ORDINANCE NO. 2022-009

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.04 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING GENERAL PROVISIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.04.120 shall be and hereby is amended to read as follows:

20.04.120 Adoption of Supporting Administrative Guidelines **and Standards.**

a. City departments may administratively adopt guidelines, standards, reference materials, forms, or other documents that aid the public, applicant, staff, or decision-maker in interpreting and administering this document.

b. The titles of those documents administratively adopted per Subsection (a) shall be herein listed to be considered adopted. This list may not be complete, since new guidelines or standards may be adopted or existing ones amended. Guidelines and standards administratively adopted or amended but not listed herein are equally valid as those listed; however, each department shall make all reasonable efforts to keep this list current. These documents are set out below and incorporated by reference as though fully set forth herein:

1. Information Required with Applications
2. Public Works' Construction Standards and Specifications
3. ~~Guide of Landscaping~~ City Tree List
4. City Shrub List
5. Guide for Noise Levels
6. Traffic Impact Analysis Guidelines (TIAG)
7. Development Design Standards
8. Olympic Avenue Design Guidelines
9. Old Town Residential Design Standards
10. Complete Streets Policy
11. Shoreline Master Program
12. Cascade Industrial Center Planned Action
13. Housing Action Plan

Section 2. Arlington Municipal Code section 20.04.130 shall be and hereby is amended to read as follows:

20.04.130 Exemptions from Certain State Requirements.

a. The following permits are exempt from the provisions of RCW 36.70A.440, 36.70A.065, and sections 407, 413, and 415-417 of ESHB 1724 unless otherwise required by this Title:

1. Landmark designations;
2. Vacations of rights-of-way or other easements;
3. Right-of-way permits;
4. Park use permits;
5. Side sewer permits;
6. Boundary line adjustments;
7. Public Infrastructure Construction plan approval by the Department of Public Works;
8. Private Development Construction plan approval by Department of Community and Economic Development;
9. Building permits;
10. Business licenses;
11. Hydrant use and bulk water permits; and,
12. Other permits, whether administrative or quasi-judicial, that the Community and Economic Development Director has determined present special circumstances that warrant a review process different from that provided in RCW 36.70A.440, 36.70A.065, and sections 407, 413, and 415-417 of ESHB 1724.

b. The following permits are exempt from sections 407, 413, and 415-417 of ESHB 1724 unless otherwise required by this Title:

1. Administratively approved permits that are categorically exempt from environmental review under chapter 43.21C RCW;
2. Administratively approved permits for which environmental review has been completed in connection with other project permits.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-009 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-009

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.04 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING GENERAL PROVISIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-010

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.08 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING DEFINITIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
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- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. The following definitions shall be added to Arlington Municipal Code section 20.08.010 to read as follows:

Accessory Dwelling Unit (ADU) means a fully independent secondary living unit that is located on the same property as the primary dwelling. An ADU can be either attached or detached from the primary structure.

Acres, Gross means the entire acreage of a site. Gross acreage is the total area of the site before street right-of-way dedication.

Acres, Net means the portion of the site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road rights-of-way, public open space, critical areas, and floodways.

ADA means Americans with Disabilities Act. For purposes of planning and land use, federal law that requires businesses and public facilities and conveyances be accessible to individuals with disabilities.

Adverse Impact means a negative consequence for the physical, social, or economic environment resulting from an action or project.

Aircraft Painting and Air Frame Repair means a building used for air frame repair and/or painting of an aircraft.

Aircraft Parking and Storage means a designated area for the parking or storage of aircraft that provides tiedowns or provides hangars space.

Aircraft Parts and Installation means an establishment that provides the sale of aircraft parts and installation of parts.

Aircraft Repair and Maintenance means service, repair, or maintenance of aircraft, including but not limited to rehabilitation, mechanical repairs, and lubrication.

Aircraft Sales or Rentals means an establishment for the sale/rental of aircraft and includes supplementary maintenance and sale of parts and accessories.

Aircraft Wash means an area designated with access to water and provides stormwater controls for the washing of aircraft.

Ambulance Service means patient transport services, non-transport prehospital life support services, and advanced life support, paramedic, and medical first-responder services.

Amphitheater means an outdoor man-made structure or geological formation used for viewing lectures, concerts, or theatrical performances. The stage or focal point is at the lowest level, and sloped seating ascends in straight or curved rows.

Annexation means to incorporate a land area into an existing district or municipality, with the resulting change in the boundaries of the annexing jurisdiction.

Appeal means when a person believes a decision was made in error, an appeal may be filed so that a higher decision-making body can review the case.

Art Gallery or Center means a room or building for the display or sale of works of art.

Assembly of Goods, Merchandise, or Equipment means the manufacturing process of combining individual components to a product in a sequential manner to create a product.

Assessed Valuation means the value at which property is appraised for tax purposes.

Athletic Facility means enclosed areas of sports pavilions, stadiums, gymnasiums, health clubs, and other similar places where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sporting events.

Athletic Fields means a developed recreation area that may contain a playground as well as fields for competitive sports such as baseball, football, soccer, lacrosse, or other outdoor sports. Temporary bleachers and field equipment or storage buildings may be provided.

Attorney or Legal Services means services involving legal or law related matters like issue of legal opinion, filing, pleading, and defending lawsuits by a lawyer or attorney practicing law related services.

Automobile Graveyard means an establishment or place of business which is maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled motor vehicles or motor vehicle parts.

Automobile Recycling Facility means the use of land, buildings, or structures or portion thereof where good, wares, merchandise, articles or things are dismantled and/or sorted for further use and where such goods, wares, merchandise, articles or things are stored wholly or partly in the open and includes a junk yard, scrap metal yard, and motor vehicle wrecking yard or premises.

Bank, Financial Institution means an institution engaged and licensed in the business of providing financial services to customers who maintain credit, deposit, trust, or other financial account or relationship with the institution. Banks may also provide financial services such as wealth management, currency exchange, and safe deposit boxes.

Bar Establishment means a retail establishment that serves alcoholic beverages, such as beer, wine, liquor, cocktails, and other beverages. A bar is also known as a saloon, tavern, or pub.

Billiards or Pool Hall means a place where people get together for playing cue sports such as pool, snooker, or carom billiards. Such establishments commonly serve alcohol and often have arcade/video games, darts, or similar games.

Biosolid Recycling means the practice of converting municipal sewage sludge to manufactured compost, topsoil, and fertilizer products. This process must meet state and federal requirements.

Bowling Alley means recreational facility which include bowling lanes, and may include a small lounge, restaurant and/or snack bar, or video games.

Brewery means a building or establishment for brewing beer or other malt liquors. This includes microbreweries, brewpubs, taproom breweries, craft beverages, and distilleries. These establishments may have tasting rooms or serve food.

Bus Station means a structure where city or intercity buses stop to pick up and drop off passengers. A bus station is intended to provide connections to multiple routes. The bus station may have platforms assigned to fixed bus routes.

Bus Rapid Transit (BRT) means transit system using buses that provide faster service than traditional bus routes, through improvements in infrastructure, vehicles, and scheduling. Examples include dedicated busways, priority bus lanes, limited stop service, and signal pre-emption.

Cannabis Collective Garden means those gardens authorized by RCW 69.51A, which allows qualifying patients to assume responsibility for acquiring and supplying the resources required to produce and process cannabis for medical use.

Cannabis Dispensaries means an establishment authorized by RCW 69.50, which prepares and sells cannabis and cannabis-based products for medical or recreational use.

Carry Out and Delivery Service means a commercial establishment where food is prepared on the premises for consumption off the premises. The food or beverages are packaged in disposable containers or wrappers in a ready to consume state off the premises by persons picking up or delivering food.

Car Wash means a building containing equipment for washing automobiles utilizing automatic mechanical devices. The site may include pay stations and/or vacuum stations.

Cemetery means a place for the burial or interment of dead persons.

Certificate of Occupancy means an official certification that a building or place conforms to the provisions of the zoning and building codes, and therefore may be used or occupied. A structure cannot be occupied without a certificate of occupancy.

Civil Defense Operations means the preparation for and carrying out of all emergency functions, other than functions for which military forces other than national guard are primarily responsible, for the purpose of minimizing and repairing injury and damage resulting from disasters caused by attack, sabotage or other hostile action; or by riot or other civil disturbance; or by fire, flood, earthquake, or other natural causes.

Clinic of Physician or Dentist means privately owned practice or part of multi-partner office or facility. Physicians focused on outpatient services designed for primary care, routine medical care, preventive care, screenings, bloodwork, prescriptions, medical attention for a variety of needs. Dentists or Orthodontists who are specialized in oral

healthcare and trained to diagnose and treat conditions of gums, teeth, tongue, jaw, and mouth.

Coliseums means a stadium, large theater, or other special building for public meetings, sporting events, exhibitions, or public entertainment events.

Colleges, Universities, Community College means an institution of higher learning providing facilities for teaching and research and authorized to grant academic degrees. The institution may offer undergraduate degrees, graduate degrees, certificate programs, or professional certification.

Commercial means a land use classification that permits facilities for the buying and selling of commodities and services.

Commercial Greenhouse means a building or structure used for the growing of flowers, plants, shrubs, trees, and similar vegetation which are not necessarily transplanted outdoors on the same lot containing the building or structure but are sold directly from such lot at wholesale or retail and may include an outdoor display area.

Common Open Space means land within or related to a development, not individually owned or dedicated for public use that is designed and intended for the common use of the residents of the development.

Community Park means land with full public access intended to provide recreational opportunities beyond those supplied by neighborhood parks. Community parks are larger in scale than neighborhood parks but smaller than regional parks.

Complete Streets means streets that are designed and operated to enable safe use and support mobility for all users. Those include people of all ages and abilities, regardless of whether they are travelling as drivers, pedestrians, bicyclists, or public transportation riders. The concept of complete streets encompasses many approaches to planning, designing, and operating roadways and rights-of-way with all users in mind to make the transportation network safer and more efficient.

Construction / Contractor Yard and Office means service establishments primarily engaged in general contracting or subcontracting in the building construction trades. These include administrative offices, workshops, and the indoor or outdoor storage of tools, equipment, materials, and vehicles. All outdoor storage related to this use shall follow the outdoor storage requirements of §20.44 (Supplemental Uses).

Consultant means a professional hired by the city to provide expert advice, knowledge, or services in a particular area of expertise.

Cottage Housing means a development of single family detached dwelling units constructed in groups located on a commonly owned piece of property with each unit no larger than 1,200 square feet. The units are built around common open space, with minimal private yards. Units do not have individual garages; parking is located in separate areas or in structures on the periphery of the site in order to minimize space taken up by driveways.

Covenants, Conditions, and Restrictions (CC&Rs) means a private legal restriction that places a burden on a parcel of land in favor of another parcel. The restriction is

recorded in the deed. Covenants are most commonly used in the establishment of a subdivision to restrict the use of all individual lots in the development to certain types of use, define maintenance of common areas, and specific development regulations.

Crematorium means a building with a furnace for cremating deceased bodies.

Density means the amount of development per acre permitted on a parcel under the applicable zoning. Common measures of density include population per acre or square mile and dwelling units per acre.

Design Review means the comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, architecture, materials, colors, lighting, and signs, in accordance with the development design standards.

Design Review Board means the members of the Planning Commission that act as the decision-making body for the design of new development projects and exterior changes to existing buildings with a value over $100,000.

Development Agreement means a legislatively approved contract between the City and a person having legal or equitable interest in real property within the City that establishes certain rules, regulations, and policies applicable to development of a property for a specified period of time.

Development Design Standards means the minimum architectural design requirements for structures to create and maintain a desirable built environment that is predictable and functional.

Drive-In Movie Theater means an outdoor movie theater designed to permit customers to remain in their motor vehicles while viewing an outdoor screen facing the parking area. Sale of food or beverages may occur.

Dry Cleaner means an establishment providing commercial cleaning of clothing and textiles using a chemical solvent rather than water.

Due Process means a requirement that legal proceedings be conducted fairly. Such protections may include, depending on the proceeding, the right to be heard, the right to rebut evidence, that sufficient evidence is presented to reach an informed opinion, that all decision-makers have reviewed the information presented in public hearings, and that conflicts of interest have been avoided.

Elementary School means any school, public or private, intended for the education of children from kindergarten through fifth grade.

Enclosed Building means a structure having a roof and supported by columns and walls on all sides of the structure.

Environment means the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historical or aesthetic significance.

Environmental Impact Statement (EIS) means the process under the State Environmental Policy Act (SEPA) used for identifying and analyzing probable adverse environmental impacts, reasonable alternatives, and mitigation. An EIS provides

opportunities for the public, local, state, federal, and tribal governments to participate in developing and analyzing information.

Erosion means the loosing and transportation of rock and soil debris by wind, rain, or running water or the gradual wearing away of the upper layers of earth.

Exercise Facility means a training facility, including health clubs, that may include exercise equipment for the purpose of physical exercise by human beings, and may provide instruction in weight training, body building, yoga, dance, and cardiovascular training, as well as general health and fitness instruction.

Fees means charges levied by an agency for services that the agency provides to an individual applicant or user of a service. Development fees require project proponents to pay certain amounts in order to have their applications processed. The fees reimburse the agency for the expenses of processing the application. Fees also may be assessed to mitigate the impact of a proposed development on the community.

Fire Station means a structure or other area for storing firefighting apparatus such as fire engines and related vehicles, personal protective equipment, fire hoses, and other specialized equipment. Fire stations contain working and living space for firefighters and support staff.

Flood Insurance Rate Map (FIRM) means the official map on which the Federal Insurance Administration has delineated areas of special flood hazard and the risk premium zones applicable to that community.

Franchise Utility means a contract between the city and a public or private utility provider, such as natural gas, electrical power, telephone, cable television or any other communication services authorized to occupy the city's easements or rights-of-way to deliver its services.

Fraternal Club or Lodge means a building or part of a building used for the purposes of a club, society, or association organized and operated on a non-profit basis exclusively for social welfare, civic improvement, pleasure or recreation or for any other similar purpose.

Frontage Improvements means sidewalks, curbs, gutters, conform pavement, streetlights, utilities, storm drainage, planting strips, and driveways, constructed as approved and in accordance with the City of Arlington Public Work's Construction Standards and Specifications.

Fuel Sales, Aviation means an establishment operated on the Arlington Municipal Airport at a fixed location at which aviation and/or jet fuel is offered for sale to pilots.

Fuel Sales, Vehicles means an establishment operated at a fixed location at which gasoline or any other motor vehicle engine fuel is offered for sale to the public.

Funeral Home means an establishment with facilities for the preparation of the deceased for burial or cremation, for viewing of the body, and for funerals.

General Mercantile means retail stores which sell a number of products used by the general public but may exclude certain items like food and grocery. These stores keep a wide variety of products for day-to-day life and household goods.

Golf and Country Club means a location with golf course activities for which members pay a membership fee or daily fee, for the use of the facilities and services. May include restaurant, meeting rooms, restrooms, or similar amenities.

Golf Course means an area of land with highly maintained natural turf laid out for the game of golf with a series of nine or more holes, each including a tee, a fairway, a putting green, and often one or more natural or artificial hazards.

Golf Course, Driving Range means a public or private area for the purposes of practicing golf driving techniques and is equipped with distance markers, lighting, safety nets, parking areas, golf equipment rental facilities, and washrooms, but does not include a golf course.

Golf Course, Miniature means a game or amusement modeled on golf and played with a putter and golf ball, in which each very short, grassless "hole" constitutes and obstacle course using concrete, turf, wooden alleys, tunnels, bridge, ramps, tubes, windmills, etc., through which the ball must be hit.

Golf Course, Par 3 means a shortened golf course consisting of "holes" that give players three shots to make par. All other aspects are the same as a regular golf course.

Goods means anything from merchandise, supplies, raw materials to already completed products; any tangible items that can be used or stored.

Government Office Building means those buildings which are owned and operated by a government agency for the purpose of conducting government business.

Health Care Facility means an institution providing health care services. This can include hospital or other licensed inpatient center; an ambulatory surgical or treatment center; a skilled nursing center; a diagnostic, laboratory, or imaging center; and a rehabilitation or other therapeutic health setting.

Horticultural Sales means the use of land, buildings, or structures for the sales of fruits, vegetables, herbs, flowers, or ornamental plants that are grown and produced on the same farm or otherwise on the same parcel.

Hospital means an institution that is built, staffed, and equipped for the diagnosis of disease; for the treatment, both medical and surgical, of the sick and the injured; and for their housing during the process.

Hotel means any structure or space, or a portion thereof, which is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and includes any hotel, inn, motel or any place in which rooms, lodging or accommodations are furnished to transients for a consideration.

Indoor Automobile and Motorcycle Racing Track means a permanent facility or building built for the racing of automobiles and/or motorcycles on a round or oval track constructed of material designed for racing, such as dirt or asphalt.

Indoor Recreation means an indoor facility for any number of uses such as game courts, exercise equipment, exercise and/or dance floor area, pools, locker rooms, spa, whirlpool or hot tub, and which may include an accessory retail shop for the sale of related equipment.

Industry means economic activity concerned with the processing of raw materials and manufacture of good in factories.

Infill Development means the process of developing vacant or under-utilized parcels within existing urban areas that are already largely developed.

Institutions for Confined Mentally Ill Persons means placement of an individual in an institution for therapeutic or correctional purposes or when he or she is incapable of living independently, often as a result of a physical or mental condition.

Insurance or Stockbroker means and independent person or company that represents the interests of the buyer in searching for insurance coverage at the lowest cost and providing the highest benefits to the buyer or who buys and sells securities on a stock exchange on behalf of the client.

Laundromat means an establishment with coin-operated washing machines and dryers for public use.

Library means a collection of books, newspapers, videos, music or other written or printed materials that are kept for people to read, use, or borrow, as well as the facility in which they are housed and the institution that is responsible for their maintenance.

Major Plat. See Plat, Preliminary

Major Subdivision. See Subdivision, Major

Manufactured Home means a single-family dwelling unit built according to the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code. A manufactured home also:

(1) Includes plumbing, heating, air conditioning, and electrical systems;

(2) Is built on a permanent chassis; and

(3) Can be transported in one or more sections with each section at least eight feet wide and forty feet long when transported; or when installed on the site is three hundred twenty square feet or greater (see RCW 46.04.302).

Manufacturing means the processing of raw materials or parts into finished goods through the use of tools, human labor, machinery, and chemical processing.

Master Planned Neighborhood means an overlay on the residential ultra low capacity zone that provides a conceptual plan that shows the approximate locations, types, sizes of public facilities, amenity areas (e.g., parks, schools, open space, common landscape areas, etc.), and includes all elements listed in chapter 20.44.032. A master planned neighborhood requires approval from city council.

Medical Clinic means a building or portion of a building used solely for the purpose of consultation, diagnosis and treatment of patients by two or more legally qualified physicians, dentist, optometrists, chiropractors, together with their qualified assistant, and without limiting the generality of the foregoing, the building may include administrative offices, waiting rooms, examination rooms, treatment rooms, laboratories and/or pharmacies used in connection and forming part of the practices, but shall not

include accommodation for inpatient care, operating rooms for major surgery or any use otherwise defined or classified herein.

Military Reserve means specific trained pre-organized forces operating on an on-call basis from the main military force. Each member acts in combat as a regular soldier.

Minor Plat. See Plat, Preliminary Short

Minor Subdivision. See Subdivision, Minor.

Mobile Home means a factory-built dwelling built prior to June 15, 1976, to standards other than the HUD Code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since the introduction of the HUD Manufactured Home Construction and Safety Standards Act.

Mobile Sales and Delivery means sales and delivery of goods or services form a mobile structure, either motorized or not. Mobile sales and deliver are not intended for uses set up in one location on a semi-permanent basis, but rather for uses that frequently move from one place to another.

Motel means an enclosed building that is a convenient, temporary sleeping place people traveling by car, typically one or two floors with outdoor room entrances.

Motor Vehicle Painting and Body Work means a facility for collision services including body, frame, or fender straightening or repair and painting of vehicles in an appropriate paint booth.

Motor Vehicle Repair and Maintenance means service, repair, or maintenance of any type of vehicle, including but not limited to vehicle and equipment rehabilitation, mechanical repairs, and lubrication.

Motor Vehicle Sales or Rental means an establishment for the sale/rental of automobiles, passenger vehicles, light trucks, motorcycle, camping trailers, boats, or other recreational vehicles and includes supplementary maintenance and sale of parts and accessories.

Movie Theater means a building that contains an seating for viewing films or movies for entertainment.

Museum means a building in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

National Guard Center means a building that supports the training, administration, and logistics of National Guard units by providing assembly space, classrooms, weapons, protective personal equipment storage, and training space.

Neighborhood Park (mini-park) means a park located in a subdivision, multi-family complex, or mixed-use development complex and is privately owned by a home owners association and used by those living within the specific development.

Night Club means an establishment that provides entertainment and has as its primary source of revenue (a) the sale of alcohol for consumption on the premises, (b) cover charges, or (c) both.

Non-Commercial Towers and Antennas means structures designed and used for residential purposes, such as television, radio, or other similar uses.

Nursery School means a school for children between the ages of about two to five years old.

Office means a space for the transaction of general business, typically not involving manual labor. Office uses do not include retail sales, manufacturing, or industrial activities.

Ordinance means a law or regulation adopted by the council of the public agency.

Outdoor Entertainment Venue means an outdoor theater, amphitheater, plaza, street, or other improved area that is used as a public venue or forum to which members of the general public are invited to listen, view, or otherwise participate in an outdoor event that is organized, licensed or permitted by the owner of the venue.

Outdoor Recreation means the commercial or non-commercial use of land, with or without accessory buildings and structures, for a recreational activity undertaken where the outdoor setting and landscape is a significant element in the activity, and the density of recreational users is not a significant element, and includes park or open space, playing field, arboretum, and outdoor exhibits.

Park means an open area or place in a city or town for nature. There are often trees, benches, statues, picnic areas, and/or ponds in a park. It is mostly used for recreational activities such as walking, exercising, cycling, playing, etc. A play park can even have swings, slides, and some adventurous activities.

Penal and Correctional Facility means any penitentiary, state farm, reformatory, prison, jail, house of correction, police detention area, or other institution or place for the incarceration or custody of a persons under sentence for offenses awaiting trial or a violation of mandatory supervised release, or awaiting a bail setting hearing, or preliminary hearing.

Personal Services means any business enterprise whose primary purpose is to provide services rendered in the fields of architecture, health, law, engineering, accounting, and other similar fields.

Pet Grooming means an establishment for domestic animals receive grooming services, including bathing, cutting of hair, trimming of nails, and other associated acts of grooming and may include the ancillary sale of products related to this service, but does not include veterinary services, breeding, boarding, outdoor kennel, or overnight accommodation.

Pet Store means a retail establishment offering small animals, and fish, birds, or other animals for sale as pets. Grooming services and the sale of associated pet food and supplies may also be included.

Plat, Preliminary Short means the map or representation of a short subdivision per RCW 58.17.020 (6) and (8).

Police Station means a building in which houses the police headquarters for a particular district, from which police officers are dispatched and to which persons under arrest are brought.

Post Office means an office or station of a government postal system at which mail is received and sorted, from which it is dispatched and distributed, and at which stamps are sold or other services rendered.

Processing means to perform a series of mechanical or chemical operations on (something) to change or preserve it or subjecting something to a series of actions in order to achieve a particular result.

Professional Services means a service requiring specialized knowledge and skill usually of a mental or intellectual nature and usually requiring a license, certification, or registration. These include lawyers, advertising professionals, architects, accountants, financial advisers, engineers, and consultants, and similar professions that offer customized, knowledge-based services to clients.

Public Park means a development designed or reserved for active or passive recreational use, including all natural and man-made open space and landscaping, facilities, playing fields, and buildings that are consistent with the general purposes of recreation operated by a public agency.

Public Parking Garage means a public structure for motor vehicles to park. Typically consists of several floors and is sometimes underground.

Public Parking Lot means an off-street, ground level open area, usually improved for the temporary parking of motor vehicles available to the general public with or without payment of a fee.

Public Utility Lift Station means a publicly owned and operated facility used to move wastewater from lower to higher elevation, particularly where the elevation of the source is not sufficient for gravity flow and/or when the use of gravity conveyance will result in excessive excavation depths and high sewer construction costs.

Public Utility Pump Station means a publicly owned and operated facility with machinery for pumping large amounts of water from lower elevations to higher elevations or for moving water from one area to another.

Reclamation Landfill means the gain of land from the sea, or wetlands, or other water bodies, and restoration of productivity or use to lands that have been degraded by human activities or impaired by natural phenomena.

Recreational or Park Building means a structure constructed on designated public land for patrons of the park to use in conjunction with recreational activities and may include restrooms, storage sheds, concession stands, baseball announcer booths, or similar structures that support the uses associated within the specific park.

Religious Assembly, Accessory means a place used for worship and related religious, philanthropic, or social activities in a building that is not the primary use of the site. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls,

convents, and monasteries. This use class does not include public or private education services or commercial schools, even as accessory uses.

Religious Assembly, Principal means development used for worship and related religious, philanthropic, or social activities and includes accessory rectories, manses, meeting rooms, food preparation, and service facilities, classrooms, and other buildings. Typical uses include churches, chapels, mosques, temples, synagogues, parish halls, convents, and monasteries. This use class does not include public or private education services or commercial schools, even as accessory uses.

Renovating means to restore to a former better state by cleaning, repairing, or rebuilding.

Repairing means to restore by replacing a part or putting together what is torn or broken.

Rescue Squad means an organization which engages in the search for lost persons, rescue of persons, rescue of persons who are trapped or who are in of rescue services, search for and recovery of drowned persons, or any other rescue related activity.

Research and Development Company means activities that companies undertake to innovate and introduce new products and services. It is often the first stage in the development process. The goal is typically to take new products and services to market.

Residence, Multi-Family Fourplex means a residential building structure containing four separate units.

Residence, Multi-Family Garden Apartments means a community comprised of several smaller low-rise buildings, three stories or less, located on a large property with ample common interest outdoor space, and the outdoor green spaces are filled with gardens, grass, shrubs and trees. Private outdoor green space may also be allowed in conjunction with the common interest space.

Residence, Multi-Family Rowhouses means a single-family home set at the same point on the property line as its neighboring units in one row of similar houses that are joined together by sharing a common wall, roofline, and, generally, a consistent exterior design.

Residence, Multi-Family Triplex means a residential building structure containing three separate units.

Restaurant means space in a building maintained, advertised and held out to the public as a place where individually priced meals are prepared and served primarily for on-premises consumption and were the primary source of revenue from the operation is from the sale of food. The building shall have a dining room or rooms, a kitchen and the number and kinds of employees necessary for the preparing, cooking, and serving of meals.

Retail Trade means establishment primarily engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of goods.

Sales and Rental of Goods: Sales means commercial activity whereby the seller is obliged to deliver goods, transfer ownership in the goods to the buyer and receive payment; and where the buyer is obliged to pay the seller and receive delivery of and ownership in the goods in accordance with an agreement. Rental means any goods to be supplied to the "buyer" on a lease basis for a set price on a daily, weekly, monthly, or yearly basis.

Salon, Barber Shop, Beauty Shop, Tanning means a shop or business offering a specific product or service relate to fashion, hairdressing, or beauty.

Sanitary Landfill means the method of controlled disposal of solid waste (refuse) on land.

Scrap Materials Salvage Yard means an open area where waste or scrap material, including parts of used motor vehicles, and appliances are bought, sold, exchanged, stored, parked, disassembled, or handled.

Secondary School means a school intermediate between elementary school and college and usually offering general, technical, vocational, or college-preparatory courses. Typically grades six through twelve, however once a student reach grade nine, they are considered be a high school student.

Services means those that provide an activity or the performance of a task with a commercial purpose.

Skateboard Park means a recreation area designed with ramps, rails, etc. for skateboarding.

Skating Rink means an indoor building that contains a surface for ice skate or roller skate.

Social Club means a group of people or the place where they meet, generally formed around a common interest, occupation, or activity.

Soil Processing Operations means the use of any land, building, or structure for the purpose of storing, mixing, composting, packaging soil, soil conditioning agents, wood chips and related materials, compost, or manure.

Solid Waste Recycling Center means an establishment, place of business, facility, or building which is maintained, operated, or used for the storing, keeping, buying, selling of waste materials for the purpose of converting such items into a usable product.

Solid Waste Transfer Station means a facility where solid waste is unloaded from collection vehicles or containers for reloading into larger, long-distance vehicles for transport to landfills or other permitted solid waste facilities for final disposal.

Sport Court means an outdoor asphalt or concrete court (not including parking lots) designed for athletic purposes, (i.e. basketball court, tennis court, etc.) surrounded by fencing or on a standalone pad.

Squash Court means an indoor specially marked court for the game of squash.

Stadium means a large usually roofless building with tiers of seats for spectators at sports events.

Storage, Goods means the function that involves holding goods between the time of their production and their final sale.

Storage, Materials means indoor or outdoor area where bulk materials (liquid, solid, granular, etc.) are stored in piles, barrels, tanks, bins, crates, or other means.

Storage, Vehicles means parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses, and recreational vehicles.

Street, New or Improved means any new or reconstructed fully constructed street with curb, gutter, sidewalk, planting strip, and final lift of asphalt.

Studio: Art, Music, Dance means a small-scale facility for the production of or education in a fine art, dance, or performance program. Examples of these facilities include individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and fitness centers. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Subdivision, Unit Lot 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 permit. 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.

Swimming Pool means any outdoor or indoor structure intended for swimming, including in-ground and above-ground structures, and includes hot tubs, spas, portable spas, and non-portable wading pools.

Technology Company means a company that has as its principal function the providing of services, including computer, information transfer, communication, distribution, processing, administrative, laboratory, experimental, developmental, technical or testing services; manufacture of goods or materials; the processing of goods or materials by physical or chemical change; computer related activities; robotics, biological or pharmaceutical, industrial activities; or technology-oriented or emerging industrial activity. Technology-enabled businesses can be situated in industries such as, but not limited to agriculture technology, biotechnology, consumer technology, green technology, health care technology, logistics technology, manufacturing technology, and services technology.

Temporary Building means a building or structure that complies with the following uses and can be place on a lot for a limited time.

Temporary Mobile or Modular Structures for Public Services means a temporary prefabricated structure to be used for a limited time for public use.

Temporary Residence means a permanent residence in which a person abides, lodges, or resides, including, but not limited to, vacation, business, or personal travel destinations in or out of this state, for a period of 5 or more days in the aggregate during

any calendar year and which is not the person's permanent address or, for a person whose permanent residence is not in this state, a place where the person is employed, practices a vocation, or is enrolled as a student for any period of time in this state.

Temporary Seasonal Farmer's Market means a market in which local farmers sell their agricultural products directly to consumers; allowed within specific time frames and seasons.

Temporary Use means a use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Towing Operation means a business of towing for compensation motor vehicles. Such business shall also include the storage of towed vehicles, pending their return to the owner thereof by the person or his/her or his agent who towed such vehicle.

Trade or Vocational School means a postsecondary educational institution designed to train students for a specific job in a skilled trade career. Most importantly, a trade school offers hands-on training to prepare students for actual work in their chosen field. Trade school programs are entirely concentrated on relevant job training.

Traffic Generation, means the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area.

Train Station means a railway facility or area where trains regularly stop to load or unload passengers, freight, or both.

Training Facility means the use of any lot or building in which training or educational services are offered, but does not include an elementary school, secondary school, or post-secondary school. A training facility may include but is not limited to the instruction of a trade, skill, service, administration, dance, calisthenics, business, aviation, art, language, hairdressing, music, cultural or sport.

Travel Agency means an agency that makes the necessary arrangements for travelers, especially the booking of airline tickets and hotel rooms.

Union Hall means a building in which a union meets or conducts its business; specifically, the headquarters of a trade union used as a center for meetings, for the recruitment of union works, etc. and may refer to a hiring hall or trade union office.

Unit Lot Subdivision. See *Subdivision, Unit Lot.*

Veterinarian means a medical professional who practices veterinary medicine by treating diseases, disorders, managing reproductive health and injuries of animals.

Water Slides means a continuous wetted chute, down which people slide into a pool typically located at an amusement park or water park.

Section 2. The following definitions in Arlington Municipal Code section 20.08.010 shall be and hereby are amended to read as follows:

Abandonment means to cease or discontinue a use or activity without intent to resume but excluding temporary or ~~short~~ short-term interruptions to a use or activity during

periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

Access means a ~~means~~ way of approaching or entering a property. Access includes ingress, the right to enter, and egress, the right to leave by ~~of~~ vehicular, pedestrian, or other ingress and egress to a lot or parcel.

A Non-Single-Family Residential Access Tract or Easement is a private road internal to a single non-Single-Family Residential development intended to provide access to the public or rear-lot property owners. Such "private roads" can only be used where, in the opinion of the ~~Public Works~~ Community and Economic Development Director, there is no potential or need for connection of public streets from one side of a property to another. The permit-issuing authority must approve their use.

Adjoining means that which is joined or united and ~~actually~~ touching.

Alterations means a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the site or increasing the height or ~~depth, or~~ depth or moving from one location to another. In buildings for business, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

Binding Site Plan 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) contains 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 major binding site plan is 10 lots or more and a minor binding site plan is 9 lots or less.

Certify means whenever this title requires that some ~~agency~~ agencies certify the existence of some fact or circumstance to the city, the city may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting the foregoing, the city may accept certification by telephone from some agency when the circumstances warrant it, or the city may require that the certification be in the form of a letter or other document.

Combination Use means a use consisting of a combination on one lot of two or more principal uses separately listed in the Table~~s~~ of Permissible Uses, Section 20.40. ~~040 (Table of Permissible Uses). (~~Under some circumstances, a second principal use may be regarded as accessory to the first, and thus a combination use is not established. See ~~Section~~§20.40.050 (Accessory Uses). In addition, when two or more separately owned or separately operated enterprises occupy the same lot, and all such enterprises fall within the same principal use classification, this shall not constitute a combination use.~~)~~

Community and Economic Development Director means the Director of the Department of Community and Economic Development.

Critical Areas means aquifer recharging areas, fish and wildlife habitats, frequently flooded areas, geologically hazardous areas, wetlands, and streams, as defined in ~~this~~ Chapter 20.93.

Day Care Center, Commercial means any ~~child care~~ childcare arrangement that provides day care on a regular basis for more than twelve children, of whom at least one is unrelated to the provider.

Day Care, In-Home means any ~~child care~~ childcare arrangement that provides day care on a regular basis for less than twelve children, of whom at least one is unrelated to the provider.

Developable (e.g., land, acres) means land on which development can occur per the regulations of this and other Titles of the Arlington Municipal Code. Specifically, lands that are considered environmentally critical areas per Chapter ~~20.88~~ 20.93 (~~Environmentally~~ Critical Area~~s~~ Ordinance) are not considered developable.

Dwelling ~~unit~~ Unit means a room, or rooms within a dwelling, configured as described herein and occupied or intended to be occupied by one family only as living accommodations independent from any other family on a monthly or longer basis. A dwelling unit shall be a separate area that includes:

1) a complete food preparation area containing a sink, a stove or range, a refrigerator, and a countertop;

2) a bathroom containing a toilet, and a shower or bathtub; and

3) one or more sleeping rooms. For the purposes of this definition, a separate area is an area having direct access to the exterior of the building or access to the exterior via hallways, stairways, and elevators that are primarily ingress/egress routes to the exterior rather than leading to common kitchens and living areas.

Halfway House means a home for a group of people meeting the definition for a family who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, and all of whom are living together as a ~~single family~~ single-family unit.

Hearing Officer means the person, or chair of the board, before which a hearing is being held. This can be the Community and Economic Development Director, the Chair of the Planning Commission, the Hearing Examiner, or City Council.

Impact Fee means a payment of money imposed by the City upon development activity as a condition of issuance of a permit to pay for public facilities needed to serve new growth and development, and to mitigate the impacts of the development activity on the capital facilities of the City~~,~~ but does not include any permit or application fee.

Modular Home means a dwelling unit constructed in accordance with the standards set forth in the ~~Uniform~~ International Building Code applicable to site built homes and composed of components substantially assembled in a manufacturing plant and trans¬ported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a mobile home (except that the modular home meets requirements of the ~~Uniform~~ International Building Code applicable to site built homes), or a series of panels or room sections transported on a truck and erected or joined together on the site. Modular home does not include a mobile home or manufactured home.

Occupied Space means an area enclosed or covered providing a ceiling height of seven feet six inches (7' 6") or more, intended for normal use by people on an occasional or

more frequent basis. Occupied space may include basements, cellars, penthouses, and interior balconies or mezzanines if the space is intended for use or habitation.

Planning Official means the Director of the Department of Community and Economic Development or his/her designee.

Plat, Final means the final drawing of the ~~major~~ subdivision and dedication prepared for filing for record with the county auditor and containing all elements and requirements set forth in this title.

Plat, Preliminary~~, or Plat, Preliminary Short~~ means a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks, dedications, restrictive covenants, and other elements of a subdivision consistent with the requirements of this title. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

Shoreline Master Program means the city's land supplemental use plan and regulations for shorelines adopted pursuant to RCW 90.58.

Sign, Off Premises means a sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located. A sign that draws attention to a cause or advocates or proclaims a political, religious, or other noncommercial message shall also be an off-premises sign unless such sign is excluded from regulation under §20.68.120 (Miscellaneous Restrictions and Prohibitions).

Sign Permit means a permit issued by the Building Official or Community and Economic Development Director that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

Special Use Permit means a permit issued by the Community and Economic Development Director or the Hearing Examiner that authorizes the recipient to make use of property in accordance with the requirements of this title as well as any additional requirements imposed by the decision-making authority.

Street, Arterial (4-lane).~~ A~~ means a 4-lane (two driving lanes in both directions) configuration of an arterial.

Street, Collector Arterial means a street whose principal function is to carry traffic between minor, local, and sub-collector streets and arterial streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than 100 dwelling units and is designed to be used or is used to carry more than 1,000 average trips per day.

Subdivision, ~~Short~~ Minor means the division or re-division of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale, lease, or transfer of ownership.

Traffic Generation~~, High Volume~~ means ~~all uses in the 2.000 classification (as listed in 20.40.010, Table of Permissible Uses) other than low volume traffic generation uses.means~~ the volume of vehicular traffic generated over a prescribed area within a prescribed time frame, which can be directly attributed to a particular development or geographic area.

Utility Facilities means any above ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such

structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose by RCW 80.04.015 and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Excepted from this definition are utility lines and supporting structures listed in Subsection 20.60.450(e) Underground Utilities~~)~~.

Wholesale Sales means ~~on premises sales of goods primarily to customers engaged in the business of reselling the goods.means~~ the sale of goods, commodities, and merchandise to retail distributors; to other wholesale distributors; to industrial, commercial, institutional or professional business users; or acting as agents or brokers and buying or selling goods, commodities, and merchandise for incorporation and assembly into other products.

Section 3. The following definitions shall be and hereby are deleted from Arlington Municipal Code section 20.08.010:

~~Mobile or Manufactured Home means a dwelling unit that: (i) is not constructed in accordance with the standards set forth in the Uniform Building Code applicable to site built homes, and (ii) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis, and (iii) exceeds 40 feet in length and eight feet in width.~~

~~Mobile Home, Class A means a mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:~~

~~(1) The home has a length not exceeding four times its width;~~

~~(2) The pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;~~

~~(3) The exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;~~

~~(4) A continuous, permanent masonry foundation, un-pierced except for required ventilation and access, is installed under the home; and~~

~~(5) The tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.~~

~~Mobile Home, Class B means a mobile home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a Class A mobile home.~~

~~Mobile Home, Class C means any mobile home that does not meet the definitional criteria of a Class A or Class B mobile home.~~

~~Mobile Sales and Delivery means sales and delivery of goods or services from a mobile structure, either motorized or not. Mobile sales and delivery are not intended for uses set up in one location on a semi-permanent basis, but rather for uses that frequently move from one place to another.~~

~~Short Subdivision. See Subdivision, Short.~~

~~Short Plat. See Plat, Preliminary.~~

~~Traffic Generation, Low Volume means uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor space than stores selling smaller items.~~

Section 4. Arlington Municipal Code section 20.08.020 shall be and hereby is deleted in its entirety.

Section 5. **Severability**. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-010 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-010

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.08 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING DEFINITIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-011

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.12 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING ADMINISTRATIVE MECHANISMS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. The prefatory summary of the Parts of Chapter 20.12 shall be and hereby is modified to read as follows:

Part I.	General
Part II.	City Staff
Part III.	Hearing Examiner
Part IV.	Planning Commission
Part V~~I~~.	Design Review Board
Part VI.	Park and Arts Commission
Part VII.	City Council
Part VIII.	Official Files
Part IX.	Security Mechanisms

Section 2. Arlington Municipal Code section 20.12.020(2) shall be and hereby is amended to read as follows:

(2) The Community and Economic Development Director;

Section 3. Arlington Municipal Code section 20.20.12.120 shall be and hereby is amended to read as follows:

20.12.120 The Community and Economic Development Director.
The Community and Economic Development Director is the administrative head of the Planning Division of the Department ~~of Development Services~~ Department of Community and Economic Development, who is responsible for planning, administration, enforcement, and minor land use decision-making as specified in this Title. As provided in §20.16.~~100~~220 (Zoning Permits), §20.16.~~140~~225 (Special Use Permits and Conditional Use Permits), and §20.16.~~360~~425 (Final ~~Short or~~ Major or Minor Subdivision ~~Plat~~ Approval Process), the Community and Economic Development Director is authorized to approve zoning permits, Special Use Permits (where provided), and ~~short~~minor preliminary and final plats, major final plats, and site civil construction plans for private development or to delegate such authority to the planning staff.

Section 4. Arlington Municipal Code section 20.12.130 shall be and hereby is amended to read as follows:

The Public Works Director is the administrative head of ~~the Engineering Division of~~ the Department of Public Works. As provided in various sections the Public Works Director is responsible for planning, administration, enforcement, and decision-making as it pertains to public improvements as specified in this Title, including the approval of plans for public improvements and approval of public improvements for acceptance by the City, or to delegate such authority to the Public Works staff.

Section 5. Arlington Municipal Code section 20.12.210(b) shall be and hereby is amended to read as follows:

(b) The Hearing Examiner shall also have jurisdiction on any amendments (§20.16.~~250~~370, Amendments to and Modifications of Permits) to or reconsideration of (§20.16.~~260~~300, Reconsideration of Permit-Issuing Authority's Action) permits that he or she has issued.

Section 6. Arlington Municipal Code section 20.12.220(b) shall be and hereby is amended to read as follows:

(b) The Hearing Examiner shall conduct his or her meetings in accordance with the quasi-judicial procedures set forth in Chapters 20.12 (Administrative Mechanisms), 20.16 (Permits and ~~Final Plat~~ Land Division Approval), 20.20 (Appeals, Variances, and Interpretations), and 20.24 (Hearing and Pre-Hearing Procedures for Appeals and Applications).

Section 7. Arlington Municipal Code section 20.12.230 shall be and hereby is amended to read as follows:

20.12.230 Powers and Duties of the Hearing Examiner.

~~(a)~~ The Hearing Examiner shall hear and decide:

(1) Applications for special use permits, as provided in §20.16.~~010~~100 (Permits Required), when a hearing has been requested as provided in §20.16.~~140~~225 (Special Use Permits and Conditional Use Permits).
(2) Applications for conditional use permits, as provided in §20.16.~~010~~100 (Permits Required).
(3) Applications for variances, as provided in §20.20.030 (Variances), when a hearing has been requested as provided in §20.16.~~140~~225 (Special Use Permits and Conditional Use Permits).

(4) Appeals from any order, decision, requirement, or interpretation made by the Community and Economic Development Director, as provided in §20.20.010 (Appeals of Community and Economic Development Director, or Design Review Board~~, Planning Commission or Hearing Examiner~~ Decisions).

(5) Any other matter the hearing examiner is required to act upon by any other city ordinance.

Section 8. Arlington Municipal Code section 20.12.420(a) shall be and hereby is amended to read as follows:

(a) The Design Review Board shall review applications for projects for conformity with the Development Design ~~Guidelines~~Standards, as described in this Title.

Section 9. Arlington Municipal Code section 20.12.700(a) shall be and hereby is amended to read as follows:

(a) The Community and Economic Development Director shall compile an official file on each application filed containing the following:

(1) The application materials submitted by the applicant.

(2) Any staff reports prepared.

(3) All written testimony received on the matter.

(4) The electronic recording and minutes of any public hearing on the matter.

(5) The decision of the permit-granting authority on the permit.

(6) Any other information relevant to the matter.

(7) Certification of publication, and a copy of the mailed notification and the date of mailing.

Section 10. **Severability**. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 11. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-011 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-011

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.12 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING ADMINISTRATIVE MECHANISMS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-012

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.16 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING PERMITS AND LAND DIVISION APPROVALS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.16 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"

Chapter 20.16

PERMITS AND FINAL PLAT APPROVAL

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20.16.020 No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled.
20.16.030 Who May Submit Permit Applications.
20.16.034 Official Representative of the Applicant.
20.16.040 Applications To Be Complete.
20.16.050 Staff Consultation Before Formal Application.
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20.16.190 Additional Requirements on Zoning, Special Use, and Conditional Use Permits.
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(e) 20.16.110 (Authorizing Use or Occupancy Before Completion of Development Under Zoning Permit20.16.200 (Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use or Conditional Use Permits (Completing Development in Phases 20.28 (Complete Application20.24.014 (Combining Hearings With Those of Other Agencies20.16.050 (Staff Consultation Before Formal Application Chapter 20.32 **20.16.070 (Complete Application20.16.070 (Complete Application20.16.070 (Complete Application20.16.130 (Neighborhood Meeting for Conditional Use Permits Required20.16.140 (Special Use Permits and Conditional Use Permits20.16.120 (Notice of Application Filed20.16.120 (Notice of Application Filed)Chapter 20.3220.16.040 (Applications To Be Complete20.16.140 (Special Use Permits and Conditional Use Permits)20.16.040 (Applications To Be Complete20.16.040 (Applications To Be Complete) 20.16.040 (Applications To Be Complete20.16.040 (Applications To Be Complete20.24.020 (Public Notice20.16.140 (Special Use Permits and Conditional Use Permits20.16.140 (Special Use Permits and Conditional Use Permits20.16.170 Hearing Examiner Action on Conditional Use Permits20.16.140 (Special Use Permits and Conditional Use Permits20.16.140(d) (Special Use Permits and Conditional Use Permits** 20.28.040 (Penalties and Remedies for Violations20.28.050 (Permit Revocation20.16.020 (No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled20.16.200 (Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use or Conditional Use Permits20.16.200 20.16.200 20.16.20020.16.210, Completing Development in Phases20.16.230 (Effect of Permit on Successors and Assigns20.16.190

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Chapter 20.16

PERMITS AND LAND DIVISION APPROVAL

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20.16.350 Effect of Permit on Successors or Assigns.

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Part IV. Land Division Permits

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Part I. Permit Application Procedures

20.16.100 Permits Required.

(a) Subject to §20.68.010 (Permit Required for Signs), the use made of property may not be substantially changed (see §20.40.070, Change in Use), and land clearing, grading, filling, or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to one of the following permits:
   (1) A zoning permit issued by the Community and Economic Development Director.
   (2) A special use permit issued by the Community and Economic Development Director or Hearing Examiner.
   (3) A conditional use permit issued by the Hearing Examiner.

(b) Zoning permits, special use permits, conditional use permits, and sign permits are issued under this title only when a review of the application submitted, including the plans contained therein, indicates that the development will comply with the provisions of this title if completed as proposed. Such plans and applications as are finally approved are incorporated into any permit issued, and except as otherwise provided in §20.16.350 (Effect of Permit on Successors or Assigns), all development shall occur strictly in accordance with such approved plans and applications.

(c) Physical improvements to land to be subdivided may not be commenced except in accordance with a conditional use permit issued by the Hearing Examiner for major subdivisions or in accordance with a zoning permit issued by the Community and Economic Development Director for minor subdivisions (see Part IV, Land Division Permits, of this chapter).

A zoning permit, special use permit, conditional use permit, or sign permit shall be issued in the name of the applicant (except those applications submitted by an agent shall be issued in the name of the principal), shall identify the property involved and the proposed use, shall incorporate by reference the plans submitted, and shall contain any special conditions or requirements lawfully imposed by the permit-issuing authority. §20.16.350 (Effect of Permit on Successors or Assigns).

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, or the agents of such persons (who may make application in the name of such owners, lessees, or contract vendees).

(b) The Community and Economic Development Director shall require an applicant to submit evidence of his authority to submit the application in accordance with Subsection (a) whenever there appears to be a reasonable basis for questioning this authority.

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. The City is not obligated to provide said correspondence, determinations, or notices to any other representative of the applicant, or even the applicant himself if the official representative is anyone other than himself, unless otherwise specified by this Title.

20.16.130 Staff Consultation Before Formal Application.

(a) Except as provided in Subsection (c), to minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this title, a general information meeting and pre-application consultation between the developer and the planning staff is encouraged as provided in this section.

(b) Before applying for a permit, the developer shall participate in a general information meeting and/or pre-application meeting and present to the Community and Economic Development Director a sketch plan of such subdivision, drawn approximately to scale (1 inch = 100 feet). The sketch plan shall contain:
   (1) The name and address of the developer,
   (2) The proposed name and location of the subdivision,
   (3) The approximate total acreage of the proposed subdivision,
   (4) The tentative street and lot arrangement,
   (5) Topographic lines, and
   (6) Any other information the developer believes necessary to obtain the informal opinion of the planning staff as to the proposed subdivision's compliance with the requirements of this title.

   The Community and Economic Development Director shall meet with the developer as soon as conveniently possible to review the sketch plan.

(c) The Community and Economic Development Director may waive the requirement for a pre-application meeting for minor projects that, in his opinion, do not warrant such a meeting.

20.16.140 Submittal of Application.

(a) Except as provided in subsection (d), 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.

(b) Before submitting an application for a permit, the developer shall participate in a submittal intake appointment and present to the Community Development staff all the elements necessary for such application.

(c) Submittal appointments shall be scheduled at least one week prior to the submittal intake appointment.

(d) The Community and Economic Development Director may waive the requirement for a submittal intake appointment for minor projects that, in his/her opinion, do not warrant such an appointment.

20.16.150 Vesting of Permits.

(a) Land use permit applications shall be considered vested on the date that an application is deemed complete pursuant to §20.16.205 (Complete Application) 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.

(b) 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.

20.16.160 Processing Multiple Permits.

(a) Whenever a proposed project requires more than one permit, or multiple permits, by this Title, the entire application will be linked and processed simultaneously using the process specified for the permit requiring the highest degree of review and decision-making.

(b) Where another agency with jurisdiction requires a public meeting or open record hearing as a part of their permitting process, any public meetings or open record hearings required by this Title may be combined with those of the other agency with jurisdiction provided that the requirements of §20.24.014 (Combining Hearings With Those of Other Agencies) are met.

20.16.170 Completing Developments in Phases.

(a) If a development is constructed in phases or stages in accordance with this section, then, subject to Subsection (c), the provisions of §20.16.320 (No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled) and §20.16.340 (Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use or Conditional Use Permits) shall apply to each phase as if it were the entire development.

(b) As a prerequisite to taking advantage of the provisions of Subsection (a), the developer shall submit plans that clearly show the various phases or stages of the proposed development and the requirements of this title that will be satisfied with respect to each phase or stage.

(c) If a development that is to be built in phases or stages includes improvements that are designed to relate to, benefit, or be used by the entire development (such as a swimming pool or tennis courts in a residential development) then, as part of his application for development approval, the developer shall submit a proposed schedule for completion of such improvements. The schedule shall relate completion of such improvements to completion of one or more phases or stages of the entire development. Once a schedule has

been approved and made part of the permit by the permit-issuing authority, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the schedule approved as part of the permit, provided that:

(1) If the improvement is one required by this Title then the developer may utilize the provisions of §20.16.340(a) or §20.16.340(c),

(2) If the improvement is an amenity not required by this title or is provided in response to a condition imposed by the board, then the developer may use the provisions of §20.16.340(b).

20.16.180 Applications to be Processed Expeditiously.

Recognizing that inordinate delays in acting upon appeals or applications may impose unnecessary costs on the appellant or applicant, the city shall make every reasonable effort to process appeals and permit applications as expeditiously as possible, consistent with the need to ensure that all development conforms to the requirements of this article.

Part II. Permit Review Procedures

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.

(b) Subject to Subsection (c), an application is complete when it contains all of the information that is necessary for the permit-issuing authority to decide whether or not the development, if completed as proposed, will comply with all of the requirements of this title, including a Master Permit Application Form signed by both the applicant and the property owner. Generally, an application will be considered complete if it contains all the elements of the list of submission requirements (prepared by the Community and Economic Development Director, as authorized in Subsection (e) and they substantially meet the City's standards for such documents (i.e., they contain all the relevant sections, information, and analyses typically required in such documents). This is not to say that errors in the documents or differences of opinion shall constitute incompleteness; such issues may be worked out through the review process or may constitute reasons for denial.

(c) In this title, detailed or technical design requirements and construction specifications relating to various types of improvements (streets, sidewalks, etc.) are set forth in one or more of the administratively adopted policies authorized by this title. It is not necessary that the application contain the type of detailed construction drawings that would be necessary to determine compliance with these appendices, so long as the plans provide sufficient information to allow the permit-issuing authority to evaluate the application in the light of the substantive requirements set forth in the text of this Title.

However, whenever this Title or a condition of a permit requires a certain element of a development to be constructed in accordance with the detailed requirements set forth in one or more of these administratively adopted polices or other specified standards, then no construction work on such element may be commenced until detailed construction drawings have been submitted to and approved by the Public Works Director. Failure to observe this requirement may result in permit revocation, denial of final subdivision plat approval, or other penalty as provided in §20.28 (Enforcement and Review).

(d) The presumption established by this title is that all the information set forth in the administrative guideline specifying the information required with applications is necessary to satisfy the requirements of this section. However, it is recognized that each development is unique, and therefore the permit-issuing authority may allow less information or require more information to be submitted according to the needs of the particular case. Generally, the applicant may rely on the recommendations of the Community and Economic Development Director as to whether more or less information than that set forth in the administrative guideline entitled "Information Required with Applications" should be submitted; however, the permit-issuing authority reserves the right to require more information if needed to make a decision.

(e) The Community and Economic Development Director shall develop application forms, a list of submission requirements, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the application requirements and the form and type of information that must be submitted. In classes of cases where a minimal amount of information is necessary to enable the Community and Economic Development Director to determine compliance with this title, such as applications for zoning permits to construct single-family or two-family houses, or applications for sign permits, the Community and Economic Development Director shall develop standard forms that will expedite the submission of the necessary plans and other required information.

20.16.205 Complete Application.

(a) Upon receipt of a formal application for a zoning, special use, or conditional use permit, or plat approval, the Community and Economic Development Director shall review the application and, at his discretion, confer with the applicant to ensure that the planning staff's interpretation of the applicable requirements of this title is understood, that he has submitted all of the information that he intends to submit, and that the application represents precisely and completely what he proposes to do.

(b) The Community and Economic Development Director will process the permit application concurrently with the SEPA process.

(c) Within twenty-eight (28) days after receiving a permit application, the Community and Economic Development Director shall mail or provide in person a written determination to the applicant, stating either:

  (1) That the application is complete; or,

  (2) That the application is incomplete and what is necessary to make the application complete. To the extent known, the Community and Economic Development Director shall identify other agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application.

(d) The application is deemed complete if the City does not provide a written determination to the applicant that the application is incomplete as provided in Subsection (c).

(e) Within fourteen days after an applicant has submitted to the Community and Economic Development Director the additional information identified as being necessary for a complete application, the Community and Economic Development Director shall notify the applicant whether the application is complete or what additional information is necessary.

20.16.210 Burden of Presenting Evidence; Burden of Persuasion.

(a) The burden of presenting a complete application (as described in §20.16.200, Applications To Be Complete) to the permit-issuing authority shall be upon the applicant. However, unless prior to the time that a decision is made the permit-issuing authority informs the applicant in what way the application is incomplete and offers the applicant an opportunity to complete the application, the application shall be presumed to be complete.

(b) Once a completed application has been submitted, the burden of presenting evidence to the permit-issuing authority sufficient to lead it to conclude that the application should be denied for any reasons stated in §20.16.225 (Special Use Permits and Conditional Use Permits) shall be upon the party or parties urging this position, unless the information presented by the applicant in his application and at the public hearing is sufficient to justify a reasonable conclusion that a reason exists to so deny the application.

(c) The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the requirements of this title remains at all times on the applicant.

20.16.215 Distribution of Application.

Upon receipt of a 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.

20.16.220 Zoning Permits.

(a) A completed application form for a zoning permit shall be submitted to the Community and Economic Development Director by filing a copy of the application with the planning department.

(b) The Community and Economic Development Director shall issue the zoning permit unless he finds, after reviewing the application and consulting with the applicant as provided in §20.16.130 (Staff Consultation Before Formal Application), that:

  (1) The requested permit is not within his jurisdiction according to the Table of Permissible Uses, or

  (2) The application is incomplete, or

  (3) If completed as proposed in the application, the development will not comply with one or more requirements of this title (not including those requirements concerning which a variance has been granted or those the applicant is not required to comply with under the circumstances specified in §20.32, Nonconforming Situations), or

  (4) The proposed project has not complied with SEPA, or

  (5) The proposed project is not in conformance with the Comprehensive Plan or other adopted plans, regulations, or policies.

(c) In considering the permit application, the Community and Economic Development Director shall not consider the following issues, which have already been decided by the City Council through their previous actions of adopting the Comprehensive Plan and Land Use Code:

  (1) Whether the proposed use, if identified by §20.40 Permissible Uses as a permissible use in the zoning district, should be a permissible use;

  (2) Whether the proposed residential densities, if identified by §20.48 Density and Dimensional Regulations) as a permissible density in the zoning district, should be allowed;

(3) Whether public facilities identified in the Comprehensive Plan are available and adequate, if the plan or development regulations provide for funding of these facilities as required by 36.70A RCW.

(d) Except as specified in Subsection 0, if the Community and Economic Development Director decides that if it would be in the best interest of the project and/or community to provide notice of the project, he shall, at least ten days before taking final action on the permit request, send a written notice to those persons who have listed for taxation real property any portion of which is within 500 feet of the lot that is the subject of the application, informing them that:
   (1) An application has been filed for a permit authorizing identified property to be used in a specified way,
   (2) All persons wishing to comment on the application should contact the Community and Economic Development Director by a certain date, and
   (3) Persons wishing to be informed of the outcome of the application should send a written request for such notification to the Community and Economic Development Director.

(e) In the case of zoning permits for minor subdivisions, the Community and Economic Development Director shall always issue public notice as described in Subsection (d).

20.16.225 Special Use Permits and Conditional Use Permits.

(a) An application for a special use permit shall be submitted to the Community and Economic Development Director or Hearing Examiner, whomever shall be the decision-maker as per subsection (b), by filing a copy of the application with the Community and Economic Development Director in the planning department. 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.

(b) Decisions on special use permits are:
   (1) Made by the Community and Economic Development Director unless any interested party requests a hearing before the Hearing Examiner by the close of the review period of the Notice of Application Filed, required per §20.16.230 (Notice of Application Filed).
   (2) Made by the Hearing Examiner if a hearing is requested, in which case the Community and Economic Development Director shall forward the Special Use Permit application to said board for their consideration.

(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:
   (1) The requested permit is not within its jurisdiction according to the Table of Permissible Uses, or
   (2) The application is incomplete, or
   (3) If completed as proposed in the application, the development will not comply with one or more requirements of this Title (not including those the applicant is not required to comply with under the circumstances specified in §20.32, (Nonconforming Situations), or
   (4) The proposed project has not complied with SEPA, or
   (5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, or other adopted plans, regulations, or policies.

(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:
  (1) Will materially endanger the public health or safety, or
  (2) Will materially harm adjoining or abutting property,
  (3) In terms of design and use will not be compatible with the area in which it is located.

(e) In considering the permit application, the Community and Economic Development Director or Hearing Examiner shall not consider the following issues, which have already been decided by the City Council through their previous actions of adopting the Comprehensive Plan and Land Use Code:
  (1) Whether the proposed use, if identified by §20.40. (Permissible Uses) as a permissible use in the zoning district, should be a permissible use;
  (2) Whether the proposed residential densities, if identified by §20.48. (Density and Dimensional Regulations) as a permissible density in the zoning district, should be allowed;
  (3) Whether public facilities identified in the Comprehensive Plan are available and adequate, if the plan or development regulations provide for funding of these facilities as required by 36.70A RCW.

20.16.230 Notice of Application Filed.

(a) The Community and Economic Development Director shall give public notice of any application filed for a special or conditional use permit or a variance by issuing, distributing, and advertising a "Notice of Application Filed" as follows:
  (1) Notice shall be given to the appellant or applicant and any other person who makes a written request for such notice by mailing to such persons a written notice not later than fourteen days after the determination of complete application has been made per §20.16.205 (Complete Application).
  (2) Notice shall be given to neighboring property owners by mailing a written "Notice of Application Filed" within fourteen days after the determination of complete application has been made per §20.16.205 (Complete Application) to those persons who have listed for taxation real property any portion of which is located within five hundred feet of the lot that is the subject of the application or appeal or, where the owner of the subject parcel owns other contiguous lots not under application, within five hundred feet of all contiguously owned lots.
  (3) A copy will be posted on the official notification boards of the City.
  (4) A copy will be posted on the City's website on the public notice page.
  (5) A copy will be sent to appropriate city or county officials if the proposed project adjoins their jurisdiction or has potential impacts on their capital improvements or services.
  (6) A copy will be sent to the State Department of Transportation if the proposed project is adjacent to the right-of-way of a state highway or has potential impacts on their facilities or Level of Service.
  (7) A copy will be sent to all other agencies with jurisdiction.

(8) Notice shall be given to other potentially interested persons by publishing a notice one time in a newspaper having general circulation in the area.

(9) The applicant shall erect public notice signs, of a format approved by the Community and Economic Development Director, as soon as possible after the determination of complete application has been made per §20.16.205 (Complete Application) as follows:

(A) A copy of the notice described in Subsection (10) shall be attached to each sign.

(B) One sign shall be erected on the subject property facing and readable from each accessible public right-of-way adjacent to the subject property.

(10) The notice required by this section shall provide the following information:

(A) The date of application, the date of issuance of the "Notice of Complete Application," and the date of issuance of the "Notice of Application Filed."

(B) The date, time, and place of any neighborhood meeting held pursuant to §20.16.235 (Neighborhood Meetings for Conditional Use Permits Required);

(C) Any person's right to request a hearing on the matter, with an explanation that the decision is administrative (made by the Community and Economic Development Director) unless a hearing is requested as per §20.16.225 (Special Use Permits and Conditional Use Permits);

(D) Reasonable identification of the lot that is the subject of the application or appeal (give the street address of the property, or if this is not available, a locational description in non-legal language);

(E) A brief description of the action requested or proposed, including the number of lots proposed for a subdivision, and any proposed modifications or variances;

(F) A list of all permits required in the application;

(G) The name of the applicant and the proposed project;

(H) The official file number and a statement of its availability for review, including any existing studies, environmental documents, or other material related to the project;

(I) If applicable, a list of any studies requested;

(J) A list of other permits required by other agencies with jurisdiction, to the extent known by the City;

(K) A statement of the right of any person to submit written testimony to the appropriate permit-issuing authority and to appear at any public meeting or hearing on the project to give testimony orally;

(L) The dates of the public comment period;

(M) A statement of the right of any person to receive notice of and participate in any hearings and request a copy of the decision once made;

(N) An explanation of appeal rights and procedure;

(O) The date, time, place and type of hearing if any hearing has been scheduled at the time;

(P) A statement of any preliminary determination, if one has been made, of those development regulations that will be used for project mitigation and of consistency; and,

(Q) A statement announcing the City's goal of complying with the intent of the American Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services.

(b) If the Responsible Official issues a Determination of Significance on the project concurrently with the notice of application, then the notice of application shall be combined with the Notice of Determination of Significance and EIS Scoping Notice.
(c) The public shall have fourteen days in which to make comments on the application regarding the completeness of the application, the quality or quantity of the information presented, the project's conformance to applicable plans or code, and, in the case of a variance or Special Use Permit, the request for a public hearing. Where a public hearing is required or requested, comments addressing the project's conformance to applicable plans or code will continue to be accepted until the close of the public hearing.

20.16.235 Neighborhood Meetings for Conditional Use Permits Required.

(a) All applications for conditional use permits shall be publicly scoped through a public neighborhood meeting. Upon receiving an application for a conditional use permit the Community and Economic Development Director shall schedule a scoping meeting to occur within one month of receipt but should be held at the earliest time possible while allowing for adequate noticing as per Subsection (c).
(b) Neighborhood meetings shall generally be held between five and six thirty PM just prior to a scheduled Planning Commission meeting unless circumstances require otherwise.
(c) A "Notice of Application Filed" shall be distributed and advertised per §20.16.230 (Notice of Application Filed).
(d) The intent of neighborhood meetings shall be to involve the public as early as possible in the permit process, so that potential issues are raised at the beginning, rather than the end, of the permit process and that solutions may be found during the process. To this end, the meeting shall be an informal gathering of interested parties, at which (i) a brief presentation of the project shall be made by the applicant (or the Community and Economic Development Director if the applicant is not present); (ii) the Community and Economic Development Director will raise any potential issues; and (iii) any participant may raise any potential issues relevant to the project. Solutions to any potential problems need not be found at this point but may be discussed. The Community and Economic Development Director shall take notes of the issues raised in the neighborhood meeting and place a record of them in the official file of the project.
(e) Participation or lack of participation in a neighborhood meeting in no way limits an applicant's, the City's, or any other person's standing to participate in later processes or required hearings on the permit application.

20.16.240 Time Limit for Resubmitting Additional Information.

If while processing a permit the Community and Economic Development Director or hearing body requests additional information or revised plans necessary to continue processing the permit or for determining consistency with this Title, the applicant shall submit such information or revised plans within sixty days of the request. An extension of this deadline may be granted by the requesting authority if it is determined that the time is not adequate given the information requested.

20.16.245 Recommendations on Special Use or Conditional Use Permit Applications.

(a) When presented to the Community and Economic Development Director for an administrative decision or to the Hearing Examiner at a hearing, the application for a special use or conditional use permit shall be accompanied by a report setting forth:
  (1) The planning staff's proposed findings concerning the application's compliance with §20.16.200 (Applications To Be Complete) and the other requirements of this title,
  (2) All decisions and recommendations made as of the date of the report on all project permits included in the consolidated permit process that do not require an open record pre-decision hearing,
  (3) A statement referencing the Responsible Official's Threshold Determination,
  (4) Any mitigation required or proposed under the City's SEPA authority,
  (5) As well as any staff recommendations for additional requirements to be imposed by the permit-issuing authority.
(b) The report may be the land use permit.
(c) If the staff proposes a finding or conclusion that the application fails to comply with §20.16.200 (Applications To Be Complete) or any other requirement of this title, it shall identify the requirement in question and specifically state supporting reasons for the proposed findings or conclusions.
(d) The permit-issuing authority may, by general rule applicable to all cases or any class of cases, or on a case-by-case basis, refer applications to the next higher decision-making level to obtain its recommendations.

20.16.250 Community and Economic Development Director or Hearing Examiner Action on Special Use Permits.

In considering whether to approve an application for a special use permit, the Community and Economic Development Director or Hearing Examiner, whichever is the appropriate permit-issuing authority per §20.16.225 (Special Use Permits and Conditional Use Permits), shall proceed in the same manner as the Hearing Examiner when considering conditional use permit applications §20.16.255 (Hearing Examiner Action on Conditional Use Permits).

(a) The permit-issuing authority shall consider whether the application is complete. If the permit-issuing authority concludes that the application is incomplete and the applicant refuses to provide the necessary information, the application shall be denied. A finding to this effect shall specify either the particular type of information lacking or the particular requirement with respect to which the application is incomplete. If a finding to this effect is not made this shall be taken as an affirmative finding by the permit-issuing authority that the application is complete.
(b) The permit-issuing authority shall consider whether the application complies with all of the applicable requirements of this title. If a finding to this effect is made, the permit-issuing authority need not make further findings concerning such requirements. If such a finding is not made, then a finding shall be made that the application is not in compliance with one or more requirements of this title. Such a finding shall specify the particular requirements the application fails to meet. A separate finding may be made with respect to each requirement not met by the application. It shall be conclusively presumed that the application complies with all requirements not found by the permit-issuing authority to be unsatisfied through this

process. As provided in §20.16.225 (Special Use Permits and Conditional Use Permits), if the permit-issuing authority concludes that the application fails to meet one or more of the requirements of this title, the application shall be denied.

(c) In response to concerns expressed by the permit-issuing authority, planning staff, or public testimony, the applicant may modify his application during the hearing, and the planning staff may likewise revise its recommendations. If a project is modified in such a manner as to make the proposed use more intense, then the project shall be denied without prejudice and a new application shall be filed. The new application shall conform to the standards and procedures of this Title.

(d) If the permit-issuing authority concludes that all such requirements are met, it shall issue the permit unless it makes a finding to deny the application for one or more of the reasons set forth in Subsection 20.16.225 (d) (Special Use Permits and Conditional Use Permits). If the application is denied for such reasons, the permit-issuing authority shall make specific findings, based upon the evidence submitted, justifying such a conclusion.

20.16.255 Hearing Examiner Action on Conditional Use Permits.

(a) When presented to the Hearing Examiner, the application for a conditional use permit shall be accompanied by a report setting forth the planning staff's proposed findings concerning the application's compliance with §20.16.200 (Applications To Be Complete) and other requirements of this title, as well as any staff recommendations for additional requirements to be imposed by the Hearing Examiner.

(b) If the staff proposes a finding or conclusion that the application fails to comply with §20.16.200 (Applications To Be Complete) or any other requirement of this title, it shall identify the requirement in question and specifically state supporting reasons for the proposed findings or conclusions.

(c) The Hearing Examiner shall consider the application and the attached staff report in a timely fashion and hear from the applicant or interested members of the public. (Notice to the adjoining property owners is provided for in §20.24.020 Public Notice.) The Hearing Examiner, at his discretion, may limit testimony in duration and/or number of times.

(d) In response to concerns expressed by the Hearing Examiner, planning staff, or public testimony, the applicant may modify his application during the hearing, and the planning staff may likewise revise its recommendations. If a project is modified in such a manner as to make the proposed use more intense, then the project shall be denied without prejudice and a new application shall be filed. The new application shall conform to the standards and procedures of this Title.

(e) In considering whether to approve an application for a conditional use permit, the Hearing Examiner shall proceed according to the following format:

  (1) The Hearing Examiner shall consider whether the application is complete. If no evidence is presented that the application is incomplete (specifying either the particular type of information lacking or the particular requirement with respect to which the application is incomplete) then this shall be taken as an affirmative finding by the Hearing Examiner that the application is complete.

  (2) The Hearing Examiner shall consider whether the application complies with all of the applicable requirements of this title. If a finding to this effect can be made, the Hearing

Examiner need not make further findings concerning such requirements. If such a finding cannot be made, then a finding shall be made that the application be found not in compliance with one or more of the requirements of this title. Such a finding shall specify the particular requirements the application fails to meet. Separate findings may be made with respect to each requirement not met by the application. It shall be conclusively presumed that the application complies with all requirements not found by the Hearing Examiner to be unsatisfied through this process.

(3) If the Hearing Examiner concludes that the application fails to comply with one or more requirements of this title, the application shall be denied. If the Hearing Examiner concludes that all such requirements are met, he shall issue the permit unless he denies the application for one or more of the reasons set forth in §20.16.225 (Special Use Permits and Conditional Use Permits). Specific findings for such a denial must be made, based upon the evidence submitted, justifying such a conclusion.

20.16.260 Additional Requirements on Zoning, Special Use, and Conditional Use Permits.

(a) Subject to Subsection (b), in granting a zoning, special, or conditional use permit, the Community and Economic Development Director or Hearing Examiner, respectively, 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:
   (1) Will not endanger the public health or safety,
   (2) Will not materially harm adjoining or abutting property,
   (3) In terms of design and use will be compatible with the area in which it is located, and
   (4) Will be in conformity with the land-use plan, transportation plan, or other plan officially adopted by the council.

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

(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.

(c) Without limiting the foregoing, the permit-issuing authority may attach to a permit a condition limiting the permit to a specified duration.

(d) All additional conditions or requirements shall be entered on the permit.

(e) All additional conditions or requirements authorized by this section are enforceable in the same manner and to the same extent as any other applicable requirement of this title.

20.16.265 Fire Marshal Approval Prior to Issuance of Permits.

No zoning, special use, or conditional use permit shall receive final approval until the Fire Marshal has verified that the provisions of AMC Title 15 are satisfied.

20.16.270 Time Limits for Permit Processing.

(a) Except as otherwise provided in Subsection (b) of this section, the City shall issue its notice of final decision on a permit application within one hundred twenty (120) days after the

Community and Economic Development Director notifies the applicant that the application is complete, as provided in §20.16.205 (Complete Application). 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. The period shall be calculated from the date the Community and Economic Development Director notifies the applicant of the need for additional information until the earlier of the date the Community and Economic Development Director determines whether the additional information satisfies the request for information or fourteen (14) days after the date the information has been provided. If the Community and Economic Development Director determines that the information submitted by the applicant is insufficient, he shall notify the applicant of the deficiencies and these procedures shall apply as if a new request for studies had been made;

(2) Any period during which an environmental impact statement (EIS) is being prepared following a determination of significance (DS) pursuant to the State Environmental Protection Act (SEPA);

(3) Any period for administrative appeals of project permits;

(4) Any extension of time mutually agreed upon by the applicant and the local government.

(b) The time limits established by Subsection (a) do not apply if a permit application:

(1) Requires an amendment to the Comprehensive Plan or a development regulation;

(2) Requires approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200; or,

(3) Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

(c) If the City is unable to issue its final decision within the time limits provided herein, the Community and Economic Development Director shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.

(d) The City is not liable for damages under this chapter due to the City's failure to make a final decision within the above time limits.

20.16.275 Notice of Final Decisions.

(a) Following the completion of any hearing, procedure, or administrative decision, the permit application shall be approved, approved with conditions, remanded, or denied and a written notice of decision shall be issued within five calendar days. The notice of decision shall include the final determination of approval or denial of the project, a statement of any threshold determination made under SEPA, and the procedure to appeal the notice of decision.

(1) For Zoning Permit applications, a published notice of decision is not required. However, a memorandum or completed project checklist shall be placed in the permit file containing findings describing how the application was consistent/inconsistent with applicable zoning regulations and development standards.

(2) For Special Use Permit and Conditional Use Permit applications, a notice of decision shall be mailed or emailed to all parties of record, which shall include the applicant and each person who participated in the public hearing or who submitted comments during the public comment period at any time prior to the issuance of the decision. The notice of decision shall be posted on the city's website under public notices.

(b) The notice of decision shall be attached and included with the Community and Economic Development Director's permit decision or the Hearing Examiner's decision.

(c) If the city is unable to issue its notice of decision within the allotted time frame, it shall provide written notice to the project applicant including the reasons the time limits have not been met and an estimated date for issuance of the notice of decision. The time limits established in this chapter do not apply if a permit application requires:
   (1) An amendment to the Comprehensive Plan or development regulations; or
   (2) Substantial revisions by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete.

20.16.280 Expiration of Permits.

(a) Zoning (other than for preliminary minor plats), special use, conditional use (other than for preliminary major plats), and sign permits shall expire automatically if, within two 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 ten 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. With respect to phased development (see §20.16.170, Completing Developments in Phases), this requirement shall apply only to the first phase.

(b) Zoning permits for preliminary minor plats or conditional use permits for major plats shall expire automatically if, within five 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 Subsection (e).

(c) If, after some physical alteration to land or structures begins to take place, such work is discontinued for a period of one year, then the permit authorizing such work shall immediately expire. However, expiration of the permit shall not affect the provisions of §20.16.350 (Effect of Permit on Successors and Assigns).

(d) For zoning, special use, conditional use other than for preliminary minor or major subdivisions, and sign permits the permit-issuing authority may extend for a period up to twelve months the date when a permit would otherwise expire pursuant to Subsections (a) or (b) if it concludes that (i) the request was delivered in writing to the Planning Department at least thirty (30) calendar days prior to the permit's expiration date, (ii) the permit recipient has proceeded with due diligence and in good faith, and (iii) conditions have not changed so substantially as to warrant a new application. Successive extensions may be granted for periods up to twelve months upon the same findings. All such extensions may be granted without resort to the formal processes and fees required for a new permit, though a fee may be set by resolution for the processing of extensions.

(e) For permits for preliminary minor or major subdivisions the permit-issuing authority may extend for a period of 1 year from the date when a permit would otherwise expire pursuant to Subsections (a) or (b) if it concludes that (i) the request was delivered in writing to the Planning Department at least thirty calendar days prior to the permit's expiration, (ii) the permit recipient has proceeded with due diligence and in good faith, and (iii) conditions have not changed so substantially as to warrant a new application. Successive extensions may *not* be granted. All such extensions may be granted without resort to the formal processes and fees required for a new permit, though a fee may be set by resolution for the processing of extensions. Once a permit for a minor or major subdivision expires the subdivision may not be finaled and/or recorded.

(f) For purposes of this section, the permit within the jurisdiction of the Hearing Examiner is issued when he decides to approve the application and issue the permit. A permit within the jurisdiction of the Community and Economic Development Director is issued when the earlier of the following takes place:
  (1) A copy of the fully executed permit is delivered to the permit recipient, and delivery is accomplished when the permit is hand-delivered or mailed to the permit applicant; or
  (2) The Community and Economic Development Director notifies the permit applicant that the application has been approved and that all that remains before a fully executed permit can be delivered is for the applicant to take certain specified actions.

(g) Notwithstanding any of the provisions of §20.32 (Nonconforming Situations), this section shall be applicable to permits issued prior to the date this section becomes effective.

Part III. Post Permit Requirements

20.16.300 Reconsideration of Permit-Issuing Authority's Action.

(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 applicant 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 §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.

20.16.310 Appeal of Permits and Final Plats.

(a) The action of the community and economic development director in granting or denying a permit or final plat may be reviewed for unlawful, arbitrary, capricious, or corrupt action to the hearing examiner. The petition for review must be filed within fourteen calendar days of the notice of final decision issued by the city (see §20.24 Appeals).
(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 (see §20.24 Appeals).

20.16.320 No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled.

Issuance of a conditional use, special use, or zoning permit authorizes the recipient to commence the activity resulting in a change in use of the land or (subject to obtaining a building permit) to commence work designed to construct, erect, move, or substantially alter buildings or other substantial structures or to make necessary improvements to a subdivision. However, except as provided in §20.16.330 (Authorizing Use or Occupancy Before Completion of Development Under Zoning Permit), §20.16.340 (Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use or Conditional Use Permits), and §20.16.170 (Completing Developments in Phases), the intended use may not be commenced, no building may be occupied, and in the case of subdivisions, no lots may be sold until all of the requirements of this title and all additional requirements imposed pursuant to the issuance of a conditional use or special use permit have been complied with.

20.16.330 Authorizing Use or Occupancy Before Completion of Development Under Zoning Permit.

In cases when, because of weather conditions or other factors beyond the control of the zoning permit recipient (exclusive of financial hardship), it would be unreasonable to require the zoning permit recipient to comply with all of the requirements of this title prior to commencing the intended use of the property or occupying any buildings, the Community and Economic Development Director may authorize the commencement of the intended use or the occupancy of buildings (insofar as the requirements of this title are concerned) if the permit recipient provides a performance bond or other security satisfactory to the Community and Economic Development Director to ensure that all of the requirements of this title will be fulfilled within a reasonable period (not to exceed twelve months) determined by the Community and Economic Development Director.

20.16.340 Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use or Conditional Use Permits.

(a) In cases when, because of weather conditions or other factors beyond the control of the special use or conditional use permit recipient (exclusive of financial hardship) it would be extremely unreasonable to require the permit recipient to comply with all of the requirements of this title before commencing the intended use of the property or occupying any buildings or selling lots in a subdivision, the Community and Economic Development Director, in consultation with the Public Works Director and building official, may authorize the commencement of the intended use or the occupancy of buildings or the sale of subdivision lots (but, in the case of subdivisions, not before the subdivision is finaled and recorded) (insofar as the requirements of this title are concerned) if the permit recipient provides a performance bond or other security satisfactory to the board to ensure that all of these requirements will be fulfilled within a reasonable period (not to exceed twelve months).

(b) When the permit issuing authority imposes additional requirements upon the permit recipient in accordance with §20.16.260 (Additional Requirements on Zoning, Special Use, and Conditional Use Permits) or when the developer proposes in the plans submitted to install amenities beyond those required by this title, the Community and Economic Development Director, in consultation with the Public Works Director and building official, may authorize the permittee to commence the intended use of the property or to occupy any building or to sell any subdivision lots before the additional requirements are fulfilled or the amenities installed (but, in the case of subdivisions, not before the subdivision is finaled and recorded) if it specifies a date by which or a schedule according to which such requirements must be met or each amenity installed and if it concludes that compliance will be ensured as the result of any one or more of the following:

(1) A performance bond or other security satisfactory to the Community and Economic Development Director is furnished,

(2) A condition is imposed establishing an automatic expiration date on the permit, thereby ensuring that the permit recipient's compliance will be reviewed when application for renewal is made,

(3) The nature of the requirements or amenities is such that sufficient assurance of compliance is given by §20.28.040 (Penalties and Remedies for Violations) and §20.28.050 (Permit Revocation).

(c) With respect to subdivisions in which the developer is selling only undeveloped lots, the council may authorize final plat approval and the sale of lots before all the requirements of this title are fulfilled if the subdivide provides a performance bond or other security satisfactory to the council to ensure that all of these requirements will be fulfilled within not more than twelve months after final plat approval.

20.16.350 Effect of Permit on Successors and Assigns.

(a) Zoning, special use, conditional use, and sign permits authorize the permittee to make use of land and structures in a particular way. Such permits are transferable. However, so long as the land or structures or any portion thereof covered under a permit continues to be used for the purposes for which the permit was granted, then:

(1) No person (including successors or assigns of the person who obtained the permit) may make use of the land or structures covered under such permit for the purposes authorized in the permit except in accordance with all the terms and requirements of that permit, and

(2) The terms and requirements of the permit apply to and restrict the use of land or structures covered under the permit, not only with respect to all persons having any interest in the property at the time the permit was obtained, but also with respect to persons who subsequently obtain any interest in all or part of the covered property and wish to use it for or in connection with purposes other than those for which the permit was originally issued, so long as the persons who subsequently obtain an interest in the property had actual or record notice (as provided in Subsection (b)) of the existence of the permit at the time they acquired their interest.

20.16.360 Effect of Approval of Zoning or Conditional Use Permits for Preliminary Minor or Major Subdivisions.

(a) The approval of a zoning permit for a preliminary minor subdivision or a conditional use permit for a preliminary major subdivision constitutes approval of the general concept and layout of the plat as approved. Approval of a permit for a preliminary subdivision does not signify acceptance of engineering details of the plat. These engineering details remain subject to approval by the Community and Economic Development Director.

(b) Once engineering details and specific design have been approved by the Community and Economic Development Director, the owner may obtain necessary permits and construct right-of-way, easement, and utility improvements approved in the permit for the preliminary subdivision.

20.16.370 Amendments to and Modifications of Permits.

(a) ***Insignificant* design deviations** from the permit (including approved plans) issued by the Hearing Examiner or the Community and Economic Development Director are permissible and the Community and Economic Development Director may authorize such insignificant deviations. A deviation is insignificant if it has no discernible impact on neighboring properties, the general public, or those intended to occupy or use the proposed development. Each time an insignificant deviation is requested and approved, a memorandum from the Community and Economic Development Director with findings of fact shall be placed in the file for the permit from which it is was granted. If over time the number of insignificant deviations cumulatively requested have or will cause such cumulative changes so that over all they meet the criteria for a minor modification or change, the next subsequent insignificant deviation shall be treated as a modification as per subsection (b).

(b) ***Minor* amendments** in permits (including approved plans) are permissible with the approval of the permit-issuing authority. Such permission may be obtained through written request without a formal application or public hearing, but a payment of any additional fee will be set by resolution. For purposes of this section, amendments are those that have no *substantial* impact on neighboring properties, the general public, or those intended to occupy or use the proposed development and do not exceed ten percent of the lots or square footage. Each time a minor modification or change is approved, a memorandum from the permit-issuing

authority with findings of fact shall be placed in the file for the permit to which it is was granted. If over time the number of minor modifications or changes cumulatively requested have or will cause such cumulative changes meet the criteria for a major change, the next subsequent minor modification or amendment shall be treated as a major change and be processed per subsection (c).

(c) **Major amendments** in permits (including approved plans) are permissible with the approval of the Hearing Examiner or permit-issuing authority. Such permission may be obtained with a formal application and public hearing, if required, and a payment of any additional fee that will be set by resolution. For purposes of this section, major amendments are those that have a substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development and do not exceed twenty-five percent of the approved lots or square footage. Each time a major amendment is approved, a memorandum from the permit-issuing authority with findings of fact shall be placed in the file for the permit to which it is was granted. If over time the number of major amendments or changes cumulatively requested have or will cause such cumulative changes exceed the criteria for a major amendment, the next subsequent major amendment shall be treated as a new application and be processed as per subsection (d).

(d) All other requests for changes in approved plans will be processed as new applications. If such requests are required to be acted upon by the Hearing Examiner or Community and Economic Development Director, new conditions may be imposed in accordance with §20.16.260 (Additional Requirements on Zoning, Special Use, and Conditional Use Permits), but the applicant retains the right to reject such additional conditions by withdrawing his request for an amendment and may then proceed in accordance with the previously issued permit.

(e) The Community and Economic Development Director shall determine whether amendments to and modifications of permits fall within the categories set forth above in Subsections (a), (b), and (c), and (d).

(f) A developer requesting approval of changes shall submit a written request for such approval to the Community and Economic Development Director, and that request shall identify the changes. Approval of all changes must be given in writing.

20.16.380 Maintenance of Common Areas, Improvements, and Facilities.

The recipient of any zoning, special use, conditional use, or sign permit, or his successor, shall be responsible for maintaining all common areas, improvements, or facilities required by this article or any permit issued in accordance with its provisions, except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority. As illustrations, and without limiting the generality of the foregoing, this means that private roads and parking areas, water and sewer lines, and recreational facilities must be properly maintained so that they can be used in the manner intended, and required vegetation and trees used for screening, landscaping, or shading must be replaced if they die or are destroyed.

Part IV. Land Division Permits

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 (Permits and Land Division Approval) of this article, and sale of lots is permitted after final plat approval as provided in §20.16.425 (Final Major and Minor Subdivision Approval Process).

20.16.405 Applicability.

The provisions of this section apply to each major or minor subdivision of land, or alteration or vacation thereof, applied for after the effective date of this Title except as listed below:

(1) This section does not apply to cemeteries and other burial plots while used for that purpose.
(2) This section does not apply to divisions of lands into lots or tracts each of which is one one-hundred twenty-eighths of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land. For purposes of computing the size of any lot under this paragraph, for a lot that borders on a street or road, the lot size shall be expanded to include that area which would be bordered by the centerline of a road or street and the side lot lines of the lot running perpendicular to such centerline.
(3) This section does not apply to divisions made by testamentary provisions or by the laws of descent.
(4) This section does not apply to boundary line adjustments.

20.16.410 No Subdivision Without Plat Approval.

(a) Except as exempted by §20.16.405 (Applicability), no person may subdivide his land except in accordance with all of the provisions of this Title. In particular, no person may subdivide his land unless and until a final plat of the subdivision has been approved in accordance with the provisions of §20.16.425 (Final Minor or Major Subdivision Approval Process) and recorded in the Snohomish County Registry.
(b) The Snohomish County Auditor may not record a plat of any subdivision within the city's planning jurisdiction unless the plat has been approved in accordance with the provisions of this Title.

20.16.415 Restrictions on Minor Subdivisions.

A lot that is created by a minor subdivision shall not be further divided by minor subdivision for a period of five years following the date of recordation of the last minor subdivision of the property. Any further subdivision proposed within said five-year period must be processed as a major subdivision, except as provided in RCW 58.17.060 as amended.

20.16.420 Vacations of Subdivisions.

Vacations of subdivisions are processed in the same manner as subdivisions, except that in addition to the information listed in §20.16.200 (Applications To Be Complete), the following information is also required to be submitted with applications for subdivision vacations:

(a) The reasons for vacation.

(b) Signatures of all parties having an ownership interest in that portion of the subdivision subject to vacation.

(c) If the subdivision is subject to restrictive covenants which were filed at the time of the approval of the subdivision, and the application for vacation would result in the violation of a covenant, the application shall contain an agreement signed by all parties subject to the covenants providing that the parties agree to terminate or alter the relevant covenants to accomplish the purpose of the vacation of the subdivision or portion thereof.

20.16.425 Final Major and Minor Subdivision Approval Process.

(a) The Community and Economic Development Director shall approve or disapprove final major subdivisions (plat) and final minor subdivisions (short plat) in accordance with the provisions of this section and per RCW 58.17.

(b) The applicant for final subdivision plat approval, before complying with Subsection (c), shall submit the following to the Community and Economic Development Director for a determination of whether the approval process authorized by this section can be and should be utilized:

(1) The required number of draft copies, as set by administrative policy, of the information required by Subsections (c) and (d).

(2) Mathematical lot closures showing error of closures not to exceed 0.005 times the square root of "n", where "n" = number of sides and/or curves of a lot.

(3) A certification from a Professional Land Surveyor, licensed in the State of Washington, as to the survey data, layout of streets, alleys, and other rights-of-way. A licensed engineer acting on behalf of the City shall approve bridges, sewage, water systems, and other structures together with the information provided by the Professional Land Surveyor.

(4) A complete survey of the section or sections in which the plat is located, or as much thereof as may be necessary to properly orient the plat within the section or sections. A computer printout showing closures of the section or subdivision breakdown (if any), plat boundary, road centerlines, lots and tracts. The maximum allowable error of closure shall be .02 feet in any such closure.

(5) A title company certification which is not more than thirty calendar days old containing:

(A) A legal description of the total parcel sought to be subdivided; and

(B) A list of those individuals, corporations, or other entities holding an ownership interest in the parcel; and

(C) Any easements or restrictions affecting the property with a description, purpose and reference by auditors file number and/or recording number; and

(D) Any encumbrances on the property; and

(E) Any delinquent taxes or assessments on the property.

(6) An approved subdivision name reservation form from the Snohomish County Auditor's Office.

(7) If lands are to be dedicated or conveyed to the City as part of the subdivision, an American Land Title Association title policy may be required.

(8) The Community and Economic Development Director may require the applicant to submit whatever other information is necessary to make this determination, including, but not

limited to, a copy of the tax map showing the land being subdivided and all lots previously subdivided from that tract of land within the previous five years.

(9) No final major or minor subdivision may be submitted until the applicant has supplied the City with a copy of the signed as-builts and approved water & sewer bills of sale.

(c) Once the Community and Economic Development Director is satisfied that Subsection (b) is met, the applicant for subdivision plat approval shall submit to the Community and Economic Development Director a final plat, drawn in waterproof ink on a sheet made of material that will be acceptable to the Snohomish County Auditor's Office for recording purposes, and having dimensions as follows:

(1) Major subdivisions: 18" x 24".

(2) Minor subdivisions: 18" x 24".

When more than one sheet is required to include the entire subdivision, all sheets shall be made of the same size and shall show appropriate match marks on each sheet and appropriate references to other sheets of the subdivision. The scale of the plat shall be at:

(3) Major subdivisions: one (1) inch equals not more than fifty feet, unless approved otherwise by the Community and Economic Development Director.

(4) Minor subdivisions: one (1) inch equals not more than fifty feet unless approved otherwise by the Community and Economic Development Director.

(d) In addition to the appropriate endorsements, as provided in §20.16.445 (Endorsements on Final Subdivisions and Binding Site Plans), the final plat shall contain the following information:

(1) The name of the subdivision, which name shall not duplicate the name of any existing subdivision as recorded in the Snohomish County Registry,

(2) The name and notarized signatures of the subdivision owner or owners,

(3) The location by Quarter Section/ Section/Township/ Range and/or by other legal description, the county, and state where the subdivision is located,

(4) The name, registration number, and seal of the Professional Land Surveyor responsible for preparation of the plat, and a certification on the plat by said surveyor to the effect that (i) it is a true and correct representation of the land actually surveyed by him/under his supervision; (ii) that the exterior plat boundary, and all interior lot corners have been set on the applicant's property by him/under his supervision using appropriate permanent materials, with a field traverse with a linear closure of one to ten thousand and corresponding angular closure as specified in W.A.C. 332.130.070 and 332.130.090; and, (iii) that all street centerline monuments (points of intersection, points of curve, points of tangency, etc.) within the plat and all intersections with existing street centerlines have been monumented with concrete monuments in case or other permanent material approved by the City.

(5) The scale according to which the plat is drawn in feet per inch or scale ratio in words or figures and bar graph. The drawing shall be of legible scale and shall include the north arrow and basis of bearings. Unless otherwise approved by the Community and Economic Development Director, the scale of the final plat will be at one inch equals fifty feet in order that all distances, bearings, and other data can be clearly shown.

(6) A boundary survey prepared by a Professional Land Surveyor, licensed in the State of Washington, shall be shown on the proposed plat and shall reference the plat to the

Washington Coordinate System, North Zone (North American Datum, 1983, unless otherwise approved by the Department of Community and Economic Development) with a physical description of such corners. When the necessary G.P.S. points exist within one-half mile of the subject property they shall be located on the plat and used as primary reference datum.

(7) The boundary lines of the plat, based on an accurate traverse, with angular and linear dimensions.

(8) The exact location, width, number or name of all rights-of-way and easements within and adjoining the plat and a clear statement as to whether each is to be dedicated or held in private ownership.

(9) The true courses and distances to the nearest established right-of-way lines or official monuments that will accurately locate the plat.

(10) Curved boundaries and centerlines shall be defined by giving radii, internal angles, points of curvature, tangent bearings, and lengths of all arcs.

(11) All lot and block numbers and lines, with accurate dimensions in feet and hundredths of feet, and bearings to one second of arc. Blocks in numbered additions to subdivisions bearing the same name must be numbered consecutively through the several additions.

(12) Accurate locations of all monuments at such locations as required by the Community and Economic Development Director.

(13) All plat meander lines or reference lines along bodies of water, which shall be established above, but not farther than twenty (20) feet from the high waterline of the water or within a reasonable distance, to ensure reestablishment.

(14) Accurate outlines and dimensions of any areas to be dedicated or reserved for public use, with purposes indicated thereon and in the dedication; and/or any area to be reserved by deed covenant for common uses of all property owners.

(15) A full and correct legal description of the property.

(16) All permanent restrictions and conditions on the lots or tracts or other areas in the plat required by the City.

(17) Any additional pertinent information required at the discretion of the Community and Economic Development Director or Public Works Director.

(18) An endorsement to be signed, prior to recordation, by the proper officer in charge of tax collections, certifying that all taxes and delinquent assessments have been paid, satisfied, or discharged.

(19) The following declaration: "All conditions of the preliminary [minor] plat, embodied within the Form of Decision [recorded with the Snohomish County Assessor/which is attached hereto as Exhibit], shall remain conditions of construction of the public improvements."

(e) Not more than 9 lots, including the existing lot, may be created out of one tract using the minor subdivision plat approval process within any five-year period measured from the date of the recording of the last minor plat on the property.

(f) No final major or minor subdivision may be recorded until the applicant has supplied the City a copy of the Final Plat and "as-built" construction plans in number and hard and electronic format acceptable to the Community and Economic Development Director.

(g) The Community and Economic Development Director and Public Works Director, shall approve the proposed major final subdivision unless they find that the plat or the proposed subdivision fails to comply with one or more of the requirements of this Title or that the final plat differs substantially from the plans, specifications, or conditions of approval approved in conjunction with the permit that authorized the development of the subdivision.
(h) If the final plat is disapproved, the applicant shall be furnished with a written statement of the reasons for the disapproval.
(i) All final plat approvals are subject to being recorded in the Snohomish County Registry by the applicant within sixty days of approval. A conformed copy of the recorded documents shall be returned to the City of Arlington. will be forwarded to the applicant.

20.16.430 Alteration of Recorded Final Major or Minor Subdivisions.

(a) A recorded major or minor final plat may be altered, including the reconfiguration of any element graphically portrayed on a recorded final plat or the alteration of conditions, restrictions, easements, or other textual materials on the plat or with a recorded final plat. However, any change where an additional lot(s) is proposed shall not be considered a plat alteration and shall be processed as a new plat or minor plat.
(b) The plat alteration provisions do not apply to corrections to recorded final plats or revisions to lot boundaries authorized pursuant to the boundary line adjustment provisions of §20.16.440 (Boundary Line Adjustments),
(c) In addition to the application requirements of §20.16.200 (Applications To Be Complete), an application for a plat alteration shall contain:
    (1) The signatures of a majority of those persons having an ownership interest in lots, tracts, parcels, sites, or divisions in the plat or portion to be altered.
    (2) A certificate of title showing the names of all persons who would be affected by the proposed alteration, as well as any easements or other encumbrances on the property subject to the proposed alteration.
    (3) If the alteration proposes to change the recorded plat, a drawing prepared at the same scale as the recorded plat shall be submitted showing the details of the proposed alteration.
    (4) If the alteration proposes a change to restrictions, conditions, or easements of a textual nature not depicted on the plat, a clearly written textual revision shall be submitted.
    (5) A written statement of why the alteration is being requested and how the public interest would be served by its approval shall be submitted.
(d) Applications for plat alterations shall be processed in the same manner as Special Use Permits, as specified in §20.16.225 (Special Use Permits and Conditional Use Permits), including the noticing requirement; except that notices shall also be provided to each property owner within the plat.
(e) The decision-making authority may approve a major or minor plat alteration if the application is found to be consistent with all applicable regulations.
(f) If testimony is presented and it is found that the proposed plat alteration would violate any restrictive covenants of the plat, the decision-making authority may deny the request unless such covenants are legally terminated or altered so as to accomplish the purpose of the alteration of the plat or portion thereof.

(g) Upon approval of a plat alteration the applicant shall produce a revised drawing and any other documents required to show the authorized changes to the final plat. The revised final plat shall bear the seal of a registered professional land surveyor, shall include the contents of a final plat, and shall be processed and recorded in the same manner as set forth for final plats. All persons with an ownership or security interest in the property to be altered must sign the altered plat prior to recording.
(h) Altered plats shall change, alter, or supersede the original plat only in the specific ways approved and set forth in the recorded documents.

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.

(a) Applicability. 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.
(b) Standards. Binding site plans are subject to the following standards:
    (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, landscaped areas, surveyed topography (by a Washington State registered land surveyor) 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; and
        (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.
    (3) Both the design and development shall preserve the trees and vegetation, natural drainage, existing topsoil, and wetlands/critical areas to the fullest extent that is reasonably possible.
    (4) Conditions of use, maintenance and restrictions on redevelopment of required open space, parking, access and other improvements shall be identified and enforced by covenants, easements, dedications or other similar mechanisms.

(c) Submission Requirements. Binding site plans shall follow the standard subdivision submittal, review, resubmittal, final approval process and recording requirements as that of that of the standard subdivision per RCW 58.17.

(d) Performance Bonds. In lieu of completing the required improvements, the applicant may request final approval, subject to the approval of a suitable guarantee by the public works director. The guarantee must be in a form acceptable to the city and in an amount commensurate with improvements to be completed. The amount of the guarantee is established at one hundred fifty percent of the cost of the city having to construct the improvements.

Guarantee funds will not be released by the city unless approval has been received from all applicable departments that are reasonable for acceptance and/or maintenance of such improvements.

(e) Amendments and Vacations.

(1) Amendments. Once a binding site plan is recorded, any amendments from the site plan shall require the filing of an amended binding site plan. The application materials, procedures, review criteria, standards, etc., shall be the same as for the initial binding site plan.

(2) Vacation of a recorded binding site plan shall be approved administratively by the Community and Economic Development Director and/or his/her designee prior to recording.

(f) Insignificant Design Deviations. The Community and Economic Development Director or public works director may accept some deviations in code requirements when the binding site plan allows for viable sharing of facilities, including parking, landscaping, pedestrian access, and utilities.

20.16.440 Boundary Line Adjustments.

(a) Minor lot line adjustments are exempt from the subdivision regulations. Minor lot line adjustments to existing legal lots are permitted when no new lots, tracts, or parcels are created through the process, and the adjusted lots either meet all zoning requirements of this Title, or, in the case where any of the existing legal lots are non-conforming, the adjustment would not create a greater non-conformity.

(b) Boundary lines may not be adjusted which will result in directional changes in the orientation of the lot(s), tract(s), parcel(s), or building site(s), such as the changing of front yards into side yards or vice versa; or when the adjustment will result in the City being unable to provide adequate utilities.

(c) Application for a Boundary Line Adjustment is made by submitting to the Community and Economic Development Director a Master Permit Application, a Standard Affidavit of Boundary Line Adjustment, a survey of the subject property, a current title report (no older than 30 days), and the appropriate processing fee as set by resolution.

(d) Said survey for a boundary line adjustment must be conducted by or under the supervision of a registered state-licensed land surveyor. The surveyor shall certify on the boundary line adjustment survey map that it is a true and correct representation of the lands actually surveyed in accordance with City and State law. The survey must indicate that all lot corners

are found and staked; show existing and proposed lot lines and all encroachment(s), buildings, and setbacks from property lines; and provide the legal descriptions of the lots being adjusted before and after the boundary line adjustment.

(e) When the applicant has complied with all of the requirements of this Section and State law and the Community and Economic Development Director has signed the boundary line adjustment, then the record of survey and the original affidavit of ownership shall be filed with the County Auditor in accordance with RCW Chapter 58.09.

20.16.445 Endorsements on Final Major and Minor Subdivisions.

(a) All final subdivision, unit lot subdivisions, binding site plans, and boundary line adjustments shall contain signature endorsements on the cover page of the document.

(b) Final major subdivision, unit lot subdivision, and binding site plans shall use endorsements (1) through (7) below.

(c) Final minor subdivisions, unit lot subdivisions, and binding site plans shall use endorsements (1), (2) and (4) through (7) below.

(d) Boundary Line Adjustments shall use endorsements (1) and (4) through (7) below.

(e) Owner(s) and Surveyor signatures shall be notarized. If there are multiple owners, then additional owner signature lines shall be added, and all names notarized.

(1) CERTIFICATE OF SUBDIVISION APPROVAL

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH TITLE 20 OF THE ARLINGTON MUNICIPAL CODE, AND THEREFORE THIS PLAT HAS BEEN APPROVED BY THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR, SUBJECT TO ITS BEING RECORDED IN THE SNOHOMISH COUNTY REGISTRY WITHIN 60 DAYS OF THE DATE BELOW.

EXAMINED AND APPROVED THIS__ _____DAY OF_____YEAR

_____

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR, (DIRECTOR NAME)

(2) CERTIFICATE OF APPROVAL OF PUBLIC IMPROVEMENTS

I HEREBY CERTIFY THAT ALL STREETS SHOWN ON THIS PLAT ARE WITHIN THE CITY OF ARLINGTON PLANNING JURISDICTION, ALL STREETS AND OTHER PUBLIC IMPROVMENTS SHOWN ON THIS PLAT HAVE BEEN INSTALLED OR COMPLETED TO CITY STANDARDS OR THAT THEIR INSTALLATION OR COMPLETION (WITHIN 12 MONTHS AFTER THE DATE BELOW) HAS BEEN ASSURED BY THE POSTING OF A PERFORMANCE BOND OR OTHER SUFFICIENT SURETY, AND THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH TITLE 20 OF THE ARLINGTON MUNICIPAL CODE, AND THEREFORE THIS PLAT HAS BEEN APPROVED BY THE PUBLIC WORKS DIRECTOR.

EXAMINED AND APPROVED THIS__ _____DAY OF_____YEAR

_____

PUBLIC WORKS DIRECTOR, (DIRECTOR NAME)

(3) CERTIFICATE OF CITY TREASURER

I HEREBY CERTIFY THAT ALL MONIES AND DEBTS PERTAINING TO THIS SUBDIVISION WERE PAID TO THE CITY OF ARLINGTON THE _____DAY OF _____YEAR.

_____

FINANCE DIRECTOR/CITY TREASURER, (DIRECTOR NAME) DATE

(4) CERTIFICATE OF OWNERSHIP

THIS SUBDIVISION, DEDICATION, DECLARATION, WAIVER OF CLAIMS AND AGREEMENT TO HOLD HARMLESS IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNERS.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS THIS _____DAY OF _____YEAR

(ENTER NAME OF COMPANY OR INDIVIDUAL OWNER)

BY: _____
(ENTER NAME OF PERSON SIGNING)

ITS: _____

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT IN KNOW OR HAVE SATISFACTORY EVIDENCE THAT (OWNERS NAME) IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE (TITLE OR OWNER) OF (COMPANY NAME) TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED _____

_____
SIGNATURE OF NOTARY

(NOTARY SEAL)

_____
PRINT NAME OF NOTARY
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,

RESIDING AT _____

MY APPOINTMENT EXPIRES_____

(5) SURVEYORS CERTIFICATE & ACKNOWLEDGEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AND ARLINGTON MUNICIPAL CODE 20.16.425 (d) (4) AND 20.16.445 (5). AT THE REQUEST OF (ENTER NAME OF COMPANY OR INDIVIDUAL OWNER), ON THE DATE OF THE SIGNATURE. I HEREBY CERTIFY THAT THIS PLAT OF (NAME OF SUBDIVISION) IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF (ENTER SECTION, TOWNSHIP, RANGE), WILLAMETTE MERIDIAN, THAT THE BEARINGS AND DISTANCES ARE CORRECTLY SHOWN, THAT ALL INFORMATION REQUIRED BY THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT IS SUPPLIED HEREIN; AND THAT ALL HORIZONTAL AND VERTICAL BOUNDARIES OF THE LOTS, TO THE EXTENT SUCH BOUNDARIES ARE NOT DEFINED BY PHYSICAL MONUMENTS, SUCH BOUNDARIES ARE SHOWN ON THE MAP.

_____

(ENTER SURVEYOR NAME) DATE (SURVEYOR SEAL)
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. (ENTER NUMBER)

STATE OF WASHINGTON)
) SS.
COUNTY OF SNOHOMISH)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT (NAME OF PERSON) IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE) SIGNED THIS INSTRUMENT AND ACKNOWLEDGE IT TO BE (HIS/HER) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED _____

_____
SIGNATURE OF NOTARY

(NOTARY SEAL)

_____
PRINT NAME OF NOTARY
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON,

RESIDING AT _____

MY APPOINTMENT EXPIRES_____

(6) <u>SNOHOMISH COUNTY TREASURERS CERTIFICATE</u>

I HEREBY CERTIFY THAT ALL STATE AND COUNTY TAXES HERETOFORE LEVIED AGAINST THE PROPERTY DESCRIBED HEREON, ACCORDING TO THE BOOKS AND RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID AND DISCHARGED, INCLUDING _____ TAXES.

_____BY:_____
TREASURER, SNOHOMISH COUNTY DEPUTY COUNTY TREASUER

PARCEL NUMBER: (ENTER PARCEL NUMBER(S)

(7) AUDITORS CERTIFICATE

FILED FOR RECORD AT THE REQUIEST OF (ENTER COMPANY NAME OR OWNER) THIS _____DAY OF _____, YEAR, AT_____MINUTES PAST _____M, AND RECORDED IN VOLUME _____ OF PLATS, PAGE _____; AFN_____ RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

_____ BY:_____

AUDITOR, SNOHOMISH COUNTY DEPUTY COUNTY AUDITOR

20.16.450 Subdivision and Binding Site Plan Acceptance of Easements and Dedication Offers.

(a) Approval and recordation of a final subdivision or final unit lot subdivision constitutes acceptance by the city of the offer of easements and dedication of any streets, sidewalks, parks, or other public facilities shown on a plat. Upon recording of the final subdivision, the areas of dedication are the responsibility of the city.

(b) Approval of a binding site plan does not constitute acceptance by the city of the offer of easements or dedication of any streets, sidewalks, parks, or other public facilities shown on a site plan. However, the city may accept any such offer of dedication or easement by resolution of the council or by actually exercising control over and maintaining such facilities.

20.16.455 Protection Against Defects.

(a) Whenever (pursuant to §20.16.340, Authorizing Use, Occupancy, or Sale Before Completion of Development Under Special Use or Conditional Use Permits) occupancy, use or sale is allowed before the completion of all facilities or improvements intended for dedication, and a performance bond or the surety is posted pursuant to §20.16.320, then the applicant shall also post a maintenance bond or other sufficient surety pursuant to Part IX of §20.12 to guarantee that any defects in such improvements or facilities that appear within two years after the dedication of such facilities or improvements is accepted shall be corrected by the developer.

(b) Whenever all public facilities or improvements intended for dedication are installed before occupancy, use, or sale is authorized, then the developer shall post a maintenance bond or other sufficient surety pursuant to §20.12.830 (Maintenance Securities) to guarantee that he will correct all defects in such facilities or improvements that occur within two years after the offer of dedication of such facilities or improvements is accepted.

(c) An architect or engineer retained by the developer shall certify to the city that all facilities and improvements to be dedicated to the city have been constructed in accordance with the requirements of this article. This certification shall be a condition precedent to acceptance by the city of the offer of dedication of such facilities or improvements.

(d) For purposes of this section, the term "defects" refers to any condition in publicly dedicated facilities or improvements that requires the city to make repairs in such facilities over and above the normal amount of maintenance that they would require. If such defects appear, the guaranty may be enforced regardless of whether the facilities or improvements were constructed in accordance with the requirements of this article.

20.16.460 Maintenance of Dedicated Areas Until Acceptance.

As provided in §20.16.380 (Maintenance of Common Areas, Improvements, and Facilities), all facilities and improvements with respect to which the owner makes an offer of dedication to public use shall be maintained by the owner until the appropriate public authority accepts such offer of dedication.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-012 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-012

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.16 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING PERMITS AND LAND DIVISION APPROVALS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-013

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.20 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING APPEALS, VARIANCES AND INTERPRETATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.20.010 shall be and hereby is amended to read as follows:

20.20.010 Appeals of Community **and Economic** Development Director or Design Review Board Decisions.

(a) All actions of the Community and Economic Development Director or Design Review Board are appealable to the Hearing Examiner. Any aggrieved party of record may file an appeal. 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 and the appeal fee as set by resolution is paid. The date and time of filing shall be entered on the notice by the Permit Assistance Center staff.

(b) An appeal must be filed within fourteen days after the date of the decision or order appealed from. The City shall extend the appeal period for an additional seven days if a Determination of Nonsignificance with no prior public comment period has been issued on the project.

(c) Whenever an appeal is filed, the Community and Economic Development Director shall forthwith transmit to the appropriate appeal body all the papers constituting the record relating to the action appealed from. The hearing body shall schedule and hold a closed record appeal hearing within sixty days of the date of filing of the appeal, unless all parties to the appeal agree in writing to extend the time period.

(d) An appeal stays all actions by the City seeking enforcement of or compliance with the order or decision appealed from, unless the Community and Economic Development Director certifies to the appeal body that (because of facts stated in the certificate) a stay would, in his opinion, cause imminent peril to life or property. In that case, proceedings shall not be stayed except by order of the appeal body or a court, issued on application of the party seeking the stay, for due cause shown, after notice to the Community and Economic Development Director.

(e) The appeal body may reverse or affirm (wholly or partly) or may modify the order, requirement or decision or determination appealed from and shall make any order, requirement, decision or determination that in its opinion ought to be made in

the case before it. To this end, the appeal body shall have all the powers of the officer from whom the appeal is taken.

(f) An appeal decision by the City Council is considered the final decision of the City.

Section 2. Arlington Municipal Code section 20.20.020(d) shall be and hereby is amended to read as follows:

(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 the 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 ~~Department of~~ 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.

Section 3. Arlington Municipal Code section 20.20.030 shall be and hereby is amended to read as follows:

20.20.030 Variances.

(a) A development proposal may vary only from the development standards of this code or any administratively adopted guidelines. Variances may not be granted to allow a use in a zone not permitted pursuant to §20.40.~~010~~ (~~Table of~~ Permissible Uses) or to modify decision-making procedures or criteria.

(b) An application for a variance shall be submitted to the City by filing a copy of the application with the planning department. Applications for variances alone or in connection with a zoning or special use permit shall be processed concurrently with the other necessary permit and in the same manner as applications for special use permits in conformity with the provisions of ~~Chapter~~ §20.16 (Permits and ~~Final Plat~~ Land Division Approval), specifically (but not exclusively) the noticing requirements of §20.16.~~120~~ 230 (Notice of Application Filed) and §20.16.~~140~~ 225 Special Use Permits and Conditional Use Permits). Applications for variances in connection with a conditional use permit shall be handled concurrently with the conditional use permit and in conformity with the provisions of conditional use permit processing of ~~§Chapter~~ 20.16 .

(c) A variance may be granted by the Community and Economic Development Director or Hearing Examiner, whichever is the appropriate permit-issuing authority per Subsection (b), if it is concluded that strict enforcement of the code would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of the code will be observed, public safety and welfare secured, and substantial justice done. These conclusions may be reached if it is found that:

(1) The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and

(2) That such variance is necessary, because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and

(3) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

(d) In granting variances, the permit-issuing authority may impose such reasonable conditions as will ensure that the use of the property to which the variance applies will be as compatible as practicable with the surrounding properties.

(e) A variance may be issued for an indefinite duration or for a specified duration only.

(f) Prior to issuance, the nature of the variance and any conditions attached to it shall be entered on the face of the permit, or the permit may simply note the issuance of the variance and refer to the written record of the variance for further information. All such conditions are enforceable in the same manner as any other applicable requirement of this Title.

Section 4. Arlington Municipal Code section 20.20.040 shall be and hereby is amended to read as follows:

20.20.040 Interpretations.

(a) The Community and Economic Development Director is authorized to interpret the zoning map and to pass judgment upon disputed questions of lot lines or district boundary lines and similar questions. If such questions arise in the context of an appeal from a decision of the Community and Economic Development Director, they shall be handled as provided in §20.20.010 (Appeals of Community and Economic Development Director~~,~~ or Design Review Board~~, Planning Commission or Hearing Examiner~~ Decisions).

(b) An application for a map interpretation shall be submitted to the Community and Economic Development Director by filing a copy of the application with the planning department. The application shall contain sufficient information to enable the Community and Economic Development Director to make the necessary interpretation.

(c) Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

(1) Boundaries indicated as approximately following the centerlines of alleys, streets, highways, streams, or railroads shall be construed to follow such centerlines.

(2) Boundaries indicated as approximately following lot lines, city limits or extraterritorial boundary lines shall be construed as following such lines, limits or boundaries.

(3) Boundaries indicated as following shorelines shall be construed to follow the mean high-water mark of such shorelines, and in the event of change in the shoreline shall be construed as following the mean high-water mark of such shorelines.

(4) Where a district boundary divides a lot or where distances are not specifically indicated on the Official Zoning Map, the boundary shall be determined by measurement, using the scale of the Official Zoning Map. Each portion of a property split zoned shall be governed ~~Section 20.08.020 (Lots Divided by District Lines)~~ by § 20.36.105 (Lots Divided by District Lines).

(5) Where any street or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street or alley added thereto by virtue of such vacation or abandonment.

(d) Interpretations of the location of floodway and floodplain boundary lines may be made by the Community and Economic Development Director as provided in §20.64.120 (Location of Boundaries of Floodplain and Floodway Districts).

Section 5. Arlington Municipal Code section 20.20.050 shall be and hereby is amended to read as follows:

20.20.050 Requests to be Heard Expeditiously.

As provided in §20.20.070 Community and Economic Development Director, and Hearing Examiner or City Council Action on Appeals and Variances), all appeals and variance requests shall be heard and decided as expeditiously as possible, consistent with the need to follow regularly established agenda procedures, provide notice in accordance with §~~Chapter~~ 20.24 (Hearing and Pre-Hearing Procedures for Appeals and Applications), and obtain the necessary information to make sound decisions.

Section 6. Arlington Municipal Code section 20.20.054 shall be and hereby is amended to read as follows:

20.20.054 Decisions of the Community **and Economic** Development Director, Hearing Examiner, Design Review Board, Planning Commission, or City Council.

(a) Any final decision of a permit-issuing authority or appeal body shall be in writing and shall include findings and conclusions, based on the record, to support the decision. Such findings and conclusions shall also set forth the manner in which the decision would carry out and conform to the Comprehensive Plan and development regulations. Each final decision, unless the applicant and the decision-making authority mutually agree to a longer period in writing, shall be rendered within fifteen days following conclusion of all testimony and hearings.

(b) The Community and Economic Development Director shall issue decisions of the Community and Economic Development Director, Design Review Board, or City Council based on the record. The Hearing Examiner shall issue his decisions by providing a signed copy to the Community and Economic Development Director, who shall then issue a Notice of Decision as per §20.16.~~194~~ 275 (Notice of Decision).

Section 7. Arlington Municipal Code section 20.20.060 shall be and hereby is amended to read as follows:

20.20.060 Burden of Proof in Appeals and Variances.

(a) When an appeal is taken to the Hearing Examiner in accordance with §20.20.010 (Appeals of Community and Economic Development Director or Design Review Board Decisions), the appellant shall have the burden of presenting to the Hearing Examiner sufficient evidence and argument to demonstrate the appellant is entitled to relief. The hearing examiner shall have the right to control the presentation of evidence and witnesses, including who may present testimony or argument in an appeal hearing.

(b) The burden of presenting evidence sufficient to allow the decision-making authority to reach the conclusions set forth in ~~Subsection~~ §20.20.030(c) (Variances), as well as the burden of persuasion on those issues, remains with the applicant seeking the variance.

Section 8. Arlington Municipal Code section 20.20.070 shall be and hereby is amended to read as follows:

20.20.070 Community **and Economic** Development Director, and Hearing Examiner or City Council Action on Appeals and Variances.

(a) With respect to appeals, a motion to reverse, affirm, or modify the order, requirement, decision, or determination appealed from shall include, insofar as practicable, a statement of the specific reasons or findings of facts that support the motion. If a motion to reverse or modify is not made, then a finding to uphold the decision appealed from shall be in order.

(b) Before granting a variance, the permit-issuing authority must make a separate finding on each of the three required findings stated in §~~Subsection~~ 20.20.030(c). Insofar as practicable, an affirmative finding on each of the requirements set forth in §~~Subsection~~ 20.20.030(c) shall include a statement of the specific reasons or findings of fact supporting such motion.

(c) A variance may be denied on the basis that any one or more of the three criteria set forth in §~~Subsection~~ 20.20.030(c) are not satisfied or that the application is incomplete. Insofar as practicable, a denial shall include a statement of the specific reasons or findings of fact that support it.

Section 9. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 10. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-013 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-013

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.20 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING APPEALS, VARIANCES AND INTERPRETATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-014

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.24 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING HEARING AND PREHEARING PROCESSES

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.24.010(a) shall be and hereby is amended to read as follows:

> Before making a decision on an appeal or an application for a variance or special use (when a hearing is requested per §20.16.~~120~~230 Notice of Application Filed) or conditional use permit, or a petition from the planning staff to revoke any land use or subdivision permit, a hearing shall be held on the matter by the appropriate hearing body (see §20.16.~~140~~225 Special Use Permits and Conditional Use Permits, §20.20.010, Appeals of Community and Economic Development Director~~,~~ or Design Review Board~~, Planning Commission or Hearing Examiner~~ Decisions, and §20.20.030, Variances).

Section 2. Arlington Municipal Code section 20.24.014 shall be and hereby is amended to read as follows:

> 20.24.014 Combining Hearings with Those of Other Agencies.
> The City may combine any hearing on a project permit application with any hearing that may be held by another local, state, regional, federal, or other agency provided that the hearing is held within the City limits. Hearings shall be combined if requested by an applicant as long as the joint hearing can be held within the time periods specified in §20.16.~~280~~ 270 (Time Limits for Permit Processing) or the applicant agrees, in writing, to extend said time periods.

Section 3. Arlington Municipal Code section 20.24.020 shall be and hereby is amended to read as follows:

> 20.24.020 Public Notice.
>
> The Community and Economic Development Director shall give public notice of any hearing required by §20.24.010 Hearing Required on Appeals and Applications) or §20.16.230 Notice of Application Filed) for special use permits, conditional use permits or variances, or any other required public notice, as follows:

(1) Notice shall be given to the appellant or applicant and any other person who makes a written request for such notice by mailing to such persons a written notice not later than fifteen days before the hearing.

(2) Notice shall be given to neighboring property owners and residents by mailing a written notice not later than fifteen days before the hearing. Neighboring property owners are considered to be those persons who have listed for taxation real property any portion of which is located within five hundred feet of the lot that is the subject of the application or appeal or, where the owner of the subject parcel owns other contiguous lots not under application, within five hundred feet of all contiguously owned lots. Neighboring residents are considered to be those people who reside within the same distance. Notice shall also be given by prominently posting signs in the vicinity of the property that is the subject of the proposed action. Such signs shall be posted not less than fifteen days prior to the hearing.

(3) A copy will be posted on the official notification board(s) of the City.

(4) A copy will be posted on the City's website on the public notice page.

(5) A copy will be sent to appropriate city, tribal, state, federal, or county officials if the proposed subdivision adjoins their jurisdiction.

(6) A copy will be sent to the State Department of Transportation if the proposed subdivision is adjacent to the right-of-way of a state highway.

(7) Notice shall be given to other potentially interested persons by publishing a notice one time in a newspaper having general circulation in the area not less than seven nor more than thirty days prior to the hearing.

(8) The applicant shall erect public notice signs, of a format approved by the Community and Economic Development Director, at least ten calendar days before the public hearing as follows:

a. A copy of the notice described in Subsection (8) shall be attached to each sign.
b. One sign shall be erected on the subject property facing and readable from each accessible public right-of-way adjacent to the subject property.
c. The signs shall be removed within seven calendar days after the final public hearing.
d. The applicant or his representative shall sign an Affidavit of Posting, indicating that the required notices have been posted on the property in conformance to this section.

(9) The notice required by this section shall provide the following information:

a. The date, time, and place of the hearing;
b. Reasonable identification of the lot that is the subject of the application or appeal (give the street address of the property, or if this is not available, a locational description in non-legal language);
c. A brief description of the action requested or proposed, including the number of lots proposed for a subdivision, and any proposed modifications or variances;
d. The name of the applicant and the proposed project;
e. The official file number and a statement of its availability;

f. A statement of the right of any person to submit written testimony to the appropriate permit-issuing authority and to appear at the public hearing to give testimony orally;
g. A statement that only persons who submit written or oral testimony to the permit-issuing authority may appeal the decision.
h. A statement announcing the City's goal of complying with the intent of the American Disabilities Act, announcing accessibility, offer of assistance to persons with special needs, and availability of TDD services.

Section 4. Arlington Municipal Code section 20.24.040(a) shall be and hereby is amended to read as follows:

(a) In response to questions or comments by persons appearing at the hearing or to suggestions or recommendations by the Community and Economic Development Director or permit-issuing authority, the applicant may agree to modify his application, including the plans and specifications submitted.

Section 5. Arlington Municipal Code section 20.24.060(a) shall be and hereby is amended to read as follows:

(a) Any decision made by the hearing body regarding an appeal or variance or issuance or revocation of a conditional use permit or special use permit shall be reduced to writing and, within five days of the issuance of the decision, served upon the applicant or appellant and all other persons who testified or made a written request for a copy, per §20.16.275 (Notice of Final Decisions).

Section 6. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 7. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-014 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-014

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.24 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING HEARING AND PREHEARING PROCESSES"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-015

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.32 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING NON-CONFORMING SITUATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.32.040(d) shall be and hereby is amended to read as follows:

(a) The Community and Economic Development Director shall issue a permit authorized by this section if he or she finds that, in completing the renovation, repair or replacement work:

(1) No violation of §20.32.030 (Extension or Enlargement of Nonconforming Situations) will occur, and

(2) The permittee will comply, to the extent reasonably possible, with all provisions of this Title applicable to the existing use (except that the permittee shall not lose his right to continue a nonconforming use).

Section 2. Arlington Municipal Code section 20.32.050 shall be and hereby is amended to read as follows:

20.32.050 Change in Use of Property Where a Nonconforming Situation Exists.

(a) A change in use of property (where a nonconforming situation exists) that is sufficiently substantial to require a new zoning, special use, or conditional use permit in accordance with §20.16.~~010~~100 (Permits Required) may not be made except in accordance with Subsections (b) through (d). However, this requirement shall not apply if only a sign permit is needed.

(b) If the intended change in use is to a principal use that is permissible in the district where the property is located, and all of the other requirements of this Title applicable to that use can be complied with, permission to make the change must be obtained in the same manner as permission to make the initial use of a vacant lot. Once conformity with this Title is achieved, the property may not revert to its nonconforming status.

(c) If the intended change in use is to a principal use that is permissible in the district where the property is located, but all of the requirements of this Title applicable to that use cannot reasonably be complied with, then the change is permissible if the entity authorized by this Title to issue a permit for that particular use (the Community and Economic Development Director or Hearing Examiner) issues a permit authorizing the change. This permit may be issued if the permit-issuing authority finds, in addition to any other findings that may be required by this Title, that:

(1) The intended change will not result in a violation of §20.32.030 (Extension or Enlargement of Nonconforming Situations), and

(2) All of the applicable requirements of this Title that can reasonably be complied with will be complied with. Compliance with a requirement of this Title is not reasonably possible if compliance cannot be achieved without adding additional land to the lot where the nonconforming situation is maintained or moving a substantial structure that is on a permanent foundation. That an applicant is facing financial hardship caused by the cost of meeting such requirements does not constitute grounds for finding that compliance is not reasonably possible. And in no case may an applicant be given permission pursuant to this subsection to construct a building or add to an existing building if additional nonconformities would thereby be created.

(d) If the intended change in use is to another principal use that is also nonconforming, then the change is permissible if the entity authorized by this Title to issue a permit for that particular use (Community and Economic Development Director, Hearing Examiner, or City Council) issues a permit authorizing the change. The permit-issuing authority may issue the permit if it finds, in addition to other findings that may be required by this Title, that:

(1) The use requested is one that is permissible in some zoning district with either a zoning, special use, or conditional use permit, and

(2) All of the conditions applicable to the permit authorized in Subsection (c) of this section are satisfied, and

(3) The proposed development will have less of an adverse impact on those most affected by it and will be more compatible with the surrounding neighborhood than the use in operation at the time the permit is applied for.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-015 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-015

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.32 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING NON-CONFORMING SITUATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-016

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.36 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING DISTRICTS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.36.010 shall be and hereby is amended to read as follows:

20.36.010 Residential Districts Established.

(a) The following residential districts are hereby established: Residential Ultra Low Capacity (RULC) allows for 1-4 dwelling units per acre – 4 Du/Ac. Residential Low Capacity (RLC) allows for 5-6 dwelling units per acre – 6 Du/Ac. Residential Moderate Capacity (RMod) allows for 7-11 dwelling units per acre – 11 Du/Ac. Residential Medium Capacity (RMC) allows for 12-16 dwelling unit per acre – 16 Du/Ac. Residential High Capacity (RHC) allows for 17 and greater dwelling units per acre – 17 > Du/Ac. Old Town Residential (OTR) allows for lot sizes established with the original plats to be utilized, but not less than 3,800 S.F.. Each of these districts is designed to provide for residential lands with varying housing capacities and housing types to provide residents with a variety of housing options~~,~~ and intended to secure for the persons who reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from incompatible and disruptive activities that properly belong in nonresidential districts. Other objectives of these districts are explained in the remainder of this section. All residential districts must be served with public sewer and water facilities in order to utilize the capacities described for each district. Without public utilities servicing the residential district, no increase in the current housing capacity is allowed.

(b) The *Residential Ultra Low Capacity* (RULC) district is established primarily to accommodate detached single-family residential development in areas not currently served by public sewer and water facilities. Larger lots are required to accommodate a septic system and reserve area as required by the Snohomish Health District.

(c) The *Residential Low Capacity* (RLC) district is established primarily to accommodate detached single-family residential uses at lower capacity levels typically on 7200 – 9600 square foot parcels, but also allows for recreational, quasi-public, and public uses that customarily serve residential development. Some types of two-family residences are allowed in this district on larger lots.

(d) The *Residential Moderate Capacity* (RMod) district is designed primarily to accommodate medium capacity housing types, especially smaller multifamily and single family attached, such as duplex, triplex, fourplex, row houses, and garden apartments, typically situated on 4000 – 6200 square foot parcels, but also allows for

recreational, quasi-public, and public uses that customarily serve residential development.

(e) The *Residential Medium Capacity* (RMC) district is established primarily to accommodate higher capacity housing, such as larger multi-family developments, townhomes, condominiums, and the use of the Unit Lot Subdivision process to create fee-simple housing. Live/work units may also be allowed in this zone with additional requirements. Typical parcel size range from 2800 – 3600 square feet, but also allows for recreational, quasi-public, and public uses that customarily serve residential development.

(f) *Residential High Capacity* (RHC) district is designed primarily to accommodate the highest capacity residential developments, that are designed to be compatible with their sites and surroundings, building types are typically large scale multifamily buildings, mixed use buildings, and live/work units.

(g) The *Old Town Residential* (OTR) district is designed primarily to single-family residential development while preserving the historic quality of the traditional town center. Further, this zone is intended to promote residential development that is in character with the older, existing homes in the area. The Old Town Residential District may also allow for duplex, triplex, fourplex, and garden style housing units (missing middle housing) that are designed to match the context of the existing neighborhood they are placed within. This is accomplished through strict design elements, orientation, and scale of the building.

Section 2. Arlington Municipal Code section 20.36.020(g) shall be and hereby is amended to read as follows:

The *Commercial Corridor* (CC) zone is established to create pedestrian oriented, urbanized, mixed use neighborhoods, along designated transit routes. Design elements to 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~~ Mixed-Use Development Regulations/Form Based Code, therefore negating the underlying zoning to accommodate mixed use as the primary land use.

Section 3. Arlington Municipal Code section 20.36.030 shall be and hereby is amended to read as follows:

The *General Industrial* (GI) and *Light Industrial* (LI) districts are hereby established primarily to accommodate enterprises engaged in the manufacturing, processing, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment. The performance standards set forth in ~~Part 1~~Chapter 20.44 place limitations on the characteristics of uses located in these districts. The Light Industrial district is distinguished from the General Industrial district in that the Light Industrial district is intended to be a cleaner, more business park-like area, whereas the General Industrial district allows more resource-based manufacturing has a greater tolerance of

the nuisances that typically accompany such manufacturing. Furthermore, the limitations in the Light Industrial district are more restrictive than those in the General Industrial district.

Section 4. Arlington Municipal Code section 20.36.070 shall be and hereby is amended to read as follows:

The *shoreline management district* is hereby established as an "overlay" district, meaning that this district is overlaid upon other districts and the land so encumbered may be used in a manner permitted in the underlying district only if and to the extent such use is also permitted in the applicable overlay district and a Shoreline Development Permit has been granted, if necessary, pursuant to ~~Chapter 20.92 (Shoreline Management).~~the Shoreline Master Program.

Section 5. Arlington Municipal Code section 20.36.080 shall be and hereby is amended to read as follows:

The ~~mixed use~~ mixed-use overlay district is hereby established as an "overlay" district, meaning that the underlying zoning applicable within each commercial zone remains as the primary or principal zoning designation. The overlay allows for a mix of diversified residential development to co-exist within a proportionate share of the commercially zones areas of highway commercial (HC), general commercial (GC), and neighborhood commercial (NC) zones where typical retail and other support services would be located, thus creating a walkable neighborhood concept. The ~~mixed use~~ mixed-use overlay will also be applied to the residential moderate ~~density~~ capacity (~~RMD~~RMod), residential medium capacity (RMC), and residential high ~~density~~ capacity (~~RHD~~RHC) zones along Smokey Point Boulevard corridor. The overlay will provide for the efficient use of property by requiring the mixed use of properties in a manner that allows for residential development to co-exist with commercial, retail and specific light manufacturing uses. This promotes the creation of attractive, sustainable neighborhoods which enable walkability and less automobile dependency. The performance standards/design guidelines set forth in Chapter 20.110 place limitations on the characteristics of uses located in these districts.

Section 6. A new Arlington Municipal Code section 20.36.105 shall be and hereby is adopted to read as follows:

20.36.105 Lots Divided by District Lines.

(a) Whenever a single lot one acre or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.

(b) Whenever a single lot greater than one acre in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.

Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-016 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-016

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.36 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING DISTRICTS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-017

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.38 OF THE ARLINGTON
MUNICIPAL CODE REGARDING THE AIRPORT PROTECTION DISTRICT

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.38.070 shall be and hereby is amended to read as follows:

20.38.070 Restrictions on Certain Use Classifications on Arlington Airport Property.

Certain uses, though allowed in particular zoning districts as identified in §20.40~~.010~~, ~~Table of~~ Permissible Uses, are herein deemed non-permissible within that zoning district where applied to property owned by the Arlington Airport, even when leased to private parties. These use classifications are denoted by footnote ~~17 in the Table of Permissible Uses~~ conditions.

Section 2. Arlington Municipal Code section 20.36.080(a)(3) shall be and hereby is amended to read as follows:

(3) Except for aeronautical events such as the ~~NWEAA~~ Arlington Fly-In, the public assembly of people and other uses or activities, whether permanent (such as multi-family, hospitals, schools, churches, etc.) or temporary (such as circuses, carnivals or other outdoor entertainment events or religious assembly not exceeding five days in duration), that allow public concentrations of people shall be prohibited within Subdistrict A, but allowed in all other parts of the AP District so long as such uses do not adversely affect airport operations, safety in air navigation or penetrate the FAR Part 77 Surfaces.

Section 3. **Severability**. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-017 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-017

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.38 OF THE ARLINGTON MUNICIPAL CODE REGARDING THE AIRPORT PROTECTION DISTRICT"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022



Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-018

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.40 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING PERMISSIBLE USES

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.40 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"

Chapter 20.40
PERMISSIBLE USES

Sections:

20.40.010 Tables of Permissible Uses.
20.40.020 Use of Designations Z, S, C in tables of Permissible Uses.
20.40.030 Community and Economic Development Director Jurisdiction over uses otherwise Permissible with a Zoning Permit.
20.40.040 Permissible Uses and Specific Exclusions.
20.40.050 Accessory Uses.
20.40.060 Permissible Uses not Requiring Land Use Permits.
20.40.070 Change in Use.
20.40.080 Combination Uses.
20.40.090 More Specific Use Controls.
20.40.100 Footnotes of Permissible Use Table
20.40.110 Tables of Permissible Uses Key
20.40.120 Residential Zones Permissible Use Table
20.40.130 Commercial and Mixed-Use Zones Permissible Use Table
20.40.140 Industrial Zones Permissible Use Table
20.40.150 Special Zones Permissible Use Table
20.40.160 Public / Semi-Public Zone Permissible Use Table

20.40.010 - Tables of permissible uses.

~~Table 20.40-1, the~~ The Tables of Permissible Uses set~~s~~ 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 20.08.010 (definitions of basic terms) and the other interpretative provisions set forth in this article. The tables are separated into five classifications: Residential Zones, Commercial and Mixed-Use Zones, Industrial Zones, Special Zones, and Public/Semi-Public Zone.

20.40.020 - Use of the designations Z, S, C in tables of permissible uses.

(a) Subject to Section 20.40.030 (community and economic development director jurisdiction over uses otherwise permissible with a zoning permit), when used in connection with a particular use in the table of permissible uses (Section 20.40.010), the letter "P" means that the use is permissible with a valid city business license. The letters "ZV" mean that the use is permissible with a zoning verification approval. The letters ACUP mean that the use is permissible with an administrative conditional use permit. The letter "Z" means that the use is permissible in the indicated zone with a zoning permit issued by the community and economic development director. The letter "S" means a special use permit must be obtained from the community and economic development director or hearing examiner, and the letter "C" means a conditional use permit must be obtained from the hearing

examiner.

(b) When used in connection with residential uses ~~(use classification 1.000),~~ the designation "ZSC" means that such developments of less than twenty dwelling units must be pursuant to a zoning permit, developments of twenty or more but less than fifty dwelling units need a special use permit, and developments of fifty or more dwelling units require a conditional use permit.

(c) When used in connection with nonresidential uses, the designation "ZS" or "ZC" means that such developments require a zoning permit if the total area to be developed is less than four acres in size, and a special or conditional use permit, respectively, if the total area is four acres or larger in area. The area to be developed shall be measured using a rectangular perimeter enclosing the full extent of the on-site development, including any development that may be necessary to meet the requirements of this title. If development occurs in succession over time, then a special or conditional use permit shall be required at the point when the entire developed or developing area surpasses four acres.

(d) Use of the designation ZSC for combination uses is explained in Section 20.40.080 (Combination Uses).

20.40.030 - Community and economic development director jurisdiction over uses otherwise permissible with a zoning permit.

Notwithstanding any other provisions of this chapter, whenever the Tables of Permissible Uses (interpreted in the light of Section 20.40.020 (Use of the Designations Z, S, C in Tables of Permissible Uses) and the other provisions of this chapter) provides that a use in a nonresidential zone or a nonconforming use in a residential zone is permissible with a zoning permit, a special use permit shall nevertheless be required if the community and economic development director finds that the proposed use would have an extraordinary impact on neighboring properties or the general public. In making this determination, the community and economic development director shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the zoning district in question.

20.40.040 - Permissible uses and specific exclusions.

(a) The presumption established by this title is that all legitimate uses of land are addressed within the Tables of Permissible Uses and are either allowed or not allowed thereby. But because the list of permissible uses set forth in ~~Section 20.40.010 (~~the Tables of Permissible Uses~~)~~ cannot be all-inclusive, those uses that are listed shall be interpreted liberally to include other uses that have similar impacts to the listed uses.

(b) Notwithstanding Subsection (a), all distinct uses that are not listed in ~~Section 20.40.010 (~~the Tables of Permissible Uses~~)~~, even given the liberal interpretation mandated by Subsection (a), are prohibited. Nor shall ~~Section 20.40.010 (~~the Tables of Permissible Uses~~)~~ be interpreted to allow a use in one zoning district when the use in question is more closely related to another specified use that is permissible in other zoning districts. Similarly, all uses listed but left blank under the zone compatibility columns are prohibited.

(c) Without limiting the generality of the foregoing provisions, the following uses are specifically prohibited in all districts:

(1) Any use that involves the manufacture, handling, sale, distribution, or storage of any highly combustible or explosive materials in violation of the city's fire prevention code.

(2) RV Parks
(3) Outdoor Storage unless permitted per 20.44.
(4) Stand Alone Private Parking Lot
(5) Cannabis Collective Gardens
(6) Cannabis Dispensaries
(7) Lattice Towers
(8) Off-Premises Signs
(9) Mini-Storage and Storage Units

~~(1)~~(10) Stockyards, slaughterhouses, rendering plants.

~~(2)~~(11) Use of a travel trailer, motor home, or other recreational vehicle as a permanent residence. (Temporary residence is permitted under certain conditions pursuant to Section 20.44.044, Recreational Vehicles as Temporary Dwelling Units).

~~(3)~~(12) Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed, or other business is conducted. This prohibition does not apply to temporary public services, such as bookmobiles, blood donation centers, public service information, etc. (Situations that do not comply with this subsection on the effective date of this title are required to conform within thirty days.)

~~(4)~~(13) The following activities, including any similar activities, are prohibited as home occupations in all zones: marijuana production, marijuana processing, and marijuana retail.

~~(5)~~(14) The number of permanent supportive housing units and transitional housing units allowed on any given property shall be no more than the number of standard dwelling units that would be allowed under the zoning of the property, PROVIDED THAT in no case shall the number of permanent supportive housing units and transitional housing units allowed on any given property exceed ten. No permanent supportive housing unit or transitional housing unit may be located within one mile of another property than contains permanent supportive housing or transitional housing. Each unit of permanent supportive housing or transitional housing shall be limited to occupancy by one family as that term is defined in the AMC. All permanent support housing units and transitional housing units shall be within a quarter mile walking distance to a Community Transit bus stop. Permanent supportive housing or transitional housing shall not be located within a mile of emergency housing and emergency shelters.

~~(6)~~(15) The occupancy of an emergency shelter or emergency housing facility shall be limited to no more than five families or twenty people, whichever is fewer. There shall be no more than one continuously operating emergency shelter in the city and no more than one continuously operating emergency housing facility within the city. As used herein, the phrase "continuously operating" is intended to exclude emergency shelters and emergency housing facilities that are needed to respond temporarily to a natural disaster or other similarly acute emergency that has caused unexpected homelessness within the city. No continuously operating emergency shelter may be located within a mile of a continuously operating emergency housing facility. No continuously operating emergency housing facility may be located within a mile of a continuously operating emergency shelter. Emergency housing and emergency shelters shall not be located within a mile of permanent supportive housing or transitional housing units.

20.40.050 - Accessory uses.

(a) The tables of permissible uses ~~(Section 20.40.010) classifies~~classify different principal uses according to their different impacts. Whenever an activity (which may or may not be separately listed as a principal use in this table) is conducted in conjunction with another principal use and the former use (i)

constitutes only an incidental or insubstantial part of the total activity that takes place on a lot, or (ii) is commonly associated with the principal use and integrally related to it, then the former use may be regarded as accessory to the principal use and may be carried on underneath the umbrella of the permit issued for the principal use.

(b) For purposes of interpreting Subsection (a):

(1) A use may be regarded as incidental or insubstantial if it is incidental or insubstantial in and of itself or in relation to the principal use,

(2) To be "commonly associated" with a principal use it is not necessary for an accessory use to be connected with such principal use more times than not, but only that the association of such accessory use with such principal use takes place with sufficient frequency that there is common acceptance of their relatedness.

(c) Without limiting the generality of Subsections (a) and (b), the following activities, so long as they satisfy the general criteria set forth above, are specifically regarded as accessory to residential principal uses:

(1) Offices or studios within an enclosed building and used by an occupant of a residence located on the same lot (or lots where the principal use occupies more than one lot) as such building to carry on administrative or artistic activities of a commercial nature, so long as such activities do not fall within the definition of a home occupation.

(2) Hobbies or recreational activities of a noncommercial nature.

(3) The renting out of one or two rooms within a single-family residence (which one or two rooms do not themselves constitute a separate dwelling unit) other than on a daily or weekly basis to not more than two persons who are not part of the family that resides in the single-family dwelling.

(4) Yard sales or garage sales, so long as such sales are not conducted on the same lot (or lots where the principal use occupies more than one lot) for more than three days (whether consecutive or not) during any ninety-day period.

(d) Without limiting the generality of Subsections (a) and (b), the following activities shall not be regarded as accessory to a residential principal use and are prohibited in residential districts.

(1) Abandoned vehicles as regulated by AMC Chapter 9.92 (Abandoned Vehicles).

20.40.060 - Permissible uses not requiring land use permits.

Notwithstanding any other provisions of this title, no zoning, special use, or conditional use permit is necessary for the following uses:

(1) Electric power, telephone, telegraph, cable television, gas, water, ~~and~~ sewer, and storm lines, wires or pipes, together with supporting poles or structures, located within a public right-of-way.

(2) Neighborhood, but not regional, utility facilities located within a public right-of-way with the permission of the owner (state or city) of the right-of-way.

20.40.070 - Change in use.

(a) A substantial change in use of property occurs whenever a new use or activity conducted on a lot creates a more intensive impact to the site in question or to the infrastructure of the city than the previous use, as determined by the community and economic development director and/or his or her designee.

(b) A mere change in the status of property from occupied to unoccupied or vice versa does not constitute a substantial change in use. Whether a change in use occurs shall be determined by comparing the two active uses of the property without regard to any intervening period during which the property may have been unoccupied unless the property has remained unoccupied for more than one hundred eighty consecutive days or has been abandoned.

(c) A mere change in ownership of a business or enterprise or a change in the name shall not be regarded as a substantial change in use.

(d) A proposal to substantial change the use of a building or property is required to submit a change of use application and may require additional permitting on the property, such as site, landscaping or building design improvements to bring the current building or property up to current code requirements.

(e) A change in use may require additional vehicle parking spaces, bicycle parking spaces, bicycle racks, pedestrian crosswalks, and/or pedestrian access points to streets and buildings.

(f) Change of use permits requirements are listed in Chapter 20.44 Supplemental Use Regulations.

20.40.080 - Combination uses.

(a) When a combination use comprises two or more principal uses that require different types of permits (zoning, special use, or conditional use), then the permit authorizing the combination use shall be:

(1) A conditional use permit if any of the principal uses combined requires a conditional use permit.

(2) A special use permit if any of the principal uses combined requires a special use permit but none requires a conditional use permit.

(3) A zoning permit in all other cases. ~~This is indicated in the Table of Permissible Uses by the designation ZSC in each of the columns adjacent to the 29.000 classification.~~

20.40.090 - More specific use controls.

Whenever a development could fall within more than one use classification in the tables of permissible uses ~~(Section 20.40.010)~~, the classification that most closely and most specifically describes the development controls.

20.40.100 – Footnotes of the Permissible Use Tables

These footnotes are intended to be a helpful reminder that specific uses may be subject to supplemental regulations. The lack of a footnote does not mean that a particular use is not subject to applicable supplemental use regulations. If a particular use does not have a footnote, there still may be applicable supplemental use regulations. If a proposed use is clearly intended to comply with specific supplemental use regulations, then it is subject to them. The community development director will make the determination of whether specific supplemental use regulations are applicable to a particular project. Please see Chapter 20.44 for a complete list of the supplemental use regulations.

