



# CITY OF ARLINGTON NOTICE OF DECISION

## Snohomish County PUD – Special Use Permit

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

**Project Name:** Public Utility District #1 of Snohomish County Clean Energy Campus Improvements

**Proponent:** Snohomish County PUD

**Project Number:** PLN #1151

**Description of Proposal:** Snohