



# CITY OF ARLINGTON NOTICE OF DECISION

## Centennial Park Parking Lot Zoning Permit

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

**Project Name:** Centennial Park Parking Lot Project

**Proponent:** Edgecomb Station 5J, LLC

**Project Number:** PLN #1076

**Description of Proposal:** The proposed project involves filling a Category IV wetland and replacing it with 84 new parking stalls at the existing Centennial Park Apartments. Wetland mitigation is proposed through offsite in-kind wetland creation. The applicant previously constructed a permitted, phased, mixed-use development consisting of multi-family residential units and commercial retail space with associated infrastructure to provide additional housing and commercial space within the City of Arlington (SEPA MDNS file No. PLN#543). The previous project was carefully designed in order to avoid and minimize impacts to critical areas to the greatest extent feasible, no direct or indirect wetland impacts were required at that time. Since the completion of the project, resident and guest parking has become an issue due to limited parking availability within the development, thus prompting the applicant and the city to consider additional parking spaces on-site. The proposed parking will result in the necessary and unavoidable partial fill of the isolated, low-functioning Wetland A. Given the constraints of the existing development, the only space available for additional parking is within Wetland A or the FWHCA associated with the relict stream channel onsite. Wetland A is an isolated, low-functioning wetland, whereas the FWHCA was subject to prior enhancement efforts and is in close proximity to Edgecomb Creek. An Army Corps of Engineers Clean Water Act (CWA) Section 404 Permit is required to be issued prior to construction on the site. Therefore, to minimize impacts potential impacts to Edgecomb Creek, direct impacts are more ecologically practicable for Wetland A. The extent of wetland fill is limited to the amount of required parking and associated infrastructure, leaving a portion of the wetland following development that will only be indirectly impacted. Mitigation for the direct and indirect impacts to Wetland A will be provided through offsite, in-kind permittee responsible wetland creation on a 19.9-acre site located approximately 1.26 miles southwest of the development site. The mitigation site is located within the same Quilceda Creek sub-basin and is part of the Hayho Creek wetland complex (Snohomish County Tax Parcel Number 31052800100700).

**Location:** Northeast Corner of 67<sup>th</sup> Avenue and 172<sup>nd</sup> Street Intersection

**Permit Decision: Approved, with Conditions**

**Notice of Decision Date:** Tuesday, June 27, 2023

**End of Appeal Period:** Tuesday, July 11, 2023

**Conditional Use Permit Expiration Date:** June 27, 2025

**Appeals:** This decision may be appealed pursuant to AMC 20.20.010, which provides for a hearing of the Zoning Permit decision before the Hearing Examiner. Any aggrieved party of record may file an appeal within 14 days of the permit decision. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development by 5:00 PM on Tuesday, July 11, 2023, and the appeal fee as set by resolution is paid.

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



# Community and Economic Development Planning Division

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

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

### GENERAL INFORMATION

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File Number:	PLN #1076
Project Title:	<b>Centennial Park Parking Lot</b>
Owner:	Edgecomb Station 5J, LLC
Applicant:	Ryan Kilby
Contact:	CG Engineering, Carmel Gregory
Description:	Parking Lot Addition
Location:	Northeast Corner of 67 <sup>th</sup> Avenue and 172 <sup>nd</sup> Street Intersection
Tax Parcel ID:	31052300300800
Lot Size:	8.81 acres (project site 0.94 acres)
Soil Type:	Norma loam and Everett very gravelly sandy loam, 8-15% slopes
Zoning Classification:	Neighborhood Commercial with Mixed-Use Overlay
Land Use Designation:	Neighborhood Commercial with Mixed-Use Overlay
Proposed Use:	Parking Lot for Existing Apartments and Commercial Suites
City Approvals Required:	Zoning Permit, Civil Construction Permit, SEPA Review, Building Permits, Department of Ecology, and Army Corps of Engineers
Decision Date:	<b>June 27, 2023</b>
Decision:	<b>APPROVED, with Conditions</b>

## I. NATURE OF APPLICATION

### A. Request

The proposed project involves filling a Category IV wetland and replacing it with 84 new parking stalls at the existing Centennial Park Apartments. Wetland mitigation is proposed through offsite in-kind wetland creation. The applicant previously constructed a permitted, phased, mixed-use development consisting of multi-family residential units and commercial retail space with associated infrastructure to provide additional housing and commercial space within the City of Arlington (SEPA MDNS file No. PLN#543). The previous project was carefully designed in order to avoid and minimize impacts to critical areas to the greatest extent feasible, no direct or indirect wetland impacts were required at that time. Since the completion of the project, resident and guest parking has become an issue due to limited parking availability within the development, thus prompting the applicant and the city to consider additional parking spaces on-site.

The proposed parking will result in the necessary and unavoidable partial fill of the isolated, low-functioning Wetland A. Given the constraints of the existing development, the only space available for additional parking is within Wetland A or the FWHCA associated with the relict stream channel onsite. Wetland A is an isolated, low-functioning wetland, whereas the FWHCA was subject to prior enhancement efforts and is in close proximity to Edgecomb Creek. An Army Corps of Engineers Clean Water Act (CWA) Section 404 Permit is required to be issued prior to construction on the site.

Therefore, to minimize impacts potential impacts to Edgecomb Creek, direct impacts are more ecologically practicable for Wetland A. The extent of wetland fill is limited to the amount of required parking and associated infrastructure, leaving a portion of the wetland following development that will only be indirectly impacted. Mitigation for the direct and indirect impacts to Wetland A will be provided through offsite, in-kind permittee responsible wetland creation on a 19.9-acre site located approximately 1.26 miles southwest of the development site. The mitigation site is located within the same Quilceda Creek sub-basin and is part of the Hayho Creek wetland complex (Snohomish County Tax Parcel Number 31052800100700).

### B. Project Chronology / Background

A formal application for the Zoning Permit – Site Plan Review was submitted to the Community & Economic Development Department on April 20, 2023. Staff determined the application was complete on May 4, 2023.

### C. Site Location / Description



**D. Site and Adjacent Zoning / Uses**

Subject Site		
Area	Zoning	Existing Use
Subject Site	Neighborhood Commercial & Mixed-Use Overlay	Existing Mixed-Use Project
North	Residential Low Capacity	Single Family Residences
South	Snohomish County R-5 Zoning	Vacant & Single Family Residences
East	Residential Low Capacity	Church
West	Neighborhood Commercial & Mixed-Use Overlay and General Industrial.	Commercial & Industrial Businesses

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

**A. Applicable Review Criteria and Process**

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

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

Regulation	Analysis	Meets
<p>20.16.120 Official Representative of the Applicant. The applicant for each land use permit shall designate an official representative, which may be himself, to receive all correspondence, determinations, and notices regarding the application. 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.</p>	<p>Ryan Kilby with Williams Investments is the official representative of the Edgecomb Station 5J, LLC</p>	<p>Yes</p>
<p>20.16.140 Submittal of Application. (a) To minimize development planning costs, avoid misunderstanding or misinterpretations, and ensure compliance with the requirements of this title, a submittal intake appointment is required between the developer and the Community Development staff as provided in this section.</p>	<p>The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the application on April 20, 2023.</p>	<p>Yes</p>
<p>20.16.200 Applications to Be Complete. (a) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit-issuing authority is required to consider the application.</p>	<p>The applicant submitted a complete application for the zoning permit.</p>	<p>Yes</p>
<p>20.16.205 (c) Complete Application. 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.</p>	<p>The application was submitted May 30, 2023. The City issued a Notice of Complete Application on June 13, 2023, within the 28-day timeframe.</p>	<p>Yes</p>
<p>20.16.215 Distribution of Application. Upon receipt of a conditional use permit application, the Planning Official shall, in addition to all interested City Department, send a copy of the application to the authorities and agencies reviewing or furnishing water, fire, school, and sanitary sewer service to the proposed project.</p>	<p>The application was routed to all effected city departments on April 20, 2023.</p>	<p>Yes</p>

Regulation	Analysis	Meets					
<b>Chapter 20.36 AMC, Zoning Districts and Zoning Map</b>							
20.36.020 Commercial Districts Established. (b) The Neighborhood Commercial (NC) zone is established to accommodate commercial activities that would meet the daily convenience needs of people residing or working in the environs.	The proposed project site is zoned Neighborhood Commercial with Mixed-Use Overlay. The site has an existing mixed-use project that provides apartments, live-work units, and commercial suites.	Yes					
20.36.080 Mixed Use Overlay District Established. The 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 coexist within a proportionate share of the commercially zoned areas of neighborhood commercial (NC) zones where typical retail and other support services would be located, thus creating a walkable neighborhood concept. The overlay will provide for the efficient use of property by requiring the mixed use pf properties in a manner that allows for residential development to co-exist with commercial, retail, and specific light manufacturing uses.	The proposed site is subject to the regulations established by the Mixed-Use Development Regulations.  The proposal is to construct an additional parking lot area for the already developed mixed-use site. There are no additional requirements from the Mixed-Use Development Regulations that apply to the parking lot proposal.	Yes					
<b>Chapter 20.40 AMC, Permissible Uses</b>							
20.40.010 Table of Permissible Uses. The tables of permissible uses set for 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 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.	The table of permissible uses shows that a Mixed-Use Development is an allowed use in the Neighborhood Commercial zone.  The proposed additional parking lot area is in relationship to the existing mixed-use development that is already constructed on the site. A Zoning Permit is required because the project site is 0.94 acres in size.	Yes					
<b>Chapter 20.40.130 AMC, Commercial and Mixed-Use Zones Permissible Use Table</b>							
Commercial and Mixed-Use Use Descriptions	Zones						
	NC	OTBD-1	OTBD-2	OTBD-3	GC <sup>1</sup>	CC <sup>1</sup>	HC <sup>1</sup>
Multi-Family Apartments	ZSC			ZSC	SC	SC	SC
Multi-Family Use Above a Permitted Non-Residential Use <sup>4,5,10</sup>	ZSC	ZSC	ZSC	ZSC	ZSC	SC	ZSC
<ul style="list-style-type: none"> <li>• Z = Zoning Permit</li> <li>• <sup>4</sup> = Subject to Section 20.38.080 – Performance standards and miscellaneous restrictions.</li> <li>• <sup>5</sup> = Subject to Section 20.38.070 – Restrictions on certain use classifications on Arlington Airport Property.</li> <li>• <sup>10</sup> = Subject to Section 20.44.016 – Mixed-use developments.</li> </ul>							