20.40.110 – Tables of Permissible Uses Key

~~Table 20.40-1:~~ Tables of Permissible Uses Key	
P = Permitted with Business License	ZS = Zoning or Special Use Permit
ZV = Zoning Verification	ZC = Zoning or Conditional Use Permit
Z = Zoning Permit	ZSC = Zoning, Special Use or Conditional Use Permit
S = Special Use Permit	ACUP = Administrative Conditional Use Permit
C = Conditional Use Permit	Number = Footnote Condition

Table 20.40-1: Table of Permissible Uses

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
1.000 RESIDENTIAL																			
1.100 Single-Family Residences																			
1.110 Single-family detached, one dwelling unit per lot																			
1.111 Site-built & modular structures	ZV	ZV	ZV			ZV				ZV									
1.112 Class "A" mobile home [1]	ZV	ZV	ZV																
1.113 Class "B" mobile home [1]	ZV	ZV	ZV																
1.115 Single-Family apartment above permitted non-residential use (one only) [17]							ZV	ZV	ZV	ZV	ZV		ZV						
1.120 Single-family detached, more than one dwelling unit per lot																			
1.121 Mobile Home Park	ZSC	ZSC	ZSC																
1.122 Cottage Housing		ZSC	ZSC	ZSC	ZSC														

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
1.123 Single-Family apartment above permitted non-residential use (one only) [17]							ZV	ZV	ZV	ZV	ZV		ZV						
1.200 Two-Family Residences																			
1.210 Two-family conversion [3]		ZV	ZV	ZV	ZV	ZV													
1.220 Accessory dwelling unit [3,12]	ZV	ZV	ZV	ZV	ZV	ZV													
1.230 Duplex [3]		ZV	ZV	ZV	ZV	ZV													
1.250 Any 1.200 use above a permitted non-residential use (one only) [17]							ZV	ZV	ZV	ZV	ZV								
1.300 Multi-Family Residences																			
1.310 Multi-family conversions			ZSC	ZSC	ZSC					Z									
1.320 Multi-family townhouses			ZSC	ZSC	ZSC					Z									
1.321 Multi-family rowhouses[31]			ZSC	ZSC	ZSC	ZSC				Z		ZSC							
1.322 Multi-family triplex[31]			ZSC	ZSC	ZSC	ZSC				Z									
1.323 Multi-family fourplex[31]			ZSC	ZSC	ZSC	ZSC				Z									

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
1.330 Multi-family apartments				ZSC	ZSC					Z									
1.335 Multi-family garden apartments[31]			ZSC	ZSC	ZSC	ZSC				Z									
1.340 Any 1.300 use above a permitted non-residential use (Mixed Use) [14, 17, 18]							ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC						
1.400 Homes emphasizing special services, treatment, or supervision																			
1.410 Located in a single-family residence																			
1.411 Homes for handicapped or infirm [7]	C	C	C	C	C	C		C	ZS	ZS									
1.412 Nursing care, intermediate care homes [7]	C	C	C	C	C	C		C	ZS	ZS									
1.413 Special Needs Childcare homes [7]	C	C	C	C	C	C		C	ZS	ZS									
1.414 Halfway houses [7]	C	C	C	C	C	C		C	ZS	ZS									
1.415 Adult Family Homes (6 or fewer adults)	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z					Z	

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
1.416 Permanent Supportive Housing[32]	C	C	C	C	C	C	C	C	C	C	C	C	C						
1.417 Transitional Housing[32]	C	C	C	C	C	C	C	C	C	C	C	C	C						
1.420 Located in a multi-family residence (occupying single or multiple dwelling units)																			
1.421 Homes for handicapped or infirm [7]				C	C					C									
1.422 Nursing care, intermediate care homes [7]				C	C					C									
1.423 Special Needs Childcare homes [7]				C	C					C									
1.424 Halfway houses [7]				C	C					C									
1.425 Adult Family Homes (6 or fewer adults)	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z					Z	
1.426 Permanent Supportive Housing[32]	C	C	C	C	C	C	C	C	C	C	C	C	C						
1.427 Transitional Housing[32]	C	C	C	C	C	C	C	C	C	C	C	C	C						

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
1.500 Miscellaneous, rooms for rent situations																			
1.510 Rooming houses, boarding houses	Z	Z	Z	Z	Z	Z			Z	Z									
1.520 Tourist homes and other temporary residences renting by the day or week	Z	Z	Z	Z	Z	Z		Z	Z	Z									
1.530 Hotels, motels, and similar businesses or institutions providing overnight accommodations													ZSC						
1.540 Emergency Housing[33]													C						
1.550 Emergency Shelter[33]													C						
1.600 In-Home Child Day Care	P	P	P	P	P	P		P	P	P									
2.000 SALES AND RENTAL OF GOODS, MERCHANDISE AND EQUIPMENT																			
2.100 No storage of goods outside fully enclosed building																			
2.110 General Mercantile							ZC	ZC	ZC	ZC	ZS[18]	ZS	ZS						

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
2.111 Convenience stores							Z	Z	Z	Z	Z	ZS	Z						
2.112 Distribution Center															ZS	ZS			
2.113 Wholesale sales											ZS [18]		ZS	ZS	ZS	ZS	Z [11]		
2.120 Sales/Rentals incidental to a non-retail principal use							ZC	ZC	ZC	ZC	ZS		ZS	ZS	ZS	ZS	Z [11]		
2.200 Storage and display of goods outside fully enclosed building allowed																			
2.210 General Mercantile [17]									ZC	ZC	ZS	ZS	ZS			ZS			
2.220 Sales/Rentals incidental to a non-retail principal use									ZC	ZC	ZS		ZS		ZS	ZS			
2.230 Wholesale sales											ZS		ZS			ZS			
2.240 Distribution Center															ZS	ZS			
2.300 Transient Merchant Sales (vending carts, food trucks, ice cream trucks, mobile delivery, peddlers, and similar uses) [3]	P	P	P	P	P	P	P	P	P	P	P	ZS	P	P	P	P	P	P	P

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
3.000 OFFICE, CLERICAL, RESEARCH AND SERVICES NOT PRIMARILY RELATED TO GOODS OR MERCHANDISE																			
3.100 All operations conducted entirely within fully enclosed building																			
3.110 Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, physicians, other professions, insurance and stockbrokers, travel agencies, government office buildings, etc.							ZS	ZS	ZS	ZS	ZS [18]	ZS	ZS	ZS	ZS	ZS [15]		ZS [12]	ZS
3.120 Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use																			
3.121 Such operations conducted on any floor level									ZS	ZS	ZS		ZS	ZS	ZS	ZS	Z [11]		ZS
3.122 Such operations conducted on second or higher floors, but not on the ground floor								ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS	Z [11]		

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
3.130 Office or clinics of physicians or dentists							ZS	ZS	ZS	ZS	ZS	SC	ZS	ZS				ZS	
3.200 Operations conducted partially or fully outside fully enclosed building																			
3.210 Operations designed to attract and serve customers or clients on the premises											ZS [18]		ZS						
3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use											ZS		ZS		ZS	ZS			
3.230 Banks with drive-thru windows							ZS		ZS	ZS	ZS		ZS						
4.000 MANUFACTURING, PROCESSING, CREATING, REPAIRING, RENOVATING, PAINTING, CLEANING, ASSEMBLING OF GOODS, MERCHANDISE AND EQUIPMENT																			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
4.100 All operations conducted entirely within fully enclosed building																			
4.110 Primarily consists of business done with walk-in trade								ZS	ZS	ZS	ZS	SC	ZS	ZS			Z [11]		
4.120 Primarily consists of business not done with walk-in trade														ZS	ZS	ZS	Z [11]		
4.200 Operations conducted within or outside fully enclosed building																ZS			
5.000 EDUCATIONAL, CULTURAL, RELIGIOUS, PHILANTHROPIC, SOCIAL, FRATERNAL USES																			
5.100 Schools																			
5.110 Elementary and secondary (including associated grounds and athletic and other facilities) [18]	C	C	C	C	C	C	C												C [10]
5.120 Trade or vocational schools				C	C		C	ZS [16]	ZS	ZS	ZS [18]		ZS	ZS	ZS [18]	ZS [18]	Z [11]		
5.130 Colleges, universities, community colleges (including associated facilities such as		C	C	C	C		C			ZS	ZS [18]		ZS	ZS	ZS [18]				C [10]

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
dormitories, office buildings, athletic fields, etc.) [17]																			
5.200 Religious assembly as principle on-site use. (Including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings) [17]	ZS	ZS	ZS	ZS	ZS	ZS	ZS		ZS	ZS	ZS		ZS						
5.210 Religious assembly accessory to an existing on-site non-religious principal use	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P		P
5.300 Libraries, museums, art galleries, art centers, and similar uses (including associated educational and instructional activities)																			
5.310 Located within a building designed and previously legally occupied as a residence		Z	Z	Z	Z	Z	ZS	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS			C [10]
5.320 Located within any permissible building		C	C	C	C	C	ZS	ZS	ZS	ZS	ZS [18]		ZS	ZS	ZS [18]	ZS [18]	Z [11]		C [10]

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
5.400 Social, fraternal clubs and lodges, union halls, and similar uses [17]							ZS	ZS	ZS	ZS	ZS		ZS	ZS	ZS [18]	ZS			ZS [18]
6.000 RECREATION, AMUSEMENT, ENTERTAINMENT																			
6.100 Activity conducted primarily within building or substantial structure																			
6.110 Bowling alleys, skating rinks, indoor tennis and squash courts, billiard and pool halls, indoor athletic and exercise facilities and similar uses								ZS	ZS	ZS	ZS [18]	ZS	ZS	ZS [18]	ZS [18]	ZS [18]			
6.120 Movie theaters																			
6.121 Seating capacity of not more than 300 [17]							ZS	ZS	ZS	ZS	ZS		ZS						
6.122 Unlimited seating capacity [17]									ZS	ZS	ZS		ZS						
6.130 Coliseums, stadiums, and all other facilities listed in the 6.100 classification designed to seat or											ZS		ZS	ZS	ZS	ZS			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
accommodate simultaneously more than 1,000 people [17, 18]																			
6.200 Activities conducted primarily outside enclosed buildings or structures																			
6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc.	C	C	C	C	C	C					ZS		ZS	ZS	ZS	ZS			
6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc.,	ZS [18]	ZS [18]	ZS [18]	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS [18]		ZS	ZS	ZS [18]	ZS [18]			ZSC [10]
6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses [17]	C [18]	C [18]	C [18]	ZS	ZS				ZS	ZS	ZS [18]		ZS	ZS	ZS [18]	ZS [18]			ZSC [10]
6.250 Indoor Automobile and motorcycle racing tracks															ZC	ZC			
6.260 Drive-in movie theaters [17, 18]											ZS		ZS		ZS	ZS			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[20]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
7.000 INSTITUTIONAL RESIDENCE OR CARE OR CONFINEMENT FACILITIES																			
7.100 Hospitals, clinics, other medical (including mental health) [17, 18]				ZS	ZS	C			ZS	ZS	ZS		ZS	ZS	ZS			ZSC	C [10]
7.200 Nursing care institutions, intermediate care institutions, handicapped or infirm institutions, childcare institutions [17, 18]	C	C	C	ZS	ZS	C	ZS		ZS	ZS	ZS		ZS	ZS	ZS			ZSC	
7.300 Institutions (other than halfway houses) where mentally ill persons are confined [17, 18]	C	C	C	ZS	ZS	C	C			ZS	ZS		ZS	ZS	ZS			C	
7.400 Penal and correctional facilities [13, 18]																			C [10]
8.000 RESTAURANTS, BARS, NIGHT CLUBS																			
8.100 No substantial carry-out or delivery service; no drive-thru service; service or consumption inside or outside fully enclosed building							ZS	ZS	ZS	ZS	ZS [18]	ZS	ZS	ZS	ZS [18]		Z [11]		

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
8.300 Carry-out and delivery service; no drive-thru service; consumption outside fully enclosed building allowed							ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	Z		
8.400 Carry-out and delivery service; drive-thru service; service or consumption outside fully enclosed building allowed							ZS		ZS	ZS	ZS		ZS		ZS	ZS			
8.500 Establishments offering adult entertainment																C			
8.600 Gambling Establishments													ZS						
9.000 MOTOR VEHICLE-RELATED SALES AND SERVICE OPERATIONS																			
9.100 Non-Aviation Related Operations																			
9.110 Motor vehicle sales or rental; mobile home sales									ZS	ZS	ZS		ZS						
9.120 Sales with installation of motor vehicle parts or accessories (e.g., tires, mufflers, etc.)									ZS	ZS	ZS		ZS						

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
9.130 Motor vehicle repair and maintenance, not including substantial body work																			
9.131 With no storage of vehicles									ZS		ZS		ZS						
9.132 With storage of vehicles																ZS			
9.140 Motor vehicle painting and body work																			
9.141 With no storage of vehicles											ZS		ZS						
9.142 With storage of vehicles																ZS			
9.150 Fuel sales [18]							ZS		ZS	ZS	ZS		ZS		ZS	ZS			
9.160 Car wash							ZS		ZS		ZS		ZS						
9.170 Towing Operations															ZS	ZS			
9.180 Electric Vehicle Infrastructure	ZS [24]	ZS [25]	ZS [25]	ZS [23]	ZS [23]	ZS [23]	ZS	ZS	ZS	ZS	ZS		ZS	ZS [26]	ZS	ZS	Z	Z	Z [24]
9.200 Aviation Related Operations																			
9.210 Aircraft sales or rental																	Z [11]		

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
9.220 Aircraft sales with installation of aircraft parts or accessories (e.g., propellers, tires, mufflers, etc.)																	Z [11]		
9.230 Aircraft repair and maintenance, not including substantial body work																	Z [11]		
9.240 Aircraft painting and body work																	Z [11]		
9.250 Aviation fuel sales																	Z [11]		
9.260 Aircraft wash																	Z [11]		
10.000 STORAGE AND PARKING																			
10.100 Off-site automobile parking garages or parking lots									ZS	ZS	ZS		ZS	ZS	ZS	ZS			ZSC [10]
10.200 Storage of goods not related to sale or use of those goods on the same lot where they are stored																			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
10.210 Storage, Shipping, or Moving Container (accessory use only)															ZS	ZS			
10.220 Warehouse Storage Facility															ZS [28]	ZS			
10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (I) vehicles or equipment are owned and used by the person making use of lot, and (II) parking or storage is more than a minor and incidental part of the overall use made of the lot																ZS			ZSC [10]
10.400 Parking or storage of aircraft, either inside or outside completely enclosed structures																	Z [11]		
11.000 SCRAP MATERIALS SALVAGE YARDS, JUNKYARDS, AUTOMOBILE GRAVEYARDS AND AUTOMOBILE RECYCLING FACILITIES																ZS [19]			
12.000 SERVICES AND ENTERPRISES RELATED TO ANIMALS																			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
12.100 Veterinarian							ZS		ZS		ZS	ZS	ZS	ZS	ZS	ZS			
12.200 Kennel											ZS		ZS		ZS	ZS			
12.300 Pet Grooming/Pet Store							ZS	ZS	ZS		ZS	ZS	ZS						
13.000 EMERGENCY SERVICES																			
13.100 Police Stations [18]	C	C	C	C	C	C	S	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS	Z [11]		ZSC [10]
13.200 Fire Stations [18]	C	C	C	C	C	C	S	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS	Z [11]		ZSC [10]
13.300 Rescue squad, ambulance service [18]	C	C	C	C	C	C	S	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS	Z [11]		ZSC [10]
13.400 Civil defense operation	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS	Z [11]		ZSC [10]
14.000 AGRICULTURAL, SILVICULTURAL, MINING, QUARRYING, SOIL PROCESSING OPERATIONS																			
14.100 Agricultural operations, farming																			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
14.110 Excluding livestock															Z[27]	Z[27]			
14.120 Including livestock[18]																ZS			
14.200 Silvicultural operations															ZS	ZS			
14.300 Mining, quarrying, or soil processing operations, including on-site sales of product																ZS[6]			ZSC[10]
14.400 Reclamation landfill																ZS[6]			ZSC[10]
15.000 MISCELLANEOUS PUBLIC AND SEMI-PUBLIC FACILITIES																			
15.100 Post Office							ZS	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS			ZSC[10]
15.200 Airport																	C[11]		C[10]
15.300 Solid Waste Facilities (Publicly or Privately owned)																			
15.310 Solid Waste Transfer Station																ZS[6]			ZSC[10]
15.320 Solid Waste Recycling Center																ZS[6]			ZSC[10]

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
15.330 Sanitary Landfill																ZS [6]			ZSC [10]
15.340 Biosolid Recycling																ZS [6]	Z [11]		ZSC [10]
15.400 Military Reserve, National Guard Centers											ZS		ZS	ZS	ZS	ZS	Z [11]		ZSC [10]
15.500 Temporary mobile or modular structures used for public services (e.g., mobile classrooms, civic services, public health centers, emergency response centers, etc.)	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z [10]		Z [10]
16.000 DRY CLEANER, LAUNDROMAT							ZS		ZS	ZS	ZS		ZS	ZS	ZS				
17.000 UTILITY FACILITY																			
17.100 Neighborhood	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z [11]		ZS [10]
17.200 Community or Regional	C	C	C	C	C	C	C			C	C		C	C	ZS	ZS	Z [11]		ZS [10]
18.000 TOWERS AND RELATED STRUCTURES [18, 28]																			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
18.100 Non-Commercial Towers																			
18.110 Towers and antennas 50 feet tall or less	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	ZS	Z	Z	Z	Z	Z [11]		Z [10]
18.120 Towers and antennas more than 50 feet tall and receive-only earth stations	S	S	S	S	S	S	Z			S	ZS	ZS	ZS	ZS	ZS	ZS	ZS [11]		ZS [10]
18.200 Commercial Telecommunications Towers & Monopoles																			
18.210 Antennas 50 feet tall or less											Z	ZS	Z	Z	Z	Z			
18.220 Antennas more than 50 feet tall and receive-only earth stations											ZS	ZS	ZS	ZS	ZS	ZS			
18.230 Micro Facilities [8]	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	ZS	Z	Z	Z	Z			
18.240 Mini Facilities [8]				Z	Z	Z	Z	Z	Z	Z	Z	ZS	Z	Z	Z	Z			
18.250 Macro Facilities [8]				Z	Z	Z	Z	Z	Z	Z	Z	ZS	Z	Z	Z	Z			
18.260 Monopole I [8]												C	C		C	C			
18.270 Monopole II [8]												C	C			C			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
18.280 Lattice Towers [8]																			
19.000 OPEN AIR MARKETS AND HORTICULTURAL SALES																			
19.100 Temporary (Seasonal) Farmer's market [17]							ZS	ZS	ZS	ZS	ZS		ZS						
19.200 Horticultural sales with outdoor display							ZS				ZS		ZS			ZS			
19.300 Cannabis collective gardens	Prohibited in All Zones																		
19.400 Cannabis dispensaries	Prohibited in All Zones																		
20.000 FUNERAL HOME							ZS	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS			
21.000 CEMETERY AND CREMATORIUM																			
21.100 Cemetery [17]	ZS	ZS	ZS	ZS	ZS	ZS								ZS	ZS	ZS			ZS [10]
21.200 Crematorium							ZS	ZS	ZS	ZS	ZS		ZS	ZS	ZS	ZS			ZS [10]
22.000 COMMERCIAL NURSERY SCHOOLS; DAY CARE CENTERS [17]	S	S	S	S	S	S	ZS		ZS	ZS	ZS [18]	ZS	ZS	ZS	ZS [18]	ZS [18]			ZS [18]

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
23.000 NEW OR IMPROVED STREETS	ZV	ZV	ZV	ZV	ZV	ZV	ZV	ZV	ZV	ZV	ZV		ZV	ZV	ZV	ZV	ZV	ZV	ZV
24.000 BUS STATION, TRAIN STATION [17]							ZS	ZS	ZS	ZS	ZS	ZSC	ZS	ZS	ZS	ZS			ZS
25.000 COMMERCIAL GREENHOUSE OPERATIONS																			
25.100 No on-premises sales																ZS			
25.200 On-premises sales permitted											ZS		ZS	ZS		ZS			
26.000 SPECIAL EVENTS	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P
27.000 OFF-PREMISES SIGNS	Prohibited in all zones except for those exempt pursuant to Section 20.68.120 (Miscellaneous Restrictions and Prohibitions)																		
28.000 SUBDIVISIONS, BINDING STIE PLAN & BOUNDARY ADJUSTMENTS																			
28.100 Major	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C		C [10]
28.200 Short	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z		Z [10]
28.300 Boundary Line Adjustments	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z		Z [10]

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
28.400 Unit Lot			ZSC	ZSC	ZSC	ZSC[30]						ZSC							
29.000 COMBINATION USES	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC		ZSC[10]
30.000 PLANNED DEVELOPMENTS																			
30.200 Master Planned Neighborhood Developments[20]	Permissible only in Master Planned Neighborhood districts with legislative approval																		
32.000 LAND CLEARING, LOGGING IN CONFORMANCE WITH CHAPTER 20.88 (ENVIRONMENTALLY CRITICAL AREAS) BUT OF MORE THAN 10,000 ft.[2] OF PROPERTY WITHIN ONE YEAR[9]	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z		Z[10]
33.000 USES PERMISSIBLE IN CRITICAL AREAS (SEE CHAPTER 20.93)	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		Z	Z	Z	Z	Z		Z[10]
34.000 MARIJUANA PRODUCTION, PROCESSING, AND RETAIL																			
34.100 Marijuana production															Z[27]	Z[27]			
34.200 Marijuana processing															Z[27]	Z[27]			

USE DESCRIPTION	ZONES																		
	RULC	RLC	RMod	RMC	RHC	OTR[29]	NC	OTBD1	OTBD2	OTBD3	GC	CC[30]	HC	BP	LI	GI	AF	MS	P/SP
34.300 Marijuana retail											Z		Z						

Footnotes to the Table of Permissible Uses

These footnotes are intended to be a helpful reminder that specific uses may be subject to supplemental regulations. The lack of a footnote does not mean that a particular use is not subject to applicable supplemental use regulations. If a particular use does not have a footnote, there still may be applicable supplemental use regulations. If a proposed use is clearly intended to comply with specific supplemental use regulations, then it is subject to them. The community development director will make the determination of whether specific supplemental use regulations are applicable to a particular project. Please see Chapter 20.44 for a complete list of the supplemental use regulations.

[1] Subject to Section 20.44.060 (Minimum Parcel Sizes for Class "A," "B," or "C" Mobile Homes).

[2] Subject to Section 20.48.010 (Minimum Lot Size Requirements).

[3] Subject to Section 20.44.080 (Mobile Sales and Delivery).

[6] Subject to Section 20.44.010 (Solid Waste, Quarrying, Mining, and Similar Uses).

[7] Subject to Section 20.44.070 (Homes Emphasizing Special Services, Treatment, or Supervision).

[8] Subject to Section 20.44.034 (Wireless Communications Facilities)

[9] Subject to Section 20.44.110 (Permits for Land Clearing)

[10] Use allowed in the Public/Semi-Public district when it is conducted by a public/semi-public agency for the benefit of the general public.

[11] Such uses allowed only if in compliance with the intent of the zone as established in Section 20.36.034 (Aviation Flightline District Established).

[12] Such uses allowed only if in compliance with the intent of the zone as established in Section 20.36.036 (Medical Services District Established).

[13] Subject to Section 20.44.096 (Penal and Correctional Facilities).

[14] Subject to Section 20.44.016 (Mixed Use Developments).

[15] Subject to Section 20.44.084 (Stand Alone Office Uses in the General Industrial Zone).

[16] Subject to Section 20.44.062 (Trade or Vocational Schools in the OTB-1).

[17] Subject to Section 20.38.070 (Restrictions on Certain Use Classifications on Arlington Airport Property).

[18] Subject to Section 20.38.080 (Performance Standards and Miscellaneous Restrictions).

[19] Subject to Section 20.44.066 (Storage Surfaces for Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards and Automobile Recycling Facilities).

[20] Subject to Section 20.44.032 (Master Planned Neighborhood Developments).

[22] Only sales of beverages and sales of foods prepared off site and not principally in a kitchen on the premises.

[23] Battery charging stations only, limited in use only to the tenants or customers of the development located on-site.

[24] Level 1 and Level 2 restricted electric charging stations only. Level 3 public electric charging stations allowed in public parks.

[25] Level 1 and Level 2 restricted electric charging stations only.

[26] Accessory to primary use only, not to exceed twenty percent of primary use.

[27] Reserved.

[28] No outside storage.

[29] ~~Subject to the Old Town Residential Design Standards.~~

[30] ~~The Commercial Corridor zone permissible uses are subject to the Mixed-Use Development Regulations.~~

[31] ~~Subject to Section 20.36 Zoning Districts and Zoning Map.~~

[32] ~~Subject to Section 20.40.040 Permissible Uses and Specific Exclusions (c) (6).~~

[33] ~~Subject to Section 20.40.040 Permissible Uses and Specific Exclusions (c) (7).~~

20.40.130 – Residential Zones Permissible Use Table

RESIDENTIAL USE DESCRIPTIONS	ZONES					
	RULC	RLC	RMOD	RMC	RHC	OTR [1]
Cultural, Social, or Fraternal Uses						
Art Gallery [2]		SC	SC	SC	SC	SC
Library [2]		SC	SC	SC	SC	SC
Educational						
Commercial Nursery Schools; Day Care Centers	S	S	S	S	S	S
Elementary and Secondary Schools	C	C	C	C	C	C
Environmental						
Critical Area Uses (AMC 20.93)	Z	Z	Z	Z	Z	Z
Land Clearing and Logging [3]	Z	Z	Z	Z	Z	Z
Institutional Residence, Care or Confinement Facilities						
Institutions (other than Halfway Houses) for Confined Mentally Ill Persons [4]	C	C	C	ZS	ZS	C
Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Childcare Institutions [4]	C	C	C	ZS	ZS	C
Land Division						
Boundary Line Adjustments	Z	Z	Z	Z	Z	Z
Master Planned Neighborhood Developments [5]	Permissible only in MPN Overlay					
Subdivision Major	C	C	C	C	C	C
Subdivision Minor	Z	Z	Z	Z	Z	Z
Unit Lot Subdivision Major [6]			C	C	C	C
Unit Lot Subdivision Minor[6]			Z	Z	Z	Z
Motor Vehicle-Related Sales and Service Operations						
Electric Vehicle Infrastructure [7, 8]	ZV	ZV	ZV	ZV	ZV	ZV
Public and Semi-Public Facilities						
Cemetery	ZS	ZS	ZS	ZS	ZS	ZS
Civil Defense Operation	ZS	ZS	ZS	ZS	ZS	ZS
Fire Stations	C	C	C	C	C	C
Police Stations	C	C	C	C	C	C
Rescue Squad, Ambulance Service	C	C	C	C	C	C
Special Events	P	P	P	P	P	P
Temporary Mobile or Modular Structures for Public Services (Mobile Classrooms, Civic Services, Public Health Centers, Emergency Response Centers, etc.) [9]	Z	Z	Z	Z	Z	Z

RESIDENTIAL USE DESCRIPTIONS	ZONES					
	RULC	RLC	RMOD	RMC	RHC	OTR [1]
Recreation, Amusement, or Entertainment						
Outdoor Recreation: Athletic Fields, Tennis Courts, Swimming Pools, Miniature Golf Courses, Water Slides, Skateboard Parks, Parks, Swimming Pools, Driving Range, Golf Course, Par 3 Golf Course, and Similar Uses	C [4]	C [4]	C [4]	C	C	C
Religious						
Religious Assembly – Accessory	P	P	P	P	P	P
Religious Assembly – Principle	ZS	ZS	ZS	ZS	ZS	ZS
Residential						
Accessory Dwelling Unit [10]	ZV	ZV	ZV	ZV	ZV	ZV
Cottage Housing [12]			ZSC	ZSC	ZSC	
Duplex		ZV	ZV	ZV	ZV	ZV
Manufactured or Mobile Home [11]	ZV	ZV				
Manufactured or Mobile Home Park [11, 13]	ZSC	ZSC	ZSC			
Multi-Family Apartments				ZSC	ZSC	
Multi-Family Fourplex			ZSC	ZSC	ZSC	ZSC
Multi-Family Garden Apartments			ZSC	ZSC	ZSC	ZSC
Multi-Family Rowhouses			ZSC	ZSC	ZSC	ZSC
Multi-Family Townhouses			ZSC	ZSC	ZSC	ZSC
Multi-Family Triplex			ZSC	ZSC	ZSC	ZSC
Single-Family Residence, Detached	ZV	ZV	ZV			ZV
Residential Homes Emphasizing Special Services, Treatment, or Supervision						
Adult Family Homes (6 or fewer adults) [14]	Z	Z	Z	Z	Z	Z
Halfway Houses [15]	C	C	C	C	C	C
Homes for Handicapped or Infirm [15]	C	C	C	C	C	C
In-Home Child Day Care	ZV	ZV	ZV	ZV	ZV	ZV
Nursing Care, Intermediate Care Homes [15]	C	C	C	C	C	C
Permanent Supportive Housing [16]	C	C	C	C	C	C
Special Needs Childcare Homes [15]	C	C	C	C	C	C
Transitional Housing [16]	C	C	C	C	C	C
Residential Rooms for Rent						
Rooming Houses, Boarding Houses	Z	Z	Z	Z	Z	Z
Tourist Homes and Temporary Residences	ZV	ZV	ZV	ZV	ZV	ZV
Retail Trade						
Home Occupation [17]	P	P	P	P	P	P
Mobile Sales and Delivery [18]	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP

RESIDENTIAL USE DESCRIPTIONS	ZONES					
	RULC	RLC	RMOD	RMC	RHC	OTR [1]
Utility Facilities						
Electrical Community or Regional Facility	C	C	C	C	C	C
Electrical Neighborhood Facility	Z	Z	Z	Z	Z	Z
Public Utilities	Z	Z	Z	Z	Z	Z
Franchise Utilities	Z	Z	Z	Z	Z	Z
Wireless Communication Facilities						
Commercial Macro Facilities [19]				Z	Z	Z
Commercial Micro Facilities [19]	Z	Z	Z	Z	Z	Z
Commercial Mini Facilities [19]				Z	Z	Z
Non-Commercial Towers and Antennas 50 feet tall or less	Z	Z	Z	Z	Z	Z
Non-Commercial Towers and Antennas more than 50 feet tall and Receive-Only Earth Stations	S	S	S	S	S	S
Miscellaneous						
Combination Uses	ZSC	ZSC	ZSC	ZSC	ZSC	ZSC

Footnotes of the Table of Residential Permissible Uses

[1] Subject to the Old Town Residential Design Standards

[2] A Zoning Permit is required if this use is located within a building designed and previously legally occupied as a residence. A Conditional Use Permit is required if the use is located within any permissible building.

[3] Subject to Section 20.44 Part II – Land Clearing, Grading, Filling, and Excavation

[4] Subject to Section 20.38.080 – Performance Standards and Miscellaneous Restrictions

[5] Subject to Section 20.44.032 – Master Planned Neighborhood Developments

[6] Subject to Section 20.44.020 – Unit Lot Subdivisions

[7] Subject to Section 20.44.098 – Electric Vehicle Infrastructure. Single Family Residence, Duplex, Triplex, Fourplex, Row House, Townhouse, Cottage Housing, or ADU uses with a garage shall install in the garage of each residential unit.

[8] Subject to Section 20.44.098 – Electric Vehicle Infrastructure. Multi-Family and Cottage Housing that installs shared parking areas or lots shall install electric vehicle parking stalls for resident use.

[9] Subject to Section 20.44.048 – Temporary Public Structures

[10] Subject to Section 20.44.042 – Accessory Dwelling Units

[11] Subject to Section 20.44.060 – Minimum Parcel Sizes for Class A, B, or C Mobile Home

[12] Subject to Section 20.44 Part IV – Cottage Housing

[13] Subject to Section 20.44.062 – Mobile Home Parks

[14] Subject to Section 20.44.068 – Adult Family Homes

[15] Subject to Section 20.070 – Homes Emphasizing Special Services, Treatment, or Supervision

[16] Subject to Section 20.40.040 – Permissible Uses and Specific Exclusions (c) (6)

[17] Subject to Section 20.44.082 – Home Occupations

[18] Subject to Section 20.44.080 – Mobile Sales and Delivery

[19] Subject to Section 20.44.034 – Wireless Communications Facilities

20.40.140 – Commercial and Mixed-Use Zones Permissible Use Table

COMMERCIAL AND MIXED USE USE DESCRIPTIONS	ZONES						
	NC	OTBD-1	OTBD-2	OTBD-3	GC [1]	CC [2]	HC [1]
Cultural, Social, or Fraternal Uses							
Art Gallery or Center [3]	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Library [3]	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Museum [3]	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Social, Fraternal Clubs and Lodges, Union Halls, and Similar Uses [5]	ZS	ZS	ZS	ZS	ZS	SC	ZS
Educational							
Colleges, Universities, Community Colleges [5]				ZS	ZS [4]		ZS
Commercial Nursery Schools; Day Care Centers [5]	ZS		ZS	ZS	ZS [4]	SC	ZS
Trade or Vocational Schools		ZS [6]	ZS	ZS	ZS [4]	SC	ZS
Environmental							
Critical Area Uses (AMC 20.93)	Z	Z	Z	Z	Z	Z	Z
Land Clearing and Logging [7]	Z	Z	Z	Z	Z	Z	Z
Industry, Manufacturing, Processing, Repairing, Renovating, Assembly of Goods, Merchandise or Equipment							
All Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Done with Walk-In Trade		ZS	ZS	ZS	ZS	SC	ZS
Institutional Residence, Care or Confinement Facilities							
Hospitals, Clinics, Other Medical [4, 5]			ZS	ZS	ZS		ZS
Institutions (Other than Halfway Houses) for Confined Mentally Ill Persons [4, 5]	C			ZS	ZS		ZS
Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Childcare Institutions [4, 5]	ZS		ZS	ZS	ZS		ZS
Land Division							
Binding Site Plan Major	C	C	C	C	C	C	C
Binding Site Plan Minor	Z	Z	Z	Z	Z	Z	Z
Boundary Line Adjustments	Z	Z	Z	Z	Z	Z	Z
Major Subdivision				C			
Minor Subdivision				Z			
Unit Lot Subdivision Major[8]	C			C	C	C	C
Unit Lot Subdivision Minor[8]	Z			Z	Z	Z	Z
Marijuana Production, Processing, and Retail							
Marijuana Retail					Z	Z	Z

COMMERCIAL AND MIXED USE USE DESCRIPTIONS	ZONES						
	NC	OTBD-1	OTBD-2	OTBD-3	GC [1]	CC [2]	HC [1]
Motor Vehicle-Related Sales and Service Operations							
Car Wash							ZS
Electric Vehicle Infrastructure	Z	Z	Z	Z	Z	Z	Z
Fuel Sales [4]	ZS		ZS	ZS	ZS		ZS
Painting and Body Work with No Storage of Vehicles					ZS		ZS
Repair and Maintenance, Not Including Substantial Body Work, and No Storage of Vehicles			ZS		ZS		ZS
Sales or Rental or Mobile Home Sales			ZS	ZS	ZS		ZS
Sales with Installation of Motor Vehicle Parts or Accessories (Tires, Mufflers, etc.)			ZS	ZS	ZS		ZS
Office							
Government Office Buildings	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Health Care Facility	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Other Similar Office Uses	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Open Air Markets and Horticultural Sales							
Horticultural Sales with Outdoor Display	ACUP				ACUP	ACUP	ACUP
Temporary (Seasonal) Farmer's Market	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP
Personal Services							
Banks with Drive-Thru Windows	ZS		ZS	ZS	ZS		ZS
Dry Cleaner / Laundromat	ZS		ZS	ZS	ZS		ZS
Salon / Barber Shop / Beauty Shop / Tanning	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Studio: Art, Music, Dance	ZS	ZS	ZS	ZS	ZS	SC	ZS
Travel Agencies	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Other Similar Uses	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Professional Services							
Attorney / Legal Services	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Clinics of Physicians or Dentist	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Consultant	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Crematorium	ZS	ZS	ZS	ZS	ZS		ZS
Funeral Home	ZS	ZS	ZS	ZS	ZS		ZS
Insurance / Stockbroker	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Other Similar Uses	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS

COMMERCIAL AND MIXED USE USE DESCRIPTIONS	ZONES						
	NC	OTBD-1	OTBD-2	OTBD-3	GC [1]	CC [2]	HC [1]
Public and Semi-Public Facilities							
Bus Station, Train Station [5]	ZS	ZS	ZS	ZS	ZS	SC	ZS
Civil Defense Operation	ZS	ZS	ZS	ZS	ZS	SC	ZS
Fire Stations [4]	S	ZS	ZS	ZS	ZS	SC	ZS
Military Reserve, National Guard Centers					ZS	SC	ZS
Police Stations [4]	S	ZS	ZS	ZS	ZS	SC	ZS
Post Office	ZS	ZS	ZS	ZS	ZS	SC	ZS
Public Parking Lot or Parking Garage		ZS	ZS	ZS	ZS	ZS	ZS
Rescue Squad, Ambulance Service [4]	S	ZS	ZS	ZS	ZS	SC	ZS
Special Events	P	P	P	P	P	P	P
Temporary Mobile or Modular Structures Used for Public Services (Mobile Classrooms, Civic Services, Public Health Centers, Emergency Response Centers, etc.) [9]	Z	Z	Z	Z	Z	Z	Z
Recreation, Amusement, Entertainment							
Outdoor Recreation: Athletic Fields, Tennis Courts, Swimming Pools, Miniature Golf Courses, Water Slides, Skateboard Parks, Parks, Swimming Pools, Driving Range, Golf Course, Par 3 Golf Course, and Similar Uses	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Indoor Recreation: Bowling Alleys, Skating Rinks, Indoor Tennis and Squash Courts, Billiards and Pool Halls, Indoor Athletic and Exercise Facilities, and Similar Uses	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Coliseums, stadiums, and all other facilities designed to seat or accommodate simultaneously more than 1,000 people [4, 5]					ZS		ZS
Drive-in movie theaters [4, 5]					ZS		ZS
Movie Theaters Seating Capacity Less than 300 [5]	ZS	ZS	ZS	ZS	ZS	SC	ZS
Movie Theaters Unlimited seating capacity [5]			ZS	ZS	ZS		ZS
Religious							
Religious Assembly - Accessory	P	P	P	P	P	P	P
Religious Assembly – Principle [5]	ZS	ZS	ZS	ZS	ZS	SC	ZS
Residential							
Accessory Dwelling Unit Above a Permitted Non-Residential Use (one only) [2, 5]	ZV	ZV	ZV	ZV			
In-Home Child Day Care				ZV			
Multi-Family Apartments	ZSC			ZSC	SC	SC	SC
Multi-Family Fourplex	ZSC			ZSC	SC	SC	SC
Multi-Family Garden Apartments				ZSC	SC	SC	SC
Multi-Family Rowhouses	ZSC			ZSC	ZSC	ZSC	ZSC

COMMERCIAL AND MIXED USE USE DESCRIPTIONS	ZONES						
	NC	OTBD-1	OTBD-2	OTBD-3	GC [1]	CC [2]	HC [1]
Residential, continued							
Multi-Family Townhouses	ZSC			ZSC	ZSC	ZSC	ZSC
Multi-Family Triplex				ZSC			
Multi-Family Use Above a Permitted Non-Residential Use (Mixed Use) [4, 5, 10]	ZSC	ZSC	ZSC	ZSC	ZSC	SC	ZSC
Multi-Family Use Horizontal to a Permitted Non-Residential Use (Mixed Use) [1, 2]	SC				SC	SC	SC
Single-Family Apartment Above Permitted Non-Residential Use (only one) [5]	ZV	ZV	ZV	ZV			
Single-Family Residence, Detached				ZV			
Residential Homes emphasizing special services, treatment, or supervision							
Adult Family Homes (6 or fewer adults) [11]	Z			Z	Z		Z
Halfway houses [12]				C			
Homes for handicapped or infirm [12]				C		C	
Nursing care, intermediate care homes [12]				C			
Permanent Supportive Housing [13]	C			C	C	C	C
Special Needs Childcare homes [12]				C			
Transitional Housing [13]	C			C	C	C	C
Residential Rooms for Rent Situations							
Emergency Housing [14]						C	C
Emergency Shelter [14]						C	C
Hotels, motels, and similar businesses or institutions providing overnight accommodations						SC	ZSC
Rooming houses, boarding houses			Z	Z			
Tourist homes and other temporary residences renting by the day or week		ZV	ZV	ZV			
Restaurants, Bars, Night Clubs							
Carry-Out and Delivery Service; No Drive-Thru Service; Consumption Outside Fully Enclosed Building	ZS	ZS	ZS	ZS	ZS	SC	ZS
Carry-Out and Delivery Service; Drive-Thru Service; Service or Consumption Outside Fully Enclosed Building	ZS		ZS	ZS	ZS		ZS
No Substantial Carry-Out or Delivery Service; No Drive-Thru Service; Service or Consumption Inside or Outside Fully Enclosed Building	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Gambling Establishments							ZS

COMMERCIAL AND MIXED USE USE DESCRIPTIONS	ZONES						
	NC	OTBD-1	OTBD-2	OTBD-3	GC [1]	CC [2]	HC [1]
Retail Trade – No Outside Storage of Goods Allowed							
Convenience Stores	Z	Z	Z	Z	Z	SC	Z
General Mercantile	ZS	ZS	ZS	ZS	ZS [4]	SC	ZS
Home Occupation [15]	P	P	P	P	P	P	P
Sales / Rentals Incidental to a Non-Retail Principal Use	ZS	ZS	ZS	ZS	ZS	SC	ZS
Wholesale Sales					ZS [4]	SC	ZS
Retail Trade – Outside Storage of Goods and Display Allowed							
General Mercantile [5]		ZS	ZS	ZS	ZS	SC	
Mobile Sales and Delivery [16]	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP	ACUP
Sales / Rentals incidental to a non-retail principal use		ZS	ZS	ZS		SC	
Wholesale sales				ZS		SC	
Services and Enterprises Related to Animals							
Pet Grooming/Pet Store	ZS	ZS	ZS		ZS	SC	ZS
Veterinarian	ZS		ZS	ZS	ZS	SC	ZS
Utility Facilities							
Electrical Community or Regional Facility	C			C	C	C	C
Electrical Neighborhood Facility	Z	Z	Z	Z	Z	S	Z
Public Utilities	Z	Z	Z	Z	Z	Z	Z
Franchise Utilities	Z	Z	Z	Z	Z	Z	Z
Wireless Communication Facilities							
Commercial Antennas 50 feet tall or less					Z	SC	Z
Commercial Antennas more than 50 feet tall and receive-only earth stations					ZS	SC	ZS
Commercial Monopole I [17]						C	C
Commercial Monopole II [17]						C	C
Commercial Macro Facilities [17]	Z	Z	Z	Z	Z	SC	Z
Commercial Micro Facilities [17]	Z	Z	Z	Z	Z	SC	Z
Commercial Mini Facilities [17]	Z	Z	Z	Z	Z	SC	Z
Non-Commercial Towers and antennas 50 feet tall or less	Z	Z	Z	Z	Z	SC	Z
Non-Commercial Towers and antennas more than 50 feet tall and receive-only earth stations	Z			S	ZS	SC	ZS
Miscellaneous							
Combination Uses	ZSC	ZSC	ZSC	ZSC	ZSC	SC	ZSC

Footnotes of the Table of Commercial and Mixed-Use Permissible Uses

[1] Residential Uses are only allowed in the General Commercial and Highway Commercial zones when regulated by the Mixed-Use Development Regulations, Section 20.110. All permissible uses shall meet the Use Table Requirements of the specific Place Type and Transect of the property of the intended use.

[2] Commercial Corridor uses are regulated by the Mixed-Use Development Regulations Section 20.110. All permissible uses shall meet the Use Table Requirements of the specific Place Type and Transect of the property of the intended use.

[3] A Zoning Permit is required if this use is located within a building designed and previously legally occupied as a residence. A Conditional Use Permit is required if the use is located within any permissible building.

[4] Subject to Section 20.38.080 – Performance Standards and Miscellaneous Restrictions

[5] Subject to Section 20.38.070 – Restrictions on Certain Use Classifications on Arlington Airport Property

[6] Subject to Section 20.44.064 – Trade or Vocational Schools in OTBD-1

[7] Subject to Section 20.44 Part II – Land Clearing, Grading, Filling, and Excavation

[8] Unit Lot Subdivisions follow the short and major subdivision regulations

[9] Subject to Section 20.44.048 – Temporary Public Structures

[10] Subject to Section 20.44.016 – Mixed Use Developments

[11] Subject to Section 20.44.068 – Adult Family Homes

[12] Subject to Section 20.44.070 – Homes Emphasizing Special Services, Treatment, or Supervision

[13] Subject to Section 20.40.040 – Permissible Uses and Specific Exclusions (c) (6)

[14] Subject to Section 20.40.040 – Permissible Uses and Specific Exclusions (c) (7)

[15] Subject to Section 20.44.082 – Home Occupations

[16] Subject to Section 20.44.080 – Administrative Conditional Use Permit for Mobile Sales and Delivery

[17] Subject to Section 20.44.034 – Wireless Communications Facilities

20.40.150 – Industrial Zones Permissible Use Table

INDUSTRIAL USE DESCRIPTIONS	ZONES	
	LI	GI
Agricultural		
Commercial Greenhouse On-Premises Sales		ZS
Educational		
Colleges, Universities, Community Colleges [2]	ZS [1]	
Commercial Nursery Schools; Day Care Centers [1, 2]	ZS	ZS
Trade or vocational schools [1]	ZS	ZS
Environmental		
Critical Area Uses (AMC 20.93)	Z	Z
Land Clearing and Logging [3]	Z	Z
Land Division		
Binding Site Plan Major	C	C
Binding Site Plan Minor	Z	Z
Boundary Line Adjustments	Z	Z
Industry, Manufacturing, Processing, Repairing, Renovating, Assembly of Goods, Merchandise or Equipment		
Brewery, Distillery, Craft Beverage Production with or without Tasting Room or Restaurant (No Drive-Thru Services)	ZS	ZS
Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Not Done with Walk-In Trade	ZS	ZS
Operations Conducted Within or Outside Fully Enclosed Building		ZS
Marijuana Production, Processing, and Retail		
Marijuana Processing [4]	Z	Z
Marijuana Production [4]	Z	Z
Motor Vehicle-Related Sales and Service Operations		
Electric Vehicle Infrastructure	ZS	ZS
Fuel sales [1]	ZS	ZS
Repair and Maintenance, Painting and Body Work with Storage of Vehicles		ZS
Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards, and Automobile Recycling Facilities [5]		ZS
Towing Operations	ZS	ZS
Office		
Government Office Buildings	ZS	ZS [6]
Health Care Facility	ZS	ZS [6]
Industrial or Manufacturing On-Site Office	ZS	ZS
Research and Development [7]	ZS	ZS
Technology [7]	ZS	ZS
Other Similar Uses	ZS	ZS [6]

INDUSTRIAL USE DESCRIPTIONS	ZONES	
	LI	GI
Open Air Markets and Horticultural Sales		
Horticultural Sales with Outdoor Display		ACUP
Personal Services		
Dry Cleaner / Laundromat	ZS	
Professional Services		
Crematorium	ZS	ZS
Funeral Home	ZS	ZS
Public and Semi-Public Facilities		
Bus Station, Train Station	ZS	ZS
Civil Defense Operation	ZS	ZS
Fire Stations [1]	ZS	ZS
Military Reserve, National Guard Centers	ZS	ZS
Police Stations [1]	ZS	ZS
Public Parking Lots or Parking Garages	ZS	ZS
Rescue Squad, Ambulance Service [1]	ZS	ZS
Special Events	P	P
Temporary Mobile or Modular Structures Used for Public Services (Mobile Classrooms, Civic Services, Public Health Centers, Emergency Response Centers, etc.) [8]	Z	Z
Recreation, Amusement, Entertainment		
Outdoor Recreation: Athletic Fields, Tennis Courts, Swimming Pools, Miniature Golf Courses, Water Slides, Skateboard Parks, Parks, Swimming Pools, Driving Range, Golf Course, Par 3 Golf Course, and Similar Uses	ZS	ZS
Indoor Recreation: Bowling Alleys, Skating Rinks, Indoor Tennis and Squash Courts, Billiards and Pool Halls, Indoor Athletic and Exercise Facilities, and Similar Uses	ZS	ZS
Coliseums and Stadiums, and all other facilities designed to seat or accommodate simultaneously more than 1,000 people [1, 3]	ZS	ZS
Drive-in movie theaters [1, 2]	ZS	ZS
Indoor Automobile and motorcycle racing tracks	ZC	ZC
Religious		
Religious Assembly - Accessory	P	P
Restaurants, Bars, Night Clubs		
Carry-out and delivery service; no drive-thru service; consumption outside fully enclosed building allowed	ZS	ZS
Carry-out and delivery service; drive-thru service; service or consumption outside fully enclosed building allowed	ZS	ZS
No substantial carry-out or delivery service; no drive-thru service; service or consumption inside or outside fully enclosed building	ZS [1]	
Establishments offering adult entertainment		C

INDUSTRIAL USE DESCRIPTIONS	ZONES	
	LI	GI
Retail Trade – No Outside Storage of Goods		
Distribution Center	ZS	ZS
Sales / Rentals incidental to a non-retail principal use	ZS	ZS
Mobile Sales and Delivery [9]	ACUP	ACUP
Wholesale sales	ZS	ZS
Retail Trade – Outside Storage of Goods and Display		
Distribution Center	ZS	ZS
General Mercantile [2]		ZS
Sales / Rentals incidental to a non-retail principal use	ZS	ZS
Wholesale sales		ZS
Services and Enterprises Related to Animals		
Kennel	ZS	ZS
Veterinarian	ZS	ZS
Soil Processing, Mining, and Quarrying Operations		
Soil processing, mining, and quarrying operations, including on-site sales of product [10]		ZS
Solid Waste Facilities (Publicly or Privately Owned)		
Biosolid Recycling [10]		ZS
Solid Waste Recycling Center [10]		ZS
Solid Waste Transfer Station [10]		ZS
Storage and Parking		
Parking of vehicles or storage of equipment outside enclosed structures where vehicles or equipment are owned and used by the person making use of lot.[11]		ZS
Storage, Shipping, or Moving Container (accessory use only) [12]	ZS	ZS
Warehouse Storage Facility	ZS [10]	ZS
Utility Facilities		
Electrical Community or Regional Facility	ZS	ZS
Electrical Neighborhood Facility	Z	Z
Public Utilities	Z	Z
Franchise Utilities	Z	Z

INDUSTRIAL USE DESCRIPTIONS	ZONES	
	LI	GI
Wireless Communication Facilities [1]		
Commercial Antennas 50 feet tall or less	Z	Z
Commercial Antennas more than 50 feet tall and receive-only earth stations	ZS	ZS
Commercial Monopole I [13]	C	C
Commercial Monopole II [13]		C
Commercial Macro Facilities [13]	Z	Z
Commercial Micro Facilities [13]	Z	Z
Commercial Mini Facilities [13]	Z	Z
Non-Commercial Towers and Antennas 50 feet tall or less	Z	Z
Non-Commercial Towers and Antennas more than 50 feet tall and receive-only earth stations	ZS	ZS
Miscellaneous		
Combination Uses	ZSC	ZSC

Footnotes of the Table of Industrial Permissible Uses

[1] Subject to Sectio20.38.080 – Performance Standards and Miscellaneous Restrictions

[2] Subject to Section 20.38.070 – Restrictions on Certain Use Classifications on Arlington Airport Property

[3] Subject to Section 20.44 Part II – Land Clearing, Grading, Filling, and Excavation

[4] Subject to Section 20.08.010 – Definitions of Basic Terms and Section 20.48.040 – Building Setback Requirements

[5] Subject to Section 20.44.066 – Outdoor Storage for Scrap Materials, Salvage Yards, Junkyards, Automobile Graveyards, Automobile Recycling Facilities, Construction Yards, and Industrial or Manufacturing Uses

[6] Subject to Section 20.44.084 – Stand Along Office Uses in the General Industrial Zone

[7] Priority in the Center of Excellence of the Airport Business Park

[8] Subject to Section 20.44.048 – Temporary Public Structures

[9] Subject to Section 20.44.080 – Administrative Conditional Use Permit for Mobile Sales and Delivery

[10] Subject to Section 20.44.010 – Solid Waste, Quarrying, Mining, and Similar Uses

[11] Subject to Sections 20.72 – Parking and Section 20.76 – Screening and Trees

[12] Subject to Sections 20.46 – Design and Section 20.76 – Screening and Trees

[13] Subject to Section 20.44.034 – Wireless Communications Facilities

20.40.160 – Special Zones Permissible Use Table

SPECIAL ZONES USE DESCRIPTIONS	ZONES		
	BP	AF [1]	MS
Aviation Related Sales and Service Operations			
Aviation Fuel Sales		Z	
Aircraft Painting and Body Work		Z	
Aircraft Repair and Maintenance, Not Including Substantial Body Work		Z	
Aircraft Sales or Rentals		Z	
Aircraft Sales with Installation of Aircraft Parts or Accessories (Propellers, Tires, Mufflers, etc.)		Z	
Aircraft Wash		Z	
Cultural, Social, Fraternal Uses			
Art Gallery or Center	ZS	Z	
Museum	ZS	Z	
Educational			
Trade or Vocational Schools	ZS	Z	
Training Facility	ZS	ZS	ZS
Environmental			
Critical Area Uses (AMC 20.93)	Z	Z	Z
Land Clearing and Logging [2]	Z	Z	Z
Industry, Manufacturing, Processing, Repairing, Renovating, Assembly of Goods, Merchandise or Equipment			
All Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Done with Walk-In or No Walk-In Trade	ZS	Z	
Institutional Residence or Care or Confinement Facilities			
Hospitals, Clinics, other Medical [3, 4]			ZSC
Institutions (other than halfway houses) for Confined Mentally Ill Persons [3,4]			C
Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Childcare Institutions [3, 4]			ZSC
Land Division			
Binding Site Plan Major	C	C	C
Binding Site Plan Minor	Z	Z	Z
Boundary Line Adjustments	Z	Z	Z
Motor Vehicle-Related Sales and Service Operations (Non-Aviation Related)			
Electric Vehicle Infrastructure	Z	Z	Z

SPECIAL USE DESCRIPTIONS	ZONES		
	BP	AF [1]	MS
Office			
Government Office Buildings	ZS	Z	ZS [5]
Health Care Facility			ZS [5]
Research and Development [6]	ZS	Z	ZS
Technology [6]	ZS	Z	ZS
Other Similar Uses	ZS	Z	ZS [5]
Professional Services			
Clinics of Physicians or Dentist			ZS [5]
Public and Semi-Public Facilities			
Airport		C	
Bus Station, Train Station	ZS		
Civil Defense Operation	ZS	Z	
Fire Stations [4]	ZS	Z	
Military Reserve, National Guard Centers	ZS	Z	
Police Stations [4]	ZS	Z	
Public Parking Lot or Parking Garage	ZS	ZS	ZS
Rescue Squad, Ambulance Service [4]	ZS	Z	ZS
Special Events	P	P	P
Temporary mobile or modular structures used for public services (e.g., mobile classrooms, civic services, public health centers, emergency response centers, etc.)	Z	Z	Z
Restaurants, Bars, Night Clubs			
Carry-out and delivery service; no drive-thru service; consumption outside fully enclosed building allowed	ZS	Z	
No substantial carry-out or delivery service; no drive-thru service; service or consumption inside or outside fully enclosed building	ZS	Z	Z
Retail Trade – No Outside Storage of Goods			
Distribution Center	ZS		
Sales / Rentals incidental to a non-retail principal use	ZS	Z	
Wholesale sales	ZS	Z	
Mobile Sales and Delivery [7]	ACUP	ACUP	ACUP
Soil Processing, Mining or Quarrying Operations			
Soil processing Mining, or Quarrying operations, including on-site sales of product [2]		ZS	
Storage and Parking			
Parking or storage of aircraft, either inside or outside completely enclosed structures		Z	
Warehouse Storage Facility	ZS		

SPECIAL ZONES USE DESCRIPTIONS	ZONES		
	BP	AF [1]	MS
Utility Facilities			
Electrical Community or Regional Facility	C	C	
Electrical Neighborhood Facility	Z	Z	
Public Utilities	Z	Z	Z
Franchise Utilities	Z	Z	Z
Wireless Communication Facilities [3,4,8]			
Commercial Antennas 50 feet tall or less	Z		
Commercial Antennas more than 50 feet tall and receive-only earth stations	ZS		
Commercial Macro Facilities	Z		
Commercial Micro Facilities	Z		
Commercial Mini Facilities	Z		
Non-Commercial Towers and Antennas 50 feet tall or less	Z	Z	
Non-Commercial Towers and Antennas more than 50 feet tall and receive-only earth stations	ZS	ZS	
Miscellaneous			
Combination Uses	ZSC	ZSC	ZSC

Footnotes of the Table of Special Zones Permissible Uses

[1] Such uses allowed only if in compliance with the intent of the zone as established by Section 20.36.034 Aviation Flightline District Established

[2] Subject to Section 20.44 Part II – Land Clearing, Grading, Filling, and Excavation

[3] Subject to Section 20.38.070 – Restrictions on Certain Use Classifications on Arlington Airport Property

[4] Subject to Section 20.38.080 – Performance Standards and Miscellaneous Restrictions

[5] Such uses allowed only if in compliance with the intent of the zone as established in Section 20.36.036 – Medical Services District Established

[6] Priority in the Center of Excellence of the Airport Business Park

[7] Subject to Section 20.44.080 – Administrative Conditional Use Permit for Mobile Sales and Delivery

[8] Subject to Section 20.44.034 – Wireless Communications Facilities

20.40.170 – Public / Semi-Public Zone Permissible Use Table

PUBLIC / SEMI-PUBLIC USE DESCRIPTION	ZONE
	P / SP
Educational	
Colleges, Universities, Community Colleges [1, 2]	C
Commercial Nursery Schools; Day Care Centers [1, 3]	ZS
Elementary and Secondary School [2]	C
Environmental	
Critical Area Uses (AMC 20.93)	Z
Land Clearing and Logging [4]	Z
Cultural, Social, Fraternal Uses	
Art Gallery or Center	C [10]
Library [2]	C
Museum [2]	C
Institutional Residence or Care or Confinement Facilities [2, 3, 5]	
Penal and Correctional Facilities	C
Land Division [2]	
Binding Site Plan Major	C
Binding Site Plan Minor	Z
Boundary Line Adjustments	Z
Motor Vehicle-Related Sales and Service Operations (Non-Aviation Related)	
Electric Vehicle Infrastructure [6]	Z
Office	
Government Office Buildings	ZS
Recreational or Park Buildings	ZS
Other Similar Uses	ZS
Public and Semi-Public Facilities	
Bus Station, Train Station [1]	ZS
Cemetery [1, 2]	ZS
Civil Defense Operation [2]	ZSC
Crematorium	ZS
Fire Stations [2, 3]	ZSC
Military Reserve, National Guard Centers [2]	ZSC
Police Stations [2, 3]	ZSC
Public Parking Lots or Parking Garages	ZS
Rescue Squad, Ambulance Service [2, 3]	ZSC
Special Events	P
Temporary mobile or modular structures used for public services (mobile classrooms, civic services, public health centers, emergency response centers, etc.)	P

PUBLIC / SEMI-PUBLIC USE DESCRIPTION	ZONE
	P / SP
Recreation, Amusement, Entertainment	
Outdoor Recreation: Athletic Fields, Tennis Courts, Swimming Pools, Miniature Golf Courses, Water Slides, Skateboard Parks, Parks, Swimming Pools, Driving Range, Golf Course, Par 3 Golf Course, and Similar Uses	ZSC
Outdoor Entertainment Venue or Amphitheater	Z
Religious	
Religious Assembly – Accessory [2]	C
Retail Trade – Outside Storage of Goods and Display Allowed	
Mobile Sales and Delivery [7]	ACUP
Solid Waste Facilities (Publicly or Privately owned) [2]	
Biosolid Recycling	ZSC
Solid Waste Recycling Center	ZSC
Solid Waste Transfer Station	ZSC
Storage and Parking	
Parking of vehicles or storage of equipment outside enclosed structures where vehicles or equipment are owned and used by the person making use of lot,	ZSC
Utility Facilities [2]	
Electrical Community or Regional Facility	ZS
Electrical Neighborhood Facility	ZS
Public Utilities	Z
Franchise Utilities	Z
Wireless Communication Facilities [2, 3, 8]	
Non-Commercial Towers and Antennas 50 feet tall or less	Z
Non-Commercial Towers and Antennas more than 50 feet tall and receive-only earth stations	ZS
Miscellaneous	
Combination Uses	ZSC

Footnotes of the Table of Public / Semi-Public Permissible Uses

[1] Subject to Section 20.38.070 – Restrictions on Certain Use Classifications on Arlington Airport Property

[2] Use allowed in the Public / Semi-Public district when it is conducted by a public / semi-public agency for the benefit of the public

[3] Subject to Section 20.38.080 – Performance Standards and Miscellaneous Restrictions

[4] Subject to Section 20.44 Part II – Land Clearing, Grading, Filling, and Excavation

[5] Subject to Section 20.44.096 – Penal and Correctional Facilities

[6] Subject to Section 20.44.098 – Electric Vehicle Infrastructure

[7] Subject to Section 20.44.080 – Administrative Conditional Use Permit for Mobile Sales and Delivery

[8] Subject to Section 20.44.034 – Wireless Communications Facilities

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-018 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-018

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.40 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING PERMISSIBLE USES"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022



Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-019

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.44 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING SUPPLEMENTAL USE REGULATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.44 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"

Chapter 20.44

SUPPLEMENTAL USE REGULATIONS

Sections:

Part I. General Provisions

20.44.010 Solid Waste, Quarrying, Mining, and Similar Uses.
20.44.016 Mixed Use Developments.
20.44.020 Unit Lot Subdivision (ULSs).
20.44.030 Flexible Development Standards (FDSs)
20.44.032 Master Planned Neighborhood Developments (MPND).
20.44.034 Wireless Communications Facilities.
20.44.035 ~~CUP~~ Administrative Conditional Use Permits for Homeless Encampments
20.44.037 Administrative Conditional Use Permits for Temporary / Seasonal Use or Special Event
20.44.040 Temporary Emergency, Construction, or Repair Residences.
20.44.042 Accessory Dwelling Units (ADU).
20.44.044 Recreational Vehicles as Temporary Dwelling Units.
~~20.44.046 RV/Travel Trailer Parks~~
20.44.048 Temporary Public Structures.
20.44.060 Minimum Parcel Sizes for ~~Class -A,‖ -B,‖ or -C‖~~ Manufactured or Mobile Homes.
20.44.062 Mobile Home Parks.
20.44.064 Trade or Vocational Schools in the OTBD-1.
20.44.066 Storage ~~Surfaces~~ for Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards, ~~and~~ Automobile Recycling Facilities, Construction Yards, and Industrial or Manufacturing Uses.
20.44.068 Adult Family Home
20.44.070 Homes Emphasizing Special Services, Treatment, or Supervision.
20.44.072 Reasonable Accommodation.
20.44.080 Administrative Conditional Use Permit for Mobile Sales and Delivery.
20.44.082 Home Occupations.
20.44.084 Stand Alone Office Uses in the General Industrial Zone.
20.44.090 Outdoor Storage or Display of Retail Items.
20.44.094 Adult Entertainment Facilities.
20.44.096 Penal and Correctional Facilities.
20.44.098 Electric Vehicle Infrastructure.

Part II. Land Clearing, Grading, Filling, and Excavation

20.44.100 Permits for Grading and Filling.
20.44.110 Permits for Land Clearing.
20.44.120 Restrictions and Requirements.

Part III. Performance Standards

20.44.208 Obligation to Comply.
20.44.210 Noise.
20.44.220 Vibration.
20.44.230 Odors.
20.44.240 Smoke and Air Pollution.
20.44.250 Disposal of Liquid and Hazardous Wastes.

20.44.260 Water Consumption.
20.44.270 Electrical Disturbance or Interference.
20.44.280 Lighting.
20.44.290 Site and Building Maintenance.

Part IV. Cottage Housing

20.44.300 Purpose and Intent.
20.44.310 Applicability, application process and design review.
20.44.320 Density, number of cottage housing units and minimum lot area.
20.44.330 Building height.
20.44.340 Lot coverage area.
20.44.350 Cottage floor area.
20.44.360 Cottage housing development building separation.
20.44.370 Parks and open space.
20.44.380 Off street parking.
20.44.390 Stormwater Low Impact Development Techniques.
20.44.400 Alternative Site Design.

Part I. General Provisions

20.44.010 Solid Waste, Quarrying, Mining, and Similar Uses.

(a) All permits for ~~14.300, 14.400, and 15.300~~ thjs use ~~classifications~~ shall be subject to this section.

(b) In addition to all other submission requirements, permit applications for such uses shall be accompanied by a site reclamation plan. This plan shall contain and address the following:
  (1) A description and site plan detailing how the site will be reclaimed.
  (2) An analysis of how the reclaimed site will be compatible with existing and anticipated land uses and zoning.
  (3) An analysis of how the reclaimed site will not prevent the orderly and reasonable use and development of surrounding properties or of properties in adjacent zones.
  (4) That the proposed use and any expansion does not impair or impede the realization of the objectives of the comprehensive plan, and it would not be detrimental to the public interest to grant such proposed use.
  (5) The timing and schedule of reclamation.

(c) All ~~14.300, 14.400, and 15.300~~permits for this use ~~classifications~~ shall be subject to the Manufacturing/ Processing Performance Standards of Part III of this Chapter.

(d) Permits for ~~14.300, 14.400, and 15.300~~this use ~~classifications~~ may be limited in duration by the permit-issuing authority. In such a case, the permit shall clearly state the expiration date. The permit period shall be of sufficient duration to ensure the completion of the use for which the permit is required; however, in no instance shall the period of time be in excess of twenty years. Permit renewals shall be processed in the same manner as new applications.

(e) The permit-issuing authority may consider requiring a performance security in an amount deemed satisfactory to cover the costs of ensuring compliance with the provisions of this section and the terms and conditions of any permit issued under the provisions of this chapter, including required reclamation.

20.44.016 Mixed Use Developments.

In all mixed-use developments (not governed by the mixed-use development regulations) ~~(Use Classification 1.340 of the TOPU)~~, no more than thirty five percent of the gross floor area of the first floor may be parking or other non-commercial uses. Furthermore, such non-commercial uses shall be located away from the primary entrance of the building, with the commercial uses being prominently noticeable from the primary entrance.

20.44.020A Unit Lot Subdivisions (ULSs).

(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.

(b) Unit lot subdivisions shall be permitted in ~~the Residential High-Density~~ all residential zones, (except RULC and RLC), and all commercial zones (in conjunction with the ~~horizontal~~ mixed-use overlay or commercial corridor zone).

(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.

(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.

(e) Existing multi-family developments which meet or can be brought into conformance with the requirements of the unit lot subdivision may submit an application for such unit lot subdivision. The existing building shall also be in full compliance with the most currently adopted edition of the International Building Code (IBC) and/or the International Residential Code (~~IBC~~IRC) and International Fire Code (IFC).

(f) If a development proposes open or park space exceeding one hundred twenty-five percent of the minimum requirement, buildings may exceed the maximum allowed height requirement by five feet.

(g) Low impact development street standards are required where feasible.

(h) Low impact development techniques for stormwater management are required where feasible.

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.

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~~Land Division Approval.

20.44.020D Unit Lot Subdivision in Mixed Use Development

All horizontal mixed use development overlay areas utilizing unit lot subdivisions shall strictly adhere to Chapter 20.110.040 – Mixed Use Development Regulations, when designing the site development plan.

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

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.

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.

(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.

(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.

(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.

(e) The unit lot subdivision shall provide bicycle parking facilities equal to one stall for every four lots.

20.44.020H Private Roads and 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.

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.

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.

20.44.020K Landscaping

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:

(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.

(2) Street trees on public streets shall be per city approved tree list.

(3) Street trees on private access drives shall be per city approved tree list.

20.44.020L Homeowners Association Incorporation

Prior to the recording of the subdivision, the applicant shall provide evidence that the homeowner's association had been incorporated pursuant to the laws of the State of Washington, including the filing of the association's articles of incorporation with the 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).

20.44.20M Covenants and Maintenance

(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:

(1) Such covenants, declarations and restrictions;

(2) The Washington Uniform Common Interest Act (RCW Chapter 64.90);

(3) The applicable Washington corporation statute;

(4) Any applicable provisions of the city code including, but not limited to, subsections (b) and (c) of this section below.

(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 and shall be maintained in perpetuity by the homeowner's association. Prior to the recordings of the subdivision, the applicant shall provide the covenants, declarations and restrictions required by subsection (a) of this section, above, for review by the city, which shall provide that the following common areas and infrastructure are maintained by the homeowner's association in accordance with all applicable provisions of the city code.

(1) Private access drives;

(2) Vehicle and pedestrian access easements;

(3) Joint use and maintenance agreements;

(4) Common off-street parking;

(5) Common open space (including, but not limited to, landscape areas, gardens, woodlands, walkways, courtyards or lawns and outdoor recreation areas;

(6) Private utility infrastructure (including, but not limited to, underground utilities and utility easement;

(7) Any other common buildings or improvements.

Said covenants, declarations and restrictions shall provide authority for the city, after providing reasonable written notice to the homeowners association and opportunity to perform required maintenance, to recover any costs incurred by the city to maintain private infrastructure or common areas due to a failure of the homeowners association to adequately maintain privately owned improvements, including a lien on the property or other appropriate assurance device, as determined by the city.

(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. Prior to the recording of the subdivision, the applicant shall provide the covenants, declarations and restrictions required by subsection (a) of this section for review by the city, which shall provide that buildings, utilities and facilities on individual lots shall be maintained by the property owner in accordance with city codes and requirements of such covenants, declarations and restrictions.

20.44.20N Recorded Conditions.

Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:

(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);

(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;

(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;

(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.

20.44.030 Flexible Development Standards (FDSs).

(a) All developments using Flexible Development Standards shall have a public hearing before the Hearing Examiner. The Hearing Examiner shall review and may approve all FDSs following a neighborhood meeting per AMC §20.16.~~130~~235, and recommendation from the Design Review Board on the elevations and footprints of all structures.

(b) Flexible Development Standards may only be located on tracts of at least five acres within a, ~~Suburban Residential (SR)~~Residential Ultra Low Capacity (RULC), ~~Low/Moderate Density Residential (RLMD)~~Residential Low Capacity (RLC), ~~Moderate Density Residential (RMD)~~Residential Moderate Capacity (RMod), Residential Medium Capacity (RMC), or ~~High Density Residential (RHD)~~ Residential High Capacity (RHC) zoning district, or within a Master Planned Neighborhood (§20.44.032).

(c) The gross residential density of an FDS development shall not exceed the allowable density based on the number of dwelling units per acre. Density bonuses are expressly prohibited. Allowable densities shall be computed for an FDS development based on the gross density calculations of the given underlying zone~~, e.g., (RLMD) 1dwelling unit per seven thousand two hundred square feet or 6.05 dwelling units per gross acre.~~.

(d) Permissible types of residential uses within an FDS development include single-family detached dwellings, ~~(use classification 1.111~~), single-family attached, ~~(1.130), two family residences~~duplexes, ~~(1.200),~~ and multi-family residences ~~(1.300)~~ regardless of the underlying zone.

(e) In any FDS development, the developer may create lots and construct buildings with reduced lot size, width, or setback restrictions except that:

(1) All perimeter lots shall regardless of the underlying zone meet the minimum lot width for that zone.

(2) At least fifty percent of the total number of dwelling units in any FDS development must be single-family detached residences on lots with a minimum lot width of fifty feet in all zones except for the ~~RHD~~ RHC zone where one hundred percent of the allowable number of dwelling units may be detached (cottage style housing) or attached residences.

(3) FDS developments must comply with the fire protection requirements of the most current edition as adopted by the State of Washington of the International Building Code (IBC), International Residential Code (IRC) and the International Fire Code (IFC).

(4) Setback requirements of the underlying zone shall apply for all property lines located on the perimeter of the FDS development. A perimeter lot shall be a lot abutting directly on an exterior property line for the entire site.

(5) Each lot must be of sufficient size and dimensions that it can support the structure proposed to be located on it, consistent with all other applicable requirements of this title.

(6) In the ~~SR~~ RULC Zone, lots adjacent to a critical area must have a minimum of six thousand square feet and a minimum width of 50 feet.

(7) Each lot must be designed so that any structure can be built a minimum of fifteen feet from any environmentally critical area buffer.

(8) The maximum lot coverage specified in §20.48.064 (Maximum Lot Coverage) shall be met on an average for all lots in the entire FDS development. Thus, in calculating the average maximum lot coverage for a lot, the area of open space protected on that lot through FDSs may be used. However, the developer shall state on the plat the maximum

lot coverage for each individual lot so as not to create future, unforeseen inequities.

(9) The design of an FDS development, including site layout, landscaping, public facilities (e.g. storm drainage, parks, streets, etc.) and building design shall be subject to recommendation from the Community Development staff to the Hearing Examiner and recommendation from the Design Review Board regarding elevations and footprints of all structures pursuant to the City's adopted Design ~~Guidelines~~ Standards to the Hearing Examiner. In lieu of the DRB approving each single- or two-family structure, the applicant may propose project specific design guidelines consisting of elevations and footprints for these types of structures only (multi-family residential and communal structures shall always be approved by the DRB as part of the FDS approval). In such a case, the project specific design ~~guidelines~~ standards shall be reviewed by the DRB for consistency with the City's Design ~~Guidelines~~ Standards and be subject to their recommendation to the Hearing Examiner. The Department of Community and Economic Development may then implement them administratively when an applicant applies for building permits. Where authority is granted by the DRB to staff to review individual single- or two-family residential structures, the DRB shall be the arbiter between the applicant and staff.

(10) When located in the ~~SR~~RULC, ~~RLMD~~RLC, R-Mod, or ~~RMD~~ RMC zone, multi-family portions of an FDS development shall be situated more toward the interior rather than the periphery of the tract, or along an adjoining arterial street, so that the single-family detached residences border adjacent properties that are zoned for single-family residential uses.

(11) Screening requirements (Chapter 20.76) shall apply to the exterior boundaries of an FDS development but are not required between uses within an FDS development.

(12) When creating an FDS development, residential subdivisions and multi-family projects, the amount of land -saved by creating lots that are smaller than the standards set forth in §20.48.010 (Minimum Lot Size Requirements) shall be set aside as open space. This open space shall be a minimum of ten percent of the site and shall be improved with common amenities. The amenities can include, but are not limited to usable open space area, landscaped entries into the project (in addition to the standard roadway dedication and landscaping requirements), courtyards, landscape islands in the center of roads, additional protection of significant clusters of trees, low impact designs (rain gardens), additional improved park space, or other amenities as may be appropriate. Of the ten percent of open space required, twenty-five percent of the total may include protected sensitive areas and their buffers. The Hearing Examiner shall be given deference in determining what amount and mix of such amenities counts toward this requirement as long as the minimum threshold is met. In addition, the applicant shall meet the Comprehensive Plan for open space and park land, as well as all applicable Land Use Code requirements.

(13) In the ~~RLMD~~ RLC and ~~SR~~ RULC zones, low impact development street standards and low impact development techniques for stormwater management shall be used wherever possible.

(14) The purpose of this section is to provide flexibility, consistent with the public health and safety and without increasing overall density, to the developer who subdivides property and constructs buildings on the lots created in accordance with a unified and coherent plan of development or the developer who constructs within the ~~RHD~~ RHC zone.

20.44.032 Master Planned Neighborhood Development (MPND).

(a) In any Master Planned Neighborhood district (§20.36.054, Master Planned Neighborhood Overlay District Established) no development may be permitted until the developer has prepared and received approval of a master plan for the entire area included in the MPN district.

(b) Since the approval of a master plan affects the zoning, and thus use of the property, said master plan shall be processed as an amendment to this Title (Chapter 20.96).

(c) No area of less than twenty contiguous acres may be planned through a MPN approval

process, and then only (i) upon the request of the owner or majority of owners of all the property intended to be covered by such an overlay zone, or (ii) by the City Council in implementing the MPN land use designation pursuant to subsection (d). Approval of MPNs is achieved through a rezone process.

(d) The MPN district shall be used on any land with a Master Planned Neighborhood land use designation as shown on the Comprehensive Plan Land Use Map. If property is placed in an MPN district by the Council prior to a master plan being developed (§20.44.032 (Master Planned Neighborhood Developments), it shall not show the individual elements until the master plan is approved.

(e) For areas designated Master Planned Neighborhood in the Comprehensive Plan, MPND approval may be sought prior to or after annexation to the City. However, in the case where MPND approval is not approved prior to or concurrent with annexation the entire annexation area shall be zoned Suburban Residential until such time that an MPND is approved.

(f) At a minimum the master plan shall identify:

(1) The locations and sizes of the districts as follows:

(i) One element of each MPN district shall be the low-density residential element. Here there is one possibility, using the ~~Suburban Residential~~Residential Ultra Low Capacity district described in §20.36.010 (Residential Districts Established). Within that portion of the MPN zone that is developed for low-density residential purposes, all development must be in accordance with the regulations applicable to the ~~Suburban Residential~~Residential Ultra Low Capacity district. Within any MPND, not less than fifty percent of the total area may be developed for lower density residential (~~Suburban Residential~~Residential Ultra Low Capacity) purposes.

(ii) A second element of each MPN district may be the medium to higher density residential element. Here there are ~~three~~ four possibilities, each one corresponding either to the Residential Low ~~/Moderate Density~~Capacity, the Residential Moderate ~~Density~~Capacity, Residential Medium, or the Residential High-~~Density~~ Capacity ~~Residential~~ zoning districts described in Subsection 20.36.010~~(d)~~ (Residential Districts Established). Within that portion of the MPN district that is developed for medium or higher density residential purposes, all development must be in accordance with the regulations applicable to the residential district to which the particular MPN zoning district corresponds.

(iii) A third element of each MPN district may be the commercial element. Here there is one possibility, corresponding to the Neighborhood Commercial district identified in §20.36.020 (Commercial Districts Established). Within that portion of a MPN district that is developed for purposes permissible in a NC district, all development must be in accordance with the regulations applicable to the NC district.

(iv) A public services/facilities element may be a fourth element of any MPN district. Here uses permitted within the Public/Semi-Public district would be permitted within the MPN district. If a P/SP element is included, then within that portion of the MPN district that is developed for purposes permissible in a P/SP district, all development must be in accordance with the regulations applicable to the P/SP district.

(2) The approximate locations, types, and sizes of public facilities and amenity areas (e.g., parks, schools, open space, common landscaped areas, etc.);

(3) Conceptual infrastructure plans (e.g., location, types, and sizes of streets, sewer, water, stormwater, etc.);

(4) Compliance with those portions of the City's Development Design ~~Guidelines~~ Standards having to do with neighborhood design pursuant to Chapter 20.46, Design;

(5) Public infrastructure financing strategies (including any improvements to existing on- or off-site facilities necessary to support the MPND); and

(6) An anticipated phasing and/or build out schedule, subject to an analysis of service capacity by the City.

(g) Unless the City's SEPA Responsible Official determines otherwise, the applicant shall develop a programmatic Environmental Impact Statement for the MPN permit. Subsequent development permits may then rely on this EIS to the extent feasible to minimize additional SEPA review. It shall be the intent of the City that during subsequent permitting no additional SEPA review would be required for any action or impact analyzed in the programmatic EIS, unless unforeseen or extraordinary environmental issues arise.

(h) In a Master Planned Neighborhood Development, once the master plan is approved and zoning districts assigned per (f)(1), the developer may make use of the land for any purpose authorized in those particular districts, subject to the provisions of the master plan and this title.

(i) In those areas of the MPND assigned to the ~~Suburban Residential district~~Residential Ultra Low Capacity, lots ***adjacent to critical areas*** may be reduced in size and width ***to a minimum of six thousand square feet and a width of sixty feet*** so long as the standard of §20.48.030(a) (Lot Shape and Minimum Lot Widths) is met and so long as a gross density of four dwelling units per acre is ***not exceeded***.

(j) As indicated in the Tables of Permissible Uses ~~(§20.40.010, Table of Permissible Uses),~~ a Master Planned Neighborhood Development ~~(use classification 30.200)~~ is the only permissible use of a MPN district, and Master Planned Neighborhoods are permissible only in such zones.

(k) In approving the MPND the Council may require that the MPND comply with any site-specific development regulations that the City may develop.

20.44.034 Wireless Communications Facilities.

(a) Purpose. This section is intended to provide for a wide range of locations and options for wireless communication providers while minimizing the visual impacts associated with wireless communication facilities. It is also intended to encourage creative approaches in locating wireless communication facilities so as to encourage facilities to blend in with the surroundings of such facilities. This section is intended to work in concert with other sections of this code. If there is a conflict between Wireless Facilities and other sections of this Title, then the most restrictive requirements apply.

(b) General Wireless Communication Facilities Development Standards.
Unless other modified by subsequent subsections, all Wireless Communication Facilities shall be subject to the following standards and requirements.

(1) Co-location on an existing support structure shall be encouraged. All Wireless Communication Facilities support structures shall be built to accommodate the location of two or more wireless communications facilities unless proved infeasible. It shall be a continuing condition on all land use permits issued for a Wireless Communication Facility that the permit holder allows co-location for reasonable compensation. Co- location on an existing support structure shall be permitted without an additional permit, provided there is not substantial change to the existing support structure.

(2) Except for Micro- and Mini- Facilities, shelters or cabinets used to house radio electronics equipment and the associated cabling connecting the equipment shelter or cabinet to the facility support structure shall be concealed, screened, camouflaged or placed underground.

(3) Wireless communication facilities shall be integrated through location and design to blend in with the existing characteristics of the site to the extent practical. Existing on-site vegetation shall be preserved or improved, and disturbance of the existing topography shall be minimized, unless such disturbance would result in less visual

impact of the site to the surrounding area.

(4) Federal Aviation Administration Jurisdiction. All applications for telecommunications facilities regulated by this section must comply with all FAA requirements pertaining to operations of a telecommunications device on or near the Arlington Airport. It is the responsibility of the applicant to be familiar with and meet relevant FAA regulations.

(5) All wireless telecommunications facilities are subject to §20.44.210 (Noise).

(6) Signals emanating to or from wireless communications equipment shall conform to current FCC regulations with regard to avoiding the creation of interference to neighboring electronic or other operating devices.

(7) FCC Preemption. In any proceeding regarding the issuance of a permit under the terms of this section, federal law prohibits consideration of environmental effects of radio frequency emissions to the extent that the proposed facilities comply with the Federal Communications regulations concerning such emission.

(c) Development Standards for Micro Facilities.

(1) Micro Facilities shall comply with §20.48.060 (Building Height Limitations), except when installed completely within appurtenant structures exempted by Subsection (c) of that section.

(2) The permitted antenna height includes the wireless communication facility support structure.

(3) Structures that are nonconforming with respect to height may be used for the placement of Micro Facilities providing they do not extend more than six feet above the existing structure. Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming structure.

(4) A Micro Facility shall be located on existing buildings, poles, or other existing support structures, but only if the interior wall or ceiling immediately adjacent to the facility is not designated residential space.

(5) The shelter or cabinet used to house radio electronic equipment shall be contained wholly within a building or structure, or otherwise appropriately concealed, camouflaged or located underground.

(6) In ~~R-LMD~~RLC, and ~~R-MD~~RMC zones, Micro Facilities for a specific wireless provider shall be separated by a distance of at least one thousand three hundred twenty linear feet from other wireless communications facilities.

(7) The facility shall also comply with the requirements of Subsection (b).

(d) Development Standards for Mini Facilities.

(1) Mini Facilities shall comply with §20.48.060 (Building Height Limitations) except as follows: Omni directional antennas may exceed the height limitation by ten feet, or in the case on nonconforming structures, the antennas may extend ten feet above the existing structure. Panel antennas may exceed the height limitation if affixed to the side of an existing nonconforming building and blends in architecturally with the building. Placement of an antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming structure.

(2) A Mini Facility may be located on existing buildings, poles, or other existing support structures, but only if the interior wall or ceiling immediately adjacent to the facility is not designated residential space.

(3) The shelter or cabinet used to house radio electronic equipment shall be contained wholly within a building or structure, or otherwise appropriately concealed, camouflaged or located underground.

(4) The facility shall also comply with the requirements of Subsection (b).

(e) Development Standards for Macro Facilities.

(1) Macro Facilities shall comply with §20.48.060 (Building Height Limitations), except as follows: Omni directional antennas may exceed the height limitation by fifteen feet, or in the case of nonconforming structures, the antennas may extend fifteen feet above the existing structure. Panel antennas may exceed the height limitation if affixed to the side of an existing building and architecturally blends in with the building. Placement of an

antenna on a nonconforming structure shall not be considered to be an expansion of the nonconforming structure.

(2) The Macro Facility shall be the same color as the existing building, pole or support structure on which it is proposed to be located unless the permit-issuing authority makes findings that a different color would be less intrusive and better blend with the existing structure.

(3) A Macro Facility may be located on existing buildings, poles, or other existing support structures, but only if the interior wall or ceiling immediately adjacent to the facility is not designated residential space.

(4) The facility shall also comply with the requirements of Subsection (b).

(f) Development Standards for Monopole I.

(1) Macro facilities are the largest wireless communication facilities allowed on a Monopole I. Antennas equal to or less than fifteen feet in height or up to four inches in diameter may be a component of a Monopole I facility.

(2) Monopole I facilities are exempt from §20.48.060 (Building Height Limitations). The maximum height for a Monopole II facility support structure shall be sixty feet. Antennas may extend above the Monopole I wireless communications support structure another fifteen feet, making the maximum permitted height of the support structure and antennas seventy-five feet (sixty feet plus fifteen feet).

(3) Monopole I facilities shall be separated from other wireless communications facilities by a distance of at least five hundred feet.

(4) Monopole I facilities are not allowed within three hundred feet of a residential zone.

(5) Monopole I facilities must comply with FAA Part 77 regulations.

(6) The facility shall also comply with the requirements of Subsection (b).

(g) Development Standards for Monopole II.

(1) Monopole II facilities are only permitted in the portion of the General Industrial (GI) district east of 67th Avenue NE and south of 204th Street NE, and the entire Highway Commercial (HC) Zone.

(2) Macro facilities are the largest permitted wireless communication facilities allowed on a Monopole II facility.

(3) Monopole II facilities are exempt from §20.48.060 (Building Height Limitations). The maximum height for a Monopole II facility support structure shall be one hundred fifty feet. Antennas may extend above the Monopole II wireless communications support structure another fifteen feet, making the maximum permitted height of the support structure and antennas one hundred sixty-five feet (one hundred fifty feet plus fifteen feet).

(4) Monopole II facilities shall be separated from other wireless communications facilities by a distance of at least five hundred feet.

(5) Monopole II facilities are not allowed within three hundred feet of a residential zone.

(6) Monopole II facilities must comply with FAA Part 77 regulations.

(7) The facility shall also comply with the requirements of Subsection (b).

(h) Modification of Existing Facilities. Minor modifications to existing wireless communications facilities and attached wireless communications facilities, whether emergency or routine, are exempt from having to obtain a land use permit so long as there is little or no change in the visual appearance. Minor modifications are those modifications, including the addition of antennas, to permitted wireless and attached wireless communications facilities that meet the requirements set forth in this section.

(i) Obsolescence. A wireless communications facility or attached wireless communications facility shall be removed by the facility owner within six months of the date it ceases to be operational or if the facility falls into disrepair.

20.44.035 Administrative Conditional Use Permit for Homeless Encampments

(a) This section establishes a mechanism whereby the City may, for a period not to exceed ninety days, permit homeless encampments that would not otherwise be permitted in the zone in which they are proposed.

(b) Administrative conditional use permits for homeless encampments shall follow the public notification process as described in section 20.16.~~100~~220(e).

(c) The City may grant an administrative conditional use permit only if it finds that:

(1) The proposed use will not be materially detrimental to the public welfare or injurious to the property or improvements in the immediate vicinity; and

(2) The proposed use or site plan is not otherwise allowable in the zone in which it is proposed.

(3) Homeless encampments shall be located on existing sites owned or controlled by churches within those zones in which a church is a permitted use under AMC 20.40.~~010~~, Tables of Permissible Uses~~, Use Description 5.200~~.

(d) The City shall establish density and dimensional standards as part of the approval process of each administrative conditional use permit. The City will use the nature of the proposed use and the character of the surrounding area as guides in establishing these standards.

(e) The City shall not grant an administrative conditional use permit at the same site more frequently than once in every three hundred sixty-five-day period. The City may only grant an administrative conditional use permit for a specified period of time, not to exceed ninety days.

(f) No more than one homeless encampment may be located in the City at any time.

(g) In addition to the foregoing requirements and standards, the following definitions and standards apply to homeless encampments.

(1) Definitions

(A) Homeless Encampment – A group of homeless persons temporarily residing out of doors on a site with services provided by a Sponsor and supervised by a Managing Agency.

(B) Managing Agency – An organization that has the capacity to organize and manage a homeless encampment. A -Managing Agency‖ may be the same entity as the Sponsor.

(C) Sponsor – An entity that has an agreement with the Managing Agency to provide basic services and support for the residents of a homeless encampment and liaison with the surrounding community and joins with the Managing Agency in an application for a temporary use permit. A -Sponsor‖ may be the same entity as the Managing Agency.

(2) Standards

(A) The encampment shall be located a minimum of thirty (30) feet from the property line of an abutting residential zone.

(B) Type A sight-obscuring landscaping and/or fencing shall be required around the perimeter of the homeless encampment unless the Community and Economic Development Director determines that there is sufficient vegetation, topographic

variation, or other site conditions such that fencing would not be needed.

(C) All exterior lighting shall be directed downward and contained within the homeless encampment.

(D) The maximum number of residents within a homeless encampment is one hundred.

(E) Off street parking shall be provided for the additional vehicles and shall not create a shortage of existing required parking.

(F) No permanent structures will be constructed for the homeless encampment.

(G) A transportation plan is required which shall include provisions of transit services.

(H) The homeless encampment shall be located within one-half mile of transit service.

(I) No children under eighteen are permitted in the homeless encampment. If a child under the age of eighteen attempts to reside at the camp the Sponsor or Managing Agency shall contact Child Protective Services.

(J) No animals shall be permitted in encampments except for service animals.

(K) The Managing Agency shall enforce a code of conduct. All homeless encampment residents shall sign an agreement to abide by the code of conduct prior to being admitted to the encampment. If a resident fails to abide by the code of conduct, the Managing Agency shall expel the resident from the property. The code shall contain the following as a minimum:

  (i) No drugs or alcohol;

  (ii) No weapons;

  (iii) No violence;

  (iv) No trespassing onto private property in the surrounding neighborhood;

  (v) No loitering in the surrounding neighborhood; and

  (vi) Quiet hours.

(L) The Sponsor or Managing Agency shall keep a log of all people who stay overnight in the encampment, including names and birth dates, and dates of stay. Logs shall be kept a minimum of six months.

(M) The Sponsor or Managing Agency shall take all reasonable and legal steps to obtain verifiable ID, such as a driver's license, government-issued identification card, military identification, or passport from prospective and existing encampment residents.

(N) The Sponsor or Managing Agency will use identification to obtain sex offender and warrant checks from the Washington State Patrol, the Snohomish County Sheriff's Office or relevant local police department.

  (i) If said warrant and sex offender checks reveal either (1) an existing or outstanding warrant from any jurisdiction in the United States for the arrest of the individual who is the subject of the check; or (2) the subject of the check is a sex offender, required to register with the County Sheriff or their county of residence pursuant to RCW 9A.44.130, then the Sponsor or Managing Agency will reject the subject of the check for residency to the homeless encampment or eject the subject of the check if that person is already a homeless encampment

resident.

(ii) The Sponsor or Managing Agency shall immediately contact the police department if the reason for rejection or ejection of an individual from the homeless encampment is an active warrant. In other cases of rejection or ejection, the designated representative of the Sponsor or Managing Agency shall immediately provide the facts leading to such action to the Arlington Police Department and the Snohomish County Sheriff's Office.

(O) The Sponsor or Managing Agency shall self-manage its residents and prohibit alcohol, drugs, weapons, fighting, and abuse of any kind, littering, or disturbing the neighbors while located on the property.

(P) The Sponsor or Managing Agency will appoint a designated representative to serve -on-duty‖ as an Encampment Manager at all times to serve as a point of contact for the Police Department and will orient the Police as to how the security tent operates. The names of the on-duty designated representative will be posted daily in the security tent. The City shall provide contact numbers of non- emergency personnel which shall be posted at the security tent.

(Q) The property must be sufficient in size to accommodate the tents necessary on- site facilities, including, but not limited to the following:

(i) Sanitary portable toilets in the number required to meet capacity guidelines;

(ii) Hand washing stations by the toilets and by the food areas;

(iii) Refuse receptacles; and

(iv) Food tent and security tent.

(R) The Managing Agency shall ensure that legal connections to the City's public water and sanitary sewer systems are obtained and must be in compliance with all state and local requirements. The Managing Agency shall ensure compliance with fire and building regulations.

(S) The homeless encampment shall conform to the following fire department requirements:

(i) There shall be no open fires for cooking without pre-approval by the Fire Department and no open fires for heating;

(ii) No heating appliances within the individual tents are allowed without pre-approval by the Fire Department;

(iii) No cooking appliances other than microwave appliances are allowed in individual tents;

(iv) An adequate number, with appropriate rating, of fire extinguishers shall be provided as approved by the Fire Department;

(v) Adequate access for fire and emergency medical apparatus shall be provided. This shall be determined by the Fire Department;

(vi) Adequate separation between tents and other structures shall be maintained as determined by the Fire Department; and

(vii) All electrical installation shall comply with all national, state and local codes. Electrical cords are not to be strung together and any cords used must be approved for exterior use.

(T) The Sponsor and Managing Agency shall permit inspections by City staff at

reasonable times without prior notice for compliance with the conditions of the Homeless Encampment Permit.

20.44.037 Administrative Conditional Use Permits for Temporary / Seasonal Use or Special Event

(a) This section establishes a mechanism whereby the City may issue a permit to allow a use to be temporarily conducted that would not otherwise be permitted in the zone in which it is located. It is intended to permit seasonal and special events, carnivals and/or fairs that would not be permitted in the zone in which they are proposed.

(b) An application for an administrative conditional use permit will be reviewed and approved by the Community and Economic Development Director.

(c) The City may grant an administrative conditional use permit only if it finds that:
  (1) The proposed use or site plan will not be materially detrimental to the public welfare or injurious to the property or improvements in the immediate vicinity; and
  (2) The Proposed use or site plan will be consistent with the intent of the underlying zone, including the Airport Protection District and Critical Areas.
  (3) ~~Conditional Use~~ Permits for temporary events shall be located in zones that are consistent with permanent facilities found in Chapter 20.40 Table of Permissible Uses. Examples include Horticultural Sales with Outdoor Display allowed in NC, GC, HC, and GI zones. Example: Motor Vehicle Sales or Rental; Mobile Home Sales allowed in OTBD2, OTBD3, GC, and HC zones.

(d) The City shall establish density and dimensional standards as part of the approval process of each administrative conditional use permit. The City will use the nature of the proposed use and the character of the surrounding area as guides in establishing these standards. A parking lot plot plan, including provisions for handicap parking, will be required with each submittal. A plan for circulation, traffic control and portable restroom facilities will be required.

(e) The City shall not grant an administrative conditional use permit (for a seasonal event) at the same site more frequently than twice in a three hundred sixty-five day period. The City may only grant a permit for a specified period of time, not to exceed more than two seasonal events each year with each seasonal event lasting no longer than thirty days. As an option, a property owner may process a special event permit ~~and~~ not to exceed more than six special events each year with each special event lasting no longer than ten days. In any case, the combination of seasonal and special events shall not exceed sixty days per year.

(f) If the proposed use is a sale or other event which will generate sales tax, approval from the Department of Revenue shall be required prior to permit issuance.

(g) Exceptions. Temporary staging facilities for public projects may be approved for a time period not to exceed the duration of their construction.

20.44.040 Temporary Emergency, Construction, or Repair Residences.

(a) Temporary residences used on construction sites shall be removed immediately upon the completion of the project.

(b) Permits for temporary residences to be occupied pending the construction, repair, or renovation of the permanent residential building on a site shall expire within six months after the date of issuance, except that the Community and Economic Development Director may renew such permit for one additional period not to exceed three months if he determines that such renewal is reasonably necessary to allow the proposed occupants of the permanent residential building to complete the construction, repair, renovation, or restoration work necessary to make such building habitable.

20.44.042 Accessory Dwelling Units (ADU).

(a) An ADU may be either attached or detached to a primary residence.

(~~a~~b) Only one detached ADU per ~~detached~~ single-family residence is allowed.

(c) Two detached ADUs per two-family residence (duplex) is allowed, one per each side.

~~(b) An ADU may be either attached or detached to the primary residence.~~

(c) One attached ADU and one detached ADU may be located on a lot of 4,500 square feet or more in a zone that allows for single-family homes

~~(c) The ADU may not comprise more than twenty-five percent of the gross floor area of the primary residence or more than a total of eight hundred square feet, which ever is lesser, nor be less than three hundred square feet.~~

(d) The ADU shall not be more than 850 square feet on a lot with 4,500 square feet or less.

(e) The ADU shall not be more than 1,350 square feet combined between an attached and detached accessory dwelling unit on a lot with 4,500 square feet or more, except that an attached ADU may be limited to half the size of the principal residence, and public health, safety, building code, and environmental permitting requirements applicable to the primary residence may be required of the accessory dwelling unit.

(~~d~~f) The primary entrance to the ADU shall be subordinated to the main home entry and located in such a manner as to be unobtrusive from the street.

(~~e~~g) Any additions should be consistent with the architectural character of the home and comply with the design standards for the zone in which the ADU is located. Materials, roof forms, and window proportions ~~should~~ shall match that of the existing building.

(~~f~~h) Any major exterior additions or alterations should be located to the rear of the home. Any necessary fire egress stairs shall be located so that they are not visible from the street.

(~~g~~i) The required off-street parking shall be located to avoid negative impacts to neighbors and community character.

(j) The required off-street parking is exempt if the ADU is located within a quarter mile of a major transit center.

20.44.044 Recreational Vehicles as Temporary Dwelling Units.

(a) Except where permitted pursuant to Subsection (b) of this section ~~or §20.44.046 (RV/Travel Trailer Parks)~~, no recreational vehicle shall be occupied for residential or commercial purposes anywhere in the City of Arlington except:
  (1) In the case of temporary uses per §20.44.040 (Temporary Emergency, Construction, or Repair Residences); or,
  (2) Visitors may occupy recreational vehicles within residential zones for a period not to exceed seven days, provided:
    (A) Temporary occupancy shall not exceed seven days in forty-five-day period;
    (B) Under no circumstances shall a recreational vehicle be occupied while parked overnight on a public street, alley, right-of-way, or other public property;
    (C) No recreational vehicle shall be serviced by a temporary or permanent sewer hook-up emptying into the City's system or a private septic system; and
    (D) Nor shall any space be provided for an occupied recreational vehicle for monetary or other compensation.

(b) The Responsible Official may allow the gathering of three or more travel trailers, motor homes or campers of an organization or for a special event by issuance of a revocable permit. Such permit shall be issued when an application is made seventy-two hours in advance of the visit, and contains:
  (1) The dates of the stay, not to exceed seven days in a three-month period unless otherwise allowed by the Special Event Permit;
  (2) The maximum number of vehicles;
  (3) The location of the stay, including the permission of property owners in the case of private property;
  (4) The name and address of the organization and/or the responsible party;

(5) The notarized signature of the applicant.

~~20.44.046 RV/Travel Trailer Parks.~~

~~(a) *Provision of Facilities.* All travel trailer parks must provide, within the boundaries of the park, the following facilities in adequate numbers to provide for the needs of each travel trailer site:~~

~~(1) City water;~~

~~(2) Disposal of sewage and garbage shall be through City sewer and refuse disposal venders;~~

~~(3) Parking of all motor vehicles used to transport a travel trailer;~~

~~(4) Electrical services;~~

~~(5) One or more service buildings;~~

~~(6) System for storm drainage per the Arlington Municipal Code.~~

~~(b) *Supplemental Application Requirements.* In addition to other items required by this Title for application, the applicant for an RV/Travel Trailer Park shall also provide the following information:~~

~~(1) Size, location, and number of travel trailer spaces;~~
~~(2) Location and width of entrances, exits, driveways and walkways;~~
~~(3) Number, size, and location of all service buildings and other improvements constructed, or to be constructed, within the travel trailer park;~~
~~(4) Location and size of recreation or play area(s);~~
~~(5) Method and plan of garbage disposal;~~
~~(6) Location and type of fire fighting and fire prevention facilities.~~

~~(c) *Site Area and Space Size Requirements*~~

~~(1) Maximum Size of Travel Trailer Parks. The maximum allowable acreage for a travel trailer park shall be five acres.~~

~~(2) Size and Identification of Parking Spaces. The minimum size of all travel trailer spaces shall be one thousand square feet. Each travel trailer space shall be identified with an individual site number in logical numerical sequence, and shall be shown on the site plan.~~

~~(3) Location of Spaces. Each travel trailer space shall abut a driveway or other clear area with unobstructed access to a public street. The travel trailers shall be parked in each space so that there will be a minimum of eight feet between the travel trailers and so that no travel trailer will be less than ten feet from the boundary of the travel trailer park.~~

~~(4) Open Space. A minimum of twenty percent of the total area of the travel trailer park site must be designated common open space. Up to fifty percent of this open space may be occupied by community recreational structures. All common open space areas will be accessible and usable by all residents of the park for passive and active recreation. In calculating the twenty percent open space area, neither the surfaced width of park roads nor the bulk storage, guest, unit parking areas, or service buildings can be included as open space.~~

~~(5) Layout. Paved access roads shall be provided to each travel trailer space. Each access road shall connect with a public street or highway, have a minimum width of twenty feet and shall be well marked in the daytime and adequately lighted at night. Traffic patterns shall be reduced to one-way traffic.~~

~~(d) *Service Buildings.* Every travel trailer park shall be provided with one or more service buildings adequately equipped with flush-type toilet fixtures, lavatories, showers (separate for the sexes), and laundry facilities. Service buildings shall be located not more than two hundred feet, and not less than eight feet, from any RV/Travel Trailer space. Service buildings shall be of permanent construction with the following design elements:~~

~~(1) The floor shall be of water impervious material, easily cleanable and sloped to floor drains connected to the sewer system;~~

~~(2) The buildings shall be well ventilated;~~

~~(3) Toilet, shower, and laundry rooms shall be well lit at all times;~~

~~(4) Hot water shall be supplied at a minimum of three gallons per hour per travel trailer space for the lavatory, shower and laundry room fixtures;~~

~~(5) The minimum number of toilet, lavatory, shower, and laundry facilities in each service building shall be two toilets for the females, one toilet for the males, one urinal for the males, two lavatories and one shower for each sex, and one laundry facility. These facilities shall meet all requirement per Uniform Building Code (UBC) and accessibility requirements;~~

~~(6) The laundry and toilet rooms shall be separate, and the toilet rooms shall have exterior entrances.~~

~~(e) *Water Supply.* All travel trailer parks shall be connected to the City's public water system.~~

~~(f) *Sewage Disposal.* Each RV/travel trailer space shall be provided sewer connection to a public sewer system that meets the standards of the City's Public Works Department. Adapters, allowing for a tight connection shall be available from the RV/travel trailer park operator for the use by tenants.~~

~~(g) *Refuse Disposal.* An adequate supply of containers shall be located not more than two hundred feet from any travel trailer space. The storage, collection, and disposal of refuse in the travel trailer park shall be managed in a manner so as not to create a health hazards or nuisances.~~

~~(h) *Fire Protection.* In every RV/travel trailer park there shall be installed and maintained approved fire hydrants and fire extinguishers in number and location in compliance with the Arlington Fire Department regulations.~~

~~(i) *Duration of Stay.* No RV/travel trailer shall occupy a single travel trailer park for more than six months within a one year period.~~

20.44.048 Temporary Public Structures.

Public agencies may erect and use temporary structures (e.g., portable school classrooms, civic uses, emergency command centers, health and social services centers, etc.) upon demonstrating that such a use is in the public benefit and that the use is temporary in nature. Unless permanently allowed by a land use permit for the entire site, permits for temporary public structures shall expire one year after issuance, but may be renewed annually by the Community and Economic Development Director upon demonstration of demonstrated public benefit and that the structures and surrounding grounds are kept in a clean and orderly state.

20. 44. 060 Minimum Parcel Sizes for ~~Class "A", "B", or "C"~~ Manufactured and Mobile Homes.

In the ~~Suburban~~ Residential Ultra Low Capacity, Residential Low ~~/Moderate Density~~Capacity, and Residential Moderate ~~Density~~Capacity, ~~Residential High Density~~, ~~and Old Town districts~~, ~~Class "A," "B," or "C" mobile~~ Mobile homes are only allowed pursuant to §20.40.~~010~~ (Tables of Permissible Uses) and on parcels of the following minimum size:

Single Manufactured or Mobile Homes ~~Use Class 1.112, 1.113, or 1.114 (single mobile homes)~~	1 acre
Manufactured or Mobile Home Parks ~~Use Class 1.122 (mobile home parks)~~	5 acres

20.44.062 Mobile Home Parks.

(a) Pursuant to §20.48.020 (Residential Density), mobile home parks are exempt from maximum density requirements. They may achieve whatever density achievable so long as they meet all

the requirements of this Title.

(b) The minimum parcel size for mobile home parks is regulated by §20.44.060 (Minimum Parcel Sizes f or ~~Class - A, || - B,|| or - C||~~ Manufactured or Mobile Homes Parks).

(c) Individual spaces within a mobile home park may not be subdivided.

(d) The total lot coverage by structures in a mobile home park shall not exceed forty-five percent of the site area~~.~~

(e) The maximum number of units allowed in a single mobile home park or combination of adjacent parks shall be one hundred seventy-five (175) units. Mobile home parks shall be considered to be adjacent to one another unless they are completely separated by unrelated land use, and not merely by a public or private street, easement, or buffer strip.

(f) All internal roads shall be paved. One-way roads shall have a minimum of a twelve-foot travel lane. Two-way roads shall have a minimum of two ten-foot travel lanes. All cul-de-sacs and turnarounds shall meet City cul-de-sac and turn-around standards.

(g) In addition to any screening requirements ofChapter 20.76 (Screening & Shading), a minimum of five percent of the site shall be held as common area, evenly distributed throughout, and adequately landscaped. Such common area shall include any entryway(s) into the mobile home park, which shall be landscaped to Type B, Semi-Opaque standards (see §20.76.040, Descriptions of Screens).

(h) All mobile home parks shall have an on-site Manager.

(i) Site plans for mobile home parks shall state for each pad whether it is intended for a singlewide or doublewide mobile home.

(j) Internal minimum setbacks within a Mobile Home Park for individual units shall be ten feet from an internal roadway, parking, or other common area and five feet from the lines dividing leasable spaces.

20.44.064 Trade or Vocational Schools in the OTBD-1.

Trade or vocational schools are permissible in the OTBD-1 District on the second or higher floors only.

20.44.066 Outdoor Storage ~~Surfaces~~ for Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards, ~~and~~ Automobile Recycling Facilities, Construction Yards, and Industrial or Manufacturing Uses.

(a) General Requirements.

(1) All storage areas shall be located between the rear property line and the primary structure on the site; no storage shall be located between the structure and a public or private street.

(2) Outdoor storage shall not be permitted over or take away required parking stalls.

(3) Outdoor storage shall not be permitted on undeveloped lots.

(4) For construction yards and industrial or manufacturing uses, outdoor storage shall consist of supplies, materials, and/or equipment that are in working and usable condition

(b) ~~(a)~~ Outdoor Storage Surface.

(1) All storage areas ~~for scrap materials, salvage yards, junkyards, automobile graveyards and automobile recycling facilities~~ shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against soil, groundwater, surface water, and aquifer contamination, and 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.

(2) ~~(b)~~ Storage areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, storage area surfaces shall be kept in good condition (free from potholes cracks, breaks or other defects that would allow contaminants to

penetrate).

(c) Storage Screening.

(1) ~~(c)~~ All outdoor storage areas ~~under Permissible Use Classification 10.000~~ shall be screened pursuant to Chapter 20.76 (Screening and Shading) and fenced pursuant to Chapter 20.46 (Design) and Chapter 20.48 (Density and Dimensions).

20.44.068 Adult Family Home

(a) A new adult family home is required by Chapter 20.40 to obtain a zoning permit.

(b) The adult family home shall comply with all Washington State regulations.

(c) The adult family home shall comply with the International Building Code, International Residential Code, and the International Fire Code.

(d) The adult family home shall obtain a business license from Washington State and the City.

(e) The applicant shall provide the following for compliance:

(1) Zoning Permit application form and checklist. Type of permit determined above in section 20.44.068 (a) and (b).

(2) Site Plan showing all changes within the structure, including the layout, ADA accessibility, the number of proposed bedrooms, number of proposed beds, square footage of each bedroom, and access to all common areas, including but not limited to kitchen, living room, dining room, restrooms, and laundry rooms.

(3) Site Plan showing all changes outside the structure, including parking spaces per the required parking listed in Chapter 20.72, ADA access and improvements, emergency vehicle access, along with general ingress and egress to and from the site.

20.44.070 Homes Emphasizing Special Services, Treatment, or Supervision.

This section applies to all like uses in Chapter 20.40, Tables of Permissible Uses ~~1.400 use classifications~~

(a) In addition to other applicable standards, no ~~1.400 use class~~use, with the exception of adult family homes, shall be located closer than one-thousand two-hundred feet, measured from property lines, from another such use. For the purpose of this section, a development shall be defined as a building or group of buildings on a single parcel of land. This provision is intended to prevent the creation of a *de facto* social service district.

(b) Facilities shall be maintained to conform to the character of its neighborhood. This applies to design, density, lot size, landscaping, or other factors affecting the neighborhood character. This will minimize disruption of a neighborhood due to the introduction of a dissimilar structure.

(c) ~~All 1.400 use classes~~Uses shall be licensed pursuant to any and all state requirements.

(d) ~~Any 1.400 uses~~Uses that may pose a potential threat to minors (e.g., sexual predator transitional housing) shall be located no closer than twelve hundred feet, measured from property lines, from a school, park, or other place where children can reasonably be expected to congregate.

20.44.072 -Reasonable Accommodation.

(a) Any person claiming to have a handicap, or someone acting on his or her behalf, who wishes to be excused from an otherwise applicable requirement of this Land Use Code under the Fair Housing Amendments Act of 1988, 42 USC 3604(f)(3)(b), or the Washington Law Against Discrimination, Chapter 49.60 RCW, must provide the Director of the ~~Department of Planning and Community~~ Community and Economic Development Department with verifiable documentation of handicap eligibility and need for accommodation. The Director shall act promptly on the request for accommodation. If handicap eligibility and need for accommodation are demonstrated, the Director shall approve an accommodation which may include granting an exception to the provisions of this Code. The Director shall not charge any fee for responding to such a request. The Director's decision shall constitute final action by the City on the request for accommodation, and review of that decision will be available only in court. An action seeking such review must be filed not more than twenty-one days after the Director's decision.

(b) The accommodation provided shall be personal to the applicant and shall not run with the land; provided, however, that a change in a residential structure necessary to accommodate the operation of a residential care provider to the disabled may be continued by future operations of similar facilities at the site who establish the same use within six months of the date the prior use by disabled person or residential care provider ceases. The community and economic development director may therefore direct that any physical change in the structure which would otherwise be illegal under the use or bulk requirements of Title 20, Land Use Code, and be brought into compliance six months after the date of sale or transfer of a residential structure to a person or entity not qualifying for the protections of the Americans with Disabilities Act ("ADA"), FHA and WLAD.

20.44.080 Administrative Conditional Use Permits for Mobile Sales and Delivery.

(a) This section establishes a mechanism for whereby the City may issue a permit to allow for mobile sales and deliveries allowed in zones consistent with the uses found in Chapter 20.40 Table of Permissible Uses.

(b) An application for an administrative conditional use permit will be reviewed and approved by the Community and Economic Development Director.

(c) The City may grant an administrative conditional use permit only if it finds that:

(1) The proposed use and site plan will not be materially detrimental to the public welfare or injurious to the property or improvements in the immediate vicinity; and

(2) The proposed use and site plan will be consistent with the intent of the underlying zone, including the Airport Projection District and Critical Areas; and

(3) The site plan is required to show the following requirements: drive-thru stacking, parking, ADA parking. landscape requirements, ingress / egress, and on-site traffic flow; and

(4) The proposed use shall provide information and the location of restroom facilities, hand washing stations, water use, grey water disposal, and refuse receptacles; and

(5) The proposed use may be conditioned on hours of operation, duration of stay, strategies

to minimize traffic congestion or pedestrian hazards, or any other concern.

(d) The City may issue and renew permits on an annual basis in conjunction with a business license.

(e) The mobile sales and deliveries use shall obtain a Washington State Business License and City Endorsement License prior to opening for business.

~~Zoning permits for mobile sales and delivery (Class 2.240 uses) may be issued and renewed on an annual basis in conjunction with a business license. Permits for mobile sales or delivery uses may be conditioned on hours of operation, duration of stay, strategies to minimize traffic congestion or pedestrian hazards, or any other concern.~~

20.44.082 Home Occupations.

(a) Purpose: The purpose of this section is to allow limited commercial activity incidental to residential use of a dwelling unit while ensuring all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential neighborhoods.

(b) Applicability: Home occupations are allowed as an accessory use to the residential use of a single-family, multifamily, or accessory dwelling unit, subject to the requirements of this chapter. A business license shall be required for all home occupations.

(c) Residency: The location of the home occupation must be the principal residence of the person(s) conducting the home occupation.

(d) Standards for Home Occupations: A home occupation may be conducted if it:

(i) Is carried on by an owner or renter of the dwelling unit and, in addition, may involve no more than two other business participants visiting the dwelling unit (or, for properties that contain an accessory dwelling unit, visiting the property) per day. "Other business participants" shall include non-family employees and independent contractors;

(ii) Has no outside storage;

(iii) Requires no alteration to the interior or exterior of the dwelling that changes its residential character;

(iv) Does not involve activities, including but not limited to the use of heavy equipment, power tools, power sources, hazardous materials, or other equipment or materials that result in noise, vibration, smoke, dust, odors, heat, traffic, parking, or other conditions that exceed, in duration or intensity, such conditions normally produced by a residential use;

(v) Has, in addition to daily mail service, no more than a combined total of three commercial and courier pickups and deliveries at the dwelling unit (or, for properties that contain an accessory dwelling unit, the property) per day, and no more than ten such pickups and deliveries per week. Said pickups and deliveries shall occur between the hours of 8:00 a.m. and 6:00 p.m.;

(vi) Occupies no more than twenty-five percent of the total gross floor area, or no more than five hundred square feet of floor area (whichever is less), including any space in an accessory structure;

(vii) No stock-in-trade or any other material associated with the home occupation shall be

visible on the site;

(viii) Includes no more than six clients/customers per day and no more than two clients/customers at any time visiting the dwelling unit (or, for properties that contain an accessory dwelling unit, visiting the property) for goods or services. A family arriving in a single vehicle shall be considered one (1) client. Client/customer visits to a home occupation shall be between the hours of eight a.m. and eight p.m.;

(ix) Operates no more than one (1) vehicle, van, truck or similar vehicle. The vehicle shall not exceed any of the following:

(1) A gross vehicle weight of ten thousand pounds;

(2) A height of ten feet; and/or

(3) A length of twenty-four feet;

The measurement of vehicle height and length shall include bumpers and any other elements that are required by federal or state law for the operation of the vehicle on public roads; and

(x) Shall conform to all performance standards as regulated in Part III. Performance Standards, Chapter 20.44 Supplemental Use Regulations.

(e) The application for a home occupation shall be reviewed under the business license process. An application for a home occupation under this section may be approved if the home occupation:

(i) Will not harm the character of the surrounding neighborhood; and

(ii) Will not include outdoor storage and/or operation of building materials, machinery, commercial vehicles, or tools, except if it meets the following criteria:

(1) Is appropriately screened from other properties;

(2) Does not emit noise, odor, or heat; and

(3) Does not create glare; and

(iii) Does not create a condition which injures or endangers the comfort, repose, health or safety of persons on abutting properties or streets; and

(iv) Will not generate excessive traffic or necessitate excessive parking; and

(v) Will locate and screen any required or proposed site improvement in a manner that minimizes its view from surrounding properties or adjacent streets.

(f) Enforcement – Upon determination that there has been a violation of any provision of this section, the City may pursue code enforcement in accordance with the provisions of AMC Chapter 11.01 Enforcement Provisions.

20.44.084 Stand Alone Office Uses in the General Industrial Zone.

In limited cases in the General Industrial District where a freestanding office building that is accessory to an otherwise permissible use has existed for more than five years, and is specifically designed so that it is not convertible to other permissible uses. ~~, it may be used as a 3.110 use classification.~~ If the building is subdivided from the remainder of the property it must meet all

other code requirements.

20.44.090 Outdoor Storage or Display of Retail Items.

Where allowed by §20.40.~~010~~ (Tables of Permissible Uses), the outdoor storage or display of retail items shall meet the following criteria:

(1) The outdoor retail display shall be accessory to a permitted retail use.

~~(1)~~(2) The total area allowed for outdoor storage shall be the lesser of ten percent of the length of the primary store front times one foot, or one percent of the total square footage of said store, but in any event at least thirty-two square feet may be permitted;

~~(2)~~(3) It can be reasonably demonstrated that storage will be attractively displayed, be located adjacent to a wall or walls, and remain in the area specified for its display;

(4) The stored materials shall not be located within the public right-of-way without first obtaining a right-of-way use permit from the City. The sidewalk shall remain clear and provide a minimum of 44 inches in width. Retail display shall not be located within required fire lanes or required parking stalls.

(5) Safe ingress and egress to the site, visibility for transportation, and pedestrian access shall be maintained.

(6) Bulk storage shall only be allowed for Hardware Stores, Garden Centers, Feed Stores, Tractor Supply Stores, Co-Op Stores, or similar, where the outdoor storage is permanently located outdoors due to the size and/or weight of the items for sale.

20.44.094 Adult Entertainment Facilities.

(a) *Purpose*: The purpose of this section is to delineate the locational requirements of adult entertainment facilities within the City, and to provide a buffer between such facilities and other facilities when the location of an adult entertainment facility could be incompatible with other land uses.

(b) Locational and Separation Requirements.

(1) No adult entertainment facility shall be permitted to locate within the City unless the following locational criteria are met:

(A) Adult entertainment facilities shall be prohibited within one thousand feet of any residential zone.

(B) Adult entertainment facilities shall be prohibited within one thousand feet of any church or religious facility or institution.

(C) Adult entertainment facilities shall be prohibited within one thousand feet of any public or private school, training facility, or technical school that has twenty-five percent or more of its students under the age of eighteen.

(D) Adult entertainment facilities shall be prohibited within one thousand feet of any public park or playground.

(E) Adult entertainment facilities shall be prohibited within one thousand feet of any day care center.

(F) Adult entertainment facilities shall be prohibited within five hundred feet of any existing establishment selling alcoholic beverages for consumption on the premises.

(2) The distances provided herein shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the property parcel upon which the proposed adult entertainment facility is or is to be located, to the nearest point of the parcel or the zoning district boundary line from which the proposed adult entertainment facility is or is to be separated.

(3) Nothing within the locational requirements set forth herein shall preclude an adult

entertainment facility from conducting more than one adult entertainment activity within a single structure, provided the adult entertainment activity otherwise complies with this chapter and all other City regulations.

(4) In the event an adult entertainment facility is legally established in accordance with the requirements of this chapter, the subsequent location of any facility described in Subsection (b)1 of this section shall not affect the conformity of the legally established adult entertainment facility.

(c) Variances from Separation Requirements.

(1) Whenever the proponent of a business or other land use subject to the locational and separation requirements set forth in this Chapter feels that strict application of such requirements is not necessary to achieve an effective degree of physical separation between the proposed business or other land use and other uses in the vicinity, the proponents shall have the right to apply for a variance of the requirements upon payments of the fee for the variance application.

(2) In determining when a variance should be granted, and if so, to what extent, the permit-issuing authority shall consider the following, in addition to the general criteria for variances established by this Title:

a. Topographical and other features of the land which provide actual separation between the proposed business or other land use and surrounding land uses;

b. Pedestrian and vehicular circulation patterns in the vicinity of the proposed activity; and

c. Any other fact or circumstance that has a significant effect upon the need for the full separation distance required by this Chapter.

(3) If after considering these criteria, the permit-issuing authority finds that an effective separation between the proposed business or other land use and surrounding uses can be achieved without requiring the full distance of separation provided by this section, they shall determine the degree of variance to be allowed and shall grant such variance. Otherwise, the application for variance shall be denied.

20.44.096 Penal and Correctional Facilities.

All ~~7.400 Use Classes (~~Penal and Correctional Facilities~~)~~ containing eleven or more cells shall be located on a parcel or parcels of at least fifty acres in size. Furthermore, such uses shall be prohibited within one thousand feet of any residential zone, church or religious facility or institution, public or private school, training facility, or technical school that has twenty-five percent or more of its students under the age of eighteen, public park or playground, or day care center.

20.44.098 Electric Vehicle Infrastructure.

(a) Purpose. This section is to establish -electric vehicle infrastructure‖ (EVI) regulations for the City to allow EVI and meet the intent of the Revised Code of Washington (RCW) requiring the City to allow EVI in all zones except for residential zones.

(b) Electric Vehicle Infrastructure – Where Allowed. Electric vehicle infrastructure is allowed as specified in Table 20.40-1: Table of Permissible Uses, Chapter 20.44 Permitted Uses, Arlington Municipal Code (AMC).

(c) Battery Charging Station or Rapid Charging Station – Retrofitting in Existing Development.

(1) 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 BEV's and PHEV's, subject to the restrictions cited in the Permitted Use chart (Table 20.40-1), provided that the battery charging and/or rapid charging stations are accessory to the permitted use(s) on the property.

(i) AMC 20.36.020(b) – Neighborhood Commercial (NC).

(ii) AMC 20.36.020(c)~~€~~ – Old Town Business District (OTBD-1,2,3).

(iii) AMC 20.36.020(d) – General Commercial (GC).

(iv) AMC 20.36.020~~€~~ (e) – Highway Commercial (HC).

(v) AMC 20.36.020(f) – Business Park (BP)

(vi) AMC 20.36.020(g) – Commercial Corridor (CC)

~~(v)~~(vii) AMC 20.36.030 – Manufacturing Districts (GI & LI)

~~(vi)~~(viii) AMC 20.36.034 – Aviation Flightline (AF).

~~(vii)~~(ix) AMC 20.36.036 – Medical Services (MS).

~~(viii)~~(x) AMC 20.36.040 – Public/Semi-Public (P/SP).

(2) At least .65 spaces shall be set aside as -electric vehicle waiting spaces‖ for each Level 3 public electric vehicle charging station provided on site. Waiting spaces for Level 1 and 2 public electric vehicle charging stations shall not be required.

(3) 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 (ROW).

(4) Battery or rapid charging station spaces shall be designated for charging electric vehicles only as provided under AMC 20.44.098(g). Non-electric vehicles or non-charging BEV's of PHEV's shall not be allowed. The type of signage designating these spaces shall be approved by the City Manager or his designee.

(d) Electric Vehicle Charging Station Spaces – Allowed as Required Spaces.

(1) Electric vehicle charging station spaces shall be allowed to be used in the computation of required off-street parking spaces as provided under AMC 20.44.098€, provided; that the electric vehicle charging station/s is accessory to the primary use of the property.

(2) If a publicly owned and publicly available Level 3 electric vehicle charging station/s is provided on-site, .65 -electric vehicle waiting spaces‖ shall also be provided for each electric vehicle charging station. These spaces shall be in addition to the off-street parking spaces required under AMC 20.44.098€.

(e) ~~€~~Off-street Electric Vehicle Charging Station Spaces.

(1) Number. No minimum number of charging station spaces is required.

(2) Location and Design Criteria. The provision 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.

(A) Where provided, parking for electric vehicle charging purposes is required to include the following:

(i) Signage. Signage, as required under AMC 20.44.098(g) 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 to be enforced.

(ii) 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.

(iii) Accessibility. Where charging equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with accessibility requirements of WAC 51-50-005.

(iv) Lighting. Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.

(B) Parking for electric vehicles should also consider the following:

(i) Notification. Information on the charging station, identifying voltage and amperage levels and any time of use, fees, or safety information.

(ii) Signage. Installation of directional signs at the parking lot for entrance and at appropriate decision points to effectively guide motorists to the charging station space(s).

(3) Data Collection. To allow for maintenance and notification, owners of any private new electric vehicle infrastructure station that will be publicly available (see definition -electric vehicle charging station – public‖), shall provide information on the station's geographic location, date of installation, equipment type and model, and owner contact information. This information shall be submitted to the Community Development Department.

(f) Accessible Electric Vehicle Charging Stations. Where electric vehicle charging stations are provided in parking lots or parking garages, accessible vehicle charging stations shall be provided as follows:

(1) Accessible electric vehicle charging stations are provided in the ratios shown in the following table.

Table 20.44-1: Accessible Electric Vehicle Charging Station Requirements

Number of EV Charging Stations	Minimum Accessible EV Charging Stations
1-50	1
51-100	2
101-150	3
151-200	4
201-250	5
251-300	6

(2) Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall be connected to a barrier-free accessible route of travel. It is not necessary to designate the accessible electric vehicle charging station exclusively for the use of disabled persons. Below are two options for providing for accessible electric vehicle charging stations.

Figure 20.44-1: Off-street accessible electric vehicle charging station – Option 1

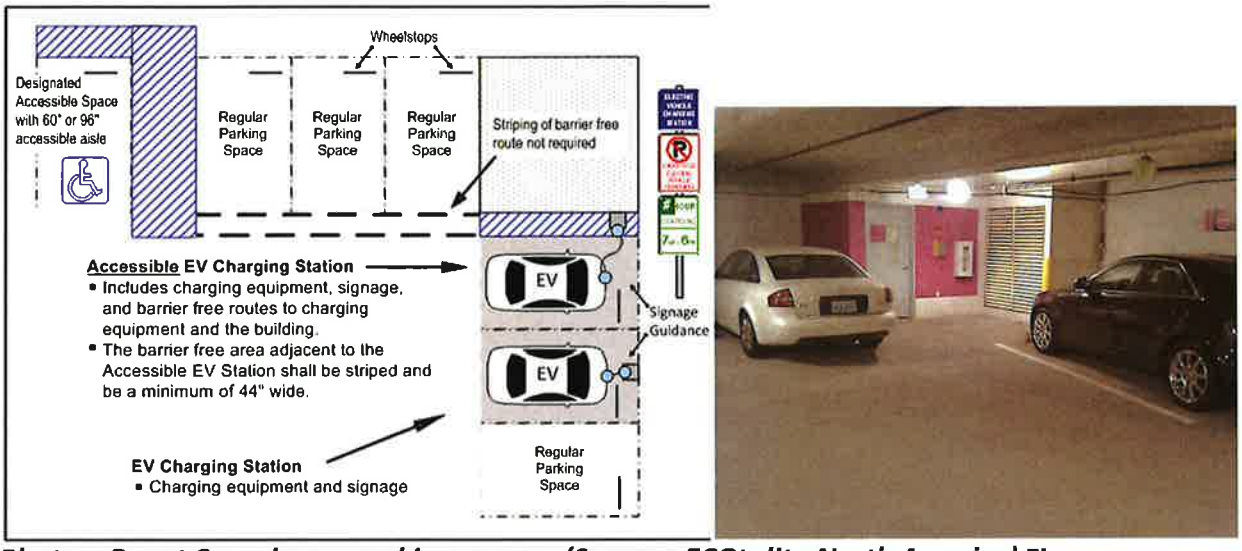


Photo – Puget Sound area parking garage (Source: ECOtality North America) **Figure**

20.44-2: Off-street accessible electric vehicle charging station – Option 2

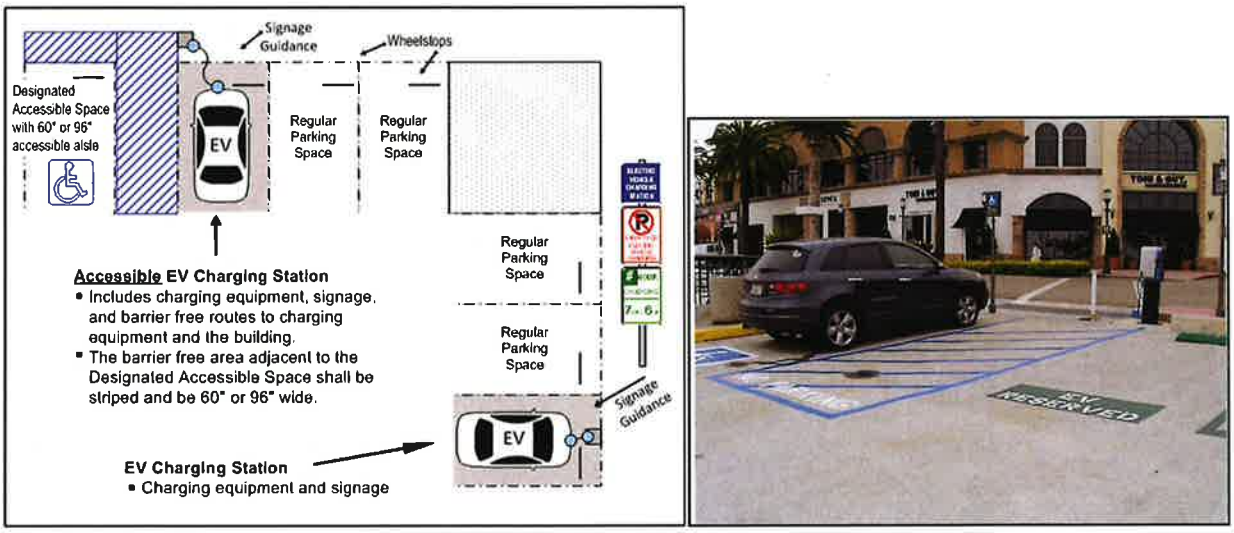
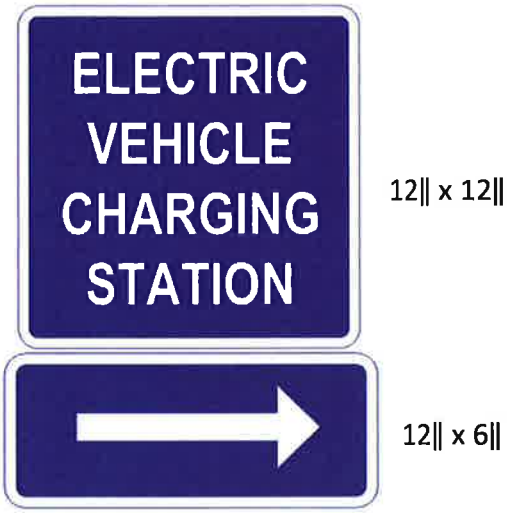


Photo – Fashion Island Shopping Mall, Newport Beach, CA (Source: Light Moves).

(g) Electric Vehicle Charging Station Spaces – Signage.

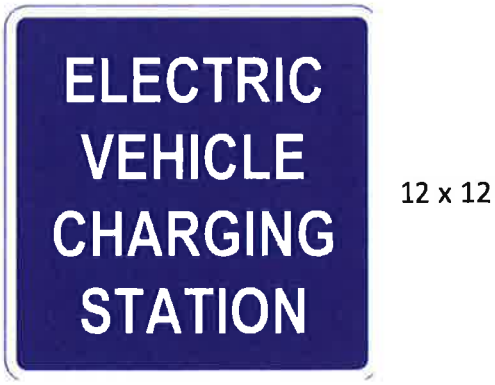
(1) Off-street public electric vehicle charging station spaces shall provide the following signage.

Figure 20.44-3: Directional – Off-street Parking Lot or Parking Garage



Note: The directional sign for an on-site parking lot or parking garage should be used in the parking facility with a directional arrow at all decision points.

Figure 20.44-4: Off-street EV Parking – Parking Space with Charging Station Equipment





12 x 18



12 x 18

Note: Combination sign identifying space as an electric vehicle charging station, prohibiting non-electric vehicles, with charging time limits. The use of time limits is optional. The blue/white and red/black signs define that only an electric vehicle that is charging can use the spaces. The green sign defines time limits for how long an electric vehicle can be in the space during the specified hours. Outside of the specified hours, electric vehicles can charge for an indefinite period of time.

(h) Stacking Spaces for Electric Vehicle Battery Exchange Stations. Electric vehicle battery exchange stations shall provide three stacking spaces. A stacking space shall be an area measuring eight feet by twenty feet with direct forward access to the battery exchange bay. A stacking space shall be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other required parking areas. Stacking spaces may not be counted as required off-street parking spaces.

Part II. Land Clearing, Grading, Filling, and Excavation

20.44.100 Permits for Grading and Filling.

(a) Subject to §20.44.120 (Restrictions and Requirements), grading permits are issued by the ~~Public Works~~Community and Economic Development Director ~~pursuant to the provisions of UBC Appendix 33 as adopted by AMC 16.04, Building Code.~~

(b) The ~~Public Works~~Community and Economic Development Director may temporarily suspend or revoke any permit allowing grading or filling if, in his opinion, adverse weather or other conditions so warrant.

20.44.110 Permits for Land Clearing.

(a) Subject to §20.44.120 (Restrictions and Requirements), no permits are required for clearing or logging involving less than ten thousand square feet of land within any twelve-month period. Nevertheless, all clearing activities must comply with all elements of this Title, regardless of whether a permit is required.

(b) Zoning permits are required for all clearing and logging involving one thousand square feet of property or more when not in conjunction with a land use permit.

(c) The ~~Public Works~~Community and Economic Development Director may temporarily suspend or revoke any permit allowing land clearing if, in his opinion, adverse weather or other conditions so warrant.

20.44.120 Restrictions and Requirements.

All clearing, logging, grading, filling, and excavation, regardless of whether or not a permit is required, is subject to the following restrictions and requirements:

(a) No clearing, logging, grading, filling, or excavation is allowed in an Environmentally Critical Area or its buffer where Chapter 20.~~88~~ 93 (~~Environmentally~~ Critical Areas Ordinance) prohibits such activities.

(b) No clearing, logging, grading, filling, or excavation, except that necessary for essential repairs of permitted private structures or construction of public infrastructure or facilities, is permitted outward from the shores of the Stillaguamish River or inland within its buffer, as established by Chapter 20.~~88~~ 93 (~~Environmentally~~ Critical Areas Ordinance) or the Shoreline Management Act, whichever is greater.

(c) Adequate Temporary Erosion and Sedimentation Control (TESC) measures shall be approved and installed per AMC 13.24, Stormwater Management, prior to any disturbance of soils.

(d) All disturbed areas shall be hydro-seeded and mulched, sodded, or otherwise protected within forty-eight hours of disturbance.

(e) All Environmentally Critical Areas and their buffers shall be fenced with construction fence prior to any disturbance of the soil.

(f) The applicant shall present to the City a valid NPDES permit, where required by the Department of Ecology, prior to any disturbance of soil.

(g) Environmental review of clearing and/or grading associated with site development *may* be done concurrently with the environmental review of the project (e.g., at preliminary plat stage, site plan review stage, or project development stage) allowing for clearing and/or grading for public improvements to be permitted by approval of the construction drawings. However, the application shall specifically state that clearing and/or grading are a part of the application, and the permit shall specifically state what clearing and/or grading is permitted, or the clearing and/or grading shall not be considered permitted.

(h) Between the dates of October 1 and March 31 all open projects shall be closed up and no more than 1/4 acre of property, or fifty cubic yards of soil, whichever represents the least amount of disturbance, may be cleared, moved or graded at any one time before that

portion of the project is closed up. The clearing and/or grading of individual building lots in a finalled plat shall be phased, with no more than ten lots being cleared or graded in a plat at any one time. Before additional lots can be cleared or graded, the previously graded lots shall be hydro-seeded and mulched, sodded, or otherwise protected. The Public Works Director may allow grading or clearing in excess of these limits during these times if, in his opinion, the site, adjoining properties, and any Environmentally Critical Areas can be adequately protected, an approved Temporary Erosion and Siltation Control plan is implemented and properly maintained, and the weather is favorable.

Part III. Performance Standards

20.44.208 Obligation to Comply.

(a) All uses in any zoning district must continually comply with the performance~~/~~ and operational standards of this Part.

(b) If the city has reasonable doubt that a use is, or can be, conducted within the limits of the above performance standards, it may require that the user or proposed user retain, at his expense, an independent, qualified, testing laboratory or expert to make an analysis of the use to determine its compliance with the standards and make the results of such analysis available to the City. If the site operator does not provide the required analysis within thirty days of the request, the City shall initiate such investigation and bill all expenses thereto the site operator, and the operator shall pay the City for such expenses within ten days after demand. The City may place a lien against the property if the operator refuses to pay such expenses within sixty days on receipt of bill.

20.44.210 Noise.

(a) No use in any zoning district may generate noise that tends to have an annoying or disruptive effect upon (i) uses located outside the immediate space occupied by the use if that use is one of several located on a lot, or (ii) uses located on adjacent lots.

(b) For the purpose of interpreting Subsection (a), and except as provided in Subsection (d), WAC 173-60, as may be amended, is hereby adopted and incorporated by reference in its entirety.

(c) Pursuant to WAC 173-60-030 (2), the following zones are designated to conform to the EDNAs (see WAC) as provided:

(1) ~~SR~~RULC, ~~RLMD~~RLC, R-Mod, ~~RMD~~RMC, ~~RHD~~RHC, and OTR – Class A EDNA
(2) NC, OTBD, GC, and HC – Class B EDNA
(3) BP, AF, LI, and GI – Class C EDNA
(4) P/SP – shall conform to the EDNA that conforms to the zoning designation that predominately surrounds the P/SP parcel.

(d) The following provisions of WAC 173-60 are amended:

(1) WAC 173-60-050 (2)(b) (certain existing industrial uses) is specifically not adopted.
(2) Wherever WAC 173-06 speaks to the Department of Ecology enforcing said regulations, the City may also act to enforce them pursuant to Chapter 20.28 (Enforcement & Review) of this Title.

20.44.220 Vibration.

(a) Except as modified by Subsection (b), no use in any zoning district may generate any ground-transmitted vibration that causes property damage or is perceptible to the human sense of touch measured at (i) the outside boundary of the immediate space occupied by the enterprise generating the vibration if the enterprise is one of several located on a lot, or

(ii) the lot line if the enterprise generating the vibration is the only enterprise located on a lot.

(b) No ~~4.000 classification~~ use in a Light Industrial (LI) or General Industrial district (GI) may generate any ground-transmitted vibration in excess of the limits set forth in Subsection (e). Vibration shall be measured at any adjacent lot line or residential district line as indicated in the table set forth in Subsection (e).

(c) The instrument used to measure vibrations shall be a three-component measuring system capable of simultaneous measurement of vibration in three mutually perpendicular directions.

(d) The vibration maximums set forth in Subsection (e) are stated in terms of particle velocity, which may be measured directly with suitable instrumentation or computed based on displacement and frequency. When computed, the following formula shall be used:

PV = 6.28 F x D

Where:

PV = Particle velocity, inches-per-second

F = Vibration frequency, cycles-per-second

D = Single amplitude displacement of the vibration, inches.

The maximum velocity shall be the vector sum of the three components recorded.

(e) Table 20.44-2 is the Table of Maximum Ground-Transmitted Vibration.

(f) The values stated in Subsection (e) may be multiplied by two for impact vibrations, i.e., discrete vibration pulsations not exceeding one second in duration and having a pause of at least one second between pulses.

(g) Vibrations resulting from temporary construction activity that occurs between seven a.m. and ten p.m. shall be exempt from the requirements of this section.

Table 20.44-2: Table of Maximum Ground-Transmitted Vibration

Zoning District	Particle Velocity, Inches-Per-Second	
	Adjacent Lot Line	Residential District
LI	0.10	0.02
GI	0.20	0.02

20.44.230 Odors.

(a) For purposes of this section, the -odor threshold‖ is defined as the minimum concentration in air of a gas, vapor, or particulate matter that is found to be overwhelming and a nuisance to the olfactory systems of a majority of a panel of five healthy observers.

(b) No use in any district may generate any odor that:

(1) Reaches the odor threshold, measured at:

(A) The outside boundary of the immediate space occupied by the enterprise generating the odor.

(B) The lot line if the enterprise generating the odor is the only enterprise located on a lot.

(2) Exceeds any state or federal thresholds.

20.44.240 Smoke and Air Pollution.

(a) Any use that emits any -air contaminant‖ as defined in Regulations 1, 2, or 3 of the Puget

Sound Clean Air Agency shall comply with applicable state standards concerning air pollution, as set forth in Regulations 1, 2, or 3 of the Puget Sound Clean Air Agency.

(b) No zoning, special use, or conditional use permit may be issued with respect to any development covered by Subsection (a) until the Puget Sound Clean Air Agency has certified to the permit-issuing authority that the appropriate state permits have been received by the developer, or that the developer will be eligible to receive such permits and that the development is otherwise in compliance with applicable air pollution laws.

20.44.250 Disposal of Liquid and Hazardous Wastes.

(a) No use in any district may discharge any waste contrary to the provisions of RCW 70.105 (Hazardous Waste Management) or RCW 90.48 (Water Pollution Control).

(b) No use in any district may discharge into either the City of Arlington's or the City of Marysville's sewage treatment facilities any waste that cannot be adequately treated by biological means or in a manner inconsistent with the requirements and sewer service policies of either jurisdiction.

20.44.260 Water Consumption.

No use shall consume and/or use water supplied by either the City of Arlington or the City of Marysville in a manner inconsistent with the requirements and water service policies of either jurisdiction.

20.44.270 Electrical Disturbance or Interference.

No use may:

(a) Create any electrical disturbance that adversely affects any operations or equipment other than those of the creator of such disturbance, or

(b) Otherwise cause, create, or contribute to the interference with electronic signals (including television and radio broadcasting transmissions or aviation equipment) to the extent that the operation of any equipment not owned by the creator of such disturbance is adversely affected.

20.44.280 Lighting.

(a) Except as provided in Subsection (b), lighting shall not be used in such a manner as to produce a glare on public streets or neighboring property. Arc welding, acetylene torch cutting, or similar processes shall be performed so as not to be seen from any point beyond the property boundary.

(b) Glare resulting from temporary construction activity that occurs between seven a.m. and ten p.m. shall be exempt from the requirements of this section.

20.44.290 Site and Building Maintenance.

All exteriors of all buildings and other structures shall be maintained in a clean and well-maintained condition. All outside space, including landscaped and open space areas shall be kept free of litter and debris. All plant material shall be kept free of disease, dead material, and weeds that may constitute a health or fire nuisance.

Part IV. Cottage Housing

20.44.300 Purpose and Intent

The general purposes of the cottage housing development design standards are as follows:

(1) A cottage housing development is an alternative type of detached housing providing small residences for households of typically one to two individuals. Cottage housing is provided as part of the city's overall housing strategy which intends to encourage affordability, innovation and variety in housing design and site development while ensuring compatibility with existing neighborhoods, and to promote a variety of housing choices to meet the needs of a population diverse in age, income, household composition and individual needs.

(2) The cottage housing development design standards are intended to create a small community of cottages oriented around open space that is pedestrian-oriented and minimizes the visibility of off-street parking. These design standards are intended to ensure that cottage housing developments include pedestrian amenities and take advantage of existing natural features on the site including topography and vegetation. The cottage housing development design standards are intended to maintain traditional cottage amenities and proportions and ensure that cottage housing developments contribute to the overall community character. Because there may be alternative designs that meet the objectives of the design standards, the provisions of subsections 20.44.300 through 20.44.400 provide an alternative design review process to consider other acceptable ways to accomplish the objectives of this section.

(3) All cottage housing developments are subject to current city stormwater standards and shall incorporate stormwater low impact development techniques whenever possible.

20.44.310 Applicability, application process and design review.

Applicability of this section, application procedure and the process for design review is pursuant to Chapter 20.46 AMC.

20.44.320 Density, number of cottage housing units and minimum lot area.

See Density and Dimensional Standards for Residential Zones.

20.44.330 Building height.

Structures in cottage housing developments shall be designed to be single story or single story plus a loft. Because the base density is higher and building separation less than on typical residential lots, it is important to maintain a feeling of adequate light and open space by providing more restrictive maximum roof heights and roof proportion standards.

(1) The maximum building height permitted for structures in cottage housing developments shall not exceed one and one-half stories or twenty-five feet in height.

20.44.340 Lot coverage area.

Cottage housing developments shall not exceed underlying lot coverage standards for the respective zoning district to maintain residential neighborhood character and the balance of built structures to open spaces.

(1) The maximum lot coverage permitted for all structures in cottage housing developments shall not exceed the requirements for the underlying zoning.

20.44.350 Cottage floor area.

Structures in cottage housing developments are primarily intended for one- and two-person households and their occasional guests. Maintaining the maximum square footage of residences in cottage housing developments is necessary to prevent overbuilding of the site and to not exceed available on and off-street parking.

(1) The maximum floor area for an individual structure in a cottage housing development shall not exceed twelve hundred square feet.

20.44.360 Cottage housing development building separation.

Structures within cottage housing developments shall observe minimum setbacks from other cottage housing development structures to avoid overcrowding the site and to maintain a sense of privacy within the cottages themselves.

(1) All buildings within a cottage housing development shall maintain a minimum separation of ten feet from cottages within a cottage housing development measured from the nearest point of the exterior walls. Accessory buildings shall comply with building code requirements for separation from non-cottage structures.

20.44.370 Parks and open space.

The minimum parks and open space are intended to provide a sense of openness and visual relief in cottage housing developments. Common open space shall provide a centrally located, focal area for the cottage housing development. The common area shall be outside of stormwater, wetlands, streams and sensitive area buffers and developed and maintained so its is usable for active or passive recreation activities. Private open space shall provide area around the individual dwellings to enable diversity in landscape design.

(1) Parks shall meet the minimum requirements of Chapter 20.52.
(2) Common open space shall:
    (A) Be a minimum of four hundred square feet per cottage;
    (B) Abut at least fifty percent of the cottages in a cottage housing development;
    (C) Have cottages abutting at least two sides.
(3) Cottages shall:
    (A) Be oriented around and have the main entry from the common open space
    (B) Be within seventy-five feet of walking distance to common open space.
(4) Private Open Space shall:
    (A) Be a minimum of three hundred square feet of private, contiguous, usable open space adjacent to each dwelling unit, for the exclusive use of the cottage resident. It shall be oriented toward the common open space as much as possible, with no dimension less than ten feet.
    (B) Additionally, cottages shall have a roofed porch that is covered and is at least ten percent of the total square footage of the residence living space.
(5) At least fifty percent of all the units shall have an attached enclosure that is a minimum of forty square feet (not included in total living space square footage) which is accessible from the exterior of the building.

20.44.380 Off street parking.

Off-street parking space requirements for cottage housing developments shall be calculated

at the Multi-Family requirement. Off-street parking shall be located and designed to be less visible from frontage streets than the cottages themselves. Off-street parking shall be designed to maintain a pedestrian character for the overall cottage housing development. Clustering parking to the side or rear of a cottage project will most often best accomplish these goals. However, on a site-specific basis, design solutions other than clustering may be found to meet this objective through the alternative design process. Parking areas shall be attractively landscaped to screen parking from adjacent properties and street rights-of-way and shall meet applicable parking lot landscape standards.

(1) Off-Street Parking Location. Parking shall be located on the cottage housing development property. Off-street parking lots shall be located to the side or rear of the cottage housing development. Parking lots shall not be located between the cottage housing development and the primary street frontage.

20.44.390 Stormwater Low Impact Development Techniques.

Cottage housing developments shall be designed to take advantage of open space and landscaped features to utilize stormwater low impact development techniques including natural filtration and on-site infiltration of stormwater.

(1) Low impact development techniques for stormwater management shall be used wherever possible. Such techniques may include the use of pervious pavers in parking areas and for walkways, directing roof drains and parking lot runoff to landscape beds, green or living roofs, and the use of rain barrels.
(2) Cottages shall be located so as to maximize natural stormwater functions. Cottages shall be clustered and parking areas shall be located to preserve as much contiguous, permanently undeveloped open space and native vegetation as possible.

20.44.400 Alternative Site Design.

It is possible that an alternative design may fulfill the intent of this chapter while not complying with the provisions herein. Requests for alternative designs shall be processed pursuant to Chapter 20.39 AMC, Development Agreements.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-019 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-019

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.44 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING SUPPLEMENTAL USE REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-020

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.46 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING DESIGN

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.46 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"

Chapter 20.46

DESIGN

Sections:

Section I. General Development Design Standards ~~and Old Town Business District Design Standards~~

20.46.005 Standards Adopted

20.46.010 Conformance with Design ~~Guidelines or~~ Standards.

20.46.020 Design Review Process.

20.46.030 Required Findings for Design Review Approval.

~~20.46.050 Site Design in the Old Town Business Districts (1, 2, and 3)~~

20.46.060 Drive-Through Windows.

20.46.070 Location of Parking in Multi-Family Structures.

20.46.075 Building Setbacks.

20.46.080 Walls and Fences.

20.46.085 Building Orientation, Entries, and Porches.

20.46.090 Additions.

20.46.095 Accessory Buildings.

20.46.100 Deviations~~.~~

Section II. Old Town Residential ~~In-Fill~~ and Old Town Business Districts Design Standards

20.46.110 Purpose and Intent.

20.46.114 ~~Applicability~~Old Town Residential Districts.

~~20.46.118 Process.~~ 20.46.120 Old Town Business Districts.

~~20.46.122 Deviations.~~

~~20.46.126 Building Setbacks.~~

~~20.46.138 Building Materials.~~

~~20.46.142 Articulation, Modulation, Massing & Scale.~~

~~20.46.146 Roofs.~~

~~20.46.150 Building Orientation, Entries & Porches~~

~~20.46.166 Additions.~~

~~20.46.174 Vents and Downspouts~~

~~20.46.178 Equipment Screening~~

~~20.46.182 Accessory Buildings.~~

~~20.46.186 Walls and Fences.~~

Section III. Commercial Corridor and Mixed-Use Overlay Design Standards.

20.46.200 Conformance with Mixed-Use Development Regulations.

Section I. General Development Design Standards ~~and Old Town Business District Design Standards~~

20.46.005 Standards Adopted

The city adopts and incorporates by reference herein certain development design standards known as the "City of Arlington Development Design Standards" dated June, 2018 and the "City of Arlington Old Town Residential Design Standards" dated May 2022. A true copy of said documents shall be on file with the city clerk, ~~and the community and economic development department~~Community and Economic Development Department and posted on the city website.

20.46.010 Conformance with Design ~~Guidelines or~~ Standards.

(a) Structures within the following zones ~~(Subsection~~ subsection (1)~~) or specific use classes (as classified in the Table of Permissible Uses, §20.40.010) (Subsection (2))~~ are subject to the relevant design standards adopted in this chapter. Structures within the zones listed in subsection (2) are subject to the Mixed-Use Development Regulations and additional design requirements. No building or land use permit shall be issued for structures or uses that do not conform to the applicable guidelines or standards except as allowed under Subsection (b).

