p>20.114.075 Decommissioning Process.</p> <p>(a) The City of Arlington shall be notified prior to decommissioning an ESS.</p> <p>(b) The ESS shall be decommissioned by the owner of the ESS or their designated agent in accordance with the decommissioning plan.</p>	<p>The property owner shall notify the City of Arlington Community and Economic Development Department prior to decommissioning the energy storage system and follow the decommissioning plan instructions.</p>	<p>Yes</p>
<p>20.114.080 Decommissioning Report.</p> <p>(a) A decommissioning report shall be prepared by the ESS owner or their designated agent and summarize the decommissioning process of the system and associated operational controls and safety systems.</p> <p>(b) The report shall include the final decommissioning plan and the results of the decommissioning process.</p> <p>(c) The report shall include any issues identified during decommissioning and the measures taken to resolve them.</p> <p>(d) The decommissioning report shall be retained by the owner and provided to the City of Arlington upon request.</p>	<p>The property owner shall prepare a decommissioning report that summarizes the decommissioning process, results of the decommissioning process, and provide the report to the City of Arlington upon request.</p>	<p>Yes</p>
<p>20.114.085 Recommissioning of Existing Systems</p> <p>(a) Recommissioning shall meet the provisions of Section 20.114.065 and include the entire system with issuance of a new commissioning report, identification of any new issues and resolutions documentation, and identification of any revisions to the operations and maintenance documentation.</p> <p>(b) When alterations, additions, repositioning, or renovations to the system or any of its components are warranted, they shall be permitted in accordance with Sections 20.114.020 – 20.114.050 and be performed by qualified entities and the system recommissioned in accordance with Sections 20.114.055 – 20.114.065.</p> <p>(c) Repairs and renewals to systems utilizing identical components shall not require recommissioning.</p> <p>(d) Listed ESS that has been modified in the field beyond the field-installed options that are part of the listing shall be investigated and found suitable by the organization that listed the equipment.</p>	<p>The property, and/or the system owner shall submit an application for a new building permit with the City of Arlington prior to recommissioning an existing system. The application shall include the entire system, commissioning report, identification of any new issues and resolutions, any revisions, alterations, additions, repositioning, or renovations to the system.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.114.090 Emergency Planning and Training</p> <p>(f) The emergency operations plan shall include the following:</p> <p>(1) Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.</p> <p>(2) Procedures for inspection and testing of associated alarms, interlocks, and controls.</p> <p>(3) Procedures to be followed in response to notifications of system alarms or out-of-range conditions that could signify potentially dangerous conditions, including shutting down equipment, summoning service or repair personnel, and providing agreed-upon notification to fire department personnel, if required.</p> <p>(4) Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions.</p> <p>(5) Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.</p> <p>(6) Procedures for dealing with ESS equipment damaged in a fire or other emergency event, including contact information for personnel qualified to safely remove damaged ESS equipment from the facility.</p> <p>(7) Other procedures as determined necessary by the City of Arlington to provide for the safety of occupants and emergency responders.</p> <p>(8) Procedures and schedules for conducting drills of these procedures.</p>	<p>The application has provided a description of emergency planning and training in the PowerNode Nexus Commission, Operation, and Decommission Manual and the Hazard Mitigation Analysis that was submitted with the application for the battery energy storage system.</p>	<p>Yes</p>
<p>20.114.095 Installation.</p> <p>(a) Maximum Stored Energy: ESS in the following locations shall comply with 20.114.095 as follows:</p> <p>(1) Fire areas within non-dedicate-use buildings containing ESS shall not exceed the maximum stored energy values in table 20.114.095T except as permitted by Section 20.114.095(i).</p> <p>(2) Outdoor ESS installations in locations near exposures shall not exceed the maximum stored energy values in table 20.114.095T except as permitted by 20.114.105(ii).</p> <p>(3) ESS installations in open parking garages and on rooftops of buildings shall not exceed the maximum stored energy values in table 20.114.095T except as permitted by 20.114.095(ii).</p>	<p>The proposed project is not providing the battery energy storage system within a building. The battery energy storage system will be contained outside within a cabinet.</p> <p>The battery energy storage system is not within an open parking garage or on a rooftop of a building.</p>	<p>Yes</p>