Regulation	Analysis	Meets
<b>Chapter 20.48 AMC, Density and Dimensional Regulations</b>		
20.48.040 The project is subject to Table 20.48-1: Density and Dimensional Standards under the Neighborhood Commercial zone.	The subject parking lot proposes covered parking structures that are located more than 5 feet from the property line. The other buildings on the site were previously permitted and met all setback requirements.	Yes
<b>Chapter 20.56 AMC, Streets and Sidewalks</b>		
20.56.030 Access to Lots. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. Access includes vehicular, pedestrian, bicycle, and other common forms of transportation.	The proposed parking lot does not change the existing access to the site. The site maintains the existing vehicular, pedestrian, and bicycle access to the lot.	Yes
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. 3. Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property. 4. Driveways shall not be located adjacent to one another in such a manner as to create a “double width” driveway without any landscaping between the driveways.	The proposed parking lot does not change the existing entrances to the site. The site maintains the existing vehicular, pedestrian, and bicycle access to the lot.  The existing access points from 67 <sup>th</sup> Avenue meet the required criteria for driveway entrances.	Yes
20.56.130 Construction Standards and Specifications. Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the “Public Works Construction Standards and Specifications,” and all such facilities shall be completed in accordance with these standards.	The proposed project is subject to a Civil permit. This has been added as a permit condition.	Yes

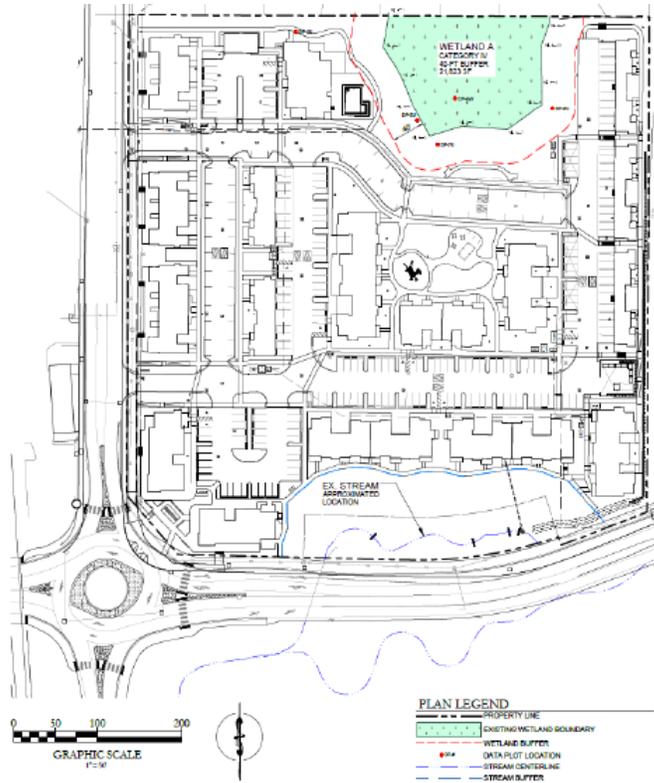
Regulation	Analysis	Meets
<b>Chapter 20.60 AMC, Utilities</b>		
<p>20.60.400 Lighting Requirements.</p> <p>(a) All public streets, sidewalks, and other common areas or facilities shall be sufficiently illuminated to ensure security of property and the safety of persons using such streets, sidewalks and other common areas or facilities.</p> <p>(b) All roads, driveways, sidewalks, parking lots, and other common areas and facilities in unsubdivided developments shall be sufficiently illuminated to ensure the security of property and the safety of persons using such roads, driveways, sidewalks, parking lots, and other common areas and facilities.</p> <p>(c) All entrances and exits in substantial buildings used for nonresidential purposes and in multifamily residential developments shall be adequately lighted to ensure the safety of persons and the security of the buildings.</p> <p>(d) All outdoor lights shall be low sodium or similar lamp type and be down shielded to prevent light pollution.</p>	<p>The applicant has proposed additional lighting for the new parking lot area. The light poles that have been proposed match the existing lighting throughout the site.</p> <p>The outdoor lighting is required to be low sodium or similar lamp type and be down shielded due to the proximity of the Arlington Municipal Airport and to prevent light pollution to neighboring property owners.</p>	Yes
<p>20.60.410 Excessive Illumination.</p> <p>Lighting within any lot that unnecessarily illuminates any other lot or public right-of-way and substantially interferes with the use or enjoyment of such other lot or public right-of-way is prohibited. Lighting unnecessarily illuminates another lot if it clearly exceeds the standard set forth in §20.60.400 (Lighting Requirements) or if the standard set forth in §20.60.400 could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.</p>	<p>The parking lot lighting as proposed should only illuminate the parking lot and should not shine onto other lots or public rights-of-way.</p>	Yes
<p>20.60.450 Underground Utilities. All existing, extended, new electrical power lines, telephone, gas distribution, cable television, and other communication and utility lines shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the Public Works Construction Standards and Specifications.</p>	<p>The applicant is required to provide all utilities underground. This includes undergrounding the power throughout the site for the additional light poles. This is required to be shown on the Site Civil plans.</p>	Yes