(1) Zones

(A) Old Town Business District 1

(B) Old Town Business District 2 & 3

~~(B)~~(C) Old Town Residential

~~(C)~~(D) Neighborhood Commercial

~~(D)~~(E) General Commercial

~~(E)~~(F) Highway Commercial

~~(F)~~(G) Business Park

~~(G)~~(H) Light Industrial

~~(H)~~(I) General Industrial (those sides of buildings fronting on and noticeably visible from public streets only)

(J) Residential High ~~Density~~Capacity

(K) Residential Medium Capacity

(L) Residential Moderate Capacity

(M)Residential Low Capacity

~~(I)~~(N) Residential Ultra Low Capacity

~~(J)~~(O) Medical Services

(P) Aviation Flightline

~~(K)~~(Q) Public / Semi-Public

~~2. Specific Use Classes~~

~~(A) Multi-Family Residential (Use Class 1.300)~~

~~(B) Educational, Cultural, Religious, Philanthropic, Social, Fraternal Uses (Use Class 5.000)~~

~~(C) Institutional Residence or Care or Confinement Facilities (Use Class 7.000)~~

~~(D) Emergency Services (Use Class 13.000)~~

~~(E) Cemetery and Crematorium (Use Class 21.000)~~

(2) Zones

(A) Commercial Corridor

(B) Mixed Use Overlay

(b) A building or land use permit may be issued for a structure or use that does not comply with subsection (a) if any one of the following findings can be made by the decision-making authority:
(1) The structure is of a temporary nature that, in all likelihood, will be replaced by a permanent structure within two years.
(2) The structure is minor to the overall use of the property and will not be noticeably visible from a public right-of-way.

20.46.020 Design Review Process.

Review of permit applications for conformance with the development design standards shall be as follows: For an Administrative Design Review decision, ~~The~~ the ~~community and economic development (CED) director~~ Community and Economic Development Director and/or his designee shall review exterior modifications. Exterior Modifications include changes to existing structures, landscaping, site design, minor new structures, or signs with a construction value less than one hundred thousand dollars.

(a) All other design review with a construction value exceeding one hundred thousand dollars shall be performed by the design review board in a public meeting (not a public hearing). On building permits for which there is no land use permit required their decision is final (subject to appeal, see subsection (3)). Otherwise, their recommendation shall be forwarded to the permit-issuing authority for its consideration with the permit application.
(b) Any modifications or revisions to an approved design review decision is subject to a new application submittal and shall go back through either the administrative design review process or the design review board process as described in (a) and (b) above.
(c) Appeals shall be pursuant to Chapter 20.20 (Appeals, Variances, Interpretations).
(d) Fees for design review shall be as set by resolution.

20.46.030 Required Findings for Design Review Approval.

In order to approve a project as consistent with the development design standards, the design review authority must make the following findings:

(a) The proposal complies with the applicable design requirements and standards of this chapter. Specifically, findings shall be made for each applicable requirement and guideline as to how the project complies.

(b)If the proposal is for minor exterior modifications only, that the proposal demonstrates that the proposed improvements more consistent with the design requirements and standards of this chapter.

~~**20.40.040 Diversity within Planned Residential Developments.**~~
~~**(Repealed by Ord. 1312, 11/17/2003)**~~
~~**20.46.050 Site Design in the Old Town Business Districts (1, 2, and 3).**~~

~~(a) In each of the Old Town Business Districts, and subject to subsection (b), all structures shall be located adjacent to or as nearly adjacent as feasible to the sidewalk(s) falling within adjacent public right(s)-of-way. Where a structure is recessed from the public sidewalk, a private extension of the sidewalk shall be installed so as to widen the sidewalk up to the building front.~~
~~(b) Wherever feasible, buildings built in the Old Town Business Districts per this section shall be adjoining or appearing so, so as to create a continuous façade along a street.~~
~~(c) Structures along the Centennial Trail should be designed to work with the trail, even to the extent of having an entrance to the building, but at minimum presenting a well-designed façade on the trail side.~~
~~(d) Any new construction or modifications to existing structures in the Old Town Business Districts 1, 2 and 3 shall comply with the Arlington Development Design Standards and also refer to and~~

~~utilize the Olympic Avenue Design Guidelines, to the maximum extent possible, in their design and modification efforts.~~

20.46.060 Drive-Through Windows.

(a) All drive-through windows and their driveways shall be designed to not pose a hazard to pedestrians or other vehicles. In particular, driveways and approaches to drive-through windows shall be designed to minimize the crossing of pedestrian-ways or vehicular-ways, except to cross a public sidewalk adjacent to a public right-of-way. Where drive-through driveways and approaches cross pedestrian-ways, the pedestrian-way shall be clearly demarcated.

(b) All drive-through windows and their driveways shall be screened so as to minimize visual impacts from public rights-of-way.

(c) If a drive-through window and/or its driveway cannot be designed to meet the intent of this section then the use of the drive-through may be denied by the permit-issuing authority.

20.46.070 Location of Parking in Multi-Family Structures.

For multi-family ~~(Class 1.300)~~ uses in no instance shall street level parking areas be allowed within 25 feet of a public right-of-way unless it is substantially shielded from public view.

20.46.075 Building Setbacks

(a) Setbacks from Lot Boundary Lines. Setbacks of primary and accessory buildings from lot boundary lines shall be as specified in Chapter 20.48 (Density and Dimensional Regulations); except that:

(1) All primary buildings shall maintain a minimum 10-foot distance (measurements taken from foundations) from other buildings, including those on adjacent lots.

(2) However, in no case shall a primary building have a setback less than the five-foot standard setback for the zone as specified in Chapter 20.48 (Density and Dimensional Regulations).

(b) Setbacks from Public Rights-of-Way.

(1) Front yard setbacks of buildings from public rights-of-way shall be as specified in Chapter 20.48 (Density and Dimensional Regulations), or equal to the average of the two immediately adjacent primary buildings, whichever is less. Where averaging is used, the new building may be averaged in a stepping pattern between the front yards of the adjacent buildings, or the new building's entire frontage may be built on the average setback line. The front yard is defined as being that side of the building facing the street on which the building has its primary entrance.

(2) On a corner lot the exterior side yard setback may be reduced to ten feet. The exterior side yard is defined as that side of the building adjacent to a public right-of-way but from which the building does not have its primary entrance.

20.46.080 Walls and Fences

(a) Walls:

(1) Walls intended to screen shall be of plaster, smooth stucco finish or other approved masonry. They shall be designed in a style, material, and color to complement the structure to which they are attached. If the wall can be seen from the public right-of-way or view it shall be designed with a textured face. Other materials may include wrought iron, tile insets or grillwork.

(2) Wall heights and setbacks are governed by Chapter 20.48 (Density and Dimensional Regulations).

(3) Both sides of all perimeter walls shall be architecturally treated.

(b) Fences:

(1) Fences are required to be constructed of wood, wrought iron (decorative metal), or vinyl.

(2) Fence heights and setbacks are governed by Chapter 20.48 (Density and Dimensional Regulations).

(3) Both sides of all perimeter fencing shall be architecturally treated.

(4) Chain-link fencing shall only be used for security purposes in the General Industrial, Light Industrial, and Aviation Flightline zones and are required to obtain approval from the Community and Economic Development Director prior to installation. If chain-link fencing is used it shall be black vinyl coated and contain no slats (galvanized finish and slats are not permissible). Barbed wire, razor wire, or other material may also be allowed on top of the chain link fencing with approval from the director.

Table 20.46-1

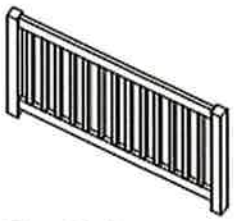
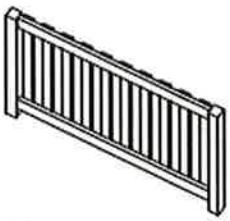
Public and Private Presentation Sides	 Two-sided presentation	 Public presentation side  Private presentation side (house side)
Wood and Metal fence examples of front yard fence at 42" in Height		
Wood fence example of side or rear yard fence at 6-foot fence with and without 1-foot decorative extension installed		
Black Vinyl Chain Link Fence Example With and Without Barbed Wire (Industrial and Security Use Only)		

Figure Index: Courtesy of HKP Architects, Fortress Fencing, LLC, Economy Iron, Inc, Freedom Fence & Railing, Aguilar Fence, Inc, and Pinterest.com

20.46.085 Building Orientation, Entries, and Porches

(a) Either a recessed entry or porch shall be incorporated into the design, whichever is most predominant among the existing buildings along the street on which the new building is proposed.

(b) A front porch or covered entry shall be a minimum of 6 feet deep to accommodate outdoor seating.

(c) If a porch is not included at the main entrance, a covered entry that provides an area to wait at the front door out of the weather shall be included.

20.46.090 Additions

When planning an addition, it is important to pay careful attention to the architectural style of the existing building. In many cases, additions can dramatically change the appearance of the building and, therefore, the character of the neighborhood or area. Therefore, for additions, in addition to the previously listed requirements, the following apply:

(a) The scale and mass of the addition must be in keeping with that of the original building.

(b) The location of additions shall not disrupt established setbacks of neighboring structures.

(c) The addition's roof shall match or complement the design of the original building.

(d) Architectural elements such as windows shall respect the prevailing geometry of the original building. For instance, windows with a vertical orientation can be incompatible with those of a horizontal orientation.

(e) The materials used for the addition shall match or coordinate with those of the original building.

20.46.095 Accessory Buildings

(a) The design of accessory buildings that require a building permit shall be architecturally compatible with the main building through the use of walls/roofs/trellises, fence/wall connections and/or landscaping.

(b) Accessory buildings shall be subordinate to the primary structure and shall be set back a minimum of eight (8) feet from the face of the primary structure.

(c) Accessory buildings shall be placed to the side or rear of the primary structure.

20.46.100 Deviations.

The Planning Commission may grant deviations from the standards only for the following:

(a) If an alternative is provided that, in their opinion, meets the intent of the Design Standards; or

(b) If the intent of the deviation is to preserve or protect a significant tree or trees.

Applications for deviations shall be submitted to the Community and Economic Development Director, who shall then forward them to the Planning Commission at their next available meeting. The applicant will be notified of the Planning Commission's decision within ten days of such decision.

Section II. Old Town Residential and Old Town Business Districts ~~In-Fill~~ Design Standards

20.46.110 Purpose and Intent.

Old Town is a unique district in Arlington, representing, as the name implies, the old part of town. It is laid out in a street-and-alley grid pattern, with garages and utilities predominately on the alleys. There is a predominance of older homes built in historic architectural styles, and most have front porches. Lots are small, though many of the older homes are built on parcels consisting of

two or three lots, some of which are now nonconforming in terms of size or setbacks. Back at the turn of the 20th century this was common practice.

However, with the increase in value of these lots, many property owners are selling them to builders who are building new homes that do not fit the unique historic character of Old Town. Many have caused problems with existing residents because of privacy, setback, and scale issues.

At the same time, infill development is one of the strategies adopted through the city's comprehensive plan to meet our growth targets, but not its only strategy, and certainly not at the expense of substantially changing the character of the Old Town Business and Residential Districts.

Thus, the intent of this part is to:

(1) Preserve the historic development pattern found in Old Town.
(2) Protect property owners' ability to sell their excess lots
(3) Protect existing properties' value by encouraging compatible development.
(4) Implement a design code for Old Town that permits infill development in a manner that is acceptable to the community while retaining the elements that provide for the traditional residential and "Main Street" style of growth.
(5) Recognizing the mix of architectural styles that have been built over the neighborhood's one hundred plus years, it is the city's intent to promote the specific architectural styles and development patterns that are historically prevalent and characteristic of the Old Town District.

20.46.114 ~~Applicability~~Old Town Residential District.

(a) All residential construction in the Old Town Residential District shall comply with the Development Design Standards and the Old Town Residential Design Standards. This includes new construction, remodels, and additions; except, that if a house is damaged, the homeowner may rebuild the structure exactly as it was.

(b) The Development Design Standards and the Old Town Residential Design Standards are reference documents that are available in the Community and Economic Development and are located on the city website. Copies of the documents may be requested.

~~(a)~~(c) Design review for compliance of this section shall be performed by the Community and Economic Development (CED) Director or his or her designee through the permitting process. The Director shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions.

20.46.120 Old Town Business Districts (1, 2, and 3)

(a) This part shall apply to all construction, including new construction, remodels, and additions in the Old Town Business Districts; except, that if a building is damaged, the owner may rebuild the structure exactly as it was.
(b) All construction shall comply with the Development Design Standards and the Olympic Avenue Design Guidelines.
(c) In each of the Old Town Business Districts, and subject to subsection (b), all structures shall be located adjacent to or as nearly adjacent as feasible to the sidewalk(s) falling within adjacent public right(s)-of-way. Where a structure is recessed from the public sidewalk, a private extension of the sidewalk shall be installed so as to widen the sidewalk up to the building front.
(d) Wherever feasible, buildings built in the Old Town Business Districts per this section shall be adjoining or appearing so, so as to create a continuous façade along a street.

(e) Structures along the Centennial Trail should be designed to work with the trail, even to the extent of having an entrance to the building, but at minimum presenting a well-designed façade on the trail side.

(f) Any new construction or modifications to existing structures in the Old Town Business Districts 1, 2 and 3 shall comply with the Arlington Development Design Standards and also refer to and utilize the Olympic Avenue Design Guidelines, to the maximum extent possible, in their design and modification efforts.

~~**20.46.118 Process.**~~

~~Design review for compliance with this part shall be performed by the Community and Economic Development (CED) Director or his or her designee through the permitting process. The director shall have the authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions.~~

~~**20.46.122 Deviations.**~~

~~The planning commission may grant deviations from the standards in this part only:~~

~~(1) If an alternative is provided that, in their opinion, meets the intent of this part; or,~~

~~(2) If the intent of the deviation is to preserve or protect a significant tree or trees.~~

~~Applications for deviations shall be submitted to the CED Director, who shall then forward them to the planning commission at their next available meeting. The applicant will be notified of the planning commission's decision within ten days of such decision.~~

~~**20.46.126 Building Setbacks.**~~

~~(a) Setbacks from Lot Boundary Lines. Setbacks of primary buildings from lot boundary lines shall be as specified in Section 20.48.040 (Building Setback Requirements); except that:~~

~~(1) All primary buildings shall maintain a minimum ten feet distance (measurements taken from foundations) from other buildings, including those on adjacent lots.~~

~~(2) However, in no case shall a primary building have a setback less than the five-foot standard setback for the zone as specified in Section 20.48.040 (Building Setback Requirements).~~

~~(b) Setbacks from Public Right-of-Ways.~~

~~(1) Front yard setbacks of buildings from public right-of-ways shall be as specified in Section 20.48.040 (Building Setback Requirements), or equal to the average of the two immediately adjacent primary buildings, whichever is less. Where averaging is used, the new building may be averaged in a stepping pattern between the front yards of the adjacent residences, or the new building's entire frontage may be built on the average setback line. The front yard is defined as being that side of the building facing the street on which the building has its primary entrance.~~

~~(2) On a corner lot the exterior side yard setback may be reduced to ten feet. The exterior side yard is defined as that side of the building adjacent to a public right-of-way but from which the building does not have its primary entrance.~~

~~**20.46.138 Building Materials.**~~

~~(a) The primary materials for the exterior of buildings shall be: siding, cement board or natural wood, stucco, board and batten style (battens over panel siding), real or cultured masonry materials, or wood shingles. Accent materials shall include real or cultured masonry materials, horizontal siding and wood shingles.~~

~~(b) Exterior building materials shall not include the following: panel siding (except as specified in subsection (c)), non-architecturally treated concrete block, or non-architecturally treated tilt-up concrete panels, corrugated metal siding, or standard single or double tee concrete systems. Metal siding may be used as an accent material, but not as a primary material.~~

(c) When panel siding is used, battens with a twenty-four inch maximum spacing shall be used for a board and batt appearance.

(d) Wood trim shall have a minimum dimension of one inch x three inches.

(e) All sides of the building must be compliant with the design standards, not just those facing streets.

(f) Corner Lots. Buildings on corner lots face special circumstances. All sides with street frontages shall be treated with the same quality of materials and similar architectural detailing as the front and shall be visually appealing like the front. Examples to create appealing street-facing facades include adding a feature that makes an architectural statement, such as bay windows, and areas of decorative brick, wrap around porches or other attractive features, etc.

20.46.142 Articulation, Modulation, Massing & Scale.

(a) All buildings shall provide a variation in the façade through use of building modulation and floor area offsets from the main construction.

(b) Fronts of buildings shall be articulated through the use of bays, insets, balconies, porches, or stoops related to entrances and windows.

(c) All buildings shall be designed to provide complex massing configurations with a variety of different wall planes. At least every twenty-four linear feet, street-side wall planes shall contain offsets or setbacks with a differential in horizontal plane of at least six inches. Bay windows, cantilevers, and other similar protrusions can account for such offsets.

(d) Building design shall incorporate visually heavier and more massive elements at the building base, and lighter elements above the base. A second story, for example, should not appear heavier or demonstrate greater mass than that portion of the building supporting it.

(e) In addition, for corner lots see Section 20.46.138 (Building Materials).

20.46.146 Roofs.

(a) Roof design treatments shall meet the following development criteria:

(1) Roofs may have dormers, gables, or similar variations in roof planes in order to break up the roof mass.

(2) Individual roofs may include a variety of colors and materials, including tile, composition, shake and shingle.

(3) Predominant roof materials shall be material such as, but not limited to: wood shake shingles, clay or concrete tiles, or composition wood and asphalt shingles. Flat or corrugated metal or flat built-up roofs are prohibited. Standing seam baked enamel steel roofing materials are allowed.

20.46.150 Building Orientation, Entries & Porches.

(a) Either a recessed entry or porch shall be incorporated into the design, whichever is most predominant among the existing dwellings along the street on which the dwelling is proposed.

(b) A front porch or covered entry shall be a minimum of six feet deep in order to accommodate outdoor seating.

(c) If a porch is not included at the main entrance, a covered entry that provides an area to wait at the front door out of the weather shall be included.

20.46.166 Additions.

In planning an addition it is important to pay careful attention to the architectural style of the existing residence. In many cases, additions can dramatically change the appearance of the residence and, therefore, the character of the neighborhood. Therefore, for additions, in addition to all the previous rules, the following apply:

(1) The scale and mass of the addition must be in keeping with that of the original building.

(2) The location of additions shall not disrupt established setbacks of neighboring structures.

~~(3) The addition's roof shall match or complement the design of the original building.~~

~~(4) Architectural elements such as windows shall respect the prevailing geometry of the original building. For instance, windows with a vertical orientation can be incompatible with those of a horizontal orientation.~~

~~(5) The materials used for the addition shall match or coordinate with those of the original building.~~

~~**20.46.174 Vents and Downspouts.**~~

~~Roof flashing, rain gutters, downspouts, vents and other roof protrusions shall be finished to match the adjacent materials and/or colors.~~

~~**20.46.178 Equipment Screening.**~~

~~Any equipment, whether on the roof, side of building or ground, must be screened. The method of screening must be architecturally compatible with the building in terms of materials, color, shape and size. The screening design shall blend with the building design. Where several individual pieces of equipment are provided a continuous screen is required.~~

~~**20.46.182 Accessory Buildings.**~~

~~The design of accessory buildings that require a building permit shall be architecturally compatible with the main building through the use of walls/roofs/trellises, fence/wall connections and/or landscaping.~~

~~**20.46.186 Walls and Fences.**~~

~~Walls and fences are an integral part of the streetscape.~~

~~(1) Walls intended to screen shall be of plaster or smooth stucco finish or other approved masonry. They shall be designed in a style, materials and color to complement the dwelling units to which they are attached. Other materials may include wrought iron, tile insets or grillwork.~~

~~(2) Wall and fence heights are governed by Section 20.48.040 (Building Setback Requirements).~~
~~Both sides of all perimeter walls or fences shall be architecturally treated.~~

Section III. Commercial Corridor and Mixed-Use Overlay.

20.46.200 Conformance with Mixed-Use Development Regulations.

(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.

~~(a)~~(b) For any design items not addressed under the Mixed-Use Development Regulations, the Development Design Standards shall be followed.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-020 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-020

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.46 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING DESIGN"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-021

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.48 OF THE ARLINGTON
MUNICIPAL CODE REGARDING DENSITY AND DIMENSIONAL REGULATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.48 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"
Chapter 20.48

DENSITY AND DIMENSIONAL REGULATIONS

Sections:

20.48.010 Minimum Lot Size Requirements.
20.48.020 Residential Density.
20.48.030 Lot Shape and Minimum Lot Widths.
20.48.040 Building Setback Requirements.
20.48.042 Sight Visibility Areas at Intersections.
20.48.044 Garage Setbacks/Minimum Driveway Length
20.48.050 Accessory Building Setback Requirements.
20.48.060 Building Height Limitations.
20.48.064 Maximum Lot Coverage.
20.48.090 Density on Lots Where Portion Dedicated to City for Park and Recreational Facilities.
20.48.094 Density on Lots Created Through Short Subdivision Where Portion Dedicated to City for Right-of-Way.
20.48.100 Fences and Walls
20.48.110 Density and Dimensional Diagrams
20.48.120 Lot Layout Diagrams

20.48.010 Minimum Lot Size Requirements.

Subject to the provisions of Section 20.48.094 (Density on Lots Created Through Short Subdivision Where Portion Dedicated to City for Right-of-Way), Section 20.44.060 (Minimum Parcel Sizes for ~~Class "A," "B," or "C"~~ Mobile Homes), Section 20.44.062 (Mobile Home Parks), and Section 20.44.096 (Penal and Correctional Facilities) all lots in each zone shall have at least the amount of square footage indicated in Table 20.48-51: Density and Dimensional Standards.

20.48.020 Residential Density.

(a) Subject to Subsection (b) and the provisions of Section 20.48.094 (Density on Lots Created Through Short Subdivision Where Portion Dedicated to City for Right-of-Way), and except as provided in Section 20.44.062 (Mobile Home Parks), every lot developed for residential purposes shall have the number of square feet per dwelling unit indicated in Table 20.48-51: Density and Dimensional Standards. In determining the number of dwelling units permissible on a tract of land, fractions shall be rounded down to the nearest whole number.

(b) ~~Except in the High Density Residential District, duplexes~~ Duplexes and two-family conversions shall be allowed only on lots having at least one hundred fifty percent of the minimum square footage required for one dwelling unit on a lot within ~~such~~ the Residential Ultra Low Capacity and Residential Low Capacity districts.

20.48.030 Lot Shape and Minimum Lot Widths.

(a) No lot may be created that is so narrow or otherwise so irregularly shaped that it would be impracticable to construct on it a building that:
  (1) Could be used for purposes that are permissible in that zoning district, and
  (2) Could satisfy any applicable setback requirements for that district, and
  (3) Panhandle lots shall be avoided. Panhandle lots may only be allowed when site conditions warrant their use as determined by the Community and Economic Development Director or designee, and
  (4) Without limiting the generality of the foregoing standard, and except as provided by subsection (d), indicates minimum lot widths that are recommended and are deemed presumptively to satisfy the standard set forth in Subsection (a).

(b) Lot width shall be determined by the diameter of the largest circle that can be drawn within the boundaries of a lot. The diameter of the circle must be equal to or greater than the minimum lot width of the underlying zone.

(c) On the bulb of cul-de-sacs, the minimum lot frontage along the right-of-way line shall be twenty feet and forty feet at the building setback line.

(d) Shared driveways shall be permitted only on the bulb of a cul-de-sac, but are allowed in other settings as approved by the Director. Shared driveways shall be a minimum of twenty-four feet in width.

(e) No lot created after the effective date of this title that is less than the recommended width shall be entitled to a variance from any building setback requirement.

20.48.040 Building Setback Requirements.

(a) Subject to Section 20.48.050 (Accessory Building Setback Requirements) and the other provisions of this section, no portion of any building or any freestanding sign may be located on any lot closer to any lot line than is authorized in Table 20.48-51: Density and Dimensional Standards.
  (1) As used in this section, the term "lot boundary line" refers to lot boundaries other than those that abut streets. For the purpose of measuring setbacks, alleys shall not be considered a public street. Setbacks from alleys shall be the same as from a lot boundary line.
  (2) As used in this section, the term "building" includes any substantial structure, which by nature of its size, scale, dimensions, bulk, or use tends to constitute a visual obstruction or generate activity similar to that usually associated with a building. Without limiting the generality of the foregoing, the following structures shall be deemed to fall within this description:
    (A) Gas pumps and overhead canopies or roofs.
    (B) Fences and hedges running along lot boundaries adjacent to public street rights-of-way if such fences and hedges exceed forty-two inches (unless located in the sight visibility area, then thirty inches maximum), except that the setback for fences or hedges up to seven feet high shall be ten feet from the ultimate right-of-way along exterior side yard lot boundaries adjacent to public streets provided that the area between the right-of-way and fence are well landscaped and maintained by the property owner. Subject to Section 20.48.100 and Chapter 20.46 (Design). Also see Figure 2 and 3.

(3) Notwithstanding any other provision of this title, a sign may be erected on or affixed to a structure that (i) has a principal function that is something other than the support of the sign (e.g., a fence), but (ii) does not constitute a building as defined in this title, only if such sign is located so as to comply with the setback requirement applicable to freestanding signs in the district where such sign is located.

(b) Whenever a lot in a nonresidential district has a common boundary line with a lot in a residential district lying in the ~~RMD~~ RMC, R-Mod, ~~RLMD~~ RLC, or ~~SR~~RULC zone, then the setback for the non-residential property along that common boundary shall be thirty feet.

(c) Setback distances shall be measured from the property line to a point on the lot that is directly below the nearest extension of any part of the building that is substantially a part of the building itself, except eaves, including but not limited to chimneys, and not a mere appendage to it (such as a flagpole, etc.).

(d) Whenever a private road that serves more than four lots, more than four dwelling units, or that serves any nonresidential use tending to generate traffic equivalent to more than four dwelling units is located along a lot boundary, then buildings and freestanding signs shall be set back from the private road just as if such road were a public street.

(e) In any residential district, front porches may extend into the setback from the street right-of-way line up to fifty percent of that setback.

(f) All buildings shall be set back a minimum of fifteen feet from any open drainage facility.

(g) All buildings shall have a minimum setback of five feet from any easement.

(h) Marijuana producing and processing operations on lots abutting residentially zoned lots shall be set back a minimum of thirty feet for indoor operations and fifty feet for outdoor operations.

20.48.042 Sight Visibility Areas at Intersections.

At the intersection of two streets, either public or private, no structure, sign, vegetation, or anything else that obscures sight shall exceed thirty inches in height in the area described by a triangle having two twenty-five-foot legs along the curb faces of the streets from the streets' point of intersection, and a diagonal line connecting the ends of these lines.

20.48.044 Garage Setbacks/Minimum Driveway Length

(a) Driveway Length

(1) All residential driveways taking access from a public road (not including alleys) shall be a minimum of twenty-two feet in length from the front property line or right-of-way. ~~Permeable materials should be used on private driveways when feasible.~~

(2) All residential driveways taking access from a public alley or private drive shall either be five feet or less or be between twenty to twenty-two feet in length from the property line or right-of-way.

(3) Driveways shall be impervious surface (concrete and/or asphalt) and utilize LID drainage when feasible

(b) Garage Setbacks

(1) All residential attached and detached garages are subject to Section 20.48.044 (a) Driveway Length and the Development Design Standards.

(2) Infill Development:

i. All residential attached garages for one-story residential dwellings or for garages that do not have a second story above shall be recessed from the face of the primary structure a minimum of eight (8) feet.

ii. All residential attached garages for two-story or greater residential dwellings where the garage is under the second story shall be recessed from the face of the primary structure a minimum of four (4) feet.

iii. Residential detached garages are subject to Section 20.48.044 (a) Driveway Length and the Development Design Standards.

(3) Residential attached and detached garages in the Old Town Residential zone are subject to the Old Town Residential Design Standards

20.48.050 Accessory Building Setback Requirements.

All accessory buildings in residential districts (i.e., those established by Section 20.36.010 (Residential Districts Established) must comply with the ultimate street right-of-way and side lot boundary setbacks set forth in Section 20.48.040 (Building Setback Requirements).

20.48.055 Building Setbacks for Multi-Family Units.

There shall be a minimum separation between every ten attached units or every three hundred feet.

20.48.060 Building Height Limitations.

(a) For purposes of this section:
  (1) The height of a building shall be the vertical distance measured from the mean elevation of the finished grade of the perimeter of the building to the highest point of the building.
  (2) A point of access to a roof shall be the top of any parapet wall or the lowest point of a roof's surface, whichever is greater. Roofs with slopes greater than seventy-five percent are regarded as walls.

(b) Subject to the remaining provisions of this section, building height limitations in the various zoning districts shall be as listed in Table 20.48-51: Density and Dimensional Standards.

(c) Subject to Subsection (d), the following features are exempt from the district height limitations set forth in Subsection (b):
  (1) Chimneys, church spires, elevator shafts, and similar structural appendages not intended as places of occupancy or storage,
  (2) Flagpoles and similar devices,
  (3) Heating and air conditioning equipment, solar collectors, and similar equipment, fixtures, and devices.
  (4) Certain wireless communications facilities, as provided in Section 20.44.034 (Wireless Communications Facilities).

(d) The features listed in Subsection (c) are exempt from the height limitations set forth in Subsection (b) if they conform to the following requirements:
  (1) Such features may consume not more than one-third of the total roof area.
  (2) The features described in Subsection (c) (3) above must be set back from the edge of the roof a minimum distance of one foot for every foot by which such features extend above the roof surface of the principal building to which they are attached.

(3) The permit-issuing authority may authorize or require that parapet walls be constructed (up to a height not exceeding that of the features screened) to shield the features listed in Subsections c) (1) and (3) from view.

(e) Notwithstanding Subsection (b), in any zoning district the vertical distance from the ground to a point of access to a roof surface of any nonresidential building or any multi-family residential building containing four or more dwelling units may not exceed thirty-five feet unless the fire chief certifies to the permit-issuing authority that such building is designed to provide adequate access for firefighting personnel or the building inspector certifies that the building is otherwise designed or equipped to provide adequate protection against the dangers of fire.

(f) Towers, monopoles, and antennas are allowed in all zoning districts to the extent authorized in Section 20.40.~~010~~ (Table of Permissible Uses)~~, use classification 18.00~~.

20.48.064 Maximum Lot Coverage.

(a) The maximum allowable lot coverage with structures shall be as listed in Table 20.48-51: Density and Dimensional Standards.

(b) In all residential districts, no more than forty percent of the area within the setback from a street right-of-way may be an impervious surface, except, that anyone may install a driveway, up to double-wide, regardless of the coverage achieved.

20.48.090 Density on Lots Where Portion Dedicated to City for Park and Recreational Facilities.

(a) Subject to the other provisions of this section, if (i) any portion of a tract lies within an area designated on any officially adopted city plan as part of a proposed public park, greenway, or independent bikeway (i.e., not a part of a street), and (ii) before the tract is developed, the owner of the tract, with the concurrence of the city, dedicates to the city that portion of the tract so designated, then, when the remainder of the tract is developed for residential purposes, the permissible density at which the remainder may be developed shall be calculated in accordance with the provisions of this section.

(b) If the proposed use of the remainder is a two-family or multi-family project, then the permissible density at which the remainder may be developed shall be calculated by regarding the dedicated portion of the original lot as if it were still part of the lot proposed for development.

(c) If the portion of the tract that remains after dedication as provided in Subsection (a) is divided in such a way that the resultant parcels are intended for future subdivision or development, then each of the resultant parcels shall be entitled to its *pro rata* share of the "density bonus" provided for in Subsections (b) and (c).

20.48.094 Density on Lots Created Through Short Subdivision Where Portion Dedicated to City for Right-of-Way.

Where land is dedicated to the public for widening existing rights-of-way, the minimum parcel size for lots created through the short subdivision process *only* may be reduced by an equivalent square footage as that dedicated, not to exceed ten percent of the required minimum parcel size.

20.48.100 Fence and Wall Height Requirements

(a) Fence Height.

(1) Front yard fences abutting a sidewalk may be a maximum of 42" (3.5 feet) in height when within 10 of the rights-of-way and installed outside of the ultimate right-of-way and sight visibility areas.

(2) If the front yard fence is located in the sight visibility area, then a maximum of 30" is allowed within the triangle area. The fence may resume allowed heights once clear from this area.

(3) Side and Rear yard fences may be built on the property line to a height of up to 7 feet (except corner lots need to abide by section (1) above). The fence may consist of up to 6 feet opaque, with 1 foot of lattice or other decorative design.

(4) Architectural fence requirements and materials are located in Chapter 20.46 Design and within the Development Design Standards.

(b) Wall Height.

(1) Walls may be installed for retaining soils, screening parking areas, or in place of a fence.

(2) Walls are required to be decorative and shall follow the requirements of Chapter 20.46 Design and within the Development Design Standards.

(3) Walls over 4 feet in height require a building permit and shall be structurally engineered.

Table 20.48-~~5~~1: Density and Dimensional Standards

Zone	Minimum Lot Size ~~Standard Subdivision~~ (square feet)	Minimum Residential Densities ~~(Minimum Square Feet per Dwelling Unit)~~	Minimum Lot Width (ft.)	Building Setback Requirements—Minimum Distance, in feet, from:							Height Limitation (ft.)	Max. Lot Coverage (%)
				Non-Arterial Street Right-of-Way[1] Line		Arterial Street Right-of-Way[1] Line		Rear Lot Boundary Line[2]	Side Lot Boundary Line or Alley	ECA Buffer		
				Building	Freestanding Sign	Building	Freestanding Sign	Building	Building and Freestanding Sign			
~~Suburban Residential~~ Residential Ultra Low Capacity	9,600 or Larger[3]	~~9,600~~1-4 Du/Ac	70	25	10	40	10	Primary – 20 Accessory - 5	5	15	35	35
~~Residential Low/Moderate Density~~ Residential Low Capacity	7,200 – 9,600	~~7,200~~5-6 Du/Ac	~~60~~50	20	10	40	10	Primary – 20 Accessory - 5	5	15	35	35
Residential Moderate Capacity	4,000 – 6,200	~~7,200~~7-11 Du/Ac	~~60~~30	20	10	40	10	Primary – 20 Accessory - 5	5	15	~~35~~45	~~35~~45
Residential Medium ~~Density~~ Capacity	2,800 – 3,600	12-16 Du/Ac	30	20	10	40	10	Primary – 20 Accessory - 5	5	15	45	45
Residential High ~~Density~~ Capacity	4,300	~~0~~[2]17+ Du/Ac	~~45~~30	20	5	20	10	Primary – 20 Accessory - 5	5	15	45	75
~~Old Town Residential~~	~~4,300~~	~~4,300~~	~~45~~	~~20~~	~~10~~	~~40~~	~~10~~		~~5~~	~~15~~	~~35~~	~~35~~
Old Town Residential	All Density and Dimensional Standards are Regulated by the Old Town Residential Design Standards[4]											
Neighborhood Commercial	6,000	~~0~~[2]0[5]	50	~~0~~[4]0[5]	10	20	10	Primary – 20 Accessory - 5	5	15	45	100
Old Town Business 1[6]	~~0~~[3]0[7]	~~0~~[2]0[5]	60	~~0~~[4]0[5]	5	~~0~~[4]0[5]	5	0 – 5	5	15	50	100
Old Town Business 2[6]	~~0~~[3]0[7]	~~0~~[2]0[5]	60	~~0~~[4]0[5]	5	~~0~~[4]0[5]	5	0 – 5	5	15	50	100
Old Town Business 3[6]	~~0~~[3]0[7]	~~0~~[2]0[5]	60	~~0~~[4]0[5]	5	~~0~~[4]0[5]	5	0 – 5	5	15	50	100

Zone	Minimum Lot Size ~~Standard Subdivision~~ (square feet)	Minimum Residential Densities ~~(Minimum Square Feet per Dwelling Unit)~~	Minimum Lot Width (ft.)	Building Setback Requirements—Minimum Distance, in feet, from:							Height Limitation (ft.)	Max. Lot Coverage (%)
				Non-Arterial Street Right-of-Way[1] Line		Arterial Street Right-of-Way[1] Line		Rear Lot Boundary Line[2]	Side Lot Boundary Line or Alley	ECA Buffer		
				Building	Freestanding Sign	Building	Freestanding Sign	Building	Building and Freestanding Sign			
General Commercial	~~0~~[3][7]	N/A	70	25 – 10ldg. > 10,000 sq ft 10 – 10ldg. < 10,000 sq ft	10	25 – 10ldg. > 10,000 sq ft 10 – 10ldg. < 10,000 sq ft	10	Primary – 20 Accessory - 5	5	15	45	100
Highway Commercial	~~0~~[3][7]	N/A	70	25 – 10ldg. > 10,000 sq ft 10 – 10ldg. < 10,000 sq ft	10	25 – 10ldg. > 10,000 sq ft 10 – 10ldg. < 10,000 sq ft	5	Primary – 20 Accessory - 5	5	15	50	100
Commercial Corridor	All Density and Dimensional Standards are Regulated by the Mixed-Use Development Regulations AMC 20.110[8]											
Mixed-Use Overlay	All Density and Dimensional Standards are Regulated by the Mixed-Use Development Regulations AMC 20.110[8]											
General Industrial	10,000	N/A	70	25	10	25	10	Primary – 20 Accessory - 5	5	15	50	100
Light Industrial	10,000	N/A	70	25	5	25	5	Primary – 20 Accessory - 5	5	15	50	100
Aviation Flightline[9]	10,000	N/A	70	25	5	25	5	Primary – 20 Accessory - 5	5	15	50[5]	100
Medical Services	10,000	N/A	70	25	10	25	10	10	10	15	50[5]	100
Business Park	10,000	N/A	70	25	5	25	5	Primary – 20 Accessory - 5	5	15	50	100
Public/Semi-Public	Same as predominately surrounding zone											

Table 20.48-1 Footnotes:

[1] As used in this table, "r-o-w" or "right-of-way" means the street's ultimate right-of-way according to its classification, not existing, actual right-of-way.

[2] Rear setback for principal buildings is twenty feet and detached accessory structures is five feet.

[3] The lot size in the Residential Ultra Low Capacity (RULC) are primarily to accommodate detached single-family residential development in areas not currently served by public sewer and water facilities. Larger lots are required to accommodate a septic system and reserve area as required by the Snohomish Health District.

~~[2]~~[4] All development within the Old Town Residential district is subject to the requirements of the Old Town Residential Design Standards.

~~[3]~~[5] "0" in this column means that there is no density maximum. One can build as many residential units as can fit, as long as the rest of the requirements of this code are met (e.g., parking, open space, screening, maximum lot coverage, setbacks, drainage, etc.)

~~[4]~~[6] Maximum setbacks are required pursuant to Section 20.46.075 and the Development Design Standards for Old Town Business Districts 1,2, and 3.

~~[7]~~[7] "0" in this column means that there is no minimum parcel size. One can subdivide into as small of lots as one wants, as long as a permissible use can fit on the lot while meeting the rest of the requirements of this code (e.g., parking, open space, screening, maximum lot coverage, setbacks, etc.)

~~[5]~~[8] All development within the Commercial Corridor and the Mixed-Use Overlay is subject to the requirements of the Mixed-Use Development Regulations.

~~[6]~~[9] Airspace restrictions may limit the maximum building height to less than fifty feet.

~~[7] Include a rear setback for principal buildings (twenty feet) while keeping the standard five foot setback for accessory structures.~~

20.48.110 – Density and Dimensional Diagrams

Figure 1: Setback Locations

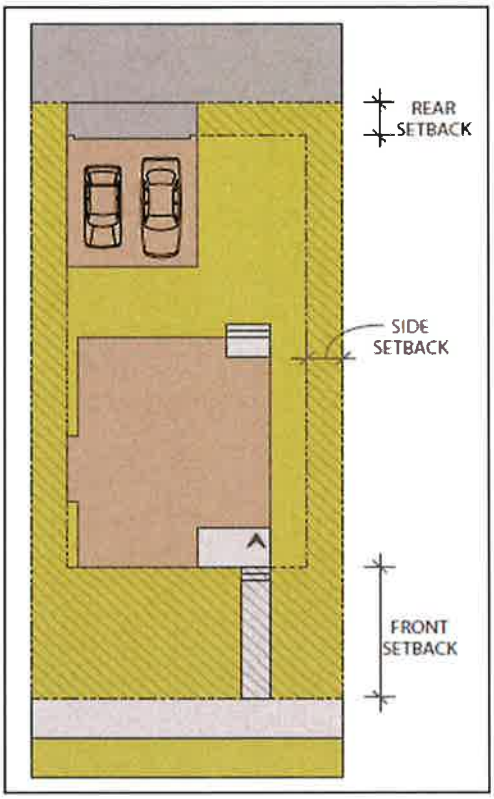


Figure 2: Fence Height and Setback Location

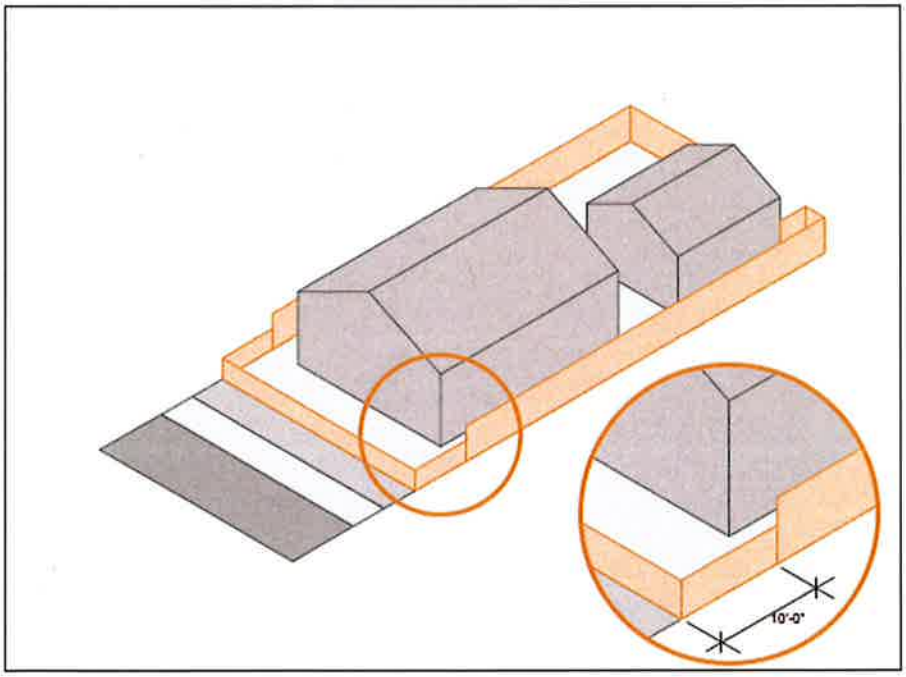


Figure 3: Site Visibility Areas (Site Triangle)

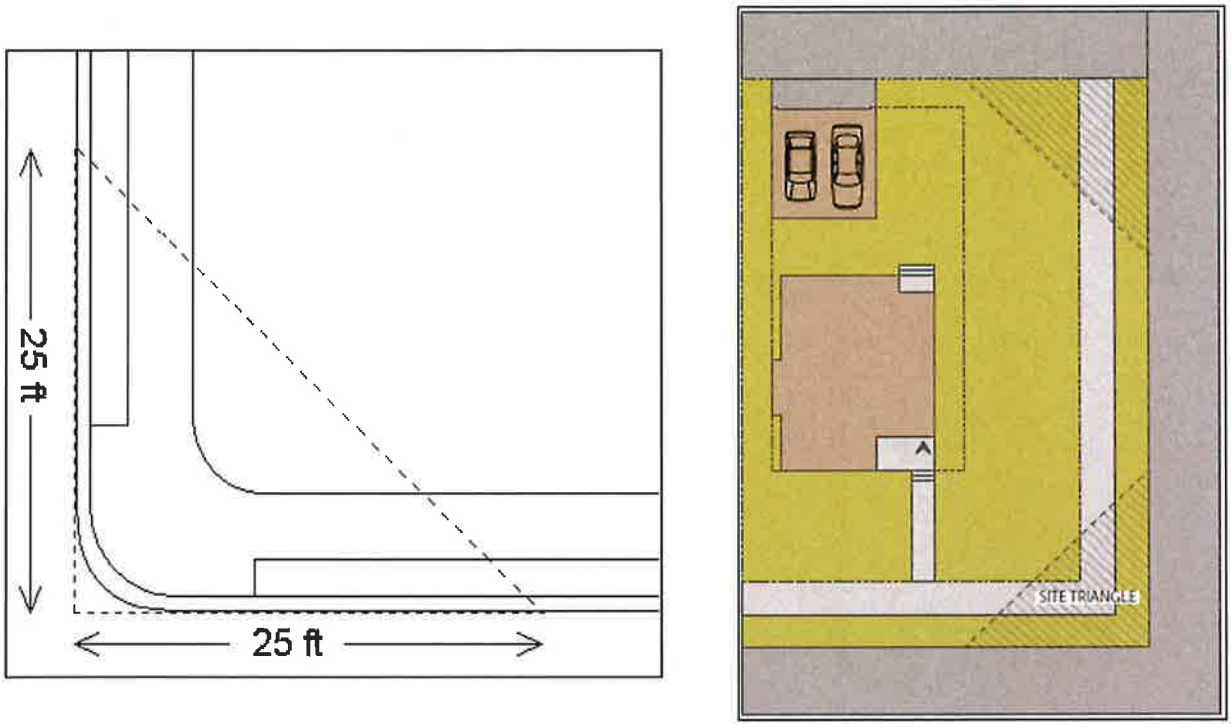


Figure 4: Driveway Locations

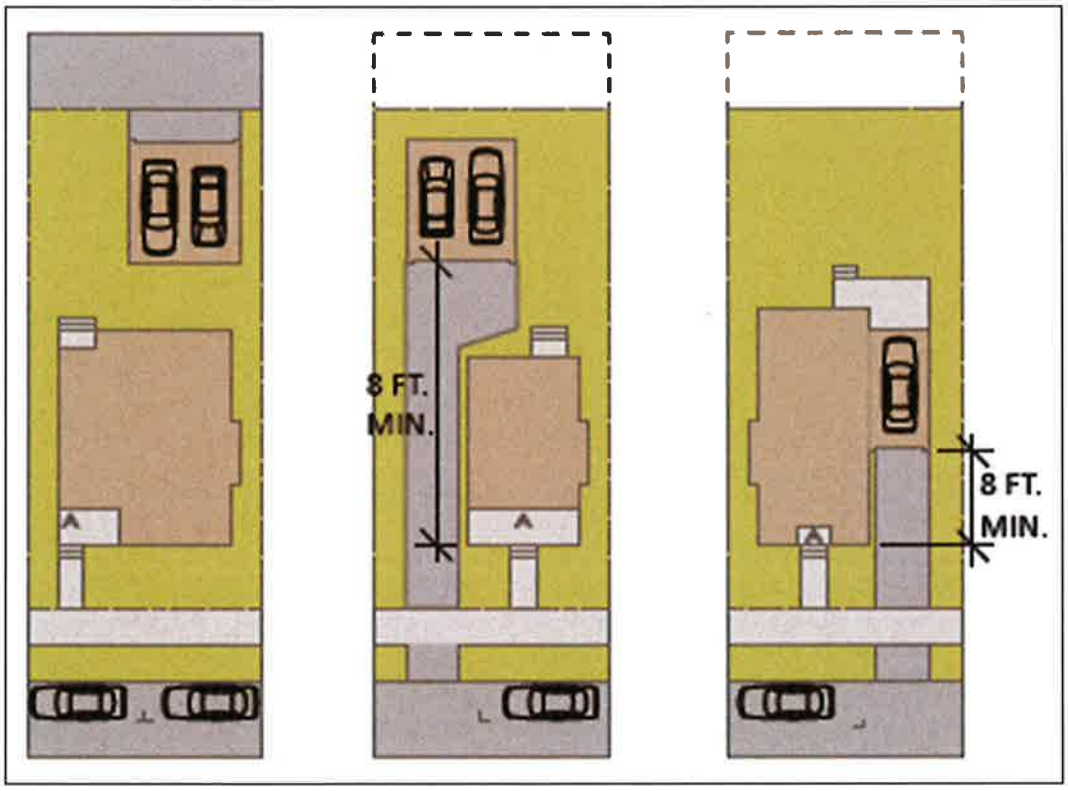
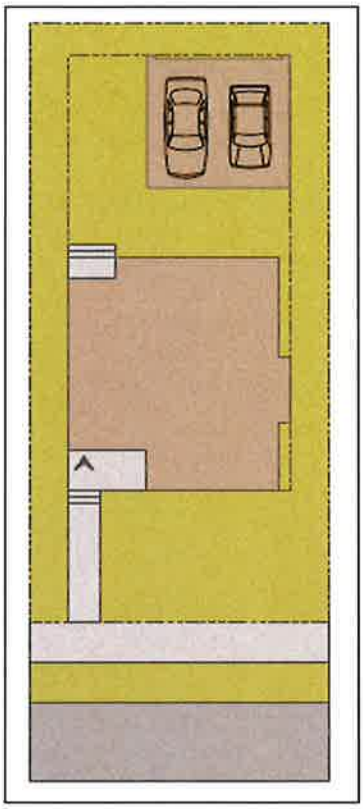
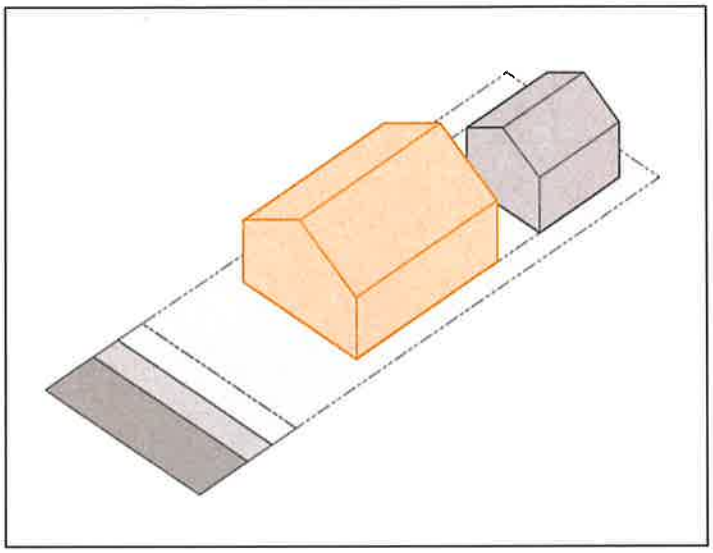
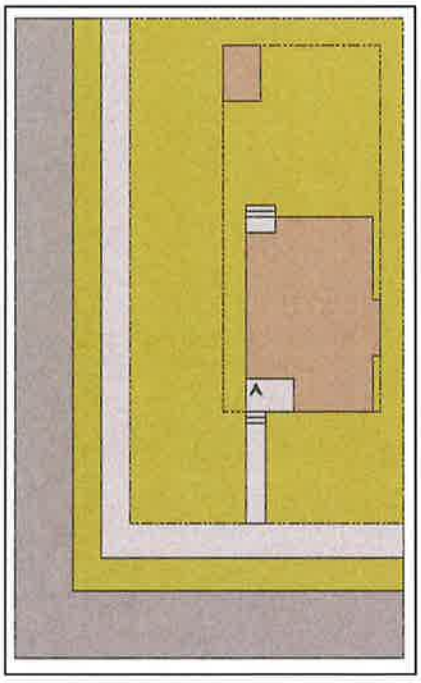


Figure 5: Accessory Building (Garage or Shed) Location on Lot







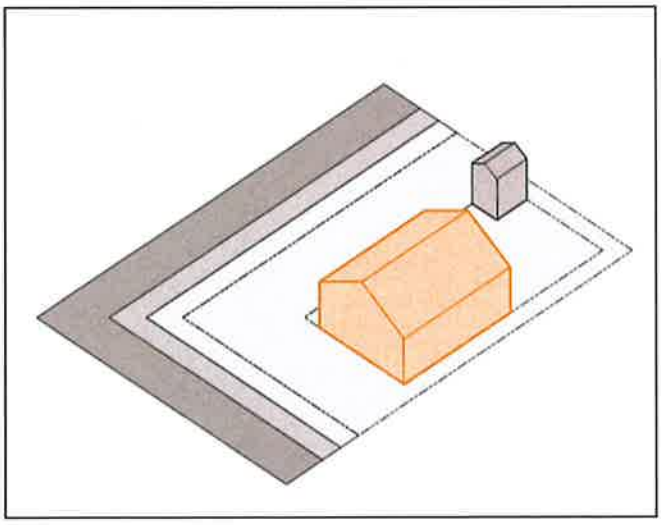
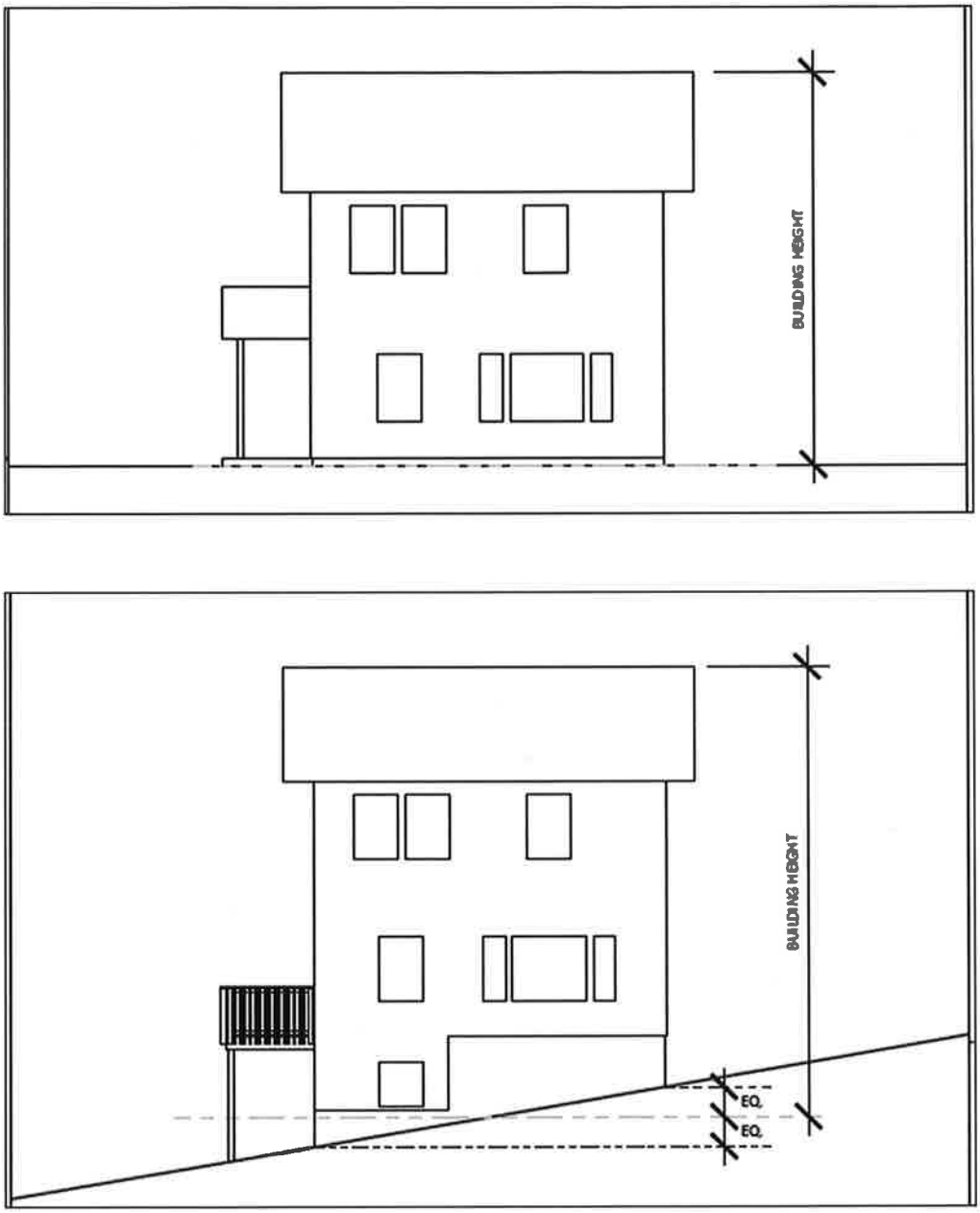
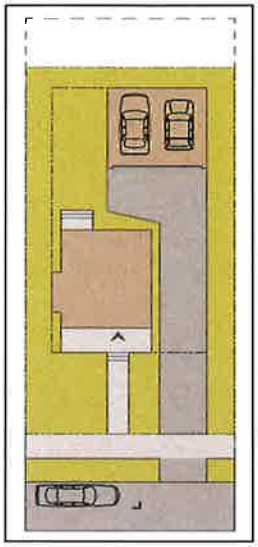


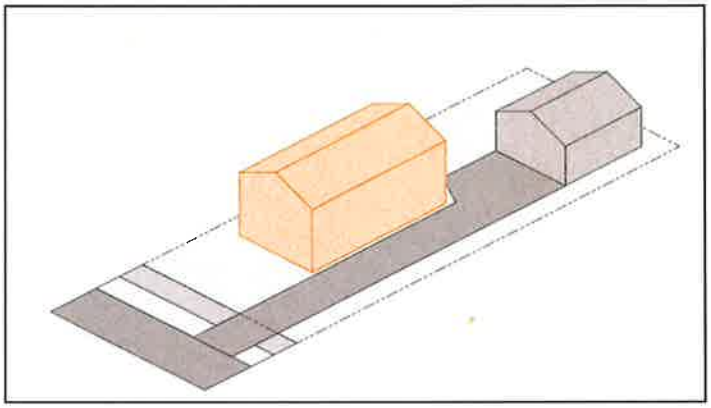
Figure 6: Building Height

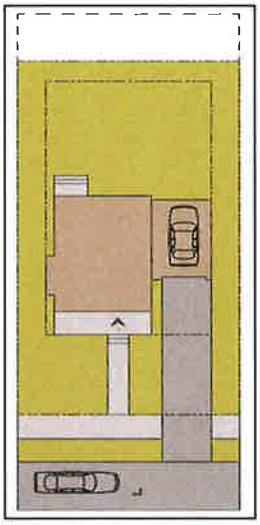


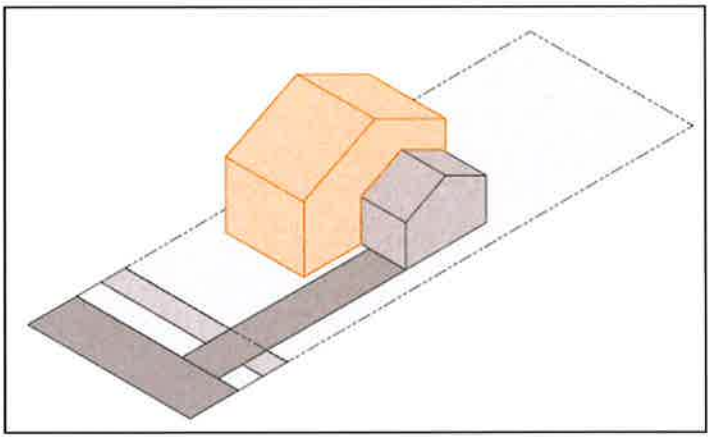
20.48.120 – Lot Layout Diagrams

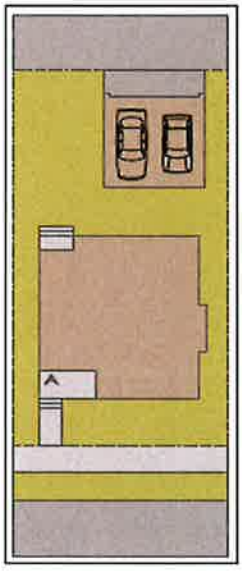
Figure 7: Single Family Residence











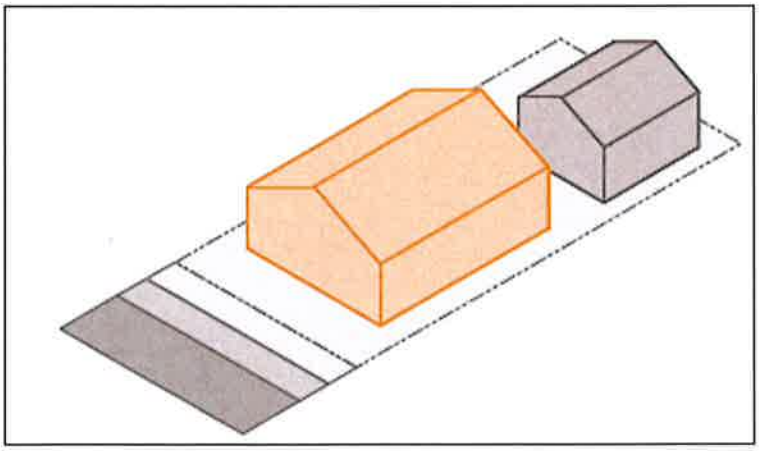
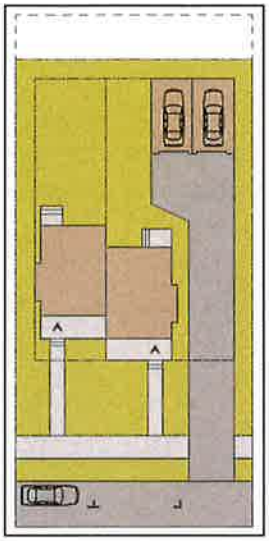
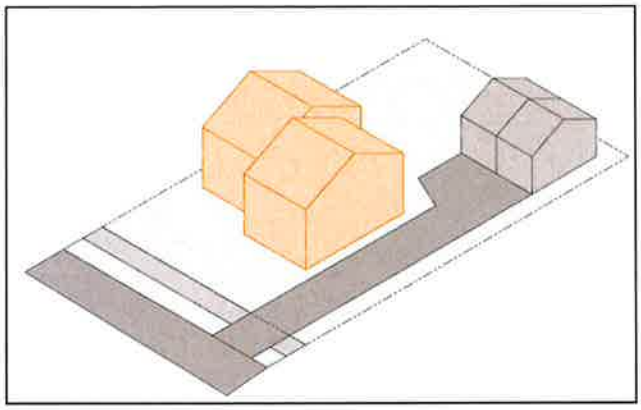
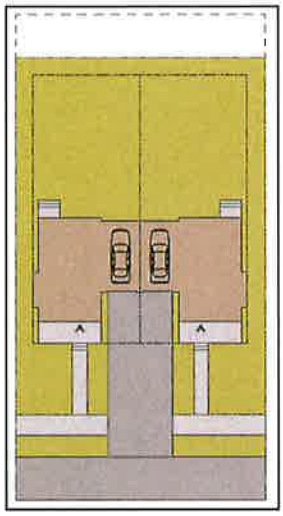
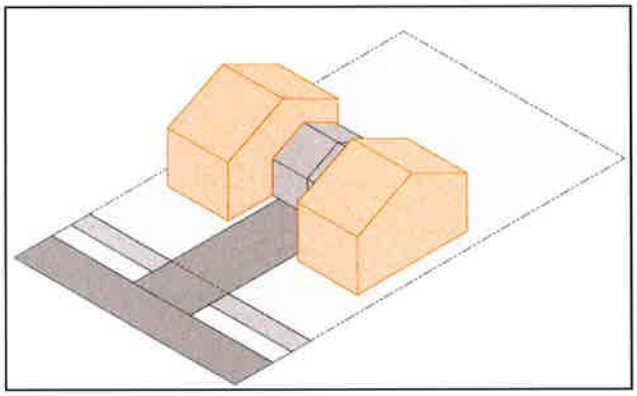


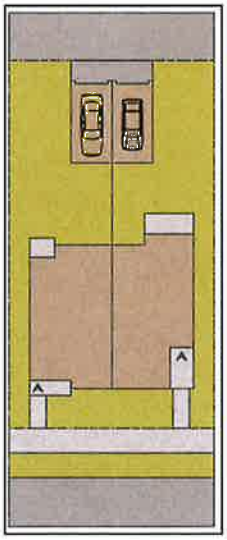
Figure 8: Duplex











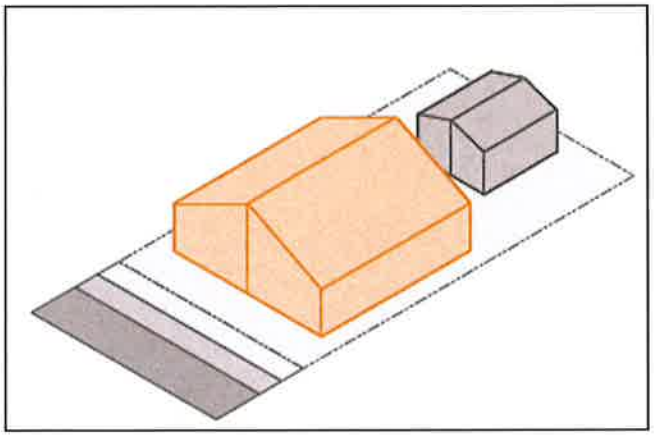
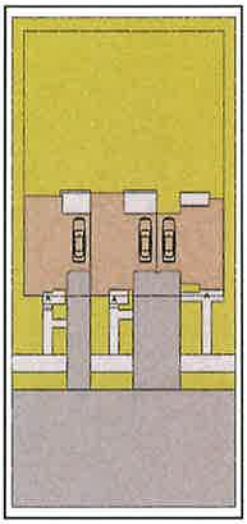
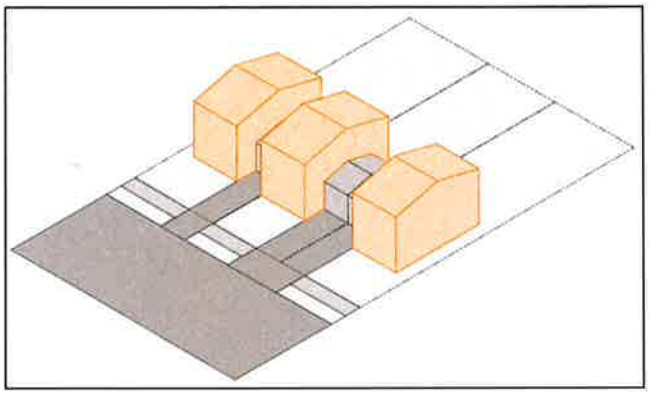
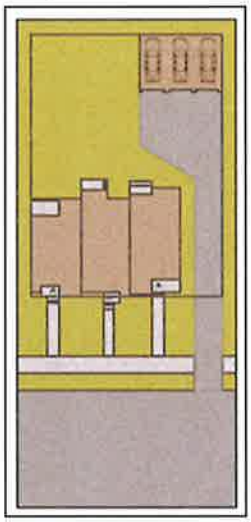
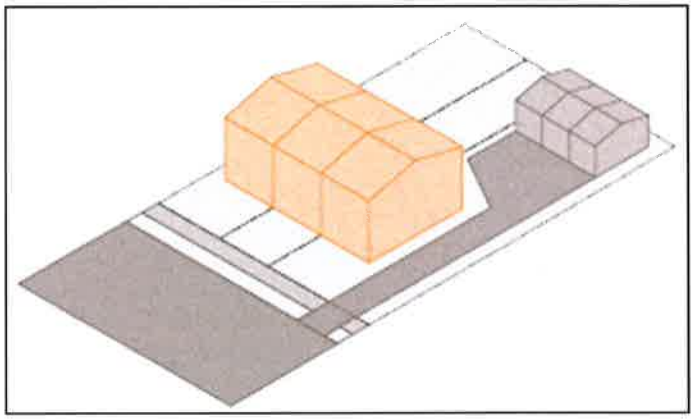


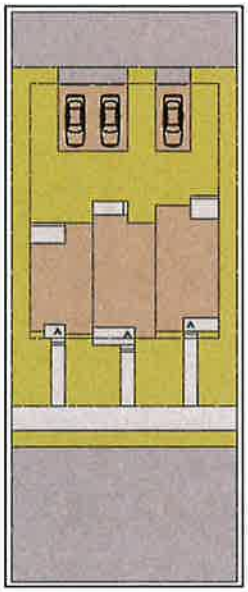
Figure 9: Triplex











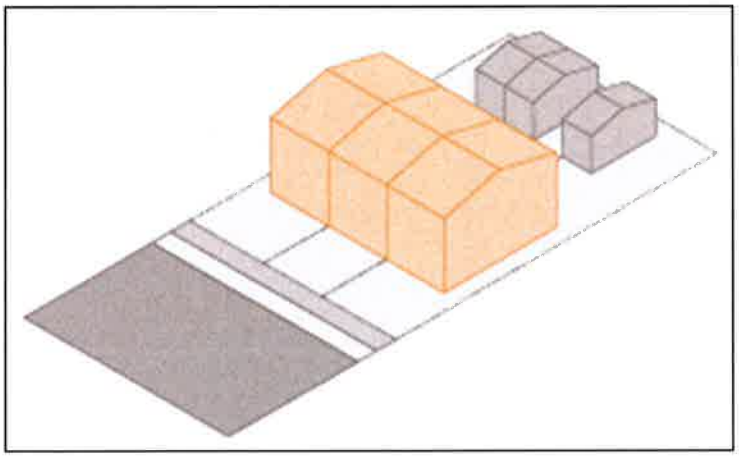


Figure 10: Townhouse

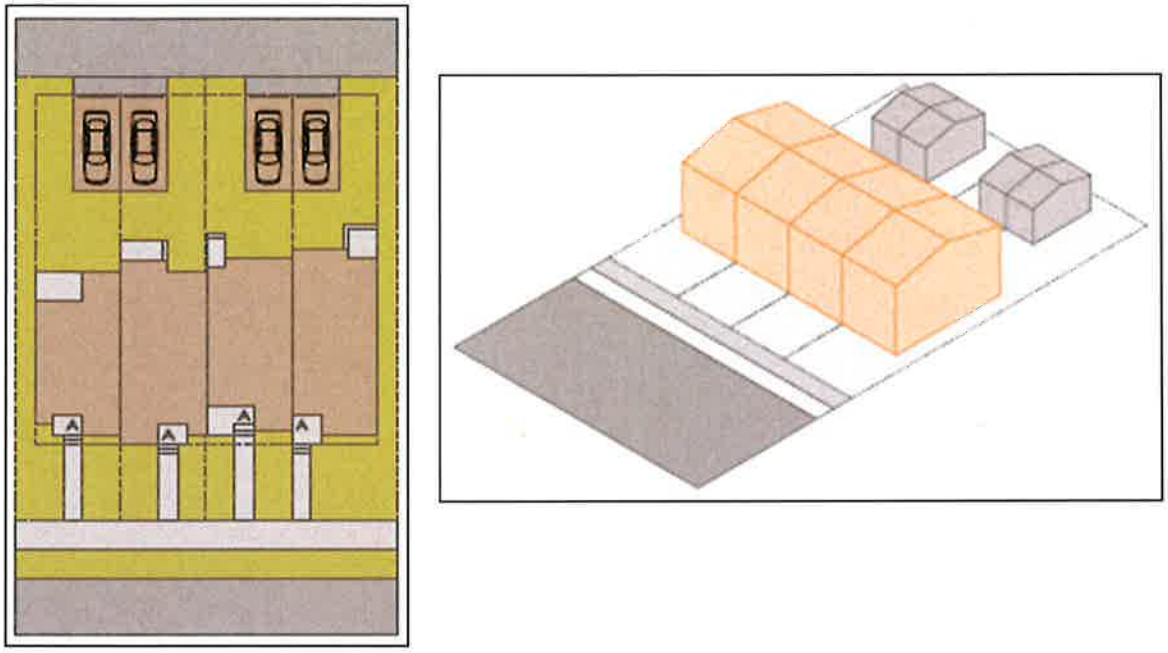


Figure 11: Cottage Housing

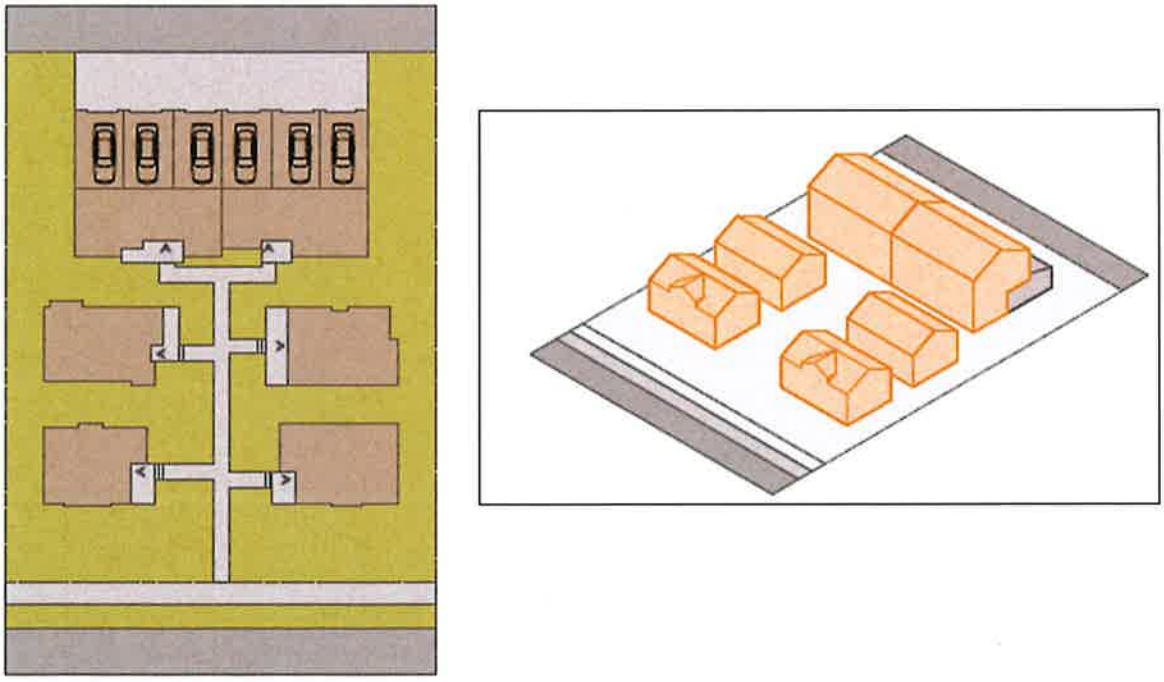


Figure 12: Multi-Family Fourplex

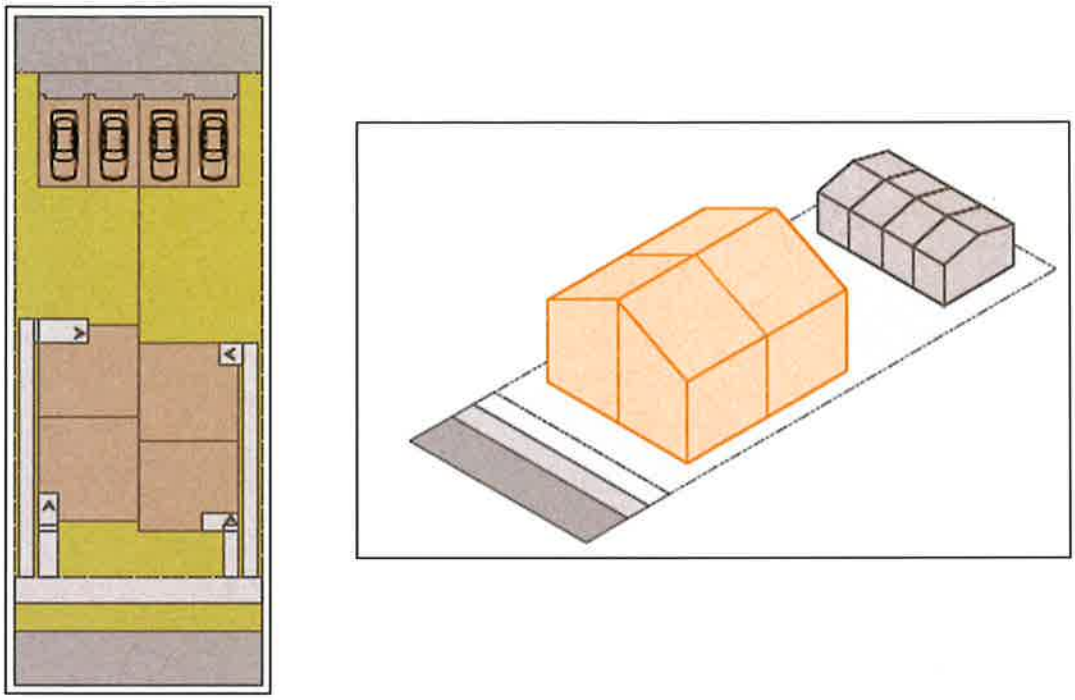


Figure 13: Multi-Family Apartment

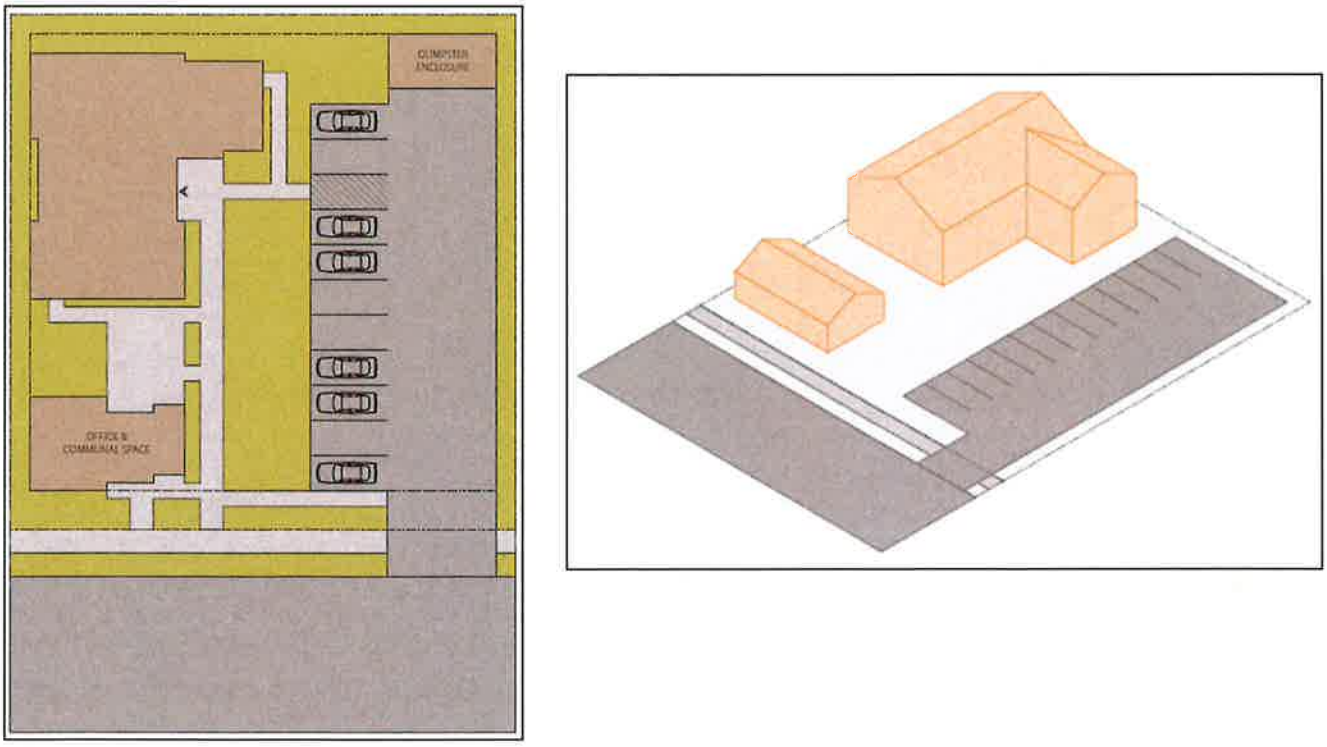
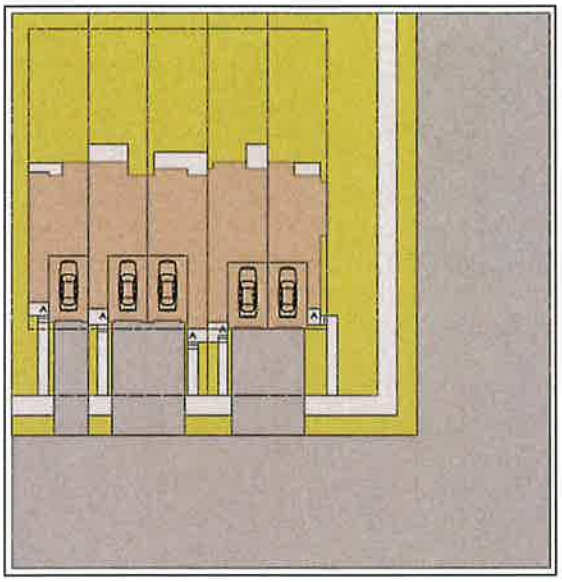
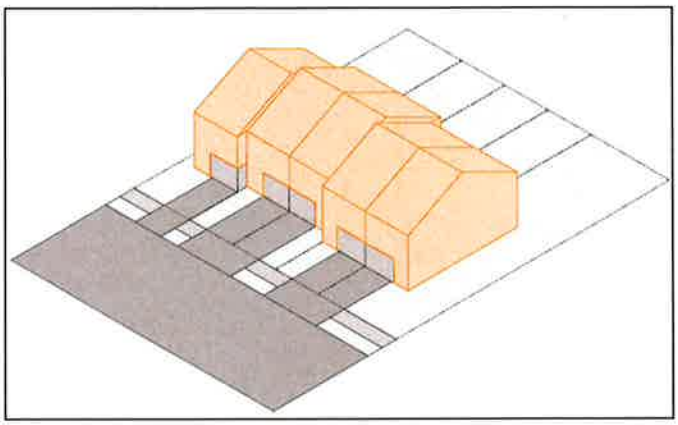
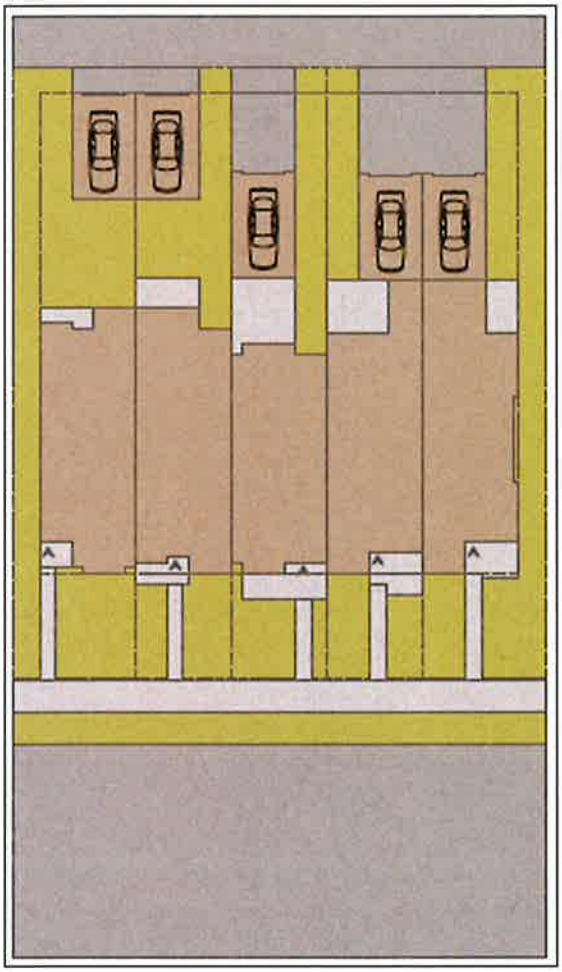


Figure 14: Rowhouse







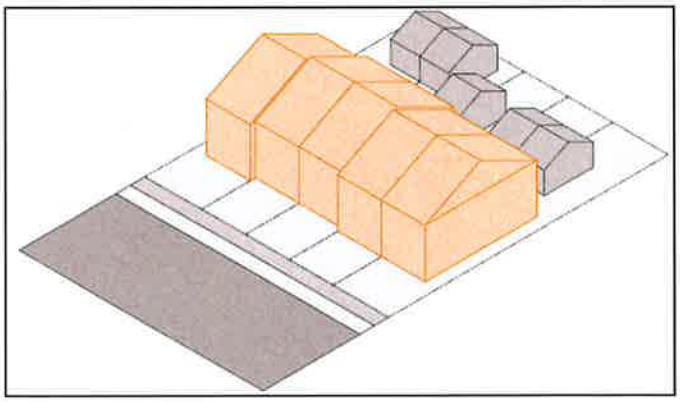
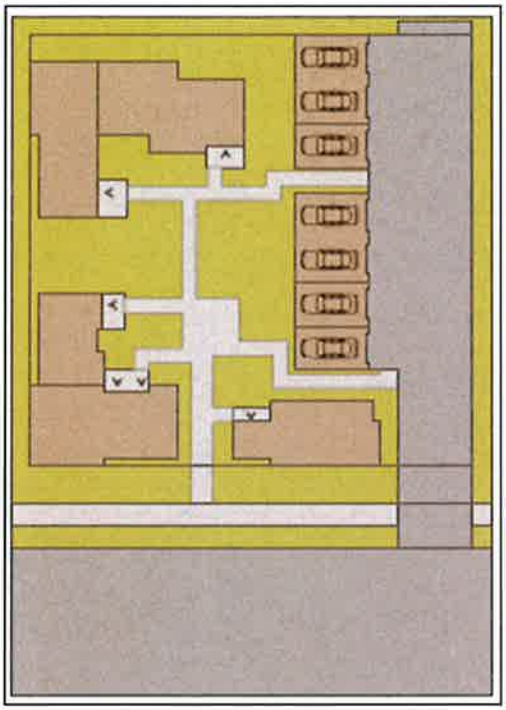
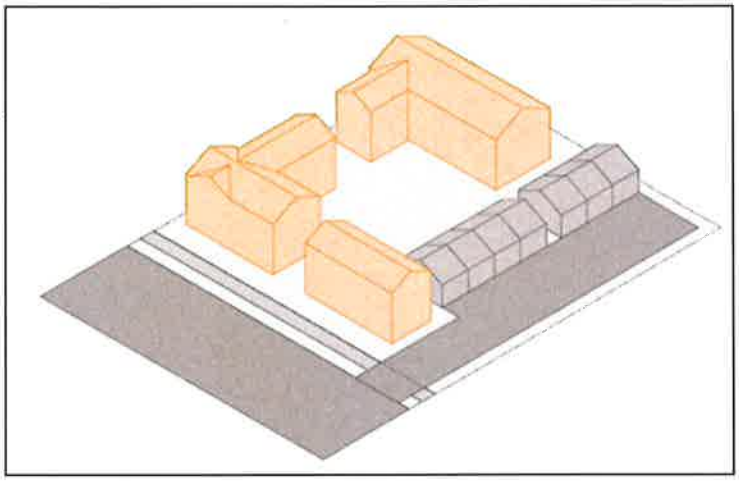
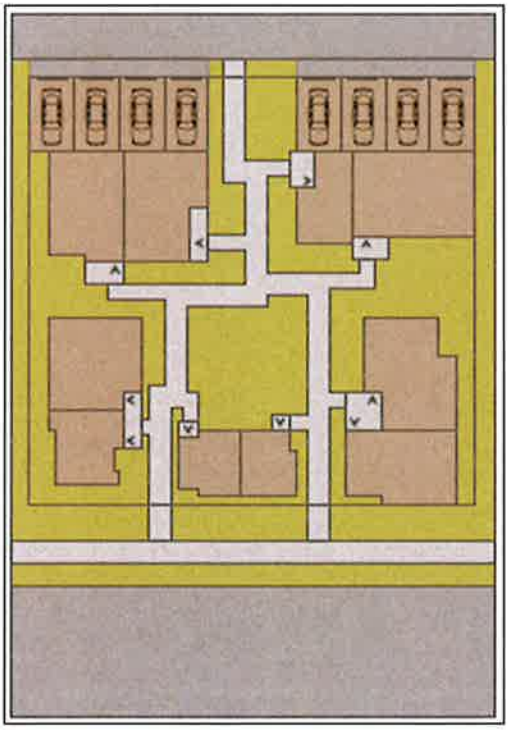


Figure 15: Multi-Family Garden Apartments







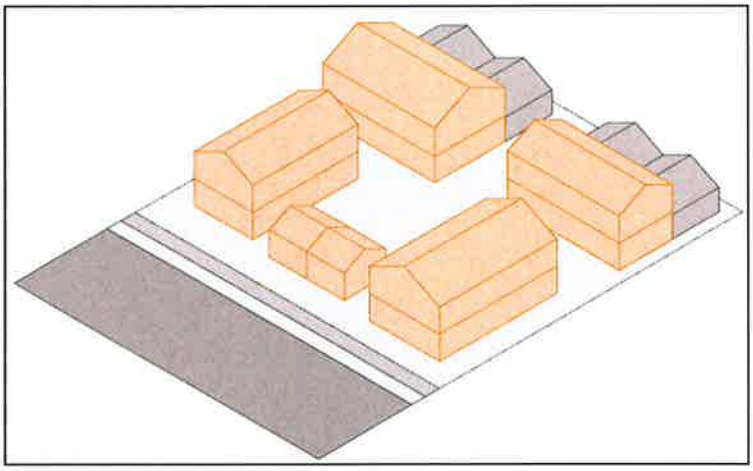


Figure 16: Accessory Dwelling Unit Locations

Detached Standalone Structure

Above an Attached Garage

Above a Detached Garage

Within the Attic of a Single-Family House

Within the Basement of a Single-Family House

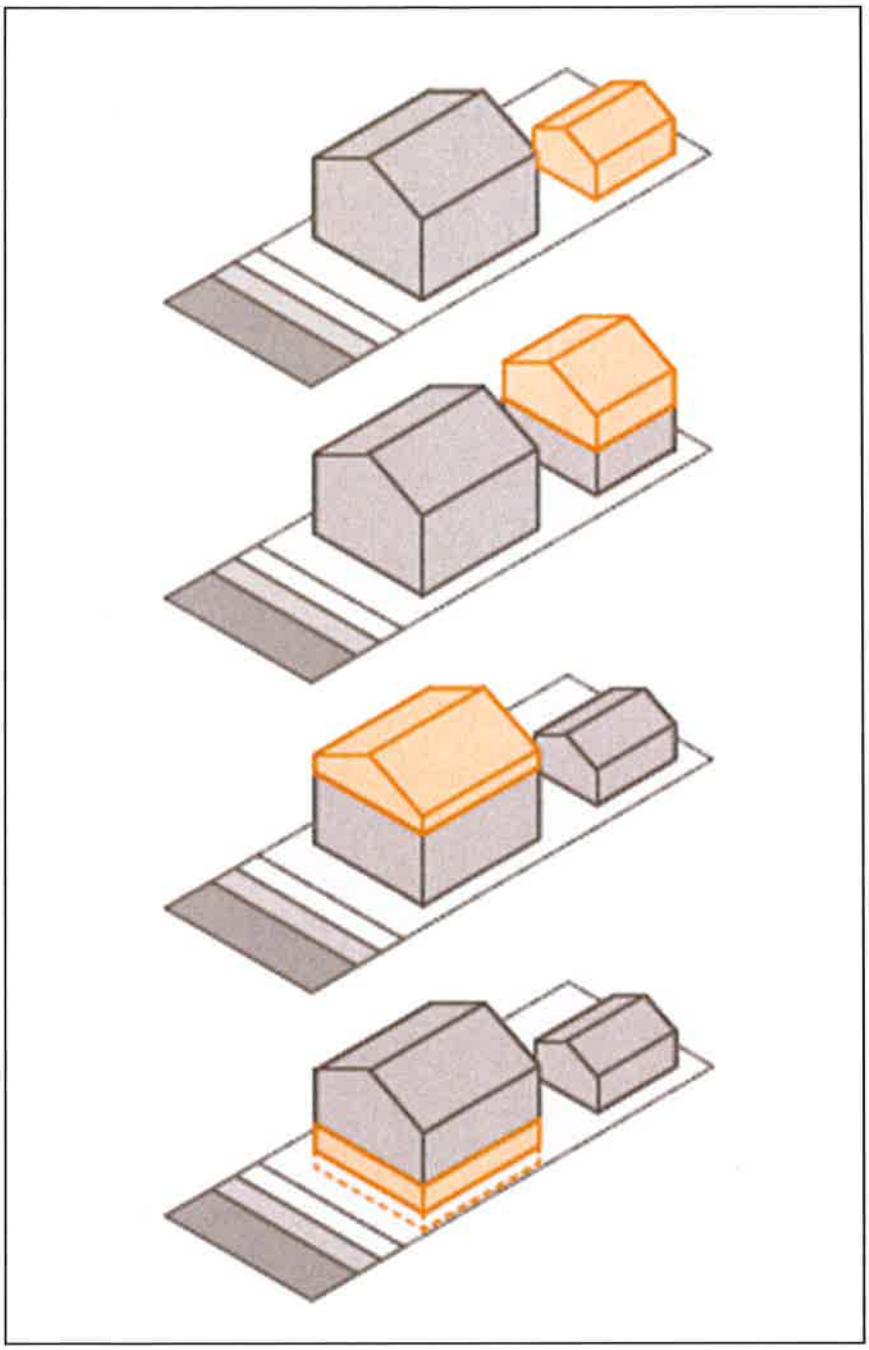
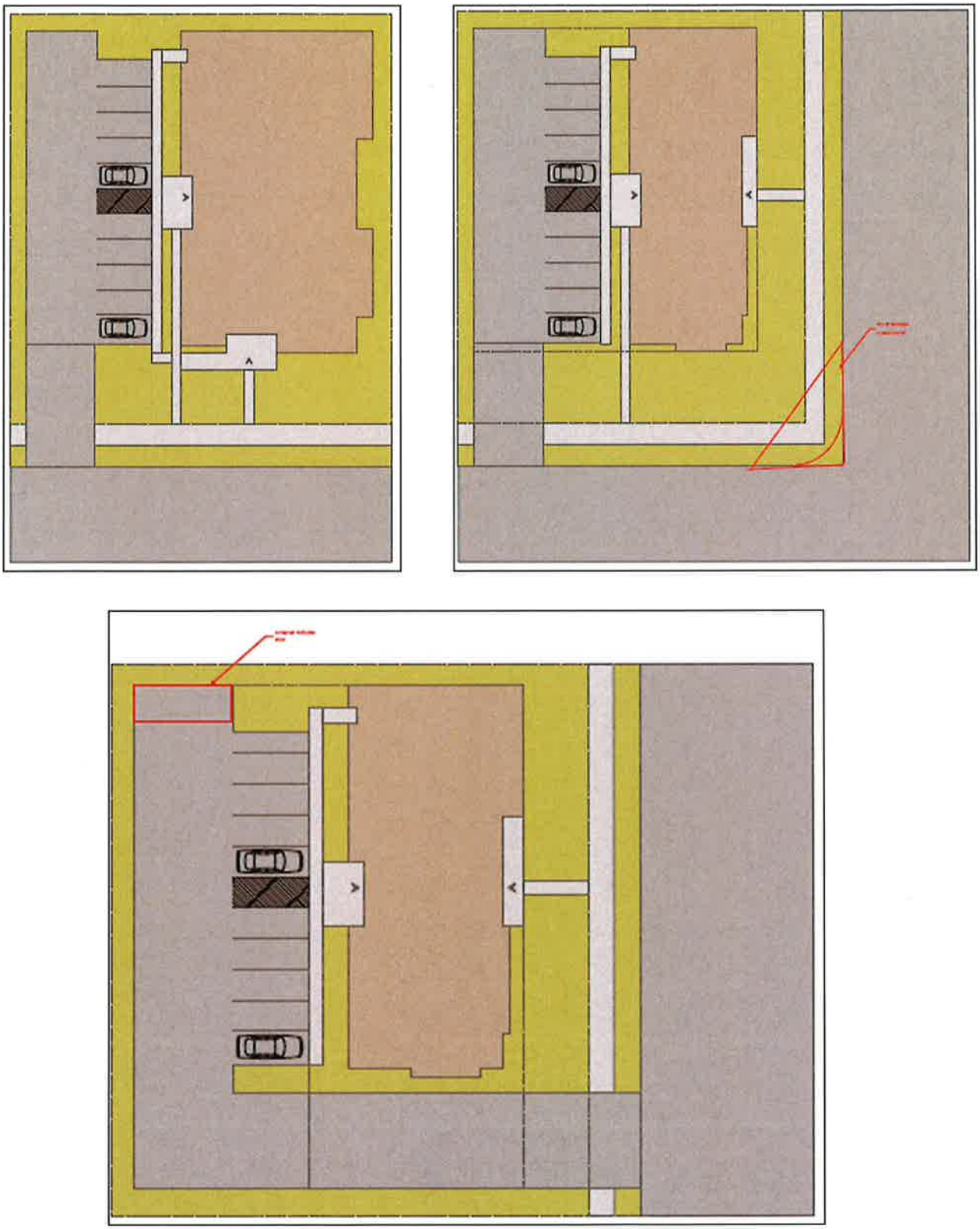


Figure 17: Commercial and Industrial Building



CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-021 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-021

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.48 OF THE ARLINGTON MUNICIPAL CODE REGARDING DENSITY AND DIMENSIONAL REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-022

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.52 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING FOR RECREATIONAL FACILITIES

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.52.010(c) shall be and hereby is amended to read as follows:

(c) The City Council recognizes that mini-parks must be of a certain minimum size to be usable and that such mini-parks will not serve the intended purpose unless properly maintained. Therefore, residential developments that are small enough so that the amount of required mini-park space does not exceed two thousand square feet may: (i) dedicate the same amount of land outside of the project but adjacent to another park within the vicinity of the project; or (ii) deposit a fee per expected person as set by resolution (as calculated in Subsection (b)) into the "In Lieu Park Open Space Fund~~.~~" (Neighborhood / Mini-Park In Lieu Fee). Said fund is to be used for acquisition and development of mini-park land or provision of mini-park and recreation services within the service area of the plat.

Section 2. Arlington Municipal Code section 20.52.030 shall be and hereby is amended to read as follows:

20.52.030 Usable Open Space.

(a) ~~Except as provided in Subsection (c), every~~ Every residential development shall be developed so that at least ~~five~~ ten percent (10%) of the total area of the development remains permanently as usable open space.

(b) For purposes of this section, usable open space means an area that:

(1) Is not encumbered with any substantial structure or utility easement for distribution lines,

(2) Is not devoted to use as a roadway, parking area, or sidewalk,

(3) Is left (as of the date development began) in its natural or undisturbed state if wooded, except for the cutting of trails for walking or jogging, or, if not wooded at the time of development, is landscaped for ball fields, picnic areas, or similar facilities, or is properly vegetated and landscaped with the objective of creating a wooded area or other area that is consistent with the objective set forth in ~~Subdivision~~ section (4),

(4) Is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation,

(5) Is legally and practicably accessible to the residents of the development out of which the required open space is taken, or to the public if dedication of the open space is required pursuant to §20.52.040 (Dedication, Ownership, and Maintenance of Recreational Areas and Open Space),

(6) Consists of land no more than twenty-five percent of which lies within a floodplain or floodway as those terms are defined in §20.08.010 (Definitions of Basic Terms) or of slopes greater than five percent, or a critical area buffer,

(7) The length of the area shall be no more than twice its width, and

(8) Those environmentally critical areas protected pursuant to ~~Chapter 20.88~~ Chapter 20.93 (~~Environmentally~~ Critical Areas Ordinance) shall not be counted toward the project's usable open space requirement.

~~(c) Subdivided residential developments of less than twenty-five dwelling units are exempt from the requirements of this section unless the city agrees that it will accept an offer of dedication of such open space, and in that case the offer of dedication shall be made.~~

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Pelffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-022 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-022

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.52 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING FOR RECREATIONAL FACILITIES"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-023

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.56 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING STREETS AND SIDEWALKS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.56 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"

Chapter 20.56

STREETS AND SIDEWALKS

Sections:

20.56.010 Street Classification.
20.56.015 Complete Streets.
20.56.020 Costs of Right-of-Way Installation and Improvements Borne by Applicant.
20.56.030 Access to Lots.
20.56.040 Access to Arterial Streets.
20.56.050 Entrances to Streets.
20.56.060 Neighborhood Access and Coordination with Surrounding Streets.
20.56.070 Relationship of Streets to Topography.
20.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.
20.56.090 General Layout of Streets.
20.56.100 Dead End Streets/Cul-de-Sacs.
20.56.110 Temporary ¾-Streets.
20.56.120 Street Intersections.
20.56.130 Construction Standards and Specifications.
20.56.140 Construction Drawings Required Prior to Installation.
20.56.150 Inspection of Public Improvements Required Prior to Issuance of Final Permits.
20.56.155 Private Roads
20.56.160 Public Streets and Private Roads in Subdivisions.
20.56.170 Right-of-Way Improvements and Dedication to Precede Development or Building.
20.56.180 Road and Sidewalk Requirements in Unsubdivided Developments.
20.56.190 Off-Site Traffic Mitigation.
20.56.200 Attention to Disabled Persons in Street and Sidewalk Construction.
20.56.210 Street Names and House Numbers.
20.56.220 Bridges.
20.56.230 Utilities.
20.56.240 Vacations of Public Rights-of-Way.
20.56.250 Right-of-Way Permit Required.
20.56.260Street Assessment Reimbursement Agreements

20.56.010 Street Classification.

(a) Except as provided for in Subsection (c), in all new development, all streets shall be dedicated to public use, and shall be classified as provided in Subsection (b).

(1) Most streets are provided a classification by the Transportation Element of the City's Comprehensive Plan. Where a street is not classified therein, the classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day;

(2) The number of dwelling units to be served by the street may be used as an indicator of the number of trips but is not conclusive;

(3) Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.

~~(3)~~(4) The type of development, layout of the lot, and constraints of a property may require special provisions to be made outside of the below street classifications. Any deviation from the listed street classifications shall obtain approval from the Community and Economic Development Department.

(b) The classification of streets and other rights-of-way generally shall be as follows (see Chapter 20.08, Definitions, for definitions of each):

(1) *Pedestrian-way.*
(2) *Minor Trail.*
(3) *Major Trail.*
(4) *Utility Easement.*
(5) *Alley.*
(6) *Private Road.* ~~*Access Tract or Easement.*~~
~~(a) A Single Family Residential Access Tract or Easement.~~
~~(b) A Non-Single Family Residential Access Tract or Easement.~~
(7) *Cul-de-sac.*
(8) *Local Access.*
(9) *Local Collector.*
(10) *Collector Arterial.*
(11) *Arterial (4-lane).*
(12) *Arterial (5-lane).*
(13) *County Road.*
(14) *State Highway.*
(15) *Frontage Street.*

(c) ~~Neither Single Family Residential nor Non-Single-Family Residential Access Tracts or Easements~~Private Roads, where allowed, shall not be dedicated to the public.

20.56.015 Complete Streets.

(a) The City of Arlington will, to the maximum extent practical, implement complete streets. For purposes of 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.

(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 is required.

(c) Complete streets will be implemented through the scoping, planning, designing, building, operating, and maintaining an integrated and connected transportation system.
(d) All development projects shall submit a complete streets checklist with permit application and follow the Complete Streets Policy.

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 improvements to be dedicated to the public shall be borne by the applicant.

20.56.030 Access to Lots.
(a) 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.
~~(a)~~(b) Access to lot(s) will not be granted unless the required right-of-way is dedicated to the city.

20.56.040 Access to Arterial Streets.
Whenever a development that involves the creation of one or more new streets borders on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this subdivision onto this street unless no other access is possible.

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:
  (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. In particular, driveways or other openings onto Collector Arterials, Arterials, or State Highways shall be designed so as to not require that vehicles back out onto the public street.
  (3) Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property, as determined by the ~~Public Works~~Community and Economic Development Director.
  (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.
  ~~(4)~~(5) Only one driveway per single family residence is allowed.
(b) Specifications for driveway entrances are set forth in the administrative guideline entitled "Public Works' Construction Standards and Specifications." If driveway entrances and other openings onto streets are constructed in accordance with the foregoing specifications and requirements, this shall be deemed *prima facie* evidence of compliance with the standard set forth in Subsection (a).

(c) For purposes of this section, the term *prima facie* evidence means that the permit-issuing authority may (but is not required to) conclude from this evidence alone that the proposed development complies with Subsection (a).

20.56.060 Neighborhood Access and Coordination with Surrounding Streets.

(a) All developments which shall create or cause to exist more than 49 dwelling units or more (new or a combination of new and existing) or non-residential developments that may attract 150 or more people (including employees and customers) at any one time (new or a combination of new and existing) shall have more than one point of access to the surrounding public street. An applicant may request in writing a waiver of this code requirement. The City, in its sole discretion, may waive this requirement when, in the opinion of the Fire Chief or his or her designee, adverse life and safety issues are adequately addressed by the proposed development. For the purposes of this section, an emergency access (crash gate) shall not be considered a vehicular access point and a boulevard shall be considered one access point.

(b) From the point where a neighborhood has one point of access, no lot shall be more than 600 feet from the common point of access unless no other practicable alternative is available in the opinion of the ~~Public Works~~Community and Economic Development Director.

(c) The street system of a subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section.

(d) Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.

(e) Local collectors and local access streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons.

(f) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended, and the street developed to the far property line of the subdivided property (or to the far edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Temporary access easements shall be granted over portions of such turn-arounds, which may be automatically relinquished upon extension of the right-of-way. Frontage improvements need not be installed on bulb of the temporary turn-around; the developer extending the right-of-way shall install these. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000 feet may be created unless no other practicable alternative is available.

20.56.070 Relationship of Streets to Topography.

(a) Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff objectives set forth in Chapter

20.64 (Flooding, Floodways, Drainage, & Erosion), and street grades shall conform as closely as practicable to the original topography.

(b) The maximum grade at any point on a street shall not exceed that set in Table 20.56-1 unless no other practicable alternative is available. However, in no case may streets be constructed with grades that, in the professional opinion of the ~~Public Works~~ Community and Economic Development Director, create a substantial danger to the public safety.

20.56.080 Street Width, Sidewalk, and Drainage Requirements in Subdivisions.

(a) Street rights-of-way are designed and developed to serve several functions: (i) to carry motor vehicle traffic, and in some cases, allow on-street parking; (ii) to provide a safe and convenient passageway for pedestrian traffic; and (iii) to serve as an important link in the City's drainage system. In order to fulfill these objectives, all public streets shall be constructed to meet either the standards set forth in Subsection (b) or Subsection (c).

(b) All existing and planned arterial or larger streets which the City deems necessary for the completion of the City's transportation system are shown and classified in the City's Transportation Plan, which is found in the Comprehensive Plan. However, that list is non-exhaustive, and a permit applicant may propose other streets.

(c) Any permit application shall be reviewed for conformance with the Transportation Plan. If a planned street is shown to run through or adjacent to a property proposed for development, the proposal must include a roadway system in general conformance to this plan, including the dedication of the appropriate full or half-street right-of-way for the street, as shown in Table 20.56-1 to be in conformance with the Comprehensive Plan.

(d) All public streets shall be constructed with curb, gutter, sidewalk, and, as provided in §20.76.110 (Required Trees Along Dedicated Streets), landscape strips and street trees. Only standard vertical curb may be used. Street pavement width shall be measured from curb face to curb face.

(e) Private Roads may construct sidewalks through one of the following options and at the discretion of the community and economic development director:

(1) Vertical curb, sidewalk, and gutter; or

(2) Rolled curb to sidewalk; or

(3) At grade concrete sidewalk abutting asphalt drive aisle for visual separation; or

(4) At grade asphalt sidewalk with painted white line for separation; or

~~(1)~~(5) At grade alternative sidewalk treatment approved by the Community and Economic Development Director.

~~(d)~~(f) Sidewalks required by this section shall be at least five feet in width, on both sides of streets, and constructed according to the specifications set forth in the administrative guideline entitled "Public Works Construction Standards and Specifications."

~~(e)~~(g) Whenever the permit-issuing authority finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets as required above, the developer may be required to reserve an unobstructed easement of at least ten feet in width to provide such access.

Table 20.56-1: Public and Private Street and Right-of-Way Improvement Requirements

Roadway Classification	ROW Width	Pavement Width	Vertical Curb/ Gutter	Planting Strip	Side-walk	Bike Path	Lane Width	No. of Lanes	Inside Radius	Maximum Slope	Easement Width
Pedestrian-way	N/A	8'	N/A	N/A	N/A	N/A	N/A	N/A	N/A	ADA Compliant	10'
Minor Trail	N/A	8' of pervious, ADA compliant surface and slope									10'
Major Trail	N/A	12'	2' gravel shoulders plus landscaping, ADA compliant surface and slope								20'
Utility easement	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	15' ~~min~~
Public Alley	20'	16'	N/A	N/A	N/A	N/A	N/A	N/A	N/A	14%	N/A
Private Alley	16'	16'	N/A	N/A	N/A	N/A	N/A	N/A	N/A	14%	N/A
Private Road ~~Access Tract or Easement, Single-Family~~	N/A	20'	N/A	N/A	~~N/A~~5'	N/A	N/A	N/A	N/A	15%	25'
~~Private Access Tract or Easement, Non-Single-Family~~	~~To be sized similar to public roads, using those criteria.~~										
Cul-de-Sac	60'	~~50'~~49'	6"	~~4.~~5'	5'	N/A	N/A	2	27.8'	14%	N/A
	Bulb = 35' curb radius; 50' radius to curb; & 60' radius to right-of-way										
Local Access	50'	~~30'~~29'	6"	~~4.~~5'	5'	N/A	15'	2	N/A	14%	N/A
Local Collector	60'	~~40'~~39'	6"	~~4.~~5'	5'	5'/7'	15'/13'	2	N/A	12%	N/A
Collector Arterial	64'	~~44'~~43'	6"	~~4.~~5'	5'	5'	11'	3	N/A	10%	N/A
Arterial (4-lane)	90'	~~58'~~57'	6"	~~4.~~5'	5'	5'	12'	4	N/A	8%	N/A
Arterial (5-lane)	100'	~~70'~~69'	6"	~~4.~~5'	5'	5'	12'	5	N/A	8%	N/A
State Highway	Determined by Public Works and Community and Economic Development Director in consultation with WSDOT										

20.56.~~100~~090 General Layout of Streets.

(a) All streets shall be in compliance with the Transportation Plan of the Comprehensive Plan. Additionally, streets in an existing grid system or area in which an existing grid system can be extended shall be straight whenever practicable to the extent necessary to preserve and continue the grid system.

(b) The maximum and minimum width of blocks should be that which is sufficient to allow for two tiers of lots (plus width of an alley or public utility easement, if any), unless existing conditions are such, in the judgment of the decision-making authority, to render such requirements undesirable or impractical.

(c) The maximum length of residential blocks in an existing or extended grid system should be 400 feet; those not in a grid system should be 1,200 feet, and the minimum length should be 400 feet, unless no other practicable alternative is available.

(d) In all cases, streets shall be laid out so that the lengths, widths, and shapes of blocks adequately address the following.
  (1) Provision of adequate building sites suitable to the type of use contemplated;
  (2) The zoning requirements can be met on future building permits;
  (3) The limitations and opportunities of the topography;
  (4) The needs for convenient access, circulation, control, and safety of vehicular and pedestrian traffic are considered.

(e) To the extent practicable, driveway access to arterial and collector streets shall be minimized to facilitate the free flow of traffic and avoid traffic hazards.

(f) Pedestrian-ways shall be required near the middle of all blocks longer than eight hundred (800) feet unless deemed infeasible by the permit issuing authority.

(g) Where a tract is subdivided into lots or tracts of an acre or more, the decision-making authority may require an arrangement of lots and streets such as to permit a later re-subdivision in conformance with the street and lot requirements specified in these regulations.

(h) There shall be no reserve strips controlling access to streets, except where such strips are required by the City.

20.56.100 Dead End Streets/Cul-de-Sacs.

(a) Dead-end streets shall be avoided. Cul-de-sacs may be used only when conditions warrant their use. Maximizing the number of lots in a project does not warrant their use. Where roads have a potential for extending to adjacent properties and creating connections (either current or future) they should do so.

(b) When allowed under subsection (a), all permanent dead-end streets (as opposed to temporary dead-end streets, see Subsection 20.56.060(d) (Neighborhood Access and Coordination with Surrounding Streets) shall be developed as cul-de-sacs in accordance with the standards set forth in Subsection (d).

(c) Except where no other practicable alternative is available, such streets may not extend more than 600 feet (measured to the center of the turnaround).

(d) The right-of-way of a cul-de-sac shall be that identified in

(e)

(f) Table 20.56-1, above.

20.56.110 Temporary ¾-Streets.

(1) Temporary ¾-streets (i.e., streets of less than the full-required right-of-way and pavement width) may be allowed at the discretion of the decision-making authority under the following conditions:
   (1) Where such street, when combined with a similar street developed previously, simultaneously, or anticipated to be built within a reasonable time frame on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this title.
   (2) Where no more than 10 dwelling units will use the ¾-street.
   (3) Where a temporary ¾-street is allowed, the portion to be built shall be paved, at a minimum, to a width equal to ¾ of the ultimate paved width. Curb, gutter, sidewalk, landscape strip, and street trees are to be built in conjunction with each respective half-street on the side adjacent to the proposed project.
   (4) Where a public right-of-way easement has been or is being dedicated to the City over those portions of the adjacent property to be used as a half-street.

20.56.120 Street Intersections.

(a) Streets shall intersect at 80°to 90°. Not more than two streets shall intersect at any one point or vary from the above angle of intersection unless the ~~Public Works~~Community and Economic Development Director certifies to the permit-issuing authority that such an intersection can be constructed with no extraordinary danger to public safety.
(b) Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. In any event, where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than 150 feet. On any street classified as an arterial the distance between centerlines of the intersecting streets shall be not less than 300 feet.
(c) Except when no other alternative is practicable or legally possible, no two streets may intersect with an arterial on the same side at a distance of less than 1,000 feet measured from centerline to centerline of the intersecting street.

20.56.130 Construction Standards and Specifications.

Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the ~~administrative guideline entitled~~ "Public Works Construction Standards and Specifications," and all such facilities shall be completed in accordance with these standards.

20.56.140 Construction Drawings Required Prior to Installation.

(a) No right-of-way improvements shall be installed without first obtaining construction plan approval from the ~~Public Works~~Community and Economic Development Director. Said right-of-way improvement plans shall be prepared pursuant to the "Public Works Construction Standards and Specifications."

(b) Site Civil Plans shall be valid for eighteen (18) months from approval date. One six (6) month extension may be granted by the ~~Public Works~~Community and Economic Development Director if requested in writing by the applicant prior to original expiration date. If plans expire, an additional fee (50% of original plan review fee, as set by resolution) shall be assessed to re-review the plans for compliance with current standards.

20.56.150 Inspection of Public Improvements Required Prior to Issuance of Final Permits.

All public improvement work shall be inspected and approved by the ~~Public Works~~Community and Economic Development Director or his representative prior to issuance of any final land use or building permit.

20.56.155 Private Roads.

(a) Private roads shall be contained in an easement or tract and will be allowed when:
  (1) A covenant that provides for maintenance and repair of the private road by property owners has been approved by the city and recorded with Snohomish County; and
  (2) The covenant includes a condition that the private road will remain open at all times for emergency and public service vehicles; and
  (3) The private road would not hinder public street circulation; and
  (4) All of the following conditions must be met:
    (A) The Community and Economic Development Director determines that due to physical site constraints or preexisting development no other reasonable access is available. The proposed private road would be adequate for transportation and fire access needs, and the private road would be compatible with the surrounding neighborhood character; and
    (B) The private road would be part of a unit lot subdivision, minor subdivision (for two-family residences or greater), cottage housing or small multi-family development; and
    (C) Adequate looped road is proposed.
  (5) Absent any of the above conditions, public streets are required.

(b) The design and construction of private roads shall conform to the requirements of the public works standards.

(c) Private roads shall be designed such that vehicles attempting to enter the private road will not impede vehicles in the travel lane of the public street.

(d) The continued use of a preexisting private road is not guaranteed with the development of a site.

(e) No private road shall be approved where undesirable impacts, such as vehicles backing onto the public sidewalk or street, will occur.

20.56.160 Public Streets and Private Roads in Subdivisions.

(a) Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in §20.56.030 (Access to Lots) while also meeting the requirements of §20.48.030 (Lot Shape and Minimum Lot Widths). For purposes of this subsection, the term

"public street" includes a preexisting public street as well as a street created by the subdivider that meets the public street standards of this title and is dedicated for public use. The recordation of a plat shall constitute an offer of dedication of such street.

(b) Private roads shall not be allowed in subdivided residential developments unless the requirements of §20.56.155 are met.

(c) Private access tracts in Single-Family Residence developments may be allowed *only* where they provide access for four or fewer dwelling units. Where a private access tract is used, and an adjacent property is capable of being short platted with a private access tract, such tracts shall be located in such a way so as to allow them to be combined into one right-of-way sized as a Local Access in the event that the property owners wish to improve and dedicate it as a public street.

20.56.170 Right-of-Way Improvements and Dedication to Precede Development or Building.

(a) Except as noted under subsection (c), and as described by the methods listed in subsection (b), below, no land use or building permit shall be issued by the City unless or until the half (or ¾, pursuant to §20.56.110 (Temporary ¾ - Streets)) of the public rights-of-way upon which the same abuts are deemed fully improved to the standards of the right-of-way classification as specified in §20.56.010 (Street Classification), §20.56.080 (Street Width, Sidewalk, and Drainage Requirements in Subdivisions), and the City's Transportation Plan, and offered for dedication to the public.

(b) The ~~Public Works~~Community and Economic Development Director may deem Subsection (a) fulfilled under the below listed circumstances. It shall be at the ~~Public Works~~Community and Economic Development Director's discretion, based on knowledge of upcoming projects in the vicinity, safety issues, or sound engineering judgment, as to which method shall be allowed or not allowed. Improvements may be deemed fully installed:

(1) Where the rights-of-way are already improved to their classification standards and dedicated to the City.

(2) Where the City chooses to purchase rights-of-way and install the improvements. However, under no circumstances is the City obligated to do this.

(3) Where the applicant, understanding that the land use or building permit sought cannot be issued until the improvements are deemed installed by the ~~Public Works~~Community and Economic Development Director, installs or agrees to install the improvements himself at his own cost and offers the rights-of-way to the public. "Agreement to install" may be effected by the applicant accepting a permit containing a condition to install said improvements and not appealing the permit on this condition.

(4) Where the applicant has dedicated the rights-of-way to the public and provided a surety bond ensuring that the improvements shall be installed within one year. Said warranty bond shall meet the requirements of Chapter 20.12 (Administrative Mechanisms).

(5) If Subsections 1-4 are deemed infeasible by the ~~Public Works~~Community and Economic Development Director: Where the applicant has dedicated the rights-of-way to the public and elected to pay to the City an amount equal to the cost of installing the improvements. In such circumstances, said monies would be maintained in an account to be used specifically for improvements on that right-of-way within the general vicinity of the

project. The properties contributing to these improvements cannot be subject to any future Local Improvement District for those improvements being paid for.

(6) If Subsections 1-5 are deemed infeasible by the ~~Public Works~~Community and Economic Development Director: Where the applicant has dedicated the rights-of-way to the public and provided a recorded covenant power-of-attorney to the City in support of a petition local improvement district (hereinafter referred to as "LID covenant") for construction of right-of-way improvements, together with all necessary appurtenances. Forms for the LID covenant shall be provided by the City and approved by the City Attorney.

~~(6)~~(7) If required right-of-way has not been dedicated by abutting property, no legal access onto public right-of-way will be permitted.

(c) This section shall not apply to:

(1) Building permits for additions, alterations, or repairs within any twenty-four-month period that does not increase the gross floor space of an existing building or facility by more than fifty percent (50%).

(2) Building permits for residential garages, carports, or accessory structures not intended as a dwelling unit.

(3) Zoning permits for the conversion of an existing home (single family detached, one dwelling unit per lot ~~(use class 1.110))~~ to a home emphasizing special services, treatment, or supervision. ~~(use class 1.440).~~

20.56.180 Road and Sidewalk Requirements in Unsubdivided Developments.

(a) Within unsubdivided developments, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of this title dealing with parking (Chapter 20.72) and drainage (Chapter 20.64). To the extent not otherwise covered in the foregoing chapters, and to the extent that the requirements set forth in this chapter for subdivision streets may be relevant to the roads in unsubdivided developments, the requirements of this chapter may be applied to satisfy the standard set forth in the first sentence of this subsection.

(b) Whenever a road in an unsubdivided development connects two or more collector or arterial streets in such a manner that any substantial volume of through traffic is likely to make use of this road, such road shall be constructed in accordance with the standards applicable to subdivision streets and shall be dedicated to the public. In other cases when roads in unsubdivided developments within the city are constructed in accordance with the specifications for subdivision streets, the city may accept an offer of dedication of such streets.

(c) In all unsubdivided residential development, sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities. Notwithstanding the foregoing, sidewalks shall not be required where pedestrians have access to a road that serves not more than nine dwelling units.

(d) Whenever the permit-issuing authority finds that a means of pedestrian access is necessary from an unsubdivided development to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the roads, the

developer may be required to reserve and/or build an unobstructed easement of at least 10 feet to provide such access.

(e) The sidewalks required by this section shall be at least five feet wide and constructed according to the specifications set forth in the administrative guideline entitled "Public Works Construction Standards and Specifications."

20.56.190 Off-Site Traffic Mitigation.

All land use applications shall be reviewed for compliance with Chapter 20.90 (Concurrency and Impact Fees), Part 1 (Transportation Impact Fees).

20.56.200 Attention to Disabled Persons in Street and Sidewalk Construction.

(a) Whenever curb and gutter construction is used on public streets, wheelchair ramps for disabled persons shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with the standards of the "Public Works Construction Standards and Specifications" addressing accessibility.

(b) In unsubdivided developments, sidewalk construction for disabled persons shall conform to the requirements of the chapter of the Washington State Building Code addressing accessibility.

20.56.210 Street Names and House Numbers.

Street names and house numbers shall be assigned pursuant to AMC 12.16 (Street Names).

20.56.220 Bridges.

All bridges shall be constructed in accordance with City standards and specifications.

20.56.230 Utilities.

Utilities installed in public rights-of-way or along private roads shall conform to the requirements set forth in Chapter 20.60 (Utilities).

20.56.240 Vacations of Public Rights-of-Way.

Applications for vacations of public rights-of-way shall be processed according to RCW Chapter 35.79.

20.56.250 Right-of-Way Permit Required.

Prior to performing any work within a public right-of-way, the person performing the work shall obtain a right-of-way permit from the ~~Public Works~~ Community and Economic Development Director pursuant to AMC 12.40 (Right-of-Way Permits).

20.56.260 Street Assessment Reimbursement Agreements

Street assessment reimbursement agreements (latecomer's agreements) are governed by AMC 12.32, Street Assessment Reimbursement Agreements.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-023 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-023

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.56 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING STREETS AND SIDEWALKS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-024

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.60 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING AND UTILITIES

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.60.120(b) shall be and hereby is amended to read as follows:

(b) Pursuant to RCW 70.~~64~~118 and WAC 248.96, the City recognizes the Snohomish County Health District as the legitimate agency to supervise and direct the on-site sewer system permit process. All permitting and inspection of private sewage disposal systems shall be done by the Snohomish Health District, PROVIDED that any application to the Health District for installation of a new on-site sewage system must be accompanied by a letter from the City stating that no sanitary systems are available, and that the proposed on-site sewage system conforms to applicable City Code requirements. The property owner shall pay all related Health District fees. The property owner shall furnish a copy of the Snohomish Health District permit to the City by prior to any construction work. The property owner shall furnish a copy of the as-built drawings to the city.

Section 2. Arlington Municipal Code section 20.60.450 shall be and hereby is amended to read as follows:

20.60.450 Underground Utilities.

(a) Except as noted in Subsections (b-~~e~~d), all existing, extended, and new electric 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 Specifications." 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.

(b) ~~Building permits to construct a single one- or two-family residence shall not be required to underground existing utility lines.~~

~~(c)(b)~~ Building permits for additions, alterations, or repairs within any 24-month period and equal to less than 50% of the total value of the existing building or structure shall not be subject to the requirements of this section.

~~(d) Existing utilities in alleys need not be undergrounded.~~

~~(e)~~(c) If it is determined that an underground system cannot reasonably be installed according to accepted engineering practices, the requirements of this section may be waived upon receipt of a written notice from the appropriate utility service provider. Similarly, this requirement may be waived for small in-fill developments where the majority of the utilities along the street are still above ground and little more development is anticipated. In either case, such a waiver shall be noted in the permit or shall be construed as not being granted. If undergrounding of utilities is waived, the applicant must sign either a concomitant agreement or a no protest agreement of the formation of an L.I.D. for future undergrounding. Determination of which form of promissory shall be used shall be at the discretion of the ~~Public Works~~Community and Economic Development Director. Additionally, the developer shall install the appropriate conduit for future undergrounding of the utilities in the appropriate place.

~~(f)~~(d) Nothing in this section nor any other section in relation to underground utilities shall apply to power lines carrying a voltage of 15 kV or more, nor shall it be construed to prohibit the placement of said mounted transformers, terminal pedestal, or other electrical and communications devices above ground, as determined by the appropriate utility service provider involved.

Section 3. Arlington Municipal Code section 20.60.490 shall be and hereby is amended to read as follows:

20.60.490 Sites for and Screening of Dumpsters.

(a) Every development that, under the City's solid waste collection policies, is or will be required to provide one or more dumpsters for solid waste collection shall provide sites for such dumpsters that are:

(1) Located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way, and

(2) Constructed according to specifications established by the Public Works Director to allow for collection without damage to the development site or the collection vehicle.

(b) All such dumpsters shall be screened if and to the extent that, in the absence of screening, they would be clearly visible to:

(1) Persons located within any dwelling unit on residential property other than that where the dumpster is located; or,

(2) Occupants, customers, or other invitees located within any building on nonresidential property other than that where the dumpster is located, unless such other property is used primarily for purposes permitted exclusively in a Light Industrial or ~~General~~ Industrial zoning district; or,

(3) Persons traveling on any public street, sidewalk, or other public way.

~~(c)~~ ——When dumpster screening is required under this section, such screening shall be constructed, installed, and located to prevent or remedy the conditions requiring the screening, per §20.46 (Design Standards).

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 5. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-024 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-024

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.60 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING AND UTILITIES"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-025

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.68 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING SIGN REGULATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.68 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"

Chapter 20.68

SIGNS

Sections:

Part I. General Provisions
20.68.010 Permit Required for Signs.
20.68.015 Master Sign Programs for Multi-Tenant Sites.
20.68.020 Signs Excluded From Regulation.
20.68.025 Certain Temporary Signs: Permit Exemptions and Additional Regulations.
20.68.030 Determining the Number of Signs.
20.68.035 Computation of Sign Area.
20.68.040 Signs Projecting Into or Over Public Rights-of-Way.
20.68.045 Miscellaneous Restrictions and Prohibitions.
20.68.050 Incentive Provisions for Exceptional Efforts.
20.68.055 Maintenance of Signs.
20.68.060 Unlawful Cutting of Trees or Shrubs.
20.68.065 Nonconforming Signs.
20.68.070 Illegal Signs.

Part II. Residential Districts
20.68.110 Applicability
20.68.120 Certain Temporary Signs in ~~Single-Family~~ Residential Districts: Permit Exemptions and Additional Regulations.
20.68.130 Total Sign Surface Area.
20.68.140 Location and Height Requirements of Signs Attached to Buildings.
20.68.150 Freestanding Signs.
20.68.160 A-Frame Signs.
20.68.170 Changeable Text Signs (Readerboards).
20.68.180 Subdivision and Multi-Family Development Entrance Signs.
20.68.190 Sign Illumination and Signs Containing Lights.

Part III. General Commercial ~~and~~, Neighborhood Commercial Districts and Commercial Corridor District
20.68.210 Applicability
20.68.220 Certain Temporary Signs in the GC & NC Districts: Permit Exemptions and Additional Regulations.
20.68.230 Total Sign Surface Area of Signs Attached to Buildings.
20.68.240 Location and Height Requirements of Signs Attached to Buildings.
20.68.250 Freestanding Signs.
20.68.254 Non-Residential Subdivision Entrance Signs.
20.68.260 A-Frame Signs.
20.68.270 Changeable Text Signs (Readerboards).

20.68.280 Sign Illumination and Signs Containing Lights.

Part IV. Old Town Business District 1

20.68.310 Applicability.
20.68.320 Certain Temporary Signs in the OTBD-1 Districts: Permit Exemptions and Additional Regulations.
20.68.330 Total Sign Surface Area of Signs Attached to Buildings.
20.68.340 Location and Height Requirements of Signs Attached to Buildings.
20.68.350 Freestanding Signs.
20.68.360 A-Frame Signs.
20.68.370 Changeable Text Signs (Readerboards).
20.68.380 Sign Illumination and Signs Containing Lights.

Part V. Old Town Business District 2 and 3

20.68.410 Applicability
20.68.420 Certain Temporary Signs in the OTBD-2 and 3 Districts: Permit Exemptions and Additional Regulations.
20.68.430 Total Sign Surface Area of Signs Attached to Buildings.
20.68.440 Location and Height Requirements of Signs Attached to Buildings.
20.68.450 Freestanding Signs.
20.68.460 A-Frame Signs.
20.68.470 Changeable Text Signs (Readerboards).
20.68.480 Sign Illumination and Signs Containing Lights.

Part VI. Highway Commercial District and Commercial Corridor District

20.68.510 Applicability
20.68.520 Certain Temporary Signs in the Highway Commercial District: Permit Exemptions and Additional Regulations.
20.68.530 Total Sign Surface Area of Signs Attached to Buildings.
20.68.540 Location and Height Requirements of Signs Attached to Buildings.
20.68.550 Freestanding Signs.
20.68.554 Non-Residential Subdivision Entrance Signs.
~~20.68.550 Freestanding Signs~~
20.68.560 A-Frame Signs.
20.68.570 Changeable Text Signs (Readerboards).
20.68.580 Sign Illumination and Signs Containing Lights.
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Part I. General Provisions

20.68.010 Permit Required for Signs.

(a) Except as otherwise provided in §20.68.020 (Signs Excluded From Regulation) and §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), no sign may be constructed, erected, moved, enlarged, illuminated or substantially altered except in accordance with the provisions of this section. Mere repainting or changing the message of a sign shall not, in and of itself, be considered a substantial alteration.
(b) A sign permit may be processed and issued concurrently with a requested zoning, special use, or conditional use permit; however, a separate application is required.
(c) Signs not exempted under the provisions referenced in Subsection (a) may be constructed, erected, moved, enlarged, illuminated or substantially altered only in accordance with a sign permit issued by the Community and Economic Development Director.
(d) Sign permit applications shall be governed by the same provisions of this title applicable to zoning permits (Chapter 20.16, Permits and Final Plat Approval).

20.68.015 Master Sign Programs for Multi-Tenant Sites.

(a) In the case of a lot, lots, or single building occupied or intended to be occupied by multiple business enterprises under single property ownership or management (e.g., a shopping center or a multi-tenant building), a Master Sign Program shall be issued in the name of the lot owner or his agent.
(b) This Master Sign Program shall address general design standards, design and location(s) of communal signs, and all other issues addressed by this chapter. In particular, the owner shall develop a unifying design theme for the entire site. The city may assist the owner by suggesting a formula whereby the maximum square footage of sign area allowed on the lot may be allocated equitably among all tenants, but the city shall be responsible for enforcing only the provisions of this title and not the provisions of any allocation formula, lease, or other private restriction.
(c) Permits for individual businesses shall then be issued in the name of the individual business enterprise requesting a particular sign provided that: (i) they meet the requirements of this chapter, (ii) they conform to the Master Sign Program for the particular property on which they are located, and (iii) the owner of the property or his agent has signed the application acknowledging that he has reviewed the proposal and that it conforms to the Master Sign Program for that particular property. However, once the maximum square footage allotment for the entire property has been reached, no further sign permits may be issued for that property unless other signs are removed or reduced in size.

20.68.020 Signs Excluded From Regulation.

The following signs are exempt from regulation under this Title except for those stated in §20.68.045 (Miscellaneous Restrictions and Prohibitions) and do not require a permit.

(1) Signs not exceeding four square feet per side in area that are customarily associated with residential use and that are not of a commercial nature, such as (i) signs giving property identification names or numbers or names of occupants, (ii) signs on mailboxes or newspaper tubes, and (iii) signs posted on private property relating to private parking or warning the public against trespassing or danger from animals.

(2) Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic, directional, or regulatory signs.
(3) Official signs of a noncommercial nature erected by public utilities.
(4) Flags, pennants, or insignia of any governmental or nonprofit organization when not displayed in connection with a commercial promotion or as an advertising device.
(5) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain business identification, trademarks, moving parts, or lights, or are not displayed in connection with a commercial promotion or as an advertising device.
(6) Signs directing and guiding automobile traffic on private property that do not exceed four square feet per side each and that bear no advertising matter.
(7) Signs directing and guiding pedestrian traffic on private property that do not exceed four square feet per side each and that bear no advertising matter other than names of businesses or services found on the property on which the sign is located.
(8) School and church bulletin boards, identification signs, and directional signs that do not exceed one per abutting street and twelve square feet in area total (six square feet per side) and that are not internally illuminated.
(9) Signs painted on or otherwise permanently attached to currently licensed motor vehicles that are not primarily used as signs.
(10) Signs proclaiming religious, political, or other noncommercial messages (other than those regulated by Subsection 20.68.025(5) Certain Temporary Signs: Permit Exemptions and Additional Regulations) that do not exceed one per abutting street and sixty four square feet total (thirty two square feet per side) and that are not internally illuminated.
(11) Names of buildings, commemorative plaques or tablets, and similar noncommercial signs when carved into stone, concrete, or similar material, or made of bronze, aluminum, or other permanent-type construction, made an integral part of the structure, and projecting no more than two inches from the wall (when installed on a building), or at grade (when installed on the ground).
(12) Public information stations such as kiosks, bulletin boards, or similar devices used to convey community information, not exceed sixteen square feet per side.

20.68.025 Certain Temporary Signs: Permit Exemptions and Additional Regulations.

(a) The following temporary signs are permitted without a zoning, special use, conditional use, or sign permit. However, such signs shall conform to the requirements set forth below as well as all other applicable requirements of this title except those contained in §20.68.130, 230, 330, 430, 530, 630, 730, 830, and 930 (Total Sign Surface Area) and §20.68.150(c), 250(b), 450(b), 550(b), 650(b), 750(b), 850(b), and 950(b) (Number of Freestanding Signs).
(1) Signs containing the message that the real estate on which the sign is located (including buildings) is for sale, lease, or rent, together with information identifying the owner or agent. In residential zones, such signs may not exceed four square feet in area per side with a maximum of two sides. In all other zones, such signs may not exceed thirty-two square feet in area per side with a maximum of two sides. All such signs shall be removed immediately after sale, lease, or rental. For lots of less than five acres, a single sign on

each street frontage may be erected. For lots of five acres or more in area and having a street frontage in excess of four hundred feet, a second sign not exceeding four square feet in area per side with a maximum of two sides may be erected.

(2) Construction site identification signs. Such signs may identify the project, the owner or developer, architect, engineer, contractor and subcontractors, funding sources, and may contain related information including but not limited to sale or leasing information. Not more than one such sign may be erected per site, and it may not exceed thirty-two square feet in area per side. Such signs shall not be erected prior to the issuance of a building permit and shall be removed within ten days after the issuance of the final occupancy permit.

(3) Signs attached temporarily to the interior of a building window or glass door. Such signs, individually or collectively, may not cover more than twenty five percent of the surface area of the transparent portion of the window or door to which they are attached. Such signs shall be removed within thirty days after placement.

(4) Displays, including lighting, flags, or pennants, erected in connection with the observance of holidays or seasons when not displayed in connection with a commercial promotion or as an advertising device. Such signs shall be removed within ten days following the holidays or seasons unless such time is extended by the Community and Economic Development Director due to inclement weather.

(5) Signs erected in connection with elections or political campaigns. Such signs shall be removed within seven days following the election or conclusion of the campaign. No such sign may exceed thirty-two square feet in surface area per side.

(6) Signs indicating that a special event such as a grand opening, fair, carnival, circus, festival, or similar event is to take place on the lot where the sign is located. Such signs may be erected not sooner than two weeks before the event and must be removed not later than three days after the event.

(7) Public event banners installed by the City on behalf of event sponsors erected pursuant to the regulations governing such banners (found elsewhere in the AMC).

(b) Other temporary signs not listed in Subsection (a) shall be regarded and treated in all respects as permanent signs, except that (as provided in §20.68.130, 230, 330, 430, 530, 630, 730, 830, and 930 (Total Sign Surface Area) temporary signs shall not be included in calculating the total amount of permitted sign area.

20.68.030 Determining the Number of Signs.

(a) No more than one business identification sign affixed to the building may be located on any one side of a building, unless one of the following is true:

(1) The building contains individual businesses with separate entrances, in which case each individual business may have one individual sign on as many sides of the building as the individual business maintains a separate business entrance open to the public.

(2) The building is larger than fifty thousand square feet and is located in a GC or HC zone.

(3) It's a blade or canopy sign located in the OTBD, GC or HC and meets the following criteria:

(A) Maximum size for blade and canopy sign shall be six square feet per side. Sign area shall be calculated based on the sign face containing the graphics with the

graphics' background and the structural elements comprising the sign's perimeter shall not include the support brackets.

(B) If the blade signs serve as a primary sign and a wall sign is not present, the sign shall project no more than six feet from the building and shall be twelve square feet per side, but shall not include the support brackets.

(C) Blade or canopy signs shall maintain a minimum clearance of eight feet above sidewalk level to the bottom of the sign.

(D) Blade and canopy signs shall maintain a minimum setback of eighteen inches behind the curb separating the sidewalk from the street parking area.

(4) It's a marquee sign located in the OTBD, GC or HC and meets the following criteria:

(A) That one marquee sign is permitted for each establishment's façade so long as it is not combined with a wall sign on the same façade.

(B) The sign area shall not exceed two hundred square feet or ten percent of the overall façade area, whichever is less. The sign area consists of attached lettering and background if present, but does include the marquee itself (architectural projection that provides a roof-like structure over a pedestrian walkway).

(b) A two-sided or multi-sided sign shall be regarded as one sign so long as:

(1) With respect to a V-type sign, the two sides are at no point separated by a distance that exceeds five feet; and

(2) With respect to double-faced (back-to-back) signs, the distance between the backs of each face of the sign does not exceed three feet.

(c) No more than one business identification sign affixed to the building may be located on any one side of a building, unless the building contains individual businesses with separate entrances, in which case one business identification sign per individual business may be located on as many sides as there are separate business entrances.

20.68.035 Computation of Sign Area.

(a) The surface area of a sign shall be computed by including the entire area within a single, continuous, rectilinear perimeter of not more than eight straight lines, or a circle or an ellipse, enclosing the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework or bracing that is clearly incidental to the display itself, or not including those non-sign portions of a structure that serves a non-signage function (such as an awning or canopy), even though the color may be the same as the background of the sign.

(b) If the sign consists of more than one section or module, all of the area, including that between sections or modules, shall be included in the computation of the sign area.

(c) With respect to two-sided, multi-sided, or three-dimensional signs, the sign surface area shall be computed by including the total of all sides designed to attract attention or communicate information that can be seen at any one time by a person from any vantage point. Without otherwise limiting the generality of the foregoing:

(1) The sign surface area of a double faced, back to back sign shall be calculated by using the area of only one side of such sign, so long as the distance between the backs of such signs does not exceed three feet.
(2) The sign surface area of a double faced sign constructed in the form of a "V" shall be calculated by using the area of only one side of such sign (the larger side if there is a size difference), so long as the angle of the "V" does not exceed thirty degrees and at no point does the distance between the backs of such sides exceed five feet.

20.68.040 Signs Projecting into or Over Public Rights-of-Way.

(a) No sign or supporting structure may be located in or over any portion of a public right-of-way traveled by motor vehicles unless the sign is attached to a structural element of a building, all portions of the sign are higher than fifteen feet above the right-of-way surface, and an encroachment permit has been obtained from the city.
(b) Hanging, marquee, canopy, or projecting signs may be located on or above sidewalks upon meeting the following requirements:
(1) The sign must be attached to a structural element of a building;
(2) An encroachment permit must be obtained from the city if placed over a public right-of-way;
(3) No portion of the sign or supporting structure may hang or protrude below eight feet above the sidewalk;
(4) No sign may project closer than two feet from the curb line of a street.
(5) Only one hanging, marquee, canopy, or projecting sign is allowed for each main entry.

20.68.045 Miscellaneous Restrictions and Prohibitions.

(a) As provided in §20.40.010, the Table of Permissible Uses (use classification 27.000), no off-premises signs may be located in any district except:
(1) Those exempted from regulation or from permit requirements under §20.68.020 (Signs Excluded From Regulation) or §20.68.025, 120, 220, 320, 420, 520, 620, 720, 820, and 920 (Certain Temporary Signs: Permit Exemptions and Additional Regulations);
(2) City-sponsored "City Center/ Welcome" signs indicating the location of downtown and general types of businesses and services found there may be placed at the main entries to the City; and,
(3) Public service signs.
(b) No sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads. Specifically, freestanding and portable signs may not be placed within a vehicular sight distance triangle at the intersection of any streets. This triangle connects the intersection of the paved or traveled surface of the roadways with each of the two points measured thirty feet from the intersection along the edge of the respective paved or traveled surface of each roadway.
(c) Signs that revolve or are animated or that use movement or apparent movement to attract the attention of the public are prohibited. Without limiting the foregoing, banners, streamers, animated display boards, pennants, and propellers are prohibited, but signs that only move occasionally because of wind are not prohibited if their movement (i) is not a primary design

feature of the sign, and (ii) is not intended to attract attention to the sign. The restriction of this subsection shall not apply to barber poles or signs specified in Subsection 20.68.025(a)(4) (Certain Temporary Signs: Permit Exemptions and Additional Regulations).

(d) No sign may be erected so that by its location, color, size, shape, nature, or message it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.

20.68.050 Incentive Provisions for Exceptional Efforts.

(a) To encourage the integration of signage into the visual framework of its location, special consideration may be given to signs of exceptional design. Such special consideration may, in some cases, result in a relaxation of the dimensional and locational standards specified in this chapter. Such a relaxation of standards is not to be confused with a variance. Rather, the relaxation is to be based on an exceptional effort toward creating visual harmony between the sign, the building(s), and the site where it is to be located through the use of exceptional design.

(b) The Design Review Board shall consider petitions for signs of exceptional design. Said petitions shall be submitted with the standard sign permit application. The petition and application shall be presented to the Design Review Board with a narrative outlining the proposed plan addressing, but not limited to, the following:
   (1) How the physical components of the sign address legibility, visibility, readability, and aesthetics in relation to traffic speed, color combinations, sign placement, etc.;
   (2) The relationship of the proposed sign to the community vision for the zone, as expressed in the Comprehensive Plan, intent of the zone, and Development Design Guidelines. In the Old Town Business District in particular, signs designed to enhance the historic character of downtown may be given special consideration;
   (3) Relationship of the sign to the immediate surroundings, including existing and proposed buildings, other signs, and landscape;
   (4) Relationship of the sign to the business that the sign is to promote; and,
   (5) A colored rendering, showing the proposed sign, dimensions of the sign, and location of the sign.

(c) After considering the foregoing issues, the Design Review Board, at its discretion, may allow relaxation of the dimensional and locational standards of this chapter by up to twenty percent if the Board finds that relaxation of those standards would better serve the public interest than would strict adherence to those standards, and lead to a better and more aesthetically pleasing sign.

20.68.055 Maintenance of Signs.

(a) All signs and all components thereof, including without limitation supports, braces, and anchors, shall be kept clean and in a state of good repair. With respect to freestanding signs, components (supporting structures, backs, etc.) not bearing a message shall be constructed of materials that blend with the natural environment or shall be painted a neutral color to blend with the surrounding environment.

(b) If a sign advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall

be considered abandoned and shall, within thirty days after such abandonment, be removed by the sign owner, owner of the property where the sign is located, or other party having control over such sign.

(c) If the message portion of a sign is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within thirty days of the removal of the message portion of the sign, either replace the entire message portion of the sign, install a "blank" sign facing, or remove the remaining components of the sign. In cases where a blank sign facing is temporarily installed, said facing shall be in place for no longer than twelve months, after which all components must be removed. This subsection shall not be construed to alter the effect of Subsection 20.68.065(c) Nonconforming Signs), which prohibits the replacement of a nonconforming sign. Nor shall this subsection be construed to prevent the changing of the message of a sign.

(d) The area within ten feet in all directions of any part of a freestanding sign shall be kept clear of all debris and all undergrowth more than five inches in height.

20.68.060 Unlawful Cutting of Trees or Shrubs.

No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation located:

(a) Within the right-of-way of any public street or road, unless the work is done pursuant to the express written authorization of the Community and Economic Development Director;

(b) On property that is not under the ownership or control of the person doing or responsible for such work, unless the work is done pursuant to the express authorization of the person owning the property where such trees or shrubs are located;

(c) In any area where such trees or shrubs are required to remain under a permit issued under this Title;

(d) In any area encumbered by a Native Growth Protection Easement or similar easement prohibiting the removal of trees or vegetation.

20.68.065 Nonconforming Signs.

(a) Subject to the remaining restrictions of this section, nonconforming signs that were otherwise lawful on the effective date of this chapter may be continued.

(b) No person may engage in any activity that causes an increase in the extent of nonconformity of a nonconforming sign. Without limiting the generality of the foregoing, no nonconforming sign may be enlarged or altered in such a manner as to aggravate the nonconforming condition. Nor may illumination be added to any nonconforming sign.

(c) A nonconforming sign may not be moved or replaced except to bring the sign into complete conformity with this title.

(d) If a nonconforming sign is destroyed by natural causes, it may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this title, and the remnants of the former sign structure shall be cleared from the land. For purposes of this section, a nonconforming sign is "destroyed" if damaged to an extent that the cost of repairing the sign to its former stature or replacing it with an equivalent sign equals or exceeds the value (tax value if listed for tax purposes) of the sign so damaged.

(e) The message of a nonconforming sign may be changed so long as this does not create any new nonconformities (for example, by creating an off-premise sign under circumstances where such a sign would not be allowed).
(f) Subject to the other provisions of this section, nonconforming signs may be repaired and renovated so long as the cost of such work does not exceed within any twelve-month period fifty percent of the value (tax value if listed for tax purposes) of such sign.
(g) If a nonconforming sign other than a billboard advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall be removed in compliance with §20.68.055 (Maintenance of Signs).
(h) If a nonconforming billboard remains blank for a continuous period of one hundred eighty days, that billboard shall be deemed abandoned and shall, within thirty days after such abandonment, be altered to comply with this chapter or be removed by the sign owner, owner of the property where the sign is located, or other person having control over such sign. For purposes of this section, a sign is "blank" if:
    (1) It advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted; or
    (2) The advertising message it displays becomes illegible in whole or substantial part; or
    (3) The advertising copy paid for by a party other than the sign owner or promoting an interest other than the rental of the sign has been removed.
(i) The burden of establishing a sign to be legally nonconforming or not destroyed under this section rests upon the person or persons, firm, or corporation claiming legal status for a sign.

20.68.070 Illegal Signs.

(a) Any sign that was erected between January 1, 1990, until present and has not received a lawful sign permit is hereby considered an illegal sign and shall obtain a permit within one year of this Chapter's effective date. If a sign is illegal and nonconforming it shall be brought into conformance with the regulations contained herein.
(b) The burden of establishing a sign to be legal under this section rests upon the person or persons, firm, or corporation claiming legal status for a sign.
(c) If a permit is not obtained within the one-year period granted in Subsection (a) then the City may initiate enforcement procedures pursuant to Chapter 20.~~48~~28 (Enforcement & Review) or AMC Title 11.

Part II. Residential Districts

20.68.110 Applicability

(a) This Part applies to all signs in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones.
(b) All regulations of Part 1 (General Provisions) of this Chapter shall apply.

20.68.120 Certain Temporary Signs in ~~Single-Family~~ Residential Districts: Permit Exemptions and Additional Regulations.

(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD~~, OTR, and ~~RHD~~ RHC zones:

(1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:

(A) Not more than one such sign may be located on any lot.

(B) No such sign may exceed four square feet in surface area.

(C) Such sign may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five period.

20.68.130 Total Sign Surface Area.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts) or §20.68.180 (Subdivision and Multi-Family Development Entrance Signs), the total surface area devoted to all signs on any lot in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones shall not exceed the limitations set forth in this section, and all signs except temporary signs shall be included in this calculation.

(b) Unless otherwise provided in this chapter or in Chapter 20.44 (Supplementary Use Regulations), the maximum sign surface area permitted on any lot in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones for a residential or residential accessory use (~~1.000 use categories of the~~ Table of Permissible Uses, §20.40~~.010~~) is four square feet per side with a maximum of two sides.

(c) For permissible non-residential uses, the maximum sign surface area permitted on any lot in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones shall be determined by multiplying the number of square feet of the first floor of the building by 0.025 square feet. However, in no case may the total sign surface area for any one commercial establishment exceed three hundred square feet.

(d) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located.

20.68.140 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.

(b) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.

(c) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.

(d) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.

(e) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.150 Freestanding Signs.

(a) Except as provided in §20.68.180 (Subdivision and Multi-Family Development Entrance Signs) freestanding signs are prohibited in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones for any residential or residential accessory uses (~~1.000 use categories of the~~ Table of Permissible Uses, §20.40~~.010~~).

(b) Freestanding signs are allowed in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones for permissible non-residential uses subject to the following standards. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).