Regulation	Analysis	Meets																
<p>(4) Mobile ESS equipment as covered by NFPA 855 Chapter 9 Section 9.5.3.2 shall not exceed the maximum stored energy values in table 20.114.095T except as permitted by Section 20.114.095 (ii).</p> <p>(b) Table 20.114.095T: Maximum Stored Energy</p> <table border="1" data-bbox="228 380 834 932"> <thead> <tr> <th>ESS Type</th> <th>Maximum Stored Energy ^a</th> </tr> </thead> <tbody> <tr> <td>Lead-acid batteries, all types</td> <td>Unlimited</td> </tr> <tr> <td>Nickel batteries ^b</td> <td>Unlimited</td> </tr> <tr> <td>Lithium-ion batteries, all types</td> <td>600</td> </tr> <tr> <td>Sodium nickel chloride batteries</td> <td>600</td> </tr> <tr> <td>Flow batteries ^c</td> <td>600</td> </tr> <tr> <td>Other battery technologies</td> <td>200</td> </tr> <tr> <td>Storage capacitors</td> <td>20</td> </tr> </tbody> </table> <p>^a For ratings in amp-hrs, kWh should equal maximum rated voltage multiplied by amp-hr rating divided by 1000. ^b Nickel battery technologies include nickel cadmium (Ni-Cad), nickel metal hydride (Ni-MH), and nickel zinc (Ni-Zn). ^c Includes vanadium, zinc-bromine, polysulfide, bromide, and other flowing electrolyte-type technologies.</p> <p>i. Where approved by the City of Arlington, fire areas in non-dedicated-use buildings containing ESS that exceeds the amounts in table 20.114.095T shall be permitted based on a hazard mitigation analysis in accordance with Section 20.114.100 and fire and explosion testing complying with Section 20.114.105.</p> <p>ii. Where approved by the City of Arlington, outdoor ESS installations, ESS installations in open parking garages and on rooftops of buildings, and mobile ESS equipment that exceed the amounts in table 20.114.095T shall be permitted based on a hazard mitigation analysis in accordance with Section 20.114.100 and fire and explosion testing in accordance with Section 20.114.105.</p> <p>iii. Where a single fire area within a building or walk-in unit contains a combination of energy systems covered in table 20.114.095T, the maximum stored energy per fire area shall be determined based on the sum of percentages of each type divided by the maximum stored energy of each type.</p> <p>iv. The sum of the percentages calculated in Section 20.114.095 (iii) shall not exceed 100 percent except as permitted in Section 20.114.095(j) or Section 20.114.095 (h).</p>	ESS Type	Maximum Stored Energy ^a	Lead-acid batteries, all types	Unlimited	Nickel batteries ^b	Unlimited	Lithium-ion batteries, all types	600	Sodium nickel chloride batteries	600	Flow batteries ^c	600	Other battery technologies	200	Storage capacitors	20	<p>The proposed project is for Lithium-Ion Battery energy storage system.</p> <p>The proposed battery energy storage system does not exceed the maximum amount of stored energy, per the PowerNode Nexus Commission, Operation, and Decommission Manual.</p>	<p>Yes</p>
ESS Type	Maximum Stored Energy ^a																	
Lead-acid batteries, all types	Unlimited																	
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Other battery technologies	200																	
Storage capacitors	20																	

Regulation	Analysis	Meets
<p>(c) Size and Separation.</p> <ul style="list-style-type: none"> i. ESS shall be comprised of groups with a maximum stored energy of 50 kWh each. ii. Each group shall be spaced a minimum of 3 feet from other groups and from walls in the storage room or area. iii. The AHJ shall be permitted to approve groups with larger energy capacities or smaller group spacing based on performance criteria from fire and explosion testing complying with Section 20.114.105(e). 	<p>The proposed battery energy storage system does not exceed the maximum level of stored energy.</p>	<p>Yes</p>
<p>20.114.100 Hazard Mitigation Analysis (HMA).</p> <p>(a) A hazard mitigation analysis shall be provided to the City of Arlington for review and approval where any of the following conditions are present:</p> <ul style="list-style-type: none"> (1) Technologies not specifically addressed in this Chapter are provided. (2) More than one ESS technology is provided in a single fire area where adverse interaction between the technologies is possible. (3) Where allowed as a basis for increasing maximum stored energy as specified in 20.114.095 (b)(i) and 20.114.095 (b)(ii). (4) Where required by the City of Arlington to address a potential hazard with an ESS installation that is not addressed by existing requirements. (5) Where required for existing lithium-ion ESS systems that are not UL 9540 listed. (6) Where required for outdoor lithium-ion battery ESS systems. (7) The hazard mitigation analysis shall evaluate the consequences of the following failure modes and others deemed necessary by the City of Arlington: <ul style="list-style-type: none"> i. A thermal runaway or mechanical failure condition in a single ESS unit. ii. Failure of an energy stage management system or protection system that is not covered by the product listing failure modes and effects analysis (FMEA). iii. Failure of a required protection system including, but not limited to, ventilation (HVAC), exhaust ventilation, smoke detection, fire detection, fire suppression, or gas detection. 	<p>The applicant provided a hazard mitigation analysis for the project.</p> <ul style="list-style-type: none"> (1) The project proposes technologies that are specifically addressed in this chapter. (2) The project proposes one battery energy storage system in conjunction with four dispensers for 8 EV parking stalls. (3) The proposal does not exceed the maximum stored energy as specified in 20.114.095. (4) All potential hazards associated with the installation have been addressed through these requirements and the HMA. (5) This is a new project with no existing lithium-ion ESS systems on the site. (6) The proposal includes an outdoor lithium ESS system for the use of EV charging stations. (7) The HMA has provided an analysis that evaluates all failure modes and the product has been tested under UL9540A for thermal runaway or mechanical failure. 	<p>Yes</p>

Regulation	Analysis	Meets
<p>20.114.110 Fire Control and Suppression.</p> <p>(a) Where required elsewhere in this chapter, fire control and suppression for rooms or areas within buildings and outdoor walk-in units containing ESS shall be provided in accordance with this section.</p> <p>(b) Lead-acid and nickel-cadmium battery systems less than 50 V ac, 60 V dc that are in telecommunications facilities for installations of communications equipment under the exclusive control of communications utilities and located outdoors or in building spaces used exclusively for such installations that comply with NFPA 76 shall not be required to have a fire suppression system installed.</p> <p>(f) When approved by the City of Arlington, ESS shall be permitted to be installed in ESS dedicated-use buildings without the protection of an automatic fire control and suppression system where fire and explosion testing conducted in accordance with Section 20.114.95 documents that an ESS fire does not compromise the means of egress and does not present an exposure hazard to buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock, and other exposure hazards not associated with electrical grid infrastructure.</p> <p>(g) When approved by the City of Arlington, ESS shall be permitted to be installed in outdoor walk-in enclosures without the protection of an automatic fire control and suppression system where fire and explosion testing conducted in accordance with 20.114.95 documents that an ESS fire does not compromise the means of egress and does not present an exposure hazard.</p>	<p>The proposed battery energy storage system model NEXUS-0852280-P does not have an integral fire suppression system per the CSA Group Test Report but does provided an automatic aerosol extinguisher.</p> <p>The system is compliant with NFPA 855 section 4.8.4. The Nexus Battery has a smoke and heat alarm where signals are transmitted to a supervising station in accordance with NFPA 72 section 3.3.301, using a Central Supervising Station as in section 3.3.301.1. The smoke and heat detectors in the Nexus Battery are continuously connected to a UL listed fire panel in the Nexus Battery. The fire panel uses a UL listed communicator to transmit redundantly (via dedicated LTE as well as via LAN to the site's LTE/5G cellular connection) to American Digital Monitoring, a Central Station, which in the event of a smoke or heat a signal immediately notifies the local North County Fire & EMS.</p>	<p>Yes</p>
<p>20.114.115 Signage.</p> <p>(a) Approved signage shall be provided in the following locations:</p> <ol style="list-style-type: none"> (1) On the front of doors to rooms or areas containing ESS or in approved locations near entrances to ESS rooms. (2) On the front of doors to outdoor occupiable ESS containers. (3) In approved locations on outdoor ESS that are not enclosed in occupiable containers or otherwise enclosed. <p>(b) The required signage shall be in compliance with ANSI Z535 and include the following information as shown below:</p> <ol style="list-style-type: none"> (1) "Energy Storage Systems" with symbol of lightning bolt in a triangle. (2) Type of technology associated with the ESS. 	<p>The applicant has provided signage on the approved site plan that incorporates the necessary information.</p> <div data-bbox="886 1528 1344 1766" style="border: 1px solid black; padding: 5px; background-color: #ff0000; color: white; text-align: center;"> <p>ENERGY STORAGE SYSTEMS</p> <p>Battery Technology: Lithium Iron Phosphate - LiFePO4 Special Hazards: Stored Energy, Arc Flash, Shock Emergency Contact: 206-420-7844 Supression System: Automatic Inert Gas Suppression</p> </div>	<p>Yes</p>

Regulation	Analysis	Meets
<p>(3) Any special hazards associated with the specific type of ESS.</p> <p>(4) type of suppression system installed in the area of the ESS.</p> <p>(5) Emergency contact information.</p> <p>(c)</p> 	<p>Continuation of Regulation and Analysis from 20.114.115 on the previous page. These sections have been met with the appropriate signage.</p>	<p>Yes</p>

Part II. Battery Energy Storage Systems

<p>20.114.135 General Requirements.</p> <p>(a) A Battery Energy Storage System (BESS) permit, in conjunction with a building permit, issued by the City of Arlington, an electrical permit, issued by the Washington State Department of Labor and Industries shall be required for the installation of all battery energy storage systems. In addition, a land use permit, issued by the City of Arlington, shall be required for the installation of all Tier 2 battery energy storage systems.</p> <p>(b) All battery energy storage systems, all Dedicated Use Buildings, and all other buildings or structures that (a) contain or are otherwise associated with a battery energy storage system and (b) subject to the requirements of the most current editions of the International Codes (IBC, IFB, IRC) including applicable state amendments, and the most current editions of both the National Electrical Code (NEC). All battery energy storage systems shall comply with NFPA 855, the standard for the installation of Stationary Energy Storage Systems, and all equipment shall be UL 9540 listed.</p> <p>(c) An approved energy storage management system shall be provided for battery technologies other than lead-acid and nickel cadmium for monitoring and balancing cell voltages, currents, and temperatures within the manufacturer’s specifications. The system shall transmit an alarm signal to an approved location if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage are detected.</p>	<p>The applicant has submitted a land use permit and building permit for the Tier 2 battery energy storage system. The applicant is required to obtain an electrical permit from the Washington State Department of Labor and Industries.</p> <p>The proposed Tier 2 battery energy storage system is not within a building but is located outside within a cabinet and an additional H-frame structure as shown on the approved site plan sheets. The system is required to meet all IBC, IFB, and NEC regulations.</p> <p>The proposed Tier 2 battery energy storage system is compliant with NFPA 855 section 4.8.4. The Nexus Battery has a smoke and heat alarm where signals are transmitted to a supervising station in accordance with NFPA 72 section 3.3.301, using a Central Supervising Station as in section 3.3.301.1. The smoke and heat detectors in the Nexus Battery are continuously connected to a UL listed fire panel in the Nexus Battery. The fire panel uses a UL listed communicator to transmit redundantly (via dedicated LTE as well as via LAN to the site’s LTE/5G cellular connection) to American Digital Monitoring, a Central Station, which in the event of a smoke or heat a signal immediately notifies the local North County Fire and EMS.</p>	<p>Yes</p>
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Regulation	Analysis	Meets
<p>20.114.145 Permitting Requirements for Tier 2 Battery Energy Storage Systems. Tier 2 Battery Energy Storage Systems are allowed, in conjunction with a Special Use Permit, within the Highway Commercial (HC) zone, subject to the applicable requirements of the most current edition of the IEC, IBC, NEC, and NFPA 855, and are subject to administrative site plan review. Tier 2 systems shall be set back a minimum of fifty (50) feet from adjacent properties, provide security fencing and be screened from view from adjacent property and public right of way.</p>	<p>The applicant has submitted a special use permit for the battery energy storage system located in the highway commercial zone.</p> <p>The property cannot accommodate a 50 foot setback from the property line. The setback allowed for this site is 5 feet with fencing to mitigate noise and visual screening from the adjacent properties.</p>	<p>Yes</p>
<p>20.114.155 Definitions. Battery Energy Storage System: A rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls and associated electrical equipment designed to provide electrical power to a building. The system is typically used to provide standby or emergency power, an uninterruptable power supply, load shedding, load sharing or similar capabilities. A battery energy storage system is classified as a Tier 1, Tier 2, or Tier 3 battery energy storage system as follows: (b) Tier 2 (Medium-Scale/Commercial) battery energy storage systems have an aggregate energy capacity greater than 40 kWh up to 600 kWh.</p>	<p>The project proposes a Tier 2 battery energy storage system with maximum energy capacity of 237 kWh for the proposed CATL model used for PowerNode Nexus 0552280-P per the PowerNode Nexus Site Design Guide.</p>	<p>Yes</p>
<p>Part V. Electric Vehicle Infrastructure</p>		
<p>20.114.430 Electrical Room(s) and Equipment. (a) Electrical room(s) and/or dedicated electrical equipment shall be sized to accommodate the requirements of Section 20.114.425. (b) The electrical service and the electrical system, including any on-site distribution transformer(s), shall have sufficient capacity to simultaneously charge all EVs at all required EV Charging Stations, EV Ready parking spaces, and EV Capable parking spaces at a minimum of 40-amperes each.</p>	<p>The project proposes an electrical cabinet designated for the system and a power transformer box to ensure that the EV charging stations have sufficient capacity.</p>	<p>Yes</p>
<p>20.114.435 Battery Charging Station or Rapid Charging Station – Retrofitting in Existing Development. (a) Required off-street parking spaces within any existing development listed within the zones listed below may be converted to battery charging station spaces or rapid charging station spaces for Battery Electric Vehicles (BEV) or Plug-In Hybrid Electric Vehicles (PHEV), subject to the regulations of this chapter, provided that the battery charging and/or rapid charging stations are accessory to the permitted use(s) on the property. (2) AMC 20.36.020 – Commercial Districts</p>	<p>The EV charging stations are being installed within an existing developed site. The existing required off-street parking spaces are being converted to EV charging station spaces within the highway commercial zone.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>(c) The use of any charging station on-site shall not obstruct any vehicular or pedestrian traffic on-site (such as waiting for a charging station space within a drive-aisle or a designated pedestrian crossing) or within a public right-of-way.</p> <p>(d) Battery or rapid charging station spaces shall be designated for charging electric vehicles only as provided under Section 20.114.455. Non-electric vehicles or non-charging BEVs or PHEVs shall not be allowed. The type of signage designating these spaces shall be approved by the Community and Economic Development Director or his or her designee.</p>	<p>The proposed EV charging stations are located on the south side of the gas station on the southern property line and do not obstruct vehicular or pedestrian traffic on the site.</p> <p>The EV charging station spaces provide signage and are designated for charging electric vehicles only.</p>	<p>Yes</p>
<p>20.114.440 Electric Vehicle Charging Station Spaces – Allowed as Required Spaces.</p> <p>(a) Electric vehicle charging station spaces shall be allowed to be used in the computation of required off-street parking spaces as provided under Section 20.114.445, provided; that the electric vehicle charging station(s) is accessory to the primary use of the property.</p>	<p>The EV charging station spaces do not affect the off-street parking spaces on the site and are accessory to the primary use of a gas station on the site.</p>	<p>Yes</p>
<p>20.114.445 Off-Street Electric Vehicle Charging Station Spaces.</p> <p>(a) The number of electric vehicle charging spaces shall be required per Table 20.114.425T.</p> <p>(b) Location and Design Criteria. The provisions of electric vehicle parking will vary based on the design and use of the primary parking lot. The following required and additional locational and design criteria are provided in recognition of the various parking lot layout options.</p> <p>(1) Signage. Signage, as required under 20.114.455 for each charging station space, shall be posted indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are enforced.