Regulation	Analysis	Meets
<b>Chapter 20.72 AMC, Parking</b>		
<p>20.72.010 Number of Parking Spaces Required.</p> <p>(a) All developments in all zoning districts shall provide a sufficient number of parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question.</p> <p>The parking was determined by AMC 20.110 at the time of the original permit approval, which did not have a minimum parking requirement.</p>	<p>There were no minimum required parking spaces for Mixed-Use Development per AMC 20.110 and Conditional Use Permit PLN#543, at the time of development. The approved project provided 197 parking stalls. The amount of parking spaces was not sufficient for the apartments and the commercial suites on the property. The applicant is providing an additional 84 parking spaces with the proposed parking lot to relieve the demand on the site.</p>	<p>Yes</p>
<p>20.72.060 Parking Area Surface.</p> <p>(a) All parking areas shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Specifications for surfaces meeting the standard set forth in this subsection are contained in the Public Works Construction Standards and Specifications.</p> <p>(b) Parking spaces shall be appropriately demarcated with painted lines or other markings.</p> <p>(c) Parking areas shall be properly maintained in all respects.</p>	<p>The parking areas are required to be paved throughout all drive aisles and parking spaces on the site and the striping of all parking spaces. These requirements shall be reviewed and approved through the Civil permit.</p>	<p>Yes</p>
<b>Chapter 20.93 AMC, Critical Area Ordinance</b>		
<b>Part I – Purpose and Intent</b>		
<p>20.93.010 Purpose and Intent. This chapter establishes regulations for the protection of environmentally critical areas including critical areas, natural resource lands, and protective buffers.</p> <p>(1) If at all possible, avoid impacts to environmentally critical areas. If this is not practicable, then:</p> <p>(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.</p> <p>(B) Mitigate any impacts by repairing, rehabilitating, or restoring the affected environment.</p> <p>(C) Reduce or eliminate any impacts over time by preservation and maintenance operations during the life of the action.</p> <p>(D) Compensate for unavoidable impacts by replacing, enhancing, or providing substitute resources or environments through monitoring of specific and cumulative impacts.</p>	<p>A Wetland Delineation and Fish &amp; Wildlife Habitat Assessment Report was completed by Soundview Consultants and provides documentation that the subject site contains a wetland and a relic stream channel.</p> <p>Wetland A is a Category IV Wetland located within the northern portion of the property and is proposed to be filled (0.872 acres) for the additional parking lot needed for the apartments and commercial suites that are existing on the site.</p> <p>The relic stream channel of Edgecomb Creek is located on the southern portion of the property and will not be disturbed.</p>	<p>Yes</p>