(c) *Number of Freestanding Signs*—No development in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones may have more than one freestanding sign, except:

(1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.

(2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.

(d) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.

(e) *Maximum Sign Surface Area*—Keeping in mind that there is a limit to the total sign surface area for any particular lot (§20.68.130 (Total Sign Surface Area): In the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones a single side of a freestanding sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented. However, in no case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is primarily oriented, seventy-five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(f) *Height*—No part of a freestanding sign in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones may exceed a height, measured from ground level, of six feet.

(g) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.160 A-Frame Signs.

A-frame, or "sandwich board," signs are prohibited in all residential zoning districts.

20.68.170 Changeable Text Signs (Readerboards).

(a) Changeable text signs are prohibited for all residential and residential accessory uses (~~1.000 use categories of the~~ Table of Permissible Uses, §20.40~~.010~~) in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones.

(b) For permissible non-residential uses, each use may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of the use's total allowable permitted signage (§20.68.130 (Total Sign Surface Area).

20.68.180 Subdivision and Multi-Family Development Entrance Signs.

At any entrance to a residential subdivision or multi-family development, there may be not more than two signs identifying such subdivision or development. A single side of any such sign may not exceed sixteen square feet, nor may the total surface area of all such signs located at a single entrance exceed thirty-two square feet.

20.68.190 Sign Illumination and Signs Containing Lights.

(a) The illumination of signs for any residential or residential accessory uses (~~1.000 use categories of the~~ Table of Permissible Uses, §20.40~~.010~~) is prohibited.

(b) Unless otherwise prohibited by this title, signs for permissible non-residential uses in the ~~SR~~RULC, RLC, R-MOD, RMC, ~~RLMD, RMD,~~ OTR, and ~~RHD~~ RHC zones may be illuminated if such illumination is in accordance with this section.

(c) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and 6 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.

(d) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.

(e) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except signs indicating the time, date or weather conditions.

Part III. General Commercial ~~and,~~ Neighborhood Commercial Districts and Commercial Corridor District.

20.68.210 Applicability

(a) This Part applies to all signs in the GC and NC zones~~.~~, and all signs on existing buildings and uses in the CC zone along 204th Street NE.

(b) This Part does not apply to new structures, changes of use, major remodels, or additions within the CC zone per §20.68.590 (Commercial Corridor Regulations).

~~(a)~~(c) All regulations of Part 1 (General Provisions) shall apply.

20.68.220 Certain Temporary Signs in the GC & NC Districts: Permit Exemptions and Additional Regulations.

(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the GC and NC zones:

(1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:

(A) Any number of such signs is permissible provided that they do not exceed fifty square feet in total area (including all sides).

(B) Such sign(s) may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.230 Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in the GC and NC zones shall not exceed the limitations set forth in this section, except that each establishment shall be allowed a minimum of twenty square feet regardless of the number of square feet of the first floor building frontage and all signs except temporary signs shall be included in this calculation.

(b) Subject to the other provisions of this section and chapter, the maximum sign surface area permitted on any building or individual leased space within a building in the GC and ~~HC~~ NC zones shall be determined by multiplying the number of square feet of the first floor of the building or leased space by 0.025, except that:

(1) No building with less than fifty thousand square feet on the first floor shall have more than five hundred square feet of total sign surface area.

(2) Buildings with a first floor measuring more than fifty thousand and one square feet and less than one hundred thousand square feet shall have no more than six hundred square feet of total sign surface area.

(3) Buildings with a first floor measuring more than one hundred thousand one square feet and less than two hundred thousand square feet shall have no more than seven hundred fifty square feet of total sign surface area.

(4) Buildings with a first floor measuring more than two hundred thousand and one square feet shall be limited to one thousand square feet of total sign surface area.

(5) In no case may a single wall sign exceed five hundred square feet.

(c) At the option of the applicant, the maximum sign surface area permitted on any building or individual leased space within a building in the GC and ~~HC~~ NC zones may be determined by multiplying the lineal feet of building frontage by 1.5.

(d) If a building or individual leased space within a building in the GC and ~~HC~~ NC zones has at least 100 feet of building frontage on more than one street or on an alley, the amount of signage allowed on the additional street(s) or alley shall be determined in the same manner as (b) or (c) above.

(e) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located.

20.68.240 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.
(b) *For buildings with more than one story with a parapet*—No sign may be placed higher than the highest point of the roof.
(c) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.
(d) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.
(e) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.
(f) *For gas pump canopies*—No sign may be placed on or above the cornice line.
(g) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.250 Freestanding Signs.

(a) Freestanding signs are allowed in the GC and NC zones subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).
(b) *Number of Freestanding Signs*—No development in the GC and NC zones may have more than one freestanding sign, except:
    (1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.
    (2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.
(c) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.
(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In the GC and NC zones a single side of a freestanding frontage or entry sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented. Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no

case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is primarily oriented, seventy five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) *Menu Signs for Drive-Through Restaurants*—Restaurants offering drive-through services may have one single-sided menu sign identifying menu selections and having a two-way speaker system for purposes of ordering. The maximum size of such signs is thirty square feet. The maximum height is ten feet. (Note: Drive-through restaurants are not a permissible use in the NC District.)

(f) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(g) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(h) *Height*—Except as specified in Subsection (e) no part of a freestanding sign may exceed a height, measured from ground level, of six feet in the Neighborhood Commercial district or fifteen feet in the General Commercial district.

(i) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.254 Non-Residential Subdivision Entrance Signs.

At any entrance to a non-residential subdivision there may be not more than one sign identifying the businesses located in such subdivision. A single side of any such sign may not exceed sixty square feet. Such sign area shall not be counted in the individual businesses Freestanding Sign Surface Area.

20.68.260 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).

(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.270 Changeable Text Signs (Readerboards).

Changeable text signs are permissible in the Neighborhood Commercial and General Commercial zones. Each business may have changeable text signs, though the total aggregate surface area of

such sign(s) may not exceed ten percent of the business' total allowable permitted signage (§20.68.230 (Total Sign Surface Area of Signs Attached to Buildings).

20.68.280 Sign Illumination and Signs Containing Lights.

(a) Unless otherwise prohibited by this title, signs in the GC and NC zones may be illuminated if such illumination is in accordance with this section.
(b) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and 6 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.
(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.
(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

Part IV. Old Town Business District 1

20.68.310 Applicability.

(a) This Part applies to all signs in the OTBD-1 zone.
(b) All regulations of Part 1 (General Provisions) shall apply.

20.68.320 Certain Temporary Signs in the OTBD-1 Districts: Permit Exemptions and Additional Regulations.

(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the OTBD-1 zone:
    (1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:
        (A) Any number of such signs is permissible provided that they do not exceed fifty square feet in total area (including all sides).
        (B) Such sign(s) may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.330 Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in the OTBD-1 zone shall not exceed the limitations set forth in this section, except that each establishment shall be allowed a minimum of twenty square feet regardless of the number of square feet of the first floor or building frontage, and all signs except temporary signs shall be included in this calculation.
(b) The maximum sign surface area permitted on any building or individual leased space within a building in the OTBD-1 zone shall be determined by multiplying the number of square feet

of the first floor of the building(s) or leased space by 0.025. However, in no case may the total sign surface area for any one commercial establishment exceed three hundred square feet.

(c) As an alternate method, the maximum sign surface area permitted on any building or individual leased space within a building in the OTBD-1 zone may be determined by multiplying the lineal feet of building frontage by 1.5.

(d) If a building or individual leased space within a building in the OTBD-1 zone has at least one hundred feet of building frontage on more than one street or on an alley, the amount of signage allowed on the additional street(s) or alley shall be determined in the same manner as (b) or (c) above.

(e) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located. In the OTBD-1 where signs are not allowed above a certain height pursuant to §20.68.340 (Location and Height Requirements of Signs Attached to Buildings), the twenty percent shall be calculated based solely on the area below this height limitation.

20.68.340 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.

(b) *For buildings with three or more stories*—No sign may be placed higher than the highest point of the roof or lower than the uppermost floor of the uppermost story.

(c) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.

(d) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.

(e) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.

(f) *For gas pump canopies*—No sign may be placed on or above the cornice line.

(g) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.350 Freestanding Signs.

(a) Freestanding signs are allowed in the OTBD-1 zone subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).

(b) *Number of Freestanding Signs*—No development in the OTBD-1 zone may have more than one freestanding sign, except:

(1) If a development is located on a corner lot that has at least 100 feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.

(2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not

more than one freestanding sign on each side of the development bordered by such streets.

(c) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.

(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In the OTBD-1 zone a single side of a freestanding frontage or entry sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented. Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is primarily oriented, seventy-five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(f) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(g) *Height*—No part of a freestanding sign may exceed a height, measured from ground level, of fifteen feet.

(h) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.360 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).

(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.370 Changeable Text Signs (Readerboards).

Changeable text signs are permissible in the OTBD-1 zone. Each business may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of

the business' total allowable permitted signage (§20.68.430330, Total Sign Surface Area of Signs Attached to Buildings).

20.68.380 Sign Illumination and Signs Containing Lights.

(a) Unless otherwise prohibited by this title, signs in the OTBD-1 zone may be illuminated if such illumination is in accordance with this section.
(b) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and 6 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.
(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.
(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

Part V. Old Town Business District 2 and 3

20.68.410 Applicability

(a) This Part applies to all signs in the OTBD-2 and OTBD-3 zones.
(b) All regulations of Part 1 (General Provisions) shall apply.

20.68.420 Certain Temporary Signs in the OTBD-2 and 3 Districts: Permit Exemptions and Additional Regulations.

(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the OTBD-2 and OTBD-3 zones:
    (1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:
        (A) Any number of such signs is permissible provided that they do not exceed fifty square feet in total area (including all sides).
        (B) Such sign(s) may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.430~~tal~~ Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in the OTBD-2 and OTBD-3 zones shall not exceed the limitations set forth in this section, except that each establishment shall be allowed a minimum of twenty square feet regardless of the number of square feet of the first floor or building frontage, and all signs except temporary signs shall be included in this calculation.

(b) The maximum sign surface area permitted on any building or individual leased space within a building in the OTBD-2 and OTBD-3 zones shall be determined by multiplying the number of square feet of the first floor of the building(s) or leased space by 0.025. However, in no case may the total sign surface area for any one commercial establishment exceed three hundred square feet.

(c) As an alternate method, the maximum sign surface area permitted on any building or individual leased space within a building in the OTBD-2 and OTBD-3 zones may be determined by multiplying the lineal feet of building frontage by 1.5.

(d) If a building or individual leased space within a building in the OTBD-2 and OTBD-3 zones has at least one hundred feet of building frontage on more than one street or on an alley, the amount of signage allowed on the additional street(s) or alley shall be determined in the same manner as (b) or (c) above.

(e) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located. In the ~~CBD-2~~OTBD-2 and ~~CBD-3~~OTBD-3 zones where signs are not allowed above a certain height pursuant to §20.68.440 (Location and Height Requirements of Signs Attached to Buildings), the twenty percent shall be calculated based solely on the area below this height limitation.

20.68.440 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.

(b) *For buildings with three or more stories*—No sign may be placed higher than the highest point of the roof or lower than the uppermost floor of the uppermost story.

(c) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.

(d) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.

(e) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.

(f) *For gas pump canopies*—No sign may be placed on or above the cornice line.

(g) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.450 Freestanding Signs.

(a) Freestanding signs are allowed in the ~~CBD-2~~OTBD-2 and ~~CBD-3~~OTBD-3 zones subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).

(b) *Number of Freestanding Signs*—No development in the ~~CBD-2~~OTBD-2 and ~~CBD-3~~OTBD-3 zones may have more than one freestanding sign, except:

(1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.

(2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.

(c) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.

(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In the ~~CBD-2~~OTBD-2 or ~~CBD-3~~OTBD-3 zones a single side of a freestanding frontage or entry sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented. Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is primarily oriented, seventy-five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) *Menu Signs for Drive-Through Restaurants*—Restaurants offering drive-through services may have one single-sided menu sign identifying menu selections and having a two-way speaker system for purposes of ordering. The maximum size of such signs is thirty square feet. The maximum height is ten feet.

(f) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(g) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(h) *Height*— Except as specified in Subsection (e) no part of a freestanding sign in the ~~CBD-2~~OTBD-2 or ~~CBD-3~~OTBD-3 zones may exceed a height, measured from ground level, of fifteen feet.

(i) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.460 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).
(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.470 Changeable Text Signs (Readerboards).
Changeable text signs are permissible in the ~~CBD-2~~OTBD-2 and ~~CBD-3~~OTBD-3 zones. Each business may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of the business' total allowable permitted signage (§20.68.430, Total Sign Surface Area for Signs Attached to Buildings).

20.68.480 Sign Illumination and Signs Containing Lights.
(a) Unless otherwise prohibited by this title, signs in the ~~CBD-2~~OTBD-2 and ~~CBD-3~~OTBD-3 zones may be illuminated if such illumination is in accordance with this section.
(b) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and six a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.
(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.
(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

(a) This Part applies to all signs in the HC zone and all signs on all existing buildings and uses in the CC zone.
(b) This Part does not apply to new structure, change of use, major remodels, or additions within the CC zone.

Part VI. Highway Commercial District and Commercial Corridor District

20.68.510 Applicability
(a) This Part applies to all signs in the HC zone~~.~~ and all signs on existing buildings and uses in the CC zone along Smokey Point Boulevard.
~~(a)~~(b) This Part does not apply to new structures, changes of use, major remodels, or additions within the CC zone per §20.68.590 (Commercial Corridor Regulations).
~~(b)~~(c) All regulations of Part 1 (General Provisions) shall apply.

20.68.520 Certain Temporary Signs in the Highway Commercial District: Permit Exemptions and Additional Regulations.
(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the HC zone:

(1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:
   (A) Any number of such signs is permissible provided that they do not exceed fifty square feet in total area (including all sides).
   (B) Such sign(s) may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.530 Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in the HC zone shall not exceed the limitations set forth in this section, except that each establishment shall be allowed a minimum of twenty square feet regardless of the number of square feet of the first floor or building frontage, and all signs except temporary signs shall be included in this calculation.

(b) Subject to the other provisions of this section and chapter, the maximum sign surface area permitted on any building or individual leased space within a building in the HC zone shall be determined by multiplying the number of square feet of the first floor of the building or leased space by 0.025 except that:
   (1) No building with less than fifty thousand square feet on the first floor shall have more than five hundred square feet of total sign surface area.
   (2) Buildings with a first floor measuring more than fifty thousand and one square feet and less than one hundred thousand square feet shall have no more than six hundred square feet of total sign surface area.
   (3) Buildings with a first floor measuring more than one hundred thousand and one square feet and less than two hundred thousand square feet shall have no more than seven hundred fifty square feet of total sign surface area.
   (4) Buildings with a first floor measuring more than two hundred thousand and one square feet shall be limited to one thousand square feet of total sign surface area.
   (5) In no case may a single wall sign exceed five hundred square feet.

(c) As an alternate method, the maximum sign surface area permitted on any building or individual leased space within a building in the HC zone may be determined by multiplying the lineal feet of building frontage by 1.5.

(d) If a building or individual leased space within a building in the HC zone has at least one hundred feet of building frontage on more than one street or on an alley, the amount of signage allowed on the additional street(s) or alley shall be determined in the same manner as (b) or (c) above.

(e) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located.

20.68.540 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively

above the first floor or for signs proclaiming the building's name which may be placed at the top of the building but not above the cornice or roof line.

(b) *For buildings with three or more stories*—No sign may be placed higher than the highest point of the roof or lower than the uppermost floor of the uppermost story.

(c) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.

(d) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.

(e) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.

(f) *For gas pump canopies*—No sign may be placed on or above the cornice line.

(g) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

~~**20.68.554 Non-Residential Subdivision Entrance Signs.**~~

~~At any entrance to a non-residential subdivision there may be not more than one sign identifying the businesses located in such subdivision. A single side of any such sign may not exceed sixty square feet. Such sign area shall not be counted in the individual businesses Freestanding Sign Surface Area.~~

20.68.550 Freestanding Signs.

(a) Freestanding signs are allowed in the HC zone subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).

(b) *Number of Freestanding Signs*—No development in the HC zone may have more than one freestanding sign, except:

(1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.

(2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.

(c) Mea*surement of Sign Area*—In the HC zone a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.

(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In the HC zone, a single side of a freestanding frontage or entry sign may not exceed 0.75 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented. Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no case may a single side

of such signs exceed 250 square feet in surface area. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign. Each sign shall be counted independently. If an existing nonconforming sign exceeds the size limitations set herein, this shall not prevent another frontage or entry from achieving its maximum allowable size.

(e) *Menu Signs for Drive-Through Restaurants*—Restaurants offering drive-through services may have one single-sided menu sign identifying menu selections and having a two-way speaker system for purposes of ordering. The maximum size of such signs is thirty square feet. The maximum height is ten feet.

(f) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(g) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(h) *Height*—Except as specified in Subsection (e) or for signs fronting on Interstate 5, no part of a freestanding sign may exceed a height, measured from ground level, of fifteen feet. Freestanding signs fronting on Interstate 5 may have a height of forty-five feet.

(i) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.554 Non-Residential Subdivision Entrance Signs.

At any entrance to a non-residential subdivision there may be not more than one sign identifying the businesses located in such subdivision. A single side of any such sign may not exceed sixty square feet. Such sign area shall not be counted in the individual businesses Freestanding Sign Surface Area.

20.68.560 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).

(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.570 Changeable Text Signs (Readerboards).

Changeable text signs are permissible in the HC zone. Each business may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of the business' total allowable permitted signage (§20.68.530, Total Sign Surface Area for Signs Attached to Buildings).

20.68.580 Sign Illumination and Signs Containing Lights.

(a) Unless otherwise prohibited by this title, signs in the HC zone may be illuminated if such illumination is in accordance with this section.

(b) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and six a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.

(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.

(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

20.68.590 Commercial Corridor Regulation

(a) All new development, change of uses, or redevelopment of property within the Commercial Corridor zone shall comply with the sign requirements in the Mixed-Use Development Regulations under Chapter 20.110.

Part VII. Business Park, General Industrial, and Light Industrial Districts

20.68.610 Applicability

(a) This Part applies to all signs in the BP, GI, and LI zones.

(b) All regulations of Part 1 (General Provisions) shall apply.

20.68.620 Certain Temporary Signs in BP, GI, and LI Districts: Permit Exemptions and Additional Regulations.

(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the BP, GI, and LI zones:

  (1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:

    (A) Any number of such signs is permissible provided that they do not exceed fifty square feet in total area (including all sides).

    (B) Such sign(s) may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.630 Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in the BP, GI, and LI zones shall not exceed the limitations set forth in this section, and all signs except temporary signs shall be included in this calculation.

(b) Subject to the other provisions of this section and chapter, the maximum sign surface area permitted on any building or individual leased space within a building in the BP, GI, and LI zones shall be determined by multiplying the number of square feet of the first floor of the building or leased space by 0.025. However, in no case may the total sign surface area for any one commercial establishment exceed five hundred square feet.
(c) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located.

20.68.640 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.
(b) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.
(c) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.
(d) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.
(e) *For gas pump canopies*—No sign may be placed on or above the cornice line.
(f) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.650 Freestanding Signs.

(a) Freestanding signs are allowed in the BP, GI, and LI zones subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).
(b) *Number of Freestanding Signs*—No development in the BP, GI, and LI zones may have more than one freestanding sign, except:
    (1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.
    (2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.
(c) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.
(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In the BP, GI, and LI zones a single side of a freestanding frontage or entry sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily

oriented. Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is primarily oriented, seventy-five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) *Menu Signs for Drive-Through Restaurants*—Restaurants offering drive-through services may have one single-sided menu sign identifying menu selections and having a two-way speaker system for purposes of ordering. The maximum size of such signs is thirty square feet. The maximum height is ten feet. (Note: Drive-through restaurants are not a permissible use in the BP District.)

(f) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(g) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(h) *Height*— Except as specified in Subsection ~~(e)~~€ no part of a freestanding sign may exceed a height, measured from ground level, of six feet.

(i) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.654 Non-Residential Subdivision Entrance Signs.

At any entrance to a non-residential subdivision there may be not more than one sign identifying the businesses located in such subdivision. A single side of any such sign may not exceed sixty square feet. Such sign area shall not be counted in the individual businesses Freestanding Sign Surface Area.

20.68.660 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).

(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.670 Changeable Text Signs (Readerboards).

Changeable text signs are permissible in the BP, GI, and LI zones. Each business may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of the business' total allowable permitted signage (§20.68.630, Total Sign Surface Area for Signs Attached to Buildings).

20.68.680 Sign Illumination and Signs Containing Lights.

(a) Unless otherwise prohibited by this title, signs in the BP, GI, and LI zones may be illuminated if such illumination is in accordance with this section.
(b) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and 6 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.
(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.
(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

Part VIII. Medical Services District

20.68.710 Applicability

(a) This Part applies to all signs in the MS zone.
(b) All regulations of Part 1 (General Provisions) shall apply.

20.68.720 Certain Temporary Signs in the Medical Services District: Permit Exemptions and Additional Regulations.

(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the MS zone:
    (1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:
        (A) Not more than one such sign may be located on any lot.
        (B) No such sign may exceed four square feet in surface area.
        (C) Such sign may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.730 Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in MS zone shall not exceed the limitations set forth in this section, and all signs except temporary signs shall be included in this calculation.

(b) Subject to the other provisions of this section and chapter, the maximum sign surface area permitted on any building or individual leased space within a building in the MS zone shall be determined by multiplying the number of square feet of the first floor of the building or leased space by 0.025. However, in no case may the total sign surface area for any one commercial establishment exceed five hundred square feet.
(c) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located.

20.68.740 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.
(b) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.
(c) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.
(d) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.
(e) *For gas pump canopies*—No sign may be placed on or above the cornice line.
(f) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.750 Freestanding Signs.

(a) Freestanding signs are allowed in the MS zone subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).
(b) *Number of Freestanding Signs*—No development in the MS zone may have more than one freestanding sign, except:
    (1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.
    (2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.
(c) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.
(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In MS zone a single side of a freestanding frontage or entry sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented.

Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is primarily oriented, seventy-five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(f) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(g) *Height*—No part of a freestanding sign may exceed a height, measured from ground level, of six feet.

(h) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.754 Non-Residential Subdivision Entrance Signs.

At any entrance to a non-residential subdivision there may be not more than one sign identifying the businesses located in such subdivision. A single side of any such sign may not exceed sixty square feet. Such sign area shall not be counted in the individual businesses Freestanding Sign Surface Area.

20.68.760 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).

(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.770 Changeable Text Signs (Readerboards).

Changeable text signs are permissible in the MS zone. Each business may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of the business' total allowable permitted signage (§20.68.730, Total Sign Surface Area for Signs Attached to Buildings).

20.68.780 Sign Illumination and Signs Containing Lights.

(a) Unless otherwise prohibited by this title, signs in the MS zone may be illuminated if such illumination is in accordance with this section.

(b) Except for signs providing direction to emergency services that are less than twelve square feet in size and having no more than two sides, no sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and 6 a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.

(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.

(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

Part IX. Aviation Flightline District

20.68.810 Applicability

(a) This Part applies to all signs in the AF zone.

(b) All regulations of Part 1 (General Provisions) shall apply.

20.68.814 Additional Signs Excluded From Regulation in the AF District.

The following signs are exempt from regulation under this Title in the AF zone.

(1) Signs painted on the roofs of structures indicating aviation services available and intended to be visible only from flying aircraft.

20.68.820 Certain Temporary Signs in the AF District: Permit Exemptions and Additional Regulations.

(b) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the AF zone:

(1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:

(A) Any number of such signs is permissible provided that they do not exceed fifty square feet in total area (including all sides).

(B) Such sign(s) may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.830 Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in the AF zone shall not exceed the limitations set forth in this section, and all signs except temporary signs shall be included in this calculation.

(b) Subject to the other provisions of this section and chapter, the maximum sign surface area permitted on any building or individual leased space within a building in the AF zone shall be determined by multiplying the number of square feet of the first floor of the building or leased space by 0.025. However, in no case may the total sign surface area for any one commercial establishment exceed five hundred square feet.
(c) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located.

20.68.840 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.
(b) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.
(c) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.
(d) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.
(e) *For gas pump canopies*—No sign may be placed on or above the cornice line.
(f) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.850 Freestanding Signs.

(a) Freestanding signs are allowed in the AF zone subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).
(b) *Number of Freestanding Signs*—No development in the AF zone may have more than one freestanding sign, except:
    (1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.
    (2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.
(c) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.
(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In AF zone a single side of a freestanding frontage or entry sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented.

Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is primarily oriented, seventy-five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(f) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(g) *Height*—No part of a freestanding sign may exceed a height, measured from ground level, of six feet.

(h) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.854 Non-Residential Subdivision Entrance Signs.

At any entrance to a non-residential subdivision there may be not more than one sign identifying the businesses located in such subdivision. A single side of any such sign may not exceed sixty square feet. Such sign area shall not be counted in the individual businesses Freestanding Sign Surface Area.

20.68.860 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).

(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.870 Changeable Text Signs (Readerboards).

Changeable text signs are permissible in the AF zone. Each business may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of the business' total allowable permitted signage (§20.68.830, Total Sign Surface Area for Signs Attached to Buildings).

20.68.880 Sign Illumination and Signs Containing Lights.

(a) Unless otherwise prohibited by this title, signs in the AF zone may be illuminated if such illumination is in accordance with this section.
(b) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and six a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.
(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.
(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

Part X. Public/Semi-Public District

20.68.910 Applicability

(a) This Part applies to all signs in the P/SP zone.
(b) All regulations of Part 1 (General Provisions) shall apply.

20.68.920 Certain Temporary Signs in the Public/Semi-Public District: Permit Exemptions and Additional Regulations.

(a) In addition to the exemptions and regulations of §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations), the following shall also pertain in the P/SP zone:
    (1) Temporary signs not covered in the categories listed in §20.68.025, so long as such signs meet the following restrictions:
        (A) Not more than one such sign may be located on any lot.
        (B) No such sign may exceed four square feet in surface area.
        (C) Such sign may not be displayed for longer than three consecutive days nor more than twelve days out of any three hundred sixty-five-day period.

20.68.930 Total Sign Surface Area of Signs Attached to Buildings.

(a) Unless otherwise provided in this chapter, such as pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts), the total surface area devoted to all signs on any building or leased space of a multi-tenant establishment (as per §20.68.015 (Master Sign Programs for Multi-Tenant Sites) in the P/SP zone shall not exceed the limitations set forth in this section, and all signs except temporary signs shall be included in this calculation.
(b) Subject to the other provisions of this section and chapter, the maximum sign surface area permitted on any building or individual leased space within a building in the P/SP zone shall be determined by multiplying the number of square feet of the first floor of the building or leased space by 0.025. However, in no case may the total sign surface area for any one commercial establishment exceed five hundred square feet.

(c) The sign surface area of any sign(s) located on a wall of a structure may not exceed twenty percent of the total surface area of the wall, including windows and doors but excluding major projections such as awnings, on which the sign is located.

20.68.940 Location and Height Requirements of Signs Attached to Buildings.

(a) *For buildings with more than one story*—No sign may be placed higher than the second story windowsill level, except for upper floor window signs only for businesses located exclusively above the first floor.
(b) *For one-story buildings with a cornice*—No sign may be placed on or above the cornice line.
(c) *For one-story buildings with a parapet*—No sign may be placed higher than the highest point of the roof.
(d) *For all buildings*—No sign may be placed upon any roof surface, except that for purposes of this section, roof surfaces constructed at an angle of seventy-five degrees or more from horizontal shall be regarded as wall space.
(e) *For gas pump canopies*—No sign may be placed on or above the cornice line.
(f) No flush-mounted wall sign attached to a building may project more than twelve inches from the building wall.

20.68.950 Freestanding Signs.

(a) Freestanding signs are allowed in the P/SP zone subject to the following requirements. Note, however, that dimensional and locational standards may be relaxed pursuant to §20.68.050 (Incentive Provisions for Exceptional Efforts).
(b) *Number of Freestanding Signs*—No development in the P/SP zone may have more than one freestanding sign, except:
    (1) If a development is located on a corner lot that has at least one hundred feet of frontage on each of the public streets, then the development may have not more than one freestanding sign along each side of the development bordered by such streets.
    (2) If a development is located on a lot that is bordered by two public streets that do not intersect at the lot's boundaries (double front lot), then the development may have not more than one freestanding sign on each side of the development bordered by such streets.
(c) Mea*surement of Sign Area*—For purposes of this section, a side of a freestanding sign is any plane or flat surface included in the calculation of the total sign surface area as provided in §20.68.035 (Computation of Sign Area). For example, wall signs typically have one side. Freestanding signs typically have two sides (back to back), although four-sided and other multi-sided signs are also common.
(d) *Maximum Sign Surface Area of Frontage or Entry Signs*—In P/SP zone a single side of a freestanding frontage or entry sign may not exceed 0.3 square feet in surface area for every linear foot of street frontage along the street toward which such sign is primarily oriented. Where a lot has frontage defined only by a private drive or easement (i.e., a "panhandle" lot), the "frontage" for purposes of this section shall be calculated from the width of the lot where said access drive touches the main portion of the lot. However, in no case may a single side of a freestanding sign exceed fifty square feet in surface area if the lot on which the sign is located has less than two hundred feet of frontage on the street toward which that sign is

primarily oriented, seventy-five square feet on lots with two hundred or more but less than four hundred feet of frontage, and one hundred square feet on lots with four hundred or more feet of frontage. With respect to freestanding signs that have no discernible sides, such as spheres or other shapes not composed of flat planes, no such freestanding sign may exceed the maximum total surface area allowed for a single side of a freestanding sign.

(e) No other on-site signage (except those allowed by §20.68.020(f) (Signs Excluded From Regulation) or §20.68.025 (Certain Temporary Signs: Permit Exemptions and Additional Regulations)) is permitted.

(f) *Setbacks*—Freestanding signs shall observe the setback requirements set forth in §20.48.040 (Building Setback Requirements).

(g) *Height*—No part of a freestanding sign may exceed a height, measured from ground level, of fifteen feet.

(h) Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.

20.68.960 A-Frame Signs.

(a) Only one A-frame sign is permissible per business, with a maximum size of two feet wide by three feet tall.

(b) A-frame signs are permitted only directly adjacent to the business to which the sign pertains (no off-site signs).

(c) A-frame signs are prohibited on public property, except in the case where the building abuts the sidewalk within a public right-of-way. In such a case, the sign may only be placed on the sidewalk if, and in a manner that, pedestrian traffic can safely use the sidewalk.

20.68.970 Changeable Text Signs (Readerboards).

Changeable text signs are permissible in the P/SP zone. Each business may have changeable text signs, though the total aggregate surface area of such sign(s) may not exceed ten percent of the business' total allowable permitted signage (§20.68.930, Total Sign Surface Area for Signs Attached to Buildings).

20.68.980 Sign Illumination and Signs Containing Lights.

(a) Unless otherwise prohibited by this title, signs in the P/SP zone may be illuminated if such illumination is in accordance with this section.

(b) No sign within one hundred fifty feet of a residential zone may be illuminated between the hours of midnight and six a.m., unless the impact of such lighting beyond the boundaries of the lot where it is located is entirely inconsequential.

(c) Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly into a public right-of-way, residential premises, or into the sky.

(d) Except for temporary signs erected in connection with the observance of holidays, no sign or illuminated tubing or strings of lights may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity, except electronic readerboards or signs indicating the time, date or weather conditions.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-025 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-025

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.68 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING SIGN REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-026

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.72 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING PARKING REGULATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.72.010 shall be and hereby is amended to read as follows:

20.72.010 Number of Parking Spaces Required.

(a) Except as may be modified by Section 20.76.120 (Retention and Protection of Significant Trees), Section 20.72.084 (Reductions in Parking Space Requirements for Provision of Alternative Transportation) or Section 20.72.086 (Maximum Cumulative Reduction of Required Parking Spaces), and except as exempted by subsection (b), all developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question. Whenever feasible, low impact development must be used.

(b) Except for residential uses or the residential portion of mixed uses, developments in the Old Town Business District 1 are not required to provide parking as per Subsection (a). Residential developments (or portions) in the OTBD 1, however, must comply with Subsection (a).

(c) The presumptions established by this chapter are that: (i) a development must comply with the parking standards set forth in Subsection (f) to satisfy the requirement stated in Subsection (a), and (ii) any development that does meet these standards is in compliance. However, Table 20.72-1: Table of Parking Requirements is only intended to establish a presumption and should be flexibly administered, as provided in Section 20.72.020 (Flexibility in Administration Required).

(d) Uses in the Table 20.72-1: Table of Parking Requirements (Subsection (f)), are indicated by ~~a numerical reference keyed to~~ the Table of Permissible Uses (Section 20.40~~010~~ (~~Table of~~ Permissible Uses). When determination of the number of parking spaces required by this table results in a requirement of a fractional space, any fraction shall be counted as one parking space.

(e) The council recognizes that Table 20.72-1: Table of Parking Requirements set forth in Subsection (f) cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the permit issuing authority is authorized to determine the parking requirements using this table as a guide.

(f) Table of Parking Requirements—Table 20.72-1, below, describes the number of off-street parking stalls required for the various permissible uses. Required accessible parking spaces are not included with this calculation and are required in addition to the parking stalls for a particular use.

(g) Except as may be modified by Section 20.72.020 (Flexibility in Administration Required), Parking shall be limited to a maximum of twice the minimum required spaces found in Table 20.72-1.

Section 2. Arlington Municipal Code Table 20.72-1 shall be and hereby is amended to read as follows:

Use	Parking Requirement
Agricultural	
Commercial Greenhouse On-Premises Sales	1 space per 400 square feet of gross floor area of sales area
Aviation Related Sales and Service Operations	
Aviation Fuel Sales Aircraft Painting and Body Work Aircraft Repair and Maintenance, Not Including Substantial Body Work Aircraft Sales or Rentals Aircraft Sales with Installation of Aircraft Parts or Accessories (Propellers, Tires, Mufflers, etc.) Aircraft Wash	1 space per 2,000 square feet of gross floor area of the building
Cultural, Social or Fraternal Uses	
Art Gallery or Center Library Museum, Social Club Fraternal Clubs and Lodges Union Halls Similar Uses.	1 space per 600 square feet of gross floor area
Educational	
Colleges, Universities, Community Colleges Training Facility	1 space per 300 square feet of gross floor area
Commercial Nursery Schools/ Day Care Center	1 space per employee and 1 space per 400 square feet of gross floor area
Elementary Schools	1.75 spaces per classroom
Secondary/High School	5 spaces per classroom
Trade School, Vocational School	1 space per 200 square feet of gross floor area
Industry, Manufacturing, Processing, Repairing, Renovating, Assembly of Goods, Merchandise or Equipment	
Brewery, Distillery, Craft Beverage Production with or without Tasting Room or Restaurant (No Drive-Thru Services)	1 space per 600 square feet of gross floor area, plus 1 space for every 200 square feet of gross floor and 1 space for every eight outdoor seats if restaurant or tasting room is included.
Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Done with Walk-In Trade	1 space per 600 square feet of gross floor area
Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Done without Walk-In Trade	1 space per 600 square feet of gross floor area
Operations Conducted Entirely Within or Outside Fully Enclosed Building.	1 space per 600 square feet of gross floor area

Use	Parking Requirement
Institutional Residence, Care, or Confinement Facilities	
Hospitals	2 spaces per bed or 1 space per 300 square feet of gross floor area, whichever is greater
Medical Clinics Dental Clinics and Offices	1 space per 300 square feet of gross floor area
Institutions (Other than Halfway Houses) for Confined Mentally Ill Persons	1 space for every 4 employees on maximum shift
Nursing Care Institutions Intermediate Care Institutions Handicapped or Infirm Institutions Childcare Institutions	3 Spaces for every 10 Beds. Multi-Family units developed or sponsored by a public or non-profit agency for limited income families or the elderly require only 1 space for every 10 units
Penal and Correctional Facilities	1 space for every 4 employees on maximum shift
Marijuana Production, Processing, and Retail	
Marijuana Production Marijuana Processing	1 space per 600 square feet of gross floor area
Marijuana Retail	1 space per 400 square feet of gross floor area
Motor Vehicle Related Sales and Service Operations	
Car Wash	Conveyer Type – 1 Space for every six employees on the maximum shift plus reservoir capacity equal to five times the capacity of the washing operation. Self-Service Type – 1 Space for drying and cleaning purposes per stall plus two reservoir spaces in front of each stall
Electric Vehicle Infrastructure	1 space per employee, plus 0.65 spaces for customers waiting to use rapid charging station (required only if the use is the primary use on the property)
Fuel Sales	1 space per 400 square feet of gross floor area of building devoted primarily to gas sales operation, plus sufficient parking area to accommodate vehicles at pumps without interfering with other parking spaces.
Painting and Body Work with No Storage of Vehicles Repair and Maintenance. Not Including Substantial Body Work, and No Storage of Vehicles Vehicle Sales and Rental or Mobile Home Sales Vehicle Sales with Installation of Motor Vehicle Parts or Accessories (Tires, Mufflers, etc.)	1 space per 400 square feet of gross floor area
Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards, and Automobile Recycling Facilities	1 space per 400 square feet of gross floor area
Towing Operations	5 spaces plus 1 space per each 2 acres

Use	Parking Requirement
Office	
Government Office Buildings Health Care Facility Industrial or Manufacturing On-Site Office Research and Development Technology Other Similar Uses	1 space per 400 square feet of gross floor area
Open Air Markets and Horticultural Sales	
Horticultural Sales with Outdoor Display Temporary (Seasonal) Farmer's Market	1 space per 2,000 square feet of lot areas used for storage, display, or sales
Personal Services	
Banks with Drive-Thru Windows	1 space per 400 square feet of area within main building plus reservoir land capacity equal to 3 spaces per window (5 spaces if window serves two stations).
Dry Cleaner / Laundromat Travel Agencies	1 space per 400 square feet of gross floor area
Salon / Barber Shop / Beauty Shop / Tanning Studio: Art, Music, Dance	1 space per 300 square feet of gross floor area
Professional Services	
Attorney / Legal Services Consultant Crematorium Funeral Home Insurance / Stockbroker Other Similar Uses	1 space per 400 Square Feet of Gross Floor Area
Clinics of Physicians or Dentist	1 space per 300 Square Feet of Gross Floor Area
Public and Semi-Public Facilities	
Airport Bus Station, Train Station Civil Defense Operation Fire Stations Military Reserve, National Guard Centers Police Stations Post Office Rescue Squad, Ambulance Service	1 space per 400 square feet of gross floor area
Temporary Mobile or Modular Structures Used for Public Services (Mobile Classrooms, Civic Services, Public Health Centers, Emergency Response Centers, etc.)	The same as for whatever use the structure is being used.

Use	Parking Requirement
Recreation, Amusement, Entertainment - Indoor	
Bowling Alleys, Skating Rinks, Indoor Tennis and Squash Courts, Billiards and Pool Halls, Indoor Athletic and Exercise Facilities, and Similar Uses	1 space for every 4 persons that the facilities are designed to accommodate when fully utilized (if they can be measured in such a fashion), plus 1 space per 400 square feet of gross floor area used in a manner not susceptible to such calculation.
Indoor Automobile and motorcycle racing tracks	1 space for every 6 seats
Movie Theaters Seating Capacity Less than 300 Movie Theaters Unlimited seating capacity	1 space for every 8 seats
Recreation, Amusement, Entertainment - Outdoor	
Athletic Fields, Tennis Courts, Swimming Pools, Miniature Golf Courses, Water Slides, Skateboard Parks, Parks, Swimming Pools,	1 space per 300 square feet of area plus 1 space per 400 square feet of building gross floor area
Coliseums, stadiums, and all other facilities designed to seat or accommodate simultaneously more than 1,000 people	1 space for every 8 seats
Drive-in movie theaters	1 space for every attendee the space is designed to accommodate.
Golf Course, Par 3 Golf Course, Driving Range, and Similar Uses	Golf Course – 2 spaces per golf hole, plus 1 space per 400 square feet of building gross floor area Driving Range – 1 space per tee plus 1 space per 400 square feet in building gross floor area.
Outdoor Entertainment Venue or Amphitheater	1 space for every 8 seats
Religious	
Religious Assembly – Accessory Religious Assembly – Principle	1 space for every four seats in the portion of the church building to be used for services plus spaces for any residential use as determined in accordance with the parking requirements set forth above for residential uses, plus 1 space for every 200 square feet of gross floor area designed to be used neither for services nor residential purposes.
Residential	
Accessory Dwelling Unit	1 space per unit, unless located within ¼ mile of a major transit center
Cottage Housing Duplex Mobile Home Mobile Home Park Single-Family Residence, Detached	2 spaces for each dwelling unit, except that one-bedroom units require only one space

Use	Parking Requirement
Residential	
Multi-Family Apartments Multi-Family Conversions Multi-Family Fourplex Multi-Family Garden Apartments Multi-Family Rowhouses Multi-Family Townhouses Multi-Family Triplex Multi-Family Use Above a Permitted Non-Residential Use (Mixed Use) Multi-Family Use Horizontal to a Permitted Non-Residential Use (Mixed Use) Single-Family Apartment Above Permitted Non-Residential Use (only one)	Studio or 1-Bedroom - 1.25 spaces per unit plus 1 additional space for every 4 units in the development 2 – Bedrooms – 2.25 spaces per unit plus 1 additional space for every 4 units in the development. 3 – Bedrooms or more – 2.5 spaces per unit plus 1 additional space for every 2 units in the development Senior units only – 1 space per unit plus 1 additional space for every 4 units in the development
Residential Homes Emphasizing Special Services, Treatment, or Supervision	
Adult Family Homes (6 or fewer adults) Halfway houses Homes for handicapped or infirm Nursing care, intermediate care homes Permanent Supportive Housing Special Needs Childcare homes Transitional Housing	3 spaces for every six beds within the home or facility
In-Home Child Day Care	1 space per employee plus 1 space per 400 square feet of gross floor area
Residential Rooms for Rent Situations	
Rental of Room within a Single-Family Residence	2 spaces per dwelling unit, plus one space per room rented out
Boarding houses Rooming houses	1 space for each bedroom.
Emergency Housing Emergency Shelter	1 space for every 10 beds
Hotels, motels, and similar businesses or institutions providing overnight accommodations	1 space for each room to be rented plus additional space plus 0.5 spaces per employee and (in accordance with other sections of this table) for restaurant or other facilities.
Tourist homes and other temporary residences renting by the day or week	1 space for each room to be rented

Use	Parking Requirement
Restaurants, Bars, Night Clubs	
Carry-Out and Delivery Service; No Drive-Thru Service; Consumption Outside Fully Enclosed Building	1 space per 200 square feet of gross floor area plus 1 space for every eight outdoor seats
Carry-Out and Delivery Service; Drive-Thru Service; Service or Consumption Outside Fully Enclosed Building	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to 5 spaces per drive-in window
Establishments Offering Adult Entertainment	1 space per 200 square feet of gross floor area
Gambling Establishments	1 space per 300 square feet of gross floor area
No Substantial Carry-Out or Delivery Service; No Drive-Thru Service; Service or Consumption Inside or Outside Fully Enclosed Building	1 space per 200 square feet of gross floor area plus 1 space for every eight outdoor seats
Retail Trade	
Convenience Stores General Mercantile Principal Use Sales / Rentals Incidental to a Non-Retail Principal Use Wholesale Sales	1 space per 300 square feet of gross floor area
Distribution Center	1 space per 1,200 square feet of gross floor area, plus 1 space per 1,000 square feet of gross floor area for tractor trailer trucks, up to 10,000 square feet, and 1 space per 5,000 square feet of gross floor area thereafter
Home Occupation	1 additional space if the business includes a commercial vehicle
Mobile Sales and Delivery	1 space per 200 square feet of gross floor area plus reservoir lane capacity equal to 5 spaces per drive-in window
Services and Enterprises Related to Animals	
Kennel Pet Grooming/Pet Store Veterinarian	1 space per 400 square feet of gross floor area
Soil Processing, Mining, or Quarrying Operations	
Soil processing, mining, quarrying operations, including on-site sales of product	1 space for every employee on maximum shift

Use	Parking Requirement
Solid Waste Facilities (Publicly or Privately Owned)	
Biosolid Recycling Sanitary Landfill Solid Waste Recycling Center Solid Waste Transfer Station	1 space for every four employees on maximum shift
Storage and Parking	
Aircraft Parking or Storage	1 space for every two hangars required, which may include space inside a hanger
Parking of vehicles or storage of equipment outside enclosed structures where vehicles or equipment are owned and used by the person making use of lot,	1 space per 10,000 square feet of gross floor and 1 space for every 4 employees
Warehouse Storage Facility	1 space per 1,200 square feet of gross floor area, plus 1 space per 1,000 square feet of gross floor area for tractor trailer trucks, up to 10,000 square feet, and 1 space per 5,000 square feet of gross floor area thereafter
Utility Facilities	
Electrical Community or Regional Facility Electrical Neighborhood Facility	1 space is required on the property in which the facility has been installed for maintenance purposes
Wireless Communication Facilities	
Commercial Antennas 50 feet tall or less Commercial Antennas more than 50 feet tall and receive-only earth stations Commercial Monopole I Commercial Monopole II Commercial Macro Facilities Commercial Micro Facilities Commercial Mini Facilities Non-Commercial Towers and Antennas 50 feet tall or less Non-Commercial Towers and Antennas more than 50 feet tall and receive-only earth stations	1 space is required on the property in which the facility has been installed for maintenance purposes

Section 3. Arlington Municipal Code section 20.72.030(b) shall be and hereby is amended to read as follows:

> Subject to subsection (b), and except accessible parking spaces as per Section 20.72.064 (Accessible Parking Spaces), each parking space shall contain a rectangular area at least nineteen feet long and nine feet wide. Lines separating parking spaces may be drawn at various angles in relation to curbs or aisles, so long as the parking spaces so created contain within them the rectangular area required by this section. In parking areas containing ten or more parking spaces, twenty percent of the parking spaces may contain a rectangular area of only eight feet in width by fifteen feet in length. If such spaces are provided, they shall be conspicuously designated as reserved for small or compact cars only. When feasible parking stalls shall be provided for motorcycles and electric cars.

Section 4. Arlington Municipal Code section 20.72.040 shall be and hereby is amended to read as follows:

20.72.040 Required Widths of Parking Area Aisles and Driveways.

(a) Drive aisle widths shall conform to Table 20.72-2, Drive Aisle Widths, which varies the width requirement according to the angle of parking.

~~(b) Table 20.72-2. Parking Aisle Widths.~~

Table 20.72-2: Parking Aisle Widths

	Aisle Width				
Parking Angle ⟶	0°	30°	45°	60°	90°
One-Way Traffic	13'	11'	13'	18'	24'
Two-Way Traffic	22'	22'	22'	22'	24'

Section 5. Arlington Municipal Code section 20.72.064 shall be and hereby is amended to read as follows:

20.72.064 Accessible Parking Spaces.

(a) Handicap Standards: All handicapped parking spaces shall be designed in accordance with the following standards: American National Standard Institute~~, Inc. Standards for Making Buildings and Facilities Accessible To and Useable By Physically Handicapped People~~, International Code Council Accessible and Usable Buildings and Facilities (~~ANSI~~ICC A117.1-~~1980~~ 2017) and Americans with Disabilities Act (ADA).

(b) Number: The number of handicapped parking spaces to be provided in any lot or facility shall be according to the current state standard and the International Building Code (Table 20.72-3). Accessible parking spaces are to be calculated in addition to the required off-street parking spaces required and not included in the parking calculations in Table 20.72-1. Accessible parking spaces shall

not be required in mechanical or valet/attendant park facilities except that a minimum of one accessible space shall be provided to allow the owner/driver of a vehicle with special hand or other controls to park the vehicle. The designation of handicapped parking stalls shall constitute consent by the property owner to the enforcement of the restriction of such spaces to handicapped users by the city.

Table 20.72-3: Minimum Number of Accessible Parking Spaces

Parking Facility Total	Minimum Number of Accessible Spaces		
	Standard	Van	Total
1 to 25	0	1	1
26 to 50	1	1	2
51 to 75	2	1	3
76 to 100	3	1	4
101 to 150	4	1	5
151 to 200	5	1	6
201 to 300	5	2	7
301 to 400	6	2	8
401 to 500	7	2	9
501 and over	Refer to Actual Document (ICC A117.1-2017)		

(c) Size: Parking spaces for disabled people shall be at least eight feet - zero inches wide and shall have an adjacent access aisle at least five feet - zero inches wide. A single space thirteen feet - zero inches wide may also be provided. Parking access aisles when a part of the accessible route to the building or facility entrance shall comply with ~~Section 4.3 of ANSI~~ ICC A117.1-~~1980~~ 2017. Two adjacent accessible parking spaces may share a common access aisle only if a vehicle can reasonably back into a space to ensure that the access aisle is on the preferred side or if the space may be reasonably used by handicapped vans. Parked vehicle overhangs shall not reduce the clear width of an accessible route. Specific conditions as established in state code may require modifications of these standards to ensure compliance.

(d) Signage: A sign displaying the symbol of accessibility, the restriction to use by permit-holders and the fine for violation shall be provided at each handicapped stall in accordance with state law.

Section 6. Arlington Municipal Code section 20.72.086 shall be and hereby is amended to read as follows:

20.72.086 Maximum Cumulative Reduction of Required Parking Spaces.

(a) Reduction in the total number of required parking spaces granted for the provision of alternative transportation services (Section 20.72.084, Reductions in Parking Space Requirements for Provision of Alternative Transportation) or for

protecting significant trees (Section 20.76.120(g) (Retention and Protection of Significant Trees) shall not exceed a total of thirty percent.
(b) Utilizing reductions to parking spaces may result in the submittal of a Traffic Demand Management Study to substantiate the request.

Section 7. Arlington Municipal Code section 20.72.100(a) shall be and hereby is amended to read as follows:

(a) Subject to Subsection (e), and except in the ~~CBD~~ OTBD-1 District, whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this section to accommodate the delivery or shipment operations in a safe and convenient manner.

Section 8. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 9. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-026 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-026

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.72 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING PARKING REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-027

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.76 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING REGULATIONS FOR SCREENING AND TREES

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.76.030 shall be and hereby is amended to read as follows:

20.76.030 Compliance With Screening Standard.

(a) Except as modified per §20.76.090 (Special Screening Requirements), the table set forth in §20.76.050 (Table of Screening Requirements), in conjunction with the explanations in 20.76.040 (Descriptions of Screens) concerning the types of screens, establishes screening requirements that presumptively satisfy the general standards established in §20.76.020 (General Screening Standard). However, this table is only intended to establish a presumption and should be flexibly administered in accordance with §20.76.060 (Flexibility in Administration Required).

(b) The ~~numerical designations contained in the~~ Table of Screening Requirements (§20.76.050) ~~are keyed to the~~ represent the allowed uses of the Table~~s~~ of Permissible Uses (§20.40~~.010~~), and the ~~letter~~ screening type letter designations refer to types of screening as described in §20.76.040 (Descriptions of Screens). This table indicates the type of screening that is presumptively required between two uses. Where such screening is required, only the property under application for development is responsible for installing the screening. The use assigned this responsibility is referred to as the burdened use in §20.76.050 (Table of Screening Requirements), and the other use is the benefited use.

To determine the type of screening a proposed new development must install, find the proposed use in the table to determine frontage landscaping and side/rear property lines. ~~begin under the burdened column with the use classification number of the proposed use and follow that line across the page to its intersection with the use classification number of each use that adjoins the property to be developed.~~ For each intersecting square that contains a letter, the developer must install the level of screening indicated along this portion bordering that use.

(c) If, when the analysis described in Subdivision (b) is performed, the burdened use is an existing use but the required screening is not in place, then this lack of screening shall constitute a nonconforming situation, subject to all the provisions of Chapter 20.32 (Nonconforming Situations) of this Title.

(d) Notwithstanding any other provision of this chapter, a multi-family development shall be required, at the time of construction, to install any screening that is required

between it and adjacent existing uses according to the table set forth in §20.76.050 (Table of Screening Requirements).

(e) Developments in the Old Town Business Districts 1, 2, and 3 shall be exempt from the screening requirements of §20.76.050 (Table of Screening Requirements) pertaining to screening along streets where the buildings abut the sidewalk.

(f) Developments in the Old Town Residential District shall comply with the Old Town Residential Design Standards.

Section 2. Arlington Municipal Code section 20.76.050 shall be and hereby is amended to read as follows:

20.76.050 Table of Screening Requirements.

See Table 20.76-1: Screening Requirements.

Section 3. Arlington Municipal Code Table 20.76 shall be and hereby is deleted in its entirety.

Section 4. A new Arlington Municipal Code Table 20.76-1 shall be and hereby is adopted to read as follows:

Table 20.76-1 Screening Requirements		
Use	Frontage Landscaping	Side and Rear Property Lines
Agricultural		
Commercial Greenhouse On-Premises Sales	N/A	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Aviation Related Sales and Service Operations		
Aviation Fuel Sales Aircraft Painting and Body Work Aircraft Repair and Maintenance, Not Including Substantial Body Work Aircraft Sales or Rentals Aircraft Sales with Installation of Aircraft Parts or Accessories (Propellers, Tires, Mufflers, etc.) Aircraft Wash	Type B	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Cultural, Social or Fraternal Uses		
Art Gallery or Center Library Museum, Social Club Fraternal Clubs and Lodges Union Halls Similar Uses.	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Educational		
Colleges, Universities, Community Colleges Training Facility	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Commercial Nursery Schools/ Day Care Center		
Elementary Schools		
Secondary/High School		
Trade School, Vocational School		
Industry, Manufacturing, Processing, Repairing, Renovating, Assembly of Goods, Merchandise or Equipment		
Brewery, Distillery, Craft Beverage Production with or without Tasting Room or Restaurant (No Drive-Thru Services)	Type B	Type A –All Neighboring Properties
Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Done with Walk-In Trade		
Operations Conducted Entirely Within Fully Enclosed Building and Primarily Consists of Business Done without Walk-In Trade		
Operations Conducted Entirely Within or Outside Fully Enclosed Building.		
Use	Frontage Landscaping	Side and Rear Property Lines

Institutional Residence, Care, or Confinement Facilities		
Hospitals	Type B	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Medical Clinics Dental Clinics and Offices		
Institutions (Other than Halfway Houses) for Confined Mentally Ill Persons		
Nursing Care Institutions Intermediate Care Institutions Handicapped or Infirm Institutions Childcare Institutions		
Penal and Correctional Facilities		
Marijuana Production, Processing, and Retail		
Marijuana Production Marijuana Processing	Type B	Type A –All Neighboring Properties
Marijuana Retail	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Motor Vehicle Related Sales and Service Operations		
Car Wash	Type B	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Electric Vehicle Infrastructure		
Fuel Sales		
Painting and Body Work with No Storage of Vehicles Repair and Maintenance. Not Including Substantial Body Work, and No Storage of Vehicles Vehicle Sales and Rental or Mobile Home Sales Vehicle Sales with Installation of Motor Vehicle Parts or Accessories (Tires, Mufflers, etc.)		
Scrap Materials Salvage Yards, Junkyards, Automobile Graveyards, and Automobile Recycling Facilities	Type A	Type A –All Neighboring Properties
Towing Operations		
Office		
Government Office Buildings Health Care Facility Industrial or Manufacturing On-Site Office Research and Development Technology Other Similar Uses	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Open Air Markets and Horticultural Sales		
Horticultural Sales with Outdoor Display Temporary (Seasonal) Farmer's Market	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Use	**Frontage Landscaping**	**Side and Rear Property Lines**

Personal Services		
Banks with Drive-Thru Windows	Type B	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Dry Cleaner / Laundromat Travel Agencies		
Salon / Barber Shop / Beauty Shop / Tanning Studio: Art, Music, Dance	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Professional Services		
Attorney / Legal Services Clinics of Physicians or Dentist Consultant Funeral Home Insurance / Stockbroker Other Similar Uses	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Crematorium	Type A	Type A –All Neighboring Properties
Public and Semi-Public Facilities		
Airport Military Reserve, National Guard Centers	Type A	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Bus Station, Train Station	Type B	Type A –All Neighboring Properties
Post Office	Type C	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Civil Defense Operation Fire Stations Police Stations Rescue Squad, Ambulance Service	Type C	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Temporary Mobile or Modular Structures Used for Public Services (Mobile Classrooms, Civic Services, Public Health Centers, Emergency Response Centers, etc.)	The Primary Use of the Building Determines the Screening Type	

Use	Frontage Landscaping	Side and Rear Property Lines
Recreation, Amusement, Entertainment - Indoor		
Bowling Alleys, Skating Rinks, Indoor Tennis and Squash Courts, Billiards and Pool Halls, Indoor Athletic and Exercise Facilities, and Similar Uses	Type C	Type A – All Neighboring Residential Type C– All Other Neighboring Properties
Movie Theaters Seating Capacity Less than 300 Movie Theaters Unlimited seating capacity		
Indoor Automobile and motorcycle racing tracks	Type A	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Recreation, Amusement, Entertainment - Outdoor		
Athletic Fields, Tennis Courts, Swimming Pools, Miniature Golf Courses, Water Slides, Skateboard Parks, Parks, Swimming Pools,	Type C	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Coliseums, stadiums, and all other facilities designed to seat or accommodate simultaneously more than 1,000 people	Type A	Type A –All Neighboring Properties
Drive-in movie theaters		
Outdoor Entertainment Venue or Amphitheater		
Golf Course, Par 3 Golf Course, Driving Range, and Similar Uses	Type B	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Religious		
Religious Assembly – Principle	Type C	Type A – All Neighboring Residential Type C – All Other Neighboring Properties
Religious Assembly – Accessory	The Primary Use of the Building Determines the Screening Type	
Residential		
Mobile Home	1 Tree in the Front Yard and/or Street Trees (Depends on the Existing Street Frontage) and 1 Tree in the Rear	N/A – Other Neighboring Residential Type A – All Other Neighboring Properties
Single-Family Apartment Above Permitted Non-Residential Use (only one)		
Single-Family Residence, Detached		
Cottage Housing	1 Tree in the Front Yard and/or Street Trees (Depends on the Existing Street Frontage) and 1 Tree in the Rear	Type B – Neighboring Single-Family Residential Only. N/A – Other Neighboring Residential Type A – All Other Neighboring Properties
Mobile Home Park		

Use	Frontage Landscaping	Side and Rear Property Lines
Residential		
Accessory Dwelling Unit	1 Tree in the Front Yard and/or Street Trees (Depends on the Existing Street Frontage) and 1 Tree in the Rear Yard	Type C – Neighboring Single-Family Residential Only. N/A – Neighboring Residential Type A – All Other Neighboring Properties
Duplex		
Multi-Family Rowhouses Multi-Family Townhouses Multi-Family Triplex	1 Tree in the Front Yard and/or Street Trees (Depends on the Existing Street Frontage) and 1 Tree in the Rear Yard	Type B – Neighboring Single-Family Residential Only. N/A – Other Neighboring Residential Type A – All Other Neighboring Properties
Multi-Family Apartments Multi-Family Conversions Multi-Family Fourplex Multi-Family Garden Apartments Multi-Family Use Above a Permitted Non-Residential Use (Mixed Use)	Type C	Type B – Neighboring Single-Family Residential Only. N/A – Other Neighboring Residential Type A – All Other Neighboring Properties
Residential Homes Emphasizing Special Services, Treatment, or Supervision		
Adult Family Homes (6 or fewer adults) Halfway houses Homes for handicapped or infirm Nursing care, intermediate care homes Permanent Supportive Housing Special Needs Childcare homes Transitional Housing	1 Tree in the Front Yard and/or Street Trees (Depends on the Existing Street Frontage) and 1 Tree in the Rear Yard	N/A – Other Neighboring Residential Type A – All Other Neighboring Properties
In-Home Child Day Care	The Primary Residential Use of the Building Determines the Screening Type	
Residential Rooms for Rent Situations		
Rental of Room within a Single-Family Residence	1 Tree in the Front Yard and/or Street Trees (Depends on the Existing Street Frontage) and 1 Tree in the Rear Yard	Type A –All Neighboring Properties
Boarding houses Rooming houses		
Emergency Housing Emergency Shelter		
Tourist homes and other temporary residences renting by the day or week		
Hotels, motels, and similar businesses or institutions providing overnight accommodations	Type C	Type A –All Neighboring Properties

Use	Frontage Landscaping	Side and Rear Property Lines
Restaurants, Bars, Night Clubs		
Carry-Out and Delivery Service; No Drive-Thru Service; Consumption Outside Fully Enclosed Building	Type C	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Carry-Out and Delivery Service; Drive-Thru Service; Service or Consumption Outside Fully Enclosed Building		
Establishments Offering Adult Entertainment		
Gambling Establishments		
No Substantial Carry-Out or Delivery Service; No Drive-Thru Service; Service or Consumption Inside or Outside Fully Enclosed Building		
Retail Trade		
Convenience Stores General Mercantile Principal Use Sales / Rentals Incidental to a Non-Retail Principal Use Wholesale Sales	Type C	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Distribution Center		
Home Occupation	The Primary Residential Use of the Building Determines the Screening Type	
Mobile Sales and Delivery	The Surrounding Properties Determine Any Required Screening and Any Drive – Thru Aisles Require Screening	
Services and Enterprises Related to Animals		
Kennel Pet Grooming/Pet Store Veterinarian	Type C	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Soil Processing, Mining, or Quarrying Operations		
Soil processing, mining, quarrying operations, including on-site sales of product	Type A	Type A –All Neighboring Properties
Solid Waste Facilities (Publicly or Privately Owned)		
Biosolid Recycling Sanitary Landfill Solid Waste Recycling Center Solid Waste Transfer Station	Type A	Type A –All Neighboring Properties

Use	Frontage Landscaping	Side and Rear Property Lines
Storage and Parking		
Aircraft Parking or Storage	Type A	Type A – All Neighboring Residential Type B – All Other Neighboring Properties
Parking of vehicles or storage of equipment outside enclosed structures where vehicles or equipment are owned and used by the person making use of lot.		
Warehouse Storage Facility		
Utility Facilities		
Electrical Community or Regional Facility Electrical Neighborhood Facility	Type A	Type A –All Neighboring Properties
Wireless Communication Facilities		
Commercial Antennas 50 feet tall or less Commercial Antennas more than 50 feet tall and receive-only earth stations Commercial Monopole I Commercial Monopole II Commercial Macro Facilities Commercial Micro Facilities Commercial Mini Facilities Non-Commercial Towers and Antennas 50 feet tall or less Non-Commercial Towers and Antennas more than 50 feet tall and receive-only earth stations	Type A	Type A –All Neighboring Properties

Section 5. Arlington Municipal Code section 20.76.124(b)(1) shall be and hereby is amended to read as follows:

1. ~~Suburban Residential~~Residential Ultra Low Capacity, Residential Low Capacity, ~~Residential Low/Moderate Density,~~ Residential Moderate ~~Density~~Capacity, Residential Medium Capacity, and Old Town Residential – 2 trees per lot.

Section 6. Arlington Municipal Code section 20.76.130 shall be and hereby is amended to read as follows:

20.76.130 Shade Trees in Parking Areas.

(a) Vehicle accommodation areas that are required to be paved by §20.72.060 (Parking Area Surfaces) must be shaded by deciduous trees (either retained or planted by the developer) that have or will have when fully mature a trunk at least 8 inches in diameter. When the developer plants trees to satisfy the requirements of this subsection, the developer shall choose trees that meet the standards set forth in the Department of Public Works' Design Standards and Specifications.

(b) Landscaping within vehicle accommodation areas shall meet the requirements of §20.46 (Design) and the Development Design Standards.

~~(b)~~(c) Each tree of the type described in Subsection (a) shall be presumed to shade a circular area having a radius of 15 feet with the trunk of the tree as the center, and there must be sufficient trees so that, using this standard, 20 percent of the vehicle accommodation area will be shaded.

~~(c)~~(d) Except as noted in Subsection (e)~~(d)~~, no paving may be placed within 2½ feet (measured from the center of the trunk) of any tree retained to comply with Subsection (a), and new trees planted to comply with Subsection (a) shall be located so that they are surrounded by at least 200 square feet of unpaved area.

~~(d)~~(e) Pervious paving (grasscrete, metal grating, etc.) may be used within 2½ feet of a tree if (i) the parking lot is designed so that no significant run-off from the paved areas drains into the area around the base of the tree(s) and (ii) barriers are placed in such a manner as to prevent vehicles from damaging such trees.

~~(e)~~(f) Vehicle accommodation areas shall be laid out and detailed to prevent vehicles from striking trees. Vehicles will be presumed to have a body overhang of three feet, six inches.

~~(f)~~(g) Vegetation shall be planted and maintained to prevent obstruction of driver visibility of pedestrians and other vehicles.

Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 8. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-027 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-027

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.76 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING REGULATIONS FOR SCREENING AND TREES"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-028

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.80 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING FOREST LAND CONVERSION REGULATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. The following definitions within Arlington Municipal Code section 20.80.030 shall be and hereby are amended to read as follows:

Water typing system means the classification system adopted pursuant to §20.~~88.700~~93 Part VI ~~(~~Streams, Creeks, Rivers, Lakes and Other Surface Water~~—Classification)~~.

Wetland typing system means the classification system adopted pursuant to §20.~~88.800~~93 Part VII ~~(~~Wetlands~~—Classification)~~.

Section 2. Arlington Municipal Code section 20.80.120(f) shall be and hereby is amended to read as follows:

(f) Critical areas study for all critical areas within two hundred feet of any proposed site disturbance including area of timber harvest. In addition, where the lifting of a development moratorium is sought, the applicant shall:

(1) Indicate on the plan per Chapter ~~20.88~~ 20.93 (~~Environmentally~~ Critical Area~~s~~ Ordinance), critical areas on the subject property prior to the forest practice and the extent to which the forest practice infringed upon or did not infringe upon those areas and their buffers as defined by Chapter ~~20.88~~ 20.93; and

(2) Complete and submit a functions and values analysis that includes a mitigation plan to restore any impacted functions and values to the levels existing prior to the forest practice activity within three years of development activity approval;

Section 3. Arlington Municipal Code section 20.80.230(2) shall be and hereby is amended to read as follows:

(2) The proposed activities are in compliance with all applicable requirements of Arlington code, including but not limited to, the critical area protection requirements of AMC ~~Chapter 20.88~~ Chapter 20.93 (~~Environmentally~~ Critical Area~~s~~Ordinance) and the drainage provisions of AMC Chapter 13.28 (Stormwater Management); and

Section 4. Arlington Municipal Code section 20.80.445(b)(2) shall be and hereby is amended to read as follows:

(2) Mitigation and restoration for disturbance that occurs within critical areas or their buffers shall pursuant to ~~Chapter 20.88~~ Chapter 20.93 (~~Environmentally~~ Critical Area~~s~~ Ordinance).

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-028 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-028

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.80 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING FOREST LAND CONVERSION REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-029

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.90 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING CONCURRENCY AND IMPACT FEES

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. The following definition in Arlington Municipal Code section 20.90.020 shall be and hereby is amended to read as follows:

Transportation Facilities means and refers to streets and roads, but includes all publicly owned streets, roads, alleys and ~~right-of-ways~~ rights-of-way within the City and street services, traffic control devices, curbs, gutters, sidewalks and related facilities and improvements.

Section 2. A new Arlington Municipal Code section 20.90.045 shall be and hereby is added to read as follows:

20.90.045 Imposition of Impact Fees on Cascade Industrial Center Development Activity.

(a) All development projects within the Cascade Industrial Center shall be assessed an additional transportation impact fee, at the rate of $5,841.39, 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. It is hereby declared that such impact fees shall:

(1) Only be imposed to those developments within the Cascade Industrial Center and subject to the Cascade Industrial Center Planned Action EIS adopted per Ordinance 2020-002.

(2) Concurrency. All Planned Action projects shall meet the transportation concurrency requirements and the level of service (LOS) thresholds established in the Arlington Comprehensive Plan and §20.56.

(3) Traffic Impact and Mitigation. The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection 4.D(3)(a) of the Planned Action are not exceeded.

(4) That the project meets the concurrency standards of Subsection 3.D(3)(b) of the Planned Action.

(5) That the project has mitigated impacts consistent with Exhibit B of the Planned Action.

(b) Planned Action applicants shall provide the following documentation at a minimum unless otherwise required to address standards of §20.04.120 and §20.56:

(1) Trip generation and total trips in relation to the trip bank in subsection 3.D(3)(a) and (d).

(2) Site-specific access design and consistency with city standards.

(3) Implementation of required frontage improvements per Exhibit B-3 and applicable city engineering standards.

(4) Share of cost on area wide mitigation per Exhibit B-3.

(c) Discretion. The City Engineer or his/her designee shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City Engineer at his or her sole discretion, for each project permit application proposed under this Planned Action.

(d) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of adverse impacts of any element(s) of the environment analyzed in the Planned Action EIS, would not qualify as a Planned Action.

(e) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the city's SEPA responsible official may determine that the Planned Action designation is no longer applicable until supplemental environmental review is conducted.

(f) Substantive Authority. Pursuant to SEPA substantive authority of §20.98.200 and Comprehensive Plan policies, impacts shall be mitigated through the measures included in Exhibit B of the Planned Action.

(g) For subdivisions, binding site plans, and all other development activities, impact fees shall be assessed prior to the issuance of the building permit. Impact fees shall be due and payable, in whole at said time without interest.

(h) Failure to pay the impact fees for a given development activity at the time of assessment shall result in denial of the building permit for which the owner has applied.

(i) If, as a condition of approval of development activity, the City requires the dedication of land, or construction of system improvements, in excess of the minimum development standards set out in this Title, the developer shall be eligible for a credit towards the transportation mitigation fees otherwise payable under this chapter. The amount of said credit shall be measured based on the pre-development fair market value of said land or improvements required in excess of the minimum standards and shall be deducted from the transportation mitigation fees charged under this chapter.

(j) A trip-for-trip credit for existing trips may be given when a site is being expanded or undergoing a change in use. However, no credits for existing trips may be transferred from one site to another.

Section 3. Arlington Municipal Code section 20.90.060(c) shall be and hereby is amended to read as follows:

(c) Owners seeking a refund of impact fees must submit a written request for a refund of impact fees to the City Administrator or designee within one year of the date the right to claim the refund arises, which, for purposes of refund claims authorized pursuant to paragraph (b) of this section only, shall be the date of voluntary or involuntary abandonment of the building permit, or the date that notice is given as provided in paragraph (a) of this section, ~~which ever~~ whichever occurs later. Refunds of impact fees shall include interest and any profits earned on the impact fees from the date of their receipt to the date of refund, as a percentage of the interest/profits earned by the fund on an annual basis. Any impact fees not expended within the time limitations described in AMC 16.84.050(b) and for which no application for a refund has been made within the one-year claim period, shall be retained by the City and expended on public facilities of the type for which such impact fees were initially collected, without further limitation as to the time of expenditure.

Section 4. The following definition in Arlington Municipal Code section 20.90.140 shall be and hereby is amended to read as follows:

Estimated Facility Construction Cost means the planned costs of new schools or the actual construction costs of schools of the same grade span recently constructed by the district, including ~~on-site~~ on-site and off-site improvement costs. If the district does not have this cost information available, construction costs of school facilities of the same or similar grade span within another district are acceptable.

Section 5. Arlington Municipal Code section 20.90.230 shall be and hereby is amended to read as follows:

Each development activity, as a condition of approval, shall be subject to the school impact fee of ~~$4,444~~ $4,002 for each single-family, $0 for each multi-family (1 bedroom), and ~~$4,546~~ $2,328 for each multi-family (2+ bedrooms) dwelling unit for the Arlington School District; and ~~$1,906~~ $0 for each single-family, $0 for each multi-family (1 bedroom), and ~~$2,121~~ $0 for each multi-family (2+ bedrooms) dwelling unit for the Lakewood School District. The proposed school impact fee shall be calculated in accordance with the formula established in §20.90.240 (Impact Fee Calculation Formula), then be multiplied by 0.5 to determine the maximum school impact fee that the Council could adopt.

Section 6. Arlington Municipal Code section 20.90.250(b) shall be and hereby is amended to read as follows:

(b) The City Council may, on a case by case basis, grant exemptions to the application of the fee schedule for affordable and for low income housing activities in

accordance with RCW 82.02.060(2). To qualify for such exemption, the developer of such housing shall submit a petition to the director for consideration by the Council prior to application for building permit. The Council shall establish conditions for such approvals at the time of approval that, at a minimum, meet the requirements of RCW 82.02.060(2) and which shall also include a requirement for a covenant to assure the project's continued use for low income housing. The covenant entered into by and between the developer and the district shall be an obligation that runs with the land~~,~~ and shall be recorded against the title of the real property upon which such housing is located in the real property records of Snohomish County.

Section 7. Arlington Municipal Code section 20.90.400 shall be and hereby is amended to read as follows:

(a) ~~In addition to the requirements of §20.52.010 (Mini-Parks Required), each residential~~ Residential developments shall pay a Community Park ~~impact~~ Impact ~~fee~~ Fee of $1,662 for each single-family dwelling unit and $1,497 for each multi-family dwelling unit prior to issuance of a building permit. ~~Short subdivisions which do not set land aside for development of a Neighborhood Park or existing lots shall pay, prior to building permit issuance, $484 for each single-family and $436 for each multi-family dwelling unit.~~
(b) Residential developments which do not set aside for a Neighborhood/Mini-Park per §20.52.010 (Mini-Parks Required) or existing lots shall pay a Neighborhood/Mini Park In Lieu Fee of $484 per single family dwelling unit and $436 per multi-family dwelling unit, prior to issuance of a building permit.

Section 8. **Severability**. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 9. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-029 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-029

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.90 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING CONCURRENCY AND IMPACT FEES"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-030

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, AMENDING ARLINGTON MUNICIPAL CODE CHAPTER 20.93 REGARDING CRITICAL AREAS REGULATIONS

WHEREAS the City of Arlington is required to plan under RCW 36.70A.040; and

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.93 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED BY the City Council and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

Attest:

Wendy Van der Meersche

Wendy Van der Meersche, City Clerk

Approved as to form:

Steven J. Peiffle, City Attorney

EXHIBIT A

Chapter 20.93

CRITICAL AREA ORDINANCE

Sections:

Part I – Purpose and Intent
20.93.010 Purpose and Intent.
Part II - Definitions
20.93. 100 Definitions.
Part III - General Provisions
20.93.200 Applicability.
20.93.210 Regulated Activities.
20.93.220 Allowed Activities.
20.93.230 Compliance.
20.93.240 Classification as and Environmentally Critical Area.
20.93.250 Procedures.
20.93.260 Submittal Requirements.
20.93.270 Site/Resource Specific Reports.
20.93.280 Maps and Inventory.
20.93.290 Dedication of Environmentally Critical Area Easements.
20.93.300 Dedication of Land and/or Easements in Lieu of Required Parks and Open Space.
20.93.310 Increased Buffer Widths.
20.93.320 Buffer Width Averaging.
20.93.330 Buffers to be retained in Natural Condition.
20.93.340 Building Setbacks from Buffers.
~~20.93.360 Reserved.~~
20.93.370 Non-Conforming Activities.
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Part V~~I~~ - Geologically Hazardous Areas
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Part 1 – Purpose and Intent

20.93.010 - Purpose and Intent.

This chapter establishes regulations for the protection of environmentally critical areas (ECAs) including critical areas, natural resource lands, and protective buffers. While it is intended that this chapter fulfill the mandates of the Washington State Growth Management Act, that is not its sole purpose: Its primary purpose is to fulfill the legislative intent of the city of Arlington, which is to protect the public health, safety, and welfare of the citizens of Arlington by providing for the long-term preservation of natural systems and their functions. This is to be accomplished by establishing prohibitions, mitigation requirements, and minimum standards for the use and development of properties that contain or adjoin environmentally critical areas. Additionally, this chapter is intended to:

(1) If at all possible, avoid impacts to environmentally critical areas. If this is not practicable, then:
   (A) Minimize or limit the degree or magnitude of actions and their implementation by using appropriate technology or by taking affirmative steps to avoid or reduce impacts.
   (B) Mitigate any impacts by repairing, rehabilitating, or restoring the affected environment.
   (C) Reduce or eliminate any impacts over time by preservation and maintenance operations during the life of the action.

(D) Compensate for unavoidable impacts by replacing, enhancing, or providing substitute resources or environments through monitoring of specific and cumulative impacts.

(2) Protect the public from personal injury, loss of life, or property damage due to flooding, erosion, landslides, seismic events, or soil subsidence.

(3) Protect against publicly financed expenditures due to the misuse of environmentally critical areas that cause:
   (A) Unnecessary maintenance and replacement of public facilities;
   (B) Publicly funded mitigation of avoidable impacts;
   (C) Cost for public emergency rescue and relief operations where the causes are avoidable;
   (D) Degradation of the natural environment.

(4) Protect aquatic resources.

(5) Protect unique, fragile, and valuable elements of the environment, including wildlife and its habitat.

(6) Alert appraisers, assessors, owners, potential buyers, or lessees to the development limitations of environmentally critical areas.

(7) Provide city officials with sufficient information to adequately protect environmentally critical areas when approving, conditioning, or denying applications for public or private development proposals.

(8) Give guidance to the development of comprehensive plan policies in regard to the natural systems and environment of the Arlington Watershed(s).

(9) Provide property owners and developers with succinct information regarding the city's requirements for property development, thus rationalizing and accelerating the development permit application process.

Part II – Definitions

20.93.100 Definitions.

For the purposes of this chapter, the following definitions shall apply:

"Agricultural Activities, Existing and Ongoing – Those activities conducted on lands defined in RCW 84.34.020(2), and those activities involved in the production of crops and livestock, including but not limited to operation, maintenance and conservation measures of farm and stock ponds or drainage ditches, irrigation systems, changes between agricultural activities, and normal operation, maintenance or repair of existing serviceable structures, facilities, or improved areas. Activities which bring an area into agricultural use are not part of an ongoing activity. An operation ceases to be ongoing when the area in which it was conducted is proposed for conversion to nonagricultural use or has lain idle for a period of longer than five years unless the idle land is registered in a federal or state soils conservation program.

"Alteration(s)". ~~A change or rearrangement of the structural parts of existing facilities or an enlargement by extending the side or increasing the height or depth or the moving from one location to another.~~ Any human-induced change in an existing condition of a critical area or its buffer. Alterations include, but are not limited to, grading, filling, channelizing, dredging, clearing

of vegetation, construction, compaction, excavation, or any other activity that changes the character of the critical area.

"AMC". The Arlington Municipal Code.

"Applicant". A person who applies for any permit or approval to do anything governed by this code and who is either the owner of the subject property, the authorized agent of the owner, or the city.

"Best Available Science". Current scientific information used in the process to designate, protect, or restore critical areas; that is, derived from a valid scientific process as defined WAC 365-195-900 through 925.

"Best Management Practices (BMPs)". Conservation practices or systems of practices and management measures that:

(a) Control soil loss and reduce water quality degradation caused by high concentrations of nutrients, animal waste, toxics, or sediment;

(b) Minimize adverse impacts to surface water and ground water flow and circulation patterns and to the chemical, physical, and biological characteristics of wetlands;

(c) Protect trees, vegetation, and soils designated to be retained during and following site construction and use native plant species appropriate to the site for re-vegetation of disturbed areas; and

(d) Provide standards for proper use of chemical herbicides within critical areas.

"Bog". A low-nutrient, acidic wetland with organic soils and characteristic bog plants, as described in *Washington State Wetland Rating System for Western Washington: 2014 Update* (Washington State Department of Ecology Publication #14-06-29, Olympia, WA, October 2014).

"Buffer or Buffer Zone". They are contiguous with a critical area that maintains the functions and/or structural stability of the critical area.

"Classes". Taxonomic classification system of the United States Fish and Wildlife Service (Cowardin, et al 1978).

"Coastal Lagoon". A shallow body of water partly or completely separated from the sea by a barrier beach that receives periodic influxes of salt water, as described in *Washington State Wetland Rating System for Western Washington: 2014 Update* (Washington State Department of Ecology Publication #14-06-29, Olympia, WA, October 2014).

"Commercial". Activity with goods, merchandise, or services for sale or rent.

"Compensation". In-kind replacement of damaged wetlands with substitute wetlands whose characteristics closely approximate those destroyed or degraded by a regulated activity. It does not mean replacement-in-category. When compensatory measures are appropriate pursuant to the mitigation priority sequence above, preferential consideration shall be given to measures that replace the impacted functions directly and in the immediate vicinity of the impact. However, alternative compensatory mitigation within the watershed sub-basin that addresses limiting factors or identified critical needs for shoreline resource conservation based on watershed or comprehensive resource management plans applicable to the area of impact may be authorized. If there are no previously identified mitigation opportunities in the impacted sub-basin identified in local watershed or comprehensive plans the applicant will use a watershed approach in selecting mitigation sites utilizing Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Publication #09-06-32).

"Constructed stormwater wetland". A stormwater management system that is designed and built to function similar to the naturally occurring wetland including native trees and shrubs allowed to grow to maturity.

"Critical areas". ~~Fish and wildlife habitat conservation areas, streams, wetlands, areas with a critical recharging effect on aquifers used for potable water, fish and wildlife habitat conservation areas, frequently flooded areas; and geologically hazardous areas.~~ Critical areas include any of the following areas or ecosystems: critical aquifer recharge areas, fish and wildlife habitat conservation areas, geologically hazardous areas, frequently flooded areas, and wetlands, as defined in RCW 36.70A and this Chapter.

"Creation". The manipulation of the physical, chemical, or biological characteristics to develop a wetland on an upland or deep-water site where a wetland did not previously exist. Creation results in a gain in wetland acreage and function. A typical action is the excavation of upland soils to elevations that will produce a wetland *hydroperiod* and hydric soils and support the growth of hydrophytic plat species.

"Cumulative Impacts or Effects". The combined, incremental effects of human activity on ecological or critical area functions and values. Cumulative impacts result when the effects of an action are added to or interact with the effects of other actions in a particular place and within a particular time. It is the combination of these effects, and any resulting environmental degradation, that should be the focus of cumulative impact analysis and changes to policies and permitting decisions.

"Dedication". Deliberate appropriation of land by an owner for public use or purpose, reserving no other rights than those that are compatible with the full exercise and enjoyment of the public use or purpose to which the property has been devoted.

"Degraded wetland". A wetland in which the vegetation, soils, and/or hydrology have been adversely altered, resulting in lost or reduced functions and values.

"Developable area". Land outside of critical areas and environmentally critical area setbacks and buffers.

"Development" ~~means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard, subdivision of land, removal of substantial amounts of vegetation, or alteration of natural site characteristics.~~ A land use consisting of the construction or exterior alteration of structures; grading, dredging, drilling, or dumping; filling; removal of sand, gravel, or minerals; bulk heading; driving of pilings; or any project of a temporary or permanent nature which modifies structures, land, wetlands, or shorelines and which does not fall within the allowable exemptions contained in the City Code.

"Development permit". Any permit or approval under this code or the AMC that must be issued before initiating a use or development activity.

"Ditch". A long narrow excavation dug in the earth for drainage with its top width less than ten feet at design flow and that does not meet the definition of a stream. A ditch may be regulated if it conveys stream flow.

"Easement". Land which has specific air, surface or subsurface rights conveyed for us by an entity other than the owner of the subject property or to benefit some property other than the subject property.

"Edge". The boundary of a wetland as delineated based on the criteria contained in this chapter.

"Emergent wetland". A wetland with at least thirty percent of its surface covered by erect, rooted, herbaceous vegetation at the uppermost vegetative strata.

"Enhancement". ~~Alteration of an existing resource to improve or increase its characteristics and processes without degrading other existing functions. Enhancements are to be distinguished from resource creation or restoration projects.~~ The manipulation of the physical, chemical, or biological characteristics of a wetland to heighten, intensify, or improve specific function(s) or to change the growth stage or composition of the vegetative present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in wetland function(s) and can lead to a decline in other wetland functions but does not result in a gain in wetland acres. Examples are planting vegetation, controlling non-native or invasive species, and modifying site elevations to alter hydroperiods.

"Erosion hazard area". A landform or soil type subject to being worn away by the action of water, wind, freeze-thaw, or ice.

"Estuarine Wetland". A vegetated wetland with a water regime that is predominately tidal, as described in *Washington State Wetland Rating System for Western Washington: 2014 Update* (Washington State Department of Ecology Publication #14-06-29, Olympia, WA, October 2014).

"Exotic species". Plants or animals that are not native to the Puget Sound Lowlands region.

"Extraordinary hardship". Prevention of all reasonable economic use of the parcel due to strict application of this chapter and/or programs adopted to implement this chapter.

"Fish and wildlife habitats (of local importance)". A seasonal range or habitat element with which a given species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of relative density or species richness, breeding habitat, seasonal range, and movement corridors. These also include habitats of limited availability or high vulnerability to alteration, such as cliffs and wetlands.

"Forested wetland". Wetlands with at least thirty percent of the surface area covered by woody vegetation greater than twenty feet in height or ≥ three-inch diameter at breast height.

"Forest land". Land used for growing trees, not including Christmas trees, for commercial purposes (as shown by record of any income) that has long-term (six years or more) commercial significance.

~~"Functions". The beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, groundwater recharge and discharge, erosion control, wave attenuation, and aesthetic value protection, and recreation. These roles are not listed in order of priority.~~

"Functions and Values". The services provided by critical areas to society, including, but not limited to, improving, and maintaining water quality, providing fish and wildlife habitat, supporting terrestrial and aquatic food chains, reducing flooding and erosive flows, wave attenuation, historical or archaeological importance, educational opportunities, and recreation.

"Geologically hazardous areas". Includes areas susceptible to erosion, sliding, seismic activity, or other geological events. They pose a threat to the health and safety of citizens when used as sites for incompatible commercial, residential, or industrial development.

"Grading". The physical manipulation of the earth's surface and/or drainage pattern in preparation of an intended use or activity.

"Hazardous Substances". Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

"High quality native wetlands" will be classified by the state wetland rating system for Western Washington. However, the following elements may be considered when identifying locally important functions of a wetland:

(1) No, or isolated, human alteration of the wetland topography;
(2) No human-caused alteration of the hydrology or else the wetland appears to have recovered from the alteration;
(3) Low cover and frequency of exotic plant species;
(4) Relatively little human-related disturbance of the native vegetation, or recovery from past disturbance;
(5) If the wetland system is degraded, it still contains a viable and ~~high-quality~~high-quality example of a native wetland community; and
(6) No known major water quality problems.

"Hydric soil". Soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods as defined by the National Technical Committee for Hydric Soils. The presence of hydric soil shall be determined following the methods described in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region.

"Hydrophyte or hydrophytic vegetation". Plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Washington State Wetland Delineation Manual adopted pursuant to RCW 90.58.380.

"Impervious Surface". A surface area which either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development. A non-vegetated surface area which causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under pre-development or pre-developed conditions. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.

"Improvement". Any structure or manmade feature.

"In-Kind Compensation". To replace critical areas with substitute areas whose characteristics and functions closely approximate those destroyed or degraded by a regulated activity.

"In-Lieu-Fee Program". An agreement between a regulatory agency (state, federal, or local) and a single sponsor, generally a public natural resource agency or non-profit organization. Under an in-lieu-fee agreement, the mitigation sponsor collects funds from an individual or a number of individuals who are required to conduct compensatory mitigation required under a wetland regulatory program. The sponsor may use the funds pooled from multiple permittees to create one or a number of sites under the authority of the agreement to satisfy the permittees' required mitigation.

"Infiltration". The downward entry of water into the immediate surface of soil.

"Interdunal Wetland". A wetland that forms in the deflation plains and swales that are geomorphic features in areas of coastal dunes, as described in *Washington State Wetland Rating System for Western Washington: 2014 Update* (Washington State Department of Ecology Publication #14-06-29, Olympia, WA, October 2014).

"Isolated wetlands" ~~will be classified by the state wetland rating system for Western Washington. However, the following elements may be considered when identifying locally important functions of a wetland.~~

~~(1) Are outside of and not contiguous to any wetland system of one acre or more, or the one hundred-year floodplain of a lake, river, creek, or stream; and,~~

~~(2) Have no contiguous hydric soil or hydrophytic vegetation between the wetland and contiguous wetlands of one acre or more or any surface water.~~ A wetland that is hydrologically isolated from other aquatic resources, as determined by the United States Army Corps of Engineers (USACE). Isolated wetlands may perform important functions and are protected by state law (RCW 90.48) whether or not they are protected by federal law.

"Landslide hazard areas". Areas potentially subject to risk of mass movement due to a combination of factors, including historic failures.

"Land uses, high intensity". A zone classification allowing more than one dwelling unit per acre.

"Land uses, low intensity". Includes land uses which are associated with low levels of human disturbance or low habitat impacts, including, but not limited to, passive recreation, open space, or those uses listed in Section 20.93.220 (Allowed Activities).

"Land uses, medium intensity". Includes land uses which are associated with moderate levels of disturbance such as open space parks with biking and jogging, etc., conversion of moderate-intensity agriculture (orchards, hay fields, etc.), paved trails, gravel roads, utility corridors or right-of-way shared by several utilities including access/maintenance roads.

"Mature and Old-Growth Forested Wetland". A wetland having at least one contiguous acre of either old-growth forest or mature forest, as described in *Washington State Wetland Rating System for Western Washington: 2014 Update* (Washington State Department of Ecology Publication #14-06-29, Olympia, WA, October 2014).

"Mineral resource lands". Lands primarily devoted to the extraction of gravel, sand, other construction materials, or valuable metallic or mineral substances.

"Mitigation". Avoiding, minimizing, or compensating for adverse critical areas impacts. Mitigation, in the following sequential order of preference, is:

(a) Avoiding the impact altogether by not taking a certain action or parts of an action;

(b) Minimizing impacts by limiting the degree of magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps to avoid or reduce the impacts;

(c) Rectifying the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project;

(d) Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;

(e) Compensating for the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by replacing, enhancing, or providing substitute resources or environments; and

(f) Monitoring the hazard or other required mitigation and taking remedial action when necessary.

Mitigation for individual actions may include a combination of the above measures.

"Monitoring". Evaluating the impacts of development proposals on the biological, hydrological, and geological elements of such systems, and assessing the performance of required mitigation measures through the collection and analysis of data by various methods for the purpose of understanding and documenting changes in natural ecosystems and features. Monitoring includes gathering baseline data.

"Native vegetation". Plant species that are indigenous to the Puget Sound Lowlands region.

"Natural condition". Lands that retain native vegetation, forest duff and naturally occurring contours and drainage patterns not modified by human activity.

"Natural resource lands". Agriculture, forest, and mineral resource lands as defined in this section.

"Nonconforming". Any use, structure, lot, condition, activity, or any other feature or element of private property or the use or utilization of private property that does not conform to any of the provisions of this code or that was not approved by the city through the appropriate decision-making process required under this code.

"Off-Site Compensation". To replace critical areas away from the site on which a critical area has been impacted.

"On-Site Compensation". To replace critical areas at or adjacent to the site on which a critical area has been impacted.

"Open space". Land not covered by buildings, roadways, parking areas, or other surfaces through which water cannot percolate into the underlying soils.

"Ordinary ~~high water~~high-water mark". That mark which is found by examining the bed and banks of water bodies and ascertaining where ethe presence and action of waters are so common and usual, and so long continued in all ordinary years, that the soil has a character distinct from that of the abutting upland in respect to vegetation and as ~~As~~ defined by RCW 90.58.030(2)(b), as now or hereafter amended.

"Palustrine wetland". Freshwater with open water, emergent herbaceous vegetation, scrub-shrub vegetation, and/or trees.

"Pond". Any inland body of water, either naturally or artificially formed or increased, that has a surface area of one thousand square feet or more, except: These do not include ponds deliberately designed and created from dry sites such as canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities.

"Practicable alternative". An alternative that is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes, and having less impacts to environmentally critical areas. It may include an area not owned by the applicant that can reasonably be obtained, utilized, expanded, or managed in order to fulfill the basic purpose of the proposed activity.

"Preservation". The removal of a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This term includes the purchase of land or conservation

easements, repairing water control structures or fences, or structural protection. Preservation does not result in a gain of wetland acres but may result in a gain of functions over the long term.

"Project Area". All areas, including those within fifty (50) feet of the area, proposed to be disturbed, altered, or used by the proposed activity or the construction of any proposed structures. When the action binds the land, such as a subdivision, short subdivision, binding site plan, planned unit development, or rezone, the project area shall include the entire parcel, at a minimum.

"Prior Converted Croplands". Prior converted croplands (PCCs) are defined in federal law as wetlands that were drained, dredged, filled, leveled, or otherwise manipulated, including the removal of woody vegetation, before December 23, 1985, to enable production of an agricultural commodity, and that: 1) have had an agricultural commodity planted or produced at least once prior to December 23, 1985; 2) do not have standing water for more than 14 consecutive days during the growing season, and 3) have not since been abandoned.

"Priority habitats". Areas with which priority species have a primary association, as determined by the Washington Department of Fish and Wildlife. Priority habitats have one or more of the following attributes: comparatively high or significant species density or richness, significant breeding habitat, significant seasonal ranges, significant wildlife movement corridors, limited availability, and/or high vulnerability.

"Priority species". Wildlife species of concern due to their population status and their sensitivity to habitat alteration.

"Qualified Wetland Professional". A person with professional wetland experience that meets the following criteria:

a. A Bachelor of Science or Bachelor of Arts or equivalent degree in hydrology, soil science, botany, ecology, resource management, or related field, or four years of full-time work experience as a wetland professional may substitute for a degree, and
b. At least two additional years of full-time work experience as a wetland professional; including delineating wetlands, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans, and
c. Completion of additional wetland-specific training programs. This could include a more comprehensive program such as the University of Washington Wetland Science and Management Certificate Program or individual workshops on topics such as wetland delineation, function assessment, mitigation design, hydrophytic plat or hydric soil identification.

A person certified as a Professional Wetland Scientist through the Society of Wetland Scientists professional certification program meets the above criteria.

"Re-establishment". The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historical functions to a former wetland. Re-establishment results in rebuilding a former wetland and results in a gain in wetland acres and functions. Activities could include removing fill, plugging ditches, or breaking drain tiles.

"Rehabilitation". The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions and processes of a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or returning tidal influence to a wetland.

"Repair or Maintenance". An activity that restores the character, scope, size, and design of a serviceable area, structure, or land use to its previously authorized and undamaged condition. Activities that change the character, size, or scope of a project beyond the original design and drain, dredge, fill, flood, or otherwise alter critical areas are not included in this definition.

"Restoration". Measures taken to restore an altered or damaged natural feature, including:

(a) Active steps taken to restore damaged wetlands, streams, protected habitat, or their buffers to the functioning condition that existed prior to an unauthorized alteration; and

~~(a)~~(b) Actions performed to re-establish structural and functional characteristics of a critical area that have been lost by alteration, past management activities, or catastrophic events.

"Riparian habitat". An ecosystem that occurs in the transition zone between aquatic and upland environments.

"Scrub-shrub wetlands". A wetland with at least thirty percent of its surface area covered with woody vegetation less than twenty feet in height or ≤ three-inch diameter at breast height.

"Seismic hazard areas". Areas subject to the risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction or surface faulting. Ground shaking is a primary risk, followed by some unstable slopes causing damage below them.

"Service Area". The geographic area within which impacts can be mitigated at a specific mitigation bank or an in-lieu-fee program, as designated in its instrument.

"Soil Survey". The most recent soil survey for the local area or county by the National Resources Conservation Service, U.S. Department of Agriculture.

"Slope". See Section 20.93.600 (Geological Hazardous Areas—Classification).

"Species". Any group of animals or plants classified as a species or subspecies as commonly accepted by the scientific community.

"Species, Listed". Any species listed under the federal Endangered Species Act or state endangered, threatened, and sensitive, or priority lists (see WAC 232-12-297 or page 6 of "Priority Habitat and Species List," Washington Department of Fish and Wildlife, 2008, Olympia, Washington. 177 pp.)

"Sphagnum". Any of a large genus of mosses that grows only in wet acidic soils and whose remains become compacted with other plant debris to form peat.

"Streams". Those areas where surface waters flow sufficiently to produce a defined channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetative litter or loosely rooted vegetation by the action of moving water. The channel or bed need not contain water year-round. This includes DNR Stream Types S, F, F-ESA, Np, Ns (WAC 222-16-030, or as amended hereafter). This definition is not meant to include irrigation ditches, canals, stormwater runoff devices or other entirely artificial watercourses unless they are used to convey any stream naturally occurring prior to construction. Those topographic features that resemble streams but have no defined channels (i.e., swales) shall be considered streams when hydrologic and hydraulic analyses done pursuant to a development proposal predict formation of a defined channel after development.

"Steep slope". See Section 20.93.600 (Geological Hazardous Areas—Classification).

"Structure". Anything which is built or constructed; an edifice or building of any kind, or any piece of work artificially built-up or composed of parts joined together in some definite manner.

Not included are fences less than six feet in height, retaining wall, rockeries, and similar improvements of a minor character less than three feet in height.

~~"Unavoidable". Impacts that remain after a person proposing to alter environmentally critical areas has demonstrated that no practicable alternative exists for the proposed project.~~

"Unavoidable Impacts". Adverse impacts that remain after all appropriate and practicable avoidance and minimization has been achieved.

"Use." "Development" as that term is defined in Chapter 90.58 RCW. Also means the nature of the activities taking place on private property or within structures thereon.

"Water-dependent". A use for which the use of surface water would be essential in fulfilling the purpose of the proposed project.

"Wetlands". "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

"Wetland of High Conservation Value". A wetland that has been identified by scientists from the Washington Natural Heritage Program (WHNHP) as an important ecosystem for maintaining plant diversity in Washington State. See http://www.dnr.wa.gov/data-information-natural-heritage-features.

"Wetland Mitigation Bank". A site where wetlands are restored, created, enhanced, or in exceptional circumstances, preserved, expressly for the purpose of providing compensatory mitigation in advance of unavoidable impacts to wetlands or other aquatic resources that typically are unknown at the time of certification to compensate for future, permitted impacts to similar resources.

"Wetland Mosaic". An area with a concentration of multiple small wetlands, in which each patch of wetland is less than one acre; on average, patches are less than 100 feet from each other; and areas delineated as vegetated wetland are more than 50% of the total area of the entire mosaic, including uplands and open water.

Part III – General Provisions

20.93.200 Applicability.

This chapter applies to environmentally critical areas within the city's jurisdiction. No action shall be taken by any person that results in any alteration of any environmentally critical area or their buffers except as consistent with the purposes, objectives, and goals of this chapter.

20.93.210 Regulated Activities.

(a) All land use and/or development activities on lands containing environmentally critical areas or affecting off-site environmentally critical areas are subject to this chapter and are prohibited unless:
  (1) The use or activity is found to be exempt by the ~~community development director~~Community and Economic Development Director per the allowed uses sections of this chapter; or,
  (2) The use or activity meets the performance standards found in the requirements sections of this chapter.

(b) Land use and development activities include, but are not limited to, the following activities:
  (1) The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter, or material of any kind.
  (2) The dumping, discharging, or filling with any material.
  (3) The draining, flooding, or disturbing of the water level or water table.
  (4) The driving of pilings.
  (5) The placing of obstructions.
  (6) The construction, reconstruction, demolition, or expansion of any structure.
  (7) The destruction or alteration of vegetation in an environmentally critical area through clearing, harvesting, shading, intentional burning, or planting of vegetation that would alter the character and function of an environmentally critical area.
  (8) Activities that result in a significant change of water temperature, a significant change of physical or chemical characteristics of water sources, including quantity, or the introduction of pollutants.

20.93.220 Allowed Activities.

Unless specifically prohibited elsewhere in this chapter, or unless the use affects a critical area structure, function or value, the following uses are allowed in any environmentally critical area:
  (1) Conservation or preservation of soil, water, vegetation, fish, shellfish, and other wildlife.
  (2) Outdoor recreational activities (including fishing, bird watching, hiking, boating, swimming, canoeing, etc.) and aquatic recreation facilities authorized by this chapter (unless otherwise prohibited from a particular area because of site-specific issues.
  (3) When approval is granted by the city, the recreational harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require killing the plant, tilling of soil, planting of crops, or alteration of a wetland by changing existing topography, water conditions or water sources.
  (4) Education, scientific research, and use of nature trails.
  (5) Navigation aids and boundary markers.
  (6) Site investigative work necessary for land use application submittals such as surveys, soil logs, percolation tests and other related activities. In every case, impacts shall be minimized, and disturbed areas shall be immediately restored.
  (7) Normal maintenance, repair, or operation of existing structures, facilities, or improved areas.
  (8) Environmentally critical area restoration work or relocation work which would improve the function of the environmentally critical area, when done pursuant to a plan approved by the city.

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 impacts to any existing environmentally critical area would be, and what actions are required for compliance with this chapter. No construction activity, including land clearing or grading, shall be permitted until the information required by this section is reviewed and the city approves a plan.

20.93.240 Classification as and Environmentally Critical Area.

Criteria for classification as an environmentally critical area will be listed under the pertinent sections of this chapter.

20.93.250 Procedures.

The city of Arlington shall not grant any approval or permission to conduct development or use in an environmentally critical area prior to the applicant's fulfillment of the requirements of this chapter. The ~~community development director~~Community and Economic Development Director is authorized to adopt administrative procedures for the purpose of carrying out the provisions of this chapter.

20.93.260 Submittal Requirements.

To enable the city to determine compliance with this chapter, at the time of application submittal the applicant shall file a SEPA environmental checklist (if use is subject to SEPA), site/resource specific reports as specified in Section 20.93.270 (General Provisions—Site/Resource Specific Reports), and any other pertinent information requested by the department of community development. The ~~community development director~~Community and Economic Development Director may waive any of these submittal requirements if it is deemed unnecessary to make a compliance determination.

20.93.270 - Site/Resource Specific Reports.

Unless waived per Section 20.93.260 (General Provisions—Submittal Requirements), all applications for land use or development permits proposed on properties containing or adjacent to environmentally critical areas or their defined buffers (see section specific requirements) shall include site/resource specific reports prepared to describe the environmental limitations of the site. These reports shall conform in format and content to guidelines prepared by the ~~department of community development~~Department of Community and Economic Development, which is hereby authorized to do so.

20.93.280 - Maps and Inventory.

The approximate location and extent of environmentally critical areas in the city are displayed on various inventory maps available at the ~~department of community development~~Department of Community and Economic Development. More data will be included as inventories are completed in compliance with the requirements of the growth management act. Maps and inventory lists are guides to the general location and extent of environmentally critical areas.

Environmentally critical areas not shown are presumed to exist in the city and are protected under all the provisions of this chapter. The shoreline jurisdiction areas are identified in the adopted shoreline maps ~~(AMC 20.93.970)~~. In the event that any of the designations shown on the maps or inventory lists conflict with the criteria set forth in this chapter, the criteria and ~~site specific~~site-specific conditions shall control.

20.93.290 - Dedication of Environmentally Critical Area Easements.

(a) In order to protect environmentally critical areas, environmentally critical area easements or tracts, where proposed as mitigation, shall be marked as such and dedicated to the city and recorded with Snohomish County. Appropriate demarcation methods shall be as set forth in the public works construction standards and specifications~~,~~ and include appropriate permanent fencing and signage unless otherwise determined by the natural resources manager. Fencing or demarcation method must be built of materials that are permanent in nature. Fencing may not be required if the site is a known migration route for wildlife and due to other constraints, such as roadways or buildings a fence would prevent migration of those species. Alternative methods of demarcation will be required to replace signage when determined that effectiveness of signage may be limited.

(b) Anyone may offer to dedicate an environmentally critical area easement or tract and its buffer to the city even if not proposed as mitigation.

(c) Such easements or tracts shall cover the environmentally critical area as delineated by their defined boundaries and their buffers.

(d) The basic controlling language for such easements shall be as follows, though site/resource specific modifications may be made:

"Critical Area Protection Easement: This open space tract is intended to protect insert ECA type and native vegetation and shall preclude: grading or any recontouring of the land; placement of structures, wells, leach fields, utility lines and/or easements, and any other thing; vehicle activity; grazing; dumping; and the addition or removal of vegetation, except pursuant to an approved restoration plan, and except that vegetation may be selectively removed and/or pervious trails and/or utility lines compatible with native tree and shrub vegetation may be placed in the buffer areas in locations approved by the Director of ~~Planning and Community~~ Community and Economic Development."

20.93.300 - Dedication of Land and/or Easements in Lieu of Required Parks or Open Space.

The dedication of environmentally critical areas and their buffers may not be used for satisfying the park or open space requirements of AMC Chapter 20.52 (Recreational Facilities and Open Space).

20.93.310 - Increased Buffer Widths.

The permit-issuing authority shall require increased standard buffer zone widths on a case-by-case basis when a larger buffer is necessary to protect environmentally critical area functions and values based on local conditions. This determination shall be supported by appropriate documentation showing that it is reasonably related to protection of the functions and values of

the regulated environmentally critical area. Such determination shall be attached as a permit condition and shall demonstrate that:

(1) A larger buffer is necessary to maintain viable populations of existing species; or
(2) The environmentally critical area is used by species proposed or listed by the federal government or the state as endangered, threatened, sensitive, candidate, or monitor, critical or outstanding potential habitat for those species or has unusual nesting or resting sites such as heron rookeries or raptor nesting trees; or
(3) The adjacent land has minimal vegetative cover or slopes greater than fifteen percent and is therefore susceptible to severe erosion, and erosion control measures will not effectively prevent adverse environmentally critical area impacts.
(4) The recommended widths for buffers are based on the assumption that the buffer is vegetated with a native plant community appropriate for the ecoregion or with one that performs similar functions. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community, or the buffer should be widened to ensure that adequate functions of the buffer are provided. Generally, improving the vegetation will be more effective than widening the buffer.

20.93.320 - Buffer Width Averaging.

Buffer widths may be modified by averaging. In no instance shall the buffer width be reduced by more than twenty-five percent of the standard buffer unless specifically identified in other sections of this chapter. Buffer width averaging shall be allowed only where the applicant demonstrates all of the following:

(1) That averaging is necessary to avoid an extraordinary hardship to the applicant caused by circumstances peculiar to the property or that there would be a benefit to the environmentally critical area;
(2) That the least impactive aspects of the proposed land use would be located adjacent to areas where the buffer width is reduced;
(3) That width averaging will not adversely impact the environmentally critical area functional values; and
(4) That the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.

20.93.330 - Buffers to be retained in Natural Condition.

Except as otherwise specified, all buffers shall be retained in their natural condition. Where buffer disturbance may or has occurred during construction, revegetation with native vegetation will be required.

20.93.340 - Building Setbacks from Buffers.

A building setback of fifteen feet is required from the edge of any critical area buffer, as defined in subsequent sections of this chapter. Minor structural intrusions into the area of the building setback may be allowed if the permit-issuing authority determines that such intrusions will not negatively impact the environmentally critical area or cause the buffer vegetation to be trimmed or removed. The setback shall be identified on the site plan.

~~20.93.360 - Reserved.~~

20.93.370 - Non-Conforming Activities.

Except for cases of discontinuance as part of normal agricultural practices, non-conforming uses shall be governed by Part VI of this chapter and AMC Chapter 20.32 (Nonconforming Situations).

20.93.380 - Assessment Relief.

The Snohomish County Assessor's office considers environmentally critical area regulations in determining the fair market value of land. Any owner of an undeveloped critical area who has dedicated an easement or entered into a perpetual conservation restriction with the city of Arlington or a qualified nonprofit organization to permanently control some or all regulated activities in that portion of land assessed consistent with these restrictions shall be considered for exemption from special assessments to defray the cost of municipal improvements such as sanitary sewers, storm sewers, and water mains.

20.93.390 - Mitigation Plan Requirements.

In the event that mitigation is required, the applicant shall be required to provide a mitigation plan for approval by the ~~community development director~~Community and Economic Development Director. The plan shall provide information on land acquisition, construction, maintenance, and monitoring of the replaced critical area. All mitigation plans shall include the following submitted by the applicant or a qualified biologist, civil or geotechnical engineer:

(1) Specific goals and objectives describing site function, target species and selection criteria;
(2) Performance standards that shall include criteria for assessing goals and objectives;
(3) Contingency plans that clearly define course of action or corrective measures needed if performance standards are not met;
(4) A legal description and a survey prepared by a licensed surveyor of the proposed development site and location of the critical area(s) on the site;
(5) The need for performance or maintenance securities.
(6) A scaled plot plan that indicates the proposed construction in relation to zoning setback requirements and sequence of construction location in relation to zoning setback requirements and sequence of construction phases including cross-sectional details, topographic survey data (including percent slope, existing and finished grade elevations) and other technical information as required in sufficient detail to explain, illustrate, and provide for:
    (A) Soil and substrate conditions, topographic elevations, scope of grading and excavation proposal, erosion and sediment treatment and source controls needed for critical area construction and maintenance;
    (B) Planting plans specifying plant species, types, quantities, location, size spacing, or density. The planting season or timing, watering schedule, and nutrient requirements for planting, and where appropriate, measures to protect plants from destruction; and

(C) Contingency or mid-course corrections plan and a minimum five-year monitoring and replacement plan establishing responsibility for removal of exotic and nuisance vegetation and permanent establishment of the critical area and all component parts.

(7) A clearly defined approach to assess progress of the project.

(8) The plan must indicate ownership, size, type, and complete ecological assessment including flora, fauna, hydrology, functions, etc., of the critical area being restored or created; and

(9) The plan must also provide information on the natural suitability of the proposed site for establishing the replaced critical area, including water source and drainage patterns, topographic position, wildlife habitat opportunities, value of existing area to be converted, etc.

(10) Once the plan is implemented, as-builts shall also be submitted pursuant to department of public works requirements.

Part IV. - Fish and Wildlife Conservation Areas

20.93.400 - Classification.

Fish and wildlife conservation areas include:

(1) Lands containing priority habitats and species, including plant and/or animal species listed on federal, or state threatened or endangered species lists.

(2) Ponds and their submerged aquatic beds that provide fish or wildlife habitat.

(A) "Type S" waters of the state as defined in WAC 222-16-030, which includes all waters, within their ordinary high-water mark, as inventoried as "shorelines of the state" under Chapter 90.58 RCW and the rules promulgated pursuant to Chapter 90.58 RCW, but not including those waters' associated wetlands as defined in Chapter 90.58 RCW.

(3) Segments of natural waters and periodically inundated areas of their associated wetlands that are used by salmonids for off-channel habitat. These areas are critical to the maintenance of optimum survival of juvenile salmonids. This habitat shall be identified based on the following criteria:

(A) The site must be connected to a stream bearing salmonids and accessible during some period of the year; and

(B) The off-channel water must be accessible to juvenile salmonids through drainage with less than a five percent gradient.

(4) Lakes, ponds, and streams planted with game fish (defined at RCW 77.09.020), including those planted under the auspices of a federal, state, local, or tribal programs, or which support priority fish species as identified by the department of fish and wildlife.

(5) State natural area preserves and natural resource conservation areas.

(6) Habitats or species of local importance. Such habitats or species may be locally listed per the process elucidated in Section 20.93.420 (Species/habitats of local importance).

20.93.410 - Determination of Boundary.

The ~~community development director~~Community and Economic Development Director shall determine the boundaries of fish and wildlife conservation areas. In doing so he may rely on information from qualified federal, state, county, or tribal agencies or on a biological resources survey prepared by a qualified wildlife biologist per the department's biological resources survey guidelines. Such reports or information may be required to be provided by an applicant for an activity or permit at the request of the city. In the location of shoreline jurisdiction, the adopted Shoreline designation maps establish the boundary. When a project is at or below OHWM and within shoreline setbacks, the OHWM shall be determined by a site-specific investigation using field indicators.

20.93.420 - Species/Habitats of Local Importance.

(a) Species or habitats may be listed as a species or habitat of local importance by the city council according to the following process:
  (1) An individual or organization must:
    (A) Demonstrate a need for special consideration based on:
      (i) Declining populations,
      (ii) Sensitivity to habitat manipulation; or
      (iii) Commercial or game value, or other special value, such as flood refugia or public appeal.
    (B) Propose relevant management strategies considered effective and within the scope of this chapter.
    (C) Provide species habitat location(s) on a map.
  (2) Submitted proposals will be reviewed by the ~~community development director~~Community and Economic Development Director and forwarded to the departments of fish and wildlife and natural resources, and/or other local, state, federal, or tribal agencies or experts for comment and recommendation regarding accuracy of data and effectiveness of proposed management strategies.
  (3) The city council will hold a public hearing for proposals found to be complete, accurate, potentially effective, and within the scope of this chapter. Approved nominations will become designated a "species or habitat of local importance" and will be subject to the provisions of this chapter.

(b) Species or habitats of local importance include:
  (1) None adopted as of December 5, 2011.

20.93.430 - Allowed Activities.

Except where regulated by other sections of this or any other title or law, the following uses shall be allowed within fish and wildlife conservation areas when the requirements of Section 20.93.440 (Fish and Wildlife Conservation Areas—Requirements) have been met and mitigation adequate to alleviate any other impacts has been proposed:

(1) Those activities listed in Section 20.93.220 (General Provisions—Allowed activities).
(2) Activities consistent with the species located there and all applicable state and federal regulations regarding the species, as determined by the ~~community development director~~Community and Economic Development Director, who will consult with other

resource agencies including tribes as to their recommendations based on adopted standards or guidance.

(3) Within the fifty-foot management zone of the buffer required pursuant to Section 20.93.440 (Fish and Wildlife Conservation Areas—Requirements) the following uses are allowed as long as sixty-five percent of native tree cover is established and maintained and the total effective impervious area (TIA) remains below three percent:

(A) When the fifty-foot management zone is in an already developed state including buildings, parking lots, lawn or ornamental landscaping stormwater management systems designed to blend into the natural landscape allowing full mature growth of native trees and shrubs~~,~~ and provide the same or greater functional habitat that would occur in a naturally vegetated buffer. Specifically, this does not include buried vaults, ecology block or grass-lined ponds or swales (though ponds or swales planted with native vegetation may be allowed). Such systems are required to provide diffuse effluent point(s) to the immediate edge of the no-touch buffer to allow infiltration and polishing. Walkways and trails, provided that those pathways are limited to minor crossings having no adverse impact on water quality. They should be generally parallel to the perimeter of the wetland, located only in the outer twenty-five percent of the wetland buffer area, and located to avoid removal of significant trees. They should be limited to pervious surfaces no more than five feet in width for pedestrian use only. Raised boardwalks utilizing non-treated pilings may be acceptable.

(B) Utility easements and access routes that are built so as to not affect the lateral or vertical hydrology of the system~~,~~ and are compatible with full maturity of native tree and shrub species.

(C) Other uses as may be approved by the city's natural resources manager as recommended in a local, state, or federal watershed management plan or low impact development regulations.

20.93.440 - Requirements.

(a) Except as provided in subsections (b) and (c):

(1) For endangered or threatened salmonid fish and wildlife conservation areas, a one hundred fifty-foot buffer shall be required for all regulated activities adjacent to the fish and wildlife conservation areas. This buffer shall consist of a ~~one-hundred-foot~~one-hundred-foot area closest to the stream or river being designated a native growth protection easement in which no human activities may be allowed (except as provided by Section 20.93.430 (Fish and Wildlife Conservation Areas—Allowed activities), and the remaining fifty-foot zone being designated a management zone, in which vegetation may be managed solely for public health and safety reasons that may threaten structures or public infrastructure. The natural resource may require a landowner to have an assessment performed by a professional arborist to determine if a tree is hazardous. If found hazardous the methods of removal will utilize options that will result in some level of habitat function (i.e., snag, nurse log, etc.). Buffers for salmonid fish and wildlife conservation areas shall be measured pursuant to Section 20.93.730 (Streams, Creeks, Lakes, and Other Surface Water—Requirements).

(2) For all other fish and wildlife conservation areas, the applicant shall have a habitat protection plan prepared by a qualified biologist, in which appropriate buffers and other protection shall be identified based on the best available science and/or standards promulgated by the state or federal agency with jurisdiction for the identified species being protected. Buffers shall be measured from the fish and wildlife conservation areas boundary as surveyed in the field.

(b) Buffer widths may be increased based on recommendations by the state or federal agency with jurisdiction.

(c) Buffer widths from fish and wildlife conservation areas may be decreased in areas where specific project recommendations can be found in Section 20.93.320 of this chapter, local watershed recovery plans, the Shoreline Master Program has identified allowed uses, a habitat protection plan, or either a property-specific or programmatic biological assessment showing that the proposal would have negligible adverse impact on the protected species or habitat (with or without mitigation) has been approved by the state or federal agency with jurisdiction. Said biological assessments would be prepared by the applicant in a format approved by the agency with jurisdiction. The width of the buffer would be determined through this biological assessment approval process but could in no case be reduced to less than that required for the underlying environmentally critical areas by other sections of this chapter.

(d) For streams upstream from an endangered or threatened salmonid fish and wildlife conservation area, if requested by the city, applicants shall have prepared a report analyzing potential downstream impacts to the FWCA and propose appropriate measures to mitigate any identified significant impacts. Such reports shall be prepared by a qualified biologist.

(e) The applicant shall dedicate a functionally exclusive environmentally critical area easement for the protection of wildlife and/or habitat over the fish and wildlife conservation areas and its buffer, as determined above. Where such requirement leads to~~,~~ or would in the opinion of the permit-issuing authority lead to, a court finding of a taking mitigation as described in Section 20.93.450 (Fish and Wildlife Conservation Areas—Mitigation) may be considered.

20.93.450 - Mitigation.

In order to avoid significant environmental impacts and, if in the opinion of the permit-issuing authority the requirements listed in Section 20.93.440 (Fish and Wildlife Conservation Areas—Requirements) do not adequately mitigate impacts, the applicant for a land use activity or development permit may consider performing the following actions, listed in order of preference. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact. Specific mitigation requirements are outlined in the Shoreline Master Program regulations.

(1) Where on-site protection is not possible, dedicate a functionally exclusive easement for the protection of equivalent (in type and value) wildlife and/or habitat over fish and wildlife conservation areas and a one hundred fifty-foot buffer on off-site fish and wildlife conservation areas at a minimum two to one ratio (two offsite areas for every one onsite area impacted) on property that would likely not be required to dedicate such an easement were it to undergo a permitting process. If functionally equivalent habitat is not available, then a higher ratio may be considered to compensate. The

location of any off-site fish and wildlife conservation areas shall be located as near to the site as possible, following this preferred order:

(A) Hydrologically connected to the impacted fish and wildlife conservation areas or via an intact habitat corridor,
(B) Elsewhere within the city,
(C) Within the Arlington UGA,
(D) Within the sub-basin, and
(E) Watershed.

Part VI. - Geologically Hazardous Areas

20.93.600 - Classification.

(a) Geologically hazardous areas include areas susceptible to erosion, sliding, earthquakes, liquefaction, or other geological events. Geologically hazardous areas shall be classified based upon the history or existence of landslides, unstable soils, steep slopes, high erosion potential or seismic hazards. In determining the significance of a geologically hazardous area the following criteria shall be used:
   (1) Potential economic, health, safety, and environmental impact related to construction in the area;
   (2) Soil type, slope, vegetative cover, and climate of the area;
   (3) Available documentation of history of soil movement, the presence of mass wastage, debris flow, rapid stream incision, stream bank erosion or undercutting by wave action, or the presence of an alluvial fan which may be subject to inundation, debris flows, or deposition of stream-transported sediments.

(b) The different types of geologically hazardous areas are defined as follows:
   (1) Erosion hazard areas are as defined by the USDA Soil Conservation Service, United States Geologic Survey, or by the Department of Ecology Coastal Zone Atlas. The following classes are high erosion hazard areas.
      (A) Class 3, class U (unstable) includes severe erosion hazards and rapid surface runoff areas;
      (B) Class 4, class UOS (unstable old slides) includes areas having severe limitations due to slope; and,
      (C) Class 5, class URS (unstable recent slides).
   (2) Landslide hazard areas shall include areas subject to severe risk of landslide based on a combination of geologic, topographic, and hydrologic factors. Some of these areas may be identified in the Department of Ecology Coastal Zone Atlas, or through site-specific criteria. Landslide hazard areas include any of the following:
      (A) Areas characterized by slopes greater than fifteen percent and impermeable soils (typically silt and clay) frequently interbedded with permeable granular soils (predominantly sand and gravel) or impermeable soils overlain with permeable soils or springs or groundwater seepage;

(B) Any area that has exhibited movement during the Holocene epoch (from ten thousand years ago to present) or which is underlain by mass wastage debris of that epoch;
(C) Any area potentially unstable due to rapid stream incision, stream bank erosion or undercutting by wave action;
(D) Any area located on an alluvial fan presently subject to or potentially subject to inundation by debris flows or deposition of steam-transported sediments;
(E) Any area with a slope of thirty-three percent or greater and with a vertical relief of ten or more feet except areas composed of consolidated rock;
(F) Any area with slope defined by the United States Department of Agriculture Soil Conservation Service as having a severe limitation for building site development; and
(G) Any shoreline designated or mapped as class U, UOS, or URS by the Department of Ecology Coastal Zone Atlas.

(3) Slopes.
(A) Moderate slopes shall include any slope greater than or equal to fifteen percent and less than thirty-three percent.
(B) Steep slopes shall include any slope greater than or equal to thirty-three percent.

(4) Seismic hazard areas shall include areas subject to severe risk of earthquake damage as a result of seismic induced settlement, shaking, slope failure or soil liquefaction. These conditions occur in areas underlain by cohesion less soils of low density usually in association with a shallow groundwater table.

20.93.610 - Determination of Boundary.

The ~~community development director~~Community and Economic Development Director, relying on a geotechnical or similar technical report and other information where available and pertinent, shall make determination of a boundary of a geologically hazardous area. Such reports or information shall be provided by an applicant for an activity or permit at the request of the city.

20.93.620 - Allowed Activities.

Except where regulated by other sections of this or any other title or law, the following uses shall be allowed within geologically hazardous areas when the requirements of Section 20.93.630 (Geologically Hazardous Areas—Requirements) have been met and mitigation adequate to alleviate any other impacts has been proposed:

(a) Those activities allowed per Section 20.93.220 (General Provisions—Allowed activities).
(b) Any other use allowed per the zone; provided that it meets the requirements of Section 20.93.630 (Geologically Hazardous Areas—Requirements) and will not have a detrimental impact on the health, safety, and welfare of the public, or will not negatively impact neighboring properties.
(c) Recontouring of land to eliminate geologically hazardous areas, including steep slopes, is expressly prohibited unless otherwise approved through the land use permit process (not the construction plan review process). The permit issuing authority may approve recontouring to eliminate geological hazardous areas only upon finding that such action

would serve the health, safety, and welfare of the general public and not just a particular development proposal.

20.93.630 - Requirements.

(a) Erosion hazard areas. All development proposals on sites containing erosion hazard areas shall comply with the following requirements:
  (1) Erosion control plan. The applicant shall submit an erosion control plan prior to the approval of any permit. Plans shall be consistent with the guidelines set forth in the International Building Code (-IBC) grading section and the department of public works' construction standards and specifications.
  (2) Alteration. All authorized clearing for roads, utilities, etc., shall be limited to the minimum necessary to accomplish the engineering design. Alterations of erosion hazard sites shall meet the requirements of AMC Chapter 20.44, Part II (Land Clearing, Grading, Filling, and Excavation).

(b) Landslide hazard areas. All development proposals on sites containing landslide hazard areas shall comply with the following requirements:
  (1) Alterations. Landslide hazard areas located on slopes thirty-three percent or greater shall be altered only as allowed under standards for steep slopes set forth in this section. Landslide hazard areas and land adjacent to such a hazard area located on slopes less than thirty-three percent may be altered if:
    (A) The proposal will not increase surface water discharge or sedimentation and will not decrease adjacent property slope stability; and
    (B) It can be demonstrated through geotechnical analysis that there is no significant risk to the development proposal or adjacent properties or that the proposal can be designed so that the landslide hazard is significantly eliminated or mitigated such that the site and adjacent property are rendered as safe as an area without landslide hazards.
  (2) Buffers. Unless the alteration is approved under the provisions in subsection (1) (Alterations), a minimum buffer of fifty feet shall be provided from the edges of all landslide hazard areas regardless of slope. The buffer may be extended beyond these limits to mitigate erosion hazards.
  (3) Building setback lines. All buildings are required to be set back a minimum of fifteen feet from the buffer or landslide hazard area.

(c) Slopes. Grading, vegetation removal, and other site disturbances on slopes can lead to erosion or landslides. If the amount of the slope disturbed is decreased, then the risk of erosion and landslides decreases. The risk is also less on slopes that are less steep. Therefore, all site disturbances on moderate and steep slopes and their buffers shall be reviewed and certain standards are required to be met depending on the percent of slope.
  (1) The maximum slope and buffer disturbance allowed, unless restricted for other reasons, is:

Table 20.93-2: Slope Disturbance Allowed	
Slope	Disturbance Allowed
1—14%	100%
15—24%	60%
25—32%	45%
33% or greater	0%

(2) Development on moderate and steep slopes shall meet the following standards:
  (A) Development must be located to minimize disturbance and removal of vegetation and also to protect most critical areas and retain open space.
  (B) Structures must be located or clustered where possible to reduce disturbance and maintain natural topographic character.
  (C) Grading shall be minimized;
  (D) Structures should conform to the natural contour of the slope, with foundations tiered where possible to conform to existing topography of site.
  (E) Natural surface or sub-surface drainage courses shall be preserved.
  (F) All development proposals shall be designed to minimize the footprint of building and other disturbed areas. Common access drives and utility corridors are encouraged.
  (G) All development shall be designed to minimize impervious lot coverage and should incorporate under- or over-structure parking and multi-level structures.
  (H) Roads, walkways, and parking areas should be designed to parallel the natural contours.
  (I) Access shall be in the least critical area of the site.

(3) Additional standards for steep slopes: All proposed development on steep slopes shall be avoided if possible. Alterations are allowed in only the following instances provided that the standards in subsections (1) and (2), can be met; and, where it has been demonstrated through a soils report prepared by a geotechnical engineer that no adverse impact will result from the proposal and where approved surface water conveyance will result in minimum slope and vegetation disturbance:
  (A) The construction of approved public or private trails provided they are constructed in a manner that is not detrimental to surface water runoff control (e.g., cable lift access); and
  (B) The construction of public or private utility corridors in accordance with Chapter 20.93 regulations provided it has been demonstrated that such alterations will not increase landslide or erosion risks.

(4) In all other cases, no disturbance is allowed on a steep slope and a minimum fifteens-foot vegetated buffer shall be established from the top, toe and along all sides of the slope. The buffer may be extended beyond these limits on a case-by-case basis to mitigate landslide and erosion hazards.

(d) Seismic hazard areas. Standards for development in seismic hazard areas shall be in accordance with the provisions in the IBC, as adopted by the City of Arlington.

(e) For all geological hazardous areas on which development is not permitted by the above regulations, the applicant shall dedicate to the city an exclusive environmentally critical area easement for the protection of geological hazardous areas over the environmentally critical area and a buffer consistent with the standards listed above.

20.93.640 - Mitigation.

If potential geologic impacts cannot be avoided by adhering to the above requirements, other forms of mitigation may be considered. Applicants must provide mitigation plans exploring and analyzing any proposed mitigation measures. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact. For example, some potential risk due to construction in geologically hazardous areas may be reduced through retention of existing vegetation.

Part VII. - Streams, Creeks, Rivers, Lakes, and Other Surface Water

20.93.700 - Classification.

(a) The city hereby adopts the stream classification system of the state, as specified in WAC 222-16-030, as may be amended. Briefly, these are as follows (see WAC 222-16-030 for complete definitions of types):
   (1) Type S water means all the waters, within their ordinary high-water mark, as inventoried as "shorelines of the state" under Chapter 90.58 RCW and the rules promulgated pursuant to Chapter 90.58 RCW, but not including those waters' associated wetlands as defined in Chapter 90.58 RCW.
   (2) Type F-ESA water means all the waters meeting the criteria of Type F stream, but has been identified as having presumed use by ESA listed fish species.

(b) "Type F water" shall mean segments of natural waters that are not classified as Type 1 water and have a substantial fish, wildlife, or human use. These are segments of natural waters and periodically inundated areas of their associated wetlands, which:
   (1) Are diverted for domestic use by more than one hundred residential or camping units or by a public accommodation facility licensed by the state to serve more than one hundred persons, where such diversion is determined by the Washington State Department of Ecology to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type 2 water upstream from the point of such diversion for one thousand five hundred feet or until the drainage area is reduced by fifty percent, whichever is less;
   (2) Are within a federal, state, local, or private campground having more than thirty camping units: Provided, that the water shall not be considered to enter a campground until it reaches the boundary of the park lands available for public use and comes within one hundred feet of a camping unit, trail, or other park improvement;
   (3) Are used by substantial numbers of anadromous or resident game fish for spawning, rearing or migration. Waters having the following characteristics are presumed to have highly significant fish populations:

(A) Stream segments having a defined channel twenty feet or greater in width between the ordinary high-water marks and having a gradient of less than four percent.

(B) Lakes, ponds, or impoundments having a surface area of one acre or greater at seasonal low water; or

(4) Are used by salmonids for off-channel habitat. These areas are critical to the maintenance of optimum survival of juvenile salmonids. This habitat shall be identified based on the following criteria:

(A) The site must be connected to a stream bearing salmonids and accessible during some period of the year; and

(B) The off-channel water must be accessible to juvenile salmonids through drainage with less than a five percent gradient.

(C) Ponds or impoundments having a surface area of less than one-half acre at seasonal low water and having an outlet to an anadromous fish stream.

(5) Are highly significant for protection of downstream water quality. Tributaries which contribute greater than twenty percent of the flow to a Type S or F water are presumed to be significant for one thousand five hundred feet from their confluence with the Type S or F water or until their drainage area is less than fifty percent of their drainage area at the point of confluence, whichever is less.

(c) Type Np water. Segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are waters that do not go dry any time of the year of normal rainfall. However, for the purpose of water typing, Type Np waters include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow. Np waters begin downstream of the point along the channel where the contributing basin area is at least fifty-two acres in size.

(d) Type Ns water shall be segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np water. Ns waters must be physically connected by an above-ground channel system to Type S, F, or Np waters.

(e) Non-natural water course means constructed vegetated swales and ditches that are designed and installed for the express purpose of periodically moving storm water not associated with naturally occurring streams.

20.93.710 - Determination of Boundary.

The ~~community development director~~Community and Economic Development Director, relying on delineation by a licensed engineer or other comparable expert, shall determine the boundary of the creek, stream, river, lake, or other surface water. For ravines with banks greater than ten feet in depth the boundary shall be contiguous with the top of the bank. Where there is no ravine or the bank is less than ten feet in depth, the boundary shall be contiguous with the ordinary ~~high~~ high-water mark. In case of disagreement as to its location, the ultimate decision on the OHWM shall rest with ecology.

20.93.720 - Allowed Activities.

Except where regulated by other sections of this, Shoreline Master Program or any other title or law (e.g., see Part IV of this chapter, Fish and Wildlife Conservation Areas), the following uses

shall be allowed within streams, creeks, rivers, lakes, and other surface waters when the requirements of Section 20.93.730 (Streams, Creeks, Rivers, Lakes and Other Surface Water—Requirements) have been met and mitigation adequate to alleviate any other impacts has been proposed:

(1) Those activities allowed under Section 20.93.220 (General Provisions—Allowed activities).

(2) Bridges and other crossings for public and private rights-of-way where no other feasible means on ingress and egress to a parcel is available.

20.93.730 - Requirements.

(a) To retain the natural functions of streams and stream corridors, and unless modified by Part IV (Fish and Wildlife Habitat), the streamside buffers listed in Table 20.93-3: ~~Non-ESA~~ Stream Buffer Widths shall be maintained on both sides of the environmentally critical area. All existing native vegetation within these buffers shall be preserved. (Note also that buffer averaging may be allowed pursuant to Section 20.93.320 (General Provisions—Buffer width averaging.)

(b) To protect the natural functions and aesthetic qualities of a stream and stream buffer, a detailed temporary erosion control plan that identifies the specific mitigating measures to be implemented during construction to protect the water from vegetation removal, erosion, siltation, landslides, and hazardous construction materials shall be required. The city of Arlington shall review and approve the plan with the appropriate state, federal and tribal agencies, and any adjacent jurisdiction.

(c) In accordance with the Shoreline Master Plan the buffer set-back in the Historic Shoreline Business District is thirty feet landward from the OHWM or top of slope whichever is most protective of the shoreline, and those activities that are allowed under AMC 20.64 Floodplains.

Table 20.93-3: ~~Non-ESA~~ Stream Buffer Widths ~~Stream~~	
Type	Standard Buffer
S	150 feet
F-ESA	150 feet
F	100 feet
Np	50 feet
Ns	50 feet
Non-natural	None

(d) The applicant shall dedicate to the city an exclusive environmentally critical area easement for the protection of creeks, streams, rivers, lakes, or other surface water over the environmentally critical area and a buffer consistent with the standards listed in subsection (a).

20.93.740 - Mitigation.

(a) In order to avoid significant environmental impacts for those activities not regulated by the Shoreline Master Program and allowed pursuant to Section 20.93.720 (Streams, Creeks, Rivers, Lakes, and Other Surface Water—Allowed activities), the applicant for a land use or development permit will select one or more of the following mitigation actions, listed in order of preference. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact.
  (1) On-site environmentally critical area restoration/improvement—Restoration or improvement in functional value of degraded on-site waterways and/or their buffers at a two to one ratio (two square feet for every one square foot impacted).
  (2) On-site ECA/Creation—Creation of on-site waterways and their buffers at a two to one ratio (two square feet for every one square foot impacted).
  (3) On-site ECA buffer restoration—Restoration or improvement in functional value of degraded on-site waterway buffers at a ratio of six to one.
(b) All ECA restoration, creation and/or enhancement projects required pursuant to this chapter either as a permit condition or as the result of an enforcement action shall follow a mitigation plan prepared in conformance to the requirements of Section 20.93.390 (Mitigation plan requirements).

Part VIII. - Wetlands

20.93.800 - Classification.

(a) Wetlands shall be rated according to the Washington State wetland rating system for; Washington State Wetland Rating System for Western Washington, Ecology Publication # 14-06- 029 or as revised by- Ecology. Wetland rating categories shall be applied as the wetland exists at the time of the adoption of this title or as it exists at the time of an associated permit application. Wetland rating categories shall not change due to illegal modifications. Wetlands identified as having local significance in hydrologic and habitat functions may be rated higher based on importance.
(b) Wetland types.
  (1) Category I. Category I wetlands are: those that 1) represent a unique or rare wetland type; or 2) are more sensitive to disturbance than most wetlands; or 3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or 4) provide a high level of functions. In western Washington the following types of wetlands are Category I:
    (A) Relatively undisturbed estuarine wetlands larger than one acre;
    (B) Wetlands that are identified by scientists of the Washington Natural Heritage Program/DNR as wetlands of high conservation value;

(C) Bogs;
(D) Mature and old-growth forested wetlands larger than one acre;
(E) Wetlands in coastal lagoons; ~~or~~
(F) ~~Wetlands that perform many functions well and score 23 or above.~~Interdunal wetlands larger than 1 acre and score high for habitat; or
(G) Wetlands that perform functions at high levels.

~~Category I wetlands represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, are relatively undisturbed and contain some ecological attributes that are impossible to replace within a human lifetime, or provide a very high level of functions.~~

We cannot afford the risk of any degradation to these wetlands because their functions and values are too difficult to replace. Generally, these wetlands are not common and make up a small percentage of the wetlands in the region.

(2) Category II. Category II wetlands are~~:~~ difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but still need a relatively high level of protection. Category II wetlands in western Washington include:
(A) Estuarine wetlands smaller than one acre, or disturbed estuarine wetlands larger than one acre;
(~~E~~B) Wetlands with a moderately high level of functions; or ~~scoring between 20 and 22 points;~~
(C) Interdunal wetlands larger than 1 acre or those in a mosaic.

~~Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but they still need a relatively high level of protection.~~

(3) Category III. Category III wetlands are~~:~~ 1) wetlands with a moderate level of functions, 2) can often be adequately replaced with a well-planned mitigation project, and 3) interdunal wetlands between 0.1 and 1 acre in size. Category III wetlands generally have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.
~~(A) Wetlands with a moderate level of functions scoring between 16 and 19 points; that can be adequately replaced with a well-planned mitigation project.~~

~~Generally, wetlands in this category may have been disturbed in some way and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.~~

(4) Category IV. Category IV wetlands have the lowest levels of functions ~~scoring less than 16 points~~ and are often heavily disturbed. These are wetlands that should be able to replace ~~replaceable~~, and in some cases ~~may~~ be able to improve~~d~~. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions and ~~should be protected to some degree~~also need to be protected.

20.93.810 - Determination of Boundary.

(a) The ~~community development director~~Community and Economic Development Director, relying on a field investigation supplied by an applicant, and applying the wetland definition provided in this chapter shall determine the location of the wetland boundary. Qualified

professional and technical scientists shall perform wetland delineations. Identification of wetlands and delineation of their boundaries pursuant to this chapter shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplements. All areas within the city meeting the wetland designation criteria in that procedure are hereby designated critical areas and are subject to the provisions of this chapter. Criteria to be included in required wetland identification reports may be found in Section 20.93.390 (Mitigation plan requirements). The applicant is required to show the location of the wetland boundary on a scaled drawing as a part of the permit application.

(1) Designating, defining, and identifying wetlands. Wetlands are those areas, identified in accordance with RCW 90.58.030: "Wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands. All areas within the [city/county] meeting the criteria in the wetland definition regardless of whether these areas have previously been identified or mapped, are hereby designated critical areas and are subject to the provisions of this title.

(2) Mapping.

(A) The approximate location and extent of wetlands are shown on the critical area(s) maps adopted in the city of Arlington Comprehensive Plan. Additionally, soil maps produced by U.S. Department of Agriculture Natural Resources Conservation Service may be useful in helping to identify potential wetland areas. These maps are to be used as a guide for the city, project applicants, and/or property owners to identify potential wetland areas that may be subject to the provisions of this title.

(B) It is the actual presence of wetlands on a parcel, as delineated by the requirements of the methods in the approved federal wetland delineation manual and applicable regional supplements in accordance with WAC 173-22-035, that establishes duties under this chapter. The exact location of a wetland's boundary shall be determined through the performance of a field delineation by a qualified wetlands professional, applying the approved federal wetland delineation manual and applicable regional supplements in accordance with WAC 173-22-035.

(b) Where the applicant has provided a delineation of the wetland boundary, the ~~community development director~~Community and Economic Development Director shall verify the accuracy of, and may render adjustments to, the boundary delineation. In the event the applicant contests the adjusted boundary delineation, the ~~community development director~~Community and Economic Development Director shall, at the applicant's expense, obtain expert services to render a final delineation.

(c) When agreed to by the applicant, the ~~community development director~~Community and Economic Development Director may waive the requirement that the applicant provide the

delineation of boundary and rely on staff delineation. The ~~community development director~~Community and Economic Development Director shall consult with qualified professional scientists and technical experts, or other experts as needed to perform the delineation. The applicant will be charged for the costs incurred. Where the ~~community development director~~Community and Economic Development Director performs a wetland delineation at the request of the applicant, such delineation shall be considered a final determination.

20.93.820 - Allowed Activities.

Except where regulated by other sections of this, or any other title or law, and provided they are conducted using best management practices, the following uses shall be allowed within wetlands and their buffers when the requirements of Sections 20.93.830 (Wetlands—Requirements) and 20.93.840 (Wetlands—Mitigation) have been met, state and federal approvals have been granted when required, and mitigation adequate to alleviate any other impacts has been proposed:

Generally, uses will be required to avoid and minimize impacts, and compensate for the impact that may reduce the functions of the wetland or its buffers:

(1) Those uses listed in Section 20.93.220 (General Provisions—Allowed activities).

(2) In Class III and Class IV wetlands only, access to developable portions of legal lots where:
   (A) There is no other feasible method of accessing the property,
   (B) Altering the terrain would not cause drainage impacts to neighboring properties, and
   (C) Not more than two thousand five hundred square feet of wetland is impacted~~,~~ and mitigated.

(3) Permitted uses in a wetland buffer—Regulated activities shall not be allowed in a buffer except for the following:
   (A) Activities having minimal adverse impacts on buffers and no adverse impacts on regulated wetlands. These may include low intensity, passive recreational activities such as low impact trails in the outer twenty-five percent, non-permanent wildlife watching blinds, short-term scientific or educational activities, and sports fishing;
   (B) With respect to Category III and IV wetlands, stormwater management facilities having no reasonable alternative on-site location; or
   (C) With respect to Category III and IV wetlands, development having no feasible alternative location when the following conditions have been met: Impacts are the minimum necessary; Buffer impacts are mitigated through buffer averaging.

(4) Those activities and uses conducted pursuant to the Washington State Forest Practices Act and its rules and regulations, WAC 222-12-030, where state law specifically exempts local authority, except those developments requiring local approval for Class 4—General Forest Practice Permits (conversions) as defined in RCW 76.09 and WAC 222-12:
   (A) Conservation or preservation of soil, water, vegetation, fish, shellfish, and/or other wildlife that does not entail changing the structure or functions of the existing wetland.
   (B) The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of

soil, planting of crops, chemical applications, or alteration of the wetland by changing existing topography, water conditions, or water sources.

(C) Drilling for utilities/utility corridors under a wetland, with entrance/exit portals located completely outside of the wetland buffer, provided that the drilling does not interrupt the ground water connection to the wetland or percolation of surface water down through the soil column. Specific studies by a hydrologist are necessary to determine whether the ground water connection to the wetland or percolation of surface water down through the soil column will be disturbed.

(D) Enhancement of a wetland through the removal of non-native invasive plant species. Removal of invasive plant species shall be restricted to hand removal unless permits from the appropriate regulatory agencies have been obtained for approved biological or chemical treatments. All removed plant material shall be taken away from the site and appropriately disposed of. Plants that appear on the Washington State Noxious Weed Control Board list of noxious weeds must be handled and disposed of according to a noxious weed control plan appropriate to that species. Re-vegetation with appropriate native species at natural densities is allowed in conjunction with removal of invasive plant species.

(E) Educational and scientific research activities.

(F) Normal and routine maintenance and repair of any existing public or private facilities within an existing right-of-way, provided that the maintenance or repair does not expand the footprint of the facility or right-of-way and impacts are mitigated.

(G) Stormwater management facilities. Stormwater management facilities are limited to stormwater dispersion outfalls and bioswales. They may be allowed within the outer twenty-five percent of Category II, III or IV wetland buffers when in an already developed state including buildings, parking lots, lawn or ornamental landscaping stormwater management systems designed to blend into the natural landscape allowing full mature growth of native trees and shrubs, and provide the same or greater functional habitat that would occur in a naturally vegetated buffer. Specifically, this does not include buried vaults, ecology block or grass-lined ponds or swales (though ponds or swales planted with native vegetation may be allowed). Such systems are required to provide diffuse effluent point(s) to the immediate edge of the no-touch buffer to allow infiltration and polishing, provided that:
    (i) No other location is feasible; and
    (ii) The location of such facilities will not degrade the functions or values of the wetland; and
    (iii) Stormwater management facilities are not allowed in intact buffers of Category I wetlands.

(H) Nonconforming uses. Repair and maintenance of nonconforming uses or structures, where legally established within the buffer, provided they do not increase the degree of nonconformity.

20.93.830 – Buffer Requirements.

(a) Buffers—ECA buffers shall be required for all regulated activities adjacent to regulated wetlands as provided in Table 20.93-4, unless modified per subsection (b). Any wetland created, restored, or enhanced as compensation for approved wetland alterations shall also include the standard buffer required for the category of the created, restored, or enhanced wetland. All buffers shall be measured from the wetland boundary as determined pursuant to Section 20.93.810 (Wetlands—Determination of boundary). The width of the wetland buffer zone shall be determined according to wetland category and the proposed land use. These buffers have been established to reflect the impact of land use intensity on wetland functions and values.

(b) The standard buffer widths in Table 20.93-4 have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington state wetland rating system for Western Washington.

(1) The use of the standard buffer width requires the implementation of the measures in Table 20.93-5, where applicable, to minimize the impacts of the adjacent land uses.

(2) If an applicant chooses not to apply the mitigation measures in Table 20.93-5 or other sections of this document, then a thirty-three percent increase in the width of all buffers is required. For example, a seventy-five-foot buffer with the mitigation measures would be a one hundred-foot buffer without them.

(3) The standard buffer widths assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.

(4) Additional buffer widths are added to the standard buffer widths as indicated in Table 20.93-4.

(c) The applicant shall dedicate to the city an exclusive environmentally critical area easement for the protection of wetlands over the environmentally critical area and a buffer consistent with the standards listed in subsection (a).

Table 20.93-4—Wetland Buffer Requirements for Western Washington

Wetland Category	Standard Buffer Width	Buffer width if wetland habitat scores 5 points	Buffer width if wetland habitat scores 6-7 points	Buffer width if wetland habitat scores 8-9 points
Category I: based on total score	75 ft	105ft	165ft	225ft
Category I: Bogs and wetlands of high conservation value	190 ft	190 ft	190 ft	225 ft
Category I: Forested	75 ft	105ft	165ft	225 ft
Category II: Based on Score	75 ft	105ft	165ft	225ft
Category III: (all)	60 ft	105ft	165 ft	225
Category IV: (all)	40 ft	40 ft	40 ft	40 ft

(a) Buffer Requirements. The following buffer widths have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06-029, or as revised and approved by Ecology). The adjacent land use intensity is assumed to be high.

(1) For wetlands that score 6 points or more for habitat function, the buffers in Table 20.93-4 can be used only if all of the following criteria are met:

(A) A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland:

i. A legally protected, relatively undisturbed and vegetated area (e.g., Priority Habitats, compensatory mitigation sites, wildlife areas/refuges, national, county, and state parks where they have management plans with identified areas designated as Natural, Natural Forest, or Natural Area Preserve, or

ii. An area that is the site of a Watershed Project identified within, and fully consistent with, a Watershed Plan as defined by Chapter 89.08.460 RCW, or

iii. An area where development is prohibited according to the provisions of the local shoreline master program.

iv. An area with equivalent habitat quality that has conservation status in perpetuity, in consultation with WDFW.

(B) The corridor is permanently protected for the entire distance between the wetland and the shoreline or legally protected area by a conservation easement, deed restriction, or other legal site protection mechanisms.

(C) Presence or absence of the shoreline or Priority Habitat must be confirmed by a qualified biologist or shoreline Administrator.

(D) The measures in Table 20.93-5 are implemented, as applicable, to minimize the impacts of the adjacent land uses.

(2) For wetlands that score 5 or fewer habitat points, only the measures in Table 20.93-5 are required for the use of the buffers in Table 20.93-4.

(3) If an applicant does not apply the mitigation measures in Table 20.93-5 or is unable to provide a protected corridor, then the buffers in Table 20.93-6 shall be used.

(4) The buffer widths in Table 20.93-4 and 20.93-6 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer must either be planted to create the appropriate native plant community or be widened to ensure that the buffer provides adequate functions to protect the wetland.

Table 20.93-4 – Wetland Buffer Requirements for Western Washington If Table 20.93-5 is Implemented and Corridor Provided			
	Buffer Width (in feet) Based on Habitat Score		
Wetland Category	3-5	6-7	8-9
Category I: Based on Total Score	75	110	225
Category I: Bogs and Wetlands of High Conservation Value	190		225
Category I: Interdunal	225 (Buffer width not based on habitat scores)		
Category I: Forested	75	110	225
Category I: Estuarine and Coastal Lagoons	150 (Buffer width not based on habitat scores)		
Category II: Based on Score	75	110	225
Category II: Interdunal Wetlands	110 (Buffer width not based on habitat scores)		
Category II: Estuarine and Coastal Lagoons	110 (Buffer width not based on habitat scores)		
Category III: All	60	110	225
Category IV: All	40		

Table 20.93-5. ~~Examples of~~ Required Measures to Minimize Impacts to Wetlands ~~(This is not a complete list of measures.)~~ (Measures are required if applicable to a specific proposal)		
~~Examples of~~ Disturbance	Examples of Activities and Uses that Cause Disturbances	~~Examples of~~Required Measures to Minimize Impacts
Lights	•Parking lots •Warehouses •Manufacturing •Residential •Parks	•Direct lights away from critical areas and buffers •Day use only regulations preventing the need for lights •Timer on lights
Noise	•Manufacturing •Residential	•Locate activity that generates noise away from wetlands • If warranted, enhance existing buffer with native vegetation planting adjacent to noise source • For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining establish an additional 10 feet heavily vegetated buffer strip •Seasonal limitations on hours of operation
Toxic runoff*	•Parking lots •Roads •Manufacturing •Residential areas •Application of agricultural pesticides •Landscaping	•Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered •Establish covenants limiting use of pesticides within 150 ft of critical area or buffer •Apply integrated pest management
Stormwater runoff	•Parking lots •Roads •Manufacturing •Residential areas •Commercial •Landscaping	•Retrofit stormwater detention and treatment for roads and existing adjacent development •Prevent channelized flow from lawns that directly enters the buffer • Use Low Intensity Development technique (for more information refer to the drainage manual)
Change in water regime	•Impermeable surfaces •Lawns •Tilling •Forest and forest duff removal	•Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns •Retain minimum forest and forest duff
Pets and human disturbance	•Residential areas •Parks	•Use privacy fencing; plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion~~; place~~ • Place wetland and its buffer in a separate tract or protect with a conservation easement
Dust	•Construction sites	•Use best management practices to control dust
Disruption of corridors or connections	•Roads •Residential •Commercial •Manufacturing •Landscaping •Stormwater	•Maintain connection to offsite areas that are undisturbed •Restore corridors or connections to offsite habitats by replanting
* These examples are not necessarily adequate for minimizing toxic runoff if threatened or endangered species are present at the site.		

Table 20.93-6 – Wetland Buffer Requirements for Western Washington If Table 20.93-5 is NOT Implemented or Corridor NOT provided			
	Buffer Width (in feet) Based on Habitat Score		
Wetland Category	3-5	6-7	8-9
Category I: Based on total score	100	150	300
Category I: Bogs and Wetlands of High Conservation Value	250		300
Category I: Interdunal	300 (Buffer width not based on habitat scores)		
Category I: Forested	100	150	300
Category I: Estuarine and Coastal Lagoons	200 (Buffer width not based on habitat scores)		
Category II: Based on score	100	150	300
Category II: Interdunal Wetlands	150 (Buffer width not based on habitat scores)		
Category II: Estuarine and Coastal Lagoons	150 (Buffer width not based on habitat scores)		
Category III: All	80	150	300
Category IV: All	50		

20.93.840 - Mitigation.

(a) In order to avoid significant environmental impacts, the applicant for a land use or development permit shall compensate for unavoidable wetland impacts, listed in order of preference. What is considered adequate mitigation will depend on the nature and magnitude of the potential impact.

(1) On-site wetlands restoration/improvement—Restoration or improvement in functional value of degraded on-site wetlands and/or their buffers at the ratio listed in Table 20.93-~~6~~ 7 according to the wetland type.

(2) On-site wetlands creation—Creation of on-site wetlands and their buffers at the ratio listed in Table 20.93-~~6~~ 7 according to the wetland type.

(3) On-site wetlands buffer restoration—Restoration or improvement in functional value of degraded on-site wetland buffers at the ratio listed in Table 20.93-~~6~~ 7 according to the wetland type.

(4) Off-site wetlands protection—Where on-site protection is not possible, dedicate an exclusive easement for the protection of equivalent (in ecological type and function)

wetland and its buffer on an off-site wetland at the ratio listed in Table 20.93-~~6~~ 7 according to the wetland type. The location of any off-site wetland mitigation area shall be located within the same watershed as the impact and as near to the site as possible, following this preferred order:

(A) Contiguous to the impacted wetland,

(B) Within the same drainage basin where it would best provide the same function as the impacted wetland, and

(C) Elsewhere within the city.

(b) All wetland restoration, creation and/or enhancement projects required pursuant to this chapter either as a permit condition or as the result of an enforcement action shall follow a mitigation plan prepared in conformance to the requirements of Section 20.93.390 (Mitigation plan requirements).

(c) Location of mitigation. When compensatory measures are appropriate pursuant to the mitigation priority sequence above, preferential consideration shall be given to measures that replace the impacted functions directly and in the immediate vicinity of the impact. However, alternative compensatory mitigation within the watershed sub-basin that addresses limiting factors or identified critical needs for shoreline resource conservation based on watershed or comprehensive resource management plans applicable to the area of impact may be authorized. If there are no previously identified mitigation opportunities in the impacted sub-basin identified in local watershed or comprehensive plans the applicant will use a watershed approach in selecting mitigation sites utilizing Selecting Wetland Mitigation Sites Using a Watershed Approach (Western Washington) (Publication #09-06-32). Authorization of compensatory mitigation measures may require appropriate safeguards, terms, or conditions as necessary to ensure no net loss of ecological functions (WAC 173-26-201(2)(e)(ii)(B)).

(d) Mitigation ratios for the replacement of impacted wetlands shall be as listed in Table 20.93-~~6~~7.

Table 20.93-~~6~~7

Category and Type of Wetland	Creation or Re-establishment	Rehabilitation	Enhancement	Preservation
Category I: Bog, Natural Heritage site	Not considered possible	~~6:1~~Case by case	Case by case	10:1
Category I: Mature Forested	6:1	12:1	24:1	24:1
Category I: Based on functions	4:1	8:1	16:1	20:1
Category II	3:1	6:1	12:1	20:1
Category III	2:1	4:1	8:1	15:1
Category IV	1.5:1	3:1	6:1	10:1

20.93.850 - Monitoring.

(a) For projects that include native vegetation, a detailed five-year or ten-year vegetation maintenance and monitoring program to include the following:
  (1) Goals and objectives of the shoreline stabilization plan;
  (2) Success criteria by which the implemented plan will be assessed;
  (3) A ten-year maintenance and monitoring plan for wetland projects with trees and shrubs, consisting of site visits done in years one, two, five, seven and ten by a qualified professional, with progress reports submitted to the shoreline administrator and all other agencies with jurisdiction following the site visits; and, a maintenance and monitoring plan for compensatory mitigation projects which shall be monitored for a minimum of five years with monitoring plans submitted for zero, one, two, three and five years.
  (4) A contingency plan in case of failure.
(b) Monitoring of fish and wildlife populations may be required.

Part ~~IX~~VIII. - Aquifer Recharge Areas

20.93.900 - Purpose and Objectives.

(a) The purpose of this Part is to protect public aquifer recharge areas. Additionally, it is the intent of this Part to adopt development regulations, as required in RCW 36.70A.060, that preclude land uses or development that is incompatible with critical areas designated under RCW 36.70A.170.
(b) The objectives of this Part are to:
  (1) Protect human life and health;
  (2) Assure the long-term conservation of resources;
  (3) Protect groundwater; and,
  (4) Further the public interest in the conservation and wise use of lands.

20.93.910 - Applicability.

(a) All development except those exempted in subsection (b) is subject to the regulations of this Part.
(b) The following uses are exempt from this Part:
  (1) Uses legally existing on any parcel prior to these regulations' adoption.

20.93.930 - Hydrogeologic Site Evaluations.

Hydrogeologic site evaluations shall address the following:
  (1) Soil texture, permeability, and contaminant attenuation properties;
  (2) Characteristics of the unsaturated top layer of soil, the vadose zone, and geologic material, including permeability and attenuation properties;
  (3) Depth to groundwater and/or impermeable soil layer;
  (4) Aquifer properties such as hydraulic conductivity and gradients.
  (5) Potential impacts to the aquifer or groundwater.

20.93.940 - Best Management Practices (BMP) Plans.

Best management practices (BMP) plans shall detail what actions or operations may harm the aquifer if not performed or managed properly and how such actions or operations shall be performed or managed so as to avoid impacts. Permit applications may be conditioned on on-going adherence to the BMP plan.

20.93.950 - Mitigation Plans.

(a) If the evaluation identifies significant impacts to critical public aquifer storage recharge areas, the project applicant is required to document potential impacts and provide a discussion of alternatives by which such impacts could be avoided or prevented.
(b) The applicant shall provide a detailed mitigation plan for avoiding potential impacts. The city may require that the mitigation plan include preventative measures, monitoring, process control, and remediation, as appropriate. the mitigation plan must be approved by the city and be implemented as a condition of project approval.

20.93.960 - Imposition of Conditions on Projects.

Based on available information, including that provided by the applicant pursuant to the requirements of Sections 20.93.~~920~~ 930 (Aquifer Recharge Areas—~~Information required upon application~~Hydrogeologic Site Evaluations), the permit-issuing authority shall impose conditions designed to prevent degradation of groundwater quality or quantity. Such conditions may include determining background water quality and quantity prior to development, determining groundwater levels, monitoring of those levels, mitigation plans including prevention, and development of groundwater quality or quantity management plans. All conditions on permits shall be based on known, available, and reasonable methods of prevention, control, and treatment.

Table 20.93-~~6~~8: Groundwater Protection Administration Guidance Chart Project

Use Type	Information Required with Application
Underground storage tanks (USTs) as defined by Chapter 173-360 WAC	A best management practices plan is required, as is proof of compliance with department of ecology regulations and the license number of the installer. A mitigation plan may be required.
Commercial, industrial, institutional, or other facilities that store, use, handle, or produce hazardous substances or waste products (as defined by WAC 173-303-101)	A best management practices plan is required. A mitigation plan may be required.
On-site sewage disposal systems serving large developments, or any single use generating sufficient effluent over 3,500 gallons per day, require approval of their plans by the department of health under Chapter 246-272 WAC or the department of ecology under Chapter 173-240 WAC	Proof of compliance with department of ecology and/or Snohomish County Health District requirements. A mitigation plan may be required.

Petroleum pipelines	Both a hydrologic site evaluation and a best management practices plan are required. A mitigation plan may be required.
Solid waste facilities	Both a hydrologic site evaluation and a best management practices plan are required. A mitigation plan may be required.
Land application of sewage sludge from sewage treatment works which combine industrial waste and/or commercial waste with domestic waste or any sewage sludge application exceeding two acres in size	Both a hydrologic site evaluation and a best management practices plan are required. These studies shall determine the application rate. A mitigation plan may be required.
All other development	Determination of whether the project lies within a public groundwater recharge area or whether any wells are located within 100 feet of the project. If either of these criteria is met, the applicant must show how all applicable regulations, including but not limited to those of the department of ecology and/or Snohomish County Health District, are met. A mitigation plan may be required.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-030 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-030

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, AMENDING ARLINGTON MUNICIPAL CODE CHAPTER 20.93 REGARDING CRITICAL AREAS REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022



Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-031

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.94 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ANNEXATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.94 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"

Chapter 20.94

ANNEXATIONS

Sections:

20.94.010 ~~General Requirements.~~Authority for Annexation.
20.94.020 ~~Concurrent Adoption of Appropriate Land Use Designation and Zone Upon Annexation.~~ Pre-Annexation Meeting.
20.94.030 Ten Percent Petition – Notice of Intention to Annex.
20.94.040 Review of Annexation Proposal.
20.94.050 City Council Action on Ten Percent (10%) Petition.
20.94.060 Sixty Percent (60%) Petition – Notice of Intention to Annex.
20.94.070 Preparation of Staff Report.
20.94.080 City Council Action to Set Public Hearing.
20.94.090 Sixty Percent Petition City Council Public Hearing.
20.94.100 Boundary Review Board Filing for Notice of Intention to Annex.
20.94.110 Boundary Review Board Review Period.
20.94.120 Boundary Review Board Hearing.
20.94.130 City Council Action on Annexation.
20.94.140 Annexation Census.
20.94.150 Annexation Filing.

20.94.010 ~~General Requirements~~Authority for Annexation.

~~Annexations will be considered and processed according to the applicable state regulations.~~

(a) Annexations to the City of Arlington are governed by this chapter and RCW 35A.14 and the Washington State Boundary Review Board for Snohomish County (BRB).

(b) Any portion of a county not incorporated as part of a city but lying contiguous to a code city may become a part of the code city by annexation. An area proposed to be annexed to a code city shall be deemed contiguous thereto even though separated by water and upon annexation of such area, any such intervening water shall become a part of such annexing city.

(c) No code city located in a county in which urban growth areas have been designated under RCW 36.70A.110 may annex territory beyond an urban growth area.

(d) The city's official future land use map and zoning map show the parcels within the city limits, parcels with the UGA and parcels outside the UGA.

20.94.020 ~~Concurrent Adoption of Appropriate Land Use Designation and Zone Upon Annexation.~~Pre-Annexation Meeting.

~~All annexations shall be enacted with the land use designation and zone pre-designated in the Comprehensive Plan Land Use Map and zoning map. Requests for a change in the land use designation or a rezone must be requested after annexation into the city. If there is no pre-designation or pre-zone, then Council may consider any designation or zone and adopt them simultaneously with the annexation.~~

Prior to applying for an annexation, the applicant shall participate in a meeting with the Community and Economic Development department to discuss the proposed request and annexation process.

20.94.030 Ten Percent (10%) Petition – Notice of Intention to Annex.
The applicant shall submit the following to the community and economic development department:

(1) Land Use Request Application.
(2) 10% Petition application fee per the most current fee resolution.
(3) Narrative including the general description of the area proposed for annexation.
(4) 10% Petition – Notice of Intention to Commence Annexation Proceedings.
(5) Snohomish County Assessor's property valuation for all parcels within the annexation area.
(6) Snohomish County Assessor's map of the are proposed for annexation and vicinity map.

20.94.040 Review of Annexation Proposal.
City Planning staff reviews the submittal for consistency with the Arlington Municipal Code and the Arlington Comprehensive Plan.

20.94.050 City Council Action on Ten Percent Petition.
Before City Council at a public meeting the council votes to either approve or deny the annexation petition moving forward.

20.94.060 Sixty Percent (60%) Petition – Notice of Intention to Annex.
(a) The applicant shall submit the following to the community and economic development department:

(1) 60% Petition application fee per the most current fee resolution.
(2) 60% Petition for annexation to the City of Arlington, WA.
(3) Current property assessed value, established by Snohomish County Assessor's Office, of all parcels proposed for annexation (if additional properties have been added since the 10% petition review)
(4) Certified Legal Description and Map showing a meets and bounds continuous boundary description from a licensed surveyor.

(b) City Planning Staff sends the legal description and maps to the Snohomish County Assessor's and Auditor's Department for review and certification of sufficiency. Once certification is received by the city the application can continue to move through the process.

20.94.070 Preparation of Staff Report.
City Planning Staff prepares a staff report showing how the annexation meets the requirements of the Arlington Municipal Code and the Arlington Comprehensive Plan.

20.94.080 City Council Action to Set Public Hearing.
The Arlington City Council holds a public meeting to set the Public Hearing date at a future Council meeting through a Resolution.

20.94.090 Sixty Percent Petition City Council Public Hearing.
(a) The Arlington City Council holds a public hearing to direct staff to submit the Notice of Intention to Annex to Snohomish County.
(b) The Public Hearing Notice shall be published in one or more issues of the newspaper of general circulation of the city, be posted in three public places within the territory proposed for annexation, and shall specify the time and place of hearing, and follow all public hearing notice requirements of AMC 20.24 (Hearing Pre Hearing Procedures for Appeals and Applications).

20.94.100 Boundary Review Board Filing for Notice of Intention to Annex.
(a) The applicant shall submit a check to the city, addressed to Snohomish County in the amount of the current filing fee per the BRB.
(b) City of Arlington staff prepares the Notice of Intention to Annex per Snohomish County and the BRB requirements. The submission is sent by certified mail and by email to the BRB contact.

20.94.110 Boundary Review Board Review Period.
The BRB has 45 days to review the Notice of Intention to Annexation. The BRB reviews the application for consistency with Snohomish County regulations, the assessor's office, and the

20.94.120 Boundary Review Board Hearing.
(a) If the BRB requests a Hearing, the hearing is scheduled at the earliest date available of the BRB.
(b) A representative of the City and the applicant are required to attend the hearing.

20.94.130 City Council Action on Annexation.
The Arlington City Council shall take final action on the annexation through a Public Meeting and by Ordinance. The annexation is considered approved 5 days from the publication date of the ordinance.

20.94.140 Annexation Census.
Planning Staff has 15 days after the City Council adopts the final annexation ordinance to complete a population count of the properties within the territory of the annexation per the Office of Financial Management regulations for completing a Census.

20.94.150 Annexation Filing.
The final ordinance and annexation documents shall be filed with BRB and the Office of Financial management.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-031 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-031

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.94 OF THE ARLINGTON MUNICIPAL CODE REGARDING ANNEXATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-032

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.98 OF THE ARLINGTON
MUNICIPAL CODE REGARDING ZONING AND SEPA REGULATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code section 20.98.010(a) shall be and hereby is amended to read as follows:

The City adopts these regulations pursuant to the State Environmental Policy Act (SEPA), RCW Chapter 43.21C~~.120~~, and the SEPA rules, WAC Chapter 197-11-~~904~~.

Section 2. Arlington Municipal Code section 20.98.040(a) shall be and hereby is amended to read as follows:

(a) For those proposals for which the City is the lead agency, the Responsible Official shall be the Community and Economic Development Director.

Section 3. Arlington Municipal Code section 20.98.090(a) shall be and hereby is amended to read as follows:

(a) The City establishes the following exempt levels for minor new construction under WAC 197-11-800 (1)(b) based on local conditions:

(1) For residential dwelling units in WAC 197-11-800 (1)(b)(i): Up to 9 dwelling units.

(2) For agricultural structures in WAC 197-11-800 (1)(b)(iii): Up to 10,000 square feet.

(3) For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800 (1)(b)(~~iii~~iv): Up to 4,000 square feet and with associated parking facilities designed for up to 20 parking spaces.

(4) For parking lots in WAC 197-11-800 (1)(b)(iv): Up to 20 parking spaces not associated with a structure.

(5) For landfills and excavations in WAC 197-11-800 (1)(b)(v): Up to 250 cubic yards.

Section 4. Arlington Municipal Code section 20.98.200(b)(1) shall be and hereby is amended to read as follows:

(1) Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this section of the administration chapter of this ~~Unified Development~~Arlington Municipal Code; and

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-032 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-032

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.98 OF THE ARLINGTON MUNICIPAL CODE REGARDING ZONING AND SEPA REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022



Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-033

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON
AMENDING CHAPTER 20.110 OF THE ARLINGTON
MUNICIPAL CODE REGARDING MIXED USE REGULATIONS

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Arlington Municipal Code Chapter 20.110 shall be and hereby is amended to read as set forth on the attached Exhibit "A".

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

ATTEST:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney

EXHIBIT "A"
Mixed Use Development Regulations

Mixed Use Development Regulations



Revised October 2022

Arlington Land Use Strategic Planning: A Place-Based Approach to Zoning

The City's vision statement, written over twenty-five years ago remains a guide for both our Comprehensive Plan and our Land Use Code:

"The City of Arlington is a community of vibrant businesses and a home for families that combines the best of sustainable development with the highest quality of life in the region. It is a place where the natural world is honored and respected while high value jobs and businesses are encouraged to prosper. The City is recognized throughout the State as the best example of how to preserve the past in concert with preparing for the change inherent in the future. As the vision evolves, the Arlington brand, or identity, becomes recognized for its unique ability to set the City apart as a model of civility and community harmony.

The Setting: *Arlington is located where the north and south forks of the Stillaguamish River join. The City's northern/northwestern edge overlooks the Stillaguamish River Valley; its eastern side looks toward the Cascade foothills; and we border I-5 on the west and Marysville on the south.*

The Economy: *Arlington's future depends on its economic base keeping pace with other development. Citizens thrive when jobs are available and the necessary amenities are in place to improve their quality of life. To pay for this quality of life, our retail base must be secure and growing. It must also be able to pay for the infrastructure needed to fuel industrial growth.*

The Social Fabric: *Citizens establish the City's values, sense of place, and quality of life. In return they need cultural opportunities, recreational activities, educational resources, and entertainment for a full life.*

Mobility: *Our goal must be to provide mobility within the City and access to our county, state and federal transportation systems.*

Housing: *Arlington values its neighborhoods and hopes to pass on these values as new developments are built. We recognize the need to provide housing for all income ranges.*

Summary: *Because of Arlington's proximity to population centers and the freeway, growth is inevitable, but not necessarily as a bedroom community. Arlington will strive to maintain a small city identity, a high jobs-to-housing ratio, thriving commercial districts, safe neighborhoods,* an expanding airport, a healthy hospital, *a beautiful environment, great services, ample recreational opportunities, and a pride that most cities seldom experience. We want our caring community"*

We are required by the State's Growth Management Act to plan for a twenty-year projected population increase. The number of people we will be welcoming to our City is provided by the State and by Snohomish County. The overall planning for this increase involves a long list of parts and of stakeholders; from transportation to parks and open space to housing. The single most impactful element of planning for the future lies in how we resolve the complicated issues of land use and the built environment.

The citizens of every city, town and community in the country desire a livable environment for themselves and for those that follow. Our Vision Statement is a reflection of that desire.

"In 2030, about half of the buildings in which Americans live, work, and shop will have been built after 2000. While these projections may seem overwhelming, they also demonstrate that nearly half of what will be the built environment in 2030 doesn't even exist yet, giving the current generation a vital opportunity to reshape future development"[1].

The quality of places in which we live has an impact on all aspects of life. How well they are designed will influence how safe we feel, how easy it is to walk around, whether we have shops, community facilities and schools nearby; whether our children have safe places to play. It will also affect whether there is access to public transportation and a good choice of homes in which to live. It is essential that the places we create and improve embody the principles of good urban design.

Good urban design is essential to deliver places which are sustainable across a range of criteria: places that create social, environmental and economic value. Ensuring that places are well designed needs to be a priority for everyone involved in shaping and maintaining the built environment.

Arlington is known for its sense of "place". This sense is a combination of the caring nature of its people, and the quality of its downtown built environment. Looking ahead, our challenge will be to provide housing, employment, and recreational opportunities for a growing population while at the same time preserving and expanding the unique places of Arlington.

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[1]Arthur C. Nelson; Brookings Institution

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20.110.012 INTRODUCTION

20.110.012(a) PURPOSE

Under Washington law, local jurisdictions are allowed to define a vision for specific areas within their boundaries and apply regulations and guidelines for implementation of those visions. It can establish clear policies, implementation strategies, and design standards to guide public and private investment in a coordinated manner.

For the foreseeable future, Arlington's urban growth boundary will remain fixed in its current configuration. The immediate effect of an inelastic City edge will be that projected population increases will be absorbed by in-filling, rather than expansion. To maintain the high-quality City that is described in the Vision Statement and Comprehensive Plan, the community will have to take a new look at land use patterns and how it intends guide the built environment.

Local development history has shown that conventional (Euclidean) zoning has not, and likely will not, provide a path from the vision, goals, and policies expressed in the Comprehensive Plan to the creation of Quality Places.

Mixed Use Development Regulations provides guidance for the creation of quality places that will provide interesting, walkable neighborhoods, while preserving Arlington's small-town feel. It is intended to guide initiatives that capitalize on the City's unique assets with the overarching goal of seamlessly accommodating growth. The Plan is designed to create centers of commercial and residential activity appropriate to local context and use intensities with a predictable built form. In addition, the Plan provides options for developers that result in expedited, predictable outcomes.

20.110.012(b) PLANNING WITH FORM BASED CODE

Quality place making is a derivative of the concepts and tools contained in the alternative approach to conventional zoning called "Form Based Code". These concepts reinforce walkable, sustainable mixed-use environments and development that builds upon community character. This Strategic Plan uses the Form Based Coding approach to achieve the community's goals of sustainability and context sensitive, high-quality infill.

"Form-Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. These codes are adopted into city or county law as regulations, not mere guidelines. Form-Based Codes are an alternative to conventional zoning."

~ Form-Based Codes Institute

An important aspect of this definition that differentiates Form Based Codes from conventional zoning is the phrase "by using physical form." This does not mean that use is not important, but instead of land use always being the organizing principle for the overall code, within the FBC elements of this Plan, the intended physical form, or characteristics of desired place becomes the primary organizing principle.

It is also important to note that while FBCs focus on an intended physical form, they also regulate use. FBCs often allow a range of uses that are carefully chosen to maximize compatibility between uses and the intended physical form of the specific neighborhood.

FBC components are integrated throughout this Plan. The following is an explanation of these components and where they are located in this Zoning Code.

1. Place Types provide the basic building form standards and list the allowed building types, sustainable features and permitted uses within a specific geographical area. See Section 20.110.014(c) 1-5 (Place Types).

2. Building types provide a fine level of detail about the appropriate massing and form of buildings within a Place Type. See Section 20.110.014(e) (Building Types).

3. Private frontage types provide detail on how a building relates to the street or public realm. See Section 20.110.014(d) (Private Frontage Types).

4. Thoroughfare types provide the components of a thoroughfare that can be used to create walkable streets that balance the needs of vehicles, pedestrians and bicyclists. See Section 20.110.014(f) (Block, Street, and Rights of way).

5. Civic spaces provide standards for a broad range of civic spaces and open space. A significant focus of the City's new and existing civic spaces will be the creative incorporation of public art. See Section 20.110.014(~~i~~h) (Civic and Open Space).

20.110.012(c) HOW TO USE THE PLAN

1. In graphic form, this Section illustrates the basic steps to follow in using this Form Based Code as a part of the regulations guiding development within the ~~Mixed Use~~Mixed-Use Overlay District. This is illustrative only and is not intended to set forth the administration and procedures which are described more fully in Section 20.110.014(k) (Administration and Procedures).

2. All Mixed-Use projects require a minimum of 15 dwelling units per acre.

3. All Mixed-Use projects require the first floor of all street frontage buildings to be comprised of commercial/retail uses. Except where horizontal mixed-use is used and the residential only buildings are accessed from an alley or other type of roadway.

Quick Code Guide: Known; Location

1. Look in the Regulating Plan for your parcel.
   Maps
2. Note Place Type and Transect.
   Regulating Plan
3. Find your Place Type and Transect in Place Types.
   Section 20.110.014(c)
4. Verify use in Permissible Use Table for your Place Type.
   Section 20.110.014(c)
5. Comply with the standards specific to your Transect.
   Section 20.110.014(c) (1-5)
6. Comply with the standards specific to your Frontage Type.
   Section 20.110.014(d)
7. Comply with the Standards specific to your Building Type
   Section 20.110.014(e)
8. Follow any necessary procedures
   Section 20.110.014(m)

Looking For; Allowable Building Type

1. Find the standard Building Type that most closely matches yours.
   Section 20.110.014(e)
2. Find the Building Type in the Transect Table.
   Table 20.110-1
3. Find your Transects in the Place Type summary.
   Table 20.110-2
4. Locate the Place Type on the Regulating Map.
5. Verify use in Permissible Use Table for your Place Type.
   Section 20.110.014(c)
6. Comply with the standards specific to your Frontage Type.
   Section 20.110.014(d)
7. Follow any necessary procedures
   Section 20.110.014(m)

Transect Matrix: Allowed Building Types and Frontage Types

Building Type	T4-MS	T4-Flex	T4N-SV	T4N-MV	T5-MS	T5-Flex	T5N-LV	T5N-MV	SD-1	SD-2
Carriage House			X	X						
Cottage Court	X	X	X	~~X~~						
Courtyard Building	X	X	X	X	X	~~X~~	~~X~~	X	X	X
Duplex - Vertical	X	X	X	X						
Flex Space	X	X			X	X	X	X	X	X
Live/Work	X	X			X	X	~~X~~	~~X~~	X	X
Main Street Building	X	X		X	X	X			X	X
Mid-Rise	X	X		X	X	~~X~~	X	X	X	
Multi-Plex – Large	X	X		X	X	X	X	X		
Multi-Plex – Medium	X	X	X	X	X	X	X	X		
Row House / Townhouse	X	X	X	X	X	X	~~X~~	X		
Stacked Flats	X	X			X	X	X	X		

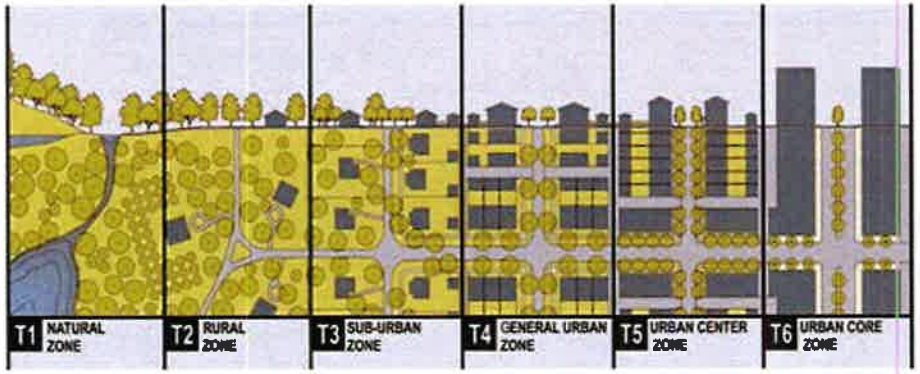
Frontage Type	T4-MS	T4-Flex	T4N-SV	T4N-MV	T5-MS	T5-Flex	T5N-LV	T5N-MV	SD-1	SD-2
Common Yard		X	X	X						
Door Yard	X	X	X	X		X		X		X
Forecourt	X	X		X	X	X	~~X~~	X	X	X
Gallery	X	X		X	X	X			~~X~~	~~X~~
Porch: Engaged			X	X			X	~~X~~		
Porch: Projecting			X	X			X	~~X~~		
Shop Front and Awning	X	X		X	X	X			X	X
Stoop	X	X	X	X	X	X	X	X	X	

Place Types and Transects	T4-MS	T4-Flex	T4N-SV	T4N-MV	T5-MS	T5-Flex	T5N-LV	T5N-MV	SD-1	SD-2
~~Neighborhood~~ Community Center	X	X	~~X~~	X				~~X~~		
Neighborhood Corridor	X	X	X	X	X					
~~Neighborhood~~ Village Center	X	X	X	X						
Urban Center					X	X	X	X		
Special District									X	X

20.110.012(d) PLACE TYPES

Place Types are defined by their location and by their intensity of use. They are calibrated by their:

- Street Types,
- Block and Street Types,
- Building Placement and Mass,
- Frontage Types, and
- Architectural Features.



This transect describes six use intensities from natural to sub-urban to urban core. Each level of use, or T-zone, has a unique built form, consistent with its use intensity and context. Some jurisdictions have added sub-transects, some have modified their definitions, and some have labelled the intensities with their own vocabulary. By whatever method it is described, intensity of use is at the core of Place definition. While transects can be used as a regional planning tool, it is uniquely suited to describe the more geographically limited and more intense urban environment.

This ~~Mixed Use~~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 1 contains primarily freeway oriented commercial development. It is highly unlikely that residential development, other than vertical mixed use, will become a significant element of growth in this area. Special District 2 is located in an area where residential use is prohibited, therefore its mix of uses will exclude any residential component. In addition, there are three other areas included in the Mixed Use Overlay~~,~~ but are geographically too small to be assigned a Place Type. Growth in these areas will nonetheless be guided by a regulating plan. In Arlington's urban context, these Place Types and Special Districts articulate in detail the transition from more intense to less concentrated uses. Each Place Type contains its own unique combination of neighborhood use transitions. As a group, these four Place Types contain all of the commercial, residential, and civic space use intensities required for the next twenty years.

Because Arlington is a small, urban edge city, the two least intense and the one highest intensity transects are not applicable to our future built form; at least not for now. Zone T3, translates into most of our existing neighborhood and municipal structure. Zone T4 splits into four use intensities; T4 Neighborhood Small Volume, T4 Neighborhood Medium Volume, T4 Main Street, and T4 Flex. A mix of these four intensities is applied to the Neighborhood Corridor, Neighborhood Community Center and Neighborhood Village Center. The T5 Neighborhood Medium Volume, T5 Neighborhood Large Volume, T5 Main Street and the T5 Flex contained in the Urban Center provides the relatively high intensities of use the City will need to accommodate our projected population and commercial growth. The Special Districts reflect areas with limited or prohibited residential potential, and therefore will follow other ~~mixed use~~mixed-use patterns, remaining within transect regulated intensities.

In Section 20.110.014(c) that follows, the individual Place Types are specifically located within the City. In Section 20.110.014(c), are the sub-transects and definitions appropriate to each Place Type. The specific distribution of sub-transects within each Place Type is

accomplished with the Arlington Regulating Plan. The Regulating Plan is essentially a ~~fine grained~~fine-grained zoning map combined with a street plan and an open space plan, keyed to the Development Code's standards and guidelines. The regulating plan accomplishes two tasks:

- Based on existing context and projected need and markets, The Regulating Plan locates Place Type overlays to specific areas of the City, and
- The Regulating Plan assigns specific transect and sub-transect intensities to individual streets and blocks within each located Place type.

In most of the Quality Places being created around the country, walkability and pedestrian friendliness are basic design criteria. The four Arlington Place types all share these features, but in different contexts and with different forms. All four have clearly defined centers and edges. Centers are street intersections in some cases, and parks in others. Edges are defined by either a standard walkable ¼ mile, or an elongated ½ mile "pedestrian shed". As they grow, some of the smaller Places will overlap others and may at some time in the future become combined to create Places of more intense uses and built forms. Areas that are initially defined as corridors will eventually become a linear series of smaller walkable neighborhoods.

A pedestrian shed is the basic building block of walkable neighborhoods. A ped shed is the area encompassed by the walking distance from a neighborhood center. Ped sheds are often defined as the area covered by a 5-minute walk (about 0.25 miles, 1,320 feet, or 400 meters). They may be drawn as perfect circles, but in practice ped sheds have irregular shapes because they cover the actual distance walked, not the linear (aerial) distance. A synonym for ped shed is walkable catchment.

Pedestrian safety is greatest when vehicle speeds are low. On-street parking, trees, and other design elements are a buffer between pedestrians and traffic. Sidewalks are sized appropriately for the number of walkers. Buildings meet the street in such a way to make the "outdoor rooms" that are the mark of the best urban places. Building facades are human scale, with frequent doorways and windows, and attractive details and ornament.

A ~~well designed~~well-designed neighborhood should be pedestrian friendly, but also accommodate bicyclists, transit riders, cars, and appropriate delivery and larger vehicles. Open space and buildings at human scale are an integral part of overall Place design. Density and land use will generally, but not always, vary from the core to the edge of a neighborhood walkable area.

In the sections that follow, the built environment will be calibrated for each of the four Place Types, based on their unique physical and geographical contexts and their projected use intensities.

20.110.012(e) TRANSECT SUMMARY



Zone – T4 Neighborhood Small Volume

Desired Form
Detached or Attached
Narrow to Medium Lot Widths
Small to Medium Footprint
Build at or Close to ROW
Small to No Setbacks
Up to2Stories
Elevated Ground Floor
Primarily with Stoops and Porches

General Use
Primarily residential with smaller neighborhood-supporting uses in ancillary buildings and existing corner store buildings.

Intent
To provide a variety of urban housing choices, in small to medium footprint, medium to high density building types, which reinforce the walkable nature of the neighborhood, support local serving retail and service uses adjacent to this zone, and support public transportation alternatives.



Zone – T4 Main Street

Desired Form
Detached or Attached
Small to Medium Footprint
Simple Wall Plane along Street
Building at or Near the ROW
Small to No Side Setbacks
Up to 4 Stories
Diverse Mix of Frontages

General Use
Primarily ground floor commercial uses with a mix of commercial and residential uses on the floor above.

Intent
To provide a focal point for neighborhoods that accommodates primarily local serving retail, service, and residential uses in compact, walkable urban form.



Zone – T4 Flex

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
Up to 3 Stories

General Use
Vertical and horizontal mixed use: retail, commercial, and residential uses on any floor. Ideal location for live/work conditions.

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.



Zone – T4 Neighborhood Medium Volume

Desired Form
Detached
Small to Medium Lot Width
Medium Footprint
Small to Medium Front Setback
Small to Medium Side Setbacks
Up to 3 Stories
Elevated Ground Floor
Primarily with Stoops and Porches

General Use
Primarily residential with smaller local serving uses in ancillary buildings.

Intent
To provide a variety of housing choices, in medium footprint, medium density building types, which reinforces the walkable nature of the neighborhood, support local serving commercial adjacent to this zone and support public transportation.



Zone – T5 Neighborhood Large Volume

Desired Form
Attached
Medium to Large Footprint
Simple Wall Plane along Street
Building at ROW
No Side Setbacks
Diverse Mix of Frontages
Up to 4 Stories

General Use
Vertical and horizontal mixed use; retail, commercial, and residential uses on any floor. Ideal for live/work conditions.

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.



Zone – T5 Flex

Desired Form
Attached
Medium 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
Up to 4 Stories

General Use
Vertical and horizontal mixed use: retail, commercial, and residential uses on any floor. Ideal for live/work conditions.

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.



Zone – T5 Neighborhood Medium Volume

Desired Form
Attached or Detached
Small to Large Footprint
Simple Wall Plane along Street
Building At or Close to ROW
Small to No Side Setback
Up to 4 Stories
Diverse Mix of Frontages

General Use
A diverse mix of residential building types, general retail, and small to medium sized local and community supporting services and commercial uses.

Intent
To provide a variety of urban housing choices, in small to medium footprint, medium to high density building types, which reinforce the neighborhood's walkable nature, support local and community serving retail and service uses adjacent to this zone, and support multi-model transportation.



Zone – T5 Main Street

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
Up to 5 Stories

General Use
Vertical and horizontal mixed use: retail, commercial, and residential uses on any floor. Ideal location for live/work conditions.

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.



Zone – Special District-1

Desired Form
Mix of Commercial Style Buildings
Medium to Large Volume Massing
Small to Medium Setbacks
Larger Parking Areas Behind Buildings
Up to 5 Stories
Ground Level First Floors
Primarily Storefront Entries

General Use
Primarily a mix of freeway related, auto-oriented commercial activity, generally fuel sales, restaurants, motels, and travel centers.

Intent
To provide for commercial development consistent with existing context. Topography, floodplain and floodway regulations will likely limit development to larger scale commercial operations which are directly related to freeway visibility with easy access to interstate and international highway networks.



Zone – Special District-2

Desired Form
Mix of Commercial Style Buildings
Medium Volume Massing
Building At or Close to ROW
Small to No Side Setbacks
Parking Primarily Behind Buildings
Up to 4 Stories
Ground Level First Floors
Primarily Storefront Entries

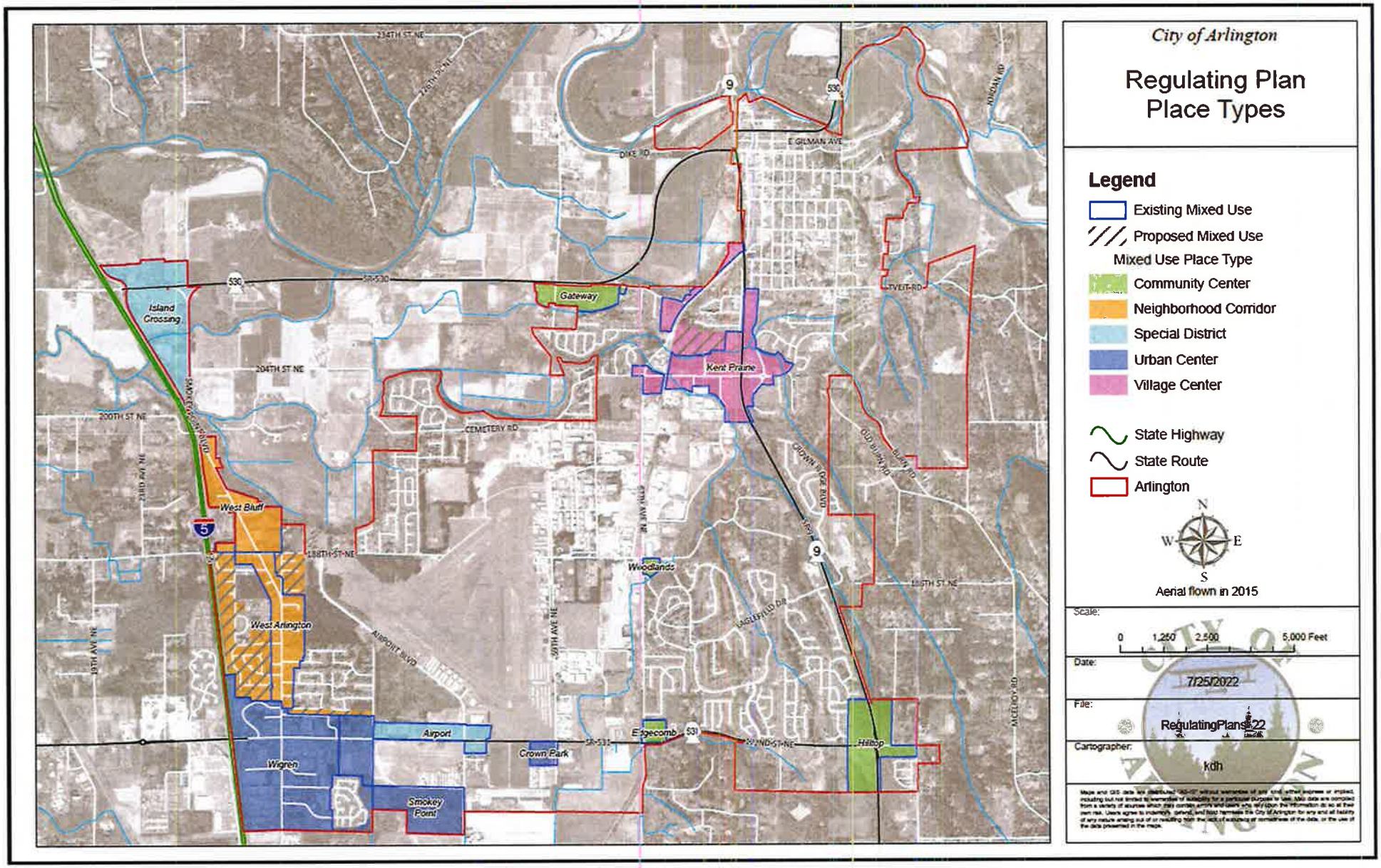
General Use
To provide a mix of non-residential commercial uses compatible with adjacent mixed use residential to the West and Business Park development to the North and East.

Intent
Special District-2 is totally contained on Airport property. As such, it is subject to several layers of Federal Regulations. To prevent the potential for incompatible land uses adjacent to airports, these regulations prohibit the inclusion of residential units on Airport property. This area is ideally suited for a mix of commercial activity that is appropriate to the intensities of adjoining development.

20.110.012(f) THE PLAN AREA

The Place Types which are specifically allocated are all contained within the existing Arlington city limits, primarily within highway commercial land use zones. There are four major Mixed Use focus areas, each with its own configuration, size, and unique use intensity combinations. There are also two Special Districts: Special District-1 contains primarily freeway oriented commercial development; Special District-2 is located in an area where residential use is prohibited, therefore its mix of uses will exclude any residential component. In addition, there are three other areas included in the ~~Mixed Use~~Mixed-Use Overlay~~,~~ but are geographically too small to be assigned a Place Type. Growth in these areas will nonetheless be guided by a regulating plan. Figure 20.110-A (below) shows the location of the Place types, Special Districts, and the areas too small for Place Types.

Figure 20.110-A



20.110.012(g) OVERVIEW OF EXISTING CONDITIONS

During the 2015 Comprehensive Plan update process, it became apparent that to accommodate the twenty-year projected population increase, one of two planning regimes had to be followed. The first was to increase residential buildable land by simply expanding the City's boundaries. The second involved re-defining commercially zoned permissible uses to provide for both commercial and residential growth. The City is required to accommodate approximately 3,000 residential units within the next twenty years. Currently the land zoned for residential development will provide just over 300 units. There needed to be a plan to account for this shortfall.

Having to meet a variety of conditions, the City selected the second option. Clearly, for this option to be viable, some alternate regulatory plan for the uses of commercial property needed to be established. To enable this option, the City subsequently adopted a ~~mixed use~~mixed-use overlay that included all the commercial property within its UGA. Computer modeling showed that the application of mixed uses to most of the commercial areas of the City would adequately accommodate both the projected population growth as well as the supporting commercial activity.

The eventual built form of population absorption by in-filling has shown to be unpredictable without design standards organized around some unifying principle. This ~~Mixed Use~~Mixed-Use Development Regulations incorporates many of the planning and design concepts contained in Form Based Code.

Typically, in the development of a Form Based Code, careful consideration is given to existing conditions. Topography, existing building typology, thoroughfare standards, and civic spaces are thoroughly and systematically analyzed to enable the coding of the contextual DNA of each affected neighborhood. With few exceptions, the commercial areas of Arlington which are contained within the ~~Mixed Use~~Mixed-Use Overlay are either undeveloped or significantly underdeveloped. Lacking essential neighborhood context, the City had to look elsewhere for guidance in the formulation of Arlington's future built environment.

The regulations that follow reflect planning for a twenty-year economic and population growth molded primarily by the Vision, Goals, and Policies of the 2015 Arlington Comprehensive Plan.

20.110.012(h) PLAN PREPARATION AND PUBLIC PARTICIPATION

By February of 2016, work had begun on adjustments to the 2015 Comprehensive Plan Update to redraft population absorption strategies and rework a few sections based on Department of Commerce and Puget Sound Regional Council feedback on the original document. The City was considering an ordinance to extend mixed use zoning from Old Town to include all commercially zoned property within its UGA. Recognizing that community input would play a significant role in the definition of these extended ~~mixed use~~mixed-use zones, the Department of Community Development, along with the Planning Commission formed a focus group to provide guidance for the formulation of the standards that would regulate these new areas.

The focus group was composed of community leaders from a diverse cross section of the private sector, along with City Council members and Planning Commissioners with support from Community Development staff. The group was charged with providing guidance and feedback for the regulation regime and the public outreach program that would ultimately determine the effectiveness and future livability of the ~~mixed use~~mixed-use areas.

The focus group meet weekly for eighteen months. Initially, each meeting was structured in two parts; on-line planning courses with a focus on Form Based Code, followed by a discussion of the tools and processes of FBC and how they might be applied to the new ~~mixed use~~mixed-use areas.

As sections of the draft Form Based Code were developed, the focus group provided comments and their suggestions for improvements. This feedback became an instrumental part of the editing and updating process. As this process was nearing its conclusion, the focus group was asked to assist with the development of an outreach program to take the

draft FBC regulations out to the community for public feedback. The details of the outreach plan that was formulated with focus group feedback are in the appendix.

Three outreach sessions were held in May of 2017 in various locations in the City, and another three sessions were held in July. In each session, there was a presentation of the plan for mixed use development, followed by discussion with participants. Contact information was obtained for future feedback opportunities.

20.110.012(i) GOALS

Arlington's Comprehensive Plan divides the City into twelve sub-areas. Each of these sub-areas has a unique built environment, a unique mix of uses, a unique topography, or a combination of all three. As the City grows and develops, some of these areas will remain relatively stable and some will transition into new looks and new uses. Arlington is going to grow; that's not optional for any Washington city. The City will need to provide a place for young people entering the labor market, in-migration of established workers and their families, and homes for a rapidly increasing retired population. 7,000 people are coming. The quality of the Places created for them will directly affect their lives and the lives of people already here. Most of the growth, both in people and in commerce will happen in the transitional neighborhood sub areas. These are the places detailed in the Regulating Plan.

For the purposes of creating a vision of mixed uses within a design based context, these transitional neighborhoods need to be the fundamental unit of city wide planning. Neighborhoods should be places where people can live, work, shop, and recreate. Their buildings, streets, public and private places need to relate well to one another by plan, not by accident. These neighborhoods should be sized so that an average person can walk from its center to its fringe in five to ten minutes.

Thoroughfare network connectivity is perhaps the single most important element of sustainably-built cities. The thoroughfare network is simply the system of streets, alleys, walkways and trails in an area. Connectivity refers to the directness of travel routes and the number of alternate routes between any two locations. Vehicular, bicycle, and pedestrian connectivity in our proposed ~~mixed use~~mixed-use neighborhoods are addressed by this urban form development code.

20.110.014 DEVELOPMENT CODE

20.110.014(a) AUTHORITY AND PURPOSE

This code protects and promotes the public health, comfort, safety, convenience, and general welfare of the community and implements the Arlington Comprehensive plan.

Parcels that are subject to regulations of both a specific local Place Type as contained in this ~~Mixed Use~~Mixed-Use Overlay Plan and of its underlying land use zone may be developed using the regulations of either set, but not a mixture of the two. Examples of areas where the Overlay Plan is an option include the Village Center at Kent Prairie, the Neighborhood Corridor along Smokey Point Boulevard, the Urban Center in the Smokey Point commercial area, and the Community Center at Highway 9 and 172nd.

These two sets of regulations represent significantly different approaches to the challenges presented with population absorption by in-filling. The underlying "by right" regulations are use based and depend on design ~~guidelines rather than~~ standards to determine the eventual built form. This combination rarely produces predictable outcomes for either the developer or for the City. Applications based on the underlying zoning will follow the administrative processes and regulations described in the relevant portions of Title 20 of the Arlington Municipal Code. In particular, subdivisions will follow the regulations contained in Section 20.16.~~300~~400 (~~Major and Short Subdivisions~~Regulation of Major, Minor and Unit Lot Subdivisions). Section 20.16.~~350~~435 (Major and Minor Binding Site Plans) will not be available for development governed by the underlying zoning regulations.

This Overlay Plan is form based, with specific textual and graphic descriptions for the desired outcome, along with administrative procedures that represent significant time savings along with a more predictable review process. The provisions of this Overlay Plan will

regulate development in the ~~Mixed Use~~Mixed-Use Overlay District when the Overlay Plan option is chosen. In the event of conflict between the Overlay Plan and the underlying zoning, the provisions of the Overlay Plan shall control. The choice of either the regulations contained in the Overlay Plan or of the underlying zoning shall be made by the owner of the property, an authorized agent of the owner, a person acting in compliance with a purchase contract or other written consent and shall follow the land.

1. Conflicting Provisions

   If any provision of this Overlay Plan contains an actual, implied, or apparent conflict with another provision of this Overlay plan, the more restrictive provision controls.

2. Relationship to Other Regulations

   a. Where conditions, standards, or requirements imposed by any provision of this Overlay Plan are either more restrictive or less restrictive than the standard imposed by any other statute, law, ordinance, regulation, license, or permit, the –most restrictive of any such standards control.

   b. Whenever a provision of this Overly Plan refers to any other part of the Arlington Municipal Code or to other law, the reference applies to any subsequent amendment of that law.

3. Severability

   If any section, paragraph, subdivision, clause, sentence, or provision of this Overly Plan is adjudged by any court of competent jurisdiction to be invalid, that judgement does not affect, impair, invalidate, or nullify the remainder of this Overlay Plan. The effect of the judgement is confined to the section, paragraph, subdivision, and clause. Sentence, or provision specifically addressed in the controversy in which the judgement or decree was made.

20.110.014(b) APPLICABILITY OF STANDARDS VERSUS GUIDELINES

1. Standards are mandatory requirements which are enforced by terms such as "shall" or "will".
2. Gudelines are suggested or encouraged but are not explicitly mandatory. However, their intent represents an objective for development and as such they are intended to be followed in spirit if not literally. Thus guidelines leave flexibility for design creativity to meet the intent of the guideline and are promulgated by terms such as "should" or "may".
3. The existing development regulations of the City of Arlington shall continue to be applicable to areas and/or zones not covered by this Overlay Plan.
4. Capitalized items used throughout this Plan are defined in sections 3.1 General Definitions, and 3.2 Definitions Specific to Permitted Uses.
5. Maps and charts accompanying this Plan are specifically incorporated by reference herein.

20.110.014(c) (1) Place Types

Place Type: Mixed Use Neighborhood Corridor

Location: Smokey Point Boulevard – 173rd Street to 200th Street. Shown on the Zoning Map as the Commercial Corridor zone.

Use Intensity Transects: T4 Main Street (T4-MS), T4 Flex (T4-F), T4 Neighborhood Small Volume (T4N-SV), T4 Neighborhood Medium Volume (T4N-MV)

T4-MS

Intent:

To provide a vibrant main street mixed use residential and commercial environment that serves as the focal point for the surrounding neighborhood and provides access to day-to-day amenities within walking distance in urban form. This ~~Mixed Use~~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.

Characteristics:

Detached or attached	Medium to large lot width
Buildings at or near the ROW	Flush ground floor
Small to no side setback	Up to 4 stories
Small to medium footprint	Simple wall plane along street

Key Features:

Primary Street with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

Predominate Land Uses:

Primary Boulevard facing with medium intensity commercial

Street types:

Passage, Alley, Mixed Use Street, Residential Avenue, Mixed Use Avenue, Mixed Use Boulevard, and Multiway Boulevard.

T4-F

Intent:

To provide 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.

Characteristics:

Attached or detached	Small side setback
Small to medium front setbacks	Small to medium lot width
Small to medium footprint	Up to 3 stories

Key Features:

Mix of medium density building types with a variety of forms which decrease in size and intensity of use toward the outer boundary of the center.

Predominate Land Uses:

A mix of uses to transition from the higher intensity commercial and high density residential along the center's main street core to more moderate density and moderate volume residential uses along the edge of the Neighborhood Corridor

Street Types:

Passage, Mixed Use Street, Alley, Residential Street, and ~~Mixed Use~~Mixed-Use Avenue

T4N-SV

Intent:

To provide a variety of housing choices within the Neighborhood Corridor, that integrates appropriate small to medium building volume, medium density building types, such as duplexes~~, bungalow courts,~~ and small multiplex buildings. This level of intensity reinforces the walkable nature of the neighborhood, supports local serving commercial activity in this ~~mixed use~~mixed-use corridor, and encourages public transportation alternatives.

Characteristics:

Detached or attached	Medium to large lot width
Small to medium front setback	Small to medium side setback
Up to 2 stories	Primarily stoops or porches

Key Features:

Linear corridors with high connectivity, providing a mix of housing types contained within a walkable street network, adjacent to local serving commercial activity located along primary streets.

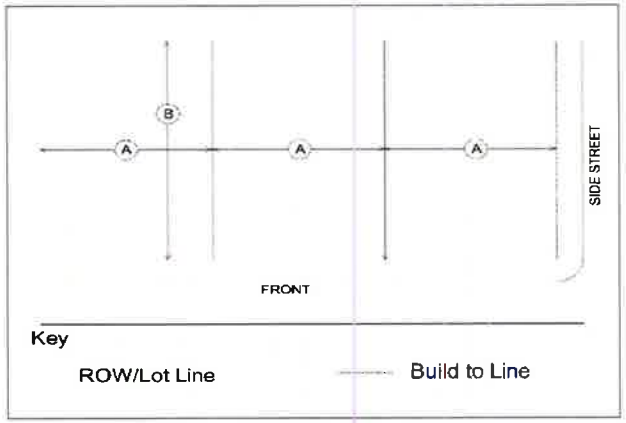
Predominate Land Uses:

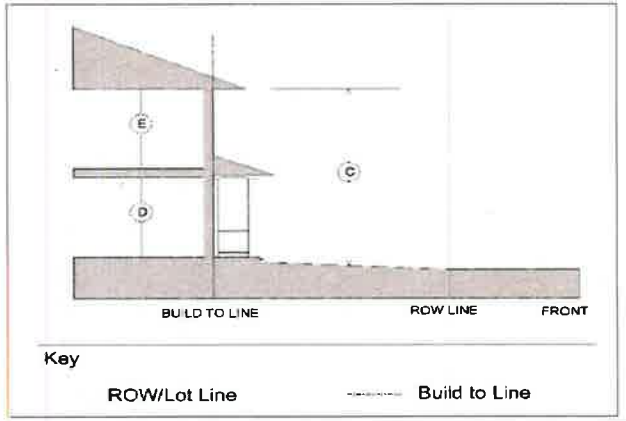
The primary land use focus of the T4N-SV transect areas within Neighborhood Corridors is with small to medium density residential in a variety of medium volume formats. Buildings are set back from ROW's, with the possibility of ancillary buildings behind the primary residence. The variety of housing choices reinforce the walkable nature of this residential area.

Street types:

Passage, Alley, Mixed Use Street, Residential Street, and Residential Avenue

Place Type:
Mixed Use Neighborhood Corridor





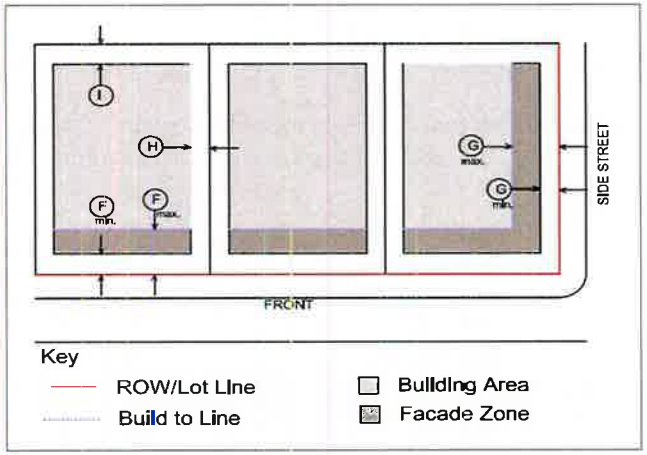
Allowed Building Types			
	T4-MS	T4-F	T4N-SV
Lot			
	Width(A) / Depth (B)	Width(A) / Depth (B)	Width(A) / Depth (B)
Carriage House	-	-	30' min. / 80'min. 50' max.
Cottage Court	30' min. / 80'min. 50' max.	30' min. / 80'min. 50' max.	30' min. / 80'min. 50' max.
Courtyard Building	75'min. / 100'min. 100'max.	75'min. / 100'min. 100'max.	-
Duplex, Vertical	75' min. / 80'min. 75' max.	25' min. / 80'min. 75' max.	25' min. / 80'min. 60' max.
Live/Work	18'min. / 80' min. 75' max.	18'min. / 80' min. 35' max.	-
Main Street Building	50'min. / 80'min. 75'max.	-	
~~Multiplex Small~~	~~50'min. / 80' min. 75' max.~~	~~50'min. / 80' min.~~ ~~75'max.~~	~~50'min. / 80' min.~~ ~~75'max.~~
Mid Rise	100' min. / 100' min. 200' max	-	-
Multiplex Medium	50'min. / 80' min. 75'max.	50'min. / 80' min. 75'max.	-
Multiplex Large	75' min. / 100' min. 100' max	-	-
Row House / Townhouse	15'min. / 30'min. 35' max.	15'min. / 30'min. 35' max.	-
Stacked Flats	50'min. / 80'min. 75'max.	-	-

Place Type: Mixed Use Neighborhood Corridor

Building Form [1,2,3]	T4-MS	T4-F	T4N-SV
Height			
Main Building (C)	20'min. / 3 stories max.[4]	3 stories max.[5]	2 stories max.
Accessory Structure	1 story max.	1 story max.	1 story max.
Ceiling Height; Ground Floor: (D)			
Residential	10' min. clear	10'min. clear	-
Retail or Service	12'min. clear	12'min. clear	-
Ceiling Height Upper Floors (E)	~~8'min. clear~~	~~8'min. clear~~	-
Residential	8'min. clear	8'min. clear	-
Retail or Service	10'min. clear		
Ground Floor Finish Level:			
Residential < 10' from ROW	18" min.	18" min.	-
Residential ≥ 10' from ROW	0" min.	0" min.	-
Retail or Service	6"max.	6"max.	-
Footprint			
Depth Ground Floor Space:			
Residential	40'min.	40'min.	-
Retail or Service – Front	40'min.	40'min.	-
Retail or Service – Side Street	-	-	-
Accessory Structure(s):			
Width	24'max.	24'max.	20'max.
Depth	36'max.	36'max.	25'max.
Distance Between Front Entries:			
Entries to Ground Floor	50'max.	50'min	50'min.
Entries to Upper Floor(s)	100'max.	100'min.	100'min.

[1] Buildings wider than 75' shall be designed to read as a series of buildings no wider than 50' each.
[2] Upper floors shall have a primary entrance to the front.
[3] Loading docks, overhead doors and other service entries may not be located on street-facing facades.
[4] 4 stories maximum allowed for affordable housing developments, LEED certified buildings or if the development provides same square foot, as additional floor, of civic space on-site or pay fee in-lieu towards identified civic space within Place Type (25% of construction cost for additional floor based on IBC Building Valuation ~~Date~~ Data Table)
[5] Within 20' of the rear lot line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings, see 20.110.014(1)(5) Building Heights and Transitions.

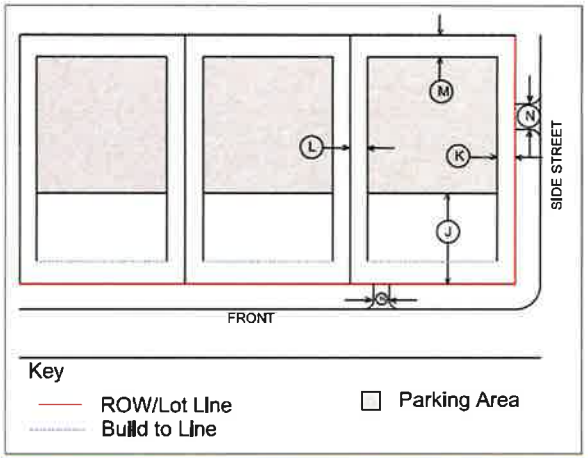
Place Type: Mixed Use Neighborhood Corridor



Building Placement			
	T4-MS	T4-F	T4N-SV
Build-to-Lines			
Front (F)	0'min. 10'max.[6,7]	-	-
Side Street (G)	0'min. 10'max.	-	-
BTL Defined by a Building:			
Front	90% min.	-	-
Side Street	75% min.	-	-
Side:			
Main Building	0'min.	-	-
Accessory Building	5'min.	-	-
Setbacks			
Front (F)	-	5'min. 15'max.	5'min. 15'max.
Side Street (G)	-	5'min. 10'max.	5'min. 10'max.
Side: (H)			
Main Building	-	5'min.[8]	5'min. 9'max.[8]
Accessory Structure	-	5'min.	5'min.
Rear: (I)			
Main Building	-	5'min.	5'min.
Accessory Structure	-	5'min.	5'min.

[6] On corner lots, the BTL must be defined by a building for the first 50' of the corner.
[7] Where existing building are in front of the regulated setback, the building may be set to align with the façade of the most immediate adjacent property.
[8] No side setback required along the common lot line between Townhouses or duplex building types.

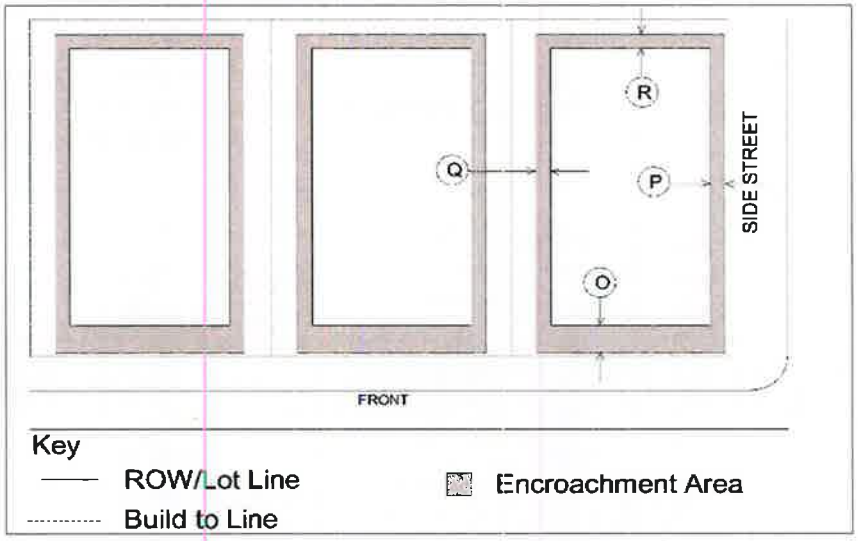
Place Type: Mixed Use Neighborhood Corridor



Parking [9]			
	T4-MS	T4-F	T4N-SV
Required Spaces [10]			
Residential Uses	See Table 20.110-7 ~~1/1000 sf min.~~[11]	See Table 20.110-7 ~~1/1000 sf min.~~[11]	See Table 20.110-7 ~~No Spaces Required~~
Lodging Uses	1/unit max	1/room max	-
Retail or Service Uses: [12,13]			
< 3,500 sf	No Spaces Required	No Spaces Required	No Spaces Required
>3,500 sf	1/1000 sf max.	2/1000 sf min.	
Location (Distance from ROW/Lot Line)			
Front Setback (J)	50' from BTL	40' from BTL	40' min.
Side Street Setback (K)	0'min. 10'max.	0'min. 10'max.	10' min.
Side Setback (L)	0' min.	0' min.	5' min.
Rear Setback (M)	10' min.	5' min.	5' min.
Miscellaneous			
Parking Drive Width: (N)			
Front <40 spaces	20' – 24'~~14'max.~~	20' – 24'~~14'max.~~	-
Front ≥40 spaces	20' – 24'~~18'max.~~	20' – 24'~~18'max.~~	-
Side Street/Alley		20' – 24'~~20'max.~~	20' – 24'~~18'max.~~
~~% of Frontage along Front~~	-	-	-

[9] All garages shall be screened along the front and the side street by habitable space.
[10] See Section 20.110.014(g) Parking for uses not listed, general parking standards, adjustments, and alternatives.
[11] No parking spaces required for affordable housing developments for the first 2,000 sf.
[12] No spaces <3500 sf; 2 spaces/1000 sf above first 3500 sf.
[13] Restaurants: 1500 sf, 1 space/150 sf; 1501 – 5000 sf, 1 space/100 sf

Place Type: Mixed Use Neighborhood Corridor



Encroachments and Frontage Types			
	T4-MS	T4-F	T4N-SV
Allowed Encroachments [14,15]			
Front (O)	14'max.	10'max.	8'max.
Side Street (P)	14'max.	8'max.	8'max.
Side (Q)	0'	0'	2'-6"max.
Rear (R)	5'max.	2'-6"'max.	2'6"max.
Allowed Frontage Types			
Common Yard			X
Dooryard	X	X	
Forecourt	X	X	
Gallery	X	X	
Porch: Engaged			X
Porch: Projecting			X
Shopfront and Awning	X	X	
Stoop	X	X	X

[14] Maximum allowed encroachments. See section 20.110.014(d) Frontage Types for further details related to allowed encroachments for frontage elements.
[15] Encroachments into the ROW require the Director's approval. Encroachments are not allowed in an alley ROW or across a lot line.

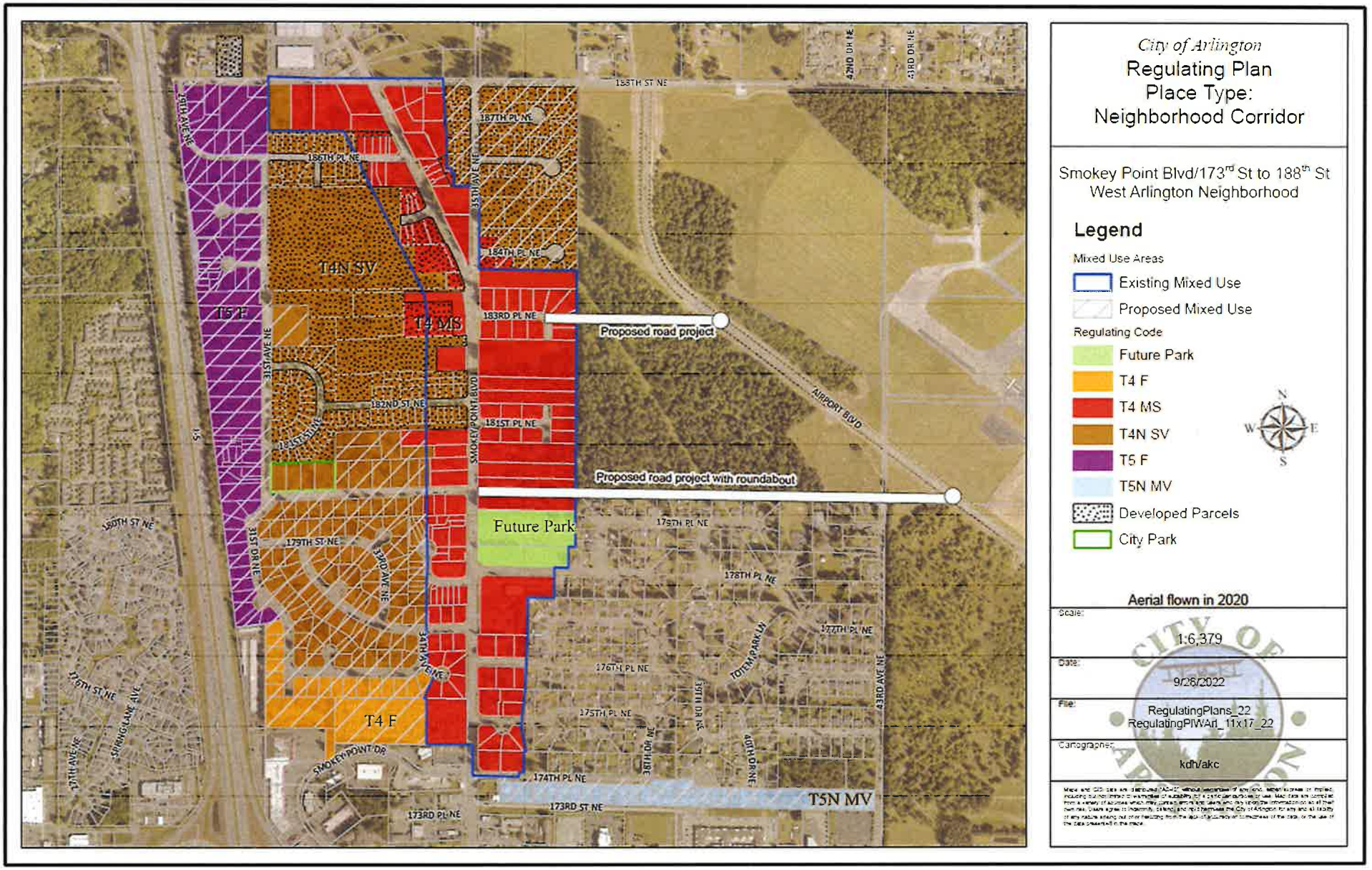
Place Type: Mixed Use Neighborhood Corridor

Use Table			
	T4-MS	T4-F	T4N-SV
Land Use – Neighborhood Corridor			
Residential			
Dwelling:			
Attached	SUP/CUP	SUP/CUP	SUP/~~CUP~~P
Detached	SUP/~~CUP~~P	SUP/CUP	SUP/~~CUP~~P
Multi-Family	SUP/~~CUP~~P	SUP/CUP	SUP/CUP
Accessory Dwelling	-	-	SUP/~~CUP~~P
Home Occupation	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Retail			
General Retail:			
Floor Area <10,000 sf	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Floor Area ≥10,000 sf	SUP/~~CUP~~P	SUP/CUP	-
Eating or Drinking:			
Floor Area <10,000 sf	SUP/CUP	SUP/~~CUP~~P	SUP/CUP
Floor Area ≥10,000 sf	SUP/~~CUP~~P	SUP/~~CUP~~P	-
Drive Thru Services	SUP/~~CUP~~P	SUP/CUP	-
Outdoor Entertainment	SUP/~~CUP~~P	SUP/CUP	-
Services			
Animal Services	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Boarding	-	SUP/CUP	-
Bank/Financial	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Drive Thru Services	SUP/~~CUP~~P	SUP/CUP	-
Day Care Center	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Lodging:			
Bed and Breakfast	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Hotel/Inn	SUP/~~CUP~~P	SUP/CUP	-
Medical Clinic	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Doctor/Dentist Office	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Office – Professional	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Personal Services	SUP/~~CUP~~P	SUP/~~CUP~~P	SUP/~~CUP~~P
Recreation, Education, Public Assembly			
Meeting Facilities	SUP/~~CUP~~P	SUP/~~CUP~~P	-

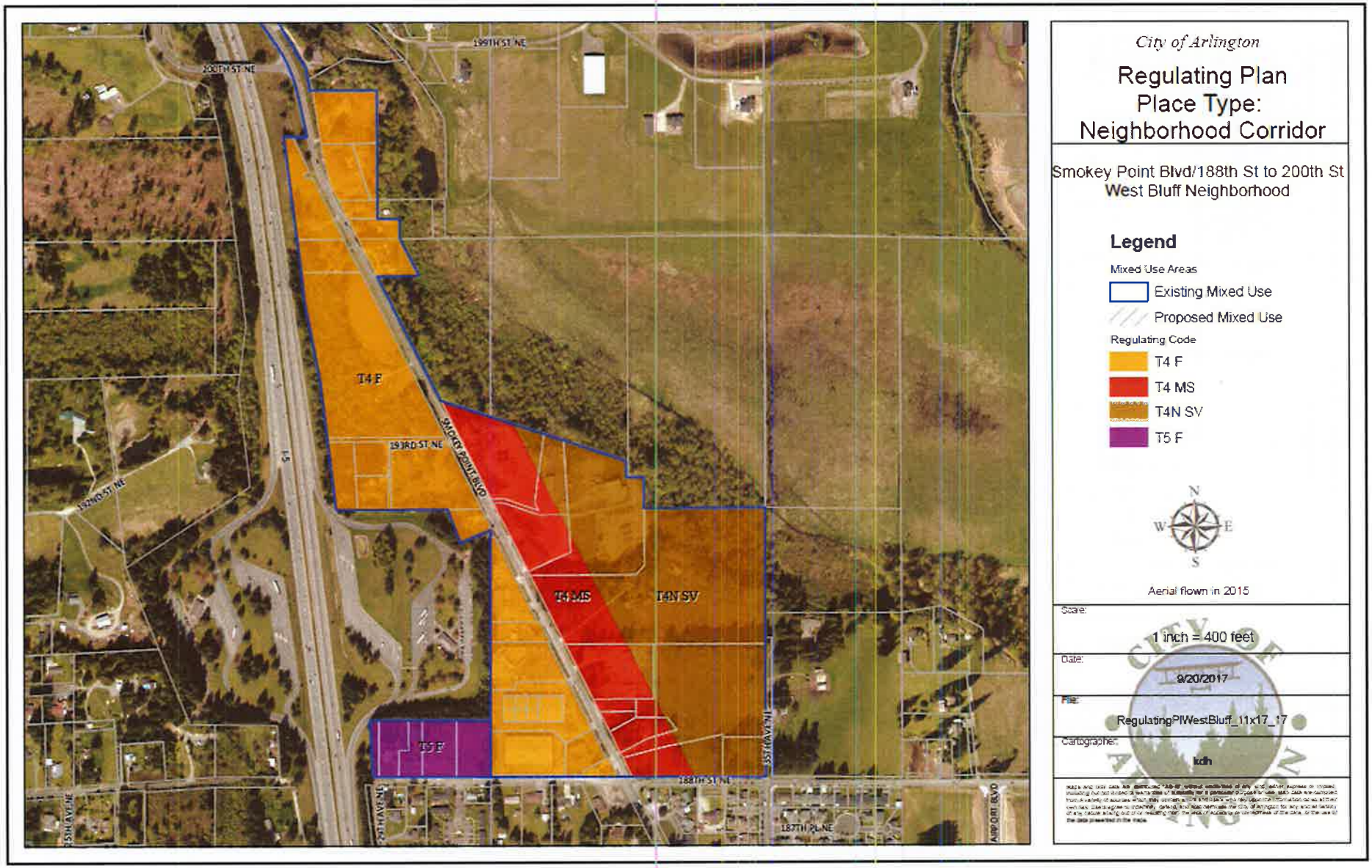
Use Table	T4-MS	T4-F	T4N-SV
Land Use – Neighborhood Corridor			
Park, Open Space, Playground	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Public Safety Facility	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Recreation Facility:			
Indoor <1,500 sf	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Indoor ≥1,500 sf	SUP/CUP	SUP/CUP~~P~~	-
Outdoor	SUP/CUP~~P~~	SUP/CUP	-
Religious Assembly	SUP/CUP	SUP/CUP~~P~~	SUP/CUP~~P~~
School: Public or Private	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Studio: Art, Music, Dance	SUP/CUP	SUP/CUP~~P~~	SUP/CUP
Agriculture			
Community Gardens	-	SUP/CUP~~P~~	SUP/CUP~~P~~
Farmer's Market	SUP/CUP~~P~~	SUP/CUP~~P~~	-
Industry, Manufacturing, and Processing			
Artisan Production	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP
Limited Production	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP
Furniture and Fixture Manufacturing	SUP/CUP~~P~~	SUP/CUP	-
Media Production	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Printing and Publishing	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Transportation, Communication, Infrastructure			
Parking Facility: Public or Private	SUP/CUP	SUP/CUP	-
Utility	SUP/CUP	SUP/CUP	-
Wireless Telecommunications:			
Antenna <~~20'~~ 50'	SUP/CUP	SUP/CUP	-
Antenna ≥~~20'~~50'	-	SUP/CUP	-
Facility	SUP/CUP	SUP/CUP	SUP/CUP
Accessory			
Accessory Building Structure	SUP/CUP	SUP/CUP~~P~~	SUP/CUP~~P~~

Key	
~~P~~	~~Permitted Use~~
SUP	Special Use Permit
CUP	Conditional Use Permit
-	Prohibited Use

Use Table Notes
See Appendix Section 20.110.016 (b) Definitions Specific to Permissible Uses for use type definitions.
Uses not listed are specifically prohibited unless the Director interprets that a use is consistent pursuant to this ~~Form Based~~ Code.
SUP = Project contains 1-49 units and CUP = Project contains 50 or more units. Projects processed per regulations of AMC Chapter 20.16.



Revised October 2022


City of Arlington
Regulating Plan
Place Type:
Neighborhood Corridor
Smokey Point Blvd/188th St to 200th St
West Bluff Neighborhood
Legend
Mixed Use Areas
Existing Mixed Use
Proposed Mixed Use
Regulating Code
T4 F
T4 MS
T4N SV
T5 F
N
W
E
S
Aerial flown in 2015
Scale:
1 inch = 400 feet
Date:
9/20/2017
File:
RegulatingPlWestBluff_11x17_17
Cartographer:
kdh
199TH ST NE
200TH ST NE
193RD ST NE
192ND ST NE
SMOKEY POINT BLVD
I-5
T4 F
T4 MS
T4N SV
T5 F
188TH ST NE
187TH PL NE
51ST AVE NE
59TH AVE NE
AIRPORT BLVD

20.110.014(c) (2) Place Types

Place Type: Mixed Use Community Center
Location: State Route 9 and 172nd Street, State Route 530 and 211th Street, State Route 531 and 67th Avenue, 188th Street and 67th Avenue
Use Intensity Transects: T4 Main Street (T4-MS), T4 Flex (T4-F), T4 Neighborhood Medium Volume (T4N-MV)

T4-MS
Intent:
To provide a vibrant main street mixed use residential and commercial environment that serves as the focal point for the surrounding neighborhood and provides access to day-to-day amenities within walking distance in urban form.

Characteristics:

Detached or attached
Buildings at or near the ROW
Small to no side setback
Small to medium footprint
Medium to large lot width
Flush ground floor
Up to 4 stories

Key Features:
Primary Street with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

Predominate Land Uses:
Primary Street facing with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

Street types:
Passage, Alley, Mixed Use Street, Residential Avenue

T4-F
Intent:
To provide 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.

Characteristics:

Attached or detached
Small to medium front setbacks
Small to medium footprint
Small side setback
Small to medium lot width
Up to 3 stories

Key Features:

Mix of medium density building types with a variety of forms which decrease in size and intensity of use toward the outer boundary of the center.

Predominate Land Uses:

A mix of uses to transition from the higher intensity commercial and high density residential along the center's main street core to more moderate density and moderate volume residential uses along the edge of the Village Center

Street Types:

Passage, Mixed Use Street, Alley, Residential Street, and ~~Mixed Use~~Mixed-Use Avenue

T4N-MV

Intent:

To provide an appropriate transition from a neighborhood main street environment into the residential areas, and to provide flexible buildings in a residential form that can allow a mix of residential and walkable local serving commercial and service uses.

Characteristics:

Attached or detached	Small to medium lot width
Small to medium front setback	Small to medium footprint
Small side setback	Up to 3 stories

Key Features:

Mix of medium density building types with a variety of forms, which decrease in size and intensity of use toward the outer boundary of the corridor.

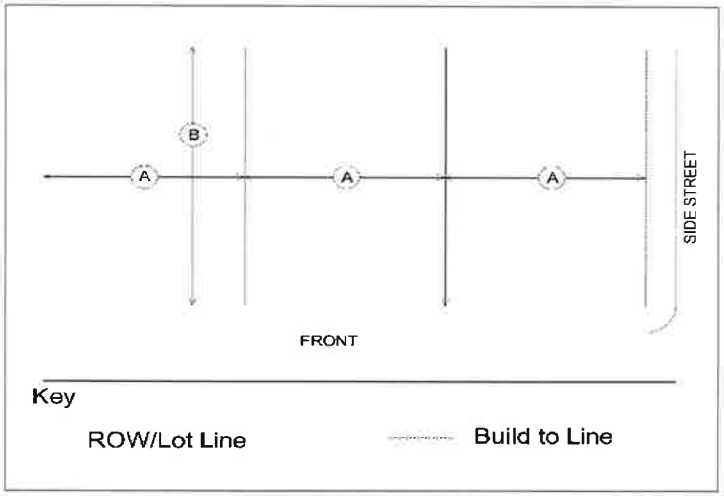
Predominate Land Uses:

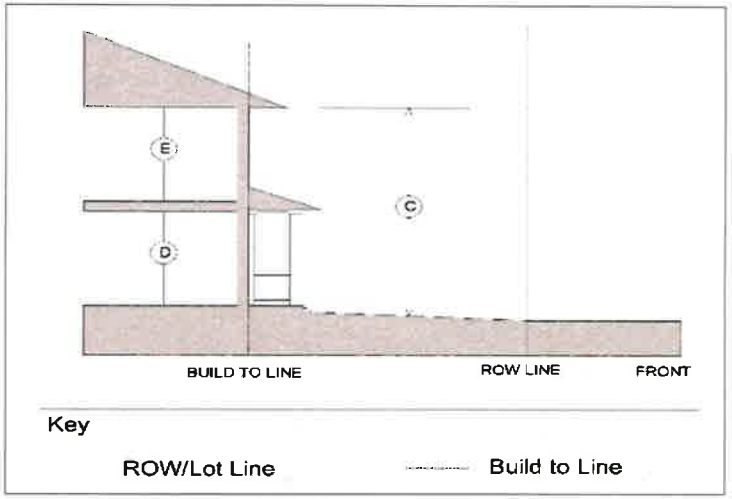
A mix of uses to transition from the higher intensity commercial and high density residential along the corridor's main boulevard core to more moderate density and moderate volume residential uses along the edge of the Neighborhood Corridor.

Street types:

Passage, Alley, Residential Street, Residential Avenue

Place Type: Mixed Use Community Center





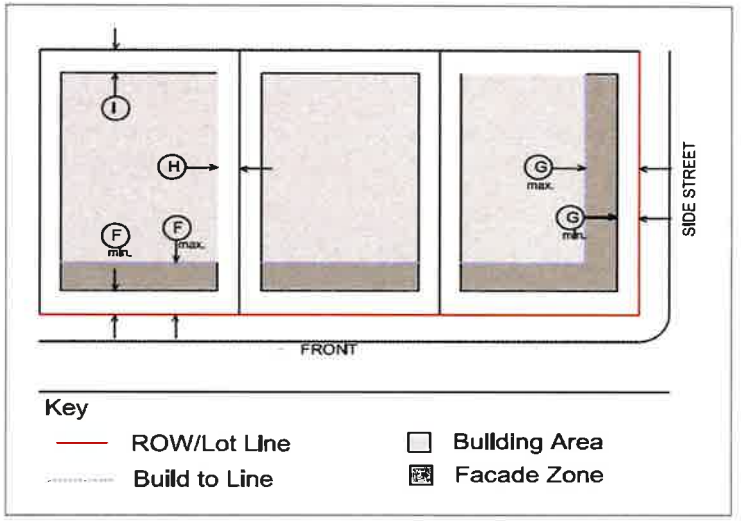
Allowed Building Types			
	T4-MS	T4-F	T4N-MV
Lot			
	Width(A) / Depth (B)	Width(A) / Depth (B)	Width(A) / Depth (B)
~~Bungalow Court~~	-	-	~~75'min. / 80' min. 150' max.~~
Carriage House	-	-	30' min. / 80'min. 50' max.
Courtyard Building	75'min. / 100'min. 100'max.	75'min. / 100'min. 100'max.	-
Duplex, Stacked	50' min. / 80'min. 75' max.	50' min. / 80'min. 75' max.	40' min. / 80'min. 75' max.
Main Street Building	50'min. / 80'min. 150'max.	50'min. / 80'min. 150'max.	50'min. / 80'min. 150'max.
Mid Rise	50' min. / 80'min. 75' max.	50' min. / 80'min. 75' max.	50' min. / 80'min. 75' max.
~~Multiplex Small~~	~~50'min. / 80' min. 75'max.~~	~~50'min. / 80' min. 75'max.~~	~~50'min. / 80' min. 75'max.~~
Multiplex Medium	75'min. / 100' min. 100'max.	75'min. / 100' min. 100'max.	60'min. / 100' min. 100'max.
Row House / Townhouse	15'min. / 30'min. 35' max.	15'min. / 30'min. 35' max.	15'min. / 30'min. 35' max.

Place Type: Mixed Use Community Center

Building Form [1,2,3]			
	T4-MS	T4-F	T4N-MV
Height			
Main Building (C)	20'min. / 3 stories max.[4]	3 stories max.[5]	3 stories max.
Accessory Structure	1 story max.	1 story max.	1 story max.
Ceiling Height; Ground Floor: (D)			
Residential	9' min. clear	9'min. clear	9'min. clear
Retail or Service	12'min. clear	12'min. clear	12'min. clear
Ceiling Height Upper Floors (E)	8'-6" min. clear	8'-6" min. clear	9'min. clear
Ground Floor Finish Level:			
Residential < 10' from ROW	18" min.	24" min.	24" min.
Residential ≥ 10' from ROW	0" min.	0" min.	0" min.
Retail or Service	6"max.	6"max.	6"max.
Footprint			
Depth Ground Floor Space:			
Residential	40'min.	30'min.	30'min.
Retail or Service – Front	40'min.	30'min.	30'min.
Retail or Service – Side Street	30'min.	30'min.	30'min.
Accessory Structure(s):			
Width	-	-	20'max.
Depth	-	-	25'max.
Distance Between Front Entries:			
Entries to Ground Floor	50'max	50'min.	50'min.
Entries to Upper Floor(s)	100'max	100'min.	100'min.

[1] Buildings wider than 75' shall be designed to read as a series of buildings no wider than 50' each.
[2] Upper floors shall have a primary entrance to the front.
[3] Loading docks, overhead doors and other service entries may not be located on street-facing facades.
[4] 4 stories maximum allowed for affordable housing developments, LEED certified buildings or if the development provides same square foot, as additional floor, of civic space on-site or pay fee in-lieu towards identified civic space within Place Type (25% of construction cost for additional floor based on IBC Building Valuation ~~Date~~ Data Table)
[5] Within 20' of the rear lot line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings, see 20.110.014(1)(5) Building Heights and Transitions.

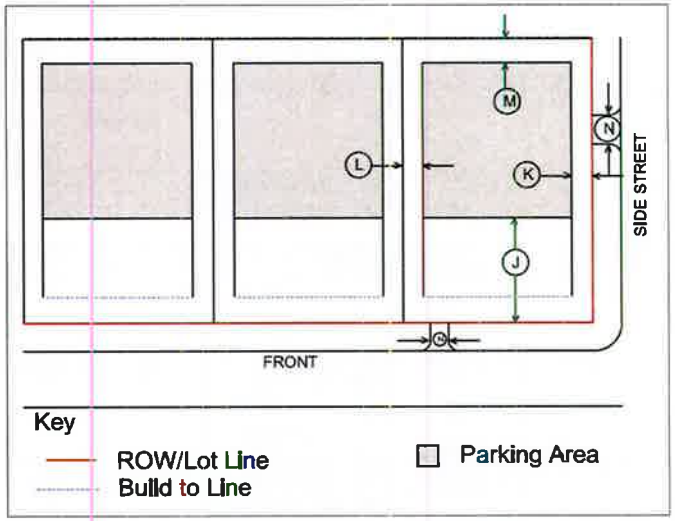
Place Type: Mixed Use Community Center



Building Placement			
	T4-MS	T4-F	T4N-MV
Build-to-Lines			
Front (F)	0'min. 10'max.[6,7]	0'min. 10'max.	0'min. 10'max.
BTL Defined by a Building:			
Front Lots <50'wide	60% min.	100% min.	100% min.
Front Lots ≥50' wide	60% min.	75% min.	75% min.
Side Street (G)	30% min.	60% min.	60% min.
Setbacks			
Front (F)	5'min. 20'max	10'min. 20'max	10'min. 20'max.
Side Street (G)	10'min. 20'max	10'min. 20'max	10'min. 20'max.
Side: (H)			
Main Building	10'min.	10'min.[8]	10'min.
Accessory Structure	5'min.	5'min.	5'min.
Rear: (I)			
Main Building	20'min.	20'min.	20'min.
Accessory Structure	5'min.	5'min.	5'min.
Façade within a Façade Zone			
Front	75% min.	75% min.	75% min.
Side Street	50% min.	50% min.	50% min.

[6] On corner lots, the BTL must be defined by a building for the first 50' of the corner.
[7] Where existing building are in front of the regulated setback, the building may be set to align with the façade of the most immediate adjacent property.
[8] No side setback required along the common lot line between Townhouses or duplex building types.

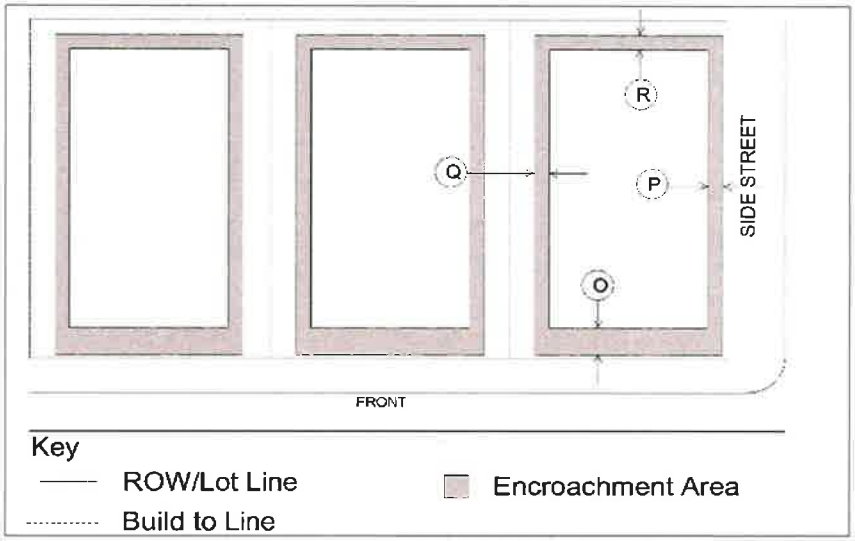
Place Type: Mixed Use Community Center



Parking [9]			
	T4-MS	T4-F	T4N-MV
Required Spaces [10]			
Residential Uses	See Table 20.110-7~~No Spaces Required~~	~~See Table 20.110-7~~1/~~1500 sf min.~~[11]	See Table 20.110-7~~No Spaces Required~~
Lodging Uses	1/room max.	1/room max.	-
Retail or Service Uses: [12,13]			
< 3,500 sf	No Spaces Required	No Spaces Required	No Spaces Required
>3,500 sf	1/1000 sf max.	2/1000 sf min.	2/1000 sf min.
Location (Distance from ROW/Lot Line)			
Front Setback (J)	40'min.	40'min.	40'min.
Side Street Setback (K)	15'min.	15'min.	15'min.
Side Setback (L)	0'	0'	0'
Rear Setback (M)	0'	0'	0'
Miscellaneous			
Parking Drive Width: (N)			
Front <40 spaces	20' – 24'~~14'max.~~	20' – 24'~~14'max.~~	20' – 24'~~14'max.~~
Front ≥40 spaces	20' – 24'~~18'max.~~	20' – 24'~~18'max.~~	20' – 24'~~18'max.~~
Side Street/Alley	20' – 24'~~20'max.~~	20' – 24'~~20'max.~~	20' – 24'~~20'max~~

[9] All garages shall be screened along the front and the side street by habitable space.
[10] See Section 20.110.014(g) Parking for uses not listed, general parking standards, adjustments and alternatives.
[11] No parking spaces required for affordable housing developments for the first 2,000 sf.
[12] No spaces <3500 sf; 2 spaces/1000 sf above first 3500 sf.
[13] Restaurants: 1500 sf, 1 space/150 sf; 1501 – 5000 sf, 1 space/100 sf

Place Type: Mixed Use Community Center



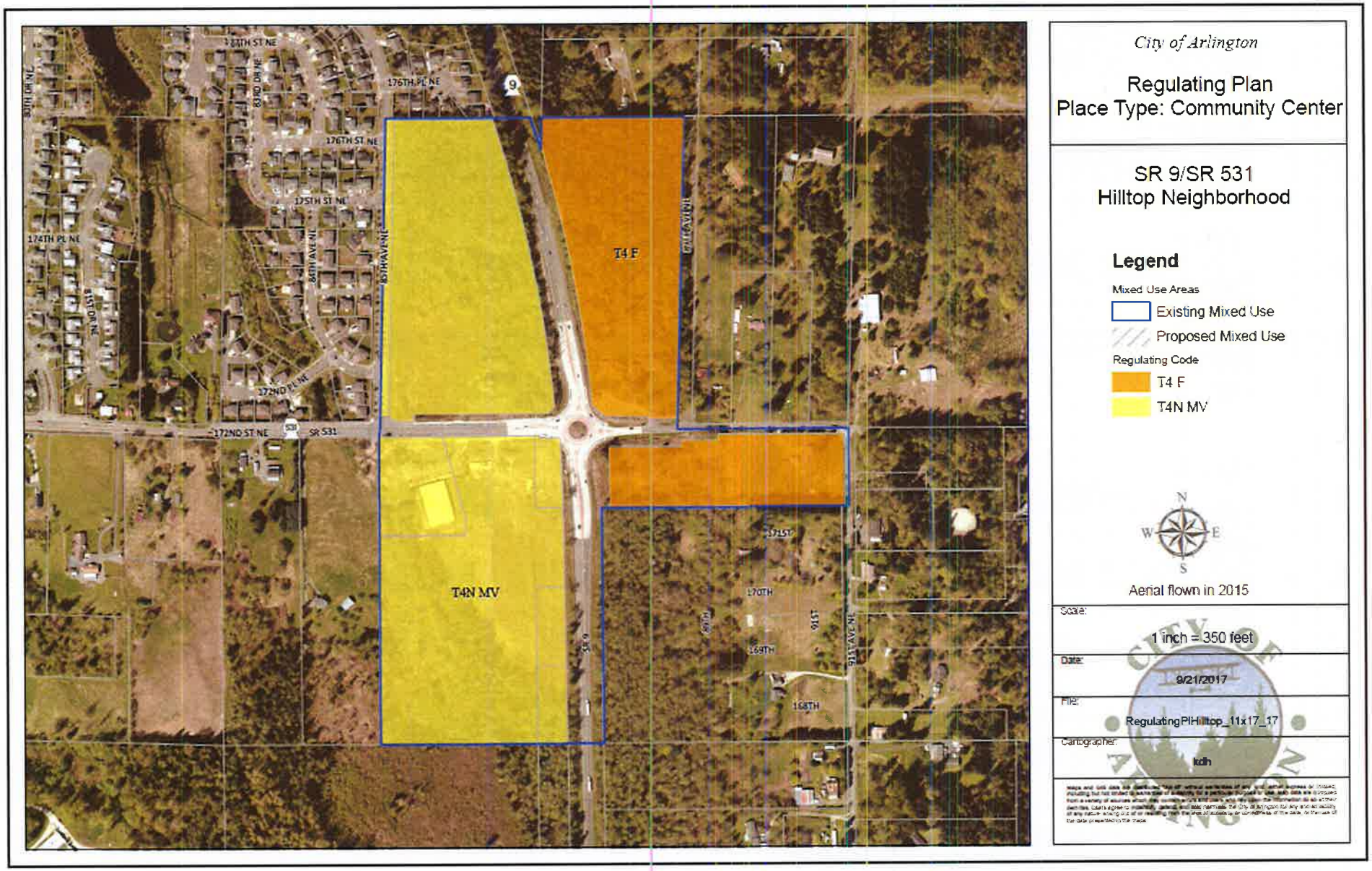
Encroachments and Frontage Types			
	T4-MS	T4-F	T4N-MV
Allowed Encroachments [14,15]			
Front (O)	10'max.	10'max.	8'max.
Side Street (P)	3'max.	3'max.	8'max.
Side (Q)	0'	0'	2'-6"max.
Rear (R)	5'max.	5'max.	2'6"max.
Allowed Frontage Types			
Common Yard			X
Dooryard	X	X	X
Forecourt	X	X	X
Gallery	X	X	X
Porch: Engaged			X
Porch: Projecting			X
Shopfront	X	X	X
Stoop	X	X	X

[14] Maximum allowed encroachments. See section 20.110.014(d) Frontage Types for further details related to allowed encroachments for frontage elements.
[15] Encroachments into the ROW require the Director's approval. Encroachments are not allowed in an alley ROW or across a lot line.

Use Table			
	T4-MS	T4-F	T4N-MV
Land Use – Neighborhood Corridor			
Residential			
Dwelling:			
Attached	~~P~~SUP/CUP	SUP/CUP~~P~~	SUP/CUP~~P~~
Detached	-	-	-
Multi-Family	SUP/CUP	SUP/CUP	SUP/CUP
Accessory Dwelling	-	-	-
Home Occupation	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Retail			
General Retail:			
Floor Area <10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Floor Area ≥10,000 sf	SUP/CUP	SUP/CUP	SUP/CUP
Eating or Drinking:			
Floor Area <10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Floor Area ≥10,000 sf	SUP/CUP	SUP/CUP	SUP/CUP
Drive Thru Services	SUP/CUP	SUP/CUP	SUP/CUP
Outdoor Entertainment	SUP/CUP	SUP/CUP	SUP/CUP
Services			
Animal Services	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Boarding	-	-	-
Bank/Financial	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Drive Thru Services	-	-	-
Day Care Center	-	SUP/CUP	SUP/CUP
Lodging:			
Bed and Breakfast	SUP/CUP	SUP/CUP	SUP/CUP
Hotel/Inn	SUP/CUP	SUP/CUP	-
Medical Clinic	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Doctor/Dentist Office	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Office – Professional	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Personal Services	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Recreation, Education, Public Assembly			
Meeting Facilities	SUP/CUP	SUP/CUP	SUP/CUP

Use Table - Continued			
	T4-MS	T4-F	T4N-MV
Land Use – Neighborhood Corridor			
Park, Open Space, Playground	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Public Safety Facility	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Recreation Facility:			
Indoor <1,500 sf	SUP/CUP	SUP/CUP	SUP/CUP
Indoor ≥1,500 sf	SUP/CUP	SUP/CUP	SUP/CUP
Outdoor	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Religious Assembly	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
School: Public or Private	SUP/CUP	SUP/CUP	SUP/CUP
Studio: Art, Music, Dance	~~P~~SUP/CUP	SUP/CUP~~P~~	SUP/CUP~~P~~
Agriculture			
Community Gardens	-	SUP/CUP~~P~~	SUP/CUP~~P~~
Farmer's Market	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP
Industry, Manufacturing, and Processing			
Artisan Production	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP
Limited Production	SUP/CUP	SUP/CUP	-
Furniture and Fixture Manufacturing	-	SUP/CUP	-
Media Production	SUP/CUP	SUP/CUP	SUP/CUP
Printing and Publishing	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP
Transportation, Communication, Infrastructure			
Parking Facility: Public or Private	-	-	-
Utility	SUP/CUP	SUP/CUP	SUP/CUP
Wireless Telecommunications:			
Antenna <20'	SUP/CUP	SUP/CUP	SUP/CUP
Antenna ≥20'	SUP/CUP	SUP/CUP	-
Facility	SUP/CUP	SUP/CUP	SUP/CUP
Accessory			
Accessory Building Structure	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~

Key		Use Table Notes
~~P~~	~~Permitted Use~~	See Appendix Section 20.110.016 (b) Definitions Specific to Permissible Uses for use type definitions.
SUP	Special Use Permit	Uses not listed are specifically prohibited unless the Director interprets that a use is consistent pursuant to this ~~Form Based~~ Code.
CUP	Conditional Use Permit	SUP = Project contains 1-49 units and CUP = Project contains 50 or more units.
-	Prohibited Use	Projects processed per regulations of AMC Chapter 20.16.


City of Arlington
Regulating Plan
Place Type: Community Center
SR 9/SR 531
Hilltop Neighborhood
Legend
Mixed Use Areas
Existing Mixed Use
Proposed Mixed Use
Regulating Code
T4 F
T4N MV
T4 F
T4N MV
Aerial flown in 2015
Scale:
1 inch = 350 feet
Date:
9/21/2017
File:
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Cartographer:
kdh
176TH ST NE
176TH PL NE
175TH ST NE
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172ND PL NE
172ND ST NE
SR 531
83RD DR NE
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169TH
168TH
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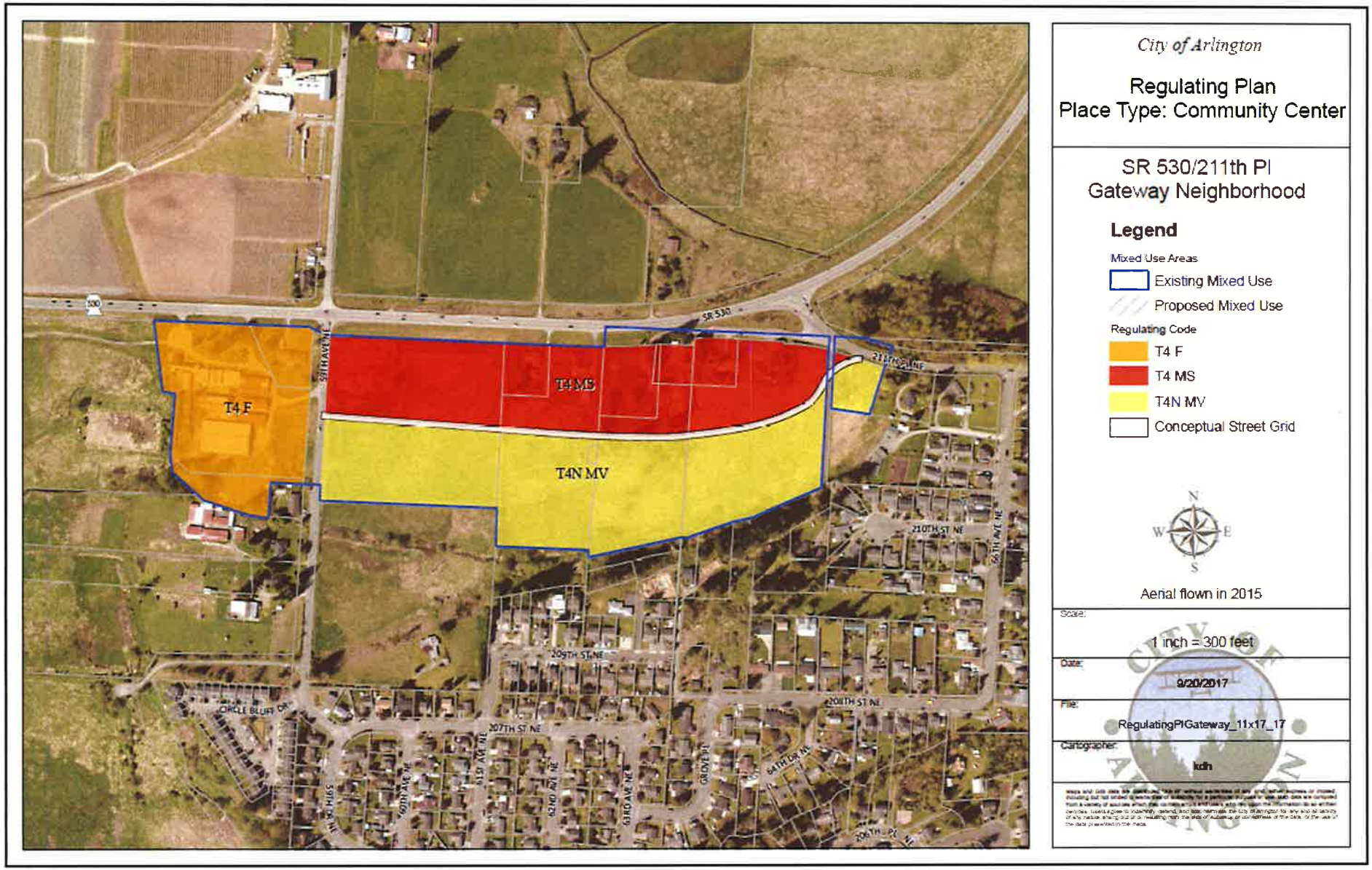
T4 F
T4 MS
T4N MV
SR 530
211TH PL NE
210TH ST NE
209TH ST NE
207TH ST NE
64TH AVE NE
63RD AVE NE
CIRCLE BLUFF DR
City of Arlington
Regulating Plan
Place Type: Community Center
SR 530/211th Pl
Gateway Neighborhood
Legend
Mixed Use Areas
Existing Mixed Use
Proposed Mixed Use
Regulating Code
T4 F
T4 MS
T4N MV
Conceptual Street Grid
N
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Aerial flown in 2015
Scale:
1 inch = 300 feet
Date:
9/20/2017
File:
RegulatingPlGateway_11x17_17
Cartographer:
kdh



City of Arlington

Regulating Plan
Place Type: Community Center

SR 531/67th Ave
Edgecomb Neighborhood

Legend

Mixed Use Areas

Existing Mixed Use

Proposed Mixed Use

Regulating Code

T4N MV

N
W E
S

Aerial flown in 2015

Scale:

1 inch = 200 feet

Date:

9/21/2017

File:

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Cartographer:

kdh

Revised October 2022


City of Arlington
Regulating Plan
Place Type: Community Center
67th Ave/188th St
Woodlands Neighborhood
Legend
Mixed Use Areas
Existing Mixed Use
Proposed Mixed Use
Regulating Code
T4N MV
T4N MV
67TH AVE NE
188TH ST NE
WOODBINE DR
NOBLE DR
Aerial flown in 2015
Scale:
1 inch = 200 feet
Date:
9/21/2017
File:
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Cartographer:
kdh

20.110.014(c) (3) Place Types

Place Type: Mixed Use Village Center
Location: State Route 9 and 204th Street, 204th Street and 67th Avenue, 211th Street and 67th Avenue
Use Intensity Transects: T4 Main Street (T4-MS), T4 Flex (T4-F), T4 Neighborhood Medium Volume (T4N-MV), T4 Neighborhood Small Volume (T4N-SV)

T4-MS
Intent:
To provide a vibrant main street mixed use residential and commercial environment that serves as the focal point for the surrounding neighborhood and provides access to day-to-day amenities within walking distance in urban form.

Characteristics:

Attached or detached
Buildings at or near the ROW
Small to no side setback
Small to medium footprint
Medium to large lot width
Flush ground floor
Up to 4 stories

Key Features:
Primary Street with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

Predominate Land Uses:
Primary Street facing with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

Street types:
Passage, Alley, Mixed Use Street, Residential Avenue

T4-F
Intent:
To provide 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.

Characteristics:

Attached or detached
Small to medium front setbacks
Small to medium footprint
Small side setback
Small to medium lot width
Up to 4 stories

Key Features:

Mix of medium density building types with a variety of forms which decrease in size and intensity of use toward the outer boundary of the center.

Predominate Land Uses:

A mix of uses to transition from the higher intensity commercial and high density residential along the center's main street core to more moderate density and moderate volume residential uses along the edge of the Village Center

Street Types:

Passage, Mixed Use Street, Alley, Residential Street, and ~~Mixed Use~~Mixed-Use Avenue

T4N-SV

Intent:

To provide a variety of urban housing choices, in small to medium volume and footprint, medium to high intensity building types which reinforce the walkable nature of the neighborhood, support local serving retail and service uses adjacent to this zone, and support public transportation alternatives.

Characteristics:

Detached or attached
Small to medium footprint
Up to 2 stories
Primarily with stoops and porches
Narrow to medium lot width
Small to no setbacks
Elevated ground floor

Key Features:

Linear corridors with high connectivity, providing a mix of housing types contained within a walkable street network, adjacent to local serving commercial activity located along primary streets.

Predominate Land Uses:

A diverse mix of residential building types, and small neighborhood supporting services and commercial uses.

Street types:

Alley, Residential Street

T4N-MV

Intent:

To provide a variety of housing choices within the Village Center, with medium building volume, medium density building types which reinforce the walkable nature of the neighborhood, support local serving commercial activity in this mixed use center, and encourage public transportation alternatives.

Characteristics:

Detached or attached
Medium to large front setback
Up to 3 stories
Medium to large lot width
Small to medium side setback

Key Features:

Linear corridors with high connectivity, providing a mix of housing types contained within a walkable street network, adjacent to regional serving commercial activity located along primary streets.

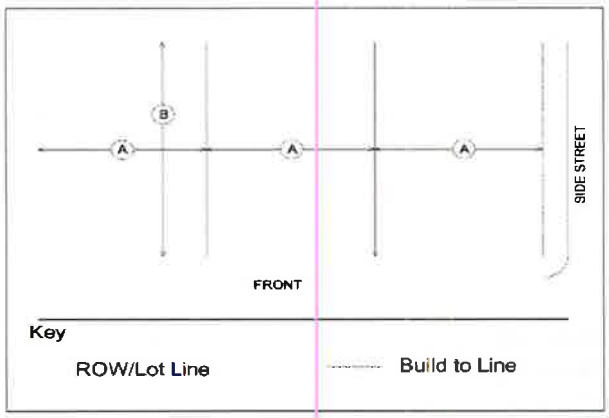
Predominate Land Uses:

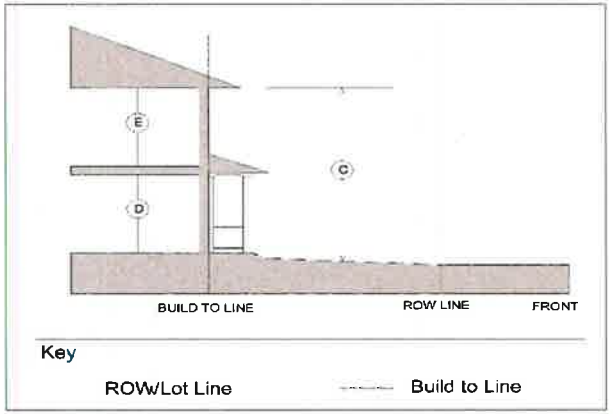
The primary land use focus of the T4N-MV transect areas within Village Centers is with medium density residential in a variety of medium volume formats. Buildings are set back from ROW's, with the possibility of ancillary buildings behind the primary residence. The variety of housing choices reinforce the walkable nature of this residential area.

Street types:

Passage, Alley, Residential Street, Residential Avenue

Place Type: Mixed Use Village Center





Allowed Building Types				
	T4-MS	T4-F	T4N-SV	T4N-MV
Lot				
	Width(A) / Depth (B)	Width(A) / Depth (B)	Width(A) / Depth (B)	Width(A) / Depth (B)
Courtyard Building	-	-	75'min. / 80' min. 100' max.	75'min. / 80' min. 150' max.
Flex Building	75'min. / 80' min. 100' max.~~min. / min.~~ ~~Max.~~	75'min. / 80' min. 100' max.~~min. / min.~~ ~~Max.~~	-	-
Live/Work	18' min. / 80'min. 35' max.	18' min. / 80'min. 35' max.	-	-
Main Street Building	50'min. / 100'min. 150'max.	25'min. / 100'min. 150'max.	-	-
Mid Rise	100' min. / 100'min. 200' max.	100' min. / 100'min. 200' max.	-	50' min. / 80'min. 75' max.
Multiplex Medium	-	50'min. / 100' min. 100'max.	50'min. / 100' min. 100'max.	50'min. / 100' min. 100'max.
Multiplex Large	75'min. / 100' min. 100'max.	75'min. / 100' min. 100'max.	-	75'min. / 100' min. 100'max.
Row House / Townhouse	-	18' min. / 80'min. 35' max.	18' min. / 80'min. 75' max.	18' min. / 80'min. 45' max.
Stacked Flats	100'min. / 100'min. 150'max.	100'min. / 100'min. 150'max.	-	-

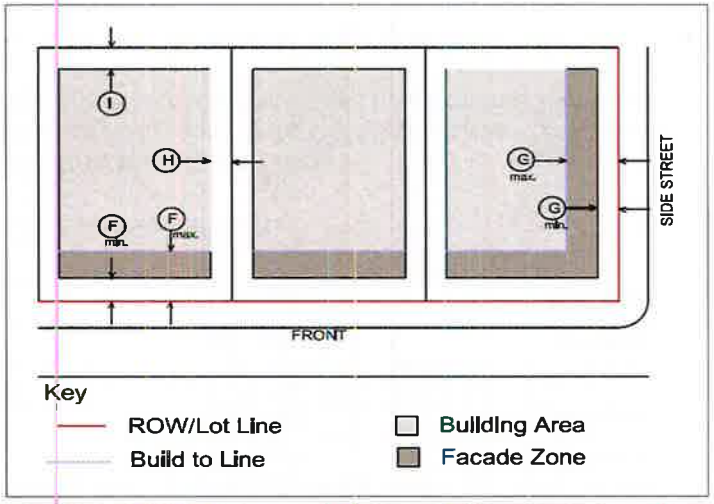
Revised October 2022

Place Type: Mixed Use Village Center

Building Form [1,2,3]				
	T4-MS	T4-F	T4N-SV	T4N-MV
Height				
Main Building: (C)	20'min. 3 stories max.[4]	20'min. 3 stories max.[4,5]	2 stories max.	40'max. 3 stories
Accessory Structure				
Dwelling	1 story max.	1 story max.	1 story max.	1 story max.
Other	1 story max.	2 story max.	1 story max.	1 story max.
Ceiling Height; Ground Floors: (E)				
Residential	10'min. clear	12'min. clear	-	10'min. clear
Retail or Service	12'min. clear	12'min. clear	-	12'min. clear
Ceiling Height; Upper Floors (F)	8' min. clear	8' min. clear	-	8' min. clear
Ground Floor Finish Level: (D)				
Residential	18"min.	18"min.	-	18"min.
Retail or Service	6"max.	0"max.	-	6"max.
Footprint				
Depth Ground Floor Space:				
Residential	40'min.	30'min.	-	30'min.
Retail or Service	40'min.	24'max.	-	30'min.
Accessory Structure(s):				
Width	24'max.	24'max.	20'max.	24'max.
Depth	36'max.	36'max.	25'max.	36'max.
Distance Between Front Entries:				
Entries to Ground Floor	50'max	50'min.	50'min.	50'min.
Entries to Upper Floor(s)	100'max	100'min.	100'min.	100'min.

[1] Buildings wider than 75' shall be designed to read as a series of buildings no wider than 50' each.
[2] Upper floors shall have a primary entrance to the front.
[3] Loading docks, overhead doors and other service entries may not be located on street-facing facades.
[4] 4 stories maximum allowed for affordable housing developments, LEED certified buildings or if the development provides same square foot, as additional floor, of civic space on-site or pay fee in-lieu towards identified civic space within Place Type (25% of construction cost for additional floor based on IBC Building Valuation ~~Date~~ Data Table)
[5] Within 20' of the rear lot line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings, see 20.110.014(1)(5) Building Heights and Transitions.

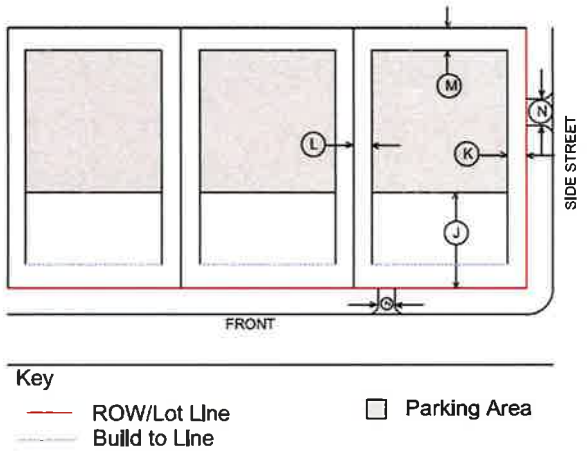
Place Type: Mixed Use Village Center



Building Placement				
	T4-MS	T4-F	T4N-SV	T4N-MV
Build-to-Lines				
Front (F)	0'min. 10'max.[6,7]	0'	-	0'min. 20'max
Side Street (G)	0'min. 10'max.	0'	-	0'min. 20'max
BTL Defined by a Building:				
Front	90% min.	40% min.	-	90% min.
Side Street	75% min.	50% min.	-	80% min.
Side:				
Main Building	0'min.	0'min.[8]	-	10'min.
Accessory Building	5'min.	0'min.	-	5'min.
Setbacks				
Front (F)	-	-	5'min. 15'max.	-
Side Street (G)	-	-	5'min. 10'max.	-
Side: (H)				
Main Building	-	-	5'min. 9'max.	-
Accessory Structure	-	-	5'min.	-
Rear: (I)				
Main Building	-	-	5'min.	-
Accessory Structure	-	-	5'min.	-

[6] On corner lots, the BTL must be defined by a building for the first 50' of the corner.
[7] Where existing building are in front of the regulated setback, the building may be set to align with the façade of the most immediate adjacent property.
[8] No side setback required along the common lot line between Townhouses or duplex building types.

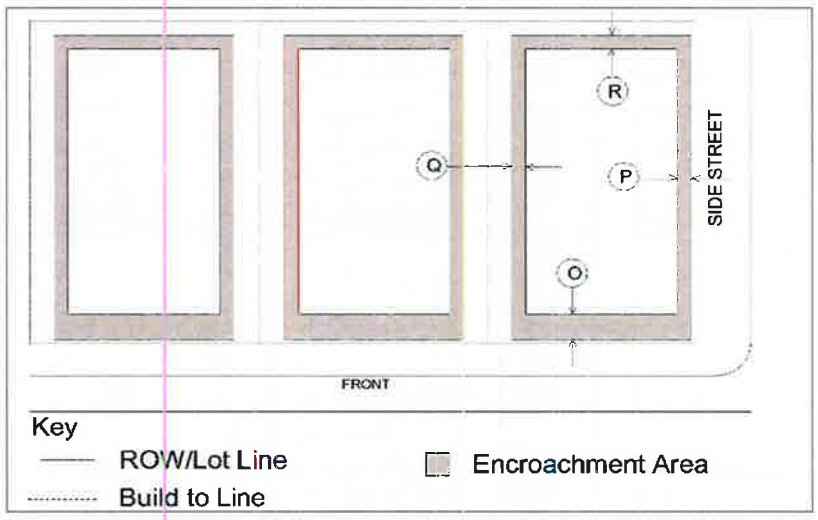
Place Type: Mixed Use Village Center



Parking [9]				
	T4-MS	T4-F	T4N-SV	T4N-MV
Required Spaces [10]				
Residential Uses	See Table 20.110-71/~~1000 sf min.~~[11]	See Table 20.110-71/~~1500 sf min.~~	See Table 20.110-7~~No Spaces Required~~	See Table 20.110-7~~No Spaces Required~~
Lodging Uses	1/ room max.	1/ room max.	-	1/ room max.
Retail or Service Uses: [12,13]				
< 3,500 sf	No Spaces Required	No Spaces Required	No Spaces Required	No Spaces Required
>3,500 sf	1/1000 sf min.	1/1500 sf min.	-	2/1000 sf min.
Location (Distance from ROW/Lot Line)				
Front Setback (J)	50' from BTL	40'min.	30'min.	30'min.
Side Street Setback (K)	0'min. 10'max.	6'min	10'min.	10'min.
Side Setback (L)	0'	0'	0'	0'
Rear Setback (M)	10'min.	5'min.	5'min.	5'min.
Miscellaneous				
Parking Drive Width: (N)				
Front <40 spaces	20' – 24'~~14'max.~~	20' – 24'~~14'max.~~	20' – 24'~~14'max.~~	20' – 24'~~14'max.~~
Front ≥40 spaces	20' – 24'~~18'max.~~	20' – 24'~~18'max.~~	20' – 24'~~18'max.~~	20' – 24'~~18'max.~~
Side Street/Alley	20' – 24'~~20'max.~~	20' – 24'~~20'max.~~	20' – 24'~~20'max.~~	20' – 24'~~20'max.~~

[9] All garages shall be screened along the front and the side street by habitable space.
[10] See Section 20.110.014(g) Parking for uses not listed, general parking standards, adjustments and alternatives.
[11] No parking spaces required for affordable housing developments for the first 2,000 sf.
[12] No spaces <3500 sf; 2 spaces/1000 sf above first 3500 sf.
[13] Restaurants: 1500 sf, 1 space/150 sf; 1501 – 5000 sf, 1 space/100 sf

Place Type: Mixed Use Village Center



Encroachments and Frontage Types				
	T4-MS	T4-F	T4N-SV	T4N-MV
Allowed Encroachments [14,15]				
Front (O)	14'max.	14'max.	8'max.	10'max.
Side Street (P)	14'max.	10'max.	8'max.	8'max.
Side (Q)	0'	0'	2'-6"max.	0'
Rear (R)	5'max.	5'max.	2'6"max.	2'6"max.
Allowed Frontage Types				
Dooryard		X		X
Forecourt	X	X		X
Gallery	X	X		
Porch: Engaged			X	
Porch: Projecting			X	
Shopfront	X	X		
Stoop	X	X	X	X

[14] Maximum allowed encroachments. See section 20.110.014(d) Frontage Types for further details related to allowed encroachments for frontage elements.
[15] Encroachments into the ROW require the Director's approval. Encroachments are not allowed in an alley ROW or across a lot line.

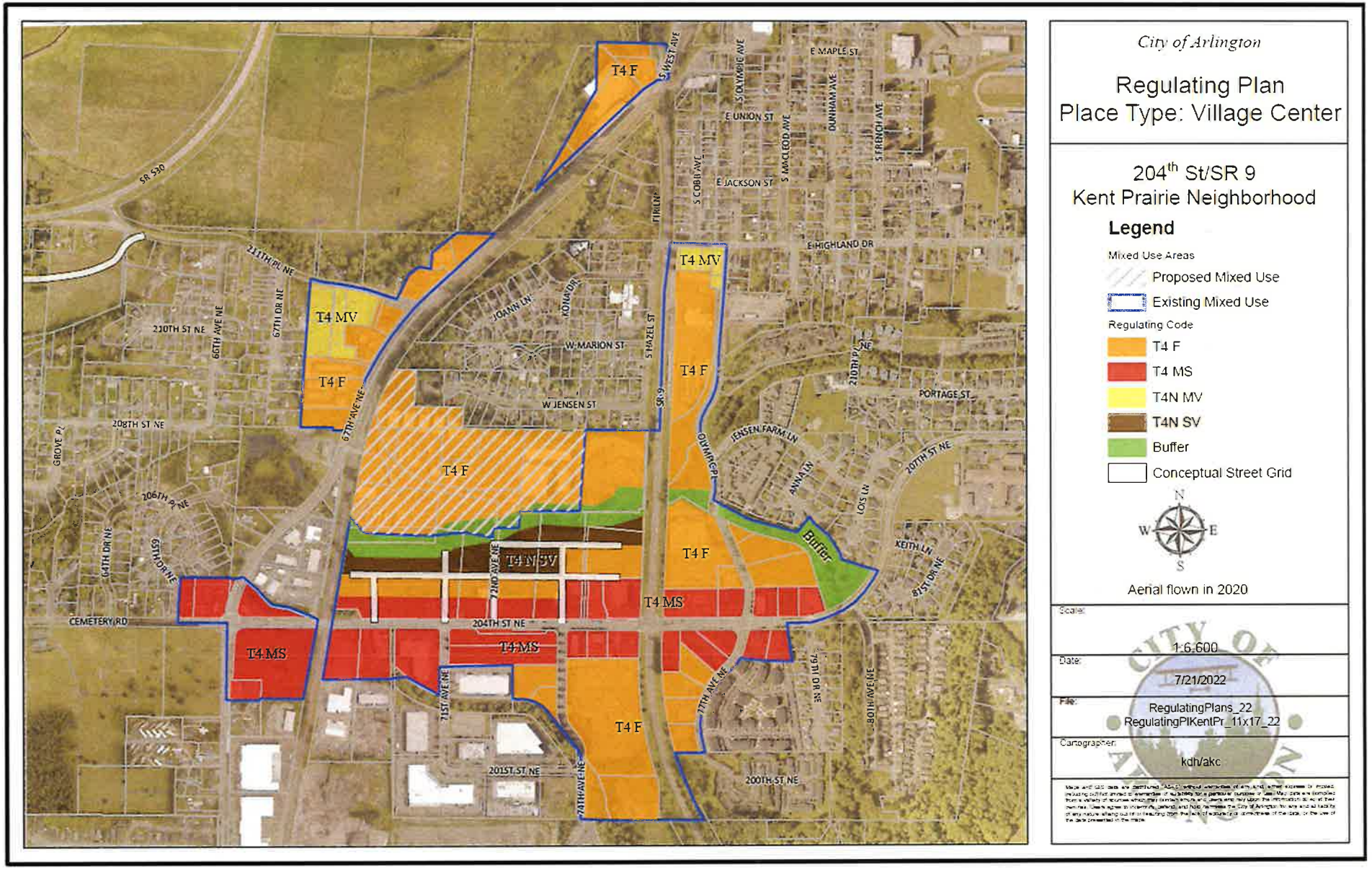
Place Type: Mixed Use Village Center

Use Table				
	T4-MS	T4-F	T4N-SV	T4N-MV
Land Use – Neighborhood Corridor				
Residential				
Dwelling:				
Attached	SUP/CUP	SUP/CUP	SUP/CUP₱	SUP/CUP₱
Detached	SUP/CUP	SUP/CUP	SUP/CUP₱	SUP/CUP
Multi-Family	SUP/CUP	SUP/CUP	SUP/CUP	SUP/CUP
Accessory Dwelling	-	-	SUP/CUP₱	-
Home Occupation	SUP/CUP₱	SUP/CUP₱	SUP/CUP₱	SUP/CUP₱
Retail				
General Retail:				
Floor Area <10,000 sf	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Floor Area ≥10,000 sf	SUP/CUP₱	SUP/CUP	-	SUP/CUP
Eating or Drinking:				
Floor Area <10,000 sf	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Floor Area ≥10,000 sf	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Drive Thru Services	-	SUP/CUP	-	-
Outdoor Entertainment	SUP/CUP	SUP/CUP	-	-
Services				
Animal Services	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Boarding	-	-	-	-
Bank/Financial	SUP/CUP₱	SUP/CUP₱	SUP/CUP₱	-
Drive Thru Services	-	SUP/CUP	-	-
Day Care Center	-	SUP/CUP₱	-	SUP/CUP
Lodging:				
Bed and Breakfast	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Hotel/Inn	SUP/CUP	-	-	-
Medical Clinic	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Doctor/Dentist Office	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP₱
Office – Professional	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Personal Services	SUP/CUP₱	SUP/CUP₱	-	SUP/CUP
Recreation, Education, Public Assembly				
Meeting Facilities	SUP/CUP₱	SUP/CUP	-	SUP/CUP

Use Table	T4-MS	T4-F	T4N-SV	T4N-MV
Land Use – Neighborhood Corridor				
Park, Open Space, Playground	-	-	SUP/CUP~~P~~	SUP/CUP~~P~~
Public Safety Facility	SUP/CUP~~P~~	SUP/CUP	-	SUP/CUP
Recreation Facility:				
Indoor <1,500 sf	SUP/CUP~~P~~	SUP/CUP	-	SUP/CUP
Indoor ≥1,500 sf	SUP/CUP~~P~~	SUP/CUP	-	SUP/CUP
Outdoor	SUP/CUP~~P~~	-	-	-
Religious Assembly	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
School: Public or Private	-	SUP/CUP	-	-
Studio: Art, Music, Dance	SUP/CUP~~P~~	SUP/CUP	SUP/CUP	SUP/CUP
Agriculture				
Community Gardens	-	-	SUP/CUP~~P~~	SUP/CUP~~P~~
Farmer's Market	SUP/CUP~~P~~	SUP/CUP~~P~~	-	-
Industry, Manufacturing, and Processing				
Artisan Production	SUP/CUP~~P~~	SUP/CUP~~P~~	-	SUP/CUP
Limited Production	SUP/CUP~~P~~	SUP/CUP	-	-
Furniture and Fixture Manufacturing	SUP/CUP~~P~~	SUP/CUP	-	-
Media Production	SUP/CUP~~P~~	SUP/CUP	-	SUP/CUP
Printing and Publishing	SUP/CUP	SUP/CUP	-	SUP/CUP
Transportation, Communication, Infrastructure				
Parking Facility: Public or Private	SUP/CUP	SUP/CUP	-	-
Utility	SUP/CUP~~P~~	SUP/CUP~~P~~	-	SUP/CUP
Wireless Telecommunications:				
Antenna <20'	-	SUP/CUP	-	SUP/CUP
Antenna ≥20'	-	SUP/CUP	-	-
Facility	-	SUP/CUP	-	SUP/CUP
Accessory				
Accessory Building Structure	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~

Key	
~~P~~	~~Permitted Use~~
SUP	Special Use Permit
CUP	Conditional Use Permit
-	Prohibited Use

Use Table Notes
See Appendix Section 20.110.016 (b) Definitions Specific to Permissible Uses for use type definitions.
Uses not listed are specifically prohibited unless the Director interprets that a use is consistent pursuant to this ~~Form Based~~ Code.
SUP = Project contains 1-49 units and CUP = Project contains 50 or more units. Projects processed per regulations of AMC Chapter 20.16.



City of Arlington

Regulating Plan
Place Type: Village Center

204th St/SR 9
Kent Prairie Neighborhood

Legend

Mixed Use Areas
- Proposed Mixed Use
- Existing Mixed Use

Regulating Code
- T4 F
- T4 MS
- T4N MV
- T4N SV
- Buffer
- Conceptual Street Grid

N W E S

Aerial flown in 2020

Scale:	1:6,600
Date:	7/21/2022
File:	RegulatingPlans_22 RegulatingPlKentPr_11x17_22
Cartographer:	kdh/akc

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Revised October 2022

20.110.014(c) (4) Place Types

Place Type: Mixed Use Urban Center
Location: State Route 531 from Interstate 5 to 51st Avenue, State Route 531 from 59th Avenue to 67th Avenue, Smokey Point Boulevard from 164th Street to 173rd Street
Use Intensity Transects: T5 Main Street (T5-MS), T5 Flex (T5-F), T5 Neighborhood Large Volume (T5N-LV), T5 Neighborhood Medium Volume (T4N-MV)

T5-F
Intent:

To provide an appropriate transition from a neighborhood main street environment into the residential areas, and to provide flexible buildings in a residential form that can allow a mix of residential and walkable local serving commercial and service uses.

Characteristics:

Attached or detached	Small side setback
Small to medium front setbacks	Small to medium lot width
Small to medium footprint	Up to 4 stories

Key Features:

Mix of medium density building types with a variety of forms which decrease in size and intensity of use toward the outer boundary of the corridor.

Predominate Land Uses:

A mix of uses to transition from the higher intensity commercial and high density residential along the Center's main boulevard core to more moderate density and moderate volume residential uses along the edge of the Urban Center.

Street Types:

Passage, Mixed Use Street, Alley, and ~~Mixed Use~~Mixed-Use Avenue

T5N-LV
Intent:

To provide an urban form that can accommodate a very diverse range of uses to reinforce walkable neighborhoods and to provide a mix of uses on the ground floor, including residential thus providing a vibrant mix of activities to energize the streets.

Characteristics:

Attached	Medium to large lot width
Buildings at ROW	Medium to large footprint
Small to no side setbacks	Up to 4 stories
Diverse mix of frontages	First floor flush with sidewalk

Key Features:

Mix of medium density building types with a variety of forms which provide a variety of horizontal and vertical mixed use.

Predominate Land Uses:

A mix of uses to transition from the higher intensity commercial and high density residential along the center's core to more moderate density and moderate volume residential uses along the edge of the Urban Center.

Street types:

Passage, Alley, Residential Avenue, and ~~Mixed Use~~Mixed-Use Avenue

Place Type: Mixed Use Urban Center

T5-MS

Intent:

To provide a variety of housing choices within the Urban Center, with medium to large building volume, medium density building types which reinforce the walkable nature of the neighborhood, support regional serving commercial activity in this mixed use corridor~~,~~ and encourage public transportation alternatives.

Characteristics:

Attached
Small to no primary setbacks
Up to 5 stories
Medium to large lot width
Small to no side setbacks
Simple wall plane along street
Attached housing with higher densities

Key Features:

Linear corridors with high connectivity, providing a mix of ~~high density~~high-density housing types contained within a walkable street network, adjacent to regional serving commercial activity located along primary streets with a diverse mix of frontage types.

Predominate Land Uses:

The primary land use focus of the T5-MS transect areas within Urban Centers is with high density residential in a variety of medium to large volume formats. Buildings are built to ROW's, with the possibility of ancillary buildings behind the primary structure. The variety of housing choices reinforce the walkable nature of this vibrant commercial and residential mixed area, provides the opportunity for affordable housing, and provides critical population densities for Transit development.

Street types:

Passage, Alley, Mixed Use Street, Mixed Use Boulevard, and ~~Mixed Use~~Mixed-Use Avenue

T5N-MV

Intent:

To provide a variety of urban housing choices in medium volume, medium to high density building types, which reinforce the neighborhood's walkable nature, support community serving retail and service uses adjacent to this zone, and support multi-modal transportation choices.

Characteristics:

Detached or attached
Buildings at or near ROW
Small to no side setbacks
Small to medium footprint
Medium to large lot width
Flush ground floor
Up to 3 stories

Key Features:

Primary Boulevard with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

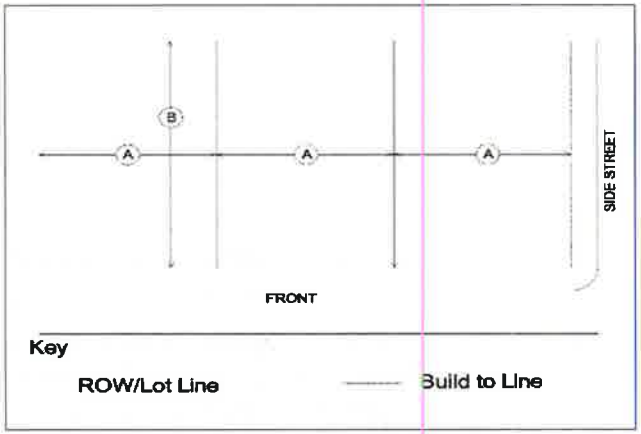
Predominate Land Uses:

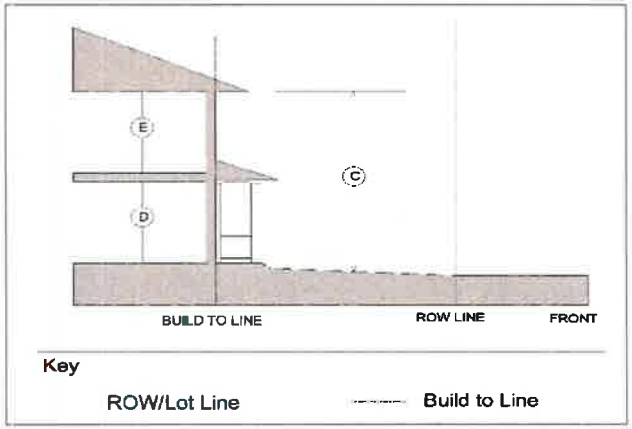
Primary Boulevard facing with medium intensity commercial activity, along with medium to high density residential, decreasing in intensity toward the adjoining residential neighborhoods.

Street types:

Passage, Alley, Residential Avenue, and Residential Street

Place Type: Mixed Use Urban Center





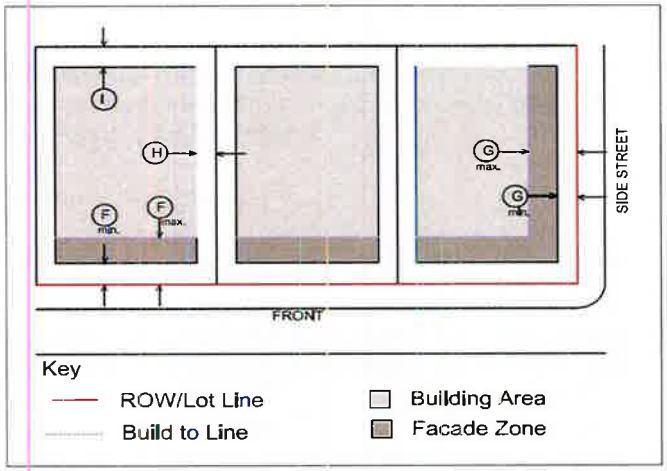
Allowed Building Types				
	T5-MS	T5-F	T5N-LV	T5N-MV
Lot				
	Width(A) / Depth (B)	Width(A) / Depth (B)	Width(A) / Depth (B)	Width(A) / Depth (B)
Courtyard Building	75'min. / 80' min. 100' max.	-	-	75'min. / 100' min. 200' max.
Flex Building	75'min. / 80' min. 100' max.	75'min. / 80' min. 100' max.	75'min. / 80' min. 100' max.	75'min. / 100' min. 200' max.
Live/Work	18' min. / 80'min. 35' max.	18' min. / 80'min. 35' max.	-	-
Main Street Building	25'min. / 100'min. 150'max.	25'min. / 100'min. 150'max.	-	-
Mid Rise	100' min. / 100'min. 200' max.	-	100' min. / 180'min. 200' max.	75'min. / 100' min. 200' max.
Multiplex Medium	50'min. / 100' min. 100'max.	50'min. / 100' min. 100'max.	50'min. / 100' min. 100'max.	50'min. / 100' min. 100'max.
Multiplex Large	75'min. / 100' min. 100'max.	75'min. / 100' min. 100'max.	75'min. / 100' min. 100'max.	75'min. / 100' min. 100'max.
Row House / Townhouse	18' min. / 80'min. 35' max.	18' min. / 80'min. 35' max.	-	18' min. / 80'min. 35' max.
Stacked Flats	100'min. / 100'min. 200'max.	100'min. / 100'min. 150'max.	125'min. / 180'min. 500'max.	100'min. / 100' min. 100'max.

Place Type: Mixed Use Urban Center

Building Form [1, 2, 3]				
	T5-MS	T5-F	T5N-LV	T5N-MV
Height				
Main Building: (C)	4 stories max.[4]	3 stories max.[4,5]	3 stories max.[4]	3 stories max.
Accessory Structure	1 story max.	2 stories max.	1 story max.	1 story max.
Ceiling Height; Ground Floors: (E)				
Residential	8'min. clear	8'min. clear	9'min. clear	10'min. clear
Retail or Service	12'min. clear	12'min. clear	14'min. clear	12'min. clear
Ceiling Height; Upper Floors (F)				
Residential	8'min. clear	8'min. clear	8'min. clear	8'min. clear
Retail or Service	10'min. clear	10'min. clear	10'min. clear	10'min. clear
Ground Floor Finish Level: (D)				
Residential <10' from ROW	18"min.	18"min.	24"min.	24"min.
Residential ≥10' from ROW	0"	6"max.	0"	0"
Retail or Service	6"max.	18"min.	6"max.	6"max.
Footprint				
Depth Ground Floor Space:				
Residential	50'min.	30'min.	40'min.	40'min.
Retail or Service	50'min.	30'min.	40'min.	40'min.
Accessory Structure(s):				
Width	24'max.	24'max.	40'min.	24'max.
Depth	36'max.	36'max.	40'min.	36'max.
Distance Between Front Entries:				
Entries to Ground Floor	50'max.	50'min.	50'min.	50'min.
Entries to Upper Floor(s)	100'max.	100'min.	100'min.	100'min.

[1] Buildings wider than 75' shall be designed to read as a series of buildings no wider than 50' each.
[2] Upper floors shall have a primary entrance to the front.
[3] Loading docks, overhead doors and other service entries may not be located on street-facing facades.
[4] T5-MS: 5 stories, T5-F and T4N-LV: 4 stories; maximum allowed for affordable housing developments, LEED certified buildings or if the development provides same square foot, as additional floor, of civic space on-site or pay fee in-lieu towards identified civic space within Place Type (25% of construction cost for additional floor based on IBC Building Valuation ~~Date~~ Data Table)
[5] Within 20' of the rear lot line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings, see 20.110.014(1)(5) Building Heights and Transitions.

Place Type: Mixed Use Urban Center



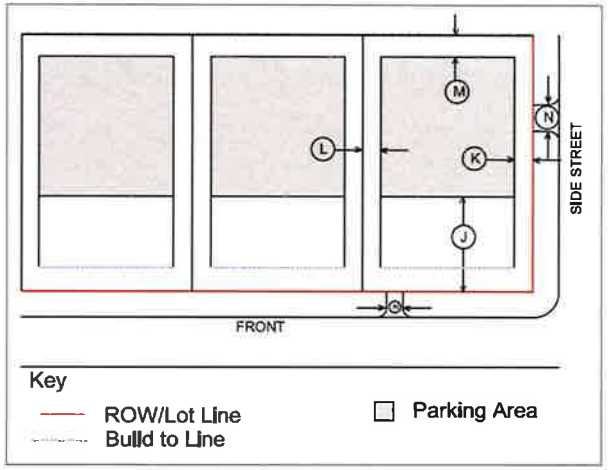
Building Placement				
	T5-MS	T5-F	T5N-LV	T5N-MV
Build-to-Lines				
Front (F)	0'min. 10'max.[6,7]	0'	-	0'min. 20'max
Side Street (G)	0'min. 10'max.	0'	-	0'min. 20'max
BTL Defined by a Building:				
Front	90% min.	40% min.	-	90% min.
Side Street	75% min.	50% min.	-	80% min.
Side:				
Main Building	0'min.	0'min.	-	10'min.
Accessory Building	5'min.	0'min.	-	5'min.
Setbacks				
Front (F)	-	-	5'min. 15'max.	-
Side Street (G)	-	-	5'min. 10'max.	-
Side: (H)				
Main Building	-	-	5'min. 9'max.[8]	-
Accessory Structure	-	-	5'min.	-
Rear: (I)				
Main Building	-	-	5'min.	-
Accessory Structure	-	-	5'min.	-

[6] On corner lots, the BTL must be defined by a building for the first 50' of the corner.

[7] Where existing building are in front of the regulated setback, the building may be set to align with the façade of the most immediate adjacent property.

[8] No side setback required along the common lot line between Townhouses or duplex building types.

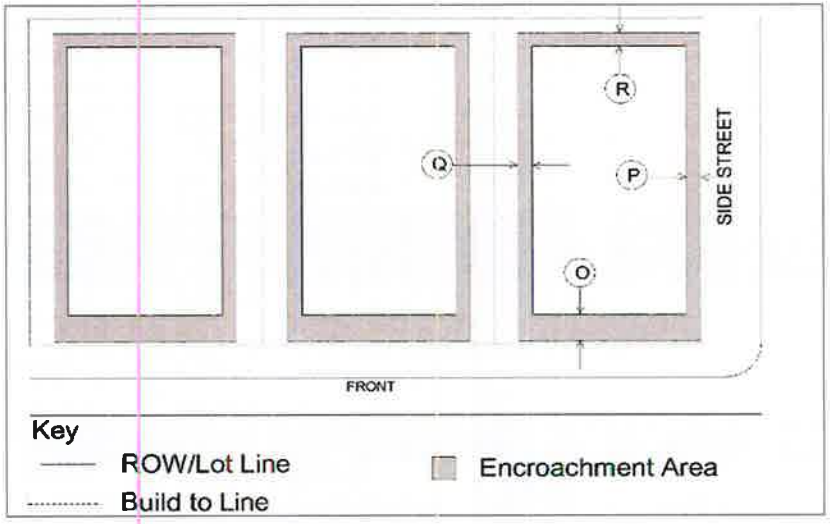
Place Type: Mixed Use Urban Center



Parking [9]				
	T5-MS	T5-F	T5N-LV	T5N-MV
Required Spaces [10]				
Residential Uses	See Table 20.110-7 ~~1/1000 sf max.~~ [11]	See Table 20.110-7 ~~1/1500 sf min.~~	See Table 20.110-7 ~~No Spaces Required~~	See Table 20.110-7 ~~No Spaces Required~~
Lodging Uses	1/ room max.	1/ room max.	1/ room max.	1/ room max.
Retail or Service Uses: [12,13]				
< 3,500 sf	No Spaces Required	No Spaces Required	No Spaces Required	No Spaces Required
>3,500 sf	1/1000 sf max.	2/1000 sf min.	1/1000 sf min.	1/1000 sf min.
Location (Distance from ROW/Lot Line)				
Front Setback (J)	50' from BTL	40'min.	-	30'min.
Side Street Setback (K)	0'min. 10'max.	6'min	-	10'min.
Side Setback (L)	0'	0'	-	0'
Rear Setback (M)	10'min.	5'min.	-	5'min.
Miscellaneous				
Parking Drive Width: (N)				
Front <40 spaces	20' – 24' ~~14'max.~~	20' – 24' ~~14'max.~~	-	20' – 24' ~~14'max.~~
Front ≥40 spaces	20' – 24' ~~18'max.~~	20' – 24' ~~18'max.~~	-	20' – 24' ~~18'max.~~
Side Street/Alley	20' – 24' ~~20'max.~~	20' – 24' ~~20'max.~~	-	20' – 24' ~~20'max.~~

[9] All garages shall be screened along the front and the side street by habitable space.
[10] See Section 20.110.014(g) Parking for uses not listed, general parking standards, adjustments and alternatives.
[11] No parking spaces required for affordable housing developments for the first 2,000 sf.
[12] No spaces <3500 sf; 2 spaces/1000 sf above first 3500 sf.
[13] Restaurants: 1500 sf, 1 space/150 sf; 1501 – 5000 sf, 1 space/100 sf

Place Type: Mixed Use Urban Center



Encroachments and Frontage Types				
	T5-MS	T5-F	T5N-LV	T5N-MV
Allowed Encroachments				
Front (O)	14'max.	14'max.	8'max.	10'max.
Side Street (P)	14'max.	10'max.	8'max.	8'max.
Side (Q)	0'	0'	2'-6"max.	0'
Rear (R)	5'max.	5'max.	2'6"max.	2'6"max.
Allowed Frontage Types				
Dooryard		X		X
Forecourt	X	X		X
Gallery	X	X		
Porch: Engaged			X	
Porch: Projecting			X	
Shopfront	X	X		
Stoop	X	X	X	X

[14] Maximum allowed encroachments. See section 20.110.014(d) Frontage Types for further details related to allowed encroachments for frontage elements.
[15] Encroachments into the ROW require the Director's approval. Encroachments are not allowed in an alley ROW or across a lot line.

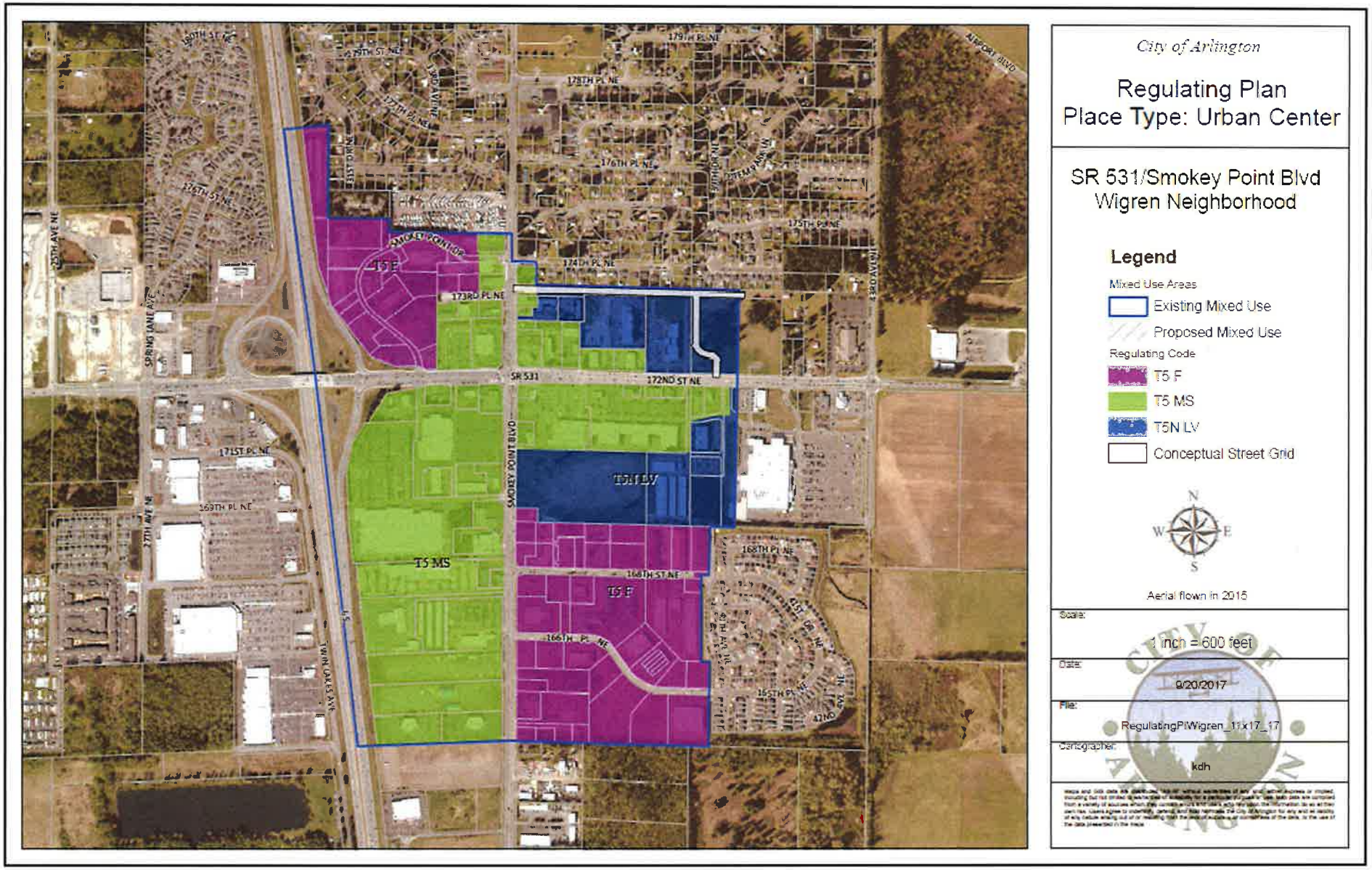
Place Type: Mixed Use Urban Center

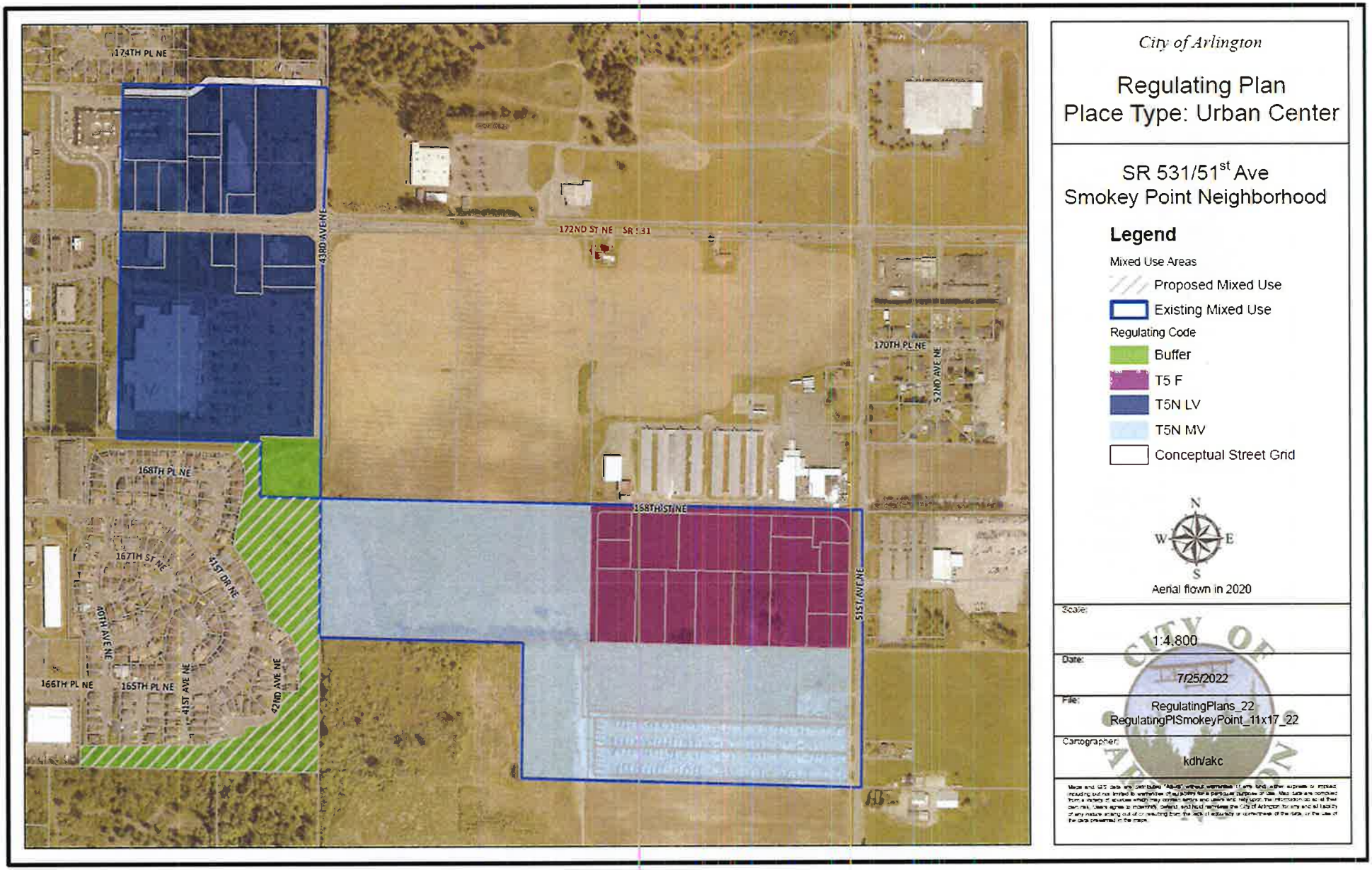
Use Table				
	T5-MS	T5-F	T5N-LV	T5N-MV
Land Use – Neighborhood Corridor				
Residential				
Dwelling:				
Attached	SUP/CUP	SUP/CUP	SUP/CUP~~P~~	SUP/CUP~~P~~
Detached	SUP/CUP	SUP/CUP	SUP/CUP~~P~~	SUP/CUP
Multi-Family	SUP/CUP	SUP/CUP	SUP/CUP	SUP/CUP
Accessory Dwelling	-	-	SUP/CUP~~P~~	-
Home Occupation	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Retail				
General Retail:				
Floor Area <10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Floor Area ≥10,000 sf	SUP/CUP~~P~~	SUP/CUP	SUP/CUP	SUP/CUP
Eating or Drinking:				
Floor Area <10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Floor Area ≥10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Drive Thru Services	-	SUP/CUP	-	-
Outdoor Entertainment	SUP/CUP	SUP/CUP	-	-
Services				
Animal Services	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Boarding	-	-	-	-
Bank/Financial	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~	-
Drive Thru Services	-	SUP/CUP	-	-
Day Care Center	-	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Lodging:				
Bed and Breakfast	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Hotel/Inn	SUP/CUP	-	SUP/CUP	-
Medical Clinic	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Doctor/Dentist Office	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~
Office – Professional	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Personal Services	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Recreation, Education, Public Assembly				
Meeting Facilities	SUP/CUP~~P~~	SUP/CUP	-	SUP/CUP

Use Table	T5-MS	T5-F	T5N-LV	T5N-MV
Land Use – Neighborhood Corridor				
Park, Open Space, Playground	-	-	SUP/CUP~~P~~	SUP/CUP~~P~~
Public Safety Facility	SUP/CUP~~P~~	SUP/CUP	SUP/CUP	SUP/CUP
Recreation Facility:				
Indoor <1,500 sf	SUP/CUP~~P~~	SUP/CUP	SUP/CUP	SUP/CUP
Indoor ≥1,500 sf	SUP/CUP~~P~~	SUP/CUP	SUP/CUP	SUP/CUP
Outdoor	SUP/CUP~~P~~	-	-	-
Religious Assembly	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
School: Public or Private	-	SUP/CUP	-	-
Studio: Art, Music, Dance	SUP/CUP~~P~~	SUP/CUP	SUP/CUP	SUP/CUP
Agriculture				
Community Gardens	-	-	SUP/CUP~~P~~	SUP/CUP~~P~~
Farmer's Market	SUP/CUP~~P~~	SUP/CUP~~P~~	-	-
Industry, Manufacturing, and Processing				
Artisan Production	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP	SUP/CUP
Limited Production	SUP/CUP~~P~~	SUP/CUP	-	-
Furniture and Fixture Manufacturing	SUP/CUP~~P~~	SUP/CUP	-	-
Media Production	SUP/CUP~~P~~	SUP/CUP	SUP/CUP	SUP/CUP
Printing and Publishing	SUP/CUP	SUP/CUP	SUP/CUP	SUP/CUP
Transportation, Communication, Infrastructure				
Parking Facility: Public or Private	SUP/CUP	SUP/CUP	-	-
Utility	SUP/CUP~~P~~	SUP/CUP~~P~~	-	SUP/CUP
Wireless Telecommunications:				
Antenna <20'	-	SUP/CUP	-	SUP/CUP
Antenna ≥20'	-	SUP/CUP	-	-
Facility	-	SUP/CUP	-	SUP/CUP
Accessory				
Accessory Building Structure	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~	SUP/CUP~~P~~

Key	
~~P~~	~~Permitted Use~~
SUP	Special Use Permit
CUP	Conditional Use Permit
-	Prohibited Use

Use Table Notes
See Appendix Section 20.110.016 (b) Definitions Specific to Permissible Uses for use type definitions.
Uses not listed are specifically prohibited unless the Director interprets that a use is consistent pursuant to this ~~Form Based~~ Code.
SUP = Project contains 1-49 units and CUP = Project contains 50 or more units. Projects processed per regulations of AMC Chapter 20.16.


City of Arlington
Regulating Plan
Place Type: Urban Center
SR 531/Smokey Point Blvd
Wigren Neighborhood
Legend
Mixed Use Areas
Existing Mixed Use
Proposed Mixed Use
Regulating Code
T5 F
T5 MS
T5N LV
Conceptual Street Grid
N
W
E
S
Aerial flown in 2015
Scale:
1 inch = 600 feet
Date:
9/20/2017
File:
RegulatingPlWigren_11x17_17
Cartographer:
kdh
T5 F
T5 MS
T5N LV
SR 531
172ND ST NE
SMOKEY POINT BLVD
173RD PL NE
174TH PL NE
175TH PL NE
176TH PL NE
178TH PL NE
179TH PL NE
171ST PL NE
169TH PL NE
168TH PL NE
166TH ST NE
166TH PL NE
165TH PL NE
43RD AVE NE
27TH AVE NE
TWIN OAKS AVE
SPRING LANE AVE
AIRPORT BLVD


174TH PL NE
172ND ST NE SR 531
43RD AVE NE
170TH PL NE
52ND AVE NE
168TH PL NE
168TH ST NE
167TH ST NE
41ST DR NE
40TH AVE NE
166TH PL NE
165TH PL NE
41ST AVE NE
42ND AVE NE
51ST AVE NE
City of Arlington
Regulating Plan
Place Type: Urban Center
SR 531/51st Ave
Smokey Point Neighborhood
Legend
Mixed Use Areas
Proposed Mixed Use
Existing Mixed Use
Regulating Code
Buffer
T5 F
T5N LV
T5N MV
Conceptual Street Grid
N
W
E
S
Aerial flown in 2020
Scale:
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Date:
7/25/2022
File:
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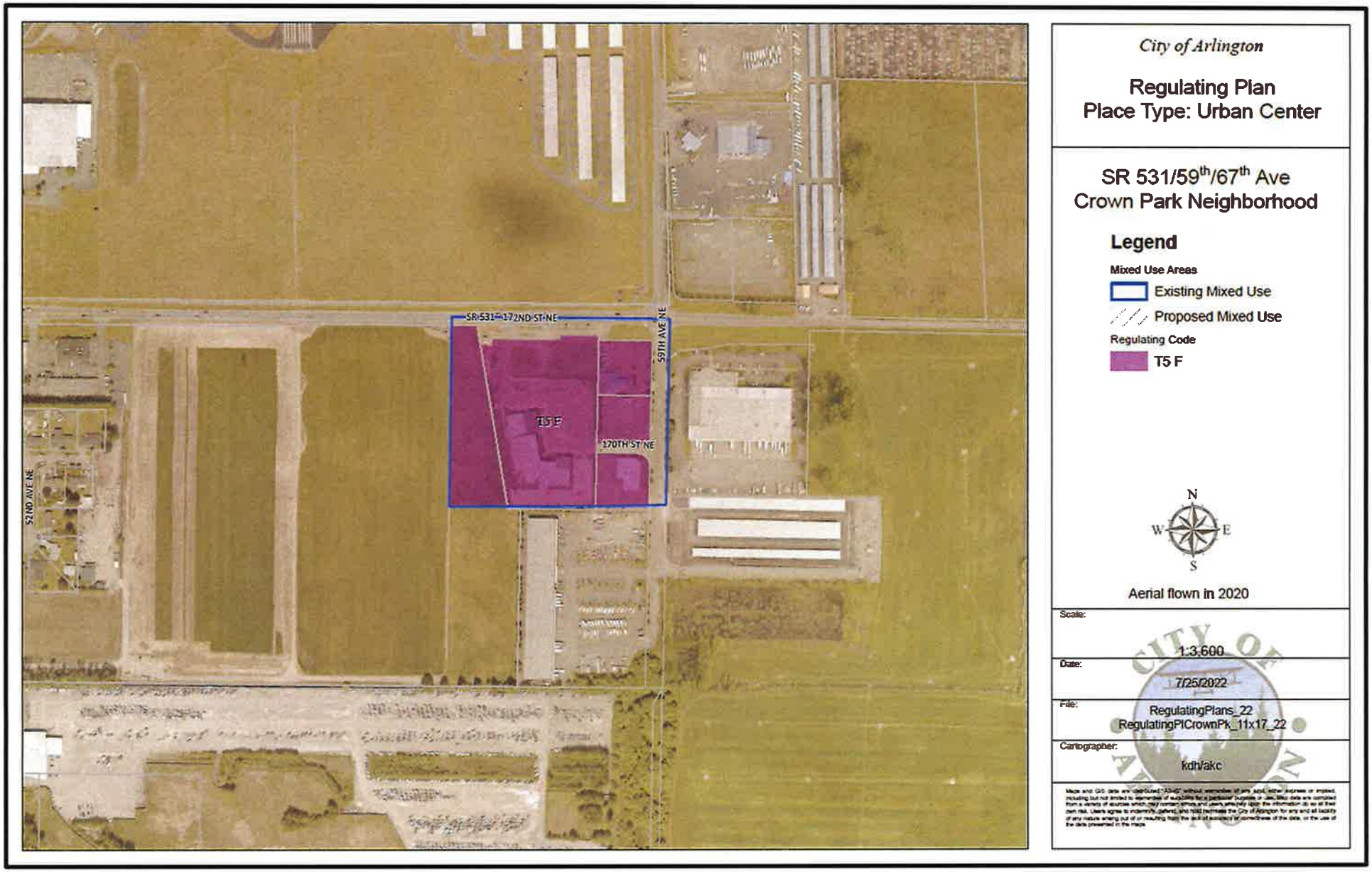
RegulatingPlSmokeyPoint_11x17_22
Cartographer:
kdh/akc



City of Arlington

Regulating Plan
Place Type: Urban Center

SR 531/59th/67th Ave
Crown Park Neighborhood

Legend

Mixed Use Areas

- Existing Mixed Use
- Proposed Mixed Use

Regulating Code

- T5 F

N
W E
S

Aerial flown in 2020

Scale:	1:3,600
Date:	7/25/2022
File:	RegulatingPlans_22 RegulatingPlCrownPk_11x17_22
Cartographer:	kdh/akc

Maps and GIS data are distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability for a particular purpose or use. Maps and data are compiled from a variety of sources which may contain errors, and users are fully upon the information as is at their own risk. Users agree to indemnify, defend, and hold harmless the City of Arlington for any and all liability of any nature arising out of or resulting from the use of, acceptance of, or correctness of the data, or the use of the data presented in the maps.

20.110.014(c) (5) Place Types

Place Type: Special District-1
Location: State Route 530 from Interstate 5 to Smokey Point Boulevard and along Smokey Point Boulevard from 200th Street to State Route 530.

SD-1

Intent:

To provide for commercial development consistent with existing context. Topography, floodplain and floodway regulations will likely limit development to larger scale commercial operations which are directly related to freeway visibility with easy access to interstate and international highway networks.

Characteristics:

Mix of Commercial Style Buildings	Up to 5 Stories
Medium to Large Volume Massing	Ground Level First Floors
Primarily Storefront Entries	Small to Medium Setbacks
Larger Parking Areas Behind Buildings	

Key Features:
Primarily a mix of freeway related, auto oriented commercial activity, generally fuel sales, restaurants, motels, and travel centers.

Street Types:

Passage, Mixed Use Street, Alley, and ~~Mixed Use~~Mixed-Use Avenue

Place Type: Special District-2
Location: North side of State Route 531 from approximately 43rd Avenue to 51st Avenue

SD-2

Intent:

Special District 2 is totally contained on Airport property. As such, it is subject to several layers of Federal regulations. To prevent the potential for incompatible land uses adjacent to airports, these regulations prohibit inclusion of residential units on airport property. However, this area is ideally suited for a mix of highway oriented commercial activity that is appropriate to the intensities of adjoining development.

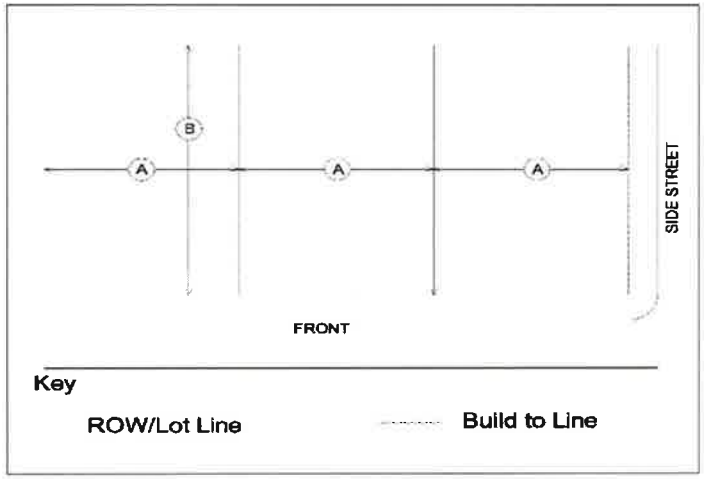
Characteristics:

Mix of Commercial Style Buildings	Up to 4 Stories
Building At or Close to ROW	Ground Level First Floors
Primarily Storefront Entries	Small to No Side Setbacks
Larger Parking Areas Behind Buildings	Medium Volume Massing

Key Features:
To provide a mix of non-residential commercial uses compatible with adjacent mixed use residential to the West and Business Park development to the North and East.

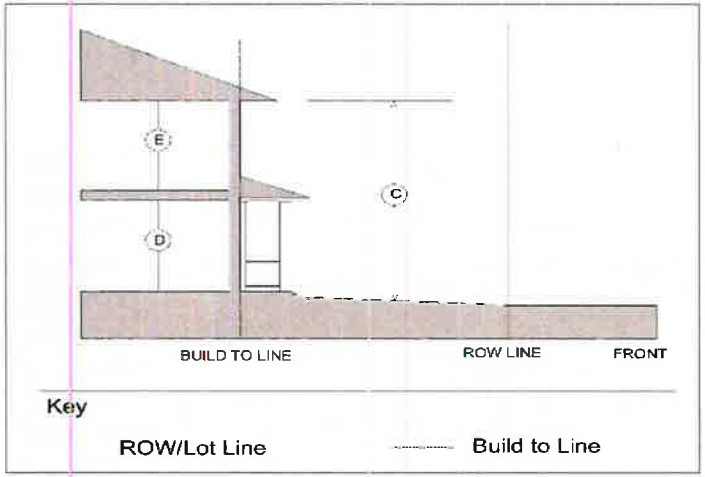
Street types:
Passage, Alley, Residential Avenue, and ~~Mixed Use~~Mixed-Use Avenue

Place Type: Special District



Allowed Building Types		
	SD-1	SD-2
Lot		
	Width(A) / Depth (B)	Width(A) / Depth (B)
Courtyard Building	75'min. / 80' min. 100' max.	75'min. / 80' min. 100' max.
Flex Building	75'min. / 80' min. 100' max.	75'min. / 80' min. 100' max.
Live/Work	18' min. / 80'min. 35' max.	-
Main Street Building	25'min. / 100'min. 200'max.	25'min. / 100'min. 150'max.
Mid Rise	100' min. / 100'min. 200' max.	-

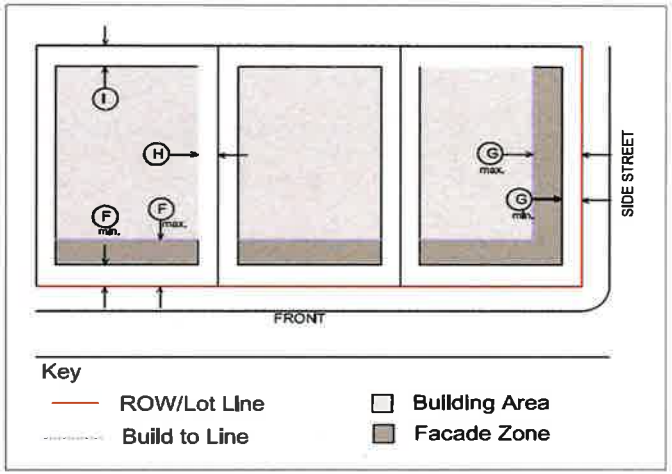
Place Type: Special District



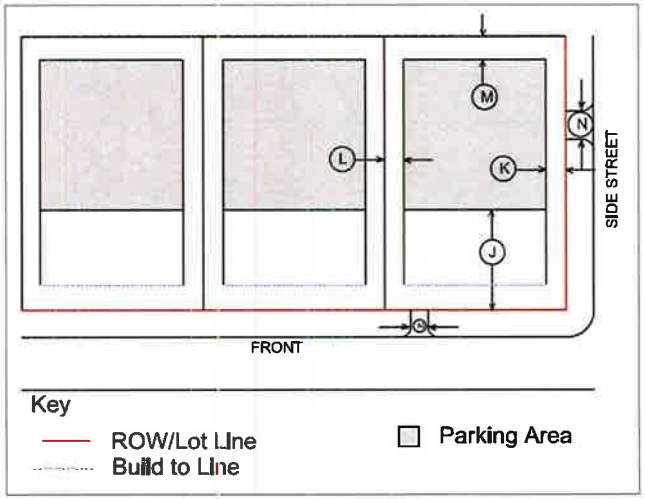
Building Form		
	SD-1	SD-2
Height		
Main Building: (C)	5 stories max.	4 stories max.[1]
Accessory Structure	1 story max.	2 stories max.[1]
Ceiling Height; Ground Floors: (E)		
Residential	-	-
Retail or Service	12'min. clear	12'min. clear
Ceiling Height; Upper Floors (F)		
Retail or Service	10'min. clear	-
Ground Floor Finish Level: (D)		
Retail or Service	6"max.	-
Footprint		
Depth Ground Floor Space:		
Retail or Service	50'min.	30'min.
Accessory Structure(s):		
Width	-	24'max.
Depth	-	36'max.

[1]Subject to the height limitations of the Federal Aviation Regulations Part 77 limitations of the Airport Protection District (AMC 20.38)

Place Type: Special District

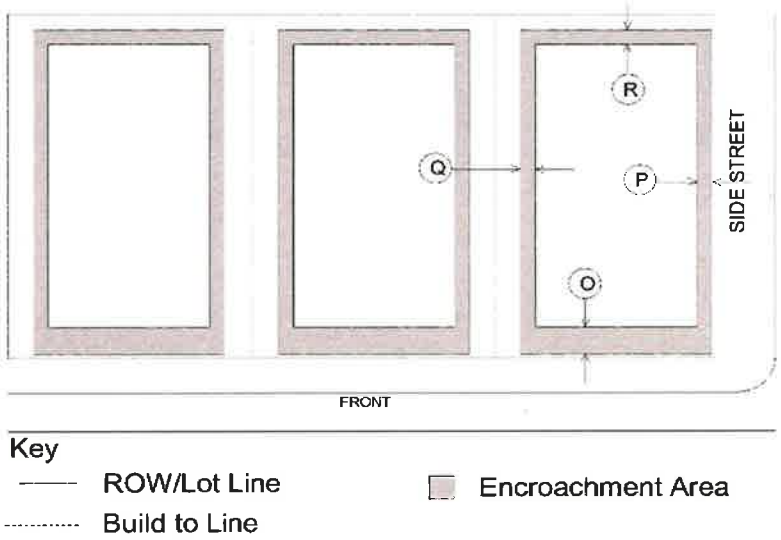


Building Placement		
	SD-1	SD-2
Build-to-Lines		
Front (F)	0'min. 10'max.	0'
Side Street (G)	0'min. 10'max.	0'
BTL Defined by a Building:		
Front	90% min.	40% min.
Side Street	75% min.	50% min.
Side:		
Main Building	0'min.	0'min.
Accessory Building	5'min.	0'min.
Setbacks		
Front (F)	-	-
Side Street (G)	-	-
Side: (H)	-	-
Main Building	-	-
Accessory Structure	-	-
Rear: (I)	-	-
Main Building	-	-
Accessory Structure	-	-



Parking		
	SD-1	SD-2
Required Spaces		
Residential Uses	~~No Spaced Required~~See Table 20.110-7	-
Lodging Uses	1/ room max.	1/ room max.
Retail or Service Uses:		
< 3,500 sf	1/1000 sf min.	1/1000 sf max.
>3,500 sf	2/100 sf min.	2/100 sf min.
Location (Distance from ROW/Lot Line)		
Front Setback (J)	50' from BTL	40'min.
Side Street Setback (K)	0'min. 10'max.	6'min
Side Setback (L)	0'	0'
Rear Setback (M)	10'min.	5'min.
Miscellaneous		
Parking Drive Width: (N)		
Front <40 spaces	20' – 24'~~14'max.~~	20' – 24'~~14'max.~~
Front ≥40 spaces	20' – 24'~~18'max.~~	20' – 24'~~18'max.~~
Side Street/Alley	20' – 24'~~20'max.~~	20' – 24'~~20'max.~~

Place Type: Special District



Encroachments and Frontage Types		
	SD-1	SD-2
Allowed Encroachments		
Front (O)	14'max.	14'max.
Side Street (P)	14'max.	10'max.
Side (Q)	0'	0'
Rear (R)	5'max.	5'max.
Allowed Frontage Types		
Dooryard		X
Forecourt	X	X
Porch: Engaged		
Porch: Projecting		
Shopfront	X	X
Stoop	X	

Place Type: Special District

Use Table		
	SD-1	SD-2
Land Use – Neighborhood Corridor		
Residential		
Dwelling:		
Attached	SUP/CUP	-
Detached	SUP/CUP	-
Multi-Family	SUP/CUP	-
Accessory Dwelling	-	-
Home Occupation	SUP/CUP~~P~~	-
Retail		
General Retail:		
Floor Area <10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~
Floor Area ≥10,000 sf	SUP/CUP~~P~~	SUP/CUP
Eating or Drinking:		
Floor Area <10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~
Floor Area ≥10,000 sf	SUP/CUP~~P~~	SUP/CUP~~P~~
Drive Thru Services	SUP/CUP	SUP/CUP
Outdoor Entertainment	SUP/CUP	SUP/CUP
Services		
Animal Services	SUP/CUP~~P~~	SUP/CUP~~P~~
Boarding	-	-
Bank/Financial	SUP/CUP~~P~~	SUP/CUP~~P~~
Drive Thru Services	-	SUP/CUP
Day Care Center	-	SUP/CUP~~P~~
Lodging:		
Bed and Breakfast	SUP/CUP~~P~~	-
Hotel/Inn	SUP/CUP	SUP/CUP
Medical Clinic	SUP/CUP~~P~~	SUP/CUP~~P~~
Doctor/Dentist Office	SUP/CUP~~P~~	SUP/CUP~~P~~
Office – Professional	SUP/CUP~~P~~	SUP/CUP~~P~~
Personal Services	SUP/CUP~~P~~	SUP/CUP~~P~~
Recreation, Education, Public Assembly		
Meeting Facilities	SUP/CUP~~P~~	SUP/CUP

Use Table		
	SD-1	SD-2
Land Use – Neighborhood Corridor		
Park, Open Space, Playground	SUP/CUP	SUP/CUP
Public Safety Facility	SUP/CUP~~P~~	SUP/CUP
Recreation Facility:		
Indoor <1,500 sf	SUP/CUP~~P~~	SUP/CUP
Indoor ≥1,500 sf	SUP/CUP~~P~~	SUP/CUP
Outdoor	SUP/CUP~~P~~	-
Religious Assembly	SUP/CUP~~P~~	-
School: Public or Private	-	SUP/CUP
Studio: Art, Music, Dance	SUP/CUP~~P~~	SUP/CUP
Agriculture		
Community Gardens	-	-
Farmer's Market	SUP/CUP~~P~~	SUP/CUP~~P~~
Industry, Manufacturing, and Processing		
Artisan Production	SUP/CUP~~P~~	SUP/CUP~~P~~
Limited Production	SUP/CUP~~P~~	SUP/CUP
Furniture and Fixture Manufacturing	SUP/CUP~~P~~	SUP/CUP
Media Production	SUP/CUP~~P~~	SUP/CUP
Printing and Publishing	SUP/CUP	SUP/CUP
Transportation, Communication, Infrastructure		
Parking Facility: Public or Private	SUP/CUP	SUP/CUP
Utility	SUP/CUP~~P~~	SUP/CUP~~P~~
Wireless Telecommunications:		
Antenna <20'	-	SUP/CUP
Antenna ≥20'	-	SUP/CUP
Facility	-	SUP/CUP
Accessory		
Accessory Building Structure	SUP/CUP~~P~~	SUP/CUP~~P~~

Key	
~~P~~	~~Permitted Use~~
SUP	Special Use Permit
CUP	Conditional Use Permit
-	Prohibited Use

Use Table Notes
See Appendix Section 20.110.016 (b) Definitions Specific to Permissible Uses for use type definitions.
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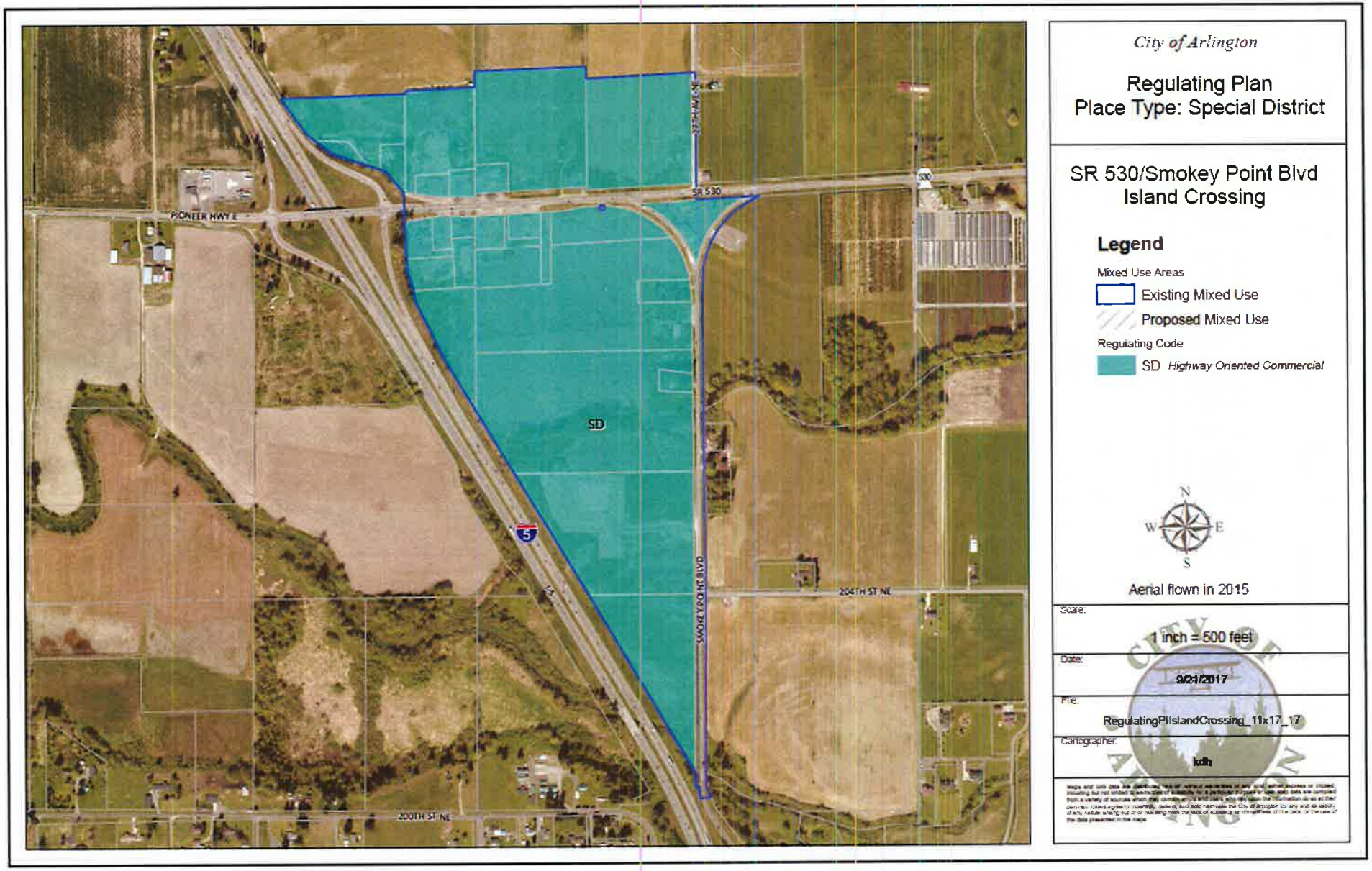
City of Arlington
Regulating Plan
Place Type: Special District
SR 530/Smokey Point Blvd
Island Crossing
Legend
Mixed Use Areas
Existing Mixed Use
Proposed Mixed Use
Regulating Code
SD Highway Oriented Commercial
PIONEER HWY E
SR 530
SD
I-5
204TH ST NE
200TH ST NE
Aerial flown in 2015
Scale:
1 inch = 500 feet
Date:
9/21/2017
File:
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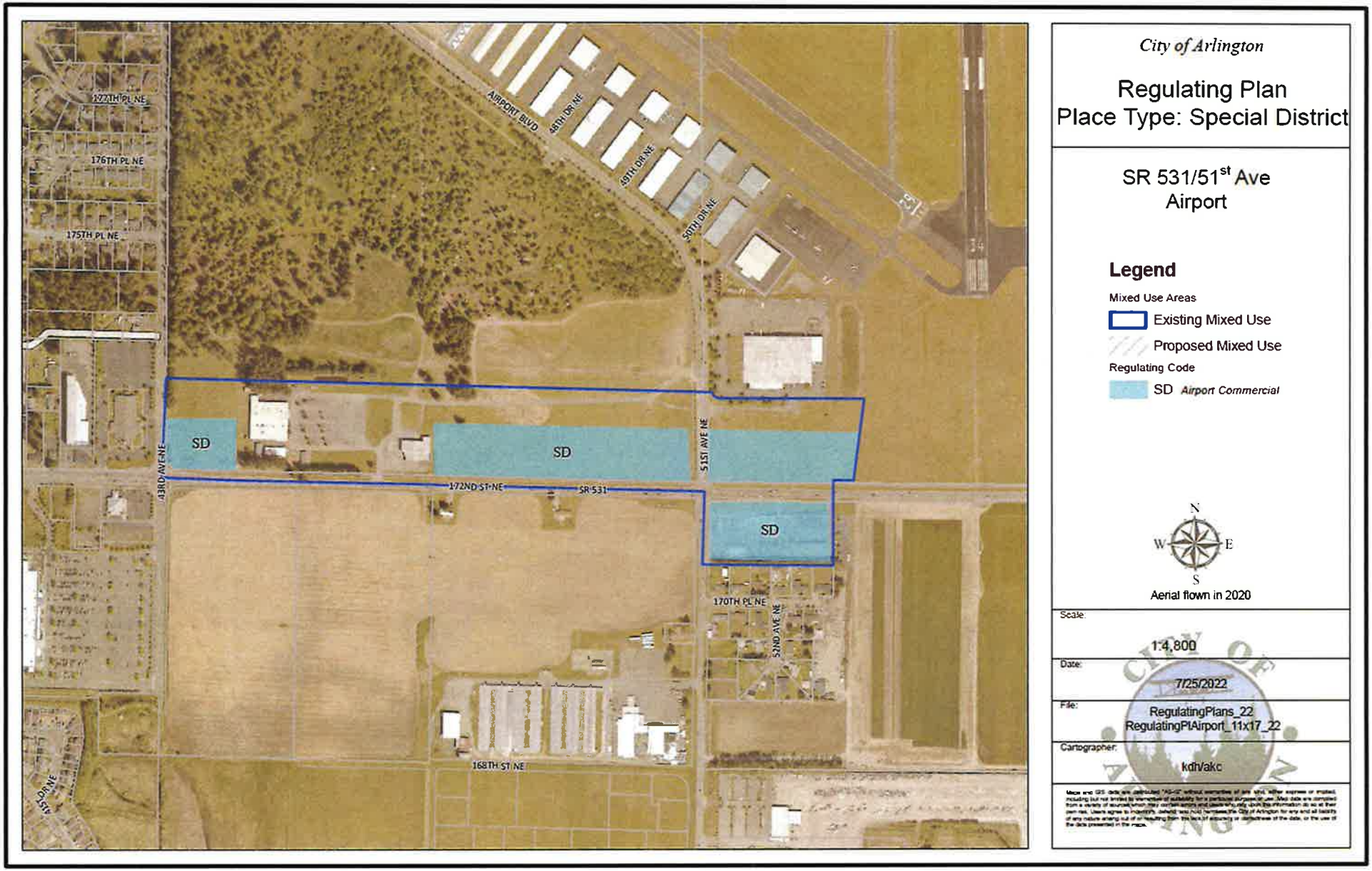
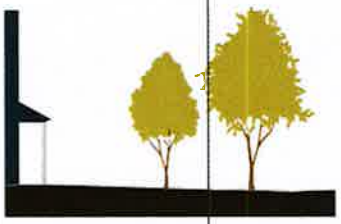
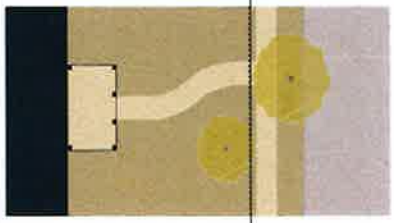
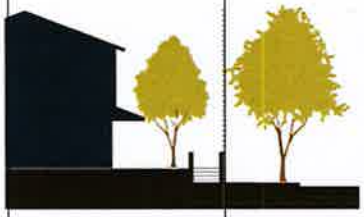
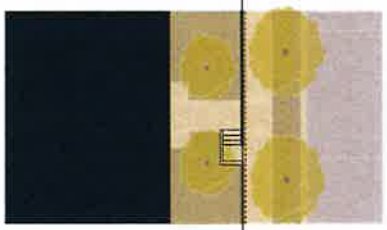
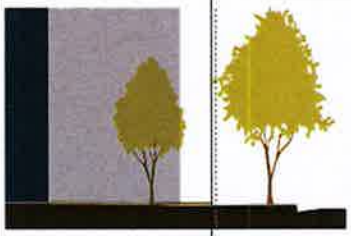
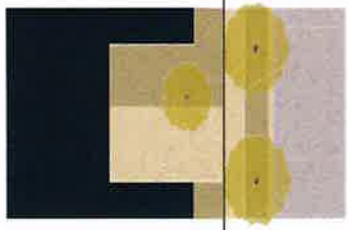
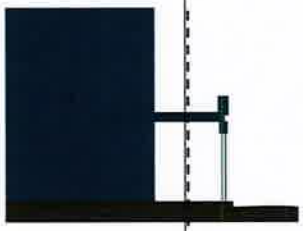
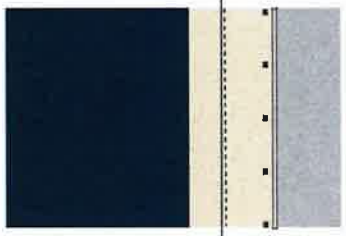
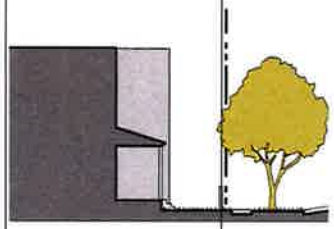
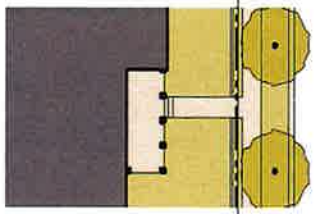
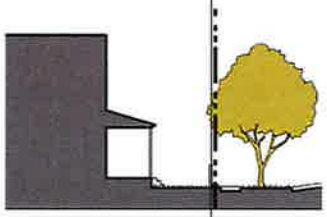
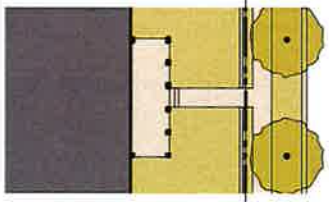
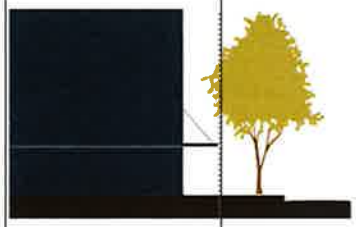
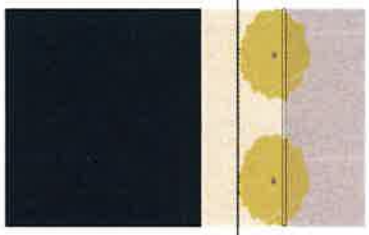
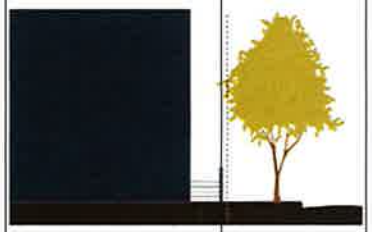
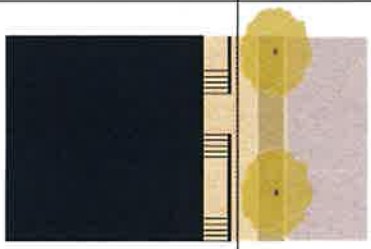
Cartographer:
kdh

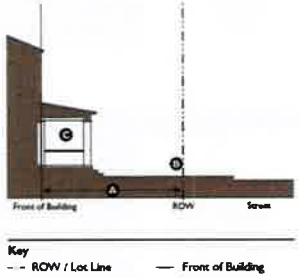
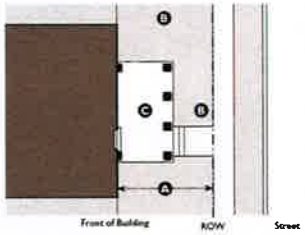

AIRPORT BLVD
48TH DR NE
49TH DR NE
50TH DR NE
51ST AVE NE
52ND AVE NE
43RD AVE NE
172ND ST NE
SR 531
170TH PL NE
168TH ST NE
177TH PL NE
176TH PL NE
175TH PL NE
ASTOR NE
SD
SD
SD
City of Arlington
Regulating Plan
Place Type: Special District
SR 531/51st Ave
Airport
Legend
Mixed Use Areas
Existing Mixed Use
Proposed Mixed Use
Regulating Code
SD Airport Commercial
N
W
E
S
Aerial flown in 2020
Scale:
1:4,800
Date:
7/25/2022
File:
RegulatingPlans_22
RegulatingPlAirport_11x17_22
Cartographer:
kdh/akc

20.110.014(d) Private Frontage Types

Section		Plan		Description	Transects
Lot	ROW	Lot	ROW		Allowed / Not Allowed
				**Common Yard:** A frontage wherein the facade is set back substantially from the frontage line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The setback can be densely landscaped to buffer from the higher speed thoroughfares.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
				**Dooryard**: A frontage wherein the facade is set back from the frontage line with an elevated garden or terrace permitted to encroach. This type can effectively buffer residential quarters from the sidewalk, while removing the private yard from public encroachment. The terrace is also suitable for cafes.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
				**Forecourt**: A frontage wherein a portion of the facade is close to the frontage line and the central portion is set back. The fore- court with a large tree offers visual and environmental variety to the urban street streetscape. The forecourt may accommodate a vehicular drop-off.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
				**Gallery**: A frontage wherein the facade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than 10 feet wide and may overlap the whole width of the sidewalk to within 2 feet of the curb. Notwithstanding the graphic, encroachments will not be permitted.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2

Section		Plan		Description	Transects	
Lot	ROW	Lot	ROW		Allowed	
					Not Allowed	
				**Porch Engaged:** The main façade 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.	T4-MS T4N-SV T5-MS T5N-LV SD-1	T4-F T4N-MV T5-F T5N-MV SD-2
				**Porch Projecting:** The main façade 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 projecting porch is open on three sides and all habitable space is located behind the setback line	T4-MS T4N-SV T5-MS T5N-LV SD-1	T4-F T4N-MV T5-F T5N-MV SD-2
				**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.	T4-MS T4N-SV T5-MS T5N-LV SD-1	T4-F T4N-MV T5-F T5N-MV SD-2
				**Stoop**: A frontage wherein the facade is aligned close to the frontage line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.	T4-MS T4N-SV T5-MS T5N-LV SD-1	T4-F T4N-MV T5-F T5N-MV SD-2

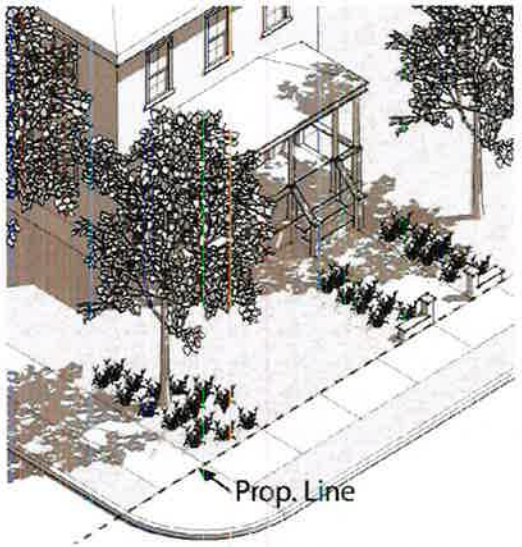
Common Yard

Section		Plan	
Lot	ROW	Lot	ROW
			

A.	Description

In the Common Yard frontage type, the main façade of the building has a large, planted setback from the frontage line providing a buffer from the higher speed thoroughfares. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape and working in conjunction with the other private frontages.

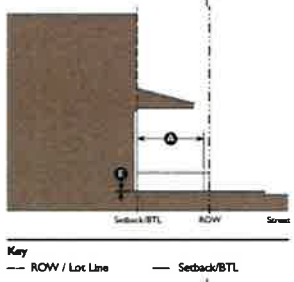
B.	Size	
	Depth (A)	20' min.
C.	**Miscellaneous**	
	(B)	Fences between front yards or between the sidewalk and front yard are not allowed.
	(C)	Common Yards shall be used in conjunction with another allowed frontage type, such as the Porch Frontage Type.

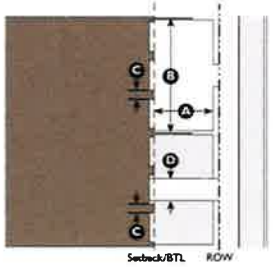


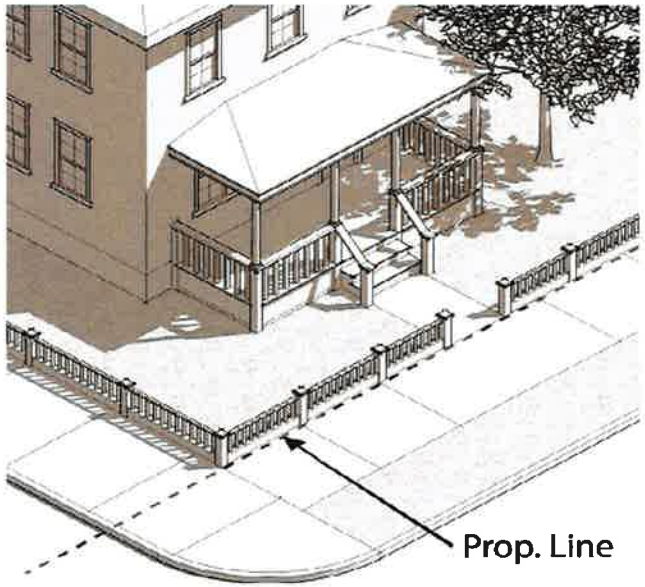


Dooryard

Section		Plan	
Lot	ROW	Lot	ROW







A. Description

The frontage line is defined by a low wall or hedge and the main façade of the building is set back a small distance creating a small dooryard. The dooryard shall not provide public circulation along a ROW. The dooryard may be raised, sunken, or at grade and is intended for ground-floor residential, live/work, and small commercial uses < 2500sf.

B. Size

Depth, clear (A)	8' min.
Length (B)	50' max.
Distance between glazing (C)	4' max.
Ground floor transparency	50% min.[1]
Depth of recessed entries	5' max
Path of Travel (D)	3' wide min.
Finish level above sidewalk (E)	3-6" max.
Finish level below sidewalk (F)	6' max.



C. Miscellaneous

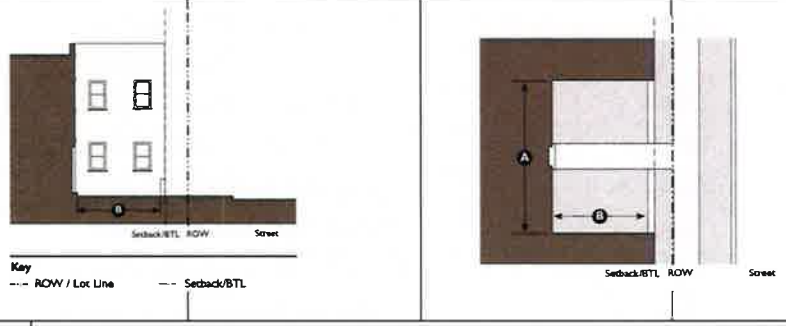
For live/work and Commercial uses, these standards are to be used in conjunction with those for shopfront Frontage Types. In case of conflict between them, the Dooryard standards shall prevail.

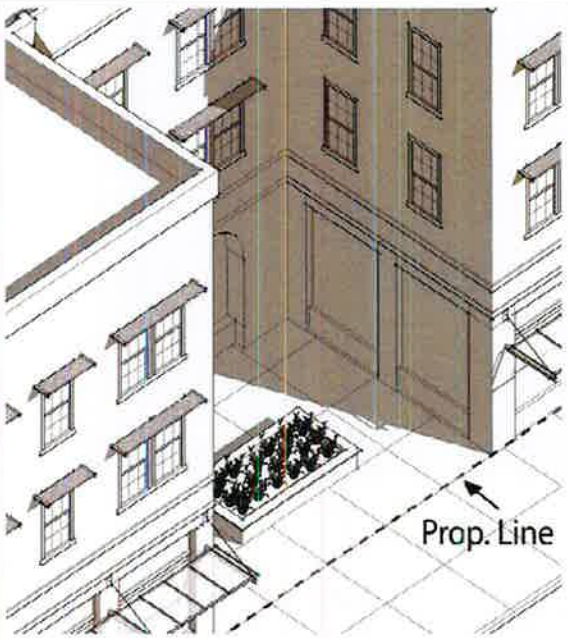
Low walls (12"-36") used as seating are encouraged and shall not be used for circulation for more than one ground floor entry.

[1] For Live/Work and Commercial uses only.

Forecourt

Section		Plan	
Lot	ROW	Lot	ROW





A. Description

The main façade of this building is at or near the frontage line and a small percentage is set back, creating a small court space. The space could be used as an entry court or shared garden space for apartment buildings, or as an additional shopping or restaurant seating area.

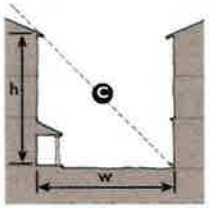
B. Size

Width, clear (A)	12' min.
Depth, clear (B)	12' min.
Ratio, height to width (C)	2:1 max.

C. Miscellaneous

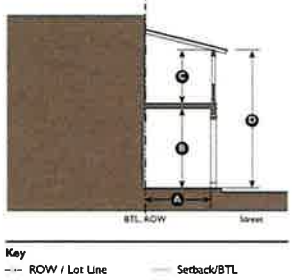
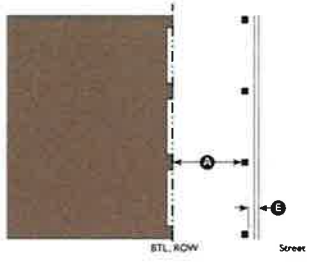
Forecourts should be used sparingly, and should not be repeated along a block frontage.

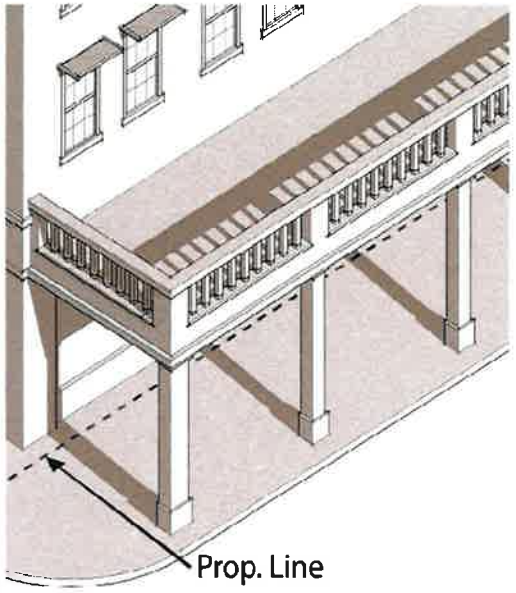
The proportions and orientations of these spaces should be carefully considered for solar orientation and user comfort.





Gallery

Section		Plan	
Lot	ROW	Lot	ROW
			





A.	**Description**

The main façade of the building is at the frontage line And the gallery element overlaps the sidewalk. This Type is intended for buildings with ground floor commercial Uses and may be one or two stories. The gallery should Provide the primary circulation along a frontage and Extent far enough from the building to provide adequate Protection and circulation for pedestrians.

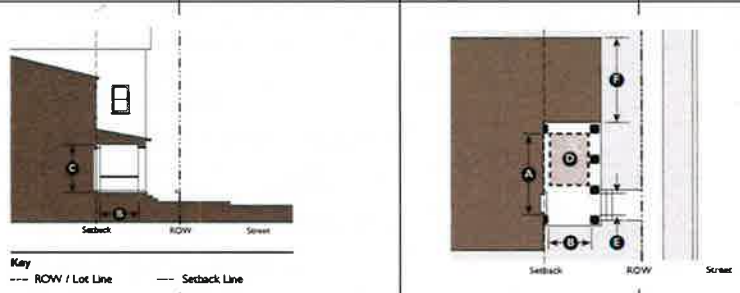
B.	**Size**
Depth, clear (A)	8' min.
Ground floor height, min. (B)	12' min.
Upper floor height, clear (C)	9' min.
Height (D)	2 stories, max
Setback from curb (E)	2' min.

C.	**Miscellaneous**

These standards are to be used in conjunction with those for the Shopfront Frontage Type. In case of conflict between them, the gallery standards shall prevail.

Porch Engaged

Section		Plan	
Lot	ROW	Lot	ROW





A.	**Description**

The main façade 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 engage porch has two adjacent sides of the porch that are engaged to the building while the other two are open.

B.	**Size**
Width, clear (A)	10' min.
Depth, clear (B)	8' min.
Height, clear (C)	8' min.
Height	2 stories, max
Furniture area, clear (D)	4' x 6' min.
Path of travel (E)	3' wide, min.

C.	**Miscellaneous**

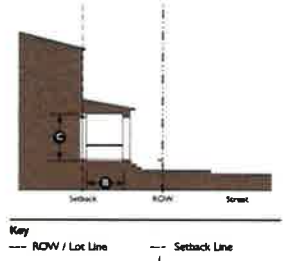
Up to 40% of the building façade may project beyond the setback line into the encroachment area for this frontage type.

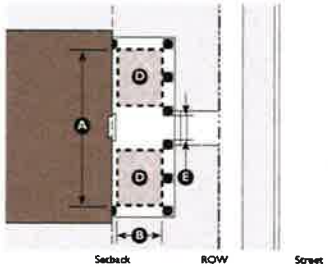
Engaged porches must be open on two sides and have a roof.

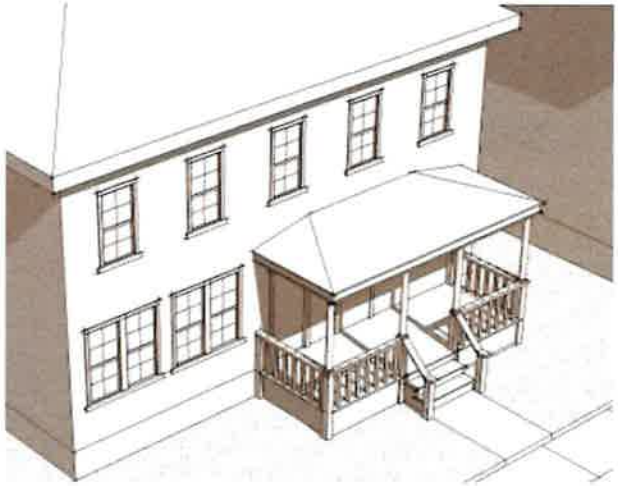


Porch Projecting

Section		Plan	
Lot	ROW	Lot	ROW









A.	Description

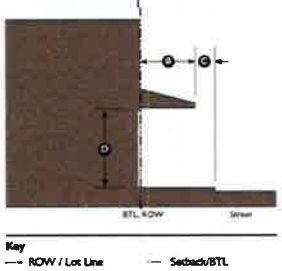
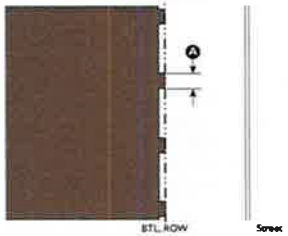
The main façade of the building has a small to medium setback from the frontage line. The resulting front yard is typically very small and can be defined by a fence or hedge to spatially maintain the edge of the street. The projecting porch is open on three sides and all habitable space is located behind the setback line.

B.	Size	
	Width (A)	10' min.
	Depth, clear (B)	8' min.
	Height, clear (C)	8' min.
	Height	2 stories, max
	Furniture area, clear (D)	4' x 6' min.
	Path of travel (E)	3' wide, min.

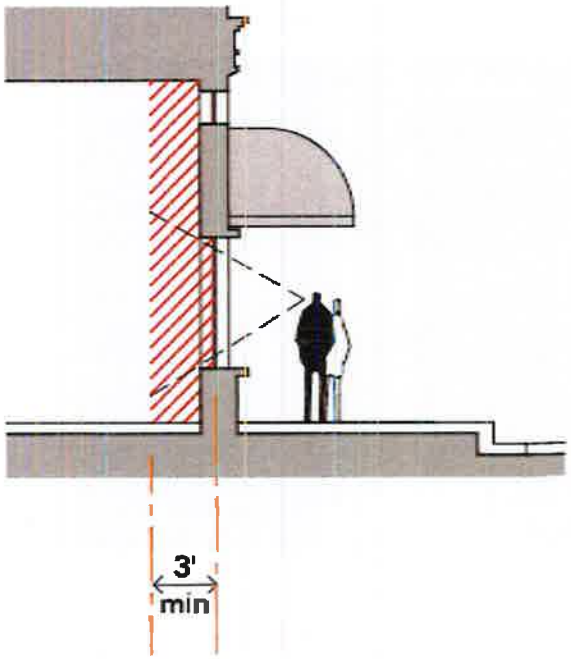
C.	Miscellaneous

Projecting porches are open on three sides and must have a roof.

Shopfront

Section		Plan	
Lot	ROW	Lot	ROW
			

A.	Description	
The main façade of the building is at or near the frontage line with an at-grade entrance along the public way. This type is intended for retail use. It has substantial glazing at the sidewalk level and may include an awning that may overhang the sidewalk. It may be used in conjunction with other frontage types.		
B.	**Size** (A)	
	Distance between glazing	2' max.
	Ground floor transparency (Section 20.11 Arch. Standards)	75% min.
	Depth of recessed entries	5' max.
C.	**Awning**	2 stories, max
	Depth (B)	4' min.
	Setback from curb (C)	2' min.
	Height, clear (D)	8' min.
D.	**Miscellaneous**	
Residential windows shall not be used.		
Doors may be recessed as long as main façade is at BTL.		
Open-ended awnings are encouraged.		
Rounded and hooped awnings are discouraged.		
Shopfronts with accordion-style doors/windows or other operable windows that allow the space to open to the street are encouraged.		

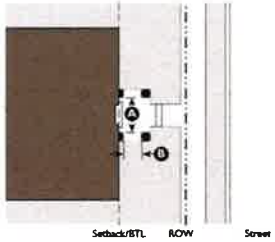


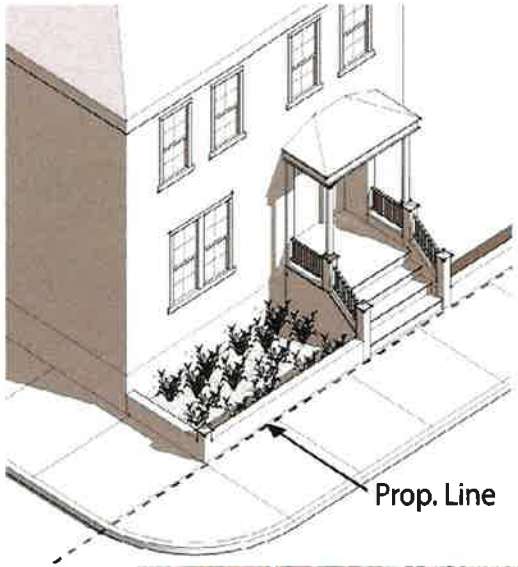


Stoop

Section		Plan	
Lot	ROW	Lot	ROW









A.	Description

The main façade of the building is near the frontage line and the elevated stop engages the sidewalk. The Stoop shall be elevated above the sidewalk to ensure privacy within the building. Stairs from the stoop may lead directly to the sidewalk or may be side-loaded. This type is appropriate for residential uses with small setbacks.

B.	Size
Width, clear (A)	5' min. – 8' max.
Depth, clear (B)	5' min. – 8' max.
Height, clear (C)	8' min.
Height	1 story, max
Depth of recessed entries (D)	6' max.

20.110.014(e) Building Types

This Subsection provides an overview of the allowed building types. The names of the building types are not intended to limit uses within a building type. For example, a detached house may have non-residential uses within it, such as a restaurant or office. Table 20.110-2 (Building Types General) provides an overview of building types.

1 The lot size standards for each building type ~~is~~are codified in the transect zones. (See 20.110.014(c), Place Types). The lot size designates the range of lot sizes on which the given building type is allowed to be built. If the lot is smaller or larger than the allowed lot size, a different building type shall be selected.

2 Each lot shall only have one building type, except as follows:

i. Where allowed by the applicable zone in Section 20.110.014(c)- (Place- Types) and primary building type, one Carriage House is also allowed; and/or:

ii. More than one building type is allowed on a lot if the submitted building permit application includes a site plan that meets all the requirements of Section 20.110.014(c) (Place Types).

3. The Carriage House building type is the only accessory structure in which accessory dwelling units are allowed in transect zones.

4. Secondary wings and accessory structures shall have a smaller footprint, a narrower width, and a depth not greater than the main building.

Table 20.110-3 Building Types – Allowed Transect Zones

	**Carriage House.** This building type is an accessory structure typically located at the rear of a lot. It typically provides either a small residential unit, home office space, storage, or other small commercial or service use that may be above a garage or at ground level. This type is important for providing affordable housing opportunities and incubating small businesses within walkable neighborhoods.	T4-MS T4-F T4N-SV T4N-MV T5-MS T5-F T5N-LV T5N-MV SD-1 SD-2
	**Cottage Court.** This building type consists of a series of small, detached structures providing multiple units arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private rear yard and becomes an important community-enhancing element of this type. This type is appropriately scaled to fit within primarily single-family or medium- density neighborhoods. It enables appropriately scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.	T4-MS T4-F T4N-SV T4N-MV T5-MS T5-F T5N-LV T5N-MV SD-1 SD-2
	**Courtyard Building.** The Courtyard building type is a medium to large building typically located at the front of a lot. The structure consists of multiple stacked and/or adjacent units accessed primarily from a courtyard defined on three sides by the building and open on one side to the fronting street. The shared courtyard provides a place of common yard or gathering space. The courtyard building would be best suited along a main street or in higher density neighborhoods.	T4-MS T4-F T4N-SV T4N-MV T5-MS T5-F T5N-LV T5N-MV SD-1 SD-2
	**Duplex, Vertical.** This building type is a small to medium sized structure that consists of two side-by-side or stacked dwelling units, both facing the street and within a single building massing. This type has the appearance of a medium to large single-family home and is appropriately scaled to fi t within primarily single-family neighborhoods or medium-density neighborhoods. It enables appropriately-_scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.	T4-MS T4-F T4N-SV T4N-MV T5-MS T5-F T5N-LV T5N-MV SD-1 SD-2
	**Flex.** The Flex building type is a medium to large sized structure, 1 to 3 stories tall, build of a large lot that incorporates structured parking. It can be used to provide a vertical mix of uses with ground floor light industrial, service, or retail uses and upper floor service or residential uses. The ground floor can be initially used for residential until the commercial market matures at which time the space can be converted to higher commercial use. This type is a primary component of an urban flexible neighborhood that provides a mix of buildings that can readily change use over time.	T4-MS T4-F T4N-SV T4N-MV T5-MS T5-F T5N-LV T5N-MV SD-1 SD-2
	**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.	T4-MS T4-F T4N-SV T4N-MV T5-MS T5-F T5N-LV T5N-MV SD-1 SD-2

Allowed	
Not Allowed	

	**Main Street Mixed-Use.** This building type is a small-to medium-sized structure, typically attached, intended to provide a vertical mix of uses with ground-floor retail, or service uses and upper-floor service, or residential uses. This type makes up the primary component of a neighborhood main street and portions of a downtown main street, therefore being a key component to providing walkability.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
	**Mid-Rise.** This building type is medium to a medium-to large-sized structure, built on a large lot that typically incorporates structured parking. It can be used to provide a vertical mix of uses with ground-floor retail, or service uses and upper-floor service, or residential uses; or it may be used as a single-use building, typically service or residential, where ground floor retail is not appropriate. This type is a primary component of a downtown main street and higher densities that promote walkability.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
	**Multi-Plex: Medium** This building type is a medium structure that consists of 3-8 side-by-side and/or stacked dwelling units typically with one shared entry or individual entries along the front. This type has the appearance of a medium-sized family home and is appropriately scaled to fit sparingly within primarily single-family neighborhoods or into medium-density neighborhoods. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
	**Multi-Plex: Large.** This building type is a medium-to large-sized structure that consists of 8-20 side-by-side and/or stacked dwelling units, typically with one shared entry. This type is appropriately scaled to fit in within medium-density neighborhoods or sparingly within large lot predominantly single-family neighborhoods. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
	**Row House / Townhouse.** This building type is a small-to medium sized typically attached structure that consists of 2-8 row houses placed side-by-side. ~~In a feature unique to Cincinnati, this type may also occasionally be detached with minimal separations between the buildings.~~ 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 appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types *and promoting walkability.*	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2
	**Stacked Flats.** This building type is a medium-to large-sized structure that consists of multiple dwelling units accessed from a courtyard or series of courtyards. Each unit may have its own individual entry, or may share a common entry. This type is appropriately scaled to fi t adjacent to neighborhood serving main streets and walkable urban neighborhoods. It enables appropriately- scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability. This building type may include a courtyard.	T4-MS, T4-F, T4N-SV, T4N-MV, T5-MS, T5-F, T5N-LV, T5N-MV, SD-1, SD-2

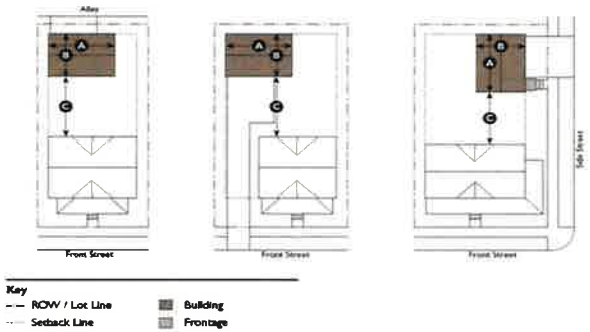
Allowed	■
Not Allowed	□

Carriage House

A. Description

The carriage House building type is an accessory structure typically located at the rear of a lot. This structure typically provides either a small residential unit, storage space, home office space, or other small commercial or service use that may be above a garage or at ground level. This building type is important for providing affordable housing opportunities and incubating small businesses within walkable neighborhoods.





B. Lot

Only allowed on lots where the main building has a residential use and is one of the following building types: Duplex, Row House, and Multi-Plex: Small.

C. Number of Units

Units per Building	1 max.
Carriage Houses per Lot	1 max.

D. Building Size and Massing

Height

Per transect zone standards in Section 20.110.014(c).

Main Body

Width (A)	36' max.
Depth (B)	30' max.
Separation from Main Building (C)	10' min.[1]

E. Allowed Frontage Types

Stoop

Carriage houses are not required to have a frontage type.

F. Pedestrian Access

Main Entrance Location: Side Street

Alley

Internal to the Lot

The main entrance may not be through a garage.

G. Vehicle Access and Parking

Parking may be accessed from the alley, side street or front street.

Parking may only be accessed from the front when there are no adjacent alley or side street.



H. Private Open Space

The private open space requirements for the lot shall be determined by the main building on the lot. No additional private open space is required by a carriage house.



Miscellaneous

Carriage houses shall not be taller or have a larger footprint than the main building on the lot.

Footnotes

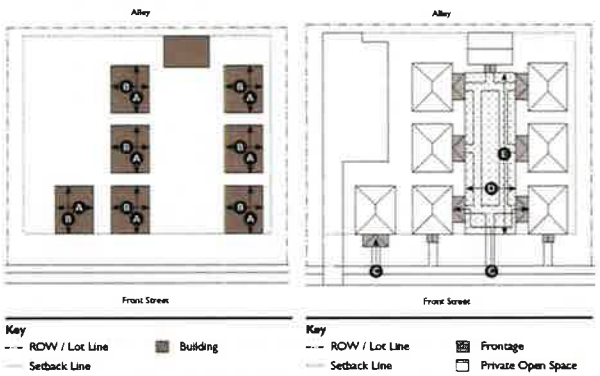
[1] Carriage houses may be connected to the main building by an uninhabitable space such as a breezeway.

Cottage Court

A. Description

The cottage court Building Type consists of a series of small, detached structures, providing multiple units arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private rear and becomes an important community enhancing element of this type. The type is appropriately scaled to fit within primarily single family or medium density neighborhoods. It enables appropriately scaled, well designed higher densities and is important for providing a broad choice of housing types, the potential for affordable housing and the promotion of walkability.





B. Number of Units

Units per Building	1 max.
Cottage Buildings per Lot	3 min.: 9 max.

C. Building Size and Massing

Height	1-1/2 stories max.
Main Body	
Width (A)	32' max.
Depth (B)	24' max.



D. Allowed Frontage Types

Porch: Projecting

Stoop

E. Pedestrian Access

Main Entrance Location (C):

Front Street

F. Common Open Space

Width (D)	20' min.
Depth (E)	20' min.
Area	400 sf per unit min.



Miscellaneous

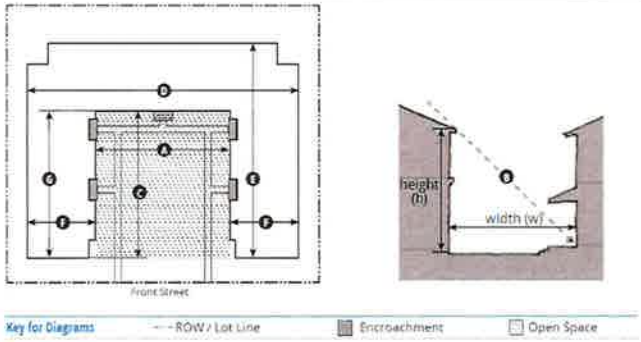
Required street setbacks and driveways shall not be included in the private open space calculation.

Courtyard Building

A. Description

The Courtyard building type is a medium to large building typically located at the front of a lot. The structure consists of multiple stacked and/or adjacent units accessed primarily from a courtyard defined on three sides by the building and open on one side to the fronting street.





B. Courtyard (s)

Width (A)	20' min.; 50' max.
Width-to-Height Ratio[1] (B)	1:2 min.; 2:1 max.
Depth from front of building (C)	20' min.; 50' max.
Depth-to-Height Ratio[1] (B)	1:1 to 3:1
Area Total	400 sf min.; 50 sf/unit min.

C. Building Size and Massing

Main Body Footprint	
Width (D)	100' max.
Depth (E)	100' max.
Wing Footprint	
Width (F)	28' max.
Depth (G)	50' max.

D. Allowed Frontage Types

Stoop

E. Pedestrian Access

Pedestrian connections shall link all buildings to the public right of ways, courtyards, and parking areas

The primary entry of ground floor units shall be directly off of a courtyard or street.

No more than 3 units may enter from one stoop.

On corner lots, units in side street facing wing may enter from the side street.

Courtyards shall be accessible from the front street.

Each unit may have an individual entry.



F. Private Open Space

No private open space requirement.

G. Common Areas

Courtyard area shall be common open space.



Miscellaneous

A minimum of three courtyard edges shall be defined by the building.

Minimum 75% of units shall front onto the courtyard.

Footnotes

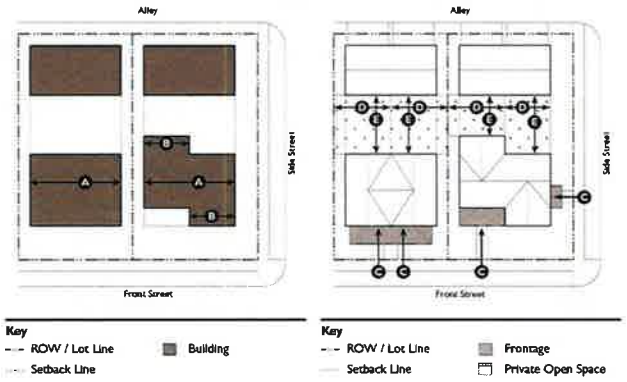
[1] Height must also comply with height standards in each transect.

Duplex, Vertical

A. Description

The Duplex Building Type is a small to medium sized structure that consists of two side by side or stacked dwelling units, both facing the street, and within a single building massing. This type has the appearance of a medium to large ~~single family~~single-family home and is appropriately scaled to fit within primarily single family neighborhoods or medium density neighborhoods. It enables appropriately scaled, well designed higher densities and is important for providing a broad choice of housing types and promoting neighborhood walkability





B. Number of Units

Units per Building	2 max.
Duplexes per Lot	1 max.

C. Building Size and Massing

Height

Per transect zone standards in Section 20.110.014(c).

Main Body

Width (A)	48' max.

Secondary Wing (S)

Width (B)	30'max.

D. Allowed Frontage Types

- Porch: Engaged
- Porch: Projecting
- Stoop
- Common Yard
- Dooryard

E. Pedestrian Access

Main Entrance Location (C):

Front Street

Each unit shall have an individual entry facing the street on or no more than 10' behind the façade.

On corner lots each unit shall front a different street.



H. Private Open Space

Width (D)	15' per unit min.
Depth (E)	15' per unit min.
Area	300 sf per unit min.



Miscellaneous

Required street setbacks and driveways shall not be included in the private open space area calculations.

Required private open space shall be located behind the main body of the building.

Flex Building

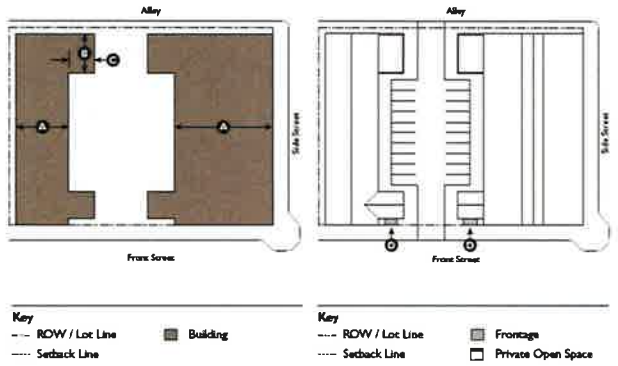
A. Description

The Flex building type is a medium to large sized structure, 1 to 3 stories tall, build of a large lot that incorporates structured parking. It can be used to provide a vertical mix of uses with ground floor light industrial, service, or retail uses and upper floor service or residential uses. The ground floor can be initially used for residential until the commercial market matures at which time the space can be converted to higher commercial use. This type is a primary component of an urban flexible neighborhood that provides a mix of buildings that can readily change use over time.



F. Private Open Space

No private open space requirement.



D. Allowed Frontage Types

Forecourt
Shopfront
Gallery
Stoop

E. Pedestrian Access (D):

Ground floor units may have individual entries along the front street or side street.



B. Number of Units

Unrestricted

C. Building Size and Massing

Height	**2 story min.: 4 story max.**

Height shall also comply with transect zone standards in Section 20.110.014(c).

Main Body	
Width (A)	150' max.
Secondary Wing (s)	
Width (B)	60'max.
Depth (C)	60' max.

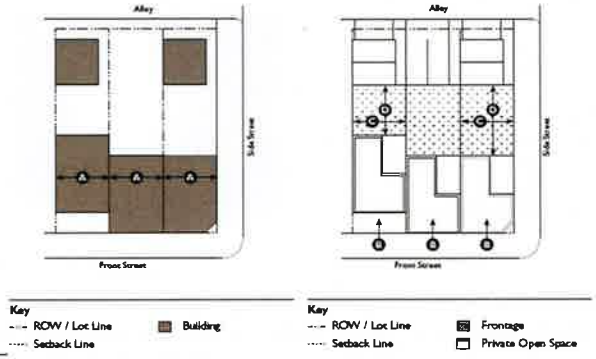


Live / Work

A. Description

The Live/Work 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. In limited situations, this building type can be used for some incubator light industrial applications as well. 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 commercial market matures.





B. Number of Units

Units per Building	4 max.
Each Live / Work pair of units shall be used by the same owner.	
Live / Work Buildings per Lot	2 max.

C. Building Size and Massing

Height	2 stories max.
	4 stories max.[1]
Main Body	
Width (A)	18' min.: 36' max.

D. Allowed Frontage Types

- Forecourt
- Dooryard
- Shopfront
- Gallery

E. Pedestrian Access

Main Entrance Location (C):

Front Street

Ground floor space and upper unit shall have separate entries.



F. Private Open Space

Width (C)	20' min.
Depth (D)	20' min.
Area	15% of total lot



Footnotes

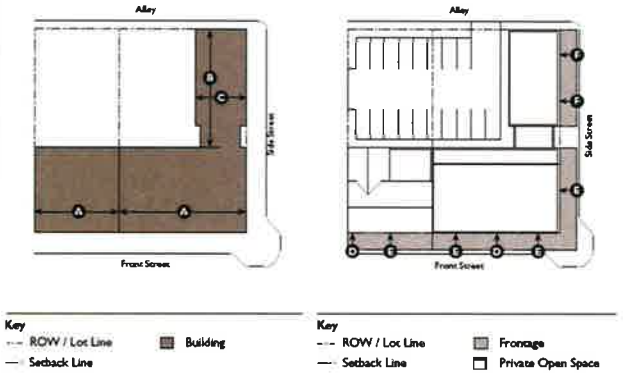
[1] Height shall also comply with transect zone standards in Section 20.110.014 (c)

Main Street Building

A. Description

The Main Street Mixed Use building type is a small to medium sized structure, typically attached, intended to provide a vertical mix of uses with ground floor retail or service uses and upper floor service or residential uses. This type makes up the primary component of a neighborhood main street and portions of a downtown main street, therefore being a key component to a walkable quality place.





B. Number of Units

Units per Building	2 min.

C. Building Size and Massing

Height	2 stories min.
	5 stories max.[1]
Main Body	
Width (A)	150' max.
Secondary Wing (s)	
Width (B)	100' max.
Depth (C)	65' max.

D. Allowed Frontage Types

Forecourt
Dooryard
Shopfront
Gallery

E. Pedestrian Access

(D)	Upper floor units located in the main building shall be accessed by a common entry along the front street.
(E)	Ground floor units may have individual entries along the front street or side street.
(F)	On corner lots, units in a secondary wing/accessory structure may enter from the side street.



F. Private Open Space

No private open space requirement.



Footnote

[1] Height shall also comply with transect standards in Section 20.110.014 (c)

Mid-Rise

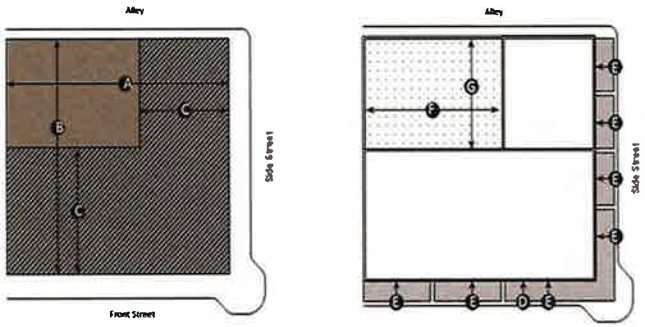
A. Description

This building type is medium to a medium-to large-sized structure, built on a large lot that typically incorporates structured parking. It can be used to provide a vertical mix of uses with ground-floor retail, or service uses and upper-floor service, or residential uses; or it may be used as a single-use building, typically service or residential, where ground floor retail is not appropriate. This type is a primary component of a downtown main street and higher densities that promote walkability.



F. Private Open Space

No private open space requirement.



D. Allowed Frontage Types

	Dooryard
	Forecourt
	Gallery
	Shopfront
	Stoop

E. Pedestrian Access

Upper-Floor (D)	Units shall be accessed by a common entry along the front street.
Ground-Floor (E)	Units may have individual entries along the front street or side street.



B. Number of Units

Unrestricted

C. Building Size and Massing

Height

Per transect zone standards in Section 20.110.014(c).

Main Body

Floors 1-2	
Width (A)	150' max.
Depth (B)	150' max.
Floors 3+	
Width (C)	65' max.



G. Courtyard (s)

Courtyards where provided shall meet the following standards:

Width (F)	20' min.; 50' max.
Width-to-Height Ratio	1:2 to 2:1
Depth (G)	20' min.; 150' max.
Depth-to-Height Ratio	1:1 to 3:1

Miscellaneous

The floorplate of any floor may not be larger than the floor below.

Multi-Plex: Medium

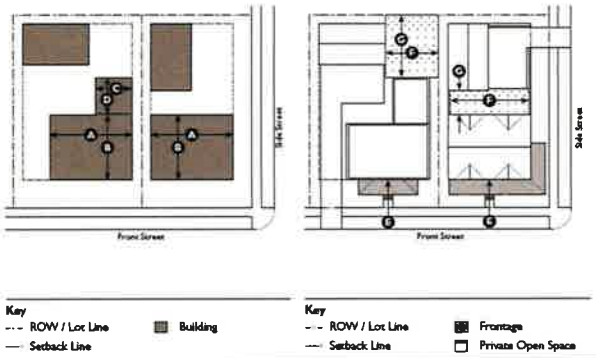
A. Description

The Multiplex Medium building type is a medium structure that consists of a maximum of 10 side by side or stacked dwelling units, typically with one shared entry or individual entries along the front. This type has the appearance of a medium sized family home and is appropriately scaled to fit sparingly within primarily ~~single family~~single-family neighborhoods or into medium density neighborhoods. This type enables appropriately scaled, well designed higher densities and is important for providing a broad choice of housing types, particularly affordable housing, and promoting local walkability.



F. Private Open Space

Width (F)	8' min.
Depth (G)	8' min.
Area	100 sf min.



D. Allowed Frontage Types

Porch: Engaged

Porch: Projecting

Stoop

E. Pedestrian Access

Main Entrance Location (E):

Front Street

Each unit may have an individual entry.



B. Number of Units

Units per Building	10 max.
Small Multiplex per Lot	1 max.

C. Building Size and Massing

Height

Per transect zone standards in Section 20.110.014(c).

Main Body

Width (A)	48' max.
Depth (B)	48' max.

Secondary Wing (s)

Width (C)	30 'max.
Depth (D)	30' max.



Miscellaneous

The footprint area of an accessory structure may not exceed the footprint of the main body of the building.

Required street setbacks and driveways shall not be included in the private open space calculation.

Required private open space shall be located behind the main body of the building.

Multi-Plex: Large

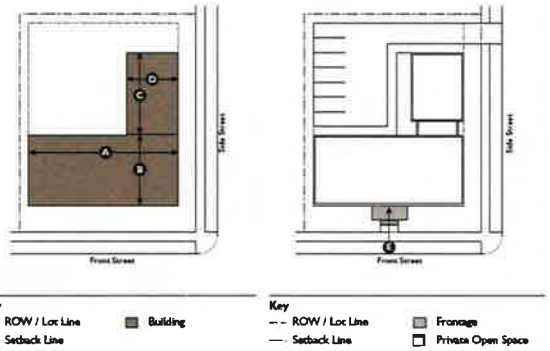
A. Description

The Multiplex: Large building type is a medium to large size structure that consists of 11 or more side by side and/or stacked dwelling units, typically with one shared entry. This type is appropriately scaled to fit within medium density neighborhoods or sparingly within large lot predominately ~~single family~~single-family neighborhoods. This type enables appropriately scaled, well designed higher densities and is important for providing a broad choice or housing types, including the potential for affordable housing, and promoting walkable neighborhoods.



F. Private Open Space

No private open space requirement.



D. Allowed Frontage Types

Porch: Projecting

Forecourt

Stoop

E. Pedestrian Access

Main Entrance Location (E):

Front Street

Each unit may have an individual entry.



B. Number of Units

Units per Building	11 min.
Large Multiplex per Lot	1 max.

C. Building Size and Massing

Height

Per transect zone standards in Section 20.110.014(c).

Main Body

Width (A)	80' max.
Depth (B)	75' max.

Secondary Wing (s)

Width (C)	48 'max.
Depth (D)	36' max.



Miscellaneous

The footprint area of an accessory structure may not exceed the footprint of the main body of the building.

Units located in the main body shall be accessed by a common entry along the front street.

On corner lots, units in a secondary wing may enter from the side street.

Row House / Townhouse

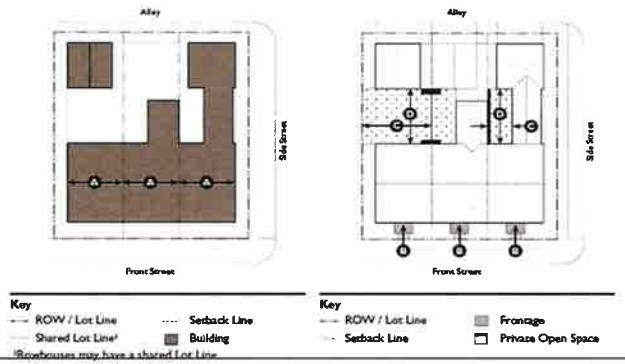
A. Description

The Row House/Townhouse building type is a small to medium sized typically attached structure that consists of 2-8 Row Houses palace side by side. They may also be detached with minimal separation between the buildings. This type is typically located within medium density neighborhoods or in a location that transitions from a primarily ~~single family~~single-family neighborhood into a neighborhood main street. The type enables appropriately scaled, well designed higher densities and is important for providing a broad choice of housing types and price ranges as well as promoting walkable neighborhoods.



F. Private Open Space

Width (C)	8' min. per unit
Depth (D)	8' min. per unit
Area	100 sf per min.



D. Allowed Frontage Types

Porch: Engaged

Porch: Projecting

Stoop

E. Pedestrian Access

Main Entrance Location (B):

Front Street

Each unit may have an individual entry facing a street.



B. Number of Units

Units per Row House / Townhouse	1 max. per floor
Row Houses / Townhouses per Lot	1 min.
Row Houses / Townhouses per Run	2 min.: 8 max.

C. Building Size and Massing

Height

Per transect zone standards in Section 20.110.014(c).

Main Body

Width (A)	18' min.
	36' max.



Miscellaneous

The footprint area of an accessory structure may not exceed the footprint of the main body of the building.

Required street setbacks and driveways shall not be included in the private open space area calculation.

Required private open space shall be located behind the main body of the building.

Stacked Flats

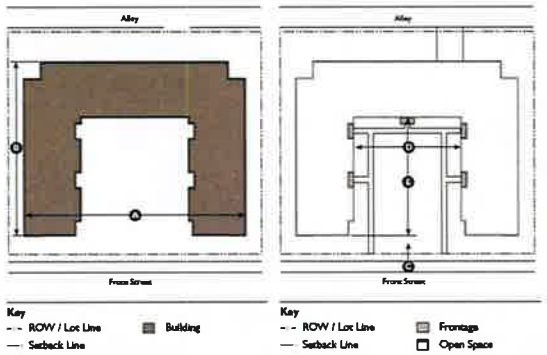
A. Description

A medium to large sized structure that consists of multiple dwelling units accessed from a courtyard or series of courtyards. Each unit may shave its own individual entry, or may share a common entry. This type is appropriately scaled to fit adjacent to local serving main streets and walkable urban neighborhoods. It enables appropriately scaled, well designed higher densities and is important for providing a broad choice of housing types, including affordable housing, and promoting neighborhood walkability. This building type may include a courtyard.



F. Private Open Space

No private open space requirements.



D. Allowed Frontage Types

Forecourt
Porch: Projecting
Stoop

E. Pedestrian Access (C):

Units shall enter from a courtyard or a street.

Courtyards shall be accessible from the front street.

Each unit may have an individual entry.



B. Number of Units

Units per Building	12 min.
Stacked Flats per Lot	2 max.

C. Building Size and Massing

Height	see footnote [1]
Main Body	
Width (A)	280' max.
Depth (B)	220' max.



Courtyard (s)

Width	40'min. /160'max.
Width/Height Ratio	1:2 min.; 3:1 max.
Depth	40'min. /150'max.
Depth/Height Ratio	1:2 or 3:1
Area (Total)	400 sf min.
	50 sf min per unit

Footnotes

[1] Height shall also comply with transect zone standards in Section 20.110.014 (c)

20.110.014(f) Block, Thoroughfare and Public Rights of Way Standards

All new construction, reconstruction, and reconfiguration of blocks, streets, rights-of-way, or public frontages must comply with this section.

1. Block Standards

General

The development block is the land area defined and enclosed by the street grid. It can vary considerably in shape and size according to the configuration of streets, preferred orientation and topography, as well as the nature of individual development projects and the building types that are to be accommodated. The majority of land area contained within Arlington's Quality Places is either undeveloped or poised for redevelopment. The existing street grid in these areas is similarly either broadly defined, or undefined.

For this reason, precise, quantitative block sizes and shapes will be determined as development progresses in these areas. As this development occurs, block sizes, shapes, and orientations will conform to the following standards:

i. Face the Street. The most fundamental requirement in structuring predictable build form within development blocks is to make a clear distinction between public fronts and private backs. Buildings which front streets, squares and parks present their public face to the outside world and give life to it. Public fronts and private backs are made distinct when primary access is from the street, the ~~principle~~principal frontage. Both Private Frontage types (Section 20.110.014(d) Frontage Types) and Public frontage types (Section 20.110.014(f) (2)) will be followed in the design and configuration of development blocks.

ii. Respect privacy. The distance between backs of properties needs to be considered in terms of privacy. Individual lot depths and building placement is detailed in Section 20.110.014(c) Place Types.

iii. Line the Perimeter. Lining the edges of blocks with a perimeter of buildings accommodates a diversity of building types and uses at medium to high densities, while ensuring that buildings relate positively to the public realm. As a general rule, a perimeter depth of 35 feet for fine-grained mixed use or housing and 70 feet for retail/commercial development provides a starting point and can be refined to reflect specific planned building types.

iv. Provide continuity of street frontage. Particularly along Main Streets, a direct frontage to pavement relationship assists commercial viability and street vitality. Continuous building lines along a block edge are more successful at providing good enclosure to a street or park and generating "active frontage" with frequent doors and windows animating the public realm. Use continuous frontages as far as possible, by adhering to a common building line. Where a looser framework of buildings is required, these are best absorbed into the perimeter block, positioned near to the street with walls, fences, and other landscape features used to close the visual gaps. Projections and set-backs from the building line can be used to add emphasis, but the function of the resulting spaces must be clearly defined.

v. For walkability and connectivity, smaller blocks are preferred.

1. In considering the optimum size of development blocks, a trade-off has to be struck between:
   a. Ease of access.
   b. The ability to sustain a variety of building types and uses.
   c. The ability to change and adapt over time.
2. A general guide to block sizes is that blocks widths of 350 feet to 450 feet enable this trade-off to be achieved in a variety of different urban locations and circumstances, reducing to 200 feet to 250 feet along centers of commercial activity.

vi. Block Shape. Square blocks generally offer the most flexible basis for accommodating a range of commercial and residential buildings and more options for internal treatment.

Rectangular blocks with depths of over 450 feet are more suitable for larger buildings, such as factories and warehouses, and more properly belong in industrial and general commercial areas.

Rectangular blocks of 250 feet in width and up to 300 feet in depth oriented with their short side onto the main street are beneficial in increasing connectivity with the surrounding neighborhoods and providing more crossings and intersections, which serve to slow traffic, making it easier and safer for pedestrians and cyclists. Residential buildings are able to line the quiet sides of the block.

Irregular blocks can be molded to respond to topography and the creation of focal points such as parks or trails with building frontages that are not necessarily parallel.

vii. Connectivity: The size and shape of urban blocks exert a defining influence on connectivity. Ideal urban connectivity is a balance of factors influencing ease of travel by automobile, bicycle, public transit, and by foot. The City recognizes the importance of multi-modal transportation through its **Complete Streets Program**. Although precise measurements of connectivity are difficult, there exist a number of urban design elements which, where employed, have demonstrated improvement in multi-modal access. The following block standards (Table 20.110-4) will apply to both new and re-development within the ~~Mixed Use~~Mixed-Use Overlays. In re-developed areas, if local conditions, such as topography or existing street configuration prevents strict adherence to the standards, alternate methods that provide comparable connectivity may be employed with approval of the Director.

Table 20.110-4

Transect	Uninterrupted Block Length	Mid-Block Break Type	
		Primary Street	Side Street
T4N-SV; T4N-MV	500 ft. max.	Trail/Passage	Alley
T5N-MV; T5N-LV	400 ft. max.	Passage	Passage/Alley
T4N-MS; T4-F; T5-MS; T5-	250 ft. max.	Passage	Alley

2. Public Rights-of Way Standards

General

A right-of-way must be designed in relation to topographic and drainage conditions, public convenience and safety, and the existing and proposed development served by the right-of- way.

i. Accessibility

1. All public and private rights-of-way must conform to Public Right-of-Way Accessibility Guidelines (PROWAG) set forth by the United States Access Board.
2. All public and private vehicular rights-of-way must be complete streets, designed for safe, comfortable, and convenient movement both along and across rights-of-way by people of all ages and abilities, using multiple modes, consistent with the City's complete streets policy.

ii. Right-of-Way Types

1. All vehicular rights-of-way, whether publicly dedicated or privately held, must match one of the right-of-way types described by Section 20.110.014(f) (3), Thoroughfare Standards.
2. A vehicular, pedestrian, transit, or bicycle right-of-way type is a classification that reflects the general design parameters of the right-of-way, including, but not limited to, target speed, number of travel lanes, travel lane width, medians, and the width of certain elements of the pedestrian way are divided into the following:

a. Passage. A pedestrian connector passing between or through buildings, providing shortcuts through long blocks and sometimes connecting rear parking areas with frontages.
b. Alley. A vehicular drive located to the rear of lots providing access to service areas, parking, or accessory structures, and containing utility easements.
c. Lane. A narrow, slow movement thoroughfare, typically containing one travel lane.
d. Street. A local thoroughfare of low speed and capacity.

e. Avenue. A thoroughfare of high vehicular capacity and low speed, which is often a short distance connector between neighborhood centers or an approach to a civic building.
f. Boulevard. A long-distance thoroughfare that traverses an urbanized area and is designed for high vehicular capacity and moderate speed.
g. Multiway Boulevard. A variation of a boulevard characterized by a central roadway for through traffic and parallel lanes accessing abutting property, parking, and pedestrian and bicycle facilities.

iii. Right-of-Way Context. Rights-of-way must be consistent with the transect and the intended form and use of abutting property; i.e., a mixed-use right-of-way type would be consistent with a mixed-use zone, such as the T4-Main Street or T5N-Medium Volume zones.

iv. Right-of-Way Parameters. The required parameters for the right-of-way types described in Section 20.110.014(f) (3) are subject to the following additional considerations:

1. The pedestrian way must be articulated with well-defined frontage, throughway, furnishing, edge, and extension zones, as applicable, in accordance with Section 20.110.014(f)(3).
2. Where installed, bicycle facilities must be in accordance with Section 20.110.014(f) (xiii) Bicycle Facilities
3. Where installed, medians must be in accordance with Table 20.110-5: Median Dimensions.

TABLE 20.110-5: MEDIAN DIMENSIONS

MEDIAN TYPE	WIDTH (MIN/PREFERRED)
Median for access control	4'/6'
Median for pedestrian refuge	6'/8'
Median for street trees and lighting	6'/10'
Median for single left-turn lane, streets/avenues	10'/14'
Median for single left-turn lane, boulevards/multiway boulevards	12'/16'-18'
Median for multi-use path, double row of trees	20'/24'
Median for transit way	22'/24', plus 10' for each side platform, or 30' for center platform

4. Where curb parking is required, the curb parking must be provided to the maximum extent practicable on both sides of the vehicular way. Exceptions may be made for drop-off and loading zones, bus lanes/ busways, curb extensions and mid-block plazas, or enhanced pedestrian or bicycle facilities.
5. Street trees are required in accordance with Section 20.110.014(i) (3) (i), and 20.110.014(~~j~~i) (5) (i) Required Landscaping.
6. Street lighting must be installed in accordance with Section 20.110.014(~~j~~k) (2) Outdoor Lighting Standards

v. Right-of-Way Construction. All right-of-way construction and repair must be in accordance with standards and specifications set forth by the Director of Public Works. Any right-of-way work requires a right-of- way work permit per AMC Section 20.60.030.

vi. Public Use. All vehicular rights-of-way, whether publicly dedicated or privately held, must be available for public use at all

times. Gated rights- of-way and rights-of-way posted as private are not permitted. The Director Public Works may waive this requirement for public safety purposes, to facilitate construction or events, or for rights-of-way which serve sensitive governmental facilities.

vii. Waivers and Modifications. The Director of Public Works may waive or adjust the requirements of this section as follows:

vii. Where a constrained right-of-way width, existing drainage patterns, or natural features, such as established trees, do not allow for the required dimensions of the right-of-way type, alternative dimensions may be approved, so long as the design of the right-of-way:

1. Accommodates required access for people with disabilities and access to adjacent uses and transit stops.
2. Ensures the safety, and facilitates the expected levels, of pedestrian activity.
3. Provides adequate protection for pedestrians.

viii. Where the standards of this section are determined to not adequately protect the public health, safety, and welfare, alternative or additional standards may be applied.

Pedestrian Facilities

ix. Required Sidewalks

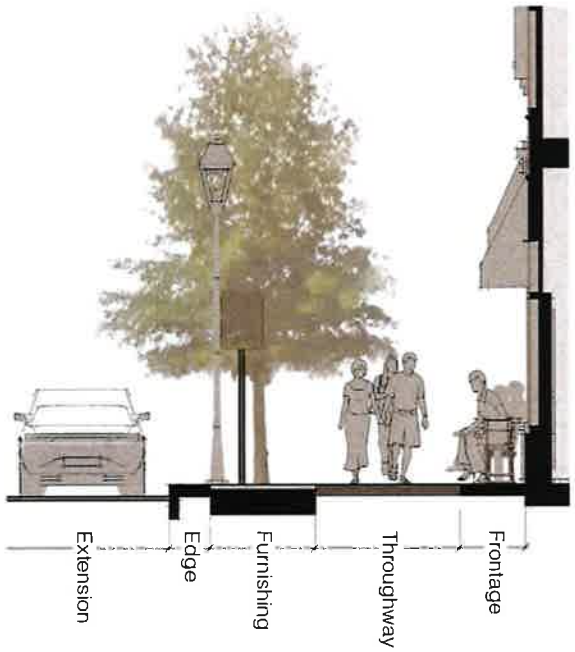
1. All development that involves new construction of a principal building, expansion of an existing principal building by 2,500 square feet or more, or substantial renovation of an existing principal building, must provide for sidewalks of the minimum dimensions prescribed by the right-of- way type per Section 20.110.014(f) (2) -Rights-of Way Standards. Sidewalks must be installed, widened, or modified, as appropriate, prior to the issuance of a certificate of occupancy.
2. Sidewalks must be maintained in a state of good repair by the owner of the property fronting any thoroughfare in accordance with Chapter 12.20.030 of the Municipal Code.
3. Sidewalks must be provided on both sides of all vehicular rights-of-way, except for alleys or where one side of the right-of-way is a steep vertical wall, railroad, or other feature to which the public does not require access.
4. Sidewalks must be paved with a fixed, nonslip material.
5. Sidewalks must be as straight and direct as possible, except to avoid established trees or unavoidable obstacles.
6. Where sidewalks cross driveways, the throughway zone must remain level, with no change in cross-slope. The appearance of the throughway zone, such as scoring pattern or special paving, must be maintained across the driveway to indicate that, although a vehicle may cross, the area traversed by a vehicle remains part of the pedestrian way.

x. Sidewalk Zones. The pedestrian way, composed of the portion of the right-of-way that typically includes the planting area and sidewalk and is measured from the curb line to the property line of the adjoining properties, must be articulated according to the following sidewalk zones:

1. Frontage Zone. The area adjacent to the property line that provides a transition between the public sidewalk and the building facade.
2. Throughway Zone. The portion of the sidewalk used for pedestrian travel that is clear of obstacles and provides a smooth walking surface.
3. Furnishing Zone. The portion of the sidewalk used for street trees, landscape, transit stops, street-lights, sidewalk cafes, and site furnishings.
4. Edge Zone. The area used by people getting in and out of vehicles parked at the curbside.
5. Extension zone. The area where pedestrian space may be extended into the parking lane, via features such as bulb-outs or mid-block plazas. The extension zone is an optional element subject to approval of the Director of Public Works.

Table 20.110-6: Streetscape element Location

Pedestrian Way Zone	Appropriate Elements (General)
Frontage Zone	Merchandise displays, cafe seating, furnishings aligned with building frontage, planting along building frontage
Throughway	Special paving
Furnishing Zone	Trees and plantings, seating, bicycle racks, kiosks, cafe seating, public art, utility boxes, transit shelters, other site furnishings
Edge Zone	Street-lights, parking meters, signage poles, bollards, noncontiguous tree basins
Extension Zone	Planting and seating areas in flexible parking zones or on curb extensions, trees in islands, transit shelters



xi. Streetscape Elements. The placement and layout of typical streetscape elements must be in accordance with Table 120.110-6: Streetscape Element Location.

xii. Sidewalk Zone Parameters. The required parameters for sidewalk zones for right-of-way types described in Section 20.110.014(f) (2) are subject to the following additional considerations:

1. At transit stops with shelters, the furnishing and edge zones should be widened to a minimum of four feet to provide wheelchair access to and in front of the shelter.
2. Where sidewalk cafes are anticipated in the frontage zone and/or furnishing zone, the frontage zone and/or furnishing zone should be at least six feet in width.
3. Where very high pedestrian volumes are expected, such as at transit transfer points, and theater entrances and exits, additional sidewalk width and special design attention, particularly at crossings, should be provided.

Bicycle Facilities

xiii. The following bicycle facilities may be considered in right-of-way construction, reconstruction, and reconfiguration projects, taking into consideration the appropriateness of the bicycle facility for the right-of-way type and surrounding context:

1. Sharrow. A marking placed in a vehicular travel lane to indicate that a bicyclist may use the full lane. Also called a shared-lane marking.
2. Bike Lane. A portion of the roadway that has been designated by striping, signage, and pavement markings for the preferential or exclusive use of bicyclists, typically located adjacent to motor vehicle travel lanes and flowing in the same direction as motor vehicle traffic.
3. Buffered Bike Lane. A conventional bicycle lane paired with a designated buffer space separating the bicycle lane from the adjacent motor vehicle travel lane and/or parking lane.
4. Contra-Flow Bike Lane. A bicycle lane designed to allow bicyclists to ride in the opposite direction of motor vehicle traffic, typically used to convert a one-way traffic street into a two-way

street, one direction being for motor vehicles and bikes, and the other being for bikes only.

5. Left-Side Bike Lane. A conventional bike lane placed on the left side of one-way streets or two-way median divided streets.

6. Cycle Track. An exclusive bike facility that combines the user experience of a separated path with the on-street infrastructure of a conventional bike lane. A cycle track is physically separated from motor traffic and distinct from the sidewalk.

7. Raised Cycle Track. A bicycle facility that is vertically separated from motor vehicle traffic, typically paired with a furnishing zone between the cycle track and motor vehicle travel lane and/or pedestrian area, and allowing for one-way or two-way travel by bicyclists.

8. Two-Way Cycle Track. A physically separated cycle track that allows bicycle movement in both directions on one side of the road.

Intersection Treatments

xiv. Curb Ramps

1. At intersections, ADA-compliant curb ramps enabling persons with special mobility needs to safety cross a roadway must be installed.

2. Curb ramps that align with the crosswalk, consistent with the direction of pedestrian travel, are preferred.

xv. Crosswalks.

1. A crosswalk, defined as a lateral extension of a sidewalk through an intersection, may be marked or unmarked. Legally, crosswalks exist at all intersections (including T-intersections) unless specifically prohibited.

2. Marked crosswalks, delineating preferred crossing routes for pedestrians and alerting other road users where to expect crossing pedestrians, should generally be installed and maintained at high priority intersections where greater pedestrian visibility is desired, such as at school crossings, where two or more transit routes cross, where traffic volumes exceed 2,000 Vehicles Per Day (VPD).

3. A marked crosswalk must align with curb ramps and be at least six feet in width. Where large volumes of pedestrians are expected at the intersection, high-visibility striping, such as continental striping, is preferred.

xvi. Curb Extensions

1. Curb extensions (also known as "bump- outs" or "bulb-outs") extend the sidewalk out into the street, usually to the edge of the on-street parking lane. The feasibility of curb extensions should be evaluated whenever curb ramps are installed or an intersection is reconstructed or reconfigured, giving careful consideration to potential impacts on delivery access, garbage and snow removal, and street sweeping.

2. Where installed, a curb extension may extend no greater than one foot less than the width of the parking lane. A curb extension must be at least 15 feet in length or, in the case of a curb extension designed to accommodate transit passenger boarding and alighting, long enough to encompass the front and rear doors of the transit vehicles that will use the curb extension.

3. The design and placement of street furniture, trees, and plantings on a curb extension may not impede pedestrian flow or interfere with corner visibility. Vertical elements should be used to alert drivers to the presence of a curb extension.

xvii. Pedestrian refuge islands

1. Pedestrian refuge islands, which can be used to divide travel lanes and provide spaces for pedestrians to safely wait while crossing the vehicular way, should be considered in the following circumstances:

a. Any pedestrian crossing where the vehicular way consists of four or more travel lanes.

b. Any intersection where signal timing may not allow pedestrians to cross in one phase.

c. Any intersection with difficult crossing geometry.

2. Where installed, a pedestrian refuge island should:

a. Have an area of at least 120 square feet with minimum dimensions of six feet in width and 20 feet in length.

b. Include an ADA-compliant channel of a minimum of five feet in width and six feet in depth. A channel of six feet in width and eight feet in depth is preferred.

c. Be designed to discourage vehicles from encroaching into it.

xviii. Pedestrian Signals

1. Pedestrian signals, which inform pedestrians when to cross at signalized intersections, may be required at signalized intersections. The inclusion of pedestrian signals that are accessible to the visually impaired are preferred.

2. Where pedestrian signals are installed, the pedestrian signal phase timing must comply with MUTCD standards.

xix. Mid-Block Crossings

1. Mid-block crossings provide convenient crossing locations for pedestrians where intersection crossing opportunities are distant, and may be considered in accordance ~~to~~with the Department of Public Works policy on midblock crossings.

2. Where installed, a mid-block crossing should:

a. Be placed generally within the middle third of the block side.

b. Be built with curb extensions, wherever advisable, to enhance pedestrian crossing visibility and reduce crossing distances.

3. Coincide with mid-block passages, if present.

xx. Roundabouts

1. Roundabouts, which are circular intersections in which vehicular traffic is slowed and flows almost continuously in one direction around a central island to several exits onto intersecting rights-of-way, may be considered where it is desirable to increase vehicular capacity at intersections, slow traffic, and reduce the severity of collisions.

2. If installed, a roundabout must be in accordance with the FHWA's Roundabouts: An Informational Guide.

xxii. Traffic Control Devices

All traffic control devices, such as right-of-way signs, pavement markings, and traffic signals, must be consistent with the Manual on Uniform Traffic Control Devices (MUTCD).

xxii. Traffic Calming Measures

1. Traffic calming measures, such as full closures and half closures, speed tables, lateral shifts and chicanes, knockdowns, chokers, and center island narrowing, may be considered in right-of-way construction, and reconfiguration projects, subject to approval by the Director of Public works.

xxiii. Road Diets

Wherever an existing right-of-way is reconstructed or reconfigured, consideration must be given to the appropriateness of a road diet, defined as a reduction in the number or width of travel lanes within a right- of-way allowing reallocation of vehicular space to alternative uses (i.e., parking lanes, bicycle facilities, medians, pedestrian refuge islands, or widened sidewalks or planting strips). A road diet is typically appropriate on rights-of-way carrying fewer VPD than the right-of-way is designed to accommodate (i.e., a right-of-way with four travel lanes carrying less than 20,000 VPD may be a prime candidate for a four-lane to three-lane conversion).

Thoroughfare Standards

xxiii. Street Types

This section describes the right-of-way types and their required and preferred parameters, which are derived from the ITE Walkable Urban Thoroughfares Manual and NACTO Urban Bikeway Design Guide.

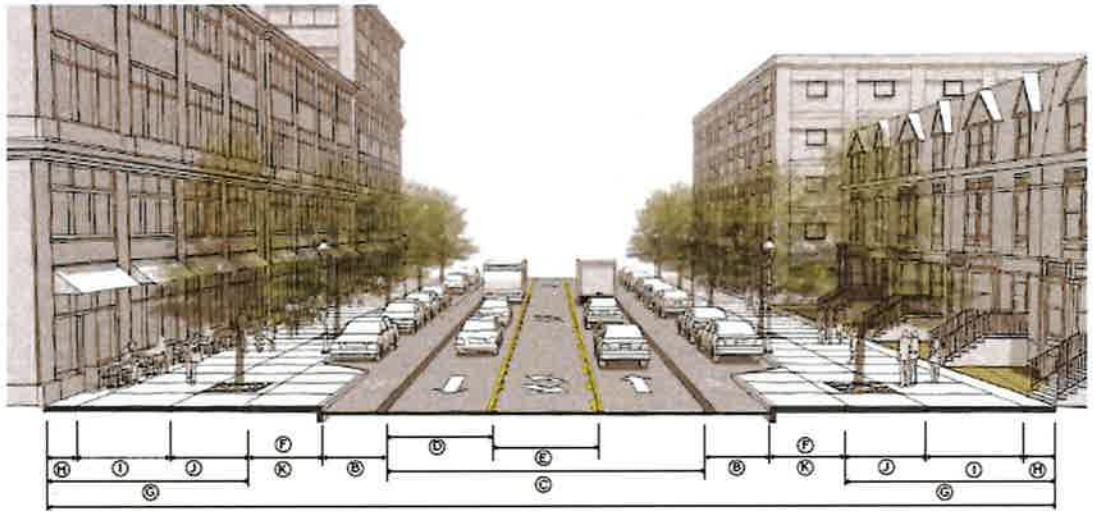
The illustrative examples provided in this section communicate one possible configuration of each right- of-way type. By applying the requirements outlined and working with the Director of Public Works, various configurations may be determined acceptable.

Alley



Traffic Volume Range	Less than 1,000 VPD		Number of Travel Lanes (B)	1
Target Speed	5-15 mph		Travel Lane Width (min/max) (C)	8'/20'
Right-of-Way Width (min) (A)	Travel lane width, plus 2' shoulders on either side or 5' shoulder one side		Curb Parking	Not permitted
Driveway Access	Permitted			
Pedestrian Facility Type	Shared			
Bicycle Facility Type (preferred)	Shared			
Freight Movement (generally)	Local deliveries only			

Mixed Use Avenue



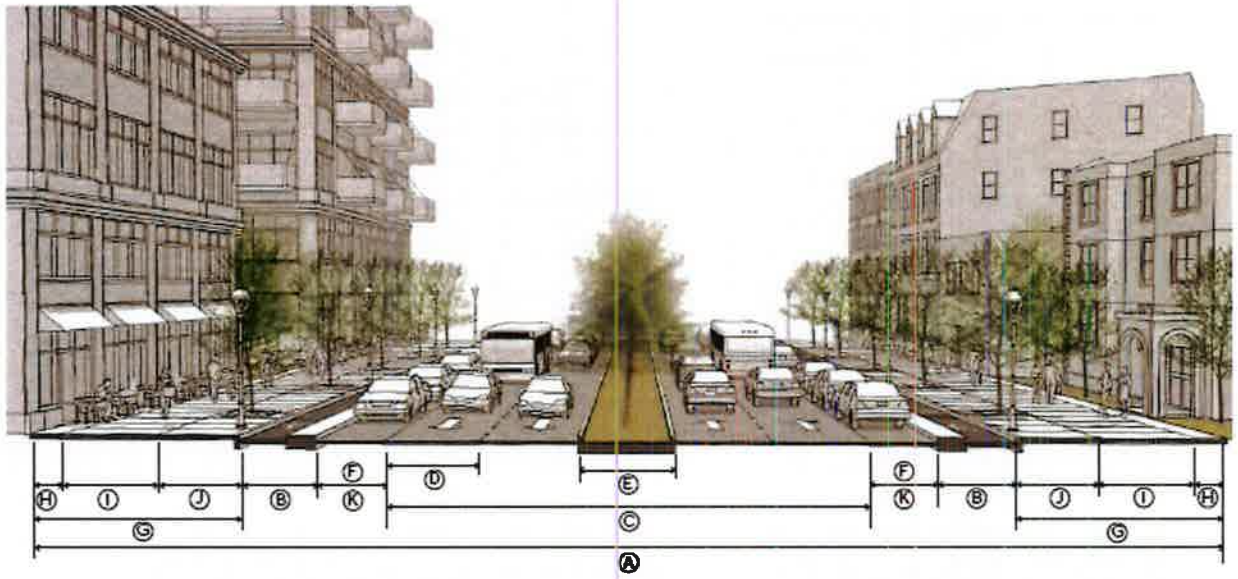
Traffic Volume Range	15,000 – 30,000 VPD
Target Speed	25-30 mph
Right-of-Way Width (A):	(min./preferred)
Two travel lanes	58'/73'
Two travel lanes, plus one turning lane	68'/83'
Four travel lanes	78'/93'
Four travel lanes, plus one turning lane	88'/103'
Driveway Access	Permitted, but not encouraged
Pedestrian Facility Type	Sidewalk
Bicycle Facility Type (preferred) (B)	Shared or bike lane/cycle track
Freight Movement (generally)	Local truck route
Total pedestrian way width (G)	12'/19.5'
Frontage Zone (H)	2'/3'
Throughway zone (I)	

Edge and furnishing zones[1] (J)	4'/7.5'
Extension zone. If provided. (max) (K)	Width of parking lane
Number of Travel Lanes (C)	2-4
Travel Lane Width (D)	10'/12'
Median	Optional
Turning Lane (E)	Optional
Curb parking	Required
Parallel curb parking width (F)	7'/8'

Footnotes

[1]Furnishings in furnishing zones allowed only immediately in front of non-glazed walls.

Mixed Use Boulevard



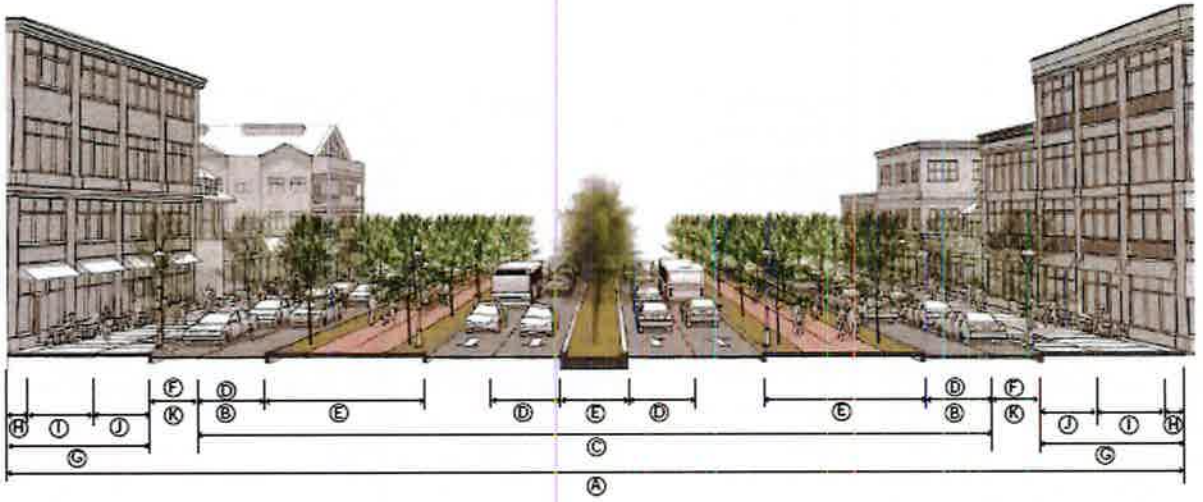
Traffic Volume Range	15,000 – 740,000 VPD		Number of Travel Lanes (C)	4
Target Speed	25-30 mph		Travel lane width (D)	10'/12'
Right-of-Way Width (A):	(min./preferred)		Median	Required
Four travel lanes	92'/117'		Turning Lane (E)	Optional
Four travel lanes, plus one turning lane	98'/127'		Curb parking	Required
Driveway Access	Permitted, but not encouraged		Parallel curb parking width (F)	7'/8'
Pedestrian Facility Type	Sidewalk			
Bicycle Facility Type (preferred) (B)	Shared or bike lane/cycle track			
Freight Movement (generally)	Regional truck route			
Total pedestrian way width (G)	12'/21.5'			
Frontage Zone (H)	2'/3'			
Throughway zone (I)	6'/10'		Footnotes	
Edge and furnishing zones[1] (J)	4'/8.5'		[1]Furnishings in furnishing zones allowed only immediately in front of non-glazed walls.	
Extension zone. If provided. (max) (K)	Width of parking lane			

Mixed Use Street



Traffic Volume Range	1,000 – 15,000 VPD		Number of Travel Lanes (B)	2
Target Speed	25 mph		Travel lane width (C)	10'/11'
Right-of-Way Width (A):	(min./preferred)		Median	Optional
Two travel lanes	58'/66'		Turning Lane	Not permitted
Driveway Access	Permitted, but not encouraged		Curb parking	Required
Pedestrian Facility Type	Sidewalk		Parallel curb parking width (D)	7'/8'
Bicycle Facility Type (preferred)	Shared			
Freight Movement (generally)	Local deliveries only			
Total pedestrian way width (E)	12'/18'			
Frontage Zone (F)	2'/2.5'			
Throughway zone (G)	6'/8'		Footnotes	
Edge and furnishing zones[1] (H)	4'/7.5'		[1]Furnishings in furnishing zones allowed only immediately in front of non-glazed walls.	
Extension zone. If provided. (max) (I)	Width of parking lane			

Multiway Boulevard



Traffic Volume Range	15,000 – 40,000 VPD
Target Speed	25-30 mph
Right-of-Way Width (A):	(min./preferred)
Four central lanes, plus two drop lanes	110'/147'
Four central lanes, plus one turning lane and two drop lanes	116'/151'
Driveway Access	Not permitted in central lanes; permitted in drop lanes
Pedestrian Facility Type	Sidewalk
Bicycle Facility Type (B):	
Central Lanes (optional)	Bike lane/cycle track
Drop Lanes	Shared
Median (optional)	Multi-Use path
Freight Movement (generally)	Regional truck route
Total pedestrian way width (G)	12'/21.5'
Frontage Zone (H)	2'/3'
Throughway zone (I)	6'/10'
Edge and furnishing zones[1] (J)	4'/8.5'
Extension zone. If provided. (max) (K)	Width of parking lane

Number of Travel Lanes (C)	4 central lanes; 2 drop lanes
Travel lane width (D):	
Central Lanes	10'/12'
Drop Lanes	10'/11'
Median	Required
Turning Lane (E)	Optional
Curb parking	Not required in central lanes; required in drop lanes
Parallel curb parking width (F)	7'/8'

Footnotes

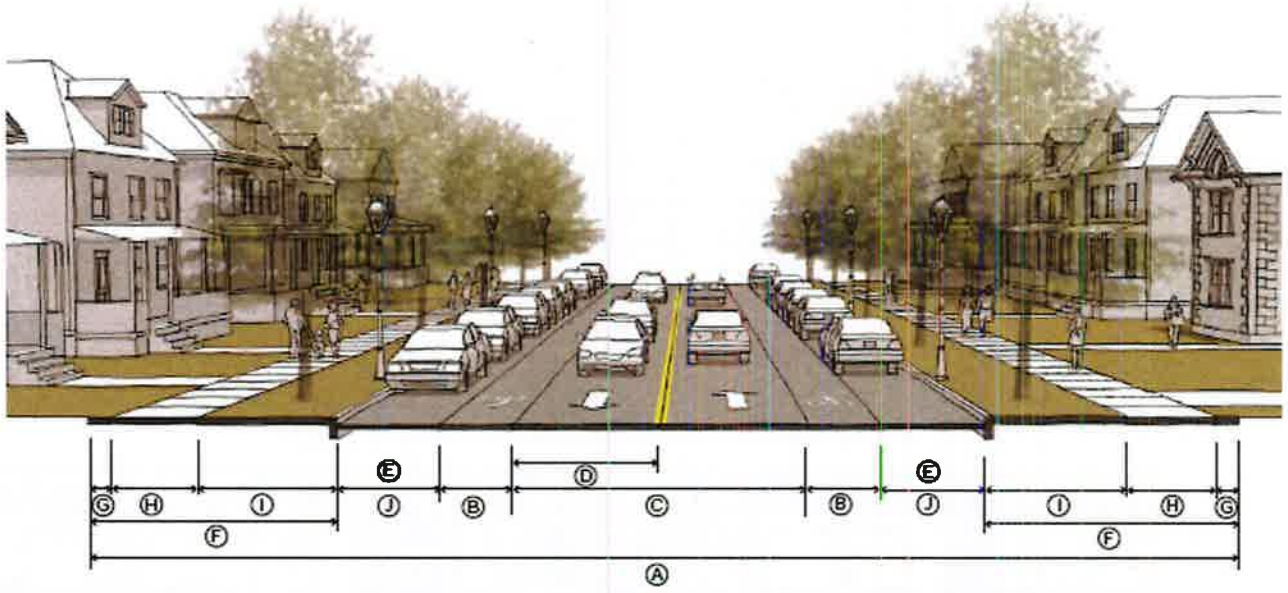
[1]Furnishings in furnishing zones allowed only immediately in front of non-glazed walls.

Passage



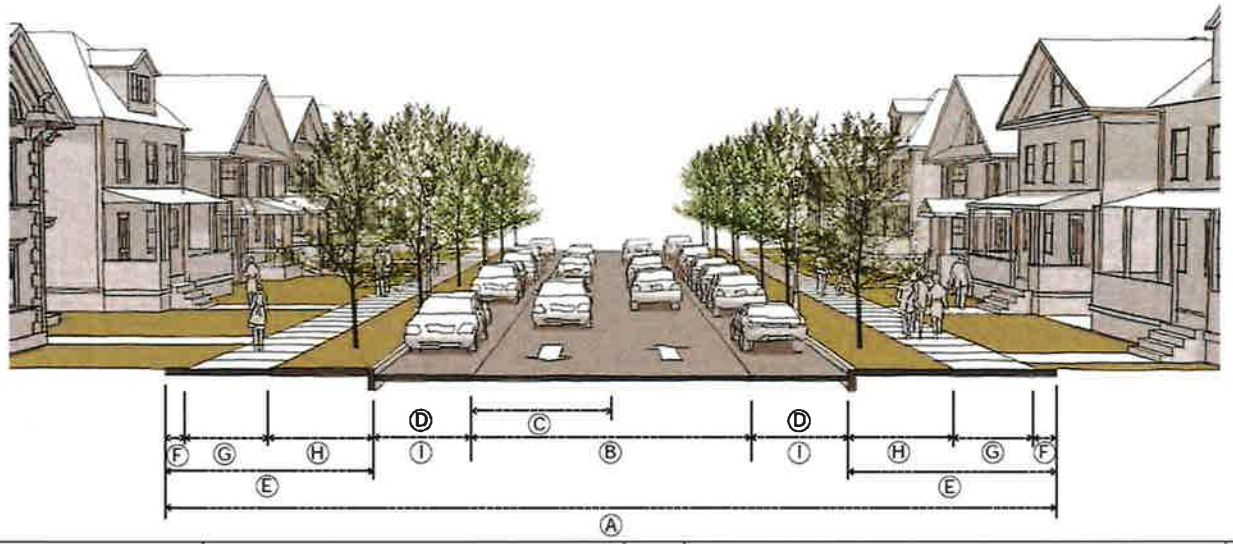
Right-of-Way Width (min/preferred) (A)	10'/30		Frontage Zone (min/preferred) (D)	0'/9'
Bicycle Facility/Pedestrian Type (B)	Shared or Multi-Use Path		Throughway Zone (min/preferred) (E)	10'/12'
Total Pedestrian Way Width (C)	10'/30'			

Residential Avenue



Traffic Volume Range	15,000 – 20,000 VPD		Edge and furnishing zones (I)	3'/9.5'
Target Speed	25-30 mph		Extension zone. If provided. (max) (J)	Width of parking lane
Right-of-Way Width (A):	(min./preferred)		Number of Travel Lanes (C)	2-4
Two travel lanes	52'/68'		Travel Lane Width (D)	10'/12'
Two travel lanes, plus one turning lane	52'/78'		Median	Optional
Four travel lanes	72'/88'		Turning Lane	Optional
Four travel lanes, plus one turning lane	82'/98'		Curb parking	Required
Driveway Access	Permitted		Parallel curb parking width (E)	7'/8'
Pedestrian Facility Type	Sidewalk			
Bicycle Facility Type (preferred) (B)	Shared or bike lane/cycle track			
Freight Movement (generally)	Local truck route			
Total pedestrian way width (F)	12'/17'			
Frontage Zone (G)	1'/1.5'			
Throughway zone (H)	5'/6'			

Residential Street



Traffic Volume Range	500 – 5,000 VPD		Edge and furnishing zones (H)	3'/7.5'
Target Speed	25 mph		Extension zone. If provided. (max) (I)	Width of parking lane
Right-of-Way Width (A):	(min./preferred)		Number of Travel Lanes (B)	2
Two travel lanes	52'/64'		Travel Lane Width (C)	10'/11'
Driveway Access	Permitted		Median	Optional
Pedestrian Facility Type	Sidewalk		Turning Lane	Not Permitted
Bicycle Facility Type (preferred) (B)	Shared		Curb parking	Optional
Freight Movement (generally)	Local Deliveries		Parallel curb parking width (D)	7'/8'
Total pedestrian way width (E)	9'/16'			
Frontage Zone (F)	1'/1.5'			
Throughway zone (G)	5'/6'			

20.110.014(Gg)– Parking Standards

1. Purpose. This Section regulates and ensures the provision of parking spaces and access drives are designed for motor vehicles and bicycles. The Section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that parking needs of new land uses, and development are met, while ensuring parking spaces and access drives are designed and located in a manner consistent with the desired character and development patterns of walkable communities as outlined in the Arlington Comprehensive Plan.
2. Applicability. On-site parking shall be required in all transect zones as set forth in this section and shall apply to the following:
   i. New development;
   ii. Changes in land use; and
   iii. Changes to a building or structure that cause an increase or decrease of 25 percent or greater made subsequent to the effective date of this Form-Based Code:
      1. Gross floor area;
      2. Seating capacity;
      3. Dwelling Units; or
      4. Parking spaces
3. General Parking Standards
   i. Off-Site Parking. Required off-street parking may be provided if the following standards are met:
      1. The required parking is provided in an off-street parking facility on another site within 600 feet of the site proposed for development, as measured along thoroughfare rights-of-way that provide access to both sites;
      2. Pedestrian access between the site and the off-site parking area shall be via concrete or paved sidewalk or walkway; and
      3. The owners of the site and the offsite parking area shall provide a recorded parking agreement or covenant in a form approved by the City Attorney reflecting the arrangement between the sites.

   ii. Larger Vehicle Parking
      1. Trucks, tractors or tractor-trailers having a capacity of more than a one-and- one-half-ton load, front- and rear-end loaders, or any commercial, industrial, agricultural or transportation vehicles or equipment shall not be parked or stored within any T3 or T4 zones for purposes other than short-term unloading, loading or delivery services, or temporary construction within the zone.
      2. Automobiles, small trucks, vans, vehicle trailers permitted in conjunction with an approved home occupation (one per home occupation), and recreational vehicles, utilized for personal or business use, are excluded from the provisions of this Subsection.

   iii. Storage of Unregistered or Inoperable Motor Vehicles. Automotive vehicles, trailers, or vehicles of any kind or type, requiring licenses, but without current plates or inoperable, shall not be parked in a transect zone unless parked within a completely enclosed building.

   iv. Cargo or Freight Container: portable cargo or freight storage containers in any zone for purposes of loading or unloading, may be parked, or stored

   v. Commercial Auto Repairs. Commercial repairs or restoration of vehicles shall only be conducted in the appropriate transect zones.

   vi. Non-Commercial Auto Repairs within T3 and T4 Zones. Unlicensed vehicle restoration is permitted within an allowed off-street parking area, provided the vehicles undergoing restoration or used for parts shall either be covered by a commercially manufactured opaque automobile cover in serviceable condition or stored in an enclosed building.
      1. Not more than one vehicle per premises for either renovation or parts may be screened by use of a cover that shall be securely fastened to the vehicle.
      2. Vehicles other than the screened vehicle shall be parked in an enclosed building.

4. Number of Motor Vehicle Parking Spaces Required

i. Required Spaces. The minimum number of parking spaces required are listed in Table 20.110.014-7 (~~Maximum~~ Minimum Parking Spaces Required). However, if the minimum number of parking space requirements are provided in Section 20.110.014(c) (Place Types) for the applicable transect zone and use, then those standards take precedence over the standards in Table 20.110-7 (Parking Spaces Required). When calculating the minimum number of parking spaces, numbers shall be rounded up to the closest whole number.

5. On-Site Interim Surface Parking

i. The city is fully invested in reducing surface parking for all new development projects, and retrofitting existing development, when possible, in order to utilize land in the most efficient way possible, thus creating opportunity for additional housing capacity, public amenities, open space, etc.

However, the reality remains that there is an interim period of time that must be considered, the period of time before public transportation is established well enough that citizens are able to become less auto dependent and more reliant upon the public transportation systems, or other alternative transportation modes available to them. This is certainly not the case currently, and we must create enough surface parking in order to adequately serve the needs of the current vehicle demand.

To address both the current and the future demands, in all newly permitted development, specifically mixed-use and multi-family, there will be a requirement to identify parking areas that have the potential to become surplus parking in the future, as auto demand wains, and become areas of re-development to support the other uses described previously.

Table 20.110-7: ~~Maximum~~ Minimum Parking Spaces ~~Allowed~~Required

~~Use~~	~~Maximum Spaces Allowed~~
Residential	
Group Residential: Residential Care	1 per 3 beds/residents
1-Bedroom or Studio Apartment	1.25 per unit, plus 1 for every 4 units
2-Bedroom Apartment	2.25 per unit, plus 1 for every 4 units
3-Bedroom or More Apartment	2.50 per unit, plus 1 for every 2 units
Senior Apartment	1 per unit, plus 1 for every 4 units
Townhouse, Row House, Carriage House, Duplex or Cottage Court	2 per unit
~~For other residential uses se Section 20.110.014(c) (Place Types)~~	
Retail	
See Section 20.110.014(c) (Place Types)	
Recreation, Education, Public Assembly	
Colleges and Universities	1 per 5 seats plus 1 per 3 auditorium seats
Community/Public Safety Facility	1 per 300 gsf
Schools, Public or Private Grades K-8 Grades 9-12 or Trade	 1 per 30 seats 1 per 10 seats
Theaters	1 per 5 seats
Other Assembly Uses With Fixed Seats Without Fixed Seats	 1 per 5 seats 1 per 300 gsf
Services	
See Section 20.110.014(c) (Place Types)	

~~5~~6. Parking Adjustments

i. On-Street Parking. On-street parking spaces adjacent to the lot may count towards the required non-residential use parking standards.

ii. Shared Parking. For two use types, shared parking shall be calculated as follows: The sum of the required parking for the two use types shall be divided by the factor listed in the table below. The required number of parking spaces shall be rounded up to the closest whole number. If the use is not listed below, then the shared parking shall be based on Subsection (iii) below.

Table 20.110-7a

	Shared Parking Factor for Two Uses			
	Residential	Lodging	Office	Retail
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

iii. Shared Parking Study. When three or more use types share parking or a use type is not listed in Table 20.110-7a (Shared Parking Factor for Two Uses) above, the amount of required parking may be reduced as follows:

1. If the Director determines one of the following circumstances has been established, the Director may grant a reduction in the parking standards set forth in this Subsection:

a. Where uses seek to share parking with different peak hour demands and are in the same or adjoining development, the owner of the parking spaces shall submit to the Director an analysis and substantiated projections of peak parking demand for the entire development to justify the shared use of parking spaces for separate uses;

b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Subsection D; or

c. Where fewer parking spaces are needed due to access to transit, special designs and traffic mitigation measures incorporated in the parking lot design and circulation plan.

d. The Director shall consider all of the following in determining whether a reduction is warranted:

1. The likelihood that the reduced number of parking spaces can satisfy demand;

2. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;

3. The impact of periodic overflows upon the public thoroughfares and other parking facilities;

4. The nature of surrounding land uses, character of the surrounding road system, and nearby circulation pattern;

5. The amount of on-street parking available within one-quarter of a mile of the development;

6. Any additional reduction in on-site parking demand by implementing transportation demand management strategies proposed by the applicant; and in all cases, the owner of the lot shall have the burden to demonstrate that a reduction in parking standards is warranted.

~~6~~7. Parking Spaces, Lot Design and Layout

i. Access. The following standards are applicable to off-street parking lot access design and include parking for single-family residences unless modified by Section 20.110.014~~€~~ (c) (Place types).

1. Each required off-street parking space shall open directly onto an aisle or driveway as specified in Table 20.110-8 (Minimal Dimensional Requirements for Parking Spaces and Aisles). All off-street parking facilities shall be designed with an appropriate means of vehicular access to a thoroughfare or to an alley to cause the least interference with traffic flow.

2. Parking spaces in any parking lot or parking structure shall not be designed or located so as to permit a vehicle to enter or

exit a parking space directly from a public thoroughfare. Ingress to and egress from parking spaces shall be from an on-site aisle or driveway, except:

a. Parking spaces within lots of up to eight spaces may be designed or located so as to permit a vehicle to enter or exit a parking space directly from a public alley or rear lane.

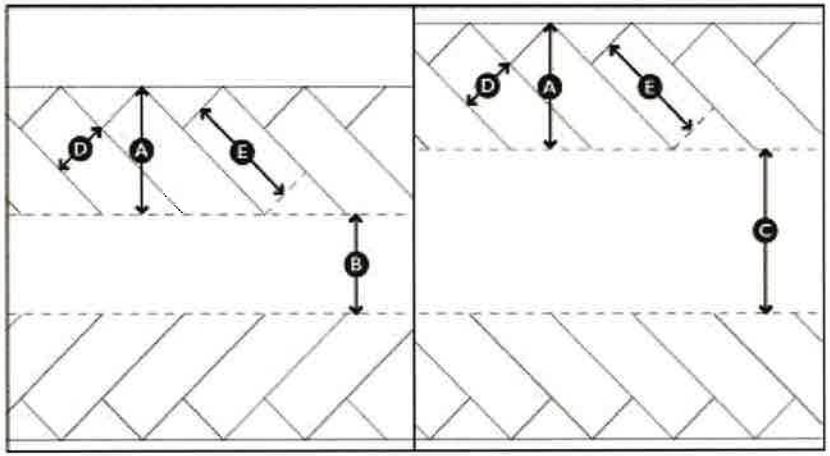


Table 20.110-8: Minimum Dimensional Requirements					
		Drive Aisle Width			
Angle	**Parking Depth (A)**	**One-Way (B)**	**Two-Way €**	**Space Width (D)**	**Space Length €**
Parallel	8'[1]	12'	20'	8'	20'
30°	17'	11'	24'	9'	20'
45°	20'	13'	24'	9'	20'
60°	21'	18'	24'	9'	20'
Perpendicular	18'	24'	24'	8'	18'
Tandem	36'	24'	24'	8'	36'

[1]Width of on-street parallel parking shall be determined by standards set forth in Section 20.110.014(f)(3) (Thoroughfares)

~~7~~8. Driveways

i. Access to driveways.

1. Developments of two or fewer dwelling units. Access to and from driveways onto public thoroughfares shall be where practicable by forward motion of the vehicle.

2. All other developments. Access to and from driveways onto public thoroughfares shall be by forward motion of the vehicle.

ii. Driveways shall extend and include the area between the lot line and the edge of the street pavement.

iii. The design and construction of all off-street parking access drives shall meet the requirements of the Director of Public Works.

~~8~~9. Identified as to Purpose and Location. Off-street parking areas of four or more spaces and off-street loading areas shall include painted lines, wheel stops, curbing, or other methods of identifying individual parking spaces and loading areas, while distinguishing such spaces from aisle and other circulation features.

~~9~~10. Materials

i. All off-street parking areas and driveways shall be surfaced with materials approved by the City Engineer.

ii. The use of pervious or semi-pervious parking area surfacing materials-`including, but not limited to "grasscrete," or recycled materials such as glass, rubber, used asphalt, brick, block and concrete-may be approved by the Director for required vehicular surface area on a site, provided such areas are properly maintained. Where possible, such materials should be used in areas in proximity to and in combination with on-site stormwater control devices.

~~10~~11. Accessible Parking. All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the Federal Americans with Disabilities Act (ADA).

~~11~~12. Dimensional Standards for Parking Spaces and Aisles

i. General. Standard car parking spaces and parking lot aisles shall comply with the minimum dimension standards established in Table C (Minimum Dimensional Requirements) above.

ii. Dimensional Adjustments. Parking structures may be subject to dimensional adjustments based on utilization, but in no case shall the standard parking space width be less than eight feet. Reduction in design standards shall be subject to approval by the Director.

iii. Vertical Clearance. All parking spaces shall have a minimum overhead clearance of six foot, eight inches (6'8").

iv. Reduction for Sidewalk and Planter Overhangs. When a parking space abuts a sidewalk or planter; the front two feet of the required parking space length may overhang the planter or sidewalk provided that wheel stops, or curbing are provided and the remaining area outside of the overhang meets the minimum width requirements of the sidewalk or planter.

v. Spaces near Obstructions. When the side of a parking space abuts a wall or other structure that is taller than six inches, the width of the parking space shall be increased by two foot, six inches (2"6").

~~12~~13. Landscaping, Fencing, and Screening

i. Parking lots with more than 8 parking spaces shall provide one tree per every four parking spaces.

ii. Screening of parking and loading areas shall meet the following standards:

Table 20.10-9: Parking and Loading Area Screening

Zone	Adjacent Zone	Required Screening [1]
T4, T5	T4, or Residential Non-transect zone	6' wall, fence, or evergreen hedge

[1]Screening is not required when parking and loading is adjacent to an alley

iii. Landscaping areas may be ideal locations to accommodate stormwater management features.

~~12~~14. Location

i. Location of required on-site parking in all zones is regulated by setbacks set forth in Section 20.110.014(c) (Place Types) and the following:

1. Parking lots with 20 or fewer spaces shall have all off-street parking areas separated at least five feet from buildings in order to provide a sidewalk between the building and parking area.
2. Parking lots with more than 20 spaces shall have all off-street parking areas separated at least 10 feet from buildings in order to make room for a sidewalk, landscaping, and other planting between the building and the parking area.
3. This separation may be eliminated to the rear of buildings in areas designed for unloading and loading of materials.

~~13~~15. Size of Parking Lot

i. Parking lots larger than one-quarter of an acre in size shall be divided into smaller parking areas with planted landscape areas with a minimum width of 15 feet between them to minimize the perceived scale of the total field of stalls.

~~14~~16. Tandem Parking Tandem parking is allowed in all zones for all residential uses as follows:

i. Both tandem parking spaces satisfy the parking requirement of one residential unit; and

ii. Neither of the tandem parking spaces shall be for required accessible parking spaces.

~~15~~17. Bicycle Parking Requirements

i. Exempt. Bicycle parking is not required for single-family residential developments and uses.

ii. Bicycle Parking Standards. Bicycle spaces shall be provided in accordance with the following standards:

1. Bicycle parking shall consist of either a lockable enclosure (locker) in which the bicycle is stored or a rack to which the bicycle can be locked;
2. Lockers and racks shall be securely anchored to the pavement or a structure;

3. Racks shall be designed and installed to permit two points of contact with the frame and allow the frame and one or both wheels to be secured;

Number of Bicycle Parking Spaces and Location Standards

Table 20.110-10; Bicycle Parking Requirements		
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, Services or Recreation, Education and Public Assembly[1]	4 stalls or 20% of required off-street automobile parking spaces, whichever is greater (up to a maximum of 30 bicycle spaces)	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks
Industry, Manufacturing & Processing and Transportation, Communications, Infrastructure[1]	10% of required off-street automobile parking spaces, whichever is greater (up to a maximum of 30 bicycle spaces)	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks.
[1]At the discretion of the Director required bicycle parking may be provided within the public ROW.		

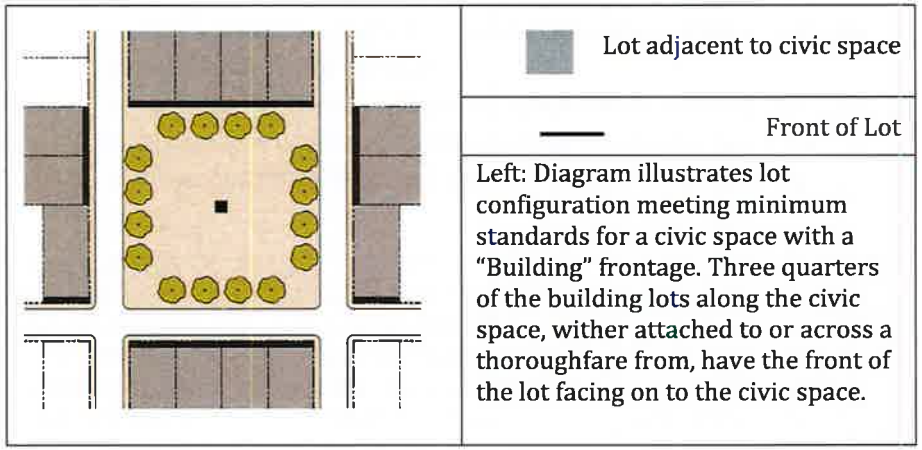
4. Areas containing bicycle spaces shall be surfaced with impervious surfaces such as concrete or pavers. Pervious pavements or gravel may be used where appropriate as determined by the Director;
5. When located within a parking area: curbs, fences, planter areas, bumpers, or similar barriers shall be installed and maintained for the mutual protection of bikes, motor vehicles and pedestrians, unless determined by the Director to be unnecessary; and
6. Bicycle parking shall be placed in a convenient, highly-visible, active, and well-lit location.

iii. Bicycle Parking Space Dimensions. All bicycle parking shall meet the following minimum dimensions:
1. Each bicycle parking space shall include a minimum area of 72 inches in length and 24 inches in width that is clear of obstructions;
2. No part of the rack shall be located closer than 30 inches to a wall or other obstruction;
3. The front or back of the rack shall be located no less than 48 inches from a sidewalk or pedestrian way; and
4. A minimum of 30 inches shall be provided between adjoining racks.

20.110.014(h) Civic and Open Space Standards

1. The standards established in this Section provide the Place Types with a diverse palette of parks and other publicly accessible civic spaces, publicly or privately owned, that are essential components of walkable urban environments.
2. There are multiple civic space types defined in Table 20.110-11 (Civic Space Type Standards). Two of the civic space types, Playgrounds and Community Gardens, may be incorporated into any of the other types or may stand alone.
3. In Table 20.110-11 (Civic Space Type Standards), the graphic and textual description of each civic space type are illustrative in nature and not regulatory.
4. The service area, size, frontage, and disposition of elements standards of each civic space type are regulatory.
i. Service Area. Describes how the civic space relates to the City as a whole and the area that will be served by the civic space.
ii. Size. The overall range of allowed sizes of the civic space.
iii. Frontage. The relationship along property lines of a civic space to adjacent buildings or lots.
1. The front of the lots attached to or across a thoroughfare from a civic space should face on to the civic space to the maximum extent possible.
2. Building. Lots that are attached to or across a thoroughfare from a civic space listed as having a "Building" frontage shall

have the front of the lot facing on to the civic space for a minimum of three quarters of the civic space perimeter. In addition, abuilding abutting a park must have an entrance facing the park.



Left: Diagram illustrates lot configuration meeting minimum standards for a civic space with a "Building" frontage. Three quarters of the building lots along the civic space, wither attached to or across a thoroughfare from, have the front of the lot facing on to the civic space.

3. Independent. Lots that are attached to or across a thoroughfare from a civic space listed as having an "Independent" frontage may have the front, side street or rear of the lot facing on to the civic space.

iv. Disposition of Elements: The placement of objects within the civic space;

1. Natural. Civic spaces with natural character are designed in a natural manner with no formal arrangement of elements.
2. Formal. Civic spaces with a formal character have a more rigid layout that follows geometric forms and has trees and other elements arranged in formal patterns.
3. Informal. Civic spaces with an informal character have a mix of formal and natural characteristics.

5. Typical Facilities. The list of the typical facilities found in Table 20.110-11 are not intended to be a complete list of facilities allowed nor is it intended that every civic space would contain each of the facilities listed. Facilities larger than the indicated gross square footage (gsf) require review and approval by the Director.

6. The civic spaces specified in Table 20.110-11 (Civic Space Type Standards) are allowed by right or by review in the designated Place Types. Civic Spaces allowed by review are allowed if approved by the Director.

7. Except as provided in Subsection (8), every residential development shall be constructed so that at least five percent of the total development remains permanently as usable open space. For the purposes of this section usable open space shall include, but not be limited to:

i. An area unencumbered by any substantial structure or utility easement for distribution lines;

ii. An area not devoted to use as a roadway, parking area, or sidewalk;

iii. Is defined as a Low Impact Design (LID) feature as approved by the Director;

iv. Is left (as of the date development began) in its natural or undisturbed state if wooded, except for the cutting of trails (as defined in Section 20.110.014(f)), or if not wooded at the time of development, is landscaped for ball fields, picnic areas, or similar facilities, or is properly vegetated and landscaped with the objective of creating a wooded area or other area that is consistent with the objectives set forth in Subsection (vi);

v. Parks and Civic spaces as defined in Table 20.110-11 Civic Space Standards. In the case of Civic spaces and Parks, within the total areas stipulated, the length shall be no more than twice the width. This limitation does not apply to Trails. If topography, existing foliage, or other natural features prevents these proportions, functionally comparable areas can be approved by the Director;

vi. Space that is capable of being used and enjoyed for purposes of informal and unstructured recreation and relaxation;

vii. Space that is legally and practicably accessible to the residents of the development out of which the required open space is taken, or to the public if dedication of the open space is required pursuant to AMC Section 20.52.040 (Dedication, Ownership, and Maintenance of Recreational Areas and Open Space); and,

viii. Consists of land no more than twenty-five percent of which lies within a floodplain or floodway as those terms are defined in

AMC Section 20.08.010 (Definitions of Basic Terms) or of slopes greater than five percent of a critical area buffer.

8. Subdivided residential developments of less than twenty-five dwelling units are exempt from the requirements of this Section unless the City agrees that it will accept an offer of dedication of such open space, and in that case, the offer of dedication shall be made.

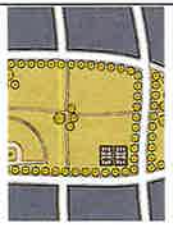
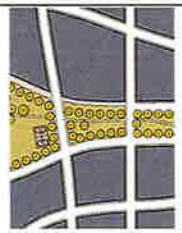
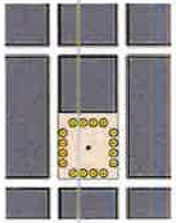
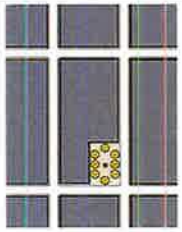
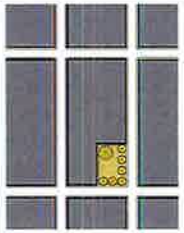
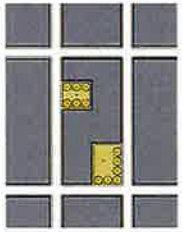
9. Additional Standards.

i. Accessory Structure Standards. All accessory structures within civic and open spaces, including, but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters and outdoor theaters, shall not be subject to the physical standards of the transect zones in Section 20.110.014(c) (Place Types). They shall be designed and furnished to be consistent with the character of the transect zone in which they are located. Such consistency may require accessory structures to maintain building setbacks, frontage, massing, disposition, and character similar to adjacent development as determined by the Director.

ii. Lighting Standards.

1. All athletic field/sport court lighting shall be Dark Sky Compliant and shall require a Special Use Permit (SUP).

Table 20.110-11: Civic Space Standards

Transect Zone								
Civic Space Type	Community Park	Neighborhood Green	Neighborhood Square	Plaza	Pocket Plaza	Pocket Park	Playground	Community Garden
Illustration								
Description	An open space available for unstructured and limited amounts of structured recreation.	An open space available for unstructured and limited amounts of structured recreation.	An open space available for civic purposes, unstructured and limited amounts of structured recreation.	A formal open space available for civic purposes and commercial activities. Plazas are typically hardscaped. Commercial activities shall be subordinate to civic uses.	A formal open space available for civil purposes and commercial activities. Plazas are typically hardscaped. Commercial activities shall be subordinate to civic uses.	An open space available for informal activities in close proximity to neighborhood residences.	An open space designation and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds may be included within other civic spaces.	An open space designed as a grouping of garden plots that are available to nearby residents for small scale cultivation. Community Gardens may be included with other civic spaces.
Location and Size								
Location:								
Service Area	Neighborhood	Neighborhood	Neighborhood	Neighborhood	Neighborhood	Neighborhood	Neighborhood	Neighborhood
Size:								
Minimum	4 acres	1 acre	½ acre	½ acre	2,000 sf	2,000 sf	_	_
Maximum	_	2 acres	1 acre	2 ½ acres	½ acre	1 acre	_	_
Character:								
Frontage	Independent	Building	Building	Building	Building	Building	Independent or Building	Independent or Building
Disposition of Elements	Informal	Informal	Formal	Formal	Formal	Formal or Informal	Formal or Informal	Formal or Informal
Typical Facilities	Passive and active recreation, accessory structure, drinking fountains, community facility <5,000 sf, paths and trails.	Passive and active recreation, structured and unstructured, accessory structure, drinking fountains, community facility <5,000 sf, paths and trails.	Passive and active recreation, structured and unstructured, accessory structure, drinking fountains, community facility <5,000 sf, paths and trails.	Passive and active recreation, accessory structure, drinking fountains, paths and trails.	Passive and active recreation, accessory structure, drinking fountains, paths and trails.	Passive and active recreation, accessory structure, drinking fountains, paths and trails.	Accessory structure, drinking fountains, paths and trails.	Accessory structure, drinking fountains, paths and trails.

20.110.014(jj) Landscaping, Fencing, and Screening Standards

1. Purpose.

The purpose of these regulations is to provide guidelines for design, construction and maintenance of landscaping, fencing, and screening within Arlington's Place Types. Landscaping shall be a major component of site design in order to create a city that has a strong landscaped character. In addition, Arlington's Comprehensive Plan calls for proactive application of Low Impact Design principles and methods of ground water treatment to both undeveloped and re-developed areas of the City.

Standards governing fences are established to promote the public health, safety, and welfare, encourage an aesthetic environment and allow for privacy, while maintaining access to light and air. The provisions of this Section shall apply as a minimum standard for all new projects and existing development with applications requiring approval of a planning permit under the provisions of this Form-Based Code.

2. Applicability.

i. The provisions of this Division apply to all land uses within the Types as follows:

1. New Projects. Each new project shall provide landscaping in compliance with this Section.

2. Existing Development. The approval of an application for design review for physical alterations and/or a change in use within an existing development may include conditions of approval requiring compliance with specific requirements of this Section.

3. Timing of Installation. Required landscape and irrigation improvements shall be installed before occupancy permit is issued by the City. The installation of landscaping for a residential project may be deferred for a maximum of 90 days with the Director's approval due to seasonal requirements (including adverse weather conditions) and similar circumstances where it may not be advisable or desirable to install all approved landscaping before occupancy of the site.

4. Alternatives to Requirements. The Director may modify the standards of this Division to accommodate alternatives to required landscape materials or methods, where the Director first determines that the proposed alternative will be equally or more effective in achieving the purposes of this Section.

3. Landscaping and Irrigation Plans

i. Landscape Plan.

1. A landscape plan shall be submitted, as determined by the Director, as part of each application for the following unless one is not required by Subsection 2 below:

a. New development;

b. The significant expansion (e.g., 25 percent or more of floor area), or

c. Redevelopment of an existing use, as determined by the Director.

2. A landscape plan shall not be required for residential projects less than 4 units or less than 10,000sf.

3. After review of the landscape plan by the Director and any required revisions, the landscape plan will be considered final. A final landscape plan shall be approved by the Director before the start of grading or other construction, and before the issuance of a Building Permit.

ii. Content and Preparation

1. Required Information. Landscape plans shall contain the information required for landscape plans by the Community Development Department. However, at a minimum, these plans shall include the following information:

a. The locations of proposed materials, including the identification of groundcovers, shrubs, and trees;

b. Detailed drawings and specifications shall clearly identify~~ing~~ the name, size, and precise location of all materials (including fences and screens); and

c. The precise location and technical description of the irrigation system and its individual components.

2. Preparation by Qualified Professional. Each landscape plan submitted in compliance with this Division shall be prepared by a Washington licensed landscape architect, licensed architect,

licensed landscape contractor, certified nurseryman, or other professional determined by the Director to be qualified.

iii. Review and Approval. After initial application, the Director shall review each landscape plan to verify its compliance with the provisions of this Section. The Director's decision may be appealed to the Planning Commission and the Planning Commission may approve the final submittal, or may deny or require changes to a submittal if it is not in compliance.

iv. Statement of Surety. When required by the Director, security in the form of cash, performance bond, letter of credit, or instrument of credit, in an amount equal to 150 percent of the total value of all plant materials, irrigation, installation, and maintenance shall be posted with the City for a two-year period. The Director may require statements of surety for phased development, a legitimate delay in landscape installation.

4. Required Landscaping.

i. Street Trees

1. Street Trees Required: Any development that involves construction of a new principal building, expansion of an existing principal building by 2500 square feet or more, or a substantial renovation of an existing principal building, except for single unit dwellings, double unit dwellings, and multiple unit dwellings of six units or less, must include the installation of street trees as follows:

a. A minimum of one street tree must be planted on the adjacent public rights-of-way, excluding alleys, for each 30 feet of right-of-way.

b. All Street trees must be installed in accordance with the Street Tree Standards that are on file Community Development.

c. All required street trees must be installed within nine months of the issuance of a certificate of occupancy and maintained in a healthy, growing condition until fully established or replaced as necessary.

ii. Exceptions:

1. The Director of Public Works may grant a waiver to the street tree requirement where:

a. Street trees of the minimum required number are already installed and maintained in a healthy, growing condition.

b. There is already a well-established tree planted on=site and adjacent to the outer edge of the property, whose crown reaches over the public right-of-way area to be planted, and would cause overcrowding of the new street tree, and may result in deforming the symmetry of the street tree crown as it approaches maturity.

c. Landscaping within Civic and Open Spaces shall be required per the standards in Section 20.110.014(h) (Civic and Open Spaces).

d. Private Landscaping shall be required in compliance with Table 20.110-12 (Required Private Landscaping Components) below.

e. Required landscaping shall be landscaped and maintained in compliance with Section 20.110.014(i) (4) (Landscaping Standards), Section 20.110.014(i) (5) (Parking Lot Landscaping Standards), Section 20.110.014(i) (8) (Maintenance of Landscaped Areas), and Section 20.110.014(i) (9) (Fences and Screening).

Zones	Landscaping Components		
	Frontage Landscaping	Parking Area Landscaping	Automatic Irrigation
T4N-SV	-	-	-
T4N-MV, T4-MS, T4-F, T5N-MV	R	R	-
T5-MS, T5N-LV, T5-F	R	R	R
Key	(R) Required	(-) Not Required	

5. Landscaping Standards

i. Minimum dimensions

1. Frontage Landscaping and Private Open Space Landscaping areas shall meet the dimensional requirements for the transect zone in Section 20.110014(c) (Place Types), the Building Type in Section 20.110.014(e) (Building Types), and the Frontage Type in Section 20.110.014(d) (Frontage Types).

2. Thoroughfare and Civic and Open Space Landscaping areas shall meet the dimensional requirements within Section 20.110.014(f) (3) (Streetscape Standards) and Division 20.110.014(h) (Civic and Open Spaces).

ii. Materials. Landscaping shall primarily consist of live, drought-resistant plant material. Food gardens and decorative landscape features such as brick, stone, art, fountains, and ponds may be used within the landscaped area, provided such materials present an attractive setting consistent with the intent of the landscaping requirements as determined by the Director.

iii. Street Trees.

1. Street Trees shall be located per the standards in Section 20.110.014(f) (Public Rights-of Way).

2. Minimum Size:

a. New Street trees shall have a minimum caliper (trunk diameter) of 2 inches at 8 feet of height.

b. Minimum tree size at planting is a 24-inch box.

c. 15-inch box specimens and smaller caliper sizes shall be allowed for volunteer efforts and property ~~owner initiated~~owner-initiated replacement

3. All street trees and/or any other tree plantings within 10 feet of the public right-of- way including sidewalks, curbs and gutters, or street surface shall be installed with approved root barriers and ~~deep-water~~deep-water tubes (2 per tree).

iv. Additional Material Specifications. The Director may approve the inclusion of areas maintained in a native planting or naturalistic state as green growing ground cover in calculating the landscaped area.

v. Safety requirements. Landscape materials and screening shall be located so that at maturity they do not:

1. Interfere with safe sight distances for bicycle, pedestrian, or vehicular traffic;

2. Conflict with overhead lights, traffic control signage, utility lines, or walkway lights; or

3. Block bicycle or pedestrian ways.

6. Parking Lot Landscaping Standards.

i. Installation and maintenance of shade trees and landscaping. Parking lots shall be improved and permanently maintained by the property owner in accordance with the following standards and the requirements in Table 20.110-14 (Required Interior Parking Lot Landscaping) and Table 20.110-15 (Tree Requirements for Parking Lot Landscaping) below. The Director may grant an exception for small infill parking lots where compliance with these standards is not feasible without significantly reducing the development potential of the zone it is located within.

Table 20.11-14: Required Interior Parking Lot Landscaping

Number of Parking Spaces	Percent of Gross Parking Area in Landscaping
6 or fewer	0%
7 to 15	4%
16 to 30	8%
31 to 70	12%
71 and over	16%

Table 20.110-15
Tree Requirements for Parking and Lot Landscaping

Landscaping Component	Description
Amount	1 tree per ~~5~~ 4 parking spaces
Can Size	15 gallons
Box Size	20% must be 24 inch
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.
Any vehicle overhang shall require the minimum planter area width to be expanded by an equivalent dimension.	

ii. Location of landscaping. Landscaping shall be evenly dispersed throughout the parking area, as follows:

1. Orchard-style planting (the placement of trees in uniformly-spaced rows) is required for parking areas over 15 cars.
2. Parking lots with more than 50 spaces shall provide a concentration of landscape elements at primary entrances, including, at a minimum, specimen trees, flowering plants, enhanced paving, and project identification.
3. Landscaping shall be located so that pedestrians are not required to cross unpaved landscaped areas to reach building entrances from parked cars. This shall be achieved through proper orientation of the landscaped fingers and islands, and by providing pedestrian access through landscaped areas that would otherwise block direct pedestrian routes.

7. Parking lot screening. All surface parking areas shall be screened from streets and adjoining properties, and the open areas between the property line and the public street right-of-way shall be landscaped.

i. Adjacent to streets

1. A parking area for a non-residential use adjoining a public street shall be designed to provide a landscaped planting strip between the street right-of- way and parking area equal in depth to the setback required by the applicable transect zone or 10 feet, whichever is greater.
2. A parking area for a residential use, except for a ~~single family~~single-family dwelling, shall be designed to provide a landscaped planting strip between the street right-of- way and parking area equal in depth to the setback required by the applicable transect zone.
3. The landscaping shall be designed and maintained to screen cars from view from the street to a minimum height of three feet.
4. Screening materials may include a combination of plant materials, earth berms, raised planters, solid decorative masonry walls, or other screening devices that meet the intent of this requirement.
5. Shade trees shall be provided at a minimum rate of one for every 25 linear feet of landscaped area, or other spacing as determined by the Director to be appropriate to the site and surrounding development.

ii. Adjacent to side or rear property lines. Parking areas for non-residential uses shall provide a perimeter landscape strip at least five feet wide (inside dimension) where the parking area adjoins a side or rear property line. A fence, wall, or hedge or combined open fence and planter, at least 3.5 feet in height but no higher than the maximum height permitted by Section 20.110.014(i)(7) Parking Lot Screening) is permitted, wherever the parking area is within 20 feet of the side or rear property line.

iii. Adjacent to structures. When a parking area is located adjacent to a non-residential structure, a minimum five-foot wide (inside dimension) landscape strip shall be provided adjacent to the structure, exclusive of any building entries, or areas immediately adjacent to the wall of the structure that serve as pedestrian access ways.

iv. Adjacent to residential use. A non-residential parking area abutting a residential use shall provide a landscaped buffer setback with a minimum of 10-foot between the parking area and the property line of the residential use.

1. A seven-~~foot~~ foot-high solid decorative masonry wall or fence, except for approved pedestrian access, and landscape buffer shall be provided along the property line to address land use compatibility issues (e.g., light/glare and nuisance noise) as determined by the Director.
2. Trees shall be provided at the rate of one for each 25 linear feet of landscaped area, or other spacing as determined by the Director to be appropriate to the site and surrounding development.

v. The required width of the landscape strip may be reduced by the Director where it is determined that certain factors would justify the reduction (e.g., the overall site area is insufficient to accommodate the allowable structures and required parking along with a landscape strip of the otherwise required width or that the otherwise required width would be inconsistent with the existing development patterns on adjacent properties). The requirement for a landscape strip may be satisfied by a setback or buffer area that is otherwise required.

8. Maintenance of Landscaped Areas.

i. A landscaped area provided in compliance with this Division shall be planted with live and healthy plant materials suitable for screening or ornamenting the site, whichever is appropriate.

ii. Plant materials shall be replaced as needed to screen or ornament the site.

iii. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed, kept litter free or otherwise maintained to assure compliance with the regulations requiring landscaped areas.

iv. All public landscaped areas shall be watered by automatic irrigation systems starting at the time landscaping is installed in order to establish and maintain plants.

v. All private landscaped areas required to have automatic irrigation systems by Table 20.110-12 (Required Private Landscaping Components) shall be watered by automatic irrigation systems starting at the time landscaping is installed in order to establish and maintain plants.

vii. With the exception of access driveways, curbs and sidewalks, the landscaped areas of off-street parking lots; and front and street side yards shall be maintained in a landscaped, decoratively treated condition, largely or wholly covered with living plant materials. In no case shall more than 75 percent of the required front yard or street side yard be used for a purpose other than landscaping as described herein.

9. Fences and Screening.

i. Applicability. The requirements of this Section apply to all fences and walls in the transect zones unless otherwise stated.

ii. Height limits. Each fence or wall shall comply with the height limits shown in Table 20.110-16 (Maximum Height of Fences or Walls).

Table 20.110-16: Maximum Height of Fences or Walls

Location of Fence or Wall	Maximum Basic Height	Maximum Height Exceptions
Within front or street side setback	4'[1]	6' if non-obscuring (not in excess of 50% opacity) above 4'
Within interior side or rear setback	6'	8'[2]
[1]Front and side street fences must meet the Design Requirements of Section 20.110.014(i) (9) (v) (fence design). Fences above 4' in height require the approval of the Director.		
[2]The exception is only applicable for side setbacks if both abutting residential structures have at least ~~10~~ 10-foot side yard setbacks, or if a residential parcel abuts a commercial or industrial use. The exception is only applicable for rear setbacks when rear yard is abutting an interior side yard.		

iii. Measurement of Fence and Wall Height. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material. Where a fence is constructed on top of a retaining wall, the height shall be measured from the outside base of the retaining wall, where the yard is on the high side of the retaining wall, and from the top of the retaining wall, where the yard is on the low side of the retaining wall.

iv. Fencing Permit Requirements

1. A fence permit is required to construct any fence of any height. A building permit is required to construct any fence six feet or more in height.
2. An application for a fence permit may be obtained from the Community Development Department and shall be approved by the Director if it conforms to the provisions of this Section.

v. Fence Design. Fences shall be constructed, designed, and maintained as follows:

1. Permitted Materials. Fences shall be constructed of wood, metal, masonry, or other permanent materials designed for permanent fencing. Black vinyl coated chain link fence may be used only under the following conditions:
   a. For demarcation, fences ≤ 5'.
   b. For security, > 5', only by review.

   No more than two types of related fencing materials shall be used in any fence or wall. Fences constructed of wood shall have posts in contact with ground of preservative- treated wood conforming to ASTM D1760 treated with waterborne preservatives to a minimum retention of 6.4 kilograms per cubic meter (0.40 pounds per cubic feet) and components and components not in contact with the ground treated with waterborne preservatives to a minimum retention of 4.0 kilograms per cubic meter (0.25 pounds per cubic feet) or shall be of heartwood of a decay-resistant species such as redwood or cedar.
2. Fence Maintenance. Every fence shall be kept in good repair, consistent with the design thereof. The property owner shall be responsible for landscaping and maintaining the area, if any, between the property line and the owner's fence.
3. Hazardous and Prohibited Materials. Fences shall not incorporate electrically charged wire, barbed wire and razor wire, spiked tips, chain link (with or without slats or vinyl or other coatings), woven wire mesh ("chicken wire"), welded wire mesh, woven wire ("hog wire") rope, cable, railroad ties, landscape timbers, utility poles or any other similar materials or materials not specifically manufactured for permanent fencing.
4. Posts and Supporting Members. All fence posts and related supporting members of the fence shall be erected so that the finished side or sides of the fence shall be facing the adjacent property or public right-of-way.
5. Painting and Staining. All wood fences shall be painted or stained, except when constructed of the heartwood of a decay-resistant species such as redwood or cedar. All ferrous metal fences, including hot-dipped galvanized steel) shall be painted with a three-coat system consisting of a corrosion resistant primer and two finish coats, with preparation and application as recommended by the manufacturer. All other metal fences, including aluminum hot-dipped galvanized steel, shall be painted with at least a two-coat system intended for that purpose.
6. Gates
   a. Entry features over front yard gates (e.g., open latticed arbors and trellises), not exceeding eight feet in height, three feet in depth or five feet in width are allowed when located within the required front yard and do not interfere with the safety requirements in Section 20.110.014(f)(4)(v)- (Safety Requirements).
   b. When a rear yard abuts an alley, the alley facing side of a solid fence shall be clearly labeled with the house address number.
7. Historic Structures. All fences in parcels with historic resources shall be consistent with the scale and character of the buildings and shall require approval by the Director. Administrative Design Review.

20.110.014(j) Low Impact Development: Managing Rainfall at its Source

1. Purpose

Low Impact Development (LID) is an approach to stormwater management with a basic principle that is modeled after nature: manage rainfall at the source using uniformly distributed decentralized micro-scale controls. The goal of this technique is to mimic a site's predevelopment hydrology by using design methods that infiltrate, filter, store, evaporate, and detain runoff close to its source. Specific techniques are based on the premise that stormwater management should not be seen solely as stormwater disposal. The methods that follow are consistent with the built environment, civic spaces, street environments, and walkability of neighborhoods detailed in other sections of this Form Based Code. The provisions of this chapter establish the minimum level of Low Impact Design facilities which must be met to permit a property to be developed or redeveloped within Arlington. It is the specific purpose of this section to:

i. Minimize water quality degradation and sedimentation in streams, ponds, wetlands, the Stillaguamish River, and other water bodies;

ii. Minimize the impact of increased runoff, erosion, and sedimentation caused by land development and maintenance practices;

iii. Maintain and protect groundwater resources;

iv. Minimize adverse impacts of alterations to ground and surface water quantities, locations, and flow patterns;

v. Decrease potential landslide, flood, and erosion damage to public and private property;

vi. Promote site planning and construction practices that are consistent with natural, topographical, vegetative, and hydrological conditions;

vii. Maintain and protect the City stormwater management infrastructure and those downstream;

2. General

i. Required Stormwater processes, permits, and documentation will vary significantly depending on specific site conditions and size of the proposed development or redevelopment. Responsibility for stormwater regulation rests with both the Public Works Department and the Department of Community and Economic Development. The stormwater documentation and requirements of the City of Arlington are available either directly on-line or by reference from the City's website; www.arlingtonwa.gov.

ii. Planning techniques, non-structural practices, and design methods specified in this Section, the Stormwater Management Manual for Western Washington (SWMMWW), and AMC 13.28.150 (Engineering and Design Requirements), and Puget Sound Partnership's "A Guidebook for Local Governments" shall be used to implement Low Impact Design (LID) to the Maximum Extent Practicable (MEP).

iii. The use of LID planning techniques and treatment practices must be exhausted before any structural Best Management Practice (BMP) is implemented. Stormwater management design plans for development or redevelopment projects subject to this Section shall be designed using LID sizing criteria, recharge volume, water quality volume, and channel protection storage volume criteria according to the SWMMWW and local requirements. The MEP standard is met when channel stability is maintained, 100% predevelopment groundwater recharge is replicated, non-point source pollution is minimized, and structural stormwater management practices are used only if determined to be absolutely necessary.

iv. Alternative minimum control requirements may be submitted for approval to the Director. A demonstration that alternative requirements will implement LID to the MEP and control flood damages, accelerated stream erosion, water quality, and sedimentation will be required by the department.

3. Stormwater Management Measures

The LID planning techniques and practices in this Section, AMC 13.28.150, and the SWMMWW shall be used either alone or in combination in a stormwater management design plan. An applicant shall demonstrate that LID has been implemented to the

MEP before the use of a structural BMP is considered in developing the stormwater management design plan.

i. Planning techniques and Practices.

The following planning techniques shall be applied to the MEP according to the SMMWW and local requirements to satisfy the applicable minimum control requirements established by this Section:

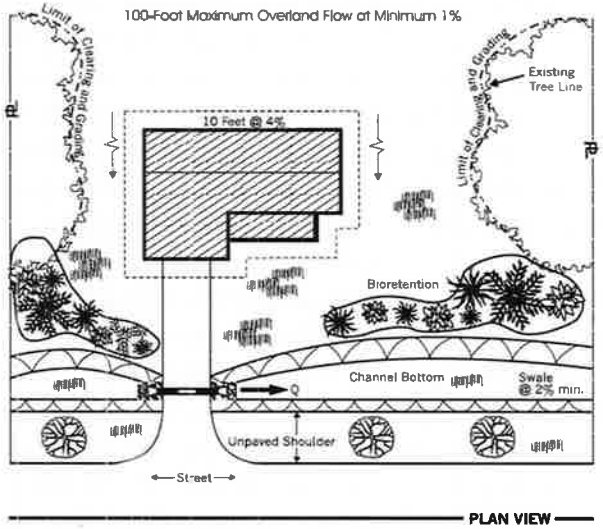
1. Preserving and protecting natural resources;
2. Conserving natural drainage patterns;
3. Minimizing impervious area;
4. Reducing runoff volume;
5. Using LID practices to maintain 100% of the annual average predevelopment groundwater recharge volume;
6. Using green roofs, permeable pavement, reinforced turf, and other alternative surfaces;
7. Limiting soil disturbance, mass grading, and compaction;
8. Clustering development; and
9. Any alternative practice approved by the Director.

ii. The following LID treatment practices shall be designed to MEP according to the SWMMWW, and the Puget Sound Partnership: A Guidebook for Local Governments to satisfy the applicable minimum control requirements established by this Section:

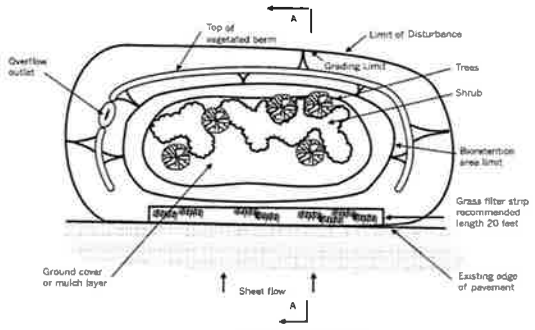
1. Disconnection of rooftop runoff;
2. Disconnection of non-rooftop runoff;
3. Sheet flow to conversation areas;
4. Rainwater harvesting;
5. Submerged gravel wetlands;
6. Landscape infiltration;
7. Infiltration berms;
8. Dry wells;
9. Micro-bio retention;
10. Rain gardens;
11. Swales;
12. Enhanced filters; and
13. Alternative practices approved by the director.

4. Low Impact Development Facility Details

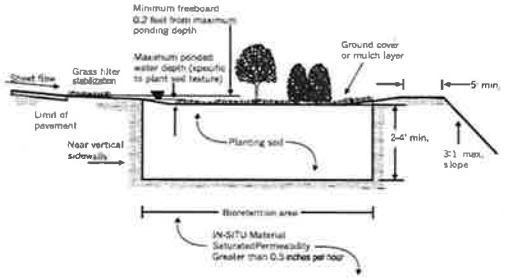
i. Typical On-site LID facilities



LID Development minimum lot grading and 100-year buffer requirements.



Plan view (not to scale)



Section A-A (not to scale)

Figure 4-3. Typical bioretention facility

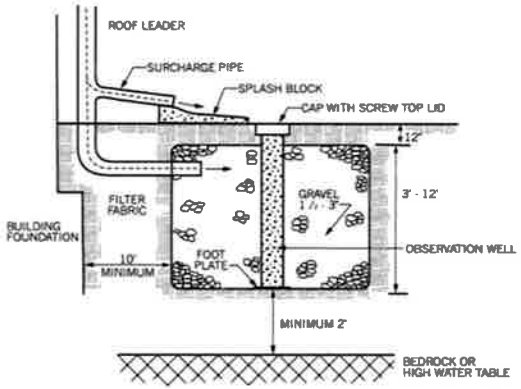
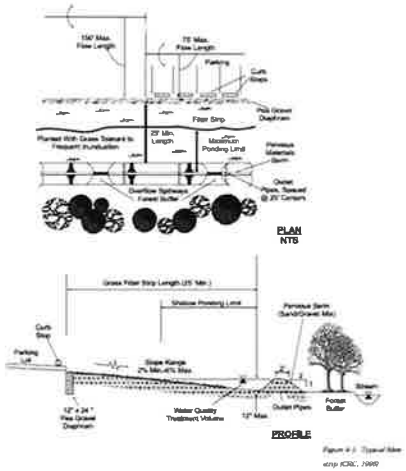
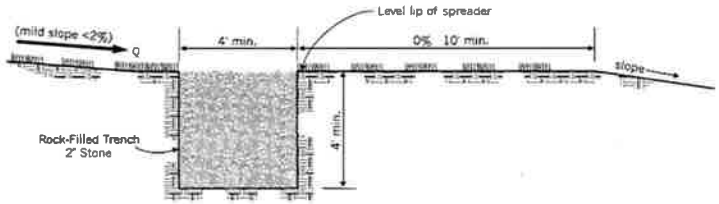


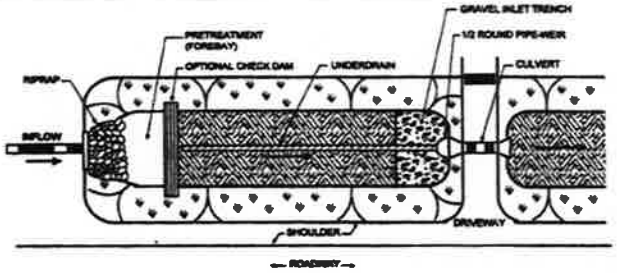
Figure 4-4. Typical dry well



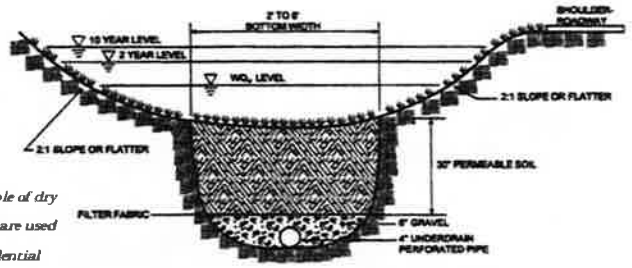


LEVEL SPREADER - CROSS SECTION
N.T.S.

Figure 4-6. Typical rock trench level spreader



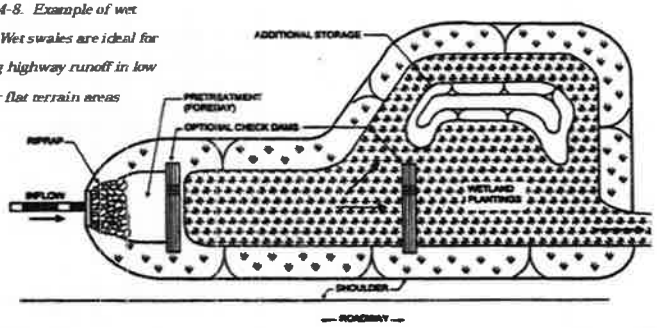
PLAN VIEW



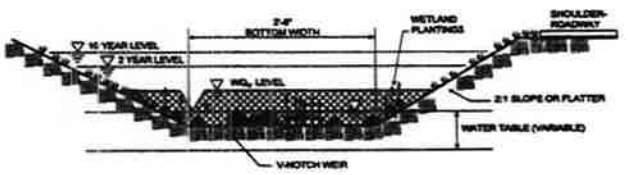
SECTION

Figure 4-7. Example of dry swale. Dry swales are used at low density residential projects or for very small impervious areas

Figure 4-8. Example of wet swale. Wet swales are ideal for treating highway runoff in low lying or flat terrain areas



PLAN VIEW



PROFILE

Figure 4-9. Typical rain barrel

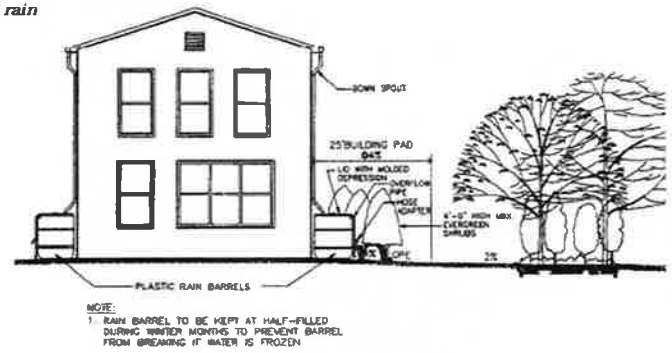
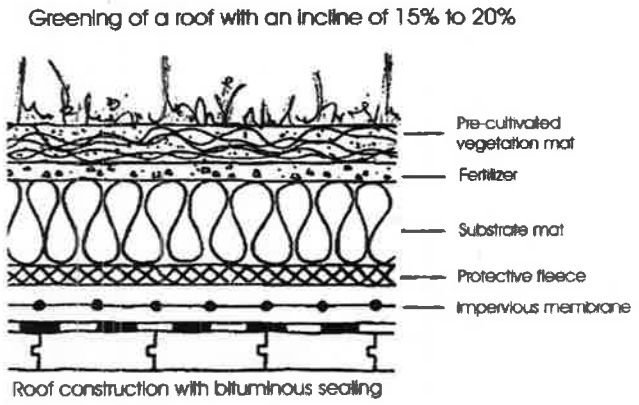
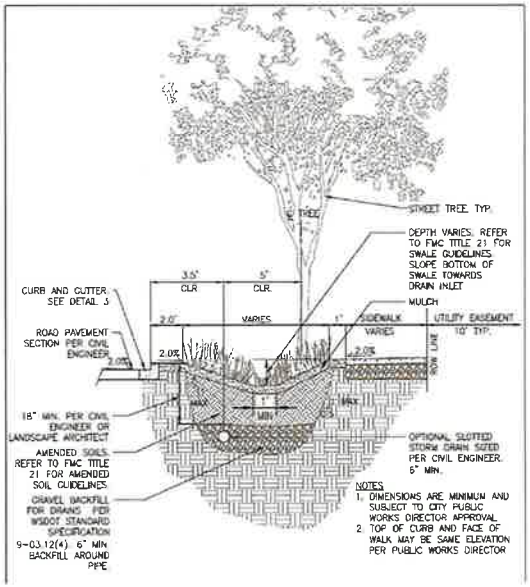


Figure 4-13. Roof Greening

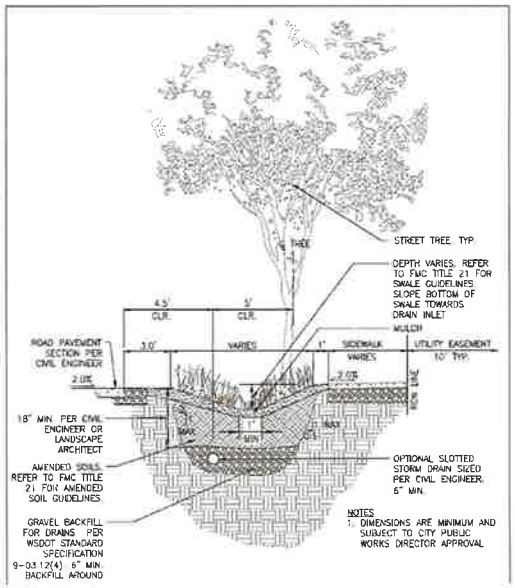


ii. Typical Street LID Facilities

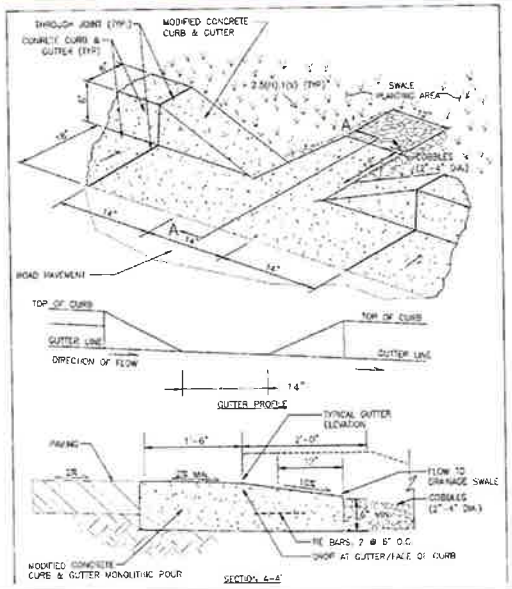
Roadside bio retention swale with curb:



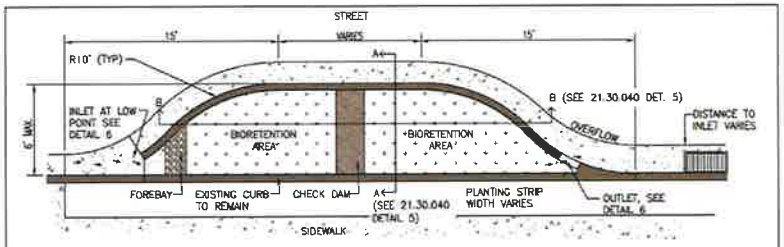
Roadside bio retention swale without curb:



Roadside bio retention swale curb cut:



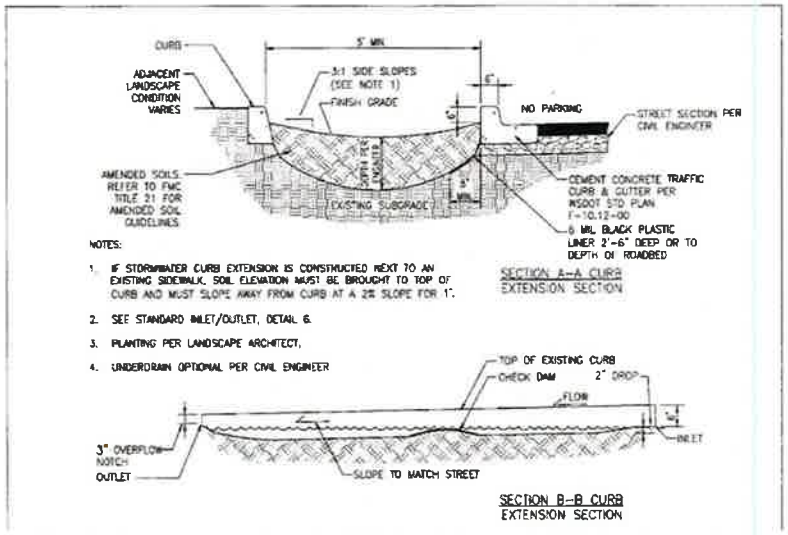
Roadside curb extension:



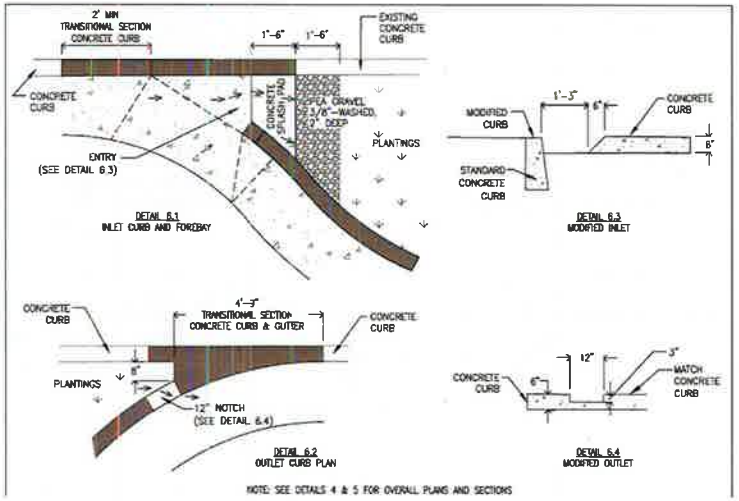
NOTES:

1. WIDTH OF CURB EXTENSION: 5' MINIMUM FROM INSIDE CURBS. DEPTH OF CURB EXTENSION: 6" MINIMUM FROM INLET AT GUTTER ELEVATION TO BOTTOM OF FACILITY.
2. LONGITUDINAL SLOPE OF PLANTER MATCHES ROAD; FLAT AS POSSIBLE. 3% MAXIMUM. LONGITUDINAL AND CROSS SLOPE OF SOIL WITHIN PLANTER: NONE, FLAT AS POSSIBLE. (TYPICAL CROSS SLOPE OF ROAD 2–6%, CROSS SLOPE OF GUTTER 5.5%.)
3. SPECIAL REQUIREMENTS MAY BE NECESSARY ON STEEP SLOPES & FOR FACILITIES DESIGNED TO INCLUDE DISPOSAL.
4. INCLUDE ELEVATIONS AND STATIONING AT EVERY INLET AND OUTLET. INCLUDE ELEVATIONS AND STATIONING FOR TOP AND BOTTOM ELEVATIONS OF BIORETENTION AREA AT BEGINNING AND ENDING OF DEPRESSIONS.
5. SIDEWALK ELEVATIONS MUST BE SET ABOVE INLET AND OUTLET ELEVATIONS TO ALLOW OVERFLOW TO DRAIN TO STREET BEFORE SIDEWALK.
6. CHECK DAMS MAY BE REQUIRED BASED ON SLOPE OF ROAD.
7. PLANTING PER LANDSCAPE ARCHITECT.
8. DEPENDING ON LOCATION, UTILITY LINES MAY NEED TO BE SLEEVED.
9. TYPE A CEMENT CONCRETE VERTICAL CURB AND GUTTER.
10. WHERE FEASIBLE WIDTH OF STORMWATER FACILITY MAY EXTEND INTO EXISTING PLANTING STRIP, IN WHICH CASE, EXISTING CURB WOULD BE REMOVED.
11. SEE DETAIL 6 FOR INLET/OUTLET.

Roadside curb extension sections:

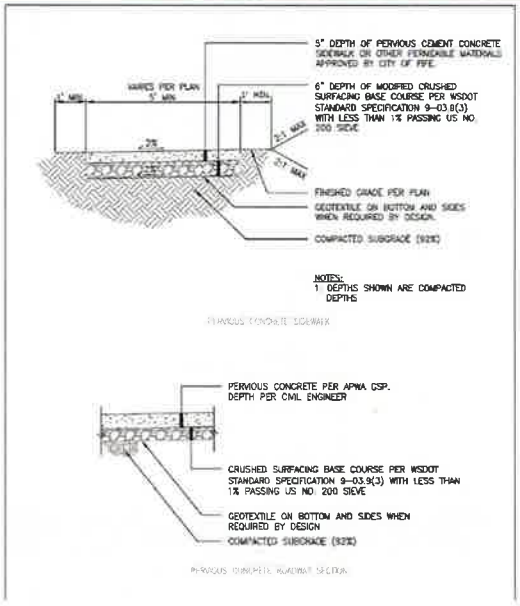


Roadside curb extension details:

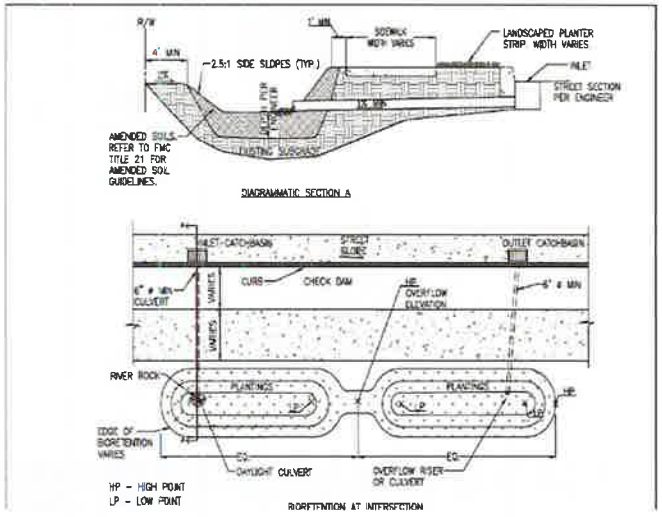


Adapted from the City of Portland, Oregon

Pervious pavement sections:



Bio retention swale at intersections:



20.110.014(k) Outdoor Lighting Standards

1. General

i. All outdoor lighting must comply with the requirements of this section, with the following exceptions:

1. Lighting for bridges, monuments, statuary flags, and public buildings.
2. Sign illumination, which is addressed in Section 20.68 Signs.
3. Repairs to existing lighting, where no more than 25% of existing luminaires are replaced or repaired. Repairs include the reconstruction or renewal of any part of an existing luminaire, other than replacement of components such as lamps, capacitors, ballasts, or photocells.
4. Temporary special purpose lighting, such as lighting for special events or construction sites.
5. Underwater lighting in swimming pools and other water features.
6. Temporary holiday lighting.
7. Low intensity lighting used in landscape design and to illuminate walkways.
8. Lighting used under emergency conditions.
9. Lighting required by federal, state, or local regulations.
10. Any lighting approved by a special use permit.

ii. Lighting Plan. All developments subject to site plan review per Section 20.16.~~010~~ 100 must submit a lighting plan, stamped by a Washington State licensed engineer or other qualified professional, demonstrating compliance with this section. Single-unit dwellings, double-unit dwellings, and multi-unit dwellings of six units or less are exempt from this requirement.

iii. Airport Influence Area: No lighting structures, devices or other objects shall be placed or erected that makes it difficult for pilots to distinguish between airport lights and other lights, results in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, or otherwise endanger the landing, take off, or maneuvering of aircraft.

2. Lighting Zones

i. Lighting Zone Descriptions. Each transect is assigned a lighting zone that describes the level and type of illumination per site. The lighting zones are described as follows:

1. LZ-0: No Ambient Lighting. Areas where the natural environment will be seriously and adversely affected by lighting. Impacts include disturbing the biological cycles of flora and fauna or detracting from enjoyment and appreciation of the natural environment.
2. LZ-1: Low Ambient Lighting: Areas where lighting might adversely affect the flora or fauna or disturb the character of the area. Lighting may be used for safety and convenience but is not necessarily uniform or continuous.
3. LZ-2: Moderate Ambient Lighting: Areas of activity with moderate light levels. Lighting is used for safety and convenience, but it is not necessarily uniform or continuous.
4. LZ-3: Moderately High Ambient Lighting. Areas of activity with moderately high light levels. Lighting is generally desired for safety, security, and convenience, and is often uniform and continuous.
5. LZ-4: Very High Ambient Lighting. Areas of activity with very high light levels. Lighting is generally considered necessary for safety and convenience and is mostly uniform and continuous.

ii. Lighting Zone Assignments. Table 20.110-17: Lighting Zones identifies the lighting zones assigned to each transect. Within each lighting zone, there are separate standards in Section 20.110.014(k) (3) for non-residential and residential uses with more than six units, and for residential uses with six units or less.

3. Lighting Standards

i. Lighting for Non-Residential and Residential Uses with More than Six Units. For all non-residential properties and for multi-family unit dwellings of more than six dwelling units with common outdoor areas, such as courtyards of parking lots, all outdoor lighting must comply with the following:

Table 20.110-17: Lighting Zones										
	T4-MS	T4-F	T4N-SV	T4N-MV	T5-MS	T5-F	T5N-LV	T5N-MV	HOC	AC
LZ-1										
LZ-2			X							
LZ-3				X			X	X		
LZ-4	X	X			X	X				

Table 20.110-18: Total Site Lumen Limits				
	LZ-1	LZ-2	LZ-3	LZ-4
Total site lumens allowed per square feet of impervious/semi-pervious surface area	1.25 Lumens	2.5 Lumens	5.0 Lumens	7.5 Lumens
Total Site Lumen Limit. The total installed initial luminaire lumens of all outdoor lighting may not exceed the total site lumen limit of Table 20.110-18 Total site Lumen Limits, except as otherwise permitted by this section. The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires. For sites with existing outdoor lighting, the existing lighting must be included in the calculation of total installed lumens.				
Maximum BUG Ratings. All luminaires must be rated and installed according to Table 20.110-19. Maximum BUG Ratings, which describes the maximum backlight (B), up light (U), and glare (G), as rated by the luminaire manufacturer, allowed in each lighting zone. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming are not permitted.				

Table 20.110-19: Maximum BUG Ratings				
MAXIMUM ALLOWABLE BACKLIGHT (B) RATING[1]	LZ-1	LZ-2	LZ-3	LZ-4
Greater than two mounting heights from property line	B3	B4	B5	B5
1 to less than 2 mounting heights from property line and ideally oriented[2]	B2	B3	B3	B4
0.5 to 1 mounting heights from property line and ideally located[2]	B1	B2	B3	B3
Less than 0.5 mounting height to property line and properly oriented[2]	B0	B0	B1	B2
MAXIMUM ALLOWABLE UPLIGHT (U) RATING				
Allowed up light rating	U1	U2	U3	U4
Allowed % light emission above 90 degrees for street or area lighting	0%	0%	0%	0%
MAXIMUM ALLOWABLE GLARE (G) RATING[3]				
Allowed glare rating	G1	G2	G3	G4
Any luminaire not ideally oriented[4] with 1 to less than 2 mounting heights to any property line of concern	G0	G1	G1	G2
Any luminaire not ideally oriented[4] with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G1	G1
Any luminaire not ideally oriented[4] with less than 0.5 mounting heights to any property line of concern	G0	G0	G0	G1

[1] For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purposes of determining compliance with this section. For property lines that abut public roadways, the property line may be considered to be the centerline of the public roadway for the purposes of determining compliance with this section.

[2] Ideally oriented means the luminaire is mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

[3] For property lines that abut public walkways. Bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purposes of determining compliance with this section. For property lines that abut public roadways, the property line may be considered to be the centerline of the roadway for purposes of determining compliance with this section.

[4] Any luminaire that cannot be mounted with its backlight perpendicular to any property line within twice the mounting height of the luminaire location must meet the reduced allowed glare.

3. Additional Allowable Lumens. Additional lumens are allowed above the total site lumen limits identified in table 2.9 (E) for the following applications:

a. Building Entrances or Exits: An additional 400 lumens in LZ-0, 1,000 lumens in LZ-1, 2,000 lumens in LZ-2, 4,000 lumens in LZ-3, and 6,000 lumens in LZ-4 are allowed per door for building entrances or exits, so long as the luminaires are within 20 feet of the door.

b. Building Facades: An additional eight lumens in LZ-2, sixteen lumens in LZ-3, and 24 lumens in LZ-4 are allowed per square foot of the building façade that is to be illuminated, so long as the luminaires are aimed at the façade.

c. Gas Stations: Impervious and Semi-Pervious Surfaces. An additional eight lumens in LZ-2, sixteen lumens in LZ-3, and twenty-four lumens in LZ-4 are allowed per square foot of total illuminated impervious and semi-pervious surface of a gas station, not including building footprints or areas under canopies.

d. Gas Stations: Under Canopies. An additional sixteen lumens in LZ-2 and thirty-two lumens in LZ-3 and LZ-4 are allowed per square foot of area within the drip line of a gas station canopy, and must be located under the canopy.

e. Drive-Through Facilities. An additional 4,000 lumens in LZ-2 and 8,000 lumens in LZ-3 and LZ-4 are allowed per drive-through window within 20 feet of the window.

f. Outdoor Dining. An additional five lumens in LZ-2, ten lumens in LZ-3 and fifteen lumens in LZ-4 are allowed per square foot of total illuminated impervious or semi-pervious surface of an outdoor dining area within two mounting heights of the outdoor dining area.

g. Outdoor Display: An additional eight lumens in LZ-3, twelve lumens in LZ-3 and eighteen lumens in LZ-4 are allowed per square foot of outdoor display area, not including driveways, parking areas, or other non-sales areas within two mounting heights of the outdoor display area. This includes open-air markets.

ii. Lighting for Residential Uses with Six Units or Less. For residential dwellings of six units or less, all outdoor luminaires must be fully shielded, with the following exceptions:

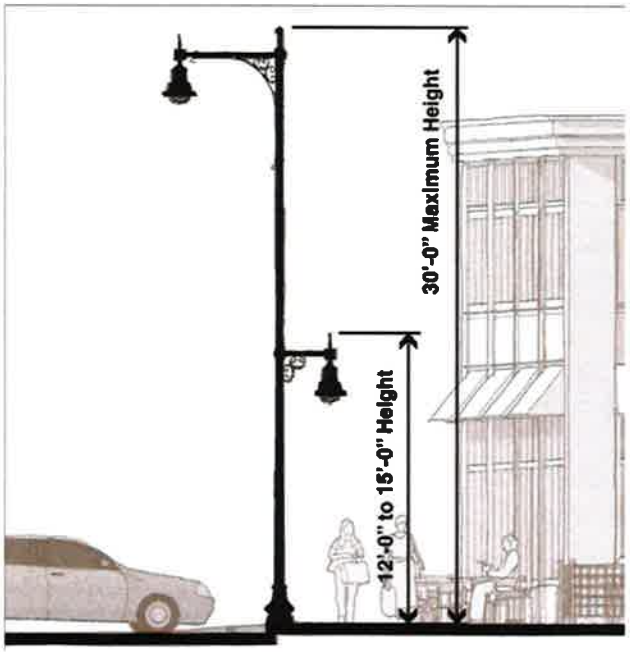
1. Up to two partly shielded or un-shielded luminaires at each main entrance.
2. Low voltage lighting that does not project onto adjacent properties.
3. Shielded directional flood lighting that is aimed so that direct glare is not visible from adjacent properties.
4. Lighting installed with a vacancy sensor, which extinguishes the lights no more than 15 minutes after the area is vacated.

iii. Lighting of Right-of Way. Outdoor lighting of public rights-of-way and private easements for vehicular, cyclist, or pedestrian ways must comply with the following:

1. All street lighting luminaires must be designed per the specifications of the Director of Public Works.
2. Lighting fixture spacing mist conform to light level and uniformity requirements per the American National Standard Practice for Roadway Lighting (RP-8) published by the Illuminating Engineering Society if North America (IESNA).
3. The suitability of the lighting fixture type for particular right-of-way and lighting conditions is at the discretion of the Director of Public Works. Lighting fixtures are divided into two basic types:

a. Vehicular lighting, intended to illuminate areas for vehicular travel and parking, may be no more than 30 feet in height.

b. Pedestrian Lighting. Intended to illuminate areas for pedestrian travel and seating, must be between 12 and 15 feet in height.



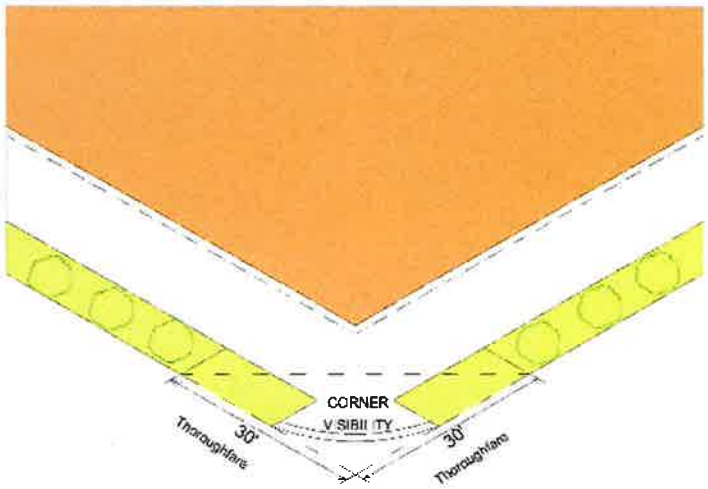
iv. Lighting by Special Use Permit

A special use permit may be issued for lighting of sites with special requirements, such as sports facilities which do not comply with the technical requirements of this section but is consistent with its intent. A special use permit may be granted only where the lighting of such a site is found to be consistent with the general criteria of this section (20.110.014(j) and the following criteria:

1. Every reasonable effort will be made to mitigate the effects of light on the environment and surrounding properties.
2. The proposed use or lighting will not create unnecessary flare, sky glow or light trespass.

v. Corner Visibility

Corner visibility must be provided along all public rights-of-way, except for passages and allies in the T4N-SV, T4-MV, and T5-MV Transects. Corner visibility is defined as the triangular area formed by projecting the lines of intersecting curbs, or of street paving edges where there are no curbs, and the line joining these points 30 feet from their point of origin. No structure, including signs and fences, may be erected, and do plan foliage may be maintained between the heights of three and one-half feet and ten feet above the curb level in this area.



20.110.014(l) Architectural Standards

1. Compatibility with Surrounding Developments

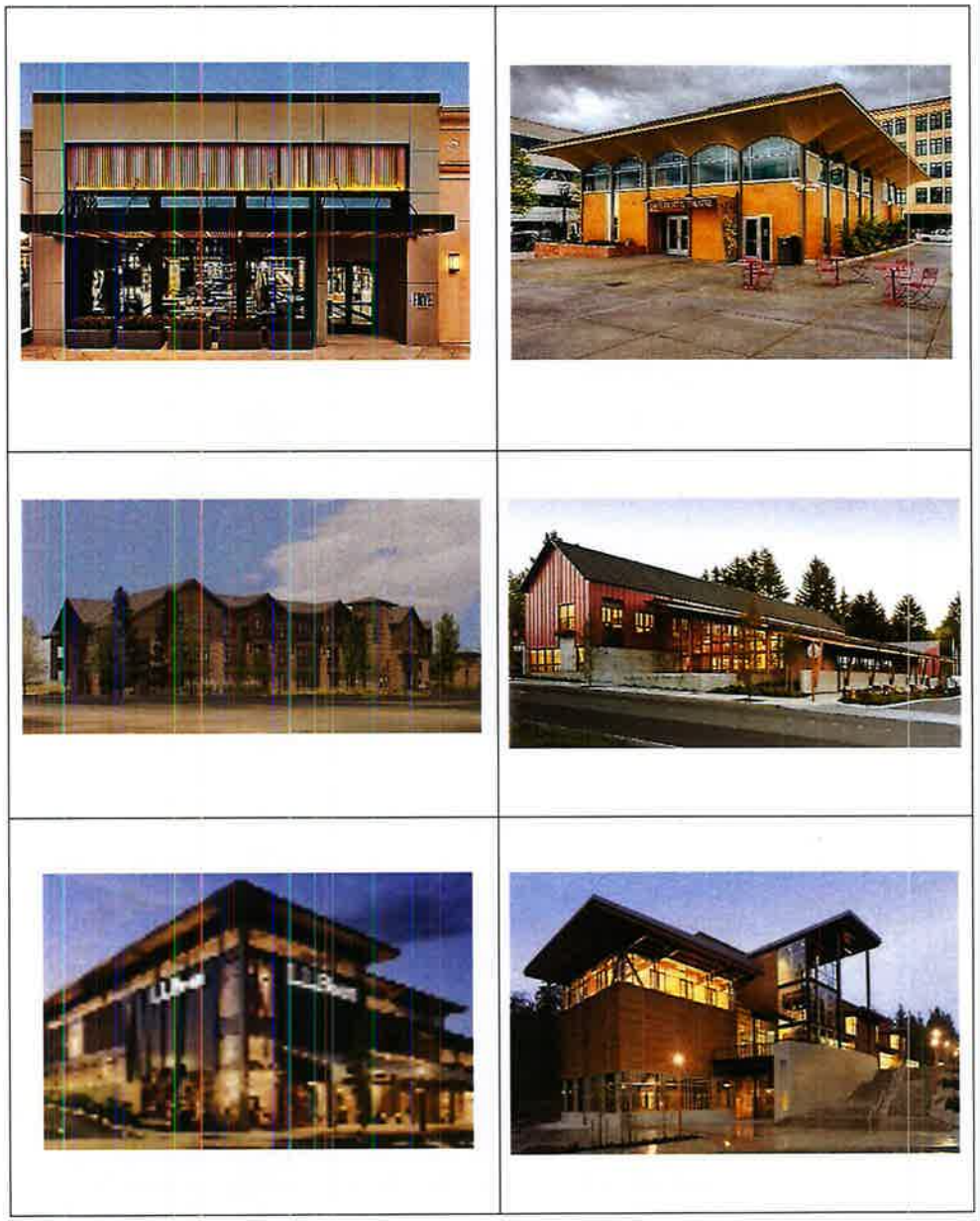
Intent: Developments should fit within their community and respond to their context. Context can be construed on different levels. Without defining a specific style, developments should still fit within the architectural context of Arlington and the Puget Sound region as a whole. This is especially true when there is no neighborhood context available. Much of this city and regional character comes from colors and materials; and building elements that provide protection from the Western Washington climate. When projects are constructed within existing neighborhoods, they should be similar or complementary in character to their surroundings. Multi-building developments should also have a cohesive design. A single building should also have a consistent quality of design on all of its sides.

Arlington and Regional Compatibility Standard: Buildings shall be finished in muted, natural-hued colors and natural finishes. Bright colors shall be used as accents only. Buildings shall provide protection from the elements at a minimum at public entries. Protection shall be provided by at least one of the following elements:

1. A roof overhang with a minimum depth of (4) feet where the entry is in a ~~one~~ 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.~~104~~014(d).

Neighborhood Compatibility Standard: Projects in existing developed areas with an established character shall be compatible with or complement the established architectural character of the neighborhood, specifically in:

1. Material and colors
2. Scale and proportions of forms;
3. Scale, proportion, pattern, and approximate head heights of doors and windows; and
4. Approximate floor level elevations



2. Compatibility within a Multiple Building Development

Intent: Multiple building developments shall be designed with size, building massing, and setbacks that are consistent with the Place Types in which they are located.

Standard: Similar building materials: All buildings in a multiple-building commercial development, including pad site buildings, shall be constructed of building materials and colors approved as part of the development application. Applications shall include illustrations and examples of building materials and/or colors.

Similar Architectural Details: All buildings in a multiple-building development, shall be constructed of building materials and colors approved as part of the development application. Applications shall include illustrations and examples of building materials and/or colors.

3. ~~Four~~ Four-Sided Design

Intent: Buildings shall not look like they have a fake facade pasted on the front of them. Buildings shall be designed to ensure that they look like the same building on all sides. Consistent building details and proportions on all sides ensure a "four-sided" quality to a building.

Standard: The design of the building shall provide consistent architectural details and avoid monotonous building massing and design. Architectural details and colors shall be consistent on all building walls.

Roof/Equipment Screen: Roof equipment shall be screened from view of pedestrians and vehicles on all sides with a screen that is at a minimum the same height as the equipment. The screen shall be constructed from Visually Light Material. Utilities shall be 100% screened from the view of the public and internal streets.

	This infill building's height, materials, and setbacks are compatible to the buildings surrounding it.
	These buildings are compatible with each other; they use similar heights, setbacks, and materials.

Don't Do This:



This building has no detailing on one wall.



This building has different details on each wall.

Do This:



This single story commercial building has similar detailing on all visible walls.



This street corner building has a similar level of detail on each façade.



These mixed use buildings have different, yet compatible details from one section to the next; all parts of the building are equally well detailed.

4. Signage and Design Elements

Intent: 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.

Standard: Corporate or Trademark Architecture. Individual corporate image, trademark, or marketing architectural design elements and colors shall be incorporated only as secondary design elements to the development and not as dominant elements. These architectural design elements shall be compatible with surrounding development and shall not define the character or style of the building or development.

Building Signage. All street frontages, 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.

Sign Ordinance: See Section 20.68 of the AMC.

Standardized Marketing Features: The city reserves the right to require significant departures from standardized architectural "themes" that are intended to market or brand any type of entity that will occupy the structure.

5. Building Height and Transition

Intent: 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.

Standard: Building height. Building heights are regulated by Section 20.110.014(c) (Place Types).

Height transition to adjacent residential or mixed uses: any portion of a building closer than 50 feet from a common property line which has an existing residential or mixed use shall be no higher than twelve (12) feet above the highest point of the closest existing residential or ~~mixed use~~mixed-use structure. The closest existing structure shall be defined as the residential or ~~mixed use~~mixed-use structure that is closest to the common property line that the existing structure(s) and the proposed development share. This does not apply if the existing structure is located across a street from the proposed development.



6. Building Materials

Intent: Buildings shall be attractive and durable. To insure this, buildings shall be constructed of ~~high~~ high-quality materials and require minimal maintenance.

Standard: Building materials. Exterior building materials are classified according to their visual weight; exterior materials shall include, but shall not be limited to the following:

Table 20.110-20 Allowed Exterior Materials		
Heavy Materials	Light Materials	Roofing Materials
Stone; Natural or cultured matching the appearance of natural	Wood Siding; Medium to narrow exposure or cut, natural or fiber cement	Architectural Composition Shingles; With varied texture and color
Brick; Natural or cultured matching the appearance of natural	Shakes; Natural	Metal; Standing seam, or architectural profiles
Concrete Block (CMU); Integrally colored, split face	Board & Batten; Natural wood and paneling or fiber cement	Slate; Natural or cultured matching the appearance of natural
Concrete; Finish grade cast-in-place concrete with reveals, aggregate texture, and/or cast texture	Metal Panels; Phenolic core, braked pan-shape, or with integral rigid insulation to minimize oil-canning	Single-Ply Membranes; Non-white, used only on flat roofs where not visible to pedestrians or vehicles
Wood Siding; Horizontal wide exposure or board height, real or fiber cement	Metal Siding; Architectural Profiles	Built-Up Roofing; Used only on flat roofs where not visible to pedestrians or vehicles
Steel; Columns or beams	Glass; Thermally broken curtain wall	Glass; Skylights or skylight systems
Large Engineered Wood Materials	Insulated Translucent Sandwich Panels	Insulated Translucent Sandwich Panels; Skylight specific system

Location: Heavy materials shall be located below medium and light materials; medium materials shall be located below light materials. Heavy materials shall extend to grade.

Required Exterior Materials: At least 50% of the total exterior wall area of each building elevation, excluding gables, windows, doors, and related trim, shall be heavy materials. The balance of exterior wall area shall be medium or light materials.

Synthetic Stone: Synthetic stone, such as pre-manufactured fiberglass, cultured stone, or glass-fiber reinforced concrete is permitted, provided it is identical in appearance and of equal or greater durability to natural stone.

Vertical Change of Materials: A vertical change of materials shall occur at an interior corner or shall not occur within four (4) feet of an exterior corner.

Building Rehabilitation: The rehabilitation of existing buildings shall comply with the requirements for exterior building materials. Use of alternate exterior materials for the rehabilitation of existing buildings is subject to approval by the Design Review Board.

Column Standards: Columns shall be sized so that they have the visual weight necessary for their purpose. Visually Heavy Material columns shall be a minimum of 16" in any direction. Finished wood, or synthetic wood, columns shall be a minimum of 5 ½" in any direction if not supporting just a roof, or a minimum of 7" in any direction if supporting upper floors. Exposed structural steel columns may be any size necessary for their structural support.

Prohibited materials: unless approved by the Design Review Board, exterior building shall not include the following:

Table 20.110-21 Prohibited Materials
Stucco; Except as an accent used on a maximum of 15% of an elevation, back-drained system only, may be used as either a Visually Heavy or Visually Light Material
Exterior Insulating Finish System (EIFS)
Vinyl Siding

Don't Do This:



This building has no heavy materials

Intent: Brick, stone, and other types of masonry or masonry veneer shall be detailed as Masonry bearing walls, especially at openings. Proper masonry detailing allows the building to be more pleasing to the eye because masonry openings and corners appear to be structurally supported.

Standard: Exterior Corners. Stone and brick used on exterior walls shall not terminate at exterior corners.

Masonry Openings. Openings in a brick or stone facade shall have a stone lintel, a tone or brick arch, or a brick soldier course. Window and door openings shall be classified as masonry openings.

Vertical Change of Materials. A vertical change of materials from stone or brick to another material shall occur at an interior corner or shall not occur within four (4) feet of an exterior corner.

Horizontal Change of Materials. Horizontal changes of material from brick or stone to another material shall include a stone cap or a brick sill; the cap or sill shall project from the face of the building.

Do This:



The brick comprises at least 50% of the wall area; horizontal changes of materials do not occur within 4' of an exterior corner.



The stucco wall is located above the brick and stone wall; the brick and stone comprise at least 50% of the wall area.



The stucco wall is located above the stone wall; the stone comprises at least 50% of the wall area.

Don't Do This:	
	
The masonry opening has no lintel, arch or soldier course.	The masonry terminates at an exterior corner on this building.
Do This:	
	
This building uses an adequate stone cap at its horizontal change in material; the cap projects from the face of the building.	The masonry turns the corner and continues at least four feet on this building; the vertical change in material form stone to brick and stucco does not occur within 4 feet of the exterior corner.

7. Building Modulation and Articulation

Intent: 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. Tall building walls with little detailing emphasize their height and dwarf human beings. Tall building walls shall have an apparent base, middle, and top.

Standard: Facade Modulation. Any facade 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 three (3) percent of the entire length of the facade; this projection or recess shall extend over at least 20% percent of the entire length of the facade.

Roofs. Buildings larger than 50,000 square feet shall include both pitched and flat roofs with parapets.

Vertical Building Bays. All building facades shall consist of vertical building bays that are a maximum of 30 feet in width. The edges of each bay shall be defined by a vertical architectural feature that projects or recesses from the wall plane a minimum of eight (8) inches.

Building Base. A recognizable base shall include, but shall not be limited to:

- Thicker walls, ledges, or sills.
- Integrally textured, colored, or patterned materials such as stone or other masonry.
- Raised planters which are integral to the building face.

Building Top. A recognizable top shall include, but shall not be limited to:

- Cornice treatments, other than just colored "stripes" or "bands," with integrally textured materials such as stone or other masonry or differently colored materials.
- Sloping roofs with eaves and bracket.

Don't Do This:



The building wall exceeds 30' in length without modulation; it also contains no vertical bays or building base and top.



The colors on this building wall do not qualify as a building base; they are merely a change in color.

Do This:



The façade consists of vertical building bays no wider than 30'.



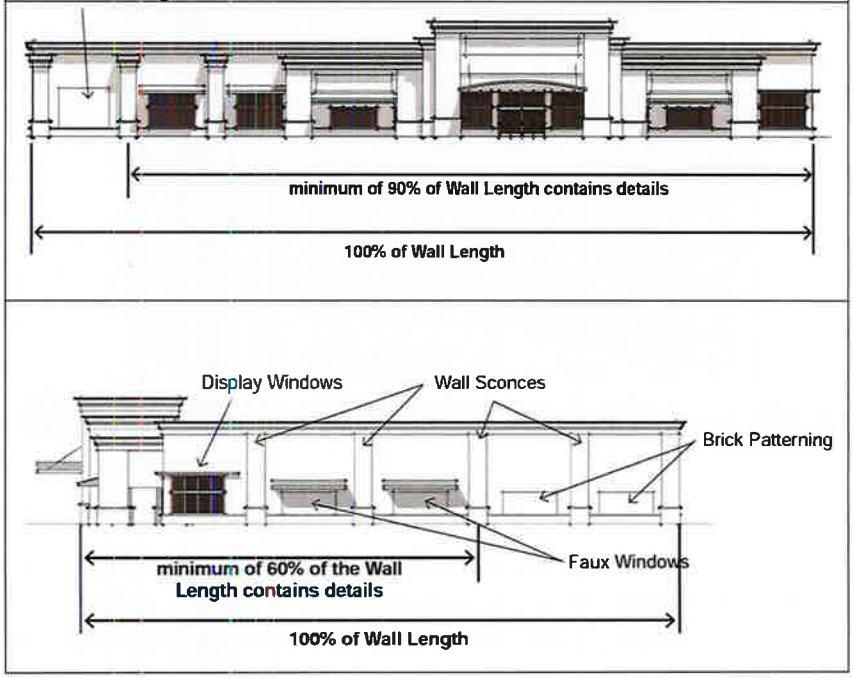
This building has a clear building base and building top.

8. Building Scale

Intent: 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.

Standard: 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 front wall length and at least 60% of other building wall lengths. The full width of each vertical building bay that contains the previously-listed details shall be counted towards the minimum length of the building that must contain these details.

Example for Front Walls



Don't Do This:	
	
This building front contains few features to break up its length or large proportion; the features do not cover at least 90% of the building front.	This building has a painted pattern; which is not enough of a feature to break up the large façade.
Do This:	
	
This building breaks up the front façade into smaller proportions with storefronts, windows, awnings, other features; these features cover at least 90% of the building front.	This building uses windows, arcades, storefronts, awnings and building setbacks to break up the long façade; these features cover at least 90% of the building front.

9. Pitched Roofs and Eaves

Intent: 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.

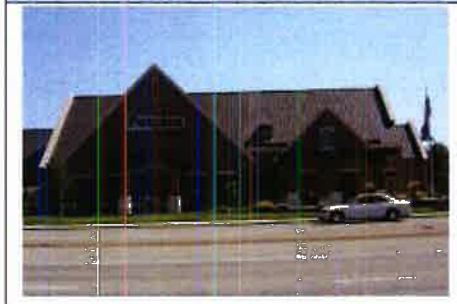
Standard: Allowed Pitch Roof Configurations. Pitched roofs shall be gable, hip, or shed configurations with overhanging eaves.

Visible Roof Standards: Roofs visible from pedestrian and vehicles shall be sloped and of an approved material in section20.110-20. Sloped roofs shall have a pitch of 3:12 rise: run to 12:12 rise: run. Any portion of visible sloped roofs exceeding (80) feet in length shall include scaling elements including, but not limited to, a change in plate height, dormers, stepped roofs, and / or gables.

Allowed Slope. Pitched roofs shall have a minimum slope of four (4) feet vertical rise for every twelve (12) feet of horizontal run; the maximum slope is limited to one (1) foot vertical rise for every one (1) foot of horizontal run.

Roof Modulation. A pitched roof more than 90 feet in length shall include a change in parapet height or pitched roof height at least every 90 feet. This change in height shall align with the vertical building bays. Buildings larger than 50,000 square feet shall include both pitched and flat roofs with parapets.

Roof Elements. Continuous pitched rooflines greater than 90 feet in length shall include roof elements that align with the vertical building bays and roof modulation. Roof elements shall include, but shall not be limited to, dormers, stepped roofs, gables, or other roof elements that add significant visual relief to the roof line.

Don't Do This:	
	The pitched roof lacks any overhanging eaves.
	This building is over 50,000 square feet and does not contain both pitched roofs and flat roofs with parapets.
Do This:	
	This pitched roof modulates.
	The pitched roof has overhanging eaves.

10. Gutters, Downspouts, and Scuppers

Intent: Building devices used to control rainwater shall be compatible with the roofing system and shall not dominate the facade of a building. Parapets and cornices shall not be interrupted by stormwater elements.

Standards: 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 flat roofs. Gutters, downspouts, and scuppers shall be shown on drawings submitted for Architectural Standard approval.

Don't Do This:	
	These exposed gutters should only be used with a pitched roof; the exposed downspouts should be located at interior corners.
	These downspouts are incorrectly located at the exterior corners of the building.
Do This:	
	Exposed gutters are not used with the flat roof section of the roof. Exposed gutters are allowed to be used with a pitched roof over the entry, but the downspouts would need to be located at an interior corner.
	These downspouts are correctly located at the interior corner of the building.

11. Customer and Public Entrances

Intent: Customer and public entrances shall ensure accessibility to the public, create primary focal points for the facade, and provide a comfortable proportion for the pedestrian entry.

Standard: Number of Entrances. Buildings larger than 50,000 square feet (gross floor area) shall provide at least two (2) customer or public entrances. Buildings smaller than 50,000 square feet (gross floor area) are encouraged to provide multiple customer or public entrances.

Location. Buildings larger than 50,000 square feet (gross floor area) shall orient customer or public entrances toward a public street or an internal street or drive.

Prominent Entrances. Each building on a site, regardless of size, shall have clearly-defined, highly-visible customer entrances featuring no less than three (3) of the following:

- Awnings or porticos
- Overhangs
- Recesses/projections
- Arcades
- Raised corniced parapets over the door
- Peaked roof forms
- Arches
- outdoor patios
- Architectural detail such as tile work and moldings integrated into the building structure and design
- Integral planters or wing walls that incorporate landscaped areas and/or places for sitting

Internal Circulation: All stairwells, corridors, and other circulation components of the building shall be completely enclosed within the building envelope.

Don't Do This:	
	This large building has no entrance facing the street.
	The customer entrance on this building has no detailing.
Do This:	
	The customer entrances are prominently defined.
	This customer entrance contains columns, display windows, raised parapet and recesses.
	These customer entrances have adequate details; they contain awnings, display windows, overhangs and recesses.

12. Windows

Intent: Windows shall be vertically proportioned; this allows the window opening to appear to be structurally supported. Window trim is not compatible with masonry construction. Upper story windows shall logically align with building bays and windows on the ground floor, so the upper floors look like they are part of the same building as the ground floor.

Standards: Window Proportion. Window-panes shall be vertically proportioned.

Window Trim. 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 two (2) inches wide when looking at the finished façade of the building.

Upper Story Windows. Windows located above the ground floor shall align with ground floor windows, ground floor doors, and the building modulation.

Display Windows. The light source for display windows shall not be visible from the exterior of the building.

Don't Do This:	
	These windows have horizontal window proportions.

Do This:	
	These windows have vertical proportions.
	The window has a window and a sill.
	The second story windows align with the vertical bays on the first floor.
	The window opening in the stone wall has no trim; the window frame is at least 2" wide.

13. Glazing

Intent: The ground floor of commercial buildings shall be transparent. Ground floor transparency guarantees a visual connection to the passers-by and is usually necessary for most retail structures. By exposing the ground floor to the exterior, there is an invitation to participate with the activity inside.

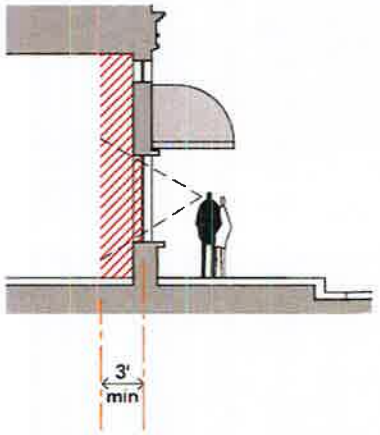
Standard: Required Transparency for Primary Facades. Primary facades shall be glazed and transparent according to the following table:

Transect	Minimum Glazing Required on All Primary Facades	Minimum Transparency Required on All Primary Facades
T4-MS; T5-MS	75% of the pedestrian view plane	75% of the pedestrian view plane
T4N-MV; T4-F; T5N-LV; T5-F	50% of the pedestrian view plane	25% of the pedestrian view plane
T4N-SV	Residential Minimums	
The remaining window area that is not transparent may be spandrel, display windows, frosted windows, etc.		

- Between 25%and 60% of the ~~second~~ second-floor façade and above shall be transparent glazing.
- Transparent glass shall possess a minimum 60% light transmittance factor.
- Areas of the building 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.

Primary Facades. A primary facade shall be considered any front facade or facade that fronts onto a street, access way, pedestrian walkway, or internal drive; alleys and service drives shall not be considered streets, access ways, or internal drives for the purposes of this requirement.

Pedestrian View Plane. The pedestrian view plane shall be defined as the exterior wall area located between two (2) feet and ten (10) feet above the exterior grade.



Pedestrian View Plane

Exclusions. This standard shall not apply if the Director determines that the required transparency is inconsistent with the operational requirements of the building.

Don't Do This:	
	
The primary façade of this commercial building is not adequately glazed or transparent. At least 75% of the pedestrian view plane should be glazed and at least 25% of the pedestrian view plan should be transparent.	These windows are reflective or opaque because they are not transparent from the exterior or interior of the building. They meet the glazing requirement, but cannot be classified as transparent
Do This:	
	
The primary façade of this ~~mixed use~~mixed-use building is correctly glazed and transparent; at least 75% of the pedestrian view plane is glazed and at least 75% of the pedestrian view plane is transparent.	The primary façade of this commercial building is correctly glazed and transparent; at least 75% of the pedestrian view plane is glazed and at least 75% of the pedestrian view plan is transparent.

20.110.014(m) Administration and Procedures

1. Purpose and Applicability

i. Purpose: This Section establishes procedures and requirements for the preparation, filing, and processing of the land use permit applications required by this ~~Mixed Use~~Mixed-Use Code.

ii. Applicability: The standards, permits, procedures, and other requirements of this ~~Mixed Use~~Mixed-Use Code shall be administered and enforced per this Article, unless specifically stated otherwise in this Mixed Use Code. All applicable provisions of Title 20 of the Arlington Municipal Code (AMC) that are not specifically replaced or identified as not applicable shall continue to apply.

iii. Effect of Existing and Proposed Development and Land Use

1. Requirements for new structures or land uses, or changes to structures or land uses. No permit shall be issued by the City unless the proposed project complies with all applicable provisions of this ~~Mixed Use~~Mixed-Use Code and Title 20 of the AMC, including the applicable findings, conditions of approval, and all other applicable provisions of law.
2. Legal Parcel. The site of a proposed land use, development, modification or other improvement subject to this ~~Mixed Use~~Mixed-Use Code shall be on a parcel(s) legally created in compliance with the City's Subdivision or Binding Site Plan Regulations. Parcels created after the adoption of this Form-Based Code are subject to the requirements in Section 20.110.014(c) (Place Types) for the applicable Transect Zone.
3. Minimum requirements. The provisions of this ~~Mixed Use~~Mixed-Use Code are minimum requirements for the protection and promotion of the public health, safety, and general welfare. When this ~~Mixed Use~~Mixed-Use Code provides for discretion on the part of a City official or body, that discretion may be exercised to impose conditions on the approval of any project proposed in the area subject to this Mixed Use.
4. Effect on Existing Development and Land Uses. Development and/or use(s) legally existing as of the adoption of this ~~Mixed Use~~Mixed-Use Code shall comply with Section 20.110.014(m)(4) (Nonconforming Provisions).

20.110.014(n) Application and Processing Procedures

1. Purpose:

The purpose of this Section is to set forth permit procedures and requirements for the preparation, filing, and processing of development applications required by this ~~Mixed Use~~Mixed-Use Code.

2. Authority for Land Use and Zoning Decisions:

Table 20.110-22, below, identifies the Review Authority responsible for review, approval, and appeal of all applications for property located within the ~~Mixed Use~~Mixed-Use Regulating Plan boundaries. Permits and procedures specific to this ~~Mixed Use~~Mixed-Use Code are in Division 20.110.014(o) (Permit Review Procedures).

Table 20.110-22: Review Authority	Review Authority				
Type of Action[1,2]	Director	Hearing Examiner	Snohomish County Superior Court	Planning Commission	City Council
Admin. and Legislative Action					
Comp. Plan Amendment				Recommend	Decision
Zoning Map Amendment				Recommend	Decision
Land Use Code Amendment				Recommend	Decision
Development Permits and Appeals					
Certificate of Home Occupation	Decision				
Conditional Use Permit	Recommend	Decision	Appeal		
Special Use Permit	Decision[3]	Decision[3] or Appeal[3]	Appeal[3]	~~Appeal[3]~~	
~~Use Permit~~	~~Decision~~	~~Appeal~~			
~~Permit Review-Mixed Use Overlay~~	~~Decision~~	~~Appeal~~	~~Appeal~~		
Design Review-Underlying Zoning				Decision	
Design Review with Mixed Use Overlay Projects	Decision[3]	Decision[3] or Appeal[3]	Appeal[3]		
Lot Line Adjustment	Decision				
Variance[4]	Decision	Appeal			

[1] 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.

[2] Notwithstanding any other provisions of this chapter, whenever a Place Type Use Table or other provisions of this Section provides that a use in a Mixed Use Zone is permissible with a zoning permit, a special use permit shall nevertheless be required if the community development director finds that the proposed use would have an extraordinary impact on neighboring properties or the general public. In making this determination, the community development director shall consider, among other factors, whether the use is proposed for an undeveloped or previously developed lot, whether the proposed use constitutes a change from one principal use classification to another, whether the use is proposed for a site that poses peculiar traffic or other hazards or difficulties, and whether the proposed use is substantially unique or is likely to have impacts that differ substantially from those presented by other uses that are permissible in the Transect in question.

[3] ~~Appeal to the Design Review Board shall be at the discretion of the Director.~~ A Special Use Permit follows the regulations of AMC Chapter 20.16. If the Director makes the Special Use Permit decision, then the decision is appealable to the Hearing Examiner. If the Hearing Examiner makes the Special Use Permit decision, then the appeal is to Snohomish County Superior Court.

[4] The process for variances shall follow the provisions contained in AMC Section 20.20.30 (Variances).

3. Application Preparation and Filing:

i. Application content. All development applications shall be filed with the Community Development Department on a City application form, together with all required fees and/or deposits and all other information and materials specified by the Community Development Department for the specific type of application.

ii. Eligibility. An application may only be filed by the owner of the property, an authorized agent of the owner, a person acting in compliance with a purchase contract or other written consent, or the Director on behalf of the City Council.

iii. Application Fees:

1. Fee Schedule

a. The City maintains a schedule of fees for processing applications required by this ~~Mixed Use~~Mixed-Use Code, hereafter referred to as the Community Development Fee Schedule.

b. The Community Development Fee Schedule is adopted by resolution of the City Council. This Fee Schedule may be evaluated and/or amended as often as determined to be necessary by the City Council.

2. Timing of Payment.

a. Applications shall not be deemed complete, and processing shall not commence on any application until all required fees or deposits have been paid.

b. Failure to pay supplemental requests for payment of required fees and/or deposits in a timely fashion shall be a basis for postponement or automatic withdrawal of any permit or other requested entitlement, notwithstanding any other provisions of this ~~Mixed Use~~Mixed-Use Code.

3. Refunds and Withdrawals.

a. No refund due to denial shall be allowed.

b. In the case of a withdrawal, the Director shall authorize a partial refund based upon the pro-rated costs to-date and the status of the application at the time of withdrawal.

20.110.014(o) Project Permit Review Procedures

1. Purpose:

This Section establishes review procedures for project permits required by this ~~Mixed Use~~Mixed-Use Code. Other permit review Sections of AMC Title 20 may be included in this Section by reference when an exception or modification requires additional clarification in order to implement this —Mixed Used Code.

2. Permits and Procedures:

i. Project Permit Review.

1. Purpose. The purpose of this Section is to provide the appropriate level of review for specified development projects in the ~~Mixed Use~~Mixed-Use Regulating Plan area. As applied to the ~~Mixed Use~~Mixed-Use Overlay District, these requirements replace the Design Review procedures in ~~Section 20.46.010~~Chapter 20.46 of the AMC.

2. Intent. The intent of this Section is to ensure that all approved development:

a. Promotes the orderly development of the City in compliance with the goals, objectives, and policies of the Comprehensive Plan, and the Land Use Code;

b. Protects and enhances property values by encouraging high quality and aesthetically pleasing development;

c. Respects the physical and environmental characteristics of the site;

d. Ensures safe and convenient access and circulation for pedestrians, bicycles, and motor vehicles;

e. Exemplifies the best professional ~~high~~ high-quality materials and design practices;

f. Allows for and encourages individual identity for specific structures and uses; and

g. Encourages the maintenance of distinct neighborhoods and/or community identity.

3. Applicability

a. Permit Review Required. No Building Permit shall be issued for any structure or improvement identified in Table 20.110-22 (Review Authority for Permit Review), in any Mixed Use Transect until the permit review is complete for any construction that is not specified as exempt in compliance with Section 4 (Exemptions), below.

b. Other permits and approvals. Project Review may be required in compliance with this Section in connection with the granting of other permits (e.g., Conditional Use Permit, Special Use Permit).

4. Exemptions

a. The following types of construction are exempt from the Project Review provisions of this Section but shall comply with all other applicable requirements of the Land Use Code:

i. All painting, siding, roofing, and other maintenance and replacement items with like or compatible materials or colors.

ii. Decks of no higher than four feet from grade at any point (excluding railings). Replacement of existing decks where the structure is similar in size, design, and appearance to the deck replaced.

iii. Residences and residential additions of less than 250 square feet total floor area and less than 15 feet in height above the existing grade, except exempt residences and residential additions, including but not limited to minor window, door, and roof modifications. Exception status may not be granted from Project Review for more than one addition in any twelve-month time frame.

iv. Accessory structure of less than 250 square feet total floor area and less than nine feet in height from the existing grade.

v. Commercial additions or improvements of less than 500 square feet to building or site surfaces, not abutting Transects, T4-SV, or T4N- MV. Replacement or reconstruction of existing equipment and appurtenant facilities where the new equipment and facilities are similar in size, design, and appearance to the equipment or facility replaced.

vi. For temporary structures of less than 500 square feet total floor area on commercial or industrially zoned property, not abutting Transects T4N-SV, or T4N- MV, Project Review shall not be required unless determined necessary by the Director or his/her designee.

b. Any exterior development of a structure or specific site feature listed on the National Register of Historic Places, the Washington Heritage Register, or the Heritage Barn Register or identified as a contributing structure to a historic district identified in other state or county historic registries or as determined by a qualified architectural historian or state or federal historic preservation organization as having significant historic contribution to an area shall not be exempt.

5. Applicable Review Authority. An application for Project Review shall be reviewed and approved or denied by the Review Authority specified in Table 20.110-23 (Review Authority for Project Review), below, unless the application is being processed concurrently with another discretionary application, in which case the decision shall be made by the review authority responsible for reviewing any other application (e.g., Conditional Use Permit, Variance etc.) in compliance with Table 20.110-23 (Review Authority) and the provisions of this Mixed Use Code.

6. Application Filing, Processing, and Noticing.

a. All applicants for Project Review are strongly encouraged to work with their neighborhood Homeowners Association prior to submitting a formal application for Project Review with the City of Arlington.

b. An application for a Project Review shall be filed and processed in compliance with Section 20.110.014(o) (Permit Review Procedures). It is the responsibility of the applicant to provide evidence in support of the findings required by Section 7 (Findings and Decision), below.

c. Notice and Hearings. Public notice and hearings shall be conducted in compliance with Section 20.16.~~120~~ 230 (Notices).

7. Findings/Conditions of Approval.

a. In granting Project Review approval, the Review Authority shall first make all of the following findings. All findings shall be based upon the factual data presented to the Review Authority. If all findings cannot be made, the Project Review application shall be denied with or without prejudice at the Review Authority's discretion:

i. The proposed project is suitable for its purpose, is harmonious with and relates properly to, the surrounding neighborhood, contiguous parcels, and the site itself;

ii. The location, size, design, and characteristics of the proposed project will be compatible with and will not be detrimental to the public health, safety, or welfare of persons residing in or working in or adjacent to the proposed project:

iii. The overall design will be of a quality that will preserve the integrity of, and upgrade, the existing neighborhood;

iv. The design of the proposed project complies with the Arlington Comprehensive Plan and all applicable provisions of AMC Title 20 (Zoning Code).

v. Any projects requiring a SEPA review and where the Project Review Authority is the final discretionary review prior to issuance of building permits may not be approved unless there has been a determination of non-significance by the lead agency (as defined in ~~Section 20.98.250~~Chapter 20.98), or the conditions stipulated in the determination of significance have been met. If the City has completed a SEPA review for the specific Mixed Use Overlay area, the provisions if this Section do not apply.

b. The Review Authority shall have the authority to impose reasonable conditions related to design impacts caused by the project when approving the Project Review application in order to:

i. Achieve the specific purposes of the Transect Zone in which the project is to be located, the general purposes of the Zoning Code, and consistency with the Comprehensive Plan;

ii. Protect the public health, safety, and welfare of the citizens of the City.

iii. Ensure that the design of the proposed project will be compatible with the area surrounding where it will be located.

Table 20.110.23 (A) Review Authority for Project Review	Role of Review Authority	
Type of Construction	Director[1]	~~Design Review Board~~ Hearing Examiner
Residential Development		
New residential construction located on one or more contiguous parcels under the same ownership that does not require a discretionary approval by the Planning Commission or City Council	Decision	
Additions to the existing single-family dwelling units that exceed 500 square feet or 25 per cent of existing floor area and that exceed 15 feet in height above the existing grade.	Decision	
Accessory structures of more than 250 square feet of floor area that exceed 9 feet in height above the existing grade when visible from a public right-of-way.	Decision	
Residential Developments: Fee Simple Lots of less than 9 lots or multi-family 49 units or less.	Decision	Appeal
Residential Developments: Fee Simple Lots of 10 lots or more or multi-family 50 units or more.	Recommendation	Decision
Non-Residential and ~~Mixed~~ Mixed-Use Development		
All new commercial, industrial, institutional, and mixed-use structures Including accessory structures of up to a maximum of 10,000 square Feet of gross floor area, except as otherwise provided in this Section	Decision	Appeal[3]
Additions to existing structure(s) in all non-residential zones that are 30 percent of less of existing floor area and do not exceed 10,000 square feet when visible from a public right-of-way or alley.	Decision	Appeal[3]
Additions to existing structure(s) in all non-residential zones of 10,001 square feet or more of existing gross floor area, when visible from a public right-of-way or alley.	Recommendation	Decision
Mixed-Use Developments: Fee Simple Lots of less than 9 lots or multi-family 49 units or less.	Decision	Appeal
Mixed-Use Developments: Fee Simple Lots of 10 lots or more or multi-family 50 units or more.	Recommendation	Decision
Other		
New fences and walls located along street and public right-of-way frontages.	Decision	
New public or private parking lots or structures and restriping of existing lots of up to a maximum of 10,000 square feet.	Decision	
New public or private parking lots of structures and restriping of existing lots of up to a maximum of 10,001 square feet or more.	Decision	
Notes:		
[1]The Director may, at his/her discretion, defer action and refer the request to the ~~Design Review Board~~Hearing Examiner for decision.		
~~[2]Decisions of the Design Review Board may be appealed to Hearing Examiner.~~		
~~[3]Applicant appeal to the Design Review Board shall be at the discretion of the Director.~~		

8. Decision and Appeals.

~~a. The Review Authority shall render its decision on a Project Review application within 30 days of the date an application is deemed complete.~~

~~b. The decision of the Review Authority shall become final 10 calendar days after the decision is rendered unless an appeal is filed in compliance with Section 20.110.014)n) (Application Processing Procedures).~~

a. The Review Authority shall render its decision on a project review application in accordance with Chapter 20.16 AMC.

9. Miscellaneous.

a. The approval of a Project Review application shall lapse two years after its date of approval, or at an alternate time specified as a condition of approval, unless:

i. A building permit has been issued and construction diligently pursued, or;

ii. A certificate of occupancy has been issued; or

iii. The Land Use Permit has been extended.

b. A Project Review approval is not affected by a change of ownership and shall run with the land.

c. A Project Review approval that is exercised in violation of a condition of approval or a provision of this Subsection, may be revoked or modified as set forth in Section 20.110.014 (o) (Revocation/Modification Provisions).

d. A request for minor changes in the exterior design of projects approved by the Review Authority may be approved by the Director, although such changes shall be limited to changes in window orientation and scale, landscaping materials and placement, and detailing.

e. The Director may renew Project Review approvals for a single one-year period If a request is received at least 30 calendar days before approval lapses and the Land Use permit has been likewise extended.

f. If an application for Project Review is denied, then no new application for the same, or substantially the same design shall be filed within six months of the date of the denial of the initial application, unless that denial was made without prejudice.

3. Special Use Permit / Conditional Use Permit

i. Purpose. The purpose of a Special Use Permit (SUP) or Conditional Use Permit (CUP) is to provide sufficient flexibility in the permitted use regulations in order to further the objectives of this ~~Mixed Use~~Mixed-Use Code. A SUP or CUP provides a process for reviewing uses that may be appropriate in the applicable Transect Zone, but whose effects on a site and surroundings cannot be determined before being proposed for a specific site. A special use permit allows uses that have increased potential for incompatibility in a Transect to be carefully reviewed to determine, against fixed standards, whether their establishment on any given site should be allowed. These uses may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect. There may be additional conditions placed on the proposed development to better ~~insure~~ensure compatibility with existing development within the Transect. Such conditions may include, but are not limited to, the following:

1. Regulate the location, extent, business hours, and intensity of proposed use(s).
2. Require additional landscaping or screening of such uses by means of fences, walls, and vegetation;
3. Stipulate required minimum lot sizes, minimum yards, and maximum height of buildings and structures;
4. Regulate vehicular access and traffic volume, and the design and location of parking and loading areas and structures;
5. Regulate signs, architectural features, and outdoor lighting to be more compatible with the surrounding neighborhood;
6. Require that certain covenants or dedications for public streets be designed and recorded in accordance with regulations in the Subdivision Ordinance, and/or the Binding Site Plan Ordinance;
7. Any other conditions deemed necessary to ~~effect~~affect the purposes of the Mixed Use Overly code.

ii. Review Authority. Special Use Permits shall be approved or denied by the Director or Hearing Examiner. The Director may choose to refer any Special Use Permit application to the ~~Planning Commission~~Hearing Examiner for review and final decision. Conditional Use Permits shall be approved or denied by the Hearing Examiner. The permit decision process shall follow the procedures of AMC 20.16 (Permits and Land Division).

iii. Application Filing, Processing, and Noticing.

1. Filing. An application for a Special Use Permit or Conditional Use Permit shall be filed and processed in compliance with Section 2.10.2 (Application Processing Procedures). It is the responsibility of the applicant to provide evidence in support of the findings required by Section 5 (Findings and Decision), below.

2. Notice and Hearings. Public notice and hearings shall be conducted in compliance with Section 20.16.~~120~~ 230 (Notices).

3. Required findings. The Review Authority may approve a Special Use Permit or Conditional Use Permit only after first making all of the following findings:

a. The proposed use is consistent with Comprehensive Plan;

b. The proposed use is allowable within the applicable Transect Zone and complies with all other applicable provisions of this Mixed-Use Code and the Municipal Code;

c. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity;

d. The subject site is:

i. Physically suitable in terms of design, location, operating characteristics, shape, size, topography, and the provision of public and emergency vehicles (e.g., fire and medical) access and public services and utilities; and

ii. Served by thoroughfares adequate to accommodate vehicle and other modes of transportation that the proposed use would likely generate.

iii. The site's suitability ensures that the type, density, and intensity of use being proposed will not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially detrimental to the improvements, persons, property, or uses in the vicinity and Transect Zone in which the property is located; and

iv. The applicant agrees in writing to comply with any and all of the conditions imposed by the Review Authority in the approval of the Special Use Permit or Conditional Use Permit.

iii. Decisions and Appeals.

1. The permit decisions and appeals shall follow code AMC Chapters: §20.16 (Permits and Land Division), §20.20 (Appeals, Variances, and Interpretations), and §20.24 (Hearing and Pre-Hearing Procedures for Appeals and Applications).

~~1. The Director shall render his/her decision on a Special Use application within 30 days of the date an application is deemed complete.~~

~~2. The decision of the Director shall become final 10 calendar days after the decision is rendered unless an appeal is filed in compliance with Section 2.10.2 (Application Processing Procedures).~~

~~3. If the Director forwards the Project Review to the Planning Commission for decision, the Planning Commission's decision is appealable to the Hearing Examiner in compliance with Section 20.20.010.~~

iv. Permit to run with the Land. A Special Permit approved in compliance with the provisions of this Section shall continue to be valid upon a change of ownership of the business, parcel, service, structure, or use that was the subject of the permit application in the same area, configuration, and manner as it was originally approved in compliance with this Section and the provisions of Section 20.110.0140(p) Nonconforming Provisions.

Section 20.110.014(p) Nonconforming Conditions

1. Purpose. This Division provides regulations for nonconforming land uses, structures, and parcels that were lawful before the adoption, or amendment of this Mixed-Use Code, but which would be prohibited, regulated, or restricted differently under this Code.

2. Intent.

i. In order to limit the number and extent of nonconforming uses, structures, and parcels created by adoption of this Mixed-Use Code, it is the City's intent to generally allow nonconformities to continue until they are removed, but not to encourage their long-term survival.

ii. It is further the intent of this Section that nonconformities shall not be altered, enlarged, expanded, extended, moved, reconstructed, or reestablished after abandonment or discontinuance or restored after involuntary destruction, except in compliance with this Section.

iii. This Section shall not apply to any use or structure established in violation of Title 20 of the AMC, unless the use or structure presently conforms to the provisions of this Mixed-Use Code.

3. Proof of Legal Nonconformity.

The property owner has the burden to prove the claim of legal nonconformity and the related protected status that comes with that claim as specified in this Section.

i. Property owner's responsibility. The property owner shall provide sufficient evidence to the satisfaction of the Director that the subject property is a legal nonconformity as specified in this Section.

ii. Appeal of determination. The Director's determination of legal nonconformity shall be appealable to the Hearing Examiner.

4. Nonconforming Uses.

A legal nonconforming land use may be continued, including transfers of ownership, provided that their continuation shall comply with the requirements of this Section.

i. Continuance of a legal nonconforming use. The continuance of a legal nonconforming use shall be allowed subject to all of the following provisions:

1. Change of ownership. Change of ownership, management, or tenancy of a nonconforming use shall not affect its nonconforming status, provided that the use and intensity of use, as determined by the Director, does not change.

2. Additional development. Additional development (e.g., alteration, enlargement, extension, or reconstruction) of any property on which a nonconforming use exists shall require that all new development be in compliance with the applicable provisions of this Mixed-Use Code.

3. Conversion of a nonconforming use. If a nonconforming use is converted to a conforming use, no nonconforming use may be resumed.

4. Changes to a nonconforming use. A nonconforming use shall not be established or replaced by another nonconforming use, nor shall any nonconforming use be expanded or changed, except as provided in this Section.

5. A vacant property or building in which the last use was nonconforming may be occupied by the same use if occupied within a period of 180 days after the building became vacant. After this time period, the building/property must comply with the requirements of this Mixed-Use Code, except as noted in Subsection (f) below.

6. Nonconforming uses within a commercial or industrial development. A nonconforming use located within a commercial or industrial development may be replaced by another similar nonconforming use only after the Director first finds all of the following:

a. The nonconforming use is similar to or less intensive than the use originally allowed;

b. The nonconforming use generally adheres to the intent of the Comprehensive Plan.

c. The nonconforming use will not adversely affect or be materially detrimental to adjoining properties; and

d. The non-conforming use has not been vacant or discontinued for a period of 180 or more consecutive calendar days.

7. Use of lands without structures:

a. If any lands with no structure of any kind is used for a purpose which is not in compliance with the regulations of this Mixed-Use Code, the use may continue for a period of up to five years from the date of the adoption of this Code.

b. After the expiration of the five-year period, the property owner will be required, in consultation with the Community Development Department, to develop a phased development plan.

5. Nonconforming Structures.

The use of a legal nonconforming structure may be continued, including transfers of ownership, provided that their continuation shall comply with the requirements of this Section.

i. Enlargement or moving. Nonconforming structures shall not be enlarged, extended, moved, or reconstructed unless the new location or enlargement, extension, or reconstruction conforms to the current development standards for the Transect Zone in which the structure is located.

ii. Ordinary maintenance, repairs, and replacements;

a. Ordinary maintenance and repairs. Nonconforming structures may undergo ordinary maintenance and repairs.

b. Partial replacements.

i. Limited portions of nonconforming structures may be replaced so long as the cost of replacement does not exceed 25 percent of the structure's appraised valuation.

ii. Successive replacements in any 24-month period cannot exceed 25 percent of the structure's appraised value. The appraised value shall be set on the date of the oldest building permit pulled within the 24-month period.

iii. The restrictions specified in this Subsection shall not apply to affordable housing developments if their application would decrease the number of low- income rental housing units available in the City.

6. Nonconforming Parcels.

i. Legal building site. A nonconforming parcel that does not comply with the applicable area, depth, or width, requirements of this Mixed-Use Code shall be considered a legal building site if it meets at least one of the following criteria, as documented to the satisfaction of the Director by evidence furnished by the applicant:

a. The parcel was created by a recorded subdivision;

b. The parcel is under one ownership and was legally created by a recorded deed before the effective date of the amendment that made the parcel nonconforming; or

c. The parcel was made nonconforming when a portion was acquired by a governmental entity so that the parcel size is decreased not more than 20 percent and the yard facing a public right-of-way was decreased not more than 50 percent.

ii. Subdivision of a nonconforming parcel. No nonconforming parcel shall be subdivided or granted a lot line adjustment unless the subdivision or lot line adjustment eliminates the nonconforming status.

7. Effect of Conditional/Special Use Permit Requirements.

i. Absence of Conditional/Special Use Permit. A use lawfully existing without the approval of a Conditional Use Permit or Special Use Permit that would be required by this Mixed-Use Code shall be deemed conforming only to the extent of its previous lawful use (e.g., maintaining the same site area boundaries, hours of operation, etc.). Any change in use would require the approval of a new Conditional Use Permit or Special Use Permit.

ii. Previous Conditional Use Permit in Effect. A use that was authorized by a Conditional Use Permit but is not allowed by this Mixed-Use Code in its current location may continue, subject to the requirements of this Section and in compliance with the original Conditional Use Permit and conditions of approval.

8. Residential Exemptions.

An involuntarily damaged or destroyed nonconforming single- or multifamily dwelling unit may be reconstructed or replaced with a multifamily structure with the same footprint (including pre-existing nonconforming setbacks), height, and number of dwelling units, in compliance with current Building and Fire Code requirements.

9. Loss of Nonconforming Status of a Legal Nonconforming Structure.

i. Termination by discontinuance.

1. If the use of a nonconforming structure is discontinued for a continuous period of 180 days, the structure shall lose its legal nonconforming status, and shall be removed or altered to conform to the applicable provisions of this Form-Based Code.

2. The use of a nonconforming structure shall be considered discontinued when any of the following apply:

a. The: intent of the owner to discontinue use of the nonconforming structure is apparent, as determined by the Director (for example the owner has not renewed the business license or utility bills are unpaid);

b. Where characteristic furnishings and equipment associated with the use have been removed and not replaced with equivalent furnishings and equipment during this time, and where normal occupancy and/or use has been discontinued; or

c. Where there are no expense or sales receipts available for the discontinued period.

ii. Termination by destruction.

1. Nonconforming status shall terminate if a nonconforming structure is involuntarily damaged or destroyed as a result of an accident or by earthquake, fire, flood, or other acts of nature, except as follows:

a. If the cost of repairing or replacing the damaged portion of the structure is 50 percent or less of the appraised value of the structure immediately before the damage, the structure may be restored to no more than the same size, building envelope, and use, and the use continued, if the restoration is started within 12 months of the date of damage and is completed within two years following initiation of restoration:

i. Appraised values shall be determined by a State licensed appraiser and confirmed by the Building Official.

ii. Estimates of repairing or replacing the damaged portion of the structure shall be made by or shall be reviewed and approved by the Building Official and shall be based on the minimum cost of construction in compliance with the Building Code.

10. Exceptions.

i. Following a public hearing, the ~~Planning Commission~~Hearing Examiner may approve or deny an exception to this Section including any conditions of approval deemed necessary, so long as an applicant can provide evidence of the following:

1. That the building or structure was erected in compliance with the existing codes of the City which were in effect at the time that the building or structure was erected,

2. That the granting of an exception will not substantially alter the intention of the Transect Zone within which the building or structure is located, and

3. That granting an exception will not absolve or excuse an applicant for a permit from the full provisions of the Building Code and the requirements for compliance thereto.

20.110.016 APPENDIX

20.110.016(a) Definitions, General

20.110.016(b) Definitions Specific to Permissible Uses

20.110.016(c) Comprehensive Plan Goals and Policies achieved through this land use plan.

20.110.016(d) Acknowledgements

20.110.016(a) Definitions, General

Accessory Unit: (see definition in 3.2 Definitions Specific to Permissible Uses)

Activity Centers - mixed-use centers that vary by scale and activity mix depending on location. They include commercial, retail, offices, residential, shared parking, and public spaces. This plan identifies existing and potentially new activity centers throughout the planning area.

ADA - Americans with Disabilities Act.

Adaptive Re-use - fixing up and remodeling a building or space, adapting the building or space to fit a new use.

Adequate Public Facilities - the public facilities and services necessary to maintain an adopted level of service standards in specific geographic areas for various facilities, including but not limited to streets, park and recreation facilities, water and sewer service, storm drainage, and fire and police protection.

Administrative Facilities - typically thought of office space, housing offices, conference rooms, training rooms, reception areas, copy and break areas, filing, storage, and workstations. Administrative space is approximately 60 to 70 percent offices/workstations and 30 to 40 percent common/support space.

Agricultural Lands - are lands used primarily for raising crops, forage and livestock, and community gardens.

Airport - An area of land or water that is designed or set aside for the landing and taking off of aircraft, including those for private use and those used by ultra-light and light sport aircraft.

Alley: a vehicular passageway usually located to the rear of lots providing access to service areas and parking, and containing utility easements. Alleys will generally be paved with drainage by inverted crown at the center or with roll curbs at the edges.

Amenity Zone: the band between the back of curb and the sidewalk which contains such things as street trees, pedestrian scale lighting, street furnishings and bicycle parking.

Appropriate Locations (for land uses) - areas that are determined to be appropriate for a particular type of land use or activity, as typically measured by compatibility of land use; appropriate levels of impact, such as may result from noise, lighting, or other environmental effects.

Arterial Street - larger road or highway purposed to carry longer trips across the region and to other regions.

Attached Green: a public open space which is located between a residential property and a street with adjacent homes facing the open space. An attached green is less than a block in length.

Avenue (AV): a thoroughfare of high vehicular capacity and low speed. Avenues are short distance connectors between urban centers. Avenues may be equipped with a landscaped median. Avenues become collectors upon exiting urban areas.

Best Management Practice (BMP) – Schedules of activities, prohibitions of practices, maintenance procedures, and structural and/or managerial practices, that when used singly or in combination, prevent or reduce the release of pollutants to waters of Washington State.

"Big Box" Development - developments over 50,000 square feet; usually national chain commercial retail stores with large parking lots.

Block Face: the aggregate of all the building facades on one side of a block. The Block Face provides the context for establishing architectural harmony.

Block: the aggregate of private lots, passages, rear lanes and alleys, circumscribed by thoroughfares.

Bonding - approved municipal bonds are interest-bearing securities that are issued for the purpose of financing local infrastructure improvements. Repayment periods from a few months to 40 years allows the issuer to pay for capital projects it cannot pay for immediately with funds on hand.

Boulevard (BV): a thoroughfare designed for high vehicular capacity and moderate speed. Boulevards are long-distance thoroughfares traversing urbanized areas. Boulevards are usually equipped with slip roads buffering sidewalks and buildings. Boulevards become arterials upon exiting urban areas.

Building - a roofed structure built, maintained, or intended to be used for the shelter or enclosure of persons, animals, or property of any kind. The term is inclusive of any part thereof. Where independent units with separate entrances are dived by party walls, each unit is a building.

Building Face: an exterior building wall. For the purposes of this Chapter, it is one which is visible from a public street alley, or public trail or open space and subject to the standards herein.

Building Type: a structure category determined by function, position on the lot, and configuration, including frontage and height. For example, a townhome is a type, not a style.

Building Type Categories: are categories of building types that can represent different market sector demands, and are an important part of creating intergenerational neighborhoods.

Build-to Line. The line at which construction of a building façade is to occur on a lot. A build-to line runs parallel to, and is measured generally from the front property line and is established to create an even (more or less even) building façade line on a street. It is distinguished from a setback line in that it is an absolute dimension (minimum and maximum), not a setback minimum dimension.

Capped Blocks (or End-Capped Blocks): are blocks where along the short side, homes are turned 90 degrees and front on what is usually called a side street. This provides attractive block faces in all directions.

Casing: Casing is the trim/molding around a door or window. It may be either flat or molded. It can also be used to cover or encase a structural member, such as a post or beam.

Civic Activities - Not-for-profit or governmental activities dedicated to arts, culture, education, recreation, government, transit, and municipal parking.

Civic Building: a building designed specifically for a civic function. Civic Buildings include buildings for not-for-profit

organizations dedicated to arts, culture, education, recreation, government and transit. These buildings are encouraged to be high image buildings and may exceed the standards set out in the FB District.

Commercial: the term collectively defining workplace, office, retail and light manufacturing/industrial functions.

Civic Space - an outdoor area dedicated for public activities.

Cluster Development - a practice of low-impact development that groups residential properties closer together, which can be a means of preserving rural resources and minimizing service and utility costs as well as maximizing protection of natural resources and open space.

Collector Street - a street purposed with collecting traffic from surrounding local roads, often within a neighborhood or district, and delivering to an arterial street.

Commercial Cores - the center of every activity center has a commercial core, allowing and encouraging commercial, institutional, high-density residential and mixed-use development, transit opportunities and encouraging pedestrian- oriented design.

Community Facilities - public or privately owned facilities used by the public (e.g., streets, schools, libraries, parks) and facilities owned by nonprofit private agencies (e.g., churches, safe houses, and neighborhood associations).

Commuter [Bus] Route - a fixed bus route running only during peak commute times, usually in the morning and evening.

Compact Development - development that uses land efficiently through creative and intensive site, neighborhood, and district design.

Complete Streets - streets, roadways, and highways that are designed to safely and attractively accommodate all transportation users (drivers, bus riders, pedestrians, and bicyclists). Travelers of all ages and abilities can safely move along and across a complete street.

Context (or Contextual Development) - refers to the significant development, or resources, of the property itself, the surrounding properties, and the neighborhood. Development is contextual if it is designed to complement the surrounding significant visual and physical characteristics; is cohesive and visually unobtrusive in terms of scale, texture, and continuity; and if it maintains the overall patterns of development. Compatibility utilizes the basic design principles of composition, rhythm, emphasis, transition, simplicity, and balance of the design with the surrounding environment.

Context Sensitive Solution (CSS) - a way of designing and building transportation facilities and infrastructure to seamlessly reflect and minimize impacts on adjacent land uses and environmentally sensitive areas. A CSS project complements its physical and natural setting while maintaining safety and mobility.

Conventional Zoning - a practice of urban planning where every day uses are separated from each other and where land uses of the same type are grouped together. It is also referred to as Euclidean zoning.

Cultural Resources - aspects of a cultural system that are valued by or significantly representative or informative of a culture, and generally referring to archaeological resources and the histories surrounding these cultures.

Density - the amount of development within a given area, usually expressed in dwelling units, population, or employment per acre or square mile.

Design Standards - standards and regulations pertaining to the physical development of a site including requirements

pertaining to yards, heights, lot area, fences, walls, landscaping area, access, parking, signs, setbacks, and other physical requirements.

Development - the carrying out of any building activity, the making of any material change in the use or appearance of any structure or land, or the dividing of land into parcels by any property owner. When appropriate to the context, development refers to the act of development or to the result of development within the City.

Disaster Preparedness Shelter - structure(s) used during such instances where there is an imminent loss to sleeping areas identified through a declaration of threat, disaster, or emergency by means of a natural disaster, or other identified community threat. The shelter may or may not have food preparation or shower facilities.

Diverse Neighborhoods - include a mix of uses, with various housing types near or mixed in with restaurants, shops, grocers, banks, hair salons, coffee shops, day care centers, fitness studios, and law, dental, and insurance offices. In these type of neighborhoods, residents can find more products and services close by, and it creates potential for employment, walking, biking, and less driving. A mix of housing types means more people can work close to home

Effluent - wastewater (treated or untreated) that flows out of a treatment plant, sewer, or industrial outfall. In the context of wastewater treatment plants, effluent that has been treated is sometimes called secondary effluent, or treated effluent.

Emergency Services - services to the public for emergencies and related buildings or garages (e.g., ambulance, fire, police, and rescue).

Emergency Shelter - a type of homeless shelter that provides temporary housing on a first-come, first-served basis where clients must leave in the morning and have no guaranteed bed for the next night or provide beds for a specific period of time, regardless of whether or not clients leave the building. Facilities that provide temporary shelter during extremely cold weather (such as churches) are also included.

Employment Center - an activity center with mixed-use; research and development offices; medical offices; office space; business park; retail, restaurant, and tourism center; light-industrial; heavy-industrial; live-work spaces; and home-based businesses.

Environmentally Sensitive Lands - include floodplains, riparian areas, wetlands, seeps and springs, and steep slopes. These areas contain critical resources and require special consideration in the development design and review process.

Euclidean Zoning - a practice of urban planning where every day uses are separated from each other and where land uses of the same type are grouped together. It is also referred to as conventional zoning.

Financial System - how public revenues and expenditures are managed, including planning for future needs.

Flex Space: Floor area built to provide for flexibility of use over time, and which is constructed in a manner that can accommodate residential, office or retail use. It will conform to commercial Building Code standards and ADA accessibility, and have at least a 12-foot clear ceiling height.

Floodplain - any areas in a watercourse that have been or may be covered partially or wholly by floodwater from a 100-year flood as located on the most current FEMA flood map.

Form Based Code (FBC): Refers to development standards that focus primarily on the public realm such as street corridors, open space and civic areas. Such standards utilize timeless principles of "place making".

Gentrification - is a shift in an urban community towards wealthier residents and/or businesses and increasing property values, often at the expense of the poorer residents of the community. This is a result of the process of renewal and rebuilding.

GIS - a Geographic Information System (GIS) designed to capture, store, manipulate, analyze, manage, and present geographical data to reveal relationships, patterns, and trends. Government Offices - include governmental office buildings and grounds.

Governmental Service and Maintenance Facilities - support the maintenance and servicing activities of government- owned land, property, and buildings.

Great Streets - streets designed to take into account their entire three-dimensional visual corridor, including the public realm and adjacent land uses. Great streets are "complete" streets, meaning they service and take into account all users — not just motor vehicles, and serve as interesting, lively, and attractive community spaces.

Greenfield Development - when previously undeveloped land is developed, this is known as a "greenfield development," and it can often be the best examples of sustainability principles in action. Across the country, there are new Greenfield developments that incorporate sustainable programs and technologies, including lifecycle housing, complete streets, parks and open spaces, integrated retail and office, energy-efficient buildings, innovative rainwater and stormwater facilities, sidewalks and trails, and other features. Private lands within the city and county hold entitlements for development.

Green Infrastructure - An interconnected network of waterways, wetlands, woodlands, wildlife habitats, and other natural areas of county-wide significance.

Heritage Resources - an inclusive term of cultural and historic resources, enveloping historic buildings, a historic building's setting, as well as paleontological and archaeological resources, including all of the cultures of native peoples and western civilization, and including natural features and landscapes of significant uniqueness to an area. The term is more consistent with international standards and definitions. In the United States, the term "Heritage Resource" is technically interchangeable with the term "Cultural Resource.

Historic and Cultural Areas - are lands that contain significant historic or cultural resources

Historic Development - includes buildings, roads, signage, lighting, and landscaping.

Home Occupation: (see definition in 3.2 Definitions Specific to Permissible Uses)

Human-Caused Hazards - hazards resulting from human developments or activities such as

faulty construction; poor site layout; improper location of land uses; airport approaches or high noise areas; over-pumping of groundwater; or use, storage, or disposal of explosive, flammable, toxic, or other dangerous materials or crime. These hazards may pose a threat to life and property and may necessitate costly public improvements.

Infill - occurs when new buildings are built on vacant parcels within city service boundaries and surrounded by existing development.

Infrastructure - includes but is not limited to sewer lines, water lines, reclaimed water lines, roads, intersections, sidewalks, landscaping in the right-of-way, gateways, housing, green infrastructure, public art, and in some cases may include utilities such as electric power, data, natural gas, cable television, and telephone.

Invasive Species - a species that spreads and establishes over large areas and persists. Some native plants can be considered invasive in certain circumstances. The national Invasive Species Council defines invasive species as a species that is: (1) non-native (or alien) to the ecosystem under consideration; and (2) whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

Livability Index - a means to quantitatively measure "quality of life" in a particular city. The number is based upon various factors, such as average wage, cost of living, pollution, social services, cultural opportunities, and diversity.

Liner Building: a building specifically designed to mask a parking lot or a parking garage from a street or open space. A Liner Building, must be at least 30 feet deep and accommodate any allowed use but parking.

Live-Work: a fee-simple dwelling unit that contains, to a limited extent, a separate commercial component. There will be separate entries to the commercial and residential components. There may also be an internal connection between the uses. At least one resident must be actively involved in the business.

Loft: a flexible residential space which may be partially used for an artist or design studio, or other allowed creative or commercial activity, and which is characterized by higher than normal ceilings, open floor plans and often, exposed duct work.

Mews Alley: and alley that serves residents or businesses which face directly on to public open space or a Green Street and is commonly used for addressing, fire protection, mail delivery and access to parking.

Local Streets - serve immediate access to property and are designed to discourage longer trips through a neighborhood.

LOS - Level of Service.

Low-Impact Development (LID) – a site planning and engineering design approach to managing stormwater runoff. Unlike traditional methods of stormwater design, LID emphasizes conservation and use of on-site natural features to protect water quality. This approach implements engineered small-scale hydrologic controls to replicate the pre-development hydrologic features of watersheds through infiltration, filtering, sorting, evaporation, and detaining.

Maximum Extent Practicable (MEP) - Designing stormwater management systems so that all reasonable opportunities for using Low Impact Design planning techniques and treatment practices are exhausted and only where absolutely necessary, a structural Best Management Practice is implemented.

Mixed-Use Development - any urban, suburban, or rural development, or even a single building, that blends a combination of residential, commercial, cultural, institutional, or industrial uses, where those functions are physically and functionally integrated, and that provides multi-modal connectivity..

Mobility - the degree to which people and goods may move safely, efficiently, and effectively between origins and destinations.

Mode - a means of travel such as pedestrian, bicycle, transit, or truck.

Multi-modal - travel or transportation systems characterized by more than one means or mode of transport.

Native American - a member of any of the indigenous peoples of the Americas.

Natural Areas - are open lands left in a primarily natural state that contain significant natural, cultural, aesthetic, or recreational features that warrant protection.

Natural-Caused Hazards - hazards resulting from natural events, such as flooding, subsidence, earth faults, unstable slopes or soils, or severe climatic conditions (e.g., drought, snow, rain, wind) that present a threat to life and property and may necessitate costly public improvements.

Neighborhood - includes both geographic (place-oriented) and social (people-oriented) components, and may be an area with similar housing types and market values, or an area surrounding a local institution patronized by residents, such as a church, school, or social agency.

Noxious Weeds - a legal term applied to plants regulated by state and federal laws, defined as "any species of plant that is detrimental or destructive and difficult to control or eradicate and includes plant organisms found injurious to any domesticated, cultivated, native or wild plant."

Obstruction - any structure or tree that exceeds permissible height limitations or is otherwise hazardous to the landing or taking off of aircraft.

Offices (see definition in 3.2 Definitions Specific to Permissible Uses)

Open Space - undeveloped or minimally developed lands that have been designated to remain undeveloped, be preserved to protect natural resources, serve as a buffer, and provide opportunities for recreation that requires no facilities. Such recreational uses include walking, trail running, biking, photography, and sitting quietly. Open spaces differ from parks in that open spaces do not have the developed facilities that are traditionally associated with city parks, such as stadium-style lighting, bleachers, playground equipment, and competitive sports fields.

Parks and Recreation Areas (see definition in 3.2 Definitions Specific to Permissible Uses)

Pedestrian Shed - the basic building block of walkable neighborhoods. A pedestrian shed is the area encompassed by the walking distance from a town or neighborhood center. Pedestrian sheds are often defined as the area covered by a 5-minute walk (about 0.25 mile or 1,320 feet). They may be drawn as perfect circles, but in practice pedestrian sheds have irregular shapes because they cover the actual distance walked, not the linear (crow flies) distance.

Phasing Plan: a plan that establishes the order of development of a large project. It will address such things as required Building Type Categories, parks and open space, trails, roadway connections and other items as necessary.

Plaza - a civic space type designed for civic purposes and commercial activities in the more urban areas, generally paved and spatially defined by building frontages.

Preservation - an endeavor that seeks to preserve, conserve, and protect buildings, objects, landscapes, or other artifacts of historical significance.

Public Buildings - include civic and community centers, public schools, libraries, police and fire stations and other public buildings.

Public Parks or Recreation Facilities - outdoor recreation facilities that are open to the public for passive and active recreational activity, such as pedestrian activities, hiking, and jogging; or serve as an historical, cultural or archaeological attraction; playgrounds; ball parks; and allowing organized competitive activities.

Public Realm: the area generally used by the public - streets, sidewalks, trails and open space. The quality of the public realm is greatly impacted by the design of elements within it, and by the land uses and architecture adjacent to it. A successful public

realm creates value for the larger neighborhood and contributes to a positive regional image of the City.

Public Sanitary Sewer - includes sanitary sewer systems other than individual on-site systems approved by the State or County and maintained by a public or private agency authorized to operate such systems.

Public Services and Facilities - include police, fire, emergency services, sewage, refuse disposal, drainage, local utilities, rights-of-way, easements, and facilities for them.

Redevelopment - occurs when new development replaces outdated and underutilized development.

Revitalization - to repair what is already in place, adding new vigor by remodeling and preserving.

Rural - describes areas within the region with a low density of people, residences, jobs and activities and characterized with large lot development, paved and unpaved two-lane roads with natural edges, minimal services and goods available to residents, and abundant open spaces and agricultural uses. Public transit commuting opportunities may exist.

Rural Floodplains - delineated floodplain areas that are essentially open space and natural land uses and are unsuitable for urban development purposes due to poor natural soil conditions and periodic flood inundation.

Rural Growth Boundary - the line on a map that is used to mark lands in unincorporated areas of the county that are suitable for rural development, as well as lands to be preserved as open lands.

Safety - the protection of our community from natural and artificial hazards, evacuation routes, peak load water supply requirements, minimum road widths according to function, clearances around structures, and geologic hazard mapping.

Scenic Views, View sheds, and Vistas - include open hillsides and natural watercourses

School, Charter - a public school established by contract with a district governing board, the state board of education, or the state board for charter schools to provide learning that will improve pupil achievement.

School, Private. (see definition in 3.2 Definitions Specific to Permissible Uses)

School, Public (see definition in 3.2 Definitions Specific to Permissible Uses)

Services - are anything from a fire station to a fleet shop because of the large equipment and storage involved. Facilities in this category typically have larger space requirements because there is large equipment and/or storage involved. Heating and cooling, interior finishes, and circulation areas required for services are unique and must be addressed to be functional. Service space is defined as 15 to 25 percent offices/workstations and 75 to 85 percent common and support areas.

Setback: Is the distance from a property line, curb, or structure within which building is prohibited. It is expressed as a single dimension or as a range of dimensions. It is distinguished from a Build-to line by the fact that it is a minimum distance, not an absolute line.

Shared Parking Policy: an accounting for parking spaces that are available to more than one use or property. The requirement is reduced by a factor, shown as a calculation. The Shared Parking ratio varies according to multiple functions in close proximity which are unlikely to require the spaces at the same time.

Streetscape: the urban element that establishes a major part of the public realm. The streetscape is composed of thoroughfares

(travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

Social vitality - the invigoration or continued and increased activity of citizens, cultural activities, and civic engagement (such as voting).

Suburban - describes areas within the City in which a person is mostly dependent on the automobile to travel to work or other destinations (sometimes referred to as Drivable Suburban), and to accomplish most shopping and recreation needs. These environments may have areas where it is possible to walk or ride a bike for recreational purposes, but due to the lack of connectivity or nearby amenities, are not favorable for walking or biking as a primary mode of transportation on a day-to-day basis. Suburban areas have medium to low densities of people, residences, jobs and activities with some services and goods available to residents, the streets and sidewalks vary in their design, and access to public transportation may be available.

Sustainability - living and managing activities in a manner that balances social, economic, and environmental considerations to meet Arlington's current needs and those of future generations. A sustainable Arlington is a community where the social wellbeing of current and future citizens is supported by a vibrant economy and a self-renewing healthy environment.

Substantial Modification: alterations to a building that is valued at more than 50% of the replacement cost of the entire building.

Terminated Vista: a location at the axial conclusion of a thoroughfare. A building located at a Terminated Vista designated on a Regulating Plan/Phased Development Plan is required to be designed in response to the axis.

Transit-Oriented Development (TOD): development which is oriented to and in close proximity, generally one quarter to one half mile from a transit station. These developments are characterized by higher density and have a higher level of pedestrian activity and transit use than other forms and location of development.

Trails - pathways for all forms of non-motorized transportation and recreation.

Urban - areas with a higher density of people, residences, jobs and activities; buildings are taller and close to the street; streets and sidewalks are in a grid pattern of relatively small blocks; the area is walkable and a variety of services and goods are available; served by public transportation.

Urban Floodplains - delineated floodplain areas that are located in developed urban areas of the City.

Urban Growth Boundary - the line on a map that is used to mark the separation of urbanized land from rural land and within which urban growth should be encouraged and contained and outside of which urban development should not occur.

Vacant Land - is publicly- or privately-owned undeveloped land that is not currently protected from development.

Verge- A paved or planted area along the edge of a road or sidewalk

Vernacular Development - refers to the tradition of design resulting in simple small structures or borrowed architectural design, such as mid-western style storefronts and craftsman bungalows, built with local materials.

View Shed - an area of land that is visible to the human eye from a vantage point with particular scenic value that may be

deemed worthy of preservation against development or other change.

Walkable - describes areas of the City within which a person can walk, bike or ride transit to work, and to fulfill most shopping and recreation needs. These environments, sometimes referred to as Drivable Urban, allow for the use of automobiles but do not require the use of a vehicle to accommodate most daily needs. These areas are characterized by a variety of destinations within walking distance, such as commercial establishments (such as everyday retail or office), civic establishments (such as religious, nonprofit, or government), civic spaces, or transit stops. On-street parking, trees, and other design elements are typical and sidewalks are sized appropriately for the number of walkers. Buildings meet the street in such a way to make the "outdoor rooms" that define the best urban places, and building facades are human scale, with frequent doorways and windows, and attractive details and ornament.

WSDOT – Washington State Department of Transportation.

Zoning Ordinance - A set of legally binding provisions adopted by the City Council consistent with state law regulating the use of land or structures, or both, used to implement the goals and policies of the Comprehensive Plan.

20.110.016(b) Definitions Specific to Permissible Uses

Accessory Structure. A structure physically detached from, secondary and incidental to, and commonly associated with a primary structure and/or use on the same site. Accessory structures normally associated with a residential use include, but are not limited to: garages (unenclosed or enclosed) for the storage of automobiles (including incidental restoration and repair); personal recreational vehicles and other personal property; studios; workshops; greenhouses (noncommercial); enclosed cabanas and pool houses; and storage sheds.

Accessory structures normally associated with a non-residential use include, but are not limited to: garages (unenclosed or enclosed) for the storage of automobiles and work related vehicles and equipment (including incidental restoration and repair); storage structures; workshops; and studios.

Accessory Uses. A use subordinate, customarily incidental and exclusive to the principal use of a building or lot and located on the same lot as the principal building or use, except as otherwise specified.

Alcoholic Beverage Sales. The retail sale of beer, wine and/or spirits for on-site or off-site consumption, either as part of another retail use or as a primary business activity.

Animal Services. An establishment where animals are treated.
1. Animal Services, Boarding. A commercial facility for the grooming, keeping, boarding or maintaining of five or more animals (four months of age or older), except for dogs or cats for sale in pet shops or in animal hospitals, but includes pet day care.

Artisan Production. See "Production, Artisan."

Automatic Teller Machine (ATM). A type of banking and financial services with automated or self-service banking features with no staff or personnel provided.

Bank/Financial Services. Financial institutions, including, but not limited to: banks and trust companies; credit agencies; holding (but not primarily operating) companies; lending and thrift institutions; other investment companies; securities/commodity contract brokers and dealers; security and commodity exchanges; and vehicle finance (equity) leasing agencies. Does not include check-cashing stores.

Cemetery. A burial ground for the interment of the human dead, including columbaria and mausoleums, but excluding crematories or mortuaries classified as undertaking, funeral and interment services.

Community Garden. A site used for growing plants for food, fiber, herbs, and flowers and shared and maintained by community residents.

Conditional Use Permit. See "Permit: Conditional Use"

Cultural Institution. A nonprofit institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance and events, museums, historical sites, art galleries, libraries, aquariums and observatories.

Day Care Center. An establishment, other than a Day Care Home, licensed by the State of Washington when required and providing care and supervision for seven or more persons on a less than 24-hour basis. This classification includes nursery schools, preschools, day care centers for children or adults and any other day care facility licensed by the State of Washington.

Day Care Home, Adult. A day care facility located in a permanent residence where an occupant of the residence provides care and supervision for three or fewer adults at one time with no outside employees.

Day Care Home, Child. A child care facility located in a permanent residence where an occupant of the residence provides care and supervision for seven to twelve children at one time, including children under the age of 6 related to the provider.
The provider must be licensed by the State of Washington and can have no more than one employee assisting.

Drive-Through Services. Facilities where food or other products may be purchased or services may be obtained by motorists without leaving their vehicles. Examples of drive- through sales facilities include fast-food restaurants, drive-through coffee, photo stores, pharmacies, bank teller windows and ATMs, dry cleaners, etc., but do not include gas station or other vehicle services.

Dwelling. A room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long term basis.

Dwelling, Accessory. An auxiliary dwelling unit located within an accessory structure of a primary dwelling unit on the lot. Includes, but is not limited to, dwelling units in guest houses, pool houses and carriage houses, above or beside a garage.

Eating or Drinking Establishment. A business selling ready to eat food and/or beverages for on or off-premise consumption.

Furniture and Fixture Manufacturing. A business that manufactures wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes furniture re-upholstering businesses, and wood and cabinet shops, but not sawmills or planning mills.

General Retail. Stores and shops intended to serve the city as destination retail rather than convenience shopping. Examples of these stores and lines of merchandise include:

Art galleries; retail; art supplies, including framing services; books, magazines, and newspapers; cameras and photographic supplies; clothing, shoes, and accessories; collectibles (cards, coins, comics, stamps, etc.); drug stores and pharmacies; dry goods; fabrics and sewing supplies; furniture and appliance stores; hobby materials; home and office electronics; jewelry; luggage and leather goods; musical instruments; parts; accessories; small wares; specialty grocery store; specialty shops; sporting goods and equipment; stationery; toys and games; variety stores; videos, DVD's, records, and CD's, including rental stores. Does not include Sexually Oriented Businesses.

Home Occupation. A commercial activity that: (i) is conducted by a person on the same lot (in a residential district) where such person resides, and (ii) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use (see Section 20.40.050 (Accessory Uses), but that can be conducted without any significantly adverse impact on the surrounding neighborhood. The following is a non-exhaustive list of examples of enterprises that may not be home occupations (see Section 20.08.010):

- Veterinarians
- Clinics
- Auto repair
- Auto sales
- Real estate offices
- Any use that would cause similar impacts.

Lodging, Bed & Breakfast. The use of a single residential structure for commercial lodging purposes, with up to five bedrooms used for the purpose of lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests.

Lodging, Hotel. A lodging establishment of 25 or more rooms in a building or group of buildings offering transient lodging accommodations on a daily rate to the general public. Additional services may include a restaurant, meeting rooms, and recreational facilities.

Lodging, Inn. A building or group of buildings used as a lodging establishment having 6 to 24 guest rooms providing overnight accommodations and breakfast to transient guests.

Media Production. Facilities for motion picture, television, video, sound, computer, and other communications media production.

Medical Services, Clinic. A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: medical offices with five or more licensed practitioners and/or medical specialties; outpatient care facilities; urgent care facilities; and other allied health services. These facilities may also include incidental medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under "Offices - Professional/Administrative."

Medical Services, Doctor Office. A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is instead classified under "Medical Services - Clinic, Urgent Care." Counseling services by other than medical doctors or psychiatrists are included under "Office - Professional/Administrative."

Meeting Facilities. A facility for public or private meetings, including, but not limited to: community centers; civic and private auditoriums; grange halls; union halls; meeting halls for clubs and other membership organizations, etc. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms and storage. Does not include conference and meeting rooms' accessory and incidental to another primary use and which are typically used only by on-site employees and clients and occupy less floor area on the site than the offices they support. Does not include: cinemas; performing arts theaters; indoor commercial sports assembly or other commercial entertainment facilities. Related on-site facilities such as day care centers and schools are separately defined and regulated.

Office: Professional. Office-type facilities occupied by businesses that provide professional services or are engaged in the production of intellectual property. Examples of these uses include, but are not limited to: accounting; auditing and bookkeeping services; advertising agencies; attorneys; business associations; chambers of commerce; commercial art and design services; construction contractors (office facilities only); counseling services; court reporting services; design services including architecture; engineering; landscape architecture; urban planning; detective agencies and similar services; doctors; educational; scientific and research organizations; financial management and investment counseling; literary and talent agencies; management and public relations services; media postproduction services; news services; photographers and photography studios; political campaign headquarters; psychologists; secretarial; stenographic; word processing; and temporary clerical employee services; security and commodity brokers; and writers' and artists' offices.

Outdoor Entertainment. The provision of television or musical, theatrical, dance, cabaret, or comedy act performed by one or more persons either electronically amplified or not and/or any form of dancing by patrons and guests outside of the principal building on a deck or patio.

Park, Open Space, Playground. Facilities which include community centers, playing fields, courts, gymnasiums, swimming pools, wave pools, spray grounds, picnic facilities, golf courses and country clubs, zoos and botanical gardens, as well as related food concessions.

Parking Facility, Public or Private. Parking lots or structures operated by the City or a private entity providing parking either for free or for a fee. Does not include towing and impound facilities.

Permit; Conditional Use. A permit issued by the Hearing Examiner that authorizes the recipient to make use of property in accordance with the requirements of this title as well as any additional requirements imposed by the Council. A Conditional Use Permit allows the City to consider uses that may be essential or desirable, but are not allowed as a matter of right within a transect or zoning district. It also allows the City to control certain uses which could have detrimental effects on the community. The Table of Permissible Uses assigned to each Place Type specifies those uses for which a Conditional Use Permit may be requested.

Permit; Special Use The purpose of a Special Use Permit (SUP) is to provide sufficient flexibility in the permitted use regulations in order to further the objectives of this Mixed Use Code. A Special Use Permit allows uses that have increased potential for incompatibility in a Transect to be carefully reviewed to determine, against fixed standards, whether their establishment on any given site should be allowed. These uses may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect. There may be additional conditions placed on the proposed development to better insure compatibility with existing development within the Transect. A Special Use Permit may be initiated by either an applicant or the Director.

Permitted Use. Any use allowed in a transect zone without a requirement for approval of a discretionary use permit, but subject to any restrictions applicable to that transect.

Personal Services. Establishments that provide non-medical services to individuals as a primary use. Examples of these uses include, but are not limited to: barber and beauty shops; clothing rental; dry cleaning pick-up stores with limited equipment; home electronics and small appliance repair; laundromats (self-service laundries); locksmiths; massage (licensed, therapeutic, non-sexual); nail salons; pet grooming with no boarding; shoe repair shops; tailors; and tanning salons. These uses may also include accessory retail sales of products related to the services provided.

Primary Structure. The main structure on a lot, containing a residential, commercial, office or industrial use.

Production, Artisan. On-site production of goods by hand manufacturing which involve the use of hand tools and small-scale equipment.

Production, General. Manufacturing of products from extracted or raw materials, recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes, but is not limited to: food, beverage and tobacco product manufacturing; textile mills; textile product mills; apparel manufacturing; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; transportation equipment manufacturing; primary metal manufacturing; and fabricated metal product manufacturing.

Production, Intensive High Impact. Manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. This group also includes smelting, animal slaughtering and oil refining.

Production, Limited. Manufacturing of finished parts or products, primarily from previously prepared materials. This classification includes, but is not limited to: food manufacturing; computer and electronic product manufacturing; electrical equipment; appliance; component manufacturing; and other uses as determined by the Director.

Printing and Publishing. Printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals and establishments manufacturing business forms and binding devices. "Quick printing" services are included in the definition of "Business Support Services."

Public Safety Facility. A facility operated by a public agency including fire stations, other fire preventive and fire-fighting facilities, EMF, police and sheriff substations and headquarters, including interim incarceration facilities. May include ambulance dispatch on the same site.

Recreational Facility, Indoor. An establishment providing indoor amusement and entertainment services for a fee or admission charge, including:

> Bowling alleys; coin-operated amusement arcades; electronic game arcades (video games, pinball, etc.); ice skating and roller skating; and pool and billiard rooms as primary uses. Any establishment with four or more electronic games or amusement devices (e.g., pool or billiard tables, pinball machines, etc.) or a premises where 50 percent or more of the floor area is occupied by electronic games or amusement devices is considered a commercial recreation facility. Three or fewer machines or devices are not considered a use separate from the primary use of the site. Does not include Sexually Oriented Businesses.

Recreational Facility, Outdoor. A facility for outdoor recreational activities where a fee is charged for use. Examples include, but are not limited to: amusement and theme parks; camping and picnicking areas; go-cart tracks; golf driving ranges; miniature golf courses; and water slides. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, and video game arcades. Does not include golf courses and country clubs.

Religious Assembly. An establishment for religious worship and other religious ceremonies including religious education, rectories and parsonages, offices, social services, columbaria and community programs.

Research and Development. An establishment primarily engaged in the research, development and controlled production of high technology electronic, industrial or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components.

Sexually Oriented Business. Sexually oriented business means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motel or adult entertainment out-call service in the form of semi-nude dancing or exhibition, adult motion picture theater, adult theater, semi-nude model studio or sexual establishment as further defined in Chapter 20.08.010 of the Municipal Code.

Special Use Permit. See "Permit: Special Use".

Studio: Art, Music, Dance. Small-scale facilities, typically accommodating no more than two groups of students at a time in no more than two instructional spaces. Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Utility. Installations or facilities or means for furnishing to the public, electricity, gas, steam, communications, water, drainage, sewage disposal, or flood control, irrespective of whether such facilities or means are underground or above ground; utilities may be owned and operated by any person, firm, corporation, municipal department or board, duly appointed by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments, or boards.

Vehicle Services, Minor Maintenance and Repair. Incidental minor repairs to include replacement of parts and service to passenger cars, but not including any operation defined as "automobile repair, major," or any other operation similar thereto.

Vehicle Services, Major Maintenance and Repair. General repair, rebuilding or reconditioning of engines, motor vehicles or trailers; collision service including body or frame, straightening or repair, overall painting, or paint shop.

Vehicle Services, Service Station. A building and/or lot or use having pumps and storage tanks where motor vehicle fuels or lubricating oil or grease or accessories for motor vehicles are dispensed, sold, or offered for sale at retail only; where deliveries are made directly into motor vehicles, including greasing and oiling on the premises and car washing; and where repair services is incidental to the use. Incidental

Wholesaling and Distribution. An establishment engaged in selling merchandise to retailers, to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include, but are not limited to: agents; merchandise or commodity brokers; and commission merchants; assemblers; buyers and associations engaged in the cooperative marketing of farm products, merchant wholesalers, stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

Wireless Telecommunications Facility. Public, commercial and private electromagnetic and photoelectric transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.

20.110.016(c) Comprehensive Plan Goals and Policies achieved through this land use plan.

The following Goals and Policies of the 2015 Arlington Comprehensive Plan are articulated in detail in this Land Use Plan. Throughout the process of Code development, the Comprehensive Plan consistently informed the decisions regarding both residential and commercial development contained herein. Most elements of the Comprehensive Plan relate directly to the elements of this Land Use Plan; listed below are those that most directly impact the decision-making process.

Overall Goals and Policies

Goals:

GO-1 **Ensure City Goals and Policies are consistent with the Growth Management Act.**

GO-2 **Continue to provide effective stewardship over the natural and build environments within the City, ensuring harmony between both environments through application of best practices techniques.**

GO-3 **Work towards promoting and maintaining an urban environment within the City that enhances livability for its residents.**

GO-6 **Preserve and promote Arlington's "small town" character**

Policies:

PO-6.1 Site design and building architecture in residential and commercial developments should be human-scaled (i.e., pedestrian friendly) and conducive to social interaction.

PO-6.2 Residential plats (subdivisions) should be designed to encourage pedestrian activity through incorporation of amenities such as, but not limited to, sidewalks on both sides of the street, street furniture, street trees, and pedestrian paths connecting the plat to adjacent residential, commercial, educational, or recreational facilities.

PO-6.4 Land -use developments should be conducive to social interaction.

PO-6.5 Both publicly and privately owned civic spaces should be included in both commercial and residential neighborhoods to ensure adequate gathering places for residents.

PO=6.6 Design Guidelines/Standards should be established, maintained, and enforced, in order to ensure that all new development both within the Private and Public Realms are in harmony with the desired character of each respective neighborhood subarea.

PO-6.7 All land use decisions and other relevant City decisions will be reviewed against these goals and policies – including Countywide Planning Policies and Multi-County Planning Policies – to ensure internal and external consistency.

Housing Goals and Policies

Goals:

GH-1 **Diversify the City's housing stock.**

Policies:

PH-1.1 A variety of housing types and densities should be encouraged on lands with a residential land-use designation.

PH-1.2 Detached Accessory Dwelling Units should be permissible in residential zones.

PH-1.3 Mobile and manufactured home parks should be permissible in the City subject to specific site plan requirements.

PH-1.4 Adequate housing opportunities for residents with special housing needs should be provided within the City.

PH-1.5 Different classes of group homes should be permissible in residential neighborhoods.

PH-1.6 Pre-zoning designations within the City's unincorporated Urban Growth Area greater than fifty acres and slated for residential development should provide for a nix of housing: types and densities.

Goals:

GH-2 **Ensure the development of new multi-family housing and small single-family units occur within close proximity to commercial areas within the City.**

Policies:

PH-2.1 Multi-family housing should be located close to commercial and employment centers, transportation facilities, public services, schools, and park and recreation areas.

PH-2.2 Cottage Housing should be incentivized in moderate and high density residential areas within the City.

Goals:

GH-3 **Ensure stable residential neighborhoods through public investment in infrastructure and by preserving existing housing stock.**

Policies:

PH-3.1 Funds should be adequately budgeted for periodic maintenance of existing infrastructure in residential neighborhoods throughout the City.

PH-3.2 A long-term plan should be developed for bringing neighborhoods that lack adequate infrastructure up to the City's current streetscape standards.

Goals:

GH-4 **Encourage the development of special needs housing within the City.**

Policies:

PH-4.1 The City should support the development of housing for the elderly, handicapped, and other special needs populations through the allowance of mixed-use housing, group housing, and other housing types.

PH-4.2 Senior housing should be located in close proximity to hospitals, public transportation routes, retail/service centers, and parks.

Goals:

GH-5 Ensure quality housing stock within the City.

Policies:

PH-5.1 The City should develop and maintain Development Design Guidelines/Standards that address aesthetic and environmental design issues for single-family and multi-family residential development

PH-5.3 The City should promote the conservation of housing through investment in the infrastructure serving residential areas (storm drainage, street paving, and recreation).

Goals:

GH-6 Establish and maintain a streamlined permitting processing to help create predictability for customers.

Policies:

PH-6.1 The City should maintain streamlined permit processing procedures, centralized counter se3rvices, pre-application conferences, printed information summarizing permit approval requirements, standards and specifications, area-wide environmental assessments, concurrent permit and approval processing, permit and approval deadlines, and single hearings.

Goals:

GH-8 Promote and facilitate the provision of affordable housing in all areas and zoning districts of the City.

Policies:

PH-8.1 The City should work to ensure that housing options for low and moderate income households are:

a) Dispersed throughout the City to discourage a disproportionate concentration of such housing in any one geographical area of the City.
b) Are located near amenities such as commercial and employment areas, transportation facilities, and recreational opportunities, and;
c) Are inclusive of a variety of housing types.

PH-8.3 The City should support and encourage private developers and organizations who seed to provide below-market housing units by utilizing various tools such as a) allowing alternative development types (e.g. ADU's, Clusters, Cottage Housing, Small Lots, Zero Lot Lines, Bungalow Courts), b) implementing regulatory tools (e.g., Inclusionary Zoning, SEPA Exemption, Flexible Development Standards, Performance Standards), providing general incentives (e.g. density bonuses, parking reductions, permitting priority), d) financial help (e.g. reduced permit and utility connection fees), e) encouraging project level actions that help with affordability (affordability covenants). The City should provide criteria and process for ensuring that those units remain affordable over time.

PH-8.4 As part of any rezone that increases residential capacity, the City should consider requiring a portion of units to be affordable to low and moderate income households.

Land Use Goals and Policies

Goals:

GL-1 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:

Growth Management: 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.

Economic Development: Attain the highest level of economic well-being possible for all citizens in Arlington through the achievement of a stable and diversified economy offering a wide variety of employment opportunities.

Neighborhood Conservation: 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.

Environmental Preservation and Conservation: Through both preservation and conservation ensure the proper management of the natural environment and resources.

Goals:

GL-2 Preserve and promote a safe, clean and aesthetically pleasing living environment.

Policies:

PL-2.1 Storage of soil. Yard waste, refuse, machines and other equipment in rights-of-way and building setbacks should be prohibited.

PL-2.2 Installation of curbs. Gutters, sidewalks, landscape strips, and vegetated LID facilities for all developments should be installed unless the permit-issuing authority makes specific findings that such improvements would not be consistent with these or other goals or policies. Curb cuts are permitted at bio-retention facilities to allow stormwater runoff to enter the facility.

Goals:

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.

Policies:

PL-4.3 The City should adopt and maintain development regulations that insure that growth is consistent with State laws and Community Vision.

PL-4.8 The City should plan for a balanced mix of land uses based on land availability and the capacity to provide public services.

GL-7 Encourage a mix of residential densities throughout the City.

Policies:

PL-7.1 All recommended changes in residential densities should be based on the following:
a) The overall impact to surrounding properties; and
b) The general impact to the existing transportation network: and
c) The feasibility of the site and its situation for the proposed density: and
d) The availability/capacity of urban services such as water and sewer to serve the area; and
e) The vacant land supply within the City at the proposed density.

PL-7.2 Higher density residential uses should be located around commercial areas.

PL-7.3 Vertical and horizontal mixed use developments with residential components should be permissible within commercial zones within the City.

Goals:

GL-9 Create pedestrian links between commercial and residential developments.

Policies:

PL-9.1 Where commercial and residential areas abut, new development proposals should include the design and construction of walkways and/or sidewalks to integrate and link commercial activities and other neighborhoods within the City.

Goals:

GL-10 Promote Neighborhood Commercial uses in appropriate places.

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.

Policies:

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

PL20.4 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 controls. Before they enter wetlands and/or other bodies of water.

Goals:

GL-21 **Promote energy conservation by developing incentives and/or requirements for energy-saving transportation, land development patterns and practices, and building construction and operation methods and materials.**

Policies:

PL-21.1 The City should encourage the development of paths and easements for non-motorized transportation to encourage pedestrian and bicycle use throughout the City.