</p> <p>(2) Maintenance. Charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning, or other problems are encountered.</p> <p>(3) Accessibility. Where charging equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the interfere with accessibility requirements of WAC 51-50-005.</p> <p>(4) Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.</p>	<p>The proposed project provides more than 10 percent of the parking space on the site as electric vehicle parking stalls.</p> <p>The application materials include the design of the parking lot, signage appropriate for electric vehicle charging stalls, accessible electric vehicle charging stalls, along with additional lighting specifically installed for the electric vehicle charging area.</p> <p>The applicant is required to maintain the electric vehicle charging equipment in a functioning order. The applicant is required to provide contact information on the electric vehicle charging equipment for reporting non-functioning equipment or for other issues that arise.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<p>(c) Parking for electric vehicles should also consider the following:</p> <p>(1) Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.</p> <p>(2) Signage. Installation of directional signs at the parking lot for entrance and at appropriate decision points to effectively guide motorists to the charging station spaces.</p>	<p>The applicant has proposed signage on the EV charging stations that includes information about the charging unit and has provided directional signage from State Route 530 to the drive aisle that leads to the EV charging station parking area.</p>	<p>Yes</p>
<p>20.114.450 Accessible Electric Vehicle Charging Stations.</p> <p>(a) Ten percent of the accessible parking spaces shall be EV charging stations. Not fewer than one for each type of EV charging station shall be accessible.</p> <p>(b)(1) Accessible electric vehicle charging stations should be located in close proximity to the building entrance and shall be connected to a barrier-free accessible route of travel.</p>	<p>The site plan shows that 13% of the parking spaces are accessible. One type of charging station is proposed and one accessible parking space is provided.</p> <p>The accessible parking stall is located on the west side of the parking lot and is the closest parking stall to the building. The pavement to the building provides for barrier-free access to the building.</p>	<p>Yes</p>
<p>20.114.455 Electric Vehicle Charging Station Spaces – Signage.</p> <p>(a) Publicly available electric vehicle supply equipment must be indicated by vertical signage identifying the station as publicly available electric vehicle supply equipment and indicating that it is only for electric vehicle charging. The signage must be consistent with the manual on uniform traffic control devices, as adopted by the department of transportation under RCW 47.36.030, and contain the information required in RCW 19.94.560. Supplementary signage may be posted to provide additional information including, but not limited to, the amount of the monetary penalty under subsection (b) of this section for parking in the station while not connected to the charging equipment.</p> <p>(b) It is a parking infraction, with a monetary penalty of one hundred twenty-four dollars, for any person to park a vehicle in a parking space served by publicly available electric vehicle supply equipment if the vehicle is not connected to the charging equipment. The parking infraction must be processed as prescribed under RCW 3.50.100, 35.20.220, 46.16A.120, and 4620.270(2).</p> <p>(c) For purposes of this section, “publicly available electric vehicles supply equipment” has the same meaning as provided in RCW 19.94.010 and described in RCW 19.94.550 and 19.94.555.</p> <p>(d) Off-street public electric vehicle charging station spaces shall provide the following signage in Table 20.114.455T</p>	<p>The applicant has proposed acceptable signage for the site per the section 20.114.455T below.</p> <p>The proposed signage includes directional signs, standard parking signage with monetary infraction amount, vacate signage, and ADA signage for the site. The city provides examples as shown in the table; however, the applicant can propose signage as long as all requirements of RCW 47.36.030 and RCW 19.94.560 are met.</p>	<p>Yes</p>

Regulation		Analysis	Meets
Table 20.114.455T			
Directional – Off-Street Parking Lot or Parking Garage	 	<p>Sign Proposed at Road and Drive Aisle</p> 	
Off-Street EV Parking – Parking Space with Charging Station Equipment		<p>Signs Proposed at all Stalls</p> 	Yes
			
		<p>Sign Proposed at ADA Stalls</p> 	

III. CONCLUSIONS

- (a) The applicant has applied for a Special Use Permit as required under AMC 20.16.
- (b) Under AMC 20.16.225 (c), subject to subsection (d), the the community and economic development director shall issue the requested special use permit unless it concludes, based on upon the information submitted, 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 requested site plan review is within the City of Arlington’s jurisdiction per the above zoning map and permissible use table.	Yes
(2) The application is incomplete.	The application for the subject site plan review was deemed complete on January 15, 2025.	Yes
(3) If completed as proposed in the application, the development will not comply with one or more of the requirements of this title.	The proposed site plan review complies with all required sections of AMC Title 20 per the above staff analysis.	Yes
(4) The proposed project has not complied with SEPA	The proposed project is SEPA Exempt per AMC Chapter 20.98.090(a)(6) Up to twenty parking spaces not associated with a structure.	Yes
(5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, or other adopted plans, regulations, or policies.	The proposed site plan review complies with the Arlington Municipal Code, Comprehensive Plan, and Transportation Plan.	Yes

- (c) Under AMC 20.16.225(d) even if the community and economic development director 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, the development, more probably than not:

Regulation	Analysis	Meets
Chapter 20.16.225(d)		
(1) Will materially endanger the public health or safety.	The proposed project will not materially endanger public health or safety. The application provides specific manufacturing documents that show the EV charging stations and Tier 2 battery energy storage system have been tested for compliance.	Yes
(2) Will materially harm adjoining or abutting property.	The proposed EV charging station and Tier 2 battery energy storage system will not materially harm adjoining commercial properties per the approved site plan.	Yes
(3) In terms of design and use will not be compatible with the area in which it is located.	The proposed project is allowed per AMC 20.40 permissible uses within the Highway Commercial zone.	Yes

(d) Under AMC 20.114.015, the permitting for battery energy storage systems is required to meet the following objectives:

Regulation	Analysis	Meets
Chapter 20.114.015		
(a) To ensure the public health, safety, welfare and quality of life of citizens is maintained.	The proposed project allows the public to charge electric vehicles on the site through EV parking stalls and a Tier 2 battery energy storage system and does not impact public health, safety, welfare, or quality of life for citizens.	Yes
(b) To provide for the correct designation of properties allowing for the construction, operation and maintenance of energy storage systems.	The proposed project is allowed per AMC 20.40 permissible uses within the Highway Commercial zone.	Yes
(c) To ensure compatible land uses in the vicinity of the areas that may be affected by energy storage systems.	The proposed site plan shows that the energy storage system will not affect neighboring property owners and is a compatible land use with the surrounding commercial uses.	Yes
(d) To mitigate the potential impacts of energy storage systems on environmental resources such as aquifers, critical areas, forests, wildfire or other protected resources.	The proposed project does not impact aquifers, critical areas, forests, wildfire, or other protected environmental resources.	Yes
(e) To support the transition of renewable energy sources.	The proposed EV charging station and Tier 2 battery energy storage system supports renewable energy sources by storing electricity to operate the charging stations.	Yes

IV. ADMINISTRATIVE DECISION

The proposed project was found to be consistent with and meets the intent of the Arlington Zoning Code, Comprehensive Plan, and the Arlington Municipal Code, therefore the Special Use Permit – Site Plan Review for A1 Gas Station Tier 3 Electric Vehicle Charging Stations and Tier 2 Battery Energy Storage System, PLN #1278, is hereby **APPROVED**, subject to the following conditions.