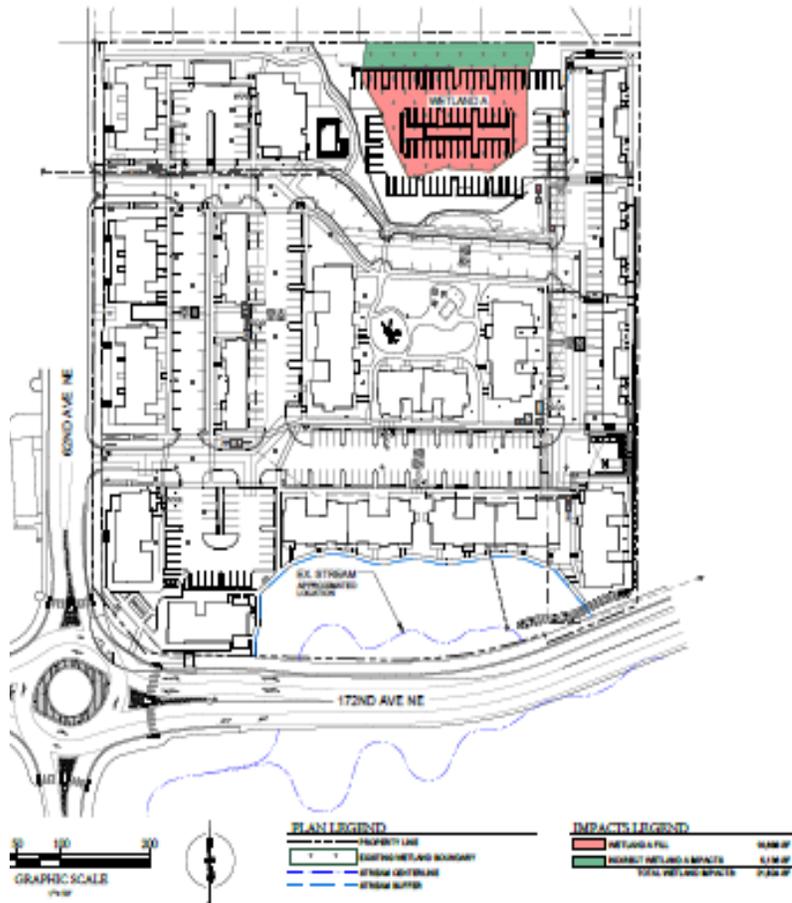
Regulation	Analysis	Meets												
<b>Part III – General Provisions</b>														
20.93.200 Applicability. This chapter applies to environmentally critical areas within the city’s jurisdiction. No action shall be taken by any person that results in any alteration of any environmentally critical area or their buffers except as consistent with the purposes, objectives, and goals of this chapter.	The proposed project is required to follow Part III – General Provisions and Part VII – Wetlands of the Critical Area Ordinance.	Yes												
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. The plan shall provide information on land acquisition, construction, maintenance and monitoring of the replaced critical area.	The applicant has submitted a Mitigation Plan prepared by Soundview Consultants that provides the required information for construction, maintenance and monitoring of the proposed off-site wetland mitigation.	Yes												
<b>Part VII - Wetlands</b>														
20.93.800 Wetlands Classifications. (b)(4) Category IV. Category IV Wetlands have the lowest levels of functions and are often heavily disturbed. These are wetlands that should be able to replace, and in some cases be able to improve. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions and also need to be protected.	The project proposes to fill Wetland A, which is a Category IV Wetland, in order to construct a new parking lot on the existing developed mixed-use site.  The applicant is required to obtain all required permits through Department of Ecology and the Army Corps of Engineers.	Yes												
20.93.810 Determination of Boundary. The Community and Economic Development Director, relying on a field investigation supplied by the applicant, and applying the wetland delineation provided in this chapter shall determine the location of the wetland boundary. Qualified professionals and technical scientists shall perform wetland delineations.	The determination of boundary for the Category IV wetland and its buffer have been delineated within the wetland report submitted by Soundview Consultants. The city concurs with this analysis.	Yes												
20.93.830 Wetlands Requirements. (a) Buffers – ECA buffers shall be required for all regulated activities adjacent to regulated wetlands as provided in Table 20.93-4. <table border="1" data-bbox="204 1591 797 1759"> <thead> <tr> <th></th> <th colspan="3">Buffer Width (in feet) Based on Habitat Score</th> </tr> <tr> <th>Wetland Category</th> <th>3-5</th> <th>6-7</th> <th>8-9</th> </tr> </thead> <tbody> <tr> <td>Category IV: All</td> <td colspan="3">40</td> </tr> </tbody> </table>		Buffer Width (in feet) Based on Habitat Score			Wetland Category	3-5	6-7	8-9	Category IV: All	40			Wetland A is proposed to be filled. The buffer is only needed to determine the amount of mitigation required by the applicant.  Wetland A has been shown with the 40 foot buffer. The area of impact, including the buffer is proposed to be mitigated for off-site on the applicant’s property located at the headwaters of Hayho Creek.	Yes
	Buffer Width (in feet) Based on Habitat Score													
Wetland Category	3-5	6-7	8-9											
Category IV: All	40													

Regulation	Analysis	Meets																																
<p><b>20.93.840 Wetlands Mitigation</b></p> <p>(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.</p> <p>(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 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.</p> <p>(B) Within the same drainage basin where it would best provide the same function as the impacted wetland.</p> <p>(c) Location of mitigation... 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. Authorization of compensatory mitigation measures may require appropriate safeguards, terms, or conditions as necessary to ensure no net loss of ecological functions.</p>	<p>The project proposes the fill of Wetland A due to unavoidable impacts and are proposing mitigation to a Category II Wetland off-site per the following mitigation:</p> <table border="1" data-bbox="824 359 1344 499"> <thead> <tr> <th colspan="4">Impacted Wetlands</th> </tr> <tr> <th>Critical Area</th> <th>Existing Area Onsite</th> <th>Impact Area</th> <th>Impact Type</th> </tr> </thead> <tbody> <tr> <td>Wetland A</td> <td>0.50</td> <td>0.38</td> <td>Direct</td> </tr> <tr> <td>Wetland A</td> <td>0.50</td> <td>0.12</td> <td>Indirect</td> </tr> </tbody> </table> <table border="1" data-bbox="824 527 1344 716"> <thead> <tr> <th colspan="4">Table 20.93-6</th> </tr> <tr> <th>Mitigation Type</th> <th>Required Mitigation Ratio</th> <th>Proposed Mitigation Area</th> <th>Proposed Mitigation Ratio</th> </tr> </thead> <tbody> <tr> <td>Wetland Creation (Offsite)</td> <td>1.5:1</td> <td>0.86</td> <td>1.5:1</td> </tr> </tbody> </table> <table border="1" data-bbox="824 743 1344 831"> <thead> <tr> <th>Total Acres Impacted</th> <th>Total Required Mitigation Acres</th> </tr> </thead> <tbody> <tr> <td>0.50 acres</td> <td>0.86 acres</td> </tr> </tbody> </table> <p>On site mitigation is not proposed or feasible. The mitigation takes place off-site on the applicant's property at the headwaters of Hayho Creek.</p> <p>The applicant owns a 19.37-acre mitigation site located at 16430 51<sup>st</sup> Avenue NE in the City of Arlington. The mitigation site is approximately 1.25 miles southwest of the development site.</p> <p>This mitigation site consists of one parcel listed under Snohomish County Tax Parcel Number 31052800100700. The site includes a 6.54-acre Category II Wetland with a habitat score of 7 points and 650 linear feet of Hayho Creek which is a Type F Stream.</p> <p>The applicant is proposing the required wetland creation area, along with existing wetland enhancement and buffer enhancement. See existing and proposed wetland and mitigation site plans on the following pages.</p>	Impacted Wetlands				Critical Area	Existing Area Onsite	Impact Area	Impact Type	Wetland A	0.50	0.38	Direct	Wetland A	0.50	0.12	Indirect	Table 20.93-6				Mitigation Type	Required Mitigation Ratio	Proposed Mitigation Area	Proposed Mitigation Ratio	Wetland Creation (Offsite)	1.5:1	0.86	1.5:1	Total Acres Impacted	Total Required Mitigation Acres	0.50 acres	0.86 acres	<p>Yes</p>
Impacted Wetlands																																		
Critical Area	Existing Area Onsite	Impact Area	Impact Type																															
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Mitigation Type	Required Mitigation Ratio	Proposed Mitigation Area	Proposed Mitigation Ratio																															
Wetland Creation (Offsite)	1.5:1	0.86	1.5:1																															
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0.50 acres	0.86 acres																																	
<p><b>20.93.850 Monitoring.</b></p> <p>(a) For projects that include native vegetation, a detailed five-year or ten-year vegetation maintenance and monitoring program is required.</p>	<p>The wetland report completed by Soundview Consultants states that the mitigation area will require continued monitoring and maintenance to ensure mitigation actions are successful. Monitoring events will be scheduled in years 1, 2, 5, 7 &amp; 10. Delineations and functional assessments will be conducted in years 5 &amp; 10.</p>	<p>Yes</p>																																