PL-21.3 Encourage development patterns that are based on a grid system to increase connectivity and reduce utility and transportation costs as well as energy consumption.

Goals:

GL-25 **Promote equality in development between private and public lands**

Policies:

PL-25.1 Public and semi-public development should be held to the same development standards as private development.

PL-25.2 New public/semi-public development proposals should include the design and construction of walkways and/or sidewalks to integrate and link commercial activities and other neighborhoods within the Urban Growth Area.

Transportation Goals and Policies

Goals:

GT-1 **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.**

Policies:

PT-1.1 The City's motorized and non-motorized transportation network should be designed to distribute traffic evenly throughout the City.

Goals:

GT-2 **Ensure that road development meets the goals of the transportation element and land-use element of the comprehensive plan.**

Policies:

PT-2.1 A motorized and non-motorized transportation plan should be developed by the City to ensure adequate transportation routes are created concurrent with new development. Evaluate minimizing impervious surfaces and incorporating LID facilities into these plans where feasible.

Goals:

GT-4 **Consider the special needs of subarea transportation facilities including appearance and safety.**

Policies:

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-4.4 Residential lots should only take vehicular access from an Alley, local Access Street, or Collector Street. Only in instances where the City Engineer determines there is no other feasible alternative should a residential lot take access from an arterial (or higher classified) street.

PT-4.5 Block standards should be developed to ensure that the development and subdivision of land results in greater connectivity both within the new development/subdivision and to the existing street network.

PT-4.6 Cul-de-sac should be prohibited to the extent feasible. Streets that must terminate in a cul-de-sac should be limited to one block in length (330ft). Where cul-de-sac are used, evaluate the installation of LID facilities in the center of the cul-de-sac.

PT-4.7 Whenever a cul-de-sac is utilized, pedestrian connectivity should be maintained by providing a pathway that connects from the bulb of a cul-de-sac the nearest roadway (whether existing or proposed) outside the development.

PT-4.8 Design standards should be established to consolidate the number and location of curb cuts on arterial streets. Curb cuts are permitted at bio retention facilities to allow stormwater runoff to enter the facility.

PT-4.9 On-site parking requirements should be established to ensure land uses can adequately accommodate parking demand.

PT-4.10 Streets should be designed to accommodate multi-modal transportation options such as motor vehicles (including buses), bicycles, and pedestrians.

PT-4.11 New construction should include the construction of sidewalks, bicycle storage/parking facilities, and access to mass transit where possible and in proportion to the need generated by the proposal. Sidewalks should be included on at least one side of a street and wide enough to meet Americans with Disabilities Act (ADA) req1uirements.

PT-4.12 New residential developments should provide pedestrian access between the development and adjacent schools, parks, playgrounds, commercial areas or other roads or facilities in such access is not conveniently provided by sidewalks adjacent to the streets as required above. In such as case, the developer may be required to reserve an unobstructed easement of at least ten feet in width to provide this access.

PT-4.13 All streetscapes should be designed and constructed to include at a minimum the following: gutters, sidewalks or trail, and landscape strips with street trees.

Non-Motorized Transportation

Goals:

GT-5 Develop transportation strategies that encourage the use of pedestrian, bicycle, and mass transit facilities that will, among other things, conserve non-renewable energy sources.

Policies:

PT-5.1 The City should develop a paved non-motorized transportation network that results in connectivity between all subareas of the City.

PT-5.2 Bicycle lanes should be included with motor vehicle lanes on all streets with a speed limit greater than 25mph unless a paved, non-motorized trail exists or is planned within the right-of-way.

PT5.3 Traffic safety design techniques should be integrated into the street design to assist in safeguarding pedestrians,

and cyclists, particularly near schools, playgrounds, and at crosswalks.

PT-5.4 Sidewalk improvements should be prioritized to first facilitate safe movement for elderly and handicapped persons between residences and shopping/social activity centers, and facilitate safe movement for children to and from school facilities and school bus stops.

PT-5.5 Existing sidewalks, including curb cuts and ramps should be brought into compliance with the American's with Disabilities Act (ADA).

PT-5.6 Street lighting should be designed to take into consideration the needs of motorists, cyclists, and pedestrians.

PT-5.7 The City's non-motorized transportation network should connect with regional networks and with networks of neighboring jurisdictions.

PT-5.8 Multi-family Residential, Commercial, and Industrial developments should provide bike racks to accommodate bicycle use by residents, employees, and customers.

Goals:

GT-6 **Support the use of transit and work with transit agencies to improve service in order to help reduce traffic.**

Policies:

PT-602 Encourage and plan for "pedestrian scale" neighborhoods and centers to enhance access and mobility for public transportation users.

Goals:

GT-8 **Develop transportation and safety policies that encourage the use of non-motorized transportation (i.e., walking and biking)**

Policies:

PT-8.1 Streetscapes for new and improved roads should be designed to accommodate multi-modal transportation options, such as motor vehicles (including bus), bicycles, and foot traffic (pedestrians).

PT-8.2 Priority should be given to sidewalk and shoulder improvements in areas of high traffic volumes or pedestrian activity to improve safety of pedestrians and drivers.

Parks and Recreation Goals and Policies

Goals:

GP-1 **Maintain and support existing and future recreational and cultural activities.**

Policies:

PP-1.4 New residential development should be required to mitigate impacts to park, recreation, and open space through the dedication and improvement of properties for park and recreation uses, or where dedication is not feasible, payment of fee-in-lieu.

PP-1.8 The City should identify desirable lands within its Urban Growth Area for parks, trails, or open space and pursue their acquisition through dedication and purchase.

PP-1.12 New residential developments should provide adequate on-site park space or pay a fee-in-lieu.

Goals:

GP-4 **Strive for geographic and demographic equity in the provision of parks and recreation facilities.**

Policies:

PP-4.1 Each subarea within the City should have at least one community park. A neighborhood center park should be located within the Smokey Point neighborhood. The City should identify and pursue opportunities for new parks within areas that are added to the City's Urban Growth Area.

Goals:

GP-6 **Provide for a trail system through the City and connecting to regional trails.**

Policies:

PP-6.1 The City should try to achieve a continuous, connected system of parks and open space via trails.

PP-6.2 Trails should be developed for the purpose of providing opportunity for non-motorized transportation, recreation, and education.

Goals:

GP-8 **Develop park and trail design and development standards.**

Policies:

PP-7.1 The City should establish park, trail, and open space design standards.

PP-7.3 Maintain an up to date map of the local trail system that is easily accessible to the public to help encourage trail use.

Economic Development Goals and Policies

Goals:

GE-1 **Promote a strong, diversified, and sustainable local and regional economy, while respecting the natural environment and preserving and enhancing the quality of life in the City.**

Policies:

PE-1.1 The City should encourage a diversified and vibrant economy in order to facilitate high and stable rates of employment within the City.

PE-1.2 The city should maintain a favorable business climate through consistent implementation of City regulations, a streamlined permit process, excellent customer service, and through other available means and mechanisms.

PE-1.3 The City should work to insure there is always a more than adequate employment land base (both commercial and industrial) in order to maintain the City's desired high jobs/to housing ratio.

PE-1.4 The City should work to ensure there is always an adequate retail sales base (i.e., commercial land base) in order to provide financial support to the services the City provides.

PE-1.7 The City should provide a predictable development atmosphere through consistent application and interpretation of City regulations, and permit processing.

PE-1.10 The amount and rate of land consumption for business, commercial and industrial uses should be monitored by the City.

PE-1.12 The City should promote the viability of downtown as a commercial and social center with the goal of having other commercial areas dispersed amongst our neighborhoods so as to reduce traffic and air pollution.

PE-1.13 The City should develop a strategy for Smokey Point so as to better compete with the potential commercial areas west of Interstate-5.

Goals:

GE-2 **Provide an adequate job-producing land base to ensure an adequate number of jobs for citizens within the community and to aid the community in paying for infrastructure and services.**

Policies:

PE-2.1 The City should work to ensure that the amount of land zoned for business and industrial use is adequate to meet 20-year employment forecast within the planning area boundaries.

Goals:

GE-4 **Encourage active cooperation between the City and local businesses concerning economic development issues, particularly of those businesses that have specialized infrastructure, building design, transportation, and other needs.**

Policies:

PE-4.3 Ensure that new commercial development incorporates site and building design features that accommodate alternate modes of transportation

PE-4.6 The City should promote commercial development that facilitates pedestrian activity and is architecturally distinctive.

Goals:

GS-5 **Manage stormwater pursuant to current standards, preserving and supplementing, as necessary, the natural drainage ways and other natural hydrologic systems to maintain runoff impacts from development.**

Policies:

PS-5.37 The City should include Best Available Science/Best Management Practices in its stormwater strategy.

PS-5.8 The City should utilize Low Impact Design standards that provide stormwater benefits and support naturally occurring functions simultaneously.

20.110.018 ACKNOWLEDGEMENTS

Transect images courtesy of Duaney Plater/Zyberk

Transect and Building Type photo images courtesy of Sandy Sorlien:

www.Transect-Collection.org

Background urban design material from the Urban Design Compendium:

https://udc.homesandcommunities.co.uk/

City of Cincinnati Form Based Code

www.cincinnati-oh.gov

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-033 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-033

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON AMENDING CHAPTER 20.110 OF THE ARLINGTON MUNICIPAL CODE REGARDING MIXED USE REGULATIONS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington

ORDINANCE NO. 2022-034

AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, ADOPTING THE ARLINGTON DEVELOPMENT DESIGN STANDARDS

WHEREAS the City of Arlington is required to plan under RCW 36.70A.040; and

WHEREAS, the City staff has engaged in a comprehensive review and has proposed an update containing numerous revisions to the Arlington Municipal Code (AMC); and

WHEREAS, the Arlington Planning Commission held numerous meetings concerning the revisions, including discussions occurring at the following meetings of the commission:

- January 4, 2022
- March 1, 2022
- March 15, 2022
- April 5, 2022
- April 19, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- June 23, 2022
- July 25, 2022
- August 2, 2022
- September 6, 2022
- September 20, 2022; and

WHEREAS, the Arlington Planning Commission provided notice of and took public testimony concerning the changes at public hearings which occurred on September 20, 2022; and

WHEREAS, the Planning Commission made findings and provided its recommendations to the City Council concerning the proposed changes; and

WHEREAS, the City Council considered the revisions initially with docketing meetings on March 28, 2022 and April 4, 2022, and also at a joint meeting with the Planning Commission on July 25, 2022, and then on October 10, 2022 and at a public hearing conducted on October 17, 2022; and

WHEREAS, the amendments were presented to the Department of Commerce for comment and said Department had no comments on the ordinance; and

WHEREAS, review under the State Environmental Policy Act (SEPA) occurred with limited comments from state agencies, all of which were addressed by the City; and

WHEREAS, having considered the public testimony, the input from the Planning Commission and state agencies, the Council deems the adoption of these amendments to be in the best interests of the City and citizens;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. The City of Arlington adopts, and incorporates by reference as though fully set forth herein, the City of Arlington Development Design Standards dated October, 2022, a true copy of which is attached hereto as Exhibit "A".

Section 2. **Severability**. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. **Effective Date**. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication as provided by law.

PASSED BY the City Council and APPROVED by the Mayor this 17th day of October, 2022.

CITY OF ARLINGTON

Barbara Tolbert

Barbara Tolbert, Mayor

Attest:

Wendy Van Der Meersche

Wendy Van Der Meersche, City Clerk

Approved as to form:

Steven J. Peiffle, City Attorney

EXHIBIT "A"
Development Design Standards

Development Design Standards



Revised October 2022

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CITY OF ARLINGTON

Development Design Standards
and
Olympic Avenue Guidelines

Quality Design Standards are an essential element in a municipality's ability to both create and maintain a desirable built environment for its citizenry.

Design standards establish a basis for which all development may originate and ensure that the outcomes are both predictable and functional, while providing for individuality, creativity and artistic expression.

There are three sections to this document, the first section consisting of Chapters 1 through 14 which are the baseline development design standards to be applied throughout the City of Arlington. There are currently two areas of the city which incorporate more stringent design criteria, one being any commercial zone which utilizes the mixed-use development overlay. These areas utilize a separate document known as the Mixed Use Development (MXD) Regulations. Because the MXD areas exist only as an overlay, the underlying zoning is still intact, which could tend to allow commercial development that may not be in alignment with the "Form Based Code" (FBC) principles that are utilized with the adjoining properties. While the standards in this document are not truly FBC they do employ enough of the principles to allow for development to occur within the underlying zoning that would not be out of context with the MXD development.

The second area is collectively known as the "Old Town Business District" (OTBD) and includes districts 1, 2 and 3.

Chapter 15, is the second section of this document, and it provides additional standards which detail massing, building orientation, screening, off-street parking and architectural design for the OTBD.

The third section of this document are the Old Town Design Guidelines, which also relate to the OTBD and provides some history and context of Olympic Avenue and the importance of preserving and maintaining the heart and character of the quintessential small town Main Street. Although this section only consists of "guidelines" it is of great importance that they are

copiously utilized so that the original turn of the century architecture and the beloved look and feel of the Olympic Avenue environment are preserved for future generations to enjoy and appreciate.

These Design Standards and Guidelines are to be implemented in concert with Arlington Municipal Code - Title 20. Chapter 20.46 – Design.

The Old Town Residential Design Standards were adopted under a separate document and all properties with the Old Town Residential zoning designation shall meet the design requirements of this referenced document.

The Mixed-Use Development Regulations are adopted under AMC 20.110 and all proposed developments utilizing the Mixed-Use Overlay or Commercial Corridor zoning designation shall meet the design requirements that chapter.

1.0 Street Character and liveliness

1.1 Inhabited Streets

1.1.1 Intent

To create streets that encourage pedestrian activity. Livelier street edges are healthy places for people to inhabit and make safer streets.

1.1.2 Applicability

This standard applies to all residential, mixed-use, multi-family, ~~and~~ commercial, and industrial development within all zones of the city.

1.1.3 Standards

1.1.3(a) The street side of developments under 1.1.2 Applicability shall appear inhabited.

1.1.3(b) New development will accommodate human activity by providing balconies, terraces, and yards for residents use and neighborly interaction.

1.1.3(c) In mixed use buildings, retail elements like large windows, canopies, and integrated signage shall be incorporated into the design to add activity by enhancing the shopping experience.

1.1.3(d) Entrances, porches, balconies, decks, and seating shall be located to promote pedestrians use of the street edge by providing weather protection, security, and safety.

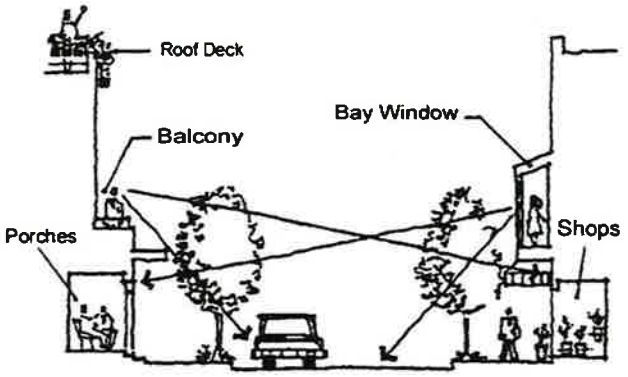


Figure 1: Building elements can enliven the street edge creating safer places to walk and congregate.

2.0 Pedestrian Environment

2.1 Access to Buildings from the Street

2.1.1 Intent

2.1.1 (a) To provide a greater sense of association and identification. Lack of clear building entries deadens the streetscape.

2.1.1 (b) To improve pedestrian success, convenience, and circulation.

2.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards)

2.1.3 Standards

2.1.3(a) Provide clearly marked entries from the street. Entries from parking lots shall be subordinate to those related to the street. When possible, parking lots shall be accessed from an alley or side street.

2.1.3(b) Parking garage entries shall be designed to complement, but not to subordinate the pedestrian entry.

2.1.3(c) Parking lots and garages, when possible, will be accessed from alleys or side streets.

2.1.4 Exceptions

Where there is an integrated, comprehensive pathway system, the front entrance may be oriented toward it.

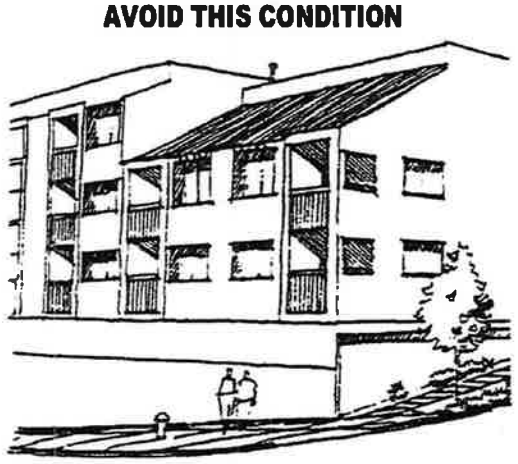


Figure 2: Lack of clear entries on the street can create an unfriendly streetscape.

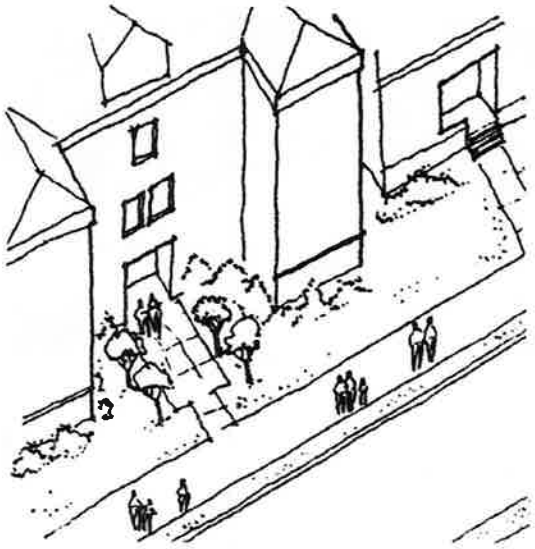


Figure 3: Clear entries to the sidewalk encourage pedestrian circulation.

2.2.1 Intent

To reduce the negative visual impacts of blank walls on the pedestrian environment.

2.2.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

2.2.3 Standards

Blank walls

2.2.3(a) Buildings may not orient large areas of blank walls to the street.

2.2.3(b) Ends of buildings shall be designed and articulated with the windows and other architectural elements.

2.2.3(c) Screen blank walls with landscaping, architectural features, or art. Examples of such treatment include, but are not limited to:

2.2.3(c)1 Installing trellises for vines, green walls, and other plant material in conjunction with a planting strip. 2.2.3(c)2 Provide landscaped planting beds.

2.2.3(c)3 Incorporating artwork (a mural, sculpture, relief, etc.) on the wall surface.

2.2.3(c)4 Incorporating decorative tile, or masonry of varying materials or patterns.

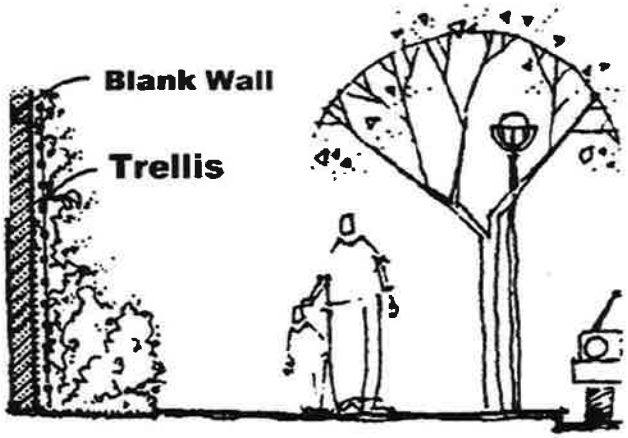


Figure 4: Blank walls may be screened with trellises and climbing plants.

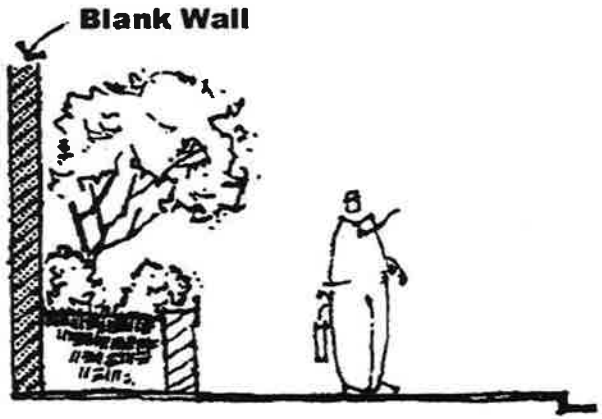


Figure 5: A planting bed and generous landscaping may be used to screen a blank wall.

2.2.3 Standards

Retaining Walls

2.2.3(d) Retaining walls may be of materials that reduce their scale, such as brick, rock or stone, or treated sculpturally to appear less monolithic. Hanging or climbing vegetation can soften the appearance of retaining walls.

2.2.3(e) High retaining walls may be sloped or terraced down to provide landscaping setbacks, especially if they are close to the sidewalk.

2.2.3 (f) Retaining walls that are visible from the public right-of-way shall be designed with a textured face.

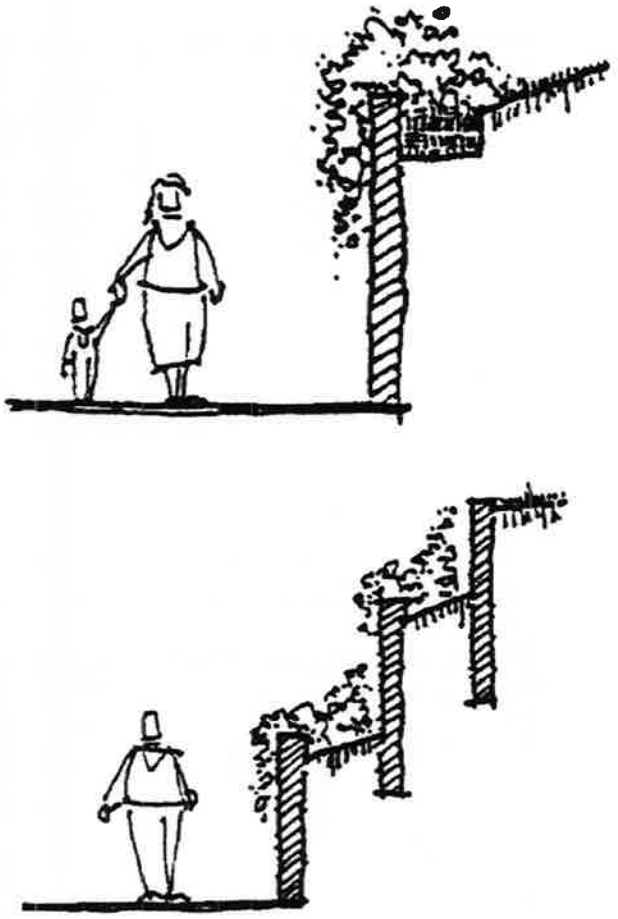


Figure 6: Use landscaping to screen retaining walls near pedestrian ways.

2.3.1 Intent

To provide appropriate and sufficient screening of elements which detract from the streetscape. These elements include trash rooms, dumpsters, utility connections, and mechanical equipment.

2.3.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

2.3.3 Standards

2.3.3.1 Use generous and appropriate plant material in well maintained planting beds to create a visual buffer to service elements. Vegetation shall be of hardy native varieties and must be at least 50% non-deciduous to provide screening throughout the year. Incorporate planting beds and low planter walls as part of the architecture. Provide a framework of plants to grow on like an arbor or trellis.

2.3.3.2 Provide a durable and attractive structure to screen dumpsters and trash areas that are constructed of wood, metal, or concrete blocks (~~not~~ chain link or even slatted chain link is not allowed). Trash areas may not open directly onto the sidewalk. Dumpsters must never be located in the pedestrian right-of-way.

2.3.3.3 Utility meters, electrical conduit, and other service lines may not be mounted on the façade facing the street and should not be visible from the street.

2.3.3.4 Gutter downspouts on the front façade shall be visibly integrated into the design of the building.



Figure 7: Trash area shall be screened from the streetand pedestrian way by enclosures, with self-closing doors and landscaping.

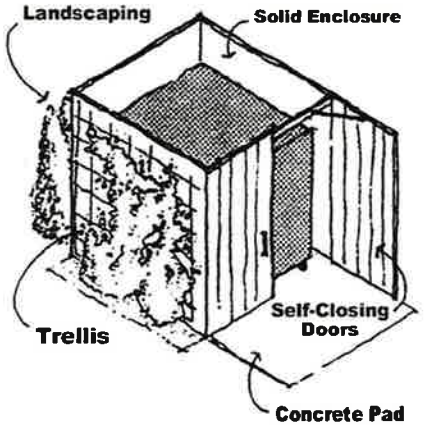


Figure 8: A well-designed screen for a dumpster

2.4.1 Intent

2.4.1.1 To improve the streetscape and help to define the street.

2.4.1.2 To reduce the negative visual impact of asphalt lots and parked vehicles

2.4.1.3 These standards can be used to upgrade existing parking lots, especially when redevelopment of the property has occurred.

2.4.2 Applicability

This standard applies to all parking lots adjacent to or in close proximity to public sidewalks.

2.4.3 Standards

2.4.3.1 All parking lots and storage, loading, or maintenance areas within visual proximity of the public sidewalk shall be screened from the sidewalk by one of these two methods:

2.4.3.1(a) Provide a screen wall at least 2-1/2 feet high, of durable and attractive materials. Incorporate a continuous trellis of grillwork with climbing plants.

2.4.3.1(b) Provide an opaque landscaped perimeter bed or hedge at least 2-1/2 feet high, as shown.

2.4.3.2 Fences around parking areas shall be decorative iron, masonry, rock, wood, or similar permanent material and not be more than 70% solid. In the General Industrial and Light Industrial zones only, chain link fencing may be use for security of the site and shall be black vinyl (galvanized finish and slats are not permissible).

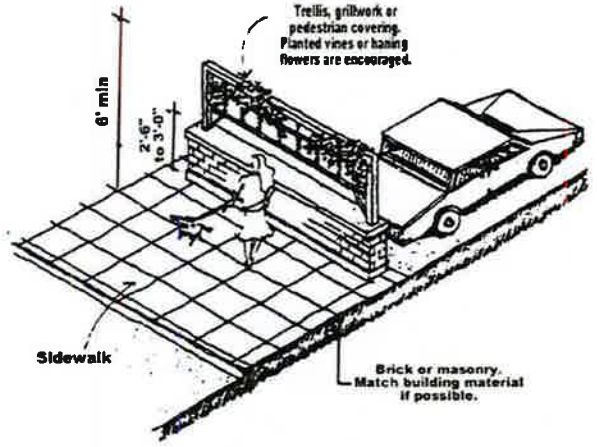


Figure 9: Low wall with trellis above hanging plant is ideal as a screening element for parking lots.

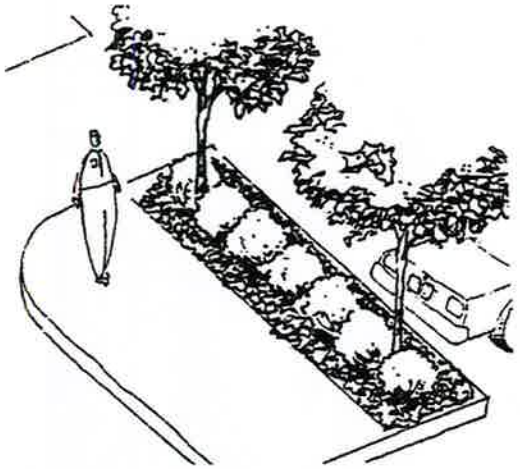


Figure 10: This drawing illustrates a typical standard of perimeter landscaping. Other plant material combinations and dimensions may be appropriate.

2.5.1 Intent

2.5.1(a) To reduce the visual impact of all above-ground parking structures adjacent to the sidewalk, improving the pedestrian environment.

2.5.1(b) These standards can also be used to upgrade existing conditions, especially when redevelopment of property has occurred.

2.5.2 Applicability

This standard applies to all parking garages.

2.5.3 Standards

2.5.3.1 The parking garage portion of all buildings shall be architecturally compatible with the habitable portion, using appropriate materials, forms and proportions.

2.5.3.2 Parking garages fronting streets shall be screened with generous landscaping, berming, or grillwork. Employ one or more of these suggested methods to screen unsightly parking garages. Well designed structures include architectural treatments like modulation, vertical elements, and the appropriate use of materials.

2.5.3.2(a) Set the parking structure back from the sidewalk at least ten (10) feet and install dense landscaping

2.5.3.2(b) Incorporate pedestrian and residential oriented uses at street level, providing enclosed occupiable spaces for businesses along the street front. Commercial uses along the street edge, especially on corners can create a much more



Figure 11: Parking garage screening bed.

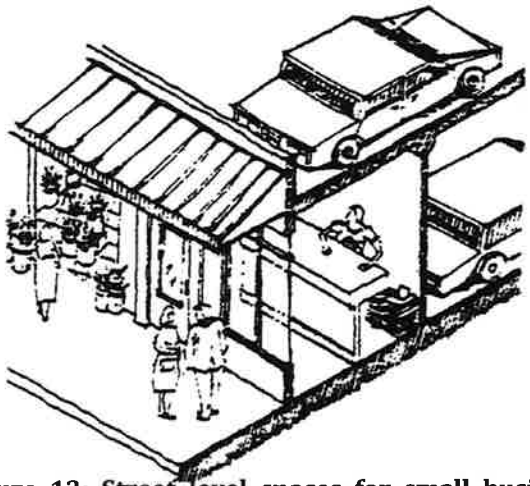


Figure 12: Street level spaces for small businesses, creating a more active and pedestrian-friendly street edge.

active street. Sometimes a depth of only ten (10) feet along the front is enough to provide spaces for newsstands, ticket booths, laundries, flower shops and other uses needed by residents or shoppers.

2.5.3.2(c) Provide artistically designed metal grills incorporated into the building design to provide screening while maintaining sight lines for increased pedestrian safety while exiting a garage.

2.6.1 Intent

2.6.1(a) To locate and detail the entries of parking garages so they do not dominate the streetscape.

2.6.1(b) To reduce the impact of driveways and provide for better pedestrian safety.

2.6.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

2.6.3 Standards

2.6.3.1 Locate entries to take advantage of topography. The garage entrances shall be located so that they do not conflict with the overall form of the building or place a pedestrian entry in a subordinate role.

2.6.3.2 Reduce the width of the curb cut and consolidate driveways. In most cases, a single lane is sufficient to serve several apartments or commercial spaces.

2.6.3.3 Alleys that provide auto access from the rear are encouraged. Buildings on lots that have access from an alley shall provide parking access off the alley.

2.6.3.4 Vehicular entries shall be clearly defined to caution pedestrians.

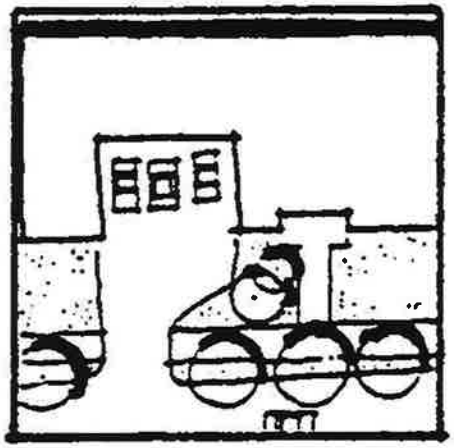


Figure 13: Plan view of the building in Figure 14.



Figure 14: Driveways consolidated to reduce impact on the pedestrian.

2.7.1 Intent

2.7.1(a) To identify and highlight key site elements, such as vehicular and pedestrian intersections, pedestrian paths and sidewalks and entrances, enhancing safety and security.

2.7.1(b) To provide a desirable and safe pedestrian environment by decreasing the glare associated with tall, high intensity street light fixtures.

2.7.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

2.7.3 Standards

2.7.3.1 Provide indirect light to the sidewalk below lighting elements in the street environment like trees, walkways, canopies and entryways.

2.7.3.2 Provide pedestrian scale lighting with 10'-12' pole heights throughout residential and shopping streets and parking areas. Lighting bollards 3'-4' in height can illuminate paths and walkways.

2.7.3.3 Shield the source of the light to reduce glare to public thoroughfares and adjacent properties.

2.7.3.4 Large pole mounted lighting may be inappropriate around residences if not properly sited and directed to eliminate glare.

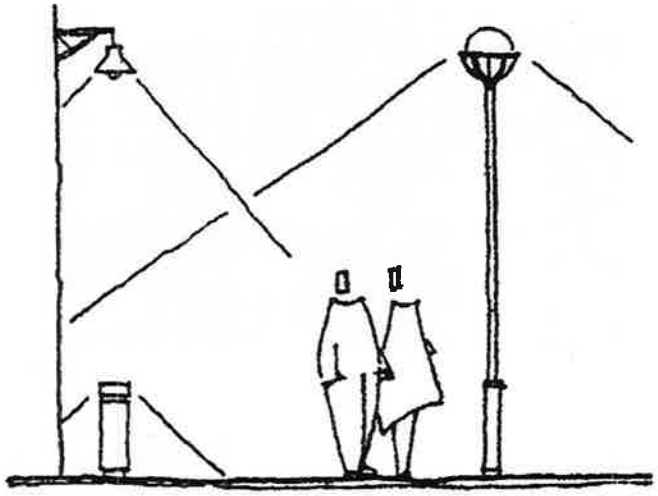


Figure 15: Globe lighting is usually less efficient than high level floodlights, but it produces a softer light, with much less glare. Bollards light the ground and walls without exposing the light source.

2.7.3.5 Exterior lighting shall be an integral part of the architectural and landscape design of any project. Fixture style and design should be compatible with the building design, while providing appropriate and safe levels of lighting. Use lighting to accent architectural features of a building.

	Minimum lighting levels in foot candles
Building Entries	4
Sidewalks	1-3
Pedestrian Paths	1
Parking Lots	0.5

Figure 16: Light Chart

3.0 Landscape Design

3.1 Continuity Along the Street

3.1.1 Intent

3.1.1(a) To reinforce the landscape character of a street or neighborhood.

3.1.1(b) To enhance existing neighborhoods.

3.1.2. Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

3.1.3 Standards

3.1.3.1 Infill development on existing streets shall enhance and preserve the distinctive, positive qualities of the streetscape.

3.1.3.2 There are several ways to enforce the landscape design character of the local neighborhood, any of which may be appropriate (see adjacent notes).

Reinforcing the Existing Landscape Character

Street trees—If a street has a uniform pattern of street trees, plant new street trees that match (preferable) or complement the species in color, ultimate size and other physical characteristics.

Similar plant materials—The lots on many streets feature plant materials typical of a particular historic period or neighborhood. Emphasis on these species will help a new project fit into the local context.

Similar landscape designs—Some streets feature lawns and symmetric, formal, clipped plantings while other streets feature more naturalistic, asymmetric plantings.

Similar construction materials, textures, colors, or elements—Extending a low brick wall, using paving similar to a neighbors' or employing similar stairway construction are ways to achieve greater design continuity.

Similar landscape fixtures and levels—Using consistent pedestrian scale light fixtures help create continuity of scale and light level.

3.2.1 Intent

3.2.1(a) To reduce the apparent size of parking lots

3.2.1(b) To reduce the summertime heat and glare build-up adjacent to parking lots.

3.2.1(c) To improve the views of parking areas for pedestrian, occupants and passersby

3.2.2 Applicability

This standard applies to all parking lots.

3.2.3 Standards

3.2.3.1 As well as providing a landscaped or screened perimeter, integrate deciduous trees and planting beds into the parking areas.

3.2.3.2 Landscaping should be drought resistant. Drip Irrigation is encouraged for all planting beds. Indigenous varieties of plant species are recommended.

3.2.3.3 Where vehicles can extend over a landscaping bed, these landscaping beds may be increased two (2) feet in depth by ~~decresing~~decreasing the parking stall by two (2) feet.

Where autos will overhang into both sides of an interior landscaped strip or well. The minimum inside curb-to-curb interior planter dimension shall be seven (7) feet.

3.2.3.4 Landscape planting beds shall have the following:

3.2.3.4 (1) 1 tree for every 7 parking stalls.

3.2.3.4 (2) 1 shrub for every 20 square feet of landscape area.

3.2.3.4 (3) Ground cover is required between all shrubs and trees.

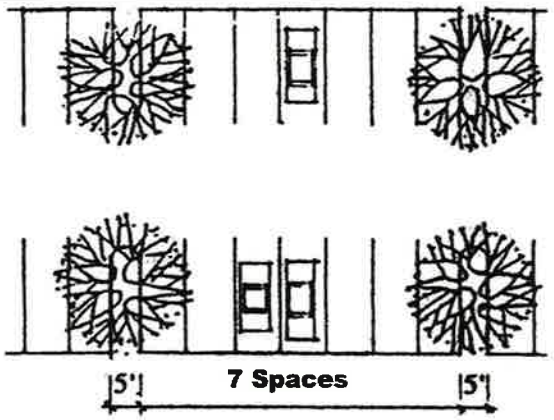


Figure 17: The spacing of trees in parking lots

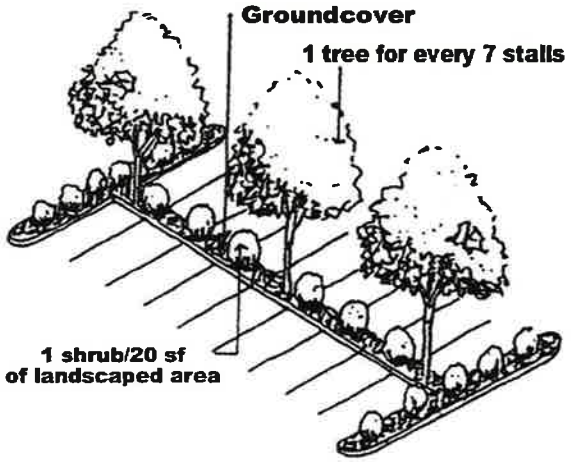


Figure 18: Planting trees in larger parking lots.

3.2.3.~~3~~ 5 In certain conditions, planting beds can be square and located on a 45-degree angle to perpendicular parking. Landscaping should be drought resistant.

3.2.3.~~5~~ 6 Tree locations shall be coordinated with the parking area luminaires and utility locations to ensure minimum light levels are maintained after tree maturation.

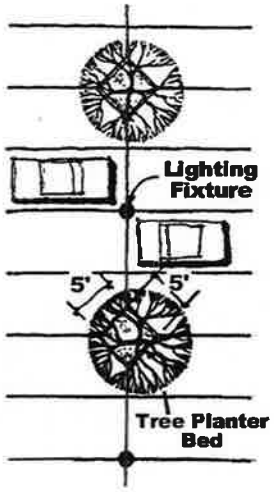


Figure 19: In mixed use and larger parking lots, tree planters can be 5' by 5' and alternated with smaller scale lighting and fixtures.

4.0 Transition Between Occupied Spaces & Street

4.1 Buffering Private Spaces

4.1.1 Intent

To create a transition between the occupiable areas of buildings and the street, which provides for security and privacy for the occupants.

4.1.2 Applicability

This standard applies to all projects with residential or commercial spaces adjacent to the street front.

4.1.3 Standards

4.1.3.1 Provide appropriate screening and buffering to create a physical separation between pedestrians on the sidewalk and the windows of occupiable units.

4.1.3.2 Raise ground level windows and/or provide general landscaping as a transition, where building setbacks are minimal, and the privacy of the occupants is compromised.

4.1.3.3 Partially enclosed outdoor occupiable areas, like Porches, provide a transition to occupants and a zone that Encourages social interaction between neighbors.

4.2.3.4 When appropriate, define courtyards and yard with landscaping and low fences. Fences that face the street should be more than 70% solid.

4.2.3.5 Chain link fences, having a negative character, are not an appropriate edge along sidewalks and shall not be used, except if in the General Industrial or Light Industrial zones and use only for security, the fencing for this purpose shall be black vinyl (galvanized finish and slats are not permissible).

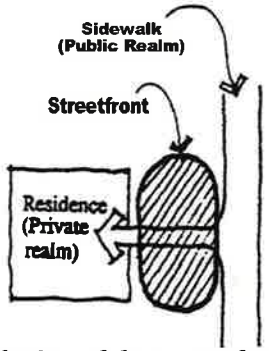


Figure 20: The design of the street front determines the amount of occupants' privacy and security.

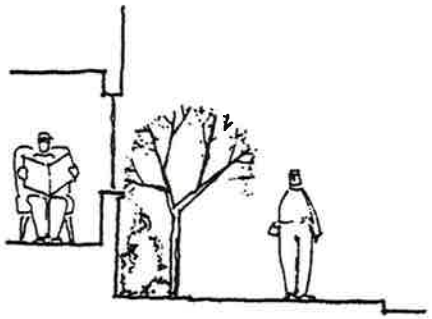


Figure 21: Where a setback from the sidewalk is small, raising the floor level up more than 4' above the sidewalks and/or providing a planting bed can provide s sufficient transition.

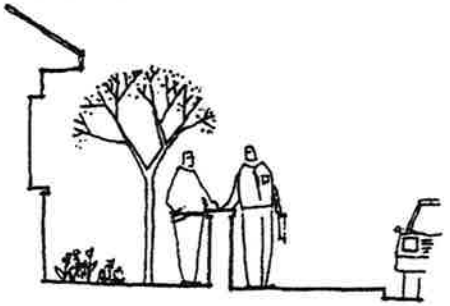


Figure 22: Low walls, fences and iron gates can enclose private open space while still allowing ~~socialinteractions~~social interaction

5.1.1 Intent

5.1.1(a) To enhance the positive character of the street.

5.1.1(b) To define the street as a coherent space or 'room'.

5.1.1(c) To fit into a neighborhood more compatibly.

5.1.1(d) To provide pleasant and safe pedestrian circulation, providing clear access to building occupants.

5.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

5.1.3 Standards

5.1.3.1 Site buildings on a property to acknowledge and reinforce the existing characteristics of the street. In established neighborhoods set the building back from the street approximately the same distance as neighboring buildings.

5.1.4 Exception

5.1.4.1 Varying street setbacks to preserve existing trees or other natural features, protect views, or support other urban design goals may be appropriate.

5.1.4.2 Sidewalks shall be continuous to enhance pedestrian movement.

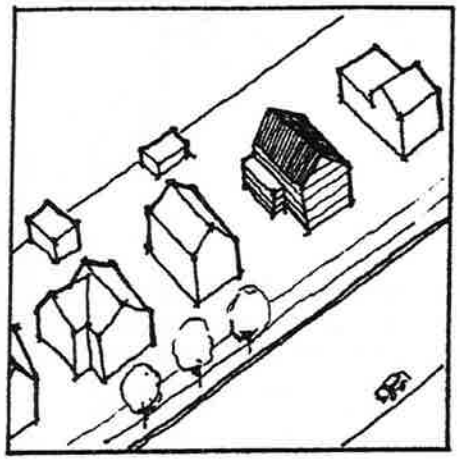


Figure 23: Consistent setbacks enhance the street front and respect neighbors.

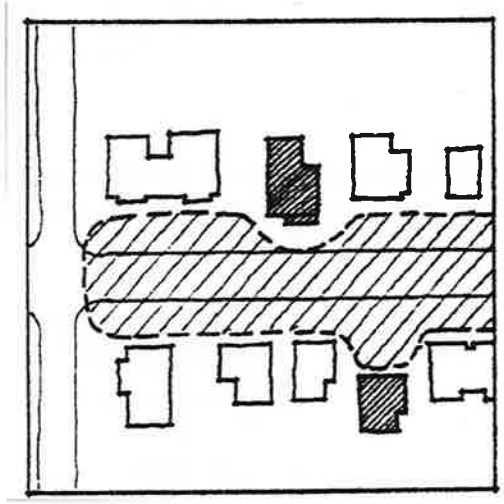


Figure 24: Buildings that do not retain the street front setback can negatively affect the sense of the street as a space or "room."

5.2.1 Intent

5.2.1(a) To enhance the character of the street by requiring buildings to front the street.

5.2.1(b) To enhance pedestrian access and walking.

5.2.1(c) Encourage interaction among neighbors.

5.2.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

5.2.3 Standards

5.2.3.1 All buildings shall provide a front face to the street. Building facades shall relate to the street.

5.2.3.2 Buildings shall not be sited in ways that make their entrances or intended use unclear to approaching visitors.

5.2.3.3 Accessory building and detached structures or garages shall be subordinate to the primary structure. All accessory structures shall be placed to the side or rear of the primary structure and lot. The accessory structure shall be a minimum of 8 feet behind the face of the primary structure (see AMC Chapter 20.48 for examples).

5.2.3.4 Provide clear pedestrian entries from the street and

5.2.3.5 Compose architectural elements to add interest to the building façade.

5.2.3.6 Provide a transition between the public realm of the street and the private realm of the occupants. A transition could be a well-landscaped front yard, a low fence or wall, a recessed entry, a courtyard or other device that provides privacy but visibility from the street.

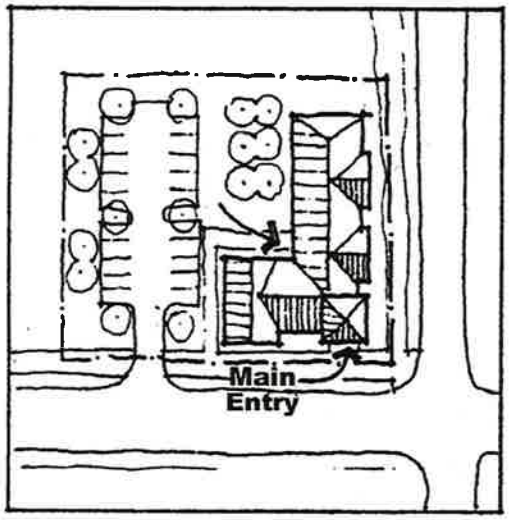


Figure 25: All buildings should be sited and have building elements, like entries, that relate to the street. Entries to buildings should not just be from parking lots.

5.3.1 Intent

5.3.1(a) To integrate development successfully within mixed use commercial areas, providing occupants with shopping and employment within walking distance.

5.2.1(b) To create a pedestrian friendly environment for occupants.

5.3.1(c) To encourage the use of transit alternatives.

5.3.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

5.3.3 Standards

5.3.3.1 Within the context of higher density, mixed residential and commercial zones, buildings shall be sited to orient to the street and respect adjacent residential projects.

5.3.3.2 Residential uses are compatible with other uses if sited properly to take into account views of parking and negative building services like trash areas, and pedestrian circulation. Certain late-night uses may not be as compatible and shall be sited accordingly.

5.3.3.3 In Emerging Centers where different land uses are within closer proximity to each other, suburban housing types or models are not applicable. Site planning strategies to create more compatible residential buildings shall emphasize grouping buildings to orient to courtyards and gardens, careful to avoid service areas and parking lots.

5.3.3.4 Commercial uses should be located next to the sidewalk and residential uses should be located above or behind the commercial building or use.

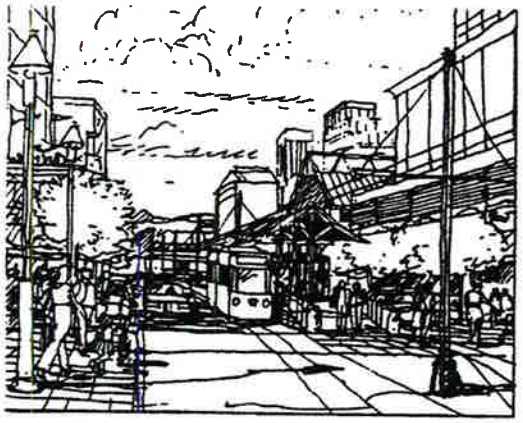


Figure 26: Commercial center that successfully integrates diverse land uses and transit alternatives

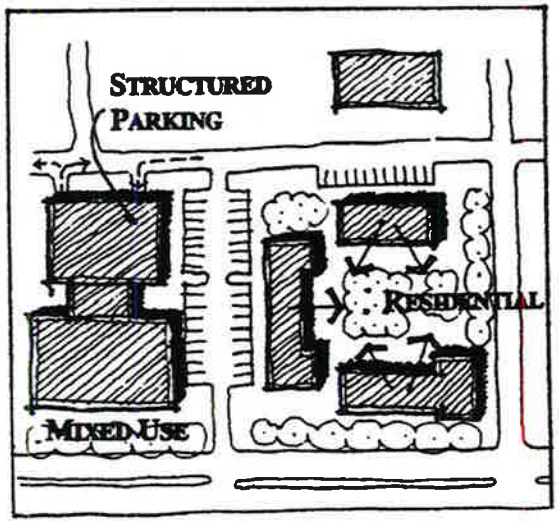


Figure 27: Careful siting should focus views towards private courtyards or gardens, and limit parking lots.

5.3.3.5 Proximity to services and transit should lead to reduced requirements for parking. Structured parking shall be encouraged to reduce the impact of cars and parking lots.

5.3.3.6Provide pedestrian circulation routes through all multi-family residential complexes linking buildingentries and parking areas to adjacent uses or services. Interconnect complexes with clear and well-lit paved paths. Provide steps and ramps to cross retaining walls, and gates to breech fences if they impede pedestrian movement to shopping and other common activities and especially to transit.

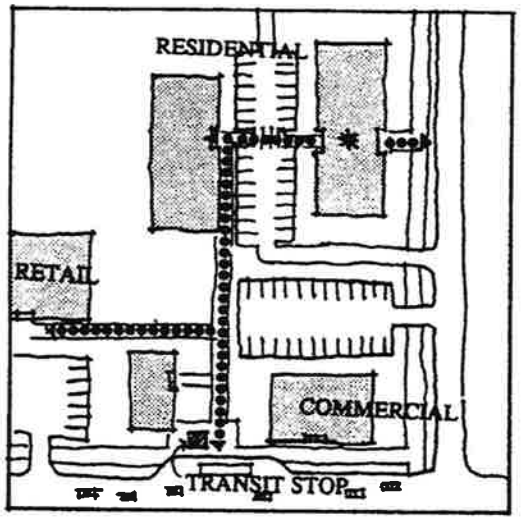


Figure 28: Provide clear pedestrian circulation routes connecting residences with adjoining compatible uses.

6.0 Adjacent Properties

6.1 Retaining Privacy and Solar Access

6.1.1 Intent

6.1.1(a) To reduce the impact on the privacy, comfort and Utilization of neighboring yards and homes.

6.1.1(b) To restrict new development from depriving adjacent homes of direct sunlight.

6.1.2 Applicability

This standard applies to all new non-single-family development adjacent to residential uses.

6.1.3 Standards

6.1.3.1 New buildings that project beyond the homes on adjacent lots shall be carefully designed to reduce their impacts. Buildings can address this issue in several recommended ways:

6.1.3.1(a) Limit the length and height of the projection into the rear yard area to reduce impact on neighbors' yards.

6.1.3.1(b) Step back the upper floors or increase the side setback so that sunlight is not totally blocked from reaching adjacent yards.

6.1.3.1(c) Windows, decks, and balconies overlooking neighboring yards shall be minimized and/or screened to enhance privacy.



Figure 29: New multi-family development reducing the privacy of adjacent residences.

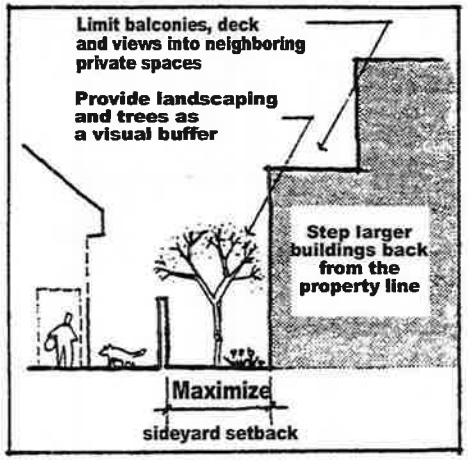


Figure 30: Methods used to reduce the impact on adjacent private yards.

6.0 Adjacent Properties

6.2 Parking Adjacent to Residences

6.2.1 Intent

6.2.1(a) To reduce the impact of parking lots and service Areas on adjacent homes.

6.2.1(b) To retain the privacy of adjacent properties

6.2.2 Applicability

This standard applies to all non-single family development adjacent to residential uses.

6.2.3 Standards

6.2.3(a) Parking, except on the street edge, shall not be located between the residences and the street. Surface parking which cannot be located to the rear of the development may be located toward the side if screened from adjacent residences. Provide a screening wall to buffer the visual and audible impacts of automobiles. The height of the screen shall be sufficient to prevent direct views from the parking lot into the first floor of the residential units on adjacent lots and block headlights.

6.2.3(b) Provide screening walls of solid and attractive materials, such as masonry, ironwork, rock or wood (but not chain link), or landscaping.

6.2.3(c) Provide trees, trellises or other coverings that reduce the views of parking lots from neighboring homes.

6.2.3(d) Locate and aim parking lots and other site lighting so that it does not cause glare and intrusive light patterns into neighboring residential properties. Lighting shall be of a pedestrian scale with pole heights and lighting fixtures that reduce glare.

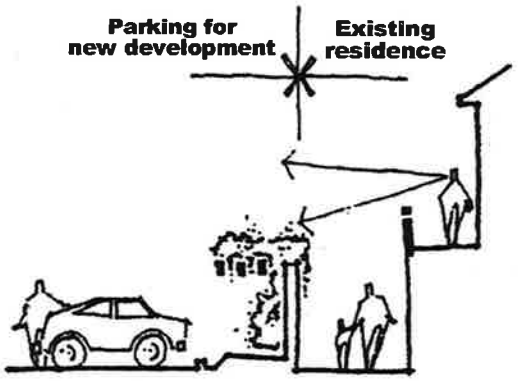


Figure 31: Trees and trellises reduce the views of parking lots from adjacent homes.

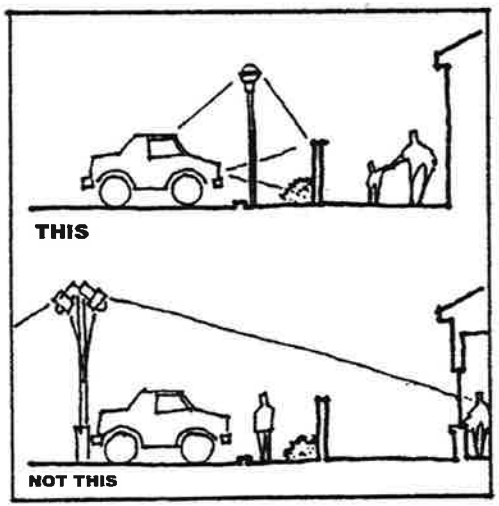


Figure 32: Parking lot lighting should be sited to not provide unnecessary glare on neighboring properties.

7.0 Siting

7.1 Creating Usable Open Space

7.1.1 Intent

To provide occupants with inviting and well defined outdoor spaces.

7.1.2 Applicability

This standard applies to all development with a multi-family residential component.

7.1.3 Standards

7.1.3.1 Organize and site buildings to create usable open space by creating one or more of the following:

7.1.3.1(a) Well landscaped courtyards to be usable by the occupants and visible from the units to enhance security.

7.1.3.1(b) Individual outdoor spaces for all ground floor units.

7.1.3.1(c) Rooftop decks, balconies, and well-defined patios.

7.1.3.1(d) Play areas for children, located away from the street edge and parking lots.

7.1.3.1(e) Group or individual gardens/small plots for residents' use.

7.1.3.1(f) Other similar outdoor open spaces.

7.1.3.2 Open space must be large enough to accommodate human activity and seating. Balconies must be at least 6' deep.

7.1.3.3 Orient outdoor spaces to receive sunlight. When possible, orient spaces to face east, west, or preferably south.

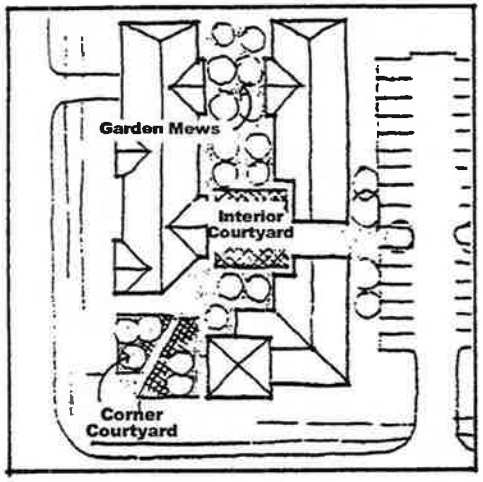


Figure 33: The careful siting of buildings and appropriate landscape design can create several kinds of usable outdoor spaces.

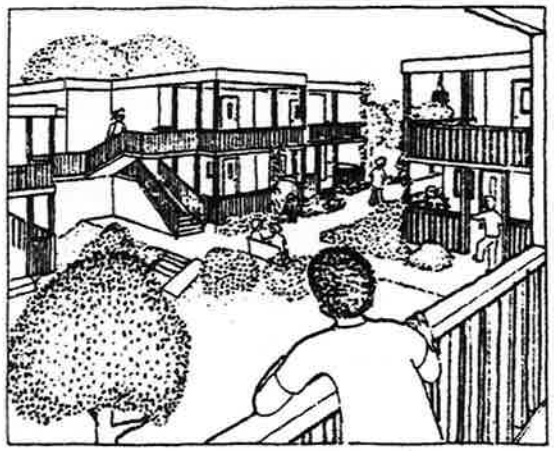


Figure 34: Outdoor areas from residences like yards, terraces and balconies that overlook common outdoor space make the space more enjoyable.

7.1.3.4 Provide paths, site furniture, lighting, and elements that will make outdoor spaces more enjoyable and better used.

7.1.3.5 Multi-family residential building complexes shall acknowledge and provide recreation activity space for toddlers and other children.

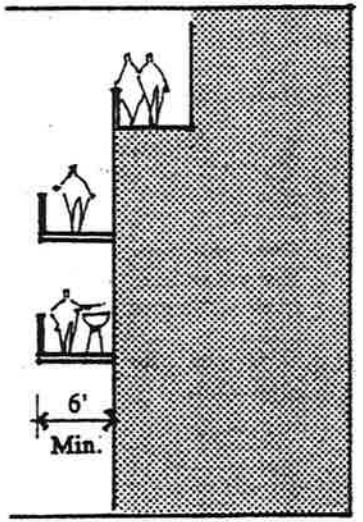


Figure 36: Typically, balconies and rooftop decks should be 6' deep to be truly usable.

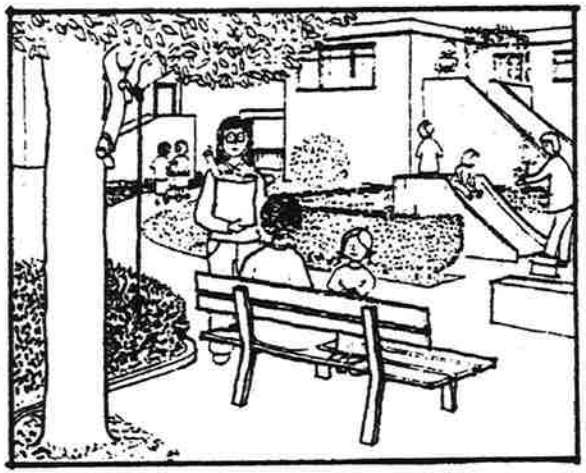


Figure 35: When neighbors frequently pass through a space where they see each other and can stop for a conversation.

7.2.1 Intent

7.2.1(a) To reduce impact of the automobile while retaining accessibility and safety.

7.2.1(b) To allow buildings to reinforce the street and not face directly into large parking areas.

7.2.1(c) To enhance pedestrian access, circulation and safety by reducing curb cuts and driveways across sidewalks.

7.2.2 Applicability

This standard applies to all development with new parking lots or parking stalls.

7.2.3 Standards

7.2.3.1 Locate off-street parking lots and stalls for more than one car to the sides and rear of buildings. Parking lots and stalls shall not be located in front yards.

7.2.3.2 For a lot facing two streets (corner lot) do not locate parking at the corner facing the intersection.

7.2.3.3 Do not allow driveways and garages to dominate the street front.

7.2.3.4 ~~Provide access~~Access to parking off of alleys is required when available, to reduce curb cuts across sidewalks

7.2.3.5 Provide on-street parallel parking when appropriate.

7.2.3.6 Provide clear, well-lit paths from parking areas to the street and building entrance.

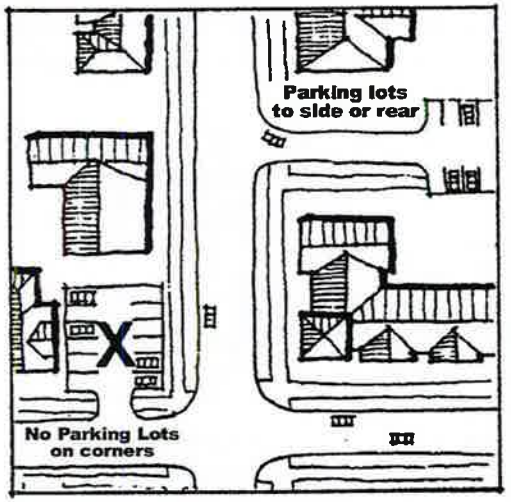


Figure 37: Parking lots shall not be sited on corners adjacent to intersections. Prominent building features should occupy the corner.

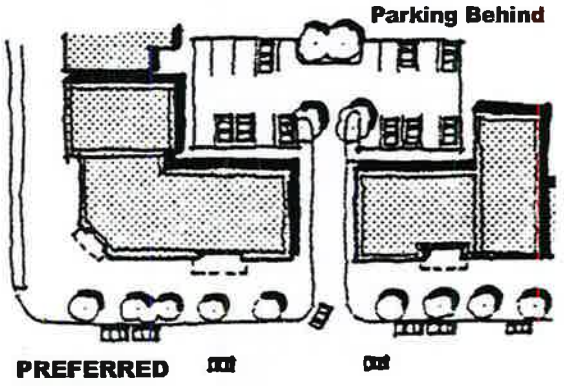


Figure 38: Siting parking lots behind buildings is preferred.

Parking lots to the front of buildings, especially when carports and garages for cars are included, restrict pedestrian circulation, lower values, and create large expanses of asphalt.

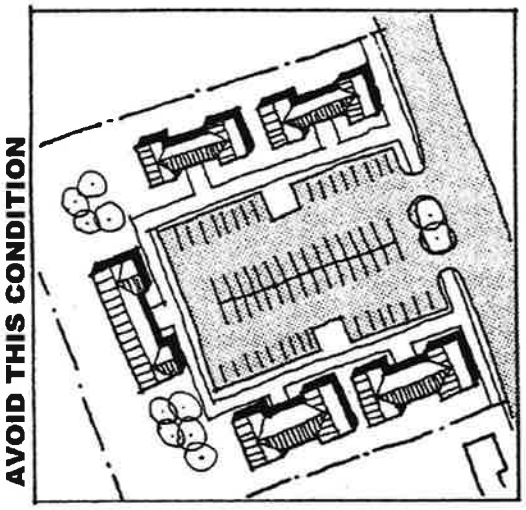


Figure 39: These residential units front only on a parking lot.

Providing a small park or open space off of the road and allocating smaller parking lots behind multi-family residential buildings increases the value of development and creates a more visually pleasing environment. Using permeable materials in pedestrian-oriented areas should occur where feasible.

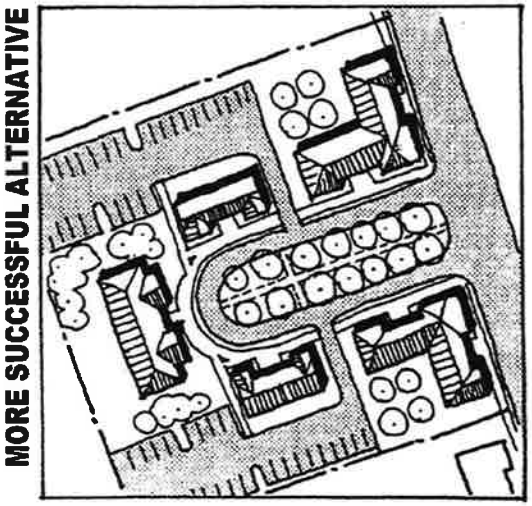


Figure 40: Preferred site planning that creates usable open space, adding value and identity to the complex, by siting parking behind the buildings.

7.3.1 Intent

To encourage more thoughtful siting of trash and other service areas, balancing the need for service access with the desire to screen its negative aspects.

7.3.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

7.3.3 Standards

7.3.3.1 Locate service areas to not have a negative visual or physical impact on the street environment.

7.3.3.2 Site and/or screen mechanical equipment so as not to be seen from the sidewalk.

7.3.3.3 When possible, locate services for trash, recycling and loading in an enclosed service room off an alley, side drive or within a parking garage.

7.3.3.4 When service elements must be visible from the street, follow Standard 2.3.3.2 Screening Dumpsters and Trash Areas.

7.3.3.5 Pedestrian access shall not be blocked by service elements.

7.3.3.6 Service elements like mailboxes, utility meters, trash facilities and lighting shall be incorporated into the overall design of the project.

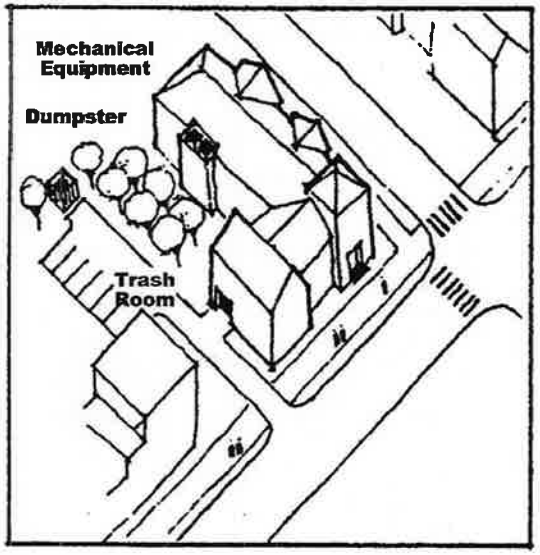


Figure 41: The proper location of service elements is important to reduce their impacts.

8.0 Transit Facilitation

8.1 Integrating Transit into Site Planning

8.1.1 Intent

8.1.1(a) To encourage transit use by making transit more convenient.

8.1.1(b) To integrate transit and bus shelters compatibly into the neighborhood.

8.1.1(c) To shelter transit users from wind and rain.

8.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

8.1.3 Standards

8.1.3.1 In projects of greater than twenty (20) leasable units, project applicants shall identify (to the reviewers) transit alternatives and existing transit stops within close proximity to the occupants of the project.

8.1.3.2 If accessibility to transit by the occupants can be enhanced, place new transit stops in coordination with the transit provider.

8.1.3.3 Incorporate, when possible, a shelter as an integral part of the building design.

8.1.3.4 Place any large parking areas at the side or rear of the site.

8.1.3.5 Connect building entrances, transit facilities, and parking areas by paved sidewalks.

8.1.3.6 Design a site free of pedestrian barriers (good design intentions like walls, swales, and landscaping can obstruct pedestrian travel.

8.1.3.7 Provide pedestrian facilities like benches with back rests, trash containers, clear signage, pedestrian

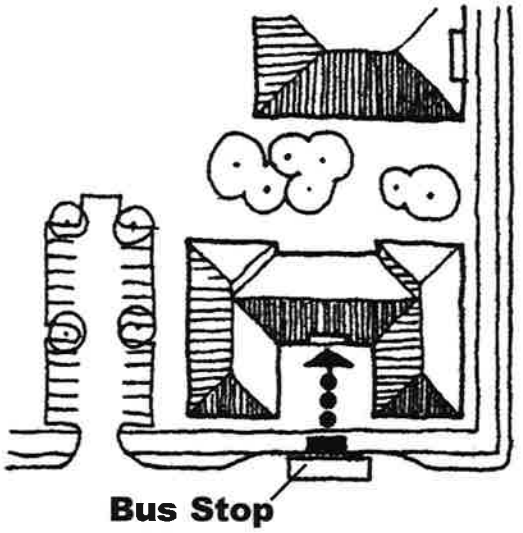


Figure 42: Building entrance oriented to street and transit stop.

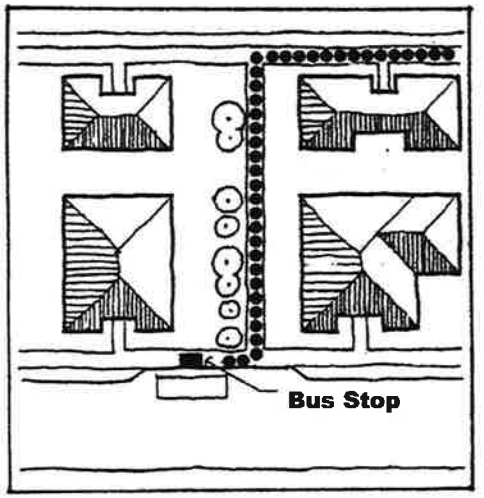


Figure 43: Pedestrian access to transit provided across the block.

lighting and well-maintained landscaping adjacent to transit stops.

8.1.3.8 Orient building entrances toward transit facilities, and clearly mark routes to those facilities.

8.2.1 Intent

To eliminate the physical barriers which impede pedestrian circulation between multi-family residential complexes and other destinations like transit and shopping.

8.2.2 Applicability

This guideline applies to all multi-family residential development.

8.2.3 Standards

8.2.3.1 Multi-family complexes shall not be isolated enclaves separated from each other and commercial development by fences, walls, and parking lots.

8.2.3.2 Provide well-lit and landscaped pedestrian paths from residences to other residential complexes, the street edge, and adjacent commercial properties.

8.2.3.3 All multi-family residential buildings shall front streets not parking lots. Entrances shall be clearly visible from the street edge sidewalk, not oriented toward parking lots.

8.2.3.4 Reduce the size of parking lots by providing clear pedestrian routes through larger lots. Mark pedestrian routes with changes in paving and landscaping.

5.2.3.5 Combine driveways to reduce the danger and inconvenience to pedestrians.

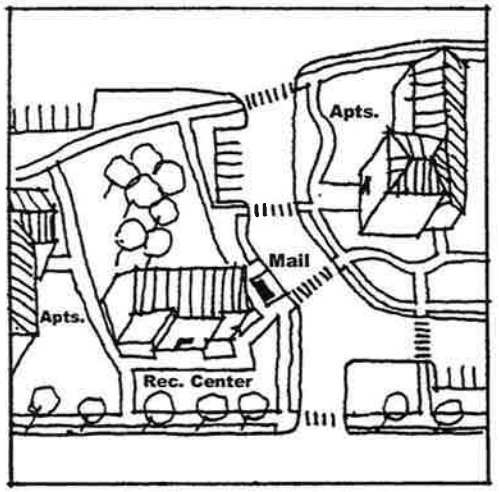


Figure 44: Connect buildings in multi-family complexes with clear pedestrian paths.

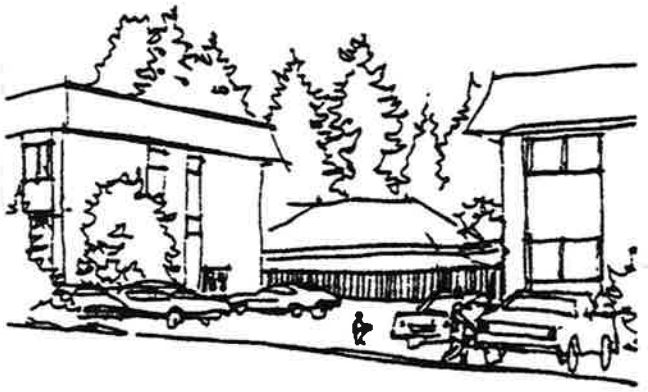


Figure 45: Parking lots encircling residential buildings are unsightly and unsafe to children.

9.1.1 Intent

9.1.1(a) To encourage new development to be designed for the specific conditions of the site.

9.1.1(b) To ensure that new development will fit in with the neighborhood.

9.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

9.1.3 Standards

9.1.3.1 The design of a building, its location on the site, and its layout shall respond to specific site conditions.

9.1.3.2 Site characteristics to consider in the design of a building include the following:

Topography

9.1.3.3 Reflect natural topography rather than obscure it. For instance, buildings shall be designed to "step up' hillsides to accommodate changes in elevation.

9.1.3.4 Where neighboring buildings have responded to similar topographic conditions on their sites in a consistent and positive way, consider similar treatment for the new structure.

9.1.3.5 Designing the building in relation to topography may help reduce the visibility of parking garages.

Solar Orientation

9.1.3.6 The design of a structure and its massing on the site can enhance solar exposure for new development and minimize impacts on adjacent structures and public areas.

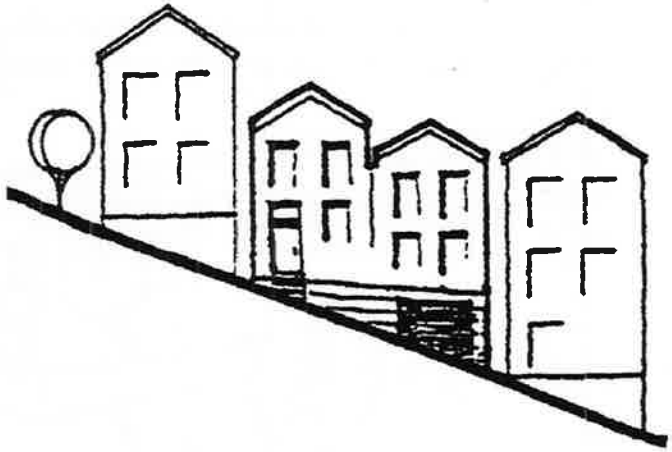


Figure 46: Stepping buildings on steep topography.

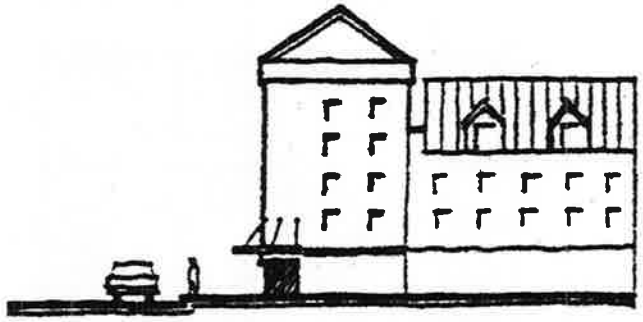


Figure 48: Siting a building to take advantage of a visual amenity.

Corner Lot

9.1.3.7 Building design can accent the corner at an intersection of streets with a change of building wall plane and roof line.

Site Size and configuration

9.1.3.8 On small, narrow sites or sites with frontage on narrow streets, massing and design can minimize the perception of building bulk, minimize impacts on adjacent development and enhance conditions for on-site open space.

Natural Features

9.1.3.9 Reflect natural features like views, stands of trees, and open space by providing views and pedestrian access to these amenities.

Pedestrian Oriented Shopping Street

9.1.3.10 Reinforce the streetscape with shops at ground level and pedestrian amenities.

Existing structures on the Site

9.1.3.11 Where a new structure shares a site with an existing structure or is a major addition to an existing structure, designing the new structure to be compatible with the original structure will help it fit in.

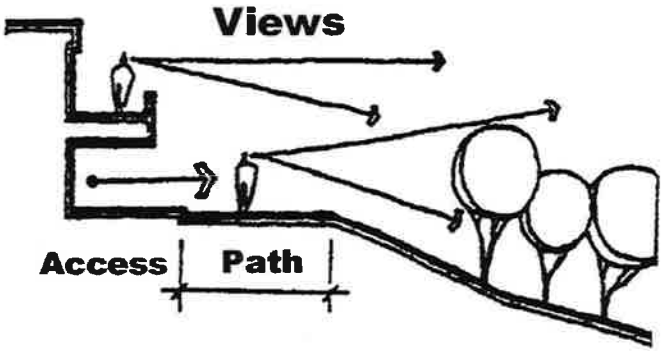


Figure 48: Siting a building to take advantage of a visual amenity.

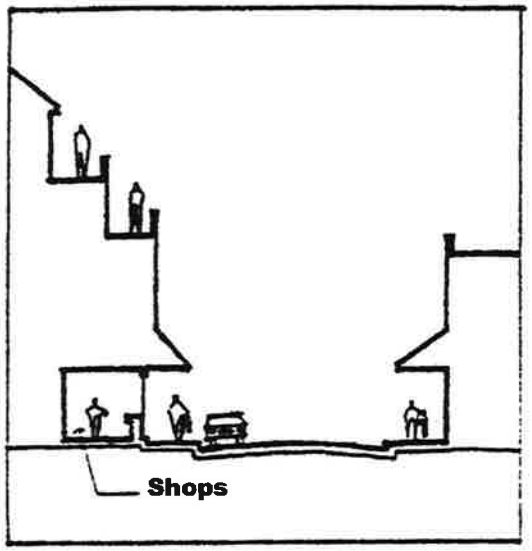


Figure 48: Siting a building to take advantage of a visual amenity.

9.2.1 Intent

To unify and organize a building's architectural character and individual elements such as entries, windows, gardens, roofs, etc.

9.2.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

9.2.3 Standards

9.2.3.1 All buildings shall be visibly organized by a clear design concept. Examples of some concepts include:

Axial Symmetry

9.2.3.1(a) A formal organization that balances equal elements and features around a vertical plane common in classical revival and colonial style buildings.

Asymmetric Balance

9.2.3.1(b) A dissimilar, yet harmonious composition of numerous similar or complimentary forms. The composition reflects the local context, site conditions or building function.

Courtyard Organization

9.2.3.1 (c) Groupings of building elements to help clearly define usable outdoor spaces.

Major Architectural Element

9.2.3.1(d) Focus around a strong architectural element like an arcade, a gallery or a major entry.

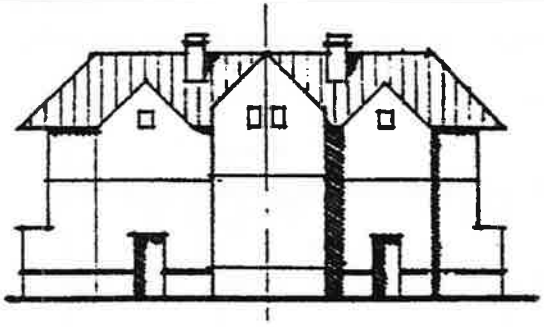


Figure 50: Symmetrically Balanced--Order achieved by balancing both sides around the center.

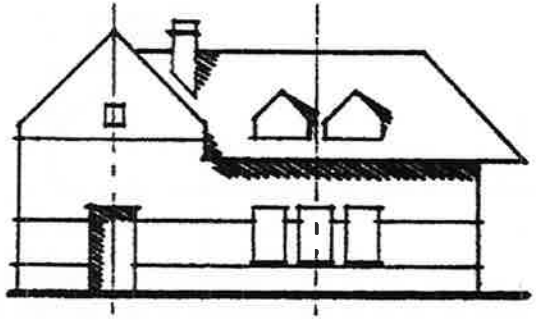


Figure 51: Asymmetrically Balanced--Balance among several points

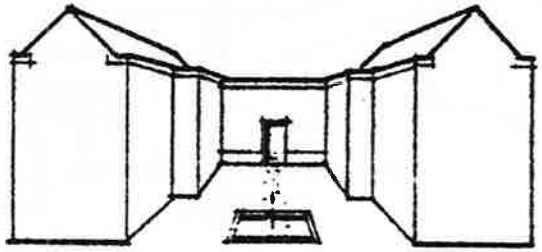


Figure 52: Courtyard Organization--Organized around an outdoor space.

Terracing

9.2.3.1(e) Dividing a building into horizontal terraces that step down a steep slope can reduce the building's impact on the site and provide usable decks.

Environmental Response

9.2.3.1(f) Basing the design on significant views, solar orientation, siting for usable outdoor spaces, etc.

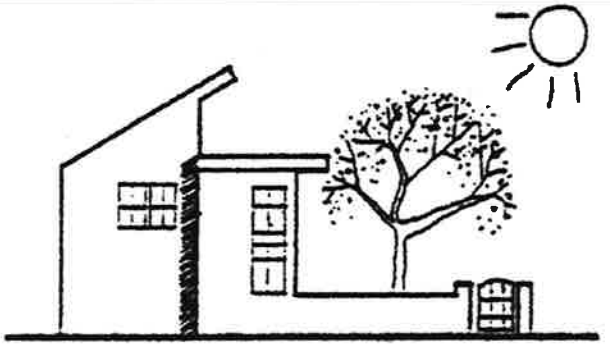


Figure 53: Environmental Response – Designing a building around alternative energy systems.

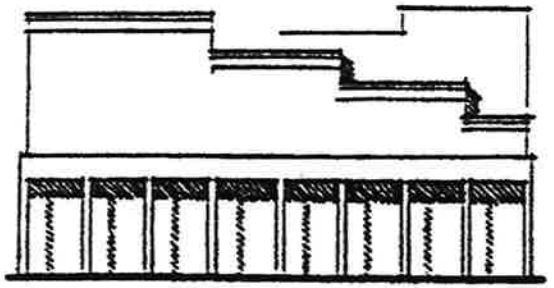


Figure 54: Major Architectural Element – The arcade gives order to the building.

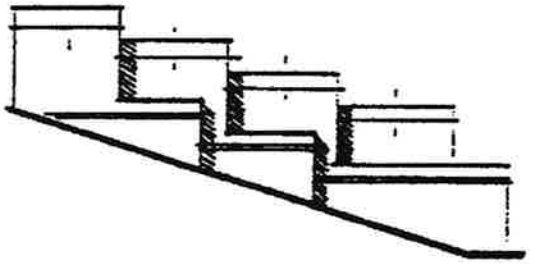


Figure 55: Terracing – Terracing the building acknowledges the slope.

9.3.1 Intent

To enhance the character of an established neighborhood or street.

9.3.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

9.3.3 Standards

9.3.3.1 The project proponent shall submit materials that document the existing architectural character of the street or area and define the aspects of the context that are most important. The project plans should identify the ways the project incorporates these aspects.

9.3.3.2 Unless there is an overriding concern or a poorly defined context, new buildings shall reflect the architectural character of the surrounding buildings in some of the following ways:

9.3.3.2(a) A unifying design concept

9.3.3.2(b) Similar proportions, scale, and roofline.

9.3.3.2(c) Complimentary architectural style and exterior finish materials.

9.3.3.2(d) Complimentary patterns and proportions of windows.

9.3.3.2(e) Similar entry configuration and relationship to the street.

9.3.3.2(f) Complimentary architectural details or features.

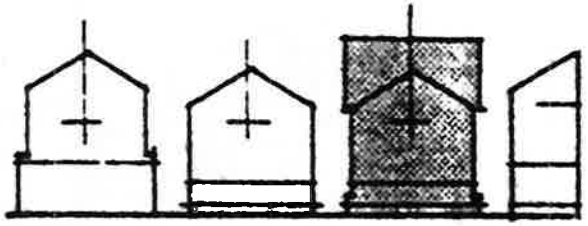


Figure 56: New building emphasizes the height, scale, and roof forms of adjacent buildings.

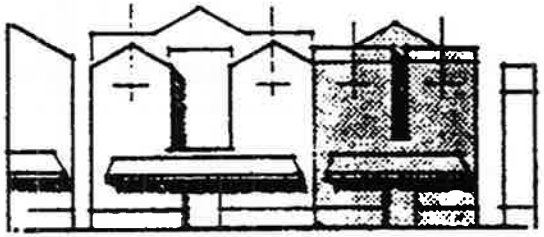


Figure 57: New building emphasizes the height, proportions, and canopy of its neighbors.



Figure 58: This new apartment building is not compatible with its neighbors.



Figure 59: The new apartment building relates successfully to its adjacent neighbors in choice of materials, proportions, and scale.

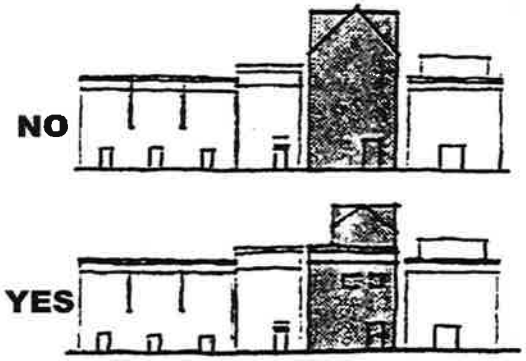


Figure 60: Architectural features or details like cornices can relate to adjacent buildings, lowering the perceived, conflicting height of the building.

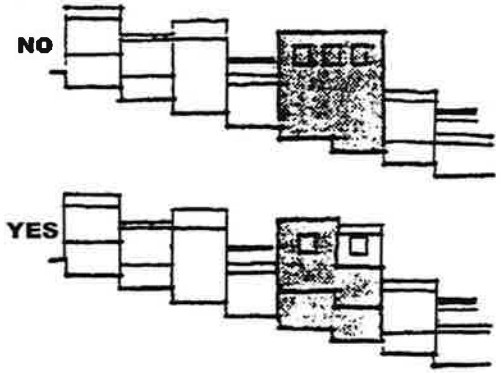


Figure 61: The rhythm created by buildings along the street should be retained.



Figure 62: The patterns and proportion of windows and doors (fenestrations) are important to the building's architectural character, and reflect its compatibility with neighboring buildings.

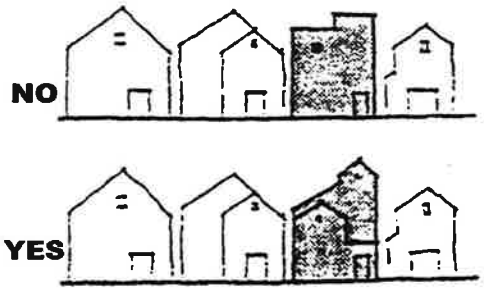


Figure 63: Rooflines can reinforce the architectural character of a street.

10.1.1 Intent

To reduce the apparent size of new buildings and give them more visual interest.

10.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

10.1.3 Definitions

10.1.3.1 *Articulation* is the giving of emphasis to architectural elements (like windows, balconies, entries, etc.) that create a complimentary pattern or rhythm, dividing large buildings into smaller, identifiable pieces.

10.1.3.2 An *interval* is the measure of articulation—the distance before architectural elements repeat.

10.1.3.3 *Modulation* is a measured and proportioned inflection of setback in a building's face.

10.1.3.4 Together, articulation, modulation and their interval create a sense of scale important to buildings.

10.1.4 Standards

10.1.4.1 Use modulation and articulation in a clear rhythm to reduce the perceived size of all large buildings.

10.1.4.2 Buildings shall be divided and given human scale by using articulation and/or modulation at 40-foot to 50-foot intervals.

10.1.4.3 There are a number of ways of articulating a building to divide up its mass and reduce its apparent size.

Some are listed here and should be combined for the best result:

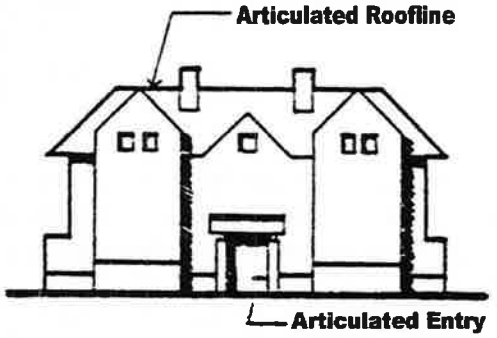


Figure 64: Articulation

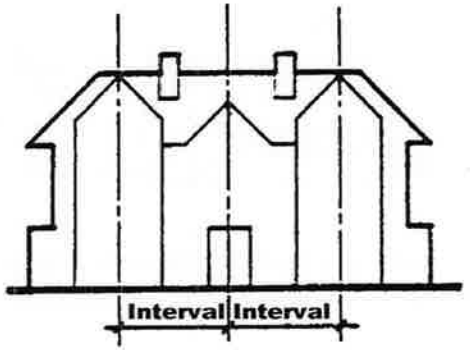


Figure 65: Interval

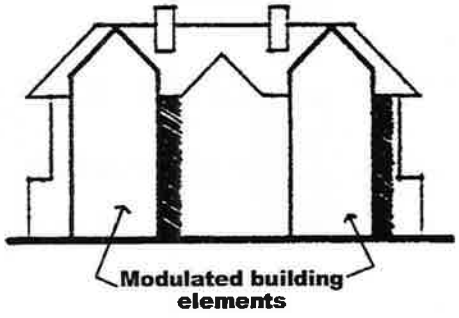


Figure 66: Modulation

10.1.4.3 (a) Façade Modulation: Stepping back or extending forward a portion of the façade at least 6 feet (measured perpendicular to the front façade) for each interval.
10.1.4.3(b) Fenestration patterns that repeat at intervals at least equal to the articulation interval.
10.1.4.3(c) Articulating each interval with architectural elements like a porch, balcony, bay window, and/or covered entry.
10.1.4.3(d) Articulating the roofline within each interval by emphasizing dormers, chimneys, gables, stepped roofs, or other roof elements.
10.1.4.3(e) Providing a ground or wall mounted light fixture, a trellis, a tree, or other site feature within each interval.

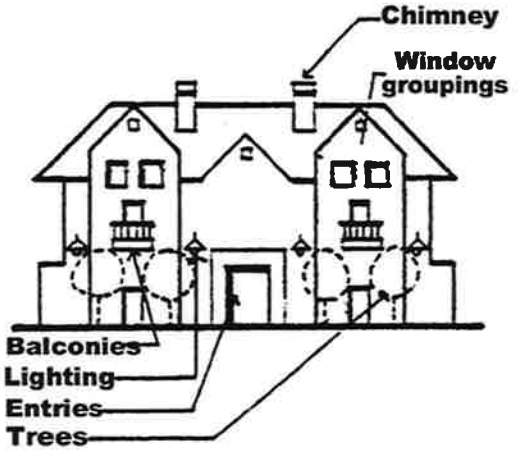


Figure 67: Building details that can reinforce the articulation interval.

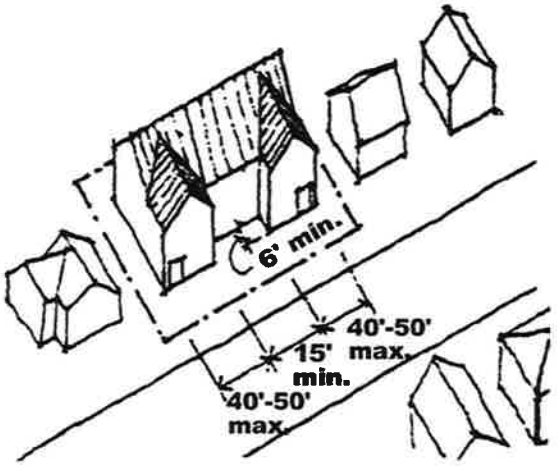


Figure 68: Modulation of the principal building façade adds interest to a long building.

10.2.1 Intent

To design new buildings to be more compatible with existing neighboring smaller structures.

10.2.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

10.2.3 Standards

10.2.3.1 If a building is proposed for a site that is adjacent to, or across the street from, a land use zone allowing a maximum building bulk substantially smaller than the zone of the proposal, the architectural scale of the proposed building shall be reduced, through articulation and modulation, to better conform to its context. The degree of façade articulation depends on the size and spacing of neighboring buildings.

10.2.4 Explanation and Examples

10.2.4.1 "Architectural scale" means the size of a building relative to the buildings or elements around it. When the buildings in a neighborhood are about the same size and proportion, we say they are all "in scale". In a neighborhood setting it is important that buildings have generally the same architectural scale so that a few buildings do not overwhelm the others. Larger buildings can fit in more effectively with smaller neighbors if their form is composed of recognizable small elements.

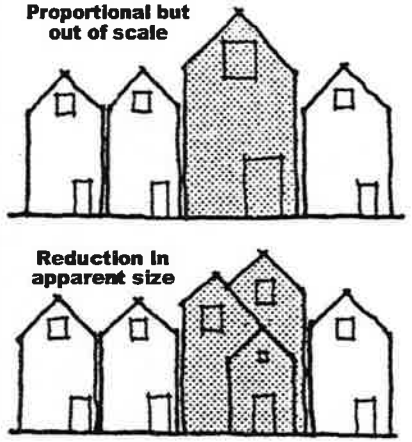


Figure 69: Good design can reduce the apparent size of new buildings, allowing them to fit in with smaller buildings.

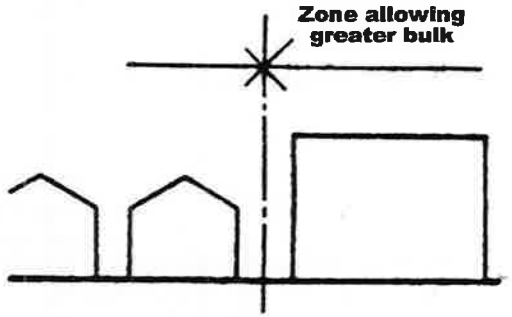
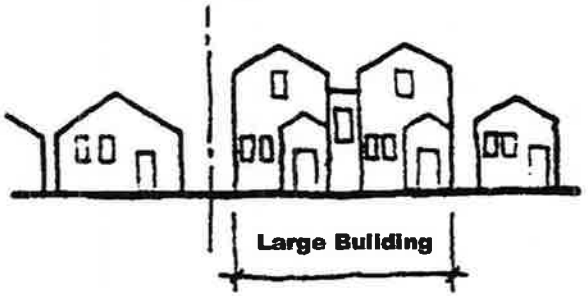


Figure 70: (above and below) At zone transitions, special care should be taken to reflect the articulation intervals of adjacent development.



10.3.1 Intent

10.3.1(a) To add visual interest to a building and the streetscape and reduce its apparent size.

10.3.1(b) To complement neighboring structures with prominent roofs.

10.3.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

10.3.3 Standards

10.3.3.1 Consideration shall be given to the design of a building's roofline. The design of the roof shall employ at least ~~one~~ two of the following:

10.3.3.1(a) Roofs may have dormers, ~~Gable~~gables, gambrel, ~~or~~ hipped roof or similar variations in roof planes to break up the roof mass.

10.3.3.1(b) Broken or articulated roofline.

10.3.3.1(c) Prominent cornice, ~~or~~ fascia, or parapet that emphasizes the top of the building.

10.3.3.1(d) Other roof element that emphasizes the top of the building.

10.3.3.1(e) Individual roofs may include a variety of colors and materials, including tile, composition, wood shake, asphalt shingle, and standing seam baked enamel steel.

10.3.3.1 (f) Metal roofs are allowed in all zones, except if metal is used for residential it shall only be standing seam steel roofs.

10.3.3.2 No roof mounted mechanical equipment shall be visible from the sidewalk or roadway of the adjacent street.





Figure 71: (above & below) Broken roof forms and modulation help reduce the apparent size of this building

11.1.1 Intent

11.1.1(a) To use properly scaled and proportioned building elements

11.1.1(b) To use elements whose size people are familiar with and relate to.

11.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

11.1.3 Definition and Explanation

11.1.3.1 Referring to buildings, 'scale' generally means the perceived size of a building relative to a person or the building's surroundings.

11.1.3.2 Human scale is derived from a building's architectural details and elements whose size people are familiar with.

11.1.4 Standards

11.1.4.1 All buildings shall incorporate well-proportioned architectural features, elements, and details to achieve good human scale.

11.1.4.2 Below are some elements that lend human scale:

11.1.4.2(a)Entry details like porches and recesses

11.1.4.2(b) Occupiable spaces like bay windows and balconies.

11.1.4.2(c) Window details like vertically proportioned window openings which are recessed into the face of the building and broken up with smaller panes of glass.



Figure 72: Buildings that give few clues to its size are confusing.

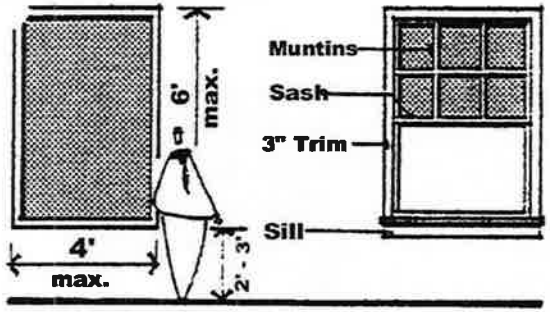


Figure 73: Window details are important to give a sense of human scale.

11.1.4 Standards (cont.)

11.1.4.2(d) Roof details like brackets, chimneys, roof overhangs of at least 18' (measured horizontally), or a roof cornice element at least 12' in width (measured vertically).

11.1.4.2(e) Windows which create relief in the façade by being detailed to recede into the building face.

11.1.4.2(f) Gabled or hipped roofs, including nested rooflines.

11.1.4.2(g) Roof flashing, rain gutters, downspouts, vents, and other roof protrusions shall be finished to match the adjacent materials and/or colors and be consistent with the design of the building.

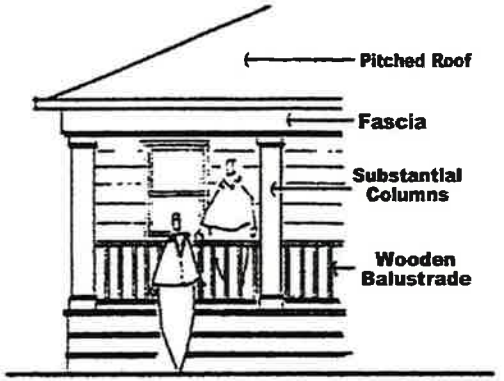


Figure 74: Covered entries, like porches, need to be of substantial materials.

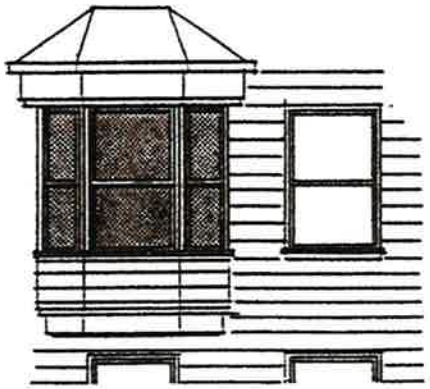


Figure 75: Bay windows that protrude from the building wall.

11.2.1 Intent

11.2.1(a) To create a more visually interesting building.

11.2.1(b) To add elements which can aid in creating a better human scale and be more compatible with its neighbors.

11.2.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

11.2.3 Standards

11.2.3.1 Use building features to reflect the space within a building, to reinforce site conditions like a corner or courtyard and to articulate building modulation.

11.2.3.2 Building features shall be consistent and unified with the overall architectural design of the building. Each element shall be articulated and proportioned to relate with the building as a whole.

11.2.3.3 Use changes of materials to enhance building features.

11.2.3.4 No buildings may have large areas of blank wall surfaces. Use architectural features and elements to enhance all building faces.

11.2.3.5 Building features can include some of the following:

11.2.3.5(a) Setback of upper floors and roof decks.

11.2.3.5(b) Strong corner feature like a turret or corner entry.

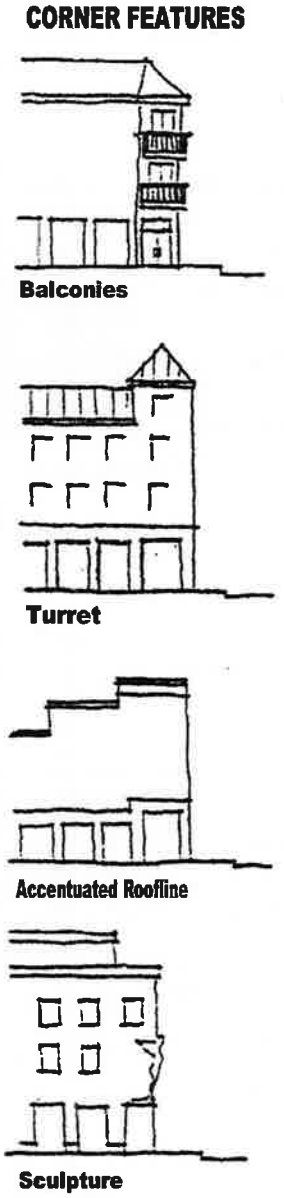


Figure 76: Corner Features

11.2.3.5(c) Porches and balconies at least 6' deep.
11.2.3.5(d) Habitable roofs with dormer windows.





Figure 77: These two projects point out the importance of architectural elements. They are essentially the same building except that the project below employs varied rooflines, window details, façade articulation, a trellis, chimneys, entry details, and other features to add interest and a greater sense of quality.

11.3.1 Intent

11.3.1(a) To create an appropriate invitation into a building, providing for security and privacy.

11.3.1(b) To provide an area where social interaction can take place.

11.3.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

11.3.3 Standards

11.3.3.1 All buildings shall have a principal entry visible from the street, (or by a marked, paved and well-lit pathway). All entries shall be convenient from the sidewalk.

11.3.3.2 In multi-family residential developments, all ground floor units shall be directly accessible from the street.

11.3.3.3 Entries shall be highlighted by building elements (like stairs, roofs, special fenestration, etc.).

11.3.3.4 Provide a recess, porch, or other protected exterior area that encourages human activity (resting, meeting, waiting, etc.).

11.3.3.5 Highlight the entry area with pedestrian scaled lighting and distinctive architectural elements and details.



Figure 78: The entries to these apartments and their courtyards are clearly articulated and inviting.

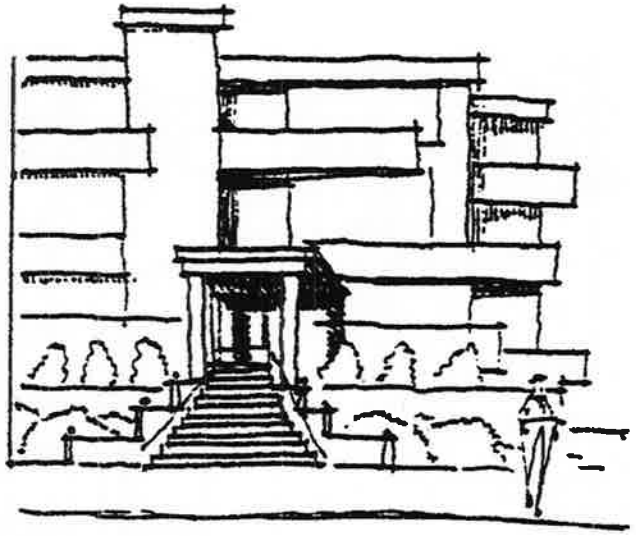


Figure 79: The covered and recessed entry to the building is well articulated, and with the landscaped planting beds and stairs provides an elegant transition between street and residence.

12.0 Exterior Finish Materials

12.1 Appropriate Materials

12.1.1 Intent

12.1.1(a) to enhance the quality of buildings and the streetscape.

12.1.1(b) To discourage poor materials with high life cycle costs.

12.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

12.1.3 Standards

12.1.3.1 Building exteriors shall be constructed of durable and easily maintainable materials that are attractive at close distances.

12.1.3.2 Materials that have an attractive texture, pattern, of quality of detailing are encouraged.

12.1.3.3 Siding shall reflect in texture and color typical Northwest building materials like wood siding and shingles, brick, stone and terra-cotta tile.

12.1.3.4 Metal siding shall always have visible corner moldings and trim and should have a matt finish and a neutral or earth tone.

12.1.3.5 Non-durable siding materials like T1-11 type plywood, corrugated metal or fiberglass is prohibited, as it decays quickly when exposed to the elements and looks unsightly. Panel siding with board and batten is allowed.

12.1.3.6 Metal roofing colors shall be subdued.

12.1.3.7 Mirrored glass is prohibited in a residential or pedestrian oriented streetscape.

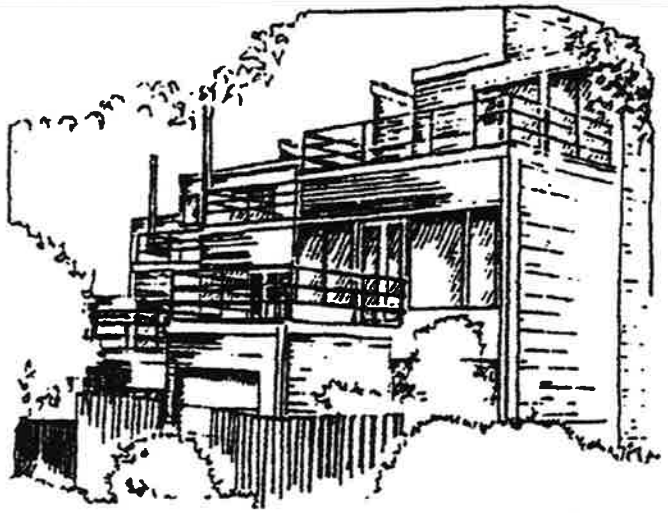


Figure 80: These contemporary looking houses have well detailed horizontal wood siding.



Figure 81: When renovating, or developing adjacent to, buildings with a distinct historic architectural character, care must be taken to choose exterior building materials that are compatible and historically appropriate.

12.1.3.8 Concrete walls shall be enhanced by texturing, coloring with concrete coating, or admixture, or by incorporating embossed or sculpted surfaces, mosaics, or artwork.

12.1.3.9 Concrete block walls shall be enhanced with textured blocks and colored mortar, decorative bond pattern and/or incorporating other masonry materials.

12.1.3.10 Stucco and similar toweled finishes shall be sheltered from extreme weather by roof overhangs or other methods.

13.0 Parking Garages

13.1 Compatibility with Occupiable Spaces

13.1.1 Intent

13.1.1(a) To incorporate the parking garage into the design of the building making it less obtrusive.

12.1.1(b) To differentiate the parking entry from the pedestrian entry.

13.1.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

13.1.3 Standards

13.1.3.1 Design parking garages to be architecturally compatible with the occupiable portion of the building. Draw from a residential vocabulary of forms, materials and details to enhance garages.

13.1.3.2 Detail garage entries to be subordinate to the pedestrian entry in scale and detailing. If possible, locate the parking entry away from the street, to either the side or rear of the building.

13.1.3.3 Berm and landscape the edges of garages when they are visible from the street.

13.1.3.4 The street side of garages can contain facilities or services for occupants, like laundry rooms, lobbies and shops.

13.1.3.5 Open carports for more than 2 cars shall not be visible from the street.

13.1.3.6 Parking garages can be detailed with split-face block and colored mortar to emphasize the base of the building.

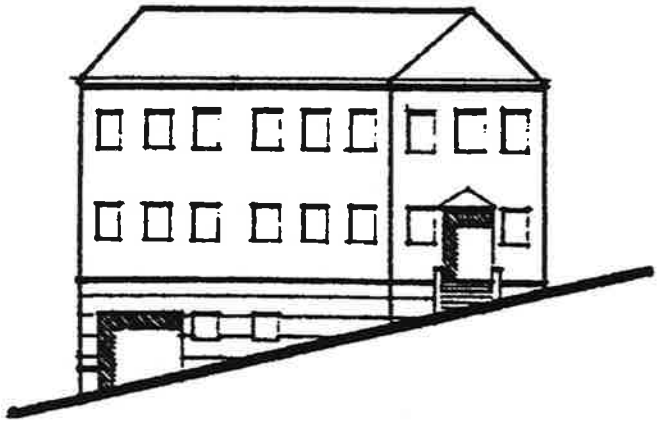


Figure 82: The parking garage entry should take advantage of topography to be visually subordinate to the pedestrian entry.



Figure 83: The pedestrian entry should be articulated to emphasize its importance relative to the garage entry.

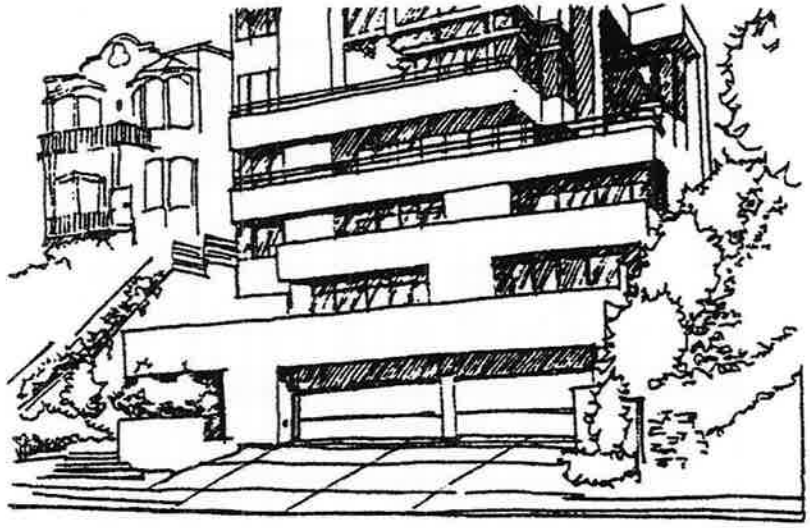


Figure 84: The garage entry of this apartment building overwhelms the relatively insignificant entry.

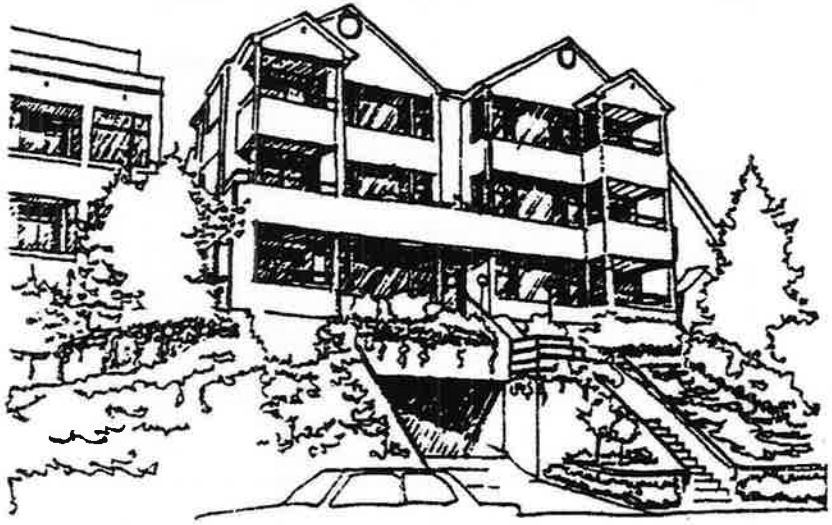


Figure 85: This parking garage is well screened by the generous landscaping on this steep site. The stairs, landing, and lighting help highlight the pedestrian entry.

13.2.1 Intent

To reduce the visual impact of parking structures by making them a more integral part of the building.

13.2.2 Applicability

This standard applies to all development subject to these design standards pursuant to AMC 20.46.010 (Conformance with Design Guidelines or Standards).

13.2.3 Standards

13.2.3.1 The accessory parking portion of the structure shall be architecturally compatible with the rest of the structure. That is, the parking structure and the rest of the building should appear as a unified, composed unit. Methods to better integrate parking structures with their buildings include:

13.2.3.1(a) Facing the parking structure with the same material as the building.

13.2.3.1(b) Continuing architectural elements from the occupiable portion of the building onto the parking structure, like a frieze, cornice, trellis or other device.

13.2.3.1(c) using a portion of the top of the parking garage as a deck or garden for the occupants' use.

13.2.3.2 Large buildings with multi-level parking garages can screen the garages further by:

13.2.3.2(a) Locating occupiable space or shops to the outside of the parking garage. These units could have access directly from the street and from the parking area.

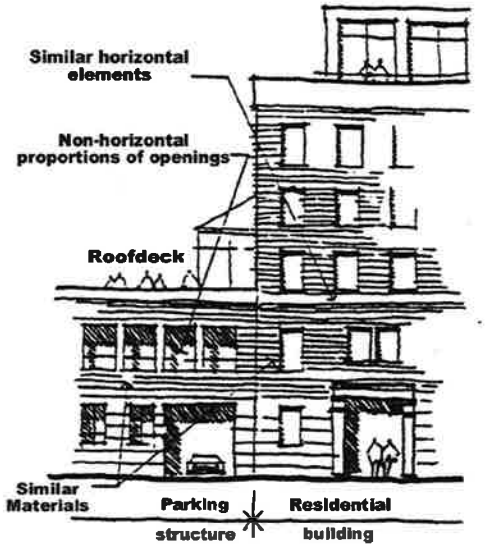


Figure 86: The appropriate design of a parking structure can help integrate it to the occupiable portion of the building.

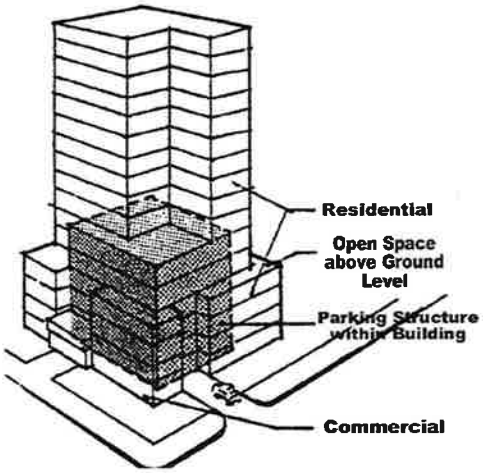


Figure 87: A parking garage located in the center of this large mixed-use structure with commercial uses and residential units along its edge.

13.2.3.2(b) Designing the parking garage to be partially or totally below the level of the street or neighboring properties.

14.0 Mixed-Use Buildings

14.1 Site and Building Design

14.1.1 Intent

14.1.1(a) To encourage mixed-use buildings with shops and small offices below, and residential units above.

14.1.1(b) To reinforce the community focal place and neighborhood centers with appropriately designed buildings, compatible with pedestrian-oriented commercial uses.

14.1.2 Applicability

This standard applies to all mixed-use development.

14.1.3 Standards

14.1.3.1 Site mixed-use buildings wherever small-scale, pedestrian oriented commercial activity is desired.

14.1.3.2 Respect and enhance the character of the street, reinforcing the pedestrian shopping experience.

14.1.3.3 Site parking lots to the sides and rear of buildings, not the front facing the street. A drop-off zone at the street's edge may be appropriate.

14.1.3.4 Accentuate the residential portion of the development with changes in materials and wall plane. Create a distinct entry for the residential units.

14.1.3.5 Create usable outdoor spaces for the units facing the street by providing balconies and setbacks. The use of outdoor spaces enlivens the commercial street and creates a buffer space for the residential units.



Figure 88: A successful mixed-use project along a public promenade in Portland, OR.



Figure 89: This mixed-use building differentiates the commercial uses and residential units by changing materials and stepping back the tower.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Cafe
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15.0 Old Town Business District

15.1 Policy, Goals, and Applicability

15.1.1 Intent

15.1.1(a) These Standards establish requirements for construction that are drawn from the commercial building heritage of Arlington and other traditional American downtown business districts. They support the idea that compact scale, traditional building types, architectural detail, and the accommodation for pedestrians that is found in these town centers should be preserved, enhanced, and expanded. These Design Standards describe the principles of siting, parking, massing, and treatment of facades and materials that will be allowed in the construction of new buildings, additions to existing buildings, and in the rehabilitation of existing buildings.

15.1.1(b) *Historical Design principles of Arlington-*

The standards of good, small town design are prevalent in many of the buildings in Arlington. These observable standards include a human scale proportion of building height to street width, the location of shop entries at the sidewalk, a mix of various enterprises within a single building, the use of durable materials and the design principles that promote a balanced blend of function plus decorative building components. They have shaped Arlington since its founding over 100 years ago.

Since then, the architectural styles have evolved. Yet the principles of good design that have been tested throughout centuries of practical, enjoyable town planning remain. Arlington's own version of pedestrian-friendly streets, its blend of historical and contemporary



building styles, its mix of residential, commercial and civic establishments, and its urban and naturalistic public spaces all contribute to the quality and character that these standards address.

15.1.1(c) *Existing Building Types in Downtown Arlington as Models for New Development and rehabilitation*

The Design Standards are based upon the architectural precedents of Arlington's past. As such, this document will present examples of existing buildings to demonstrate the abstracted principles of the Standards and to illustrate possible resolutions to the intention of the Standards. However, it should not be construed that the Standards intend to promote or adhere to any particular theme or style. Instead, new construction is expected to respect and be inspired by the authentic, local architectural and urbanistic traditions that have been in place for more than 100 years in Arlington. Construction is encouraged to be equally responsive to the variety, longevity, enthusiasm, and pride of workmanship that many of the historical and some new buildings in Arlington evoke.



15.1.1(d) The goal of this section is to promote construction that will enhance the existing good characteristics and qualities of the Old Town Business District (OTBD).

15.1.2 Applicability

15.1.2(a) The standards in this section apply to all development in the Old Town Business District 1, 2, and 3.

15.1.2(b) However, it is recognized that there is a distinction between OTBD 1 and OTBD 2, and 3. And discretion should be used in how strictly the standards are adhered to for any particular project. OTBD 1 is clearly the historical commercial district of Arlington and conformance to these standards should be as strict as possible. OTBD 2 and 3 are clearly more automobile oriented and conformance with the Standards should be balanced with the particular context of the property. The goal for OTBD 2 and 3 is to have them become more pedestrian-friendly than they may be now, yet we need to acknowledge that automobiles will play a larger role than in OTBD 1.

15.1.2(c) Any new construction or modifications to existing structures in the Old Town Business Districts 1, 2, and 3 shall comply with the Arlington Development Design Standards and also refer to and utilize the Olympic Avenue Design Guidelines, to the maximum extent possible, in their design and modification efforts.

15.2.1 Intent

These Standards apply to the considerations of site design, parking, the massing or bulk of the building, and pedestrian accessibility. As a traditionally planned downtown shopping and mixed-use district, Arlington developed first as a pedestrian-oriented town center. While automobiles have obviously become essential to the commercial success of the center, these Standards are designed to balance vehicular and pedestrian use. They are intended to provide convenient automobile access with carefully considered parking accommodations. Sidewalks, storefronts, and entries that cater to pedestrian activity are required.

15.2.2 Standards

15.2.2.1 *Setbacks*—See AMC 20.48.040 Building Setback Requirements ~~and 20.46.050 Site Design in the Old Town Business Districts (1,2 and 3)~~ and all structures shall be located adjacent to or as nearly adjacent as feasible to the sidewalk(s) falling within adjacent public right(s) of way. Where a structure is recessed from the public sidewalk, a private extension of the sidewalk shall be installed so as to widen the sidewalk up to the building front.

~~15.2.2.1~~15.2.2.2 *Location* – Wherever feasible, buildings built in the Old Town Business Districts per this section shall be adjoining or appearing so, so as to create a continuous façade along a street. Structures along the Centennial Trail should be designed to work with the trail, even to the extent of having an entrance to the building, but at minimum presenting a well-designed façade on the trail side.

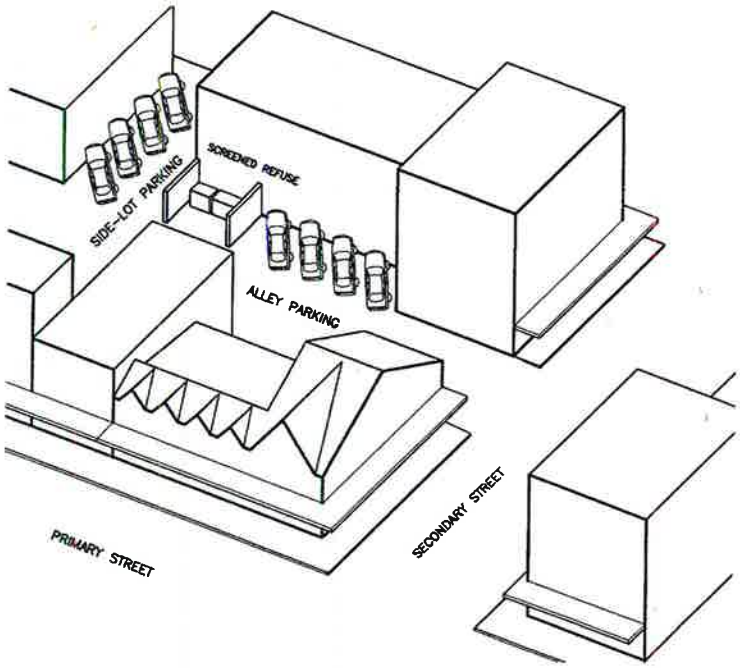

Figure 90: Corner massing, setbacks, building orientation, off-street parking, and screening.

~~15.2.2.2~~15.2.2.3 *Building Height*—The maximum building height for all buildings in the ~~Central~~ Old Town Business District is set by AMC20.48.060 Building Height Limitations. Although there is no minimum height requirement at present, it is strongly encouraged that new construction includes, or at least plans for, development of additional stories. The ~~alloweable~~allowable mixed-use functions of multi-story buildings are recognized as furthering the economic well-being, vitality, security, and historic character of the OTBD that makes Arlington an attractive town.

~~15.2.2.3~~15.2.2.4 *Lot Coverage*—the maximum allowable lot coverage is set by AMC 20.48.064 Maximum Impervious Surface Lot Coverage.

15.2.2 Standards (cont.)

~~15.2.2.4~~15.2.2.5 *Building Orientation*—Building facades and primary entries shall be oriented toward the principle street bordering the lot. Buildings located on corner lots shall treat both facades as if they were both facing the principle street. (*Figure 90*). However, facades facing the secondary street need not provide building entries. For related information see 11.3 Entries.

~~15.2.2.5~~15.2.2.6 *Off Street Parking, Location*—Off street parking shall be located to the rear of buildings located on Olympic avenue. Off street parking shall be located to the rear or side of other buildings in other areas of the ~~Central~~ Old Town Business District~~s 1~~.

~~15.2.2.6~~15.2.2.7 *Off Street Parking-Screening*—parking lots with the capacity of 3 or more cars and that are visible from public rights-of-way or are located within 20 feet of residential zoned property, shall be screened from view be wood, brick, concrete block, or by wrought iron walls or fencing, or by trees, shrubs, trellises or other landscaping elements. The selected plant materials shall be suitable for their location and to the Arlington climate. They shall be maintained and provided with a viable system of irrigation. Plant screening shall be effective within four years of planting. Parking lot lighting shall be shielded from intruding onto neighboring property.

~~15.2.2.7~~15.2.2.8 *Alleys*—Public rights-of-way in alleys shall be kept clear. Services and parking shall be screened according to Sections 15.2.2.6 and 15.2.2.8

~~15.2.2.8~~15.2.2.9 *Screening of Service Elements*—Service elements that are in public view shall be screened from view with a combination of wood, brick, concrete block, or wrought iron walls or fencing or with landscape materials (chain link or chain link with slats is not allowed).

(See Section 15.2.2.6 for other landscaping requirements). Openings to the service area shall be located away from the sidewalk. The services and their screening shall be located outside of the public right-of way.

15.3.1 Intent

New building facades shall conform to the horizontal and vertical division systems used historically in Arlington and in the architecture of other traditional commercial centers as described below.

15.3.2 Standards

15.3.2.1 Horizontal Divisions—Primary facades shall be divided into three basic horizontal divisions:

15.3.2.1(a) The base, consisting of storefronts, and with permanently fixed sidewalk canopies that separate the base from the middle division. See Section 15.3.2.8 for other sidewalk canopy requirements).

15.3.2.1(b) The middle, consisting of first story Clerestory windows, and/or second story windows, Intermediate panels or decorative bands, and trim.

15.3.2.1(c) The cap, consisting of the roofline, or Parapet shape along with overhangs, cornices and/or other parapet and roofline trim (figure 92).

15.3.2.2 *Vertical Divisions.* —Primary facades shall be divided vertically by the use of organizing elements, such as columns, pilasters, or panels. No facades open to public view shall consist of unarticulated blank walls. Vertical divisions shall form bays with either a maximum width of 12'-0" or be no greater than 1/3 of the buildings overall width, whichever is smaller. Vertical divisions shall Minimally extend for one-half of the total overall height Of the building (figure 92).

15.3.2.3 *Ground Floor and Storefront Facades* –The-base of ground floor, street-facing storefronts shall be composed of impact-resistant materials of wood, stone, brick, stucco, concrete, or tile. (See Section 15.3.2.9 for other requirements). It shall be a minimum of 18" in

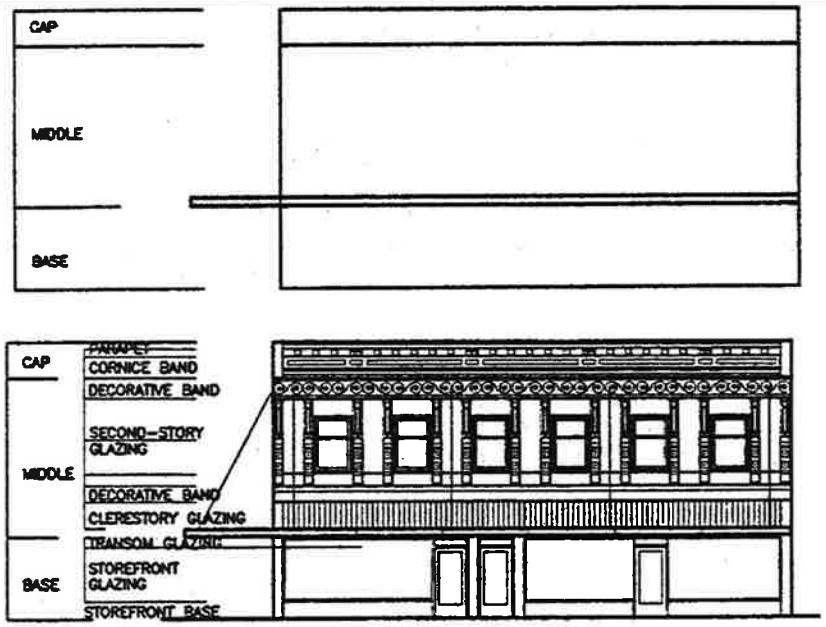

Figure 91: Above, an abstract illustration of required horizontal divisions. Below, an existing example.

in height measured from its lowest point along the Sidewalk. It shall serve to separate the storefront Glazing form the adjacent sidewalk.

15.3.2.4 Storefront facades shall consist of no less than 65% glass display windows with trim unless an alternative~~alternative~~ proposal is provided accomplishing the same intent with compatible architectural treatments. entry doors shall be recessed where possible and shall conform to all other building code regulations for barrier free accessibility for sidewalk encroachment, etc. Entry systems shall consist of commercial quality wood, aluminum, or steel framing with steel doors. Door glazing shall be a minimum of 65% with transom glazing wherever possible.

15.3.2.5 *Upper-Floor Facades* –Upper floor structural elements, windows, and panels shall conform to the vertical and horizontal divisions described in Sections 15.3.2.1 and 15.3.2.2. The resulting pattern of elements shall continue to relate to the pattern of street level façade elements. The materials shall consist of wood, stone, brick, concrete, stucco or stucco-finished exterior insulation finish systems (EFIS), metal or tile. (See Section 15.3.2.9 for other stipulations on finish materials and color selections). Upper story windows shall have architectural glazing, framing, and trim that is compatible with the scale and detailing found in the historic, mixed-use commercial buildings of downtown Arlington.

15.3.2.6 *Roof Configurations, Parapets* –The tops of new buildings shall be trimmed with elements drawn from the cornices, parapet details, and/or roofline forms typical of historic, commercial buildings in Arlington and other American towns. Besides serving a decorative purpose, these trim courses can serve a dual function if designed to

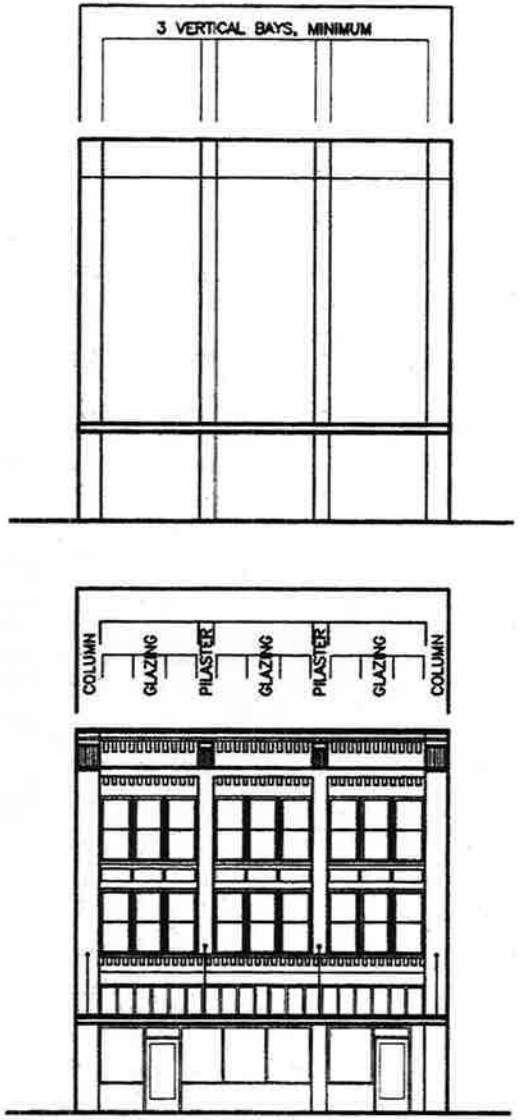

Figure 92: Above, an abstract illustration of required vertical divisions. Below, an existing example.

provide weather protection to parapets, windows, and facades (figures 92,93,94,96 and 97).

15.3.2.7 *Building Entries Other Than Storefronts* –Street level entries to upper level offices and residences should be of impact resistant materials, should be recessed if possible, and shall conform the Building Code restrictions on sidewalk encroachment. Entries shall conform to all applicable requirements for handicap accessibility. Entry doors should be commercial quality wood of metal glazed doors and should be compatible with traditional entry doors found in historic commercial buildings. Where possible, transom glass shall be located over entry doors.

15.3.2.8 *Fixed Canopies* –For all newly constructed buildings, or for rehabilitation projects estimated at 50% or more of a buildings value, permanently fixed canopies made of wood and/or metal or other durable materials shall be provided. Canopies shall project over sidewalks a minimum of six feet from the building face and shall be one foot minimum from the curb. Canopies shall provide protection from the rain and melting snow for pedestrians using the sidewalk bordering the building. Canopies shall be constructed across the entire street frontage of the building facing the primary street, and for corner buildings shall be constructed continuously across all glazed openings of the street frontage facing the secondary street. Sidewalk canopies shall be securely fastened to the structural framework of the building, conforming to Building Code Requirements for wind and snow loading. Fabric canopies or awnings are not permitted as sidewalk protection. (Figures 98, 99, 100, and 101).

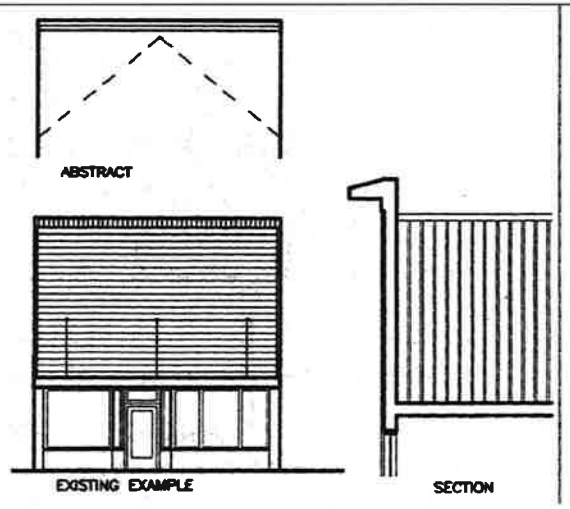

Figure 93: The western false front hides a gable roofline behind.

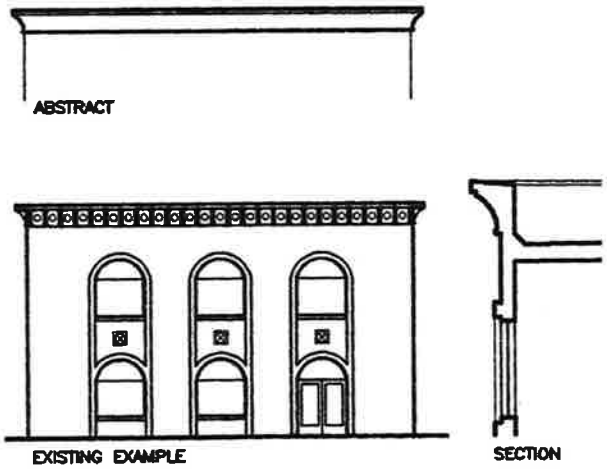

Figure 94: A contemporary interpretation of a classical parapet forms a single, strong, building cap.

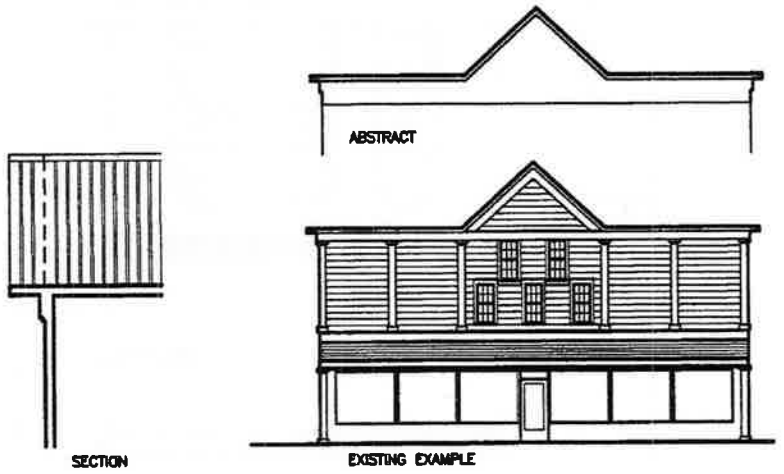

Figure 97: The facade displays its gable roof centered along a flat roofline with over-hanging eaves.

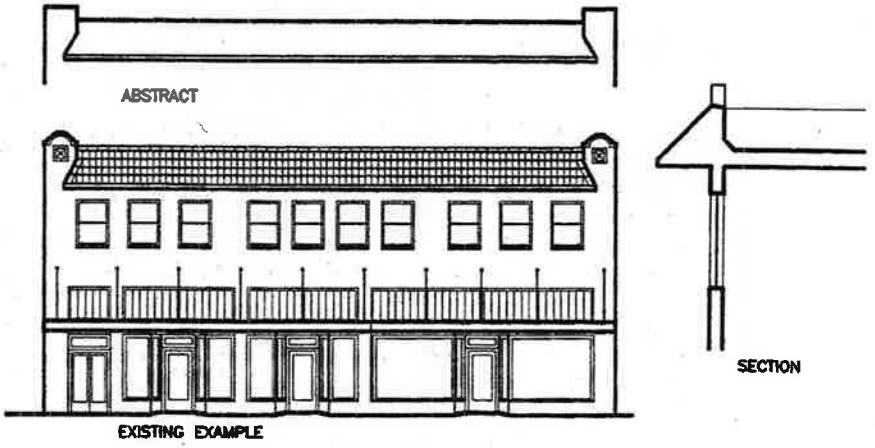

Figure 96: A projecting band of skirting at the parapet provides a visual cap and a protective cap for the windows below (Skirting that extends the full story height is not encouraged).

15.3.2.9 *Finish Materials and colors* –exterior finishes shall be durable commercial applications of traditional materials. These include wood, stone, brick, stucco (or stucco-finished EIFS), concrete, metal, and tile. Exterior color schemes should include contrasting base and trim colors. The Design Review Board generally deems as acceptable color schemes included in any paint manufacturer's "historic line" or similar proposal reflecting an historical theme.

15.3.2.10 *Building Detailing* – Buildings shall be detailed with materials that vary between base wall material and trim. Trim and detailing should include some of the following: wood moldings and trim, decorative brick trim, glazed terra cotta trim, metal moldings, pressed metal, cast concrete or stone trim.

15.3.2.11 *Signs* – Signs shall be integrated with the building architecture and shall not cover significant architectural features. Sidewalk "sandwich board" signs shall be placed on the sidewalk at the street edge, with a minimum 6-foot clear sidewalk zone remaining. In the case of conflicting regulations with AMC chapter 20.68 Signs, the most stringent apply.

15.3.2.12 *Relationship of new Construction to Existing Adjacent Buildings* – Where new commercial or mixed-Use construction adjoins lots with smaller historic buildings, or adjoins property zoned exclusively for residential use, the potential negative impacts due to the juxtaposition of the larger commercial buildings shall be mitigated through site planning and architectural design. These techniques can include in line design or continuity of planar elements (figure 103); increasing the height of the new building at the corner so as to "hold the corner" and/or to better compliment a taller

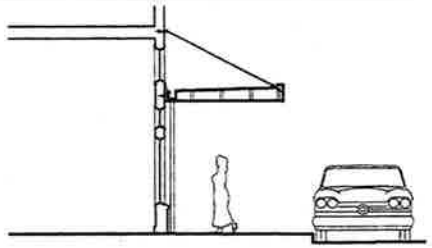

Figure 98: A tensile-supported canopy secured by chain or cable.

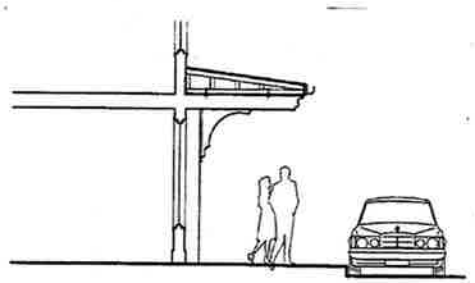

Figure 99: A compression-supported canopy held in place atop large, wood

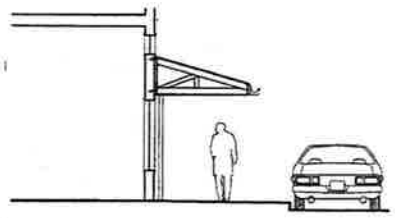

Figure 100: A no-truss canopy attaching its vertical chord to the structural frame

building across the street (figures 104 & 105); stepping back the massing of a new building across the street (figure 106); and, stepping down the massing of a new building so as to better compliment a less intensively developed site (figure 107). In addition to the manipulation of massing, design techniques intended to generate compatibility between new construction and existing buildings include utilization of similar materials, finishes, colors and detailing.

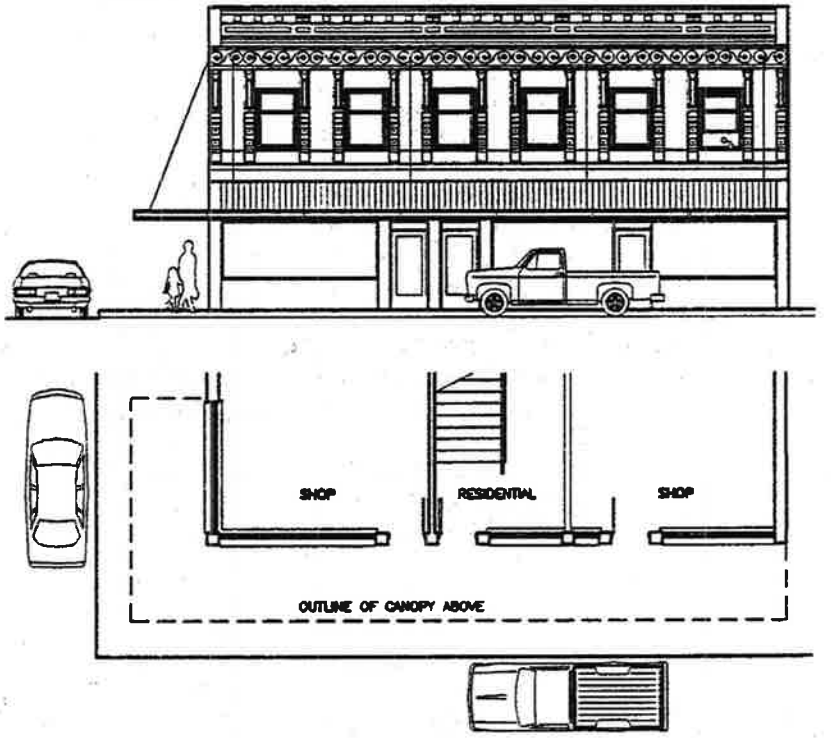

Figure 101: The canopy turns the corner of the building so as to provide continuous storefront protection from the weather.



Figure 102: In-line design or continuity of planer elements is one way for new construction to fit into the context of existing buildings.

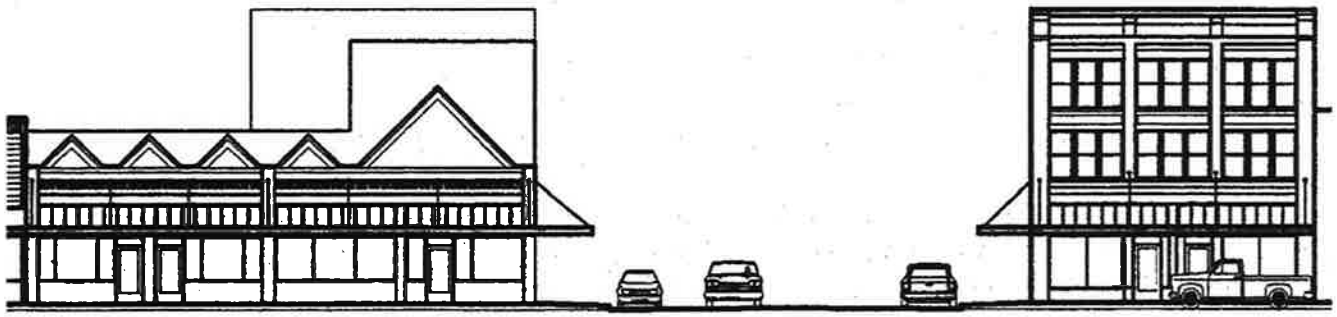

Figure 103: The massing of the corner portion of the building is increased in height so as to allow it to "hold the corner" and to provide a better complement to the taller building across the street.

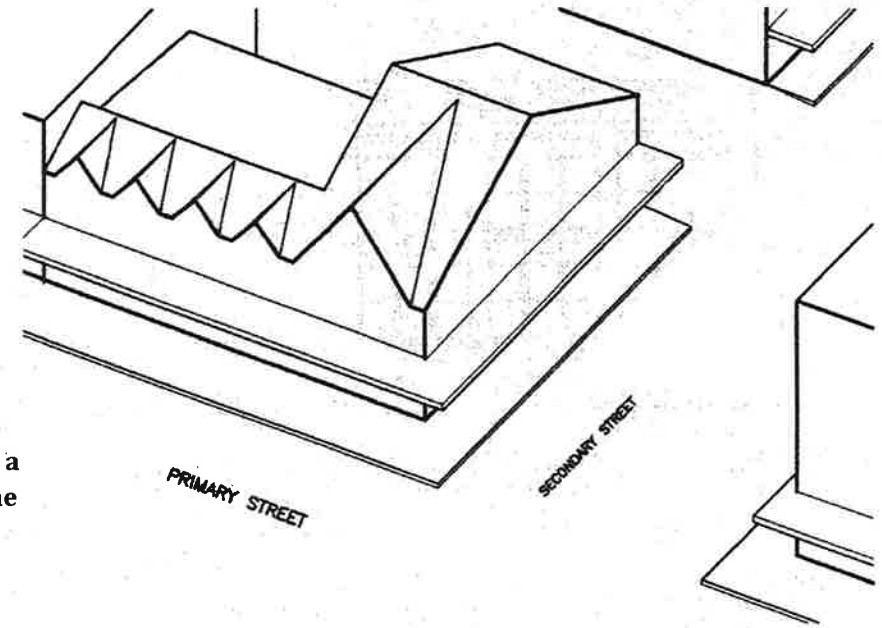

Figure 105: Increasing height at the corner allows a building to "hold the corner" and visually anchor the block at the intersection.

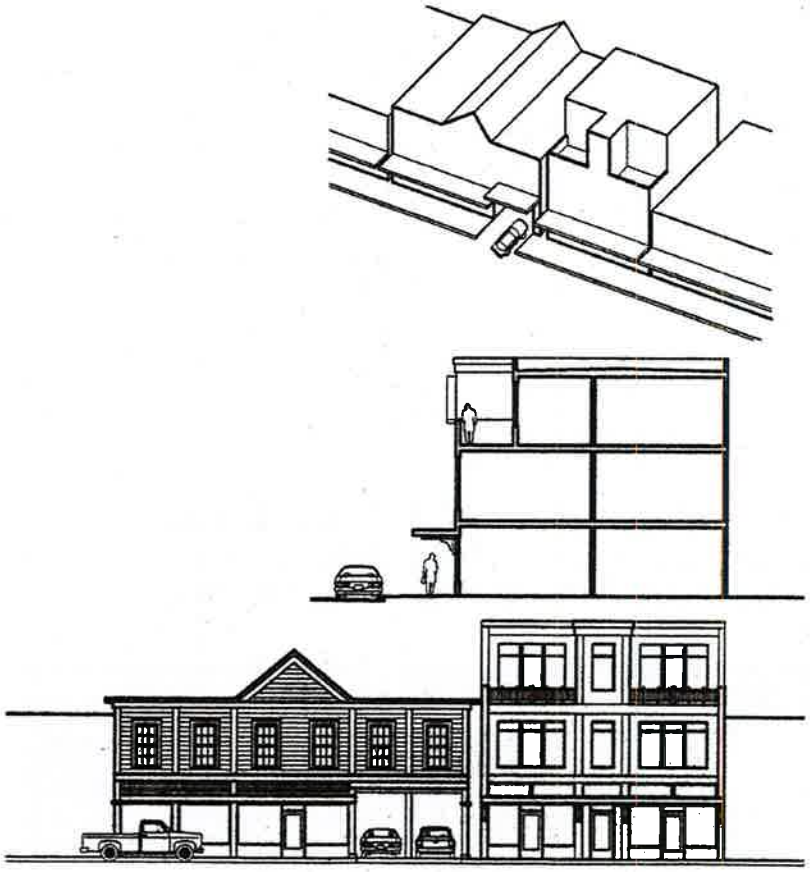

Figure 105: Stepping back the massing of a taller, new building, retains the typical height of the street wall. Shown here, the stepped back portion forms private balconies for residential or office use. Stepping down the massing of the new building mitigates the difference between adjacent building heights. Here, the third story contains a covered balcony with a corner column. At the fourth story, the balcony opens to the sky above.

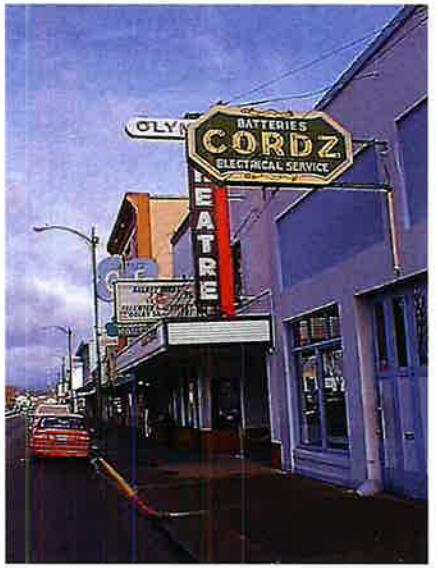

Figure 106: Examples of existing signs.



15.4.1 *Overview and Goals* –These Standards apply to existing commercial and mixed-use buildings within the Downtown Central Business District. In this context, "rehabilitation" involves repair or alteration to either maintain the building or provide for a change in use. Repairs and alterations to buildings shall protect and maintain their historic features and materials.

15.4.2 *Historic Preservation and Restoration of Existing Architectural features* – Historic exterior features include, but are not limited to, building details, roof lines and parapets; window sized, types of framing, sash, glazing and their materials, patterns of divided lights, door sizes and styles, and framing and door types and materials; storefront materials, and storefront details, sidewalk canopy materials, types, materials, trim, and details; historic building signage (such as dates or names, along with cornerstones and plaques), and, in general, the overall building trim and articulation.

Historic architectural features of existing buildings shall be retained and repaired, rather than removed. If these features are severely damaged, they shall be replaced with features identical in appearance to the original features.

15.4.3 *Replacement of Pre-Existing Architectural Features* – Where historic features have been removed or destroyed in the past, those original features shall be restored where new construction or rehabilitation makes this feasible.

15.4.4 *Additions to Existing Buildings* – New additions to historic buildings shall respect the architecture of the existing building. Materials, massing, colors, and detailing of the existing building shall guide the design of the new additions. New additions shall also be compatible with the historic architectural features of adjacent historic buildings, including compatibility with historic building materials, color, signage, storefront organization, sidewalk canopies, and façade organization.

15.4.5 *Canopies/Weather Protection Over Sidewalks* – Historic sidewalk canopies shall be maintained, restored, or rehabilitated according to the provisions of this chapter. See also Section 15.3.2.8.

15.4.6 Relationship of Renovations and Additions to Adjacent Buildings – New additions to existing buildings and new infill construction shall be compatible with the architectural features of adjacent historic buildings, including compatibility with historic building materials, color, signage, storefront organization, sidewalk canopies, and façade organization.

CERTIFICATION OF ORDINANCE

I, Wendy Van Der Meersche, being the duly appointed City Clerk of the City of Arlington, Washington, a municipal corporation, do hereby certify that the following Ordinance No. 2022-034 was approved at the October 17, 2022 City Council meeting.

ORDINANCE NO. 2022-034

"AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON, ADOPTING THE ARLINGTON DEVELOPMENT DESIGN STANDARDS"

A true and correct copy of the original ordinance is attached.

Dated this 18th day of October, 2022

Wendy Van Der Meersche
City Clerk for the City of Arlington