V. CONDITIONS

Special Use Permit:

1. All development shall be in substantial conformance with the approved Site Plans and Fencing Specifications received on February 20, 2025. The project shall also comply with the Hazard Mitigation Analysis, PowerNode Nexus Design Guide and Manual, PowerNode and Signet Dispenser Specification Sheets, Column and Bollard Drawings and Specification Sheets submitted on December 26, 2024, subject to any conditions or modifications that may be required as part of the permit review or product installation.
2. The applicant shall meet all local, state, or federal code requirements. Please refer to the Arlington Municipal Code for a complete list of code requirements for your project type.
3. The applicant shall comply with all permits and conditions thereof from the City of Arlington and other government agencies with jurisdiction.

4. The applicant shall maintain the electric vehicle charging equipment in a functioning order. The applicant is required to provide contact information on the electric vehicle charging equipment for reporting non-functioning equipment or for other issues that arise.
5. The property owner or authorized agent and systems operator is required to have the manual before the system is put into operation and maintain a service record log that lists the schedule for all required service and maintenance actions.
6. The property owner shall keep the operations and maintenance documentation onsite and it shall be made available to the City of Arlington and North County Fire & EMS upon request.
7. The property owner shall comply with the system manufacturer's instructions and maintenance documentation shall include a detailed maintenance schedule covering all affected equipment. The maintenance documentation shall record information on repairs, renewal, or renovations made to the energy storage system.
8. The property owner is required to provide training from the system owner or their designated agent to all personnel responsible for the operations and maintenance of the energy storage system.
9. The property owner shall perform system testing as required per the battery energy storage manufacturer, keep a record of all tests, and make the tests available electronically.
10. The property owner is responsible for the adequate commissioning testing per the manufacturer's specifications and shall provide the City of Arlington a commissioning report prior to becoming operational on the site. This report is required to be submitted to the Building Official.
11. The property owner shall notify the City of Arlington Community and Economic Development Department prior to decommissioning the energy storage system and follow the decommissioning instructions. The property owner shall also prepare a decommissioning report that summarizes the decommissioning process, results of the decommissioning process, and provide the report to the City of Arlington upon request.
12. The property owner shall submit an application for a new building permit with the City of Arlington prior to recommissioning an existing system. The application shall include the entire system, commissioning report, identification of any new issues and resolutions, any revisions, alterations, additions, repositioning, or renovations to the system.

Building Permit:

13. A building permit application shall be reviewed and approved prior to building construction on the site.
14. The battery energy storage system shall meet the most current edition of the International Building Code, International Fire Code, and the National Electrical Code regulations.
15. The applicant is required to obtain an electrical permit from the Washington State Department of Labor and Industries.

Other:

16. All contractors working on the site are required to obtain a Washington State Business License and a City of Arlington Endorsement.
17. The property owner shall verify with the Arlington Municipal Airport that a Disclosure Notice is recorded for the property.

VI. EXPIRATION

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

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

VII. APPEAL

This decision may be appealed pursuant to AMC 20.20.010, which provides for a hearing of the special use permit decision before the Hearing Examiner. Any aggrieved party of record may file an appeal within 14 days of the permit decision. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development at 18204 59th Avenue NE, Arlington, WA 98223 by **5:00 PM on March 13, 2025**, and the appeal fee as set by resolution is paid.

ORDERED THIS ON THE 27th DAY OF February, 2025

Marc Hayes

Marc Hayes, Community and Economic Development Department Director

Distributed to the Following Parties:

A1 Gas and Food, LLC, Owner
Aviat Group, LLC, Applicant