### Existing Onsite Wetland A



### Proposed Site Plan





Regulation	Analysis	Meets
<b>Chapter 20.98 AMC, State Environmental Policy Act (SEPA)</b>		
20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.	A Mitigated Determination of Non-Significance was issued for the proposal on May 30, 2023. The comment period for the MDNS was from May 31, 2023 to June 14, 2023.  Comments received during the comment period are listed in Section V of this document.	Yes

### III. PROJECT CONSISTENCY WITH TITLE 13 AMC, WATER AND SEWER

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

### IV. CONCLUSIONS

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

Regulation	Analysis	Meets
(1) The requested permit is not within its jurisdiction according to the table of permissible uses.	The requested binding site plan is within the City of Arlington's jurisdiction per the above zoning map and permissible use table.	Yes
(2) The application is incomplete.	The application for the subject site plan review was deemed complete on May 4, 2023.	Yes
(3) If completed as proposed in the application, the development will not comply with one or more of the requirements of this title.	The proposed binding site plan complies with all required sections of AMC Title 20 per the above staff analysis.	Yes

<b>Regulation</b>	<b>Analysis</b>	<b>Meets</b>
(4) The proposed project has not complied with SEPA	The proposed project complies with SEPA. The City of Arlington was determined to be the lead agency for the project. A Mitigated Determination of Non-Significance that was issued on May 30, 2023 and published on May 31, 2023.	Yes
(5) The proposed project is not in conformance with the Comprehensive Plan, Transportation Plan, and the Arlington Municipal Code.	The proposed site plan review complies with the Arlington Municipal Code, Comprehensive Plan, and Transportation Plan.	Yes

## V. PUBLIC COMMENTS

<b>Public Comment</b>	<b>Response</b>
Public comments received during the SEPA MDNS comment period for the Centennial Park Parking Lot project.	The City received comments from the following agencies or citizens in the community:  The Stillaguamish Tribe of Indians
Kerry Lyste of the Stillaguamish Tribe of Indians requested notification of ground disturbance for Tribal Monitoring on the project.	Planning Staff responded to the comment, stating that the comment would be added to the conditions of the permit decision.

## VI. ADMINISTRATIVE DECISION

The proposed project was found to be consistent with and meets the intent of the Arlington Zoning Code, Comprehensive Plan, and the Arlington Municipal Code, therefore the Zoning Permit – Site Plan Review for the Centennial Park Parking Lot Project (PLN #1076) is hereby APPROVED, subject to the following conditions:

## VII. CONDITIONS

### **Zoning Permit:**

1. All development shall be in substantial conformance with the approved site plans received on April 20, 2023, subject to any conditions or modifications that may be required as part of the permit review.
2. The applicant shall meet all local, state, or federal code requirements.
3. The applicant shall notify the Stillaguamish Tribe of Indians for Tribal Monitoring prior to ground disturbance on the site.
4. The applicant is required to receive approval from all governing agencies prior to the fill of wetlands on the site. This includes the Department of Ecology and the Army Corps of Engineers.
5. The applicant is required to follow the approved mitigation plan submitted with this zoning permit.

### **SEPA Conditions:**

6. **(B)(1) Earth:** The applicant proposes grading on a 0.94 acre project area. Excavation will total approximately 2,600 cubic yards and filling will total approximately 7,000 cubic yards, including a 2 foot section of structural fill. To mitigate for potential earth impacts, the Applicant shall implement Best Management Practices per Department of Ecology for Stormwater Pollution Prevention and TESC Controls to prevent erosion during and after construction.
7. **(B)(2) Air:** To mitigate potential air impacts, the Applicant shall implement dust control measures to reduce fugitive dust emissions during construction. A Construction Management Plan shall be submitted to the City prior to commencement of construction to ensure these measures. Construction equipment emissions shall comply with all State and Federal regulations for emissions.
8. **(B)(3)(a) Surface Water:** To mitigate direct/indirect impacts and partial fill of 16,507 square feet to the Category IV wetland, known as Wetland A, the applicant shall provide compensatory mitigation of 37,462 square feet of offsite wetland creation adjacent to Wetland F in the Hayho Creek wetland complex of the Quilceda Creek sub-basin located approximately 1.25 miles southwest of the project site. The applicant shall follow the proposed mitigation plan and shall obtain all required permits from State or Federal agencies.
9. **(B)(3)(b) Ground Water:** To mitigate potential impacts to ground water the Applicant shall employ best design practices meeting the current Department of Ecology's Stormwater Management Manual for Western Washington.
10. **(B)(3)(c) Water Runoff:** To mitigate for potential impacts to water runoff the Applicant shall follow the current edition of the Department of Ecology's Stormwater Management Manual for Western Washington and Best Management Practices used to protect groundwater.
11. **(B)(7)(A) Environmental Health:** Applicant shall comply with current codes to reduce or control environmental health hazards. A spill prevention plan shall be in place according to local, State and Federal policies.
12. **(B)(7)(b) Noise:** City of Arlington noise standards found in AMC 9.20.060 shall be complied with. Specifically, in section 9.20.060(8) noises resulting from any construction or development activity or the operation of heavy equipment from 7:00pm to 7:00am Monday through Saturday shall be prohibited. The project will generate short term noise associated with construction activities. Construction hours will conform to City requirements. Noise from vehicle traffic and residential units will be generated after project completion.
13. **(B)(10)(c) Aesthetics:** To mitigate potential aesthetic impacts the applicant shall provide landscaping throughout the proposed new parking lot to provide visual relief.
14. **(B)(11)(a) Light and Glare:** To mitigate potential light pollution the Applicant will be required to install light fixtures that are down shielded. The property is located within the Arlington Airport Protection District – Subdistrict C.
15. **(B)(13) Historic and Cultural Preservation:** The applicant submitted an Unanticipated Discovery Plan. If historical, cultural, or archaeological sites or artifacts are discovered in the process of development, work on that portion of the site shall be stopped immediately, the site secured, and the find reported as soon as possible to the planning director. The property owner also shall notify the Washington State Department of Archaeology and Historic Preservation and affected tribes.
16. **(B)(16)(a) Utilities:** The applicant shall locate all utilities on the site underground.

### **Site Civil Permit:**

17. The applicant is required to apply for a Civil Construction Permit and receive approval prior to any work commencing on the site.

18. The applicant shall submit the final landscape plans and mitigation plans with the Site Civil Construction Permit.
19. The applicant shall submit the final lighting plan with the Site Civil Construction Permit.
20. The developer shall comply with AMC Chapter 13.28, Stormwater Management, and the most current City-adopted edition of the Department of Ecology Stormwater Management Manual for Western Washington.

**Other:**

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

**VIII. EXPIRATION**

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

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

**IX. APPEAL**

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This decision may be appealed pursuant to AMC 20.20.010, which provides for a hearing of the zoning permit decision before the Hearing Examiner. Any aggrieved party of record may file an appeal within 14 days of the permit decision. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development by 5:00 PM on Tuesday, July 11, 2023, and the appeal fee as set by resolution is paid.

ORDERED THIS ON THE 27<sup>th</sup> DAY OF JUNE, 2023



Marc Hayes, Community and Economic Development Department Director

Distributed to the Following Parties:

Ryan Kilby, Owner/Applicant  
Carmel Gregory, Contact

## ATTACHMENT B CODE REQUIREMENTS

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

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

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

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

**CONSULTANT:**

**REGISTRATION STAMPS:**



**PROJECT IDENTIFICATION:**

**Centennial Park in the City of Arlington**  
FOR  
**Centennial Park 5J LLC**  
AT  
17327 67th Ave NE  
Arlington, WA 98223

04/19/2023

This drawing is:  
1. Copyright 2023 Dykeman, Inc.  
2. The Architect's Instrument of Professional Service.  
3. For use on this project only. Obtain Architect's written permission for any other use or reproduction.

**PROJECT NUMBER:**

2019-030

**REVISIONS:**

MARK	DATE	DESCRIPTION

**PROJECT TEAM:**

PRINCIPAL IN CHARGE: MS  
PROJECT MANAGER: DH  
PROJECT ARCHITECT: DH  
JOB CAPTAIN: SZ

**DRAWING TITLE:**

Site Plan - Supplemental Parking

**DRAWING NUMBER:**

**SD1.0**

4/6/2023 8:03:36 PM

**Project Summary : 1" = 40'**

**Building Composition**

Building	Total Buildout				Total Units
	Studios	1BR	2BR	3BR	
17215 67th Ave Bldg 1	4	5			9
17231 67th Ave Bldg 2	2	8	2		12
17313 67th Ave Bldg 3	2	6	2		10
17204 67th Ave Bldg 4	4	5			9
17327 67th Ave Bldg A	2	6	2		10
17327 67th Ave Bldg C		6			6
17327 67th Ave Bldg D	2	6	2		10
17327 67th Ave Bldg E	2	6	2		10
17327 67th Ave Bldg F		6	6		18
17327 67th Ave Bldg G		6	6		12
17327 67th Ave Bldg H		6	6		12
17327 67th Ave Bldg I	4	4	2	2	12
17327 67th Ave Bldg J	4	4	2	2	12
17327 67th Ave Bldg K	4	4	2	2	12
17327 67th Ave Bldg L		6	6		12
17327 67th Ave Bldg M		6	6		18
17327 67th Ave Bldg N		6	6		18
<b>Grand Total</b>	<b>30</b>	<b>78</b>	<b>52</b>	<b>42</b>	<b>202</b>

**Parking Stalls Provided**

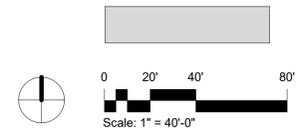
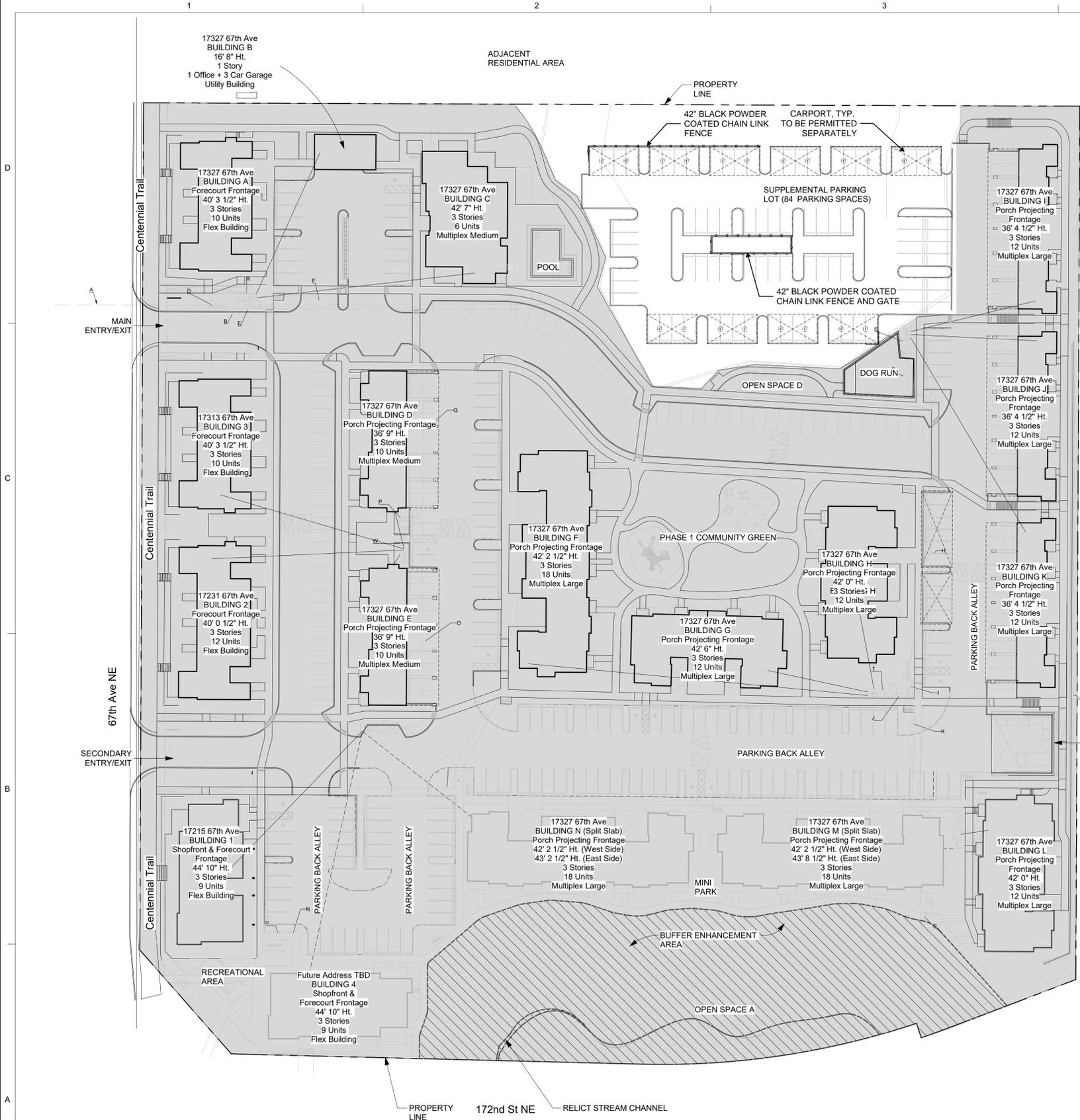
Total Buildout Parking		
Standard	ADA	Total
256	11	267

**Proposed Supplemental Parking**

Standard	ADA	Total
84	0	84
<b>Grand Total</b>	<b>11</b>	<b>351</b>

**Grand Total**

ATONEMENT FREE LUTHERAN CHURCH



**Zoning Approval**  
June 27, 2023  
Reviewed by:  
Amy Rusko

1 Site Plan - Proposed North Wetland Parking  
1" = 40'-0"

**SHEET CREATED ON 4/6/2023**  
**NOT PART OF PREVIOUSLY ISSUED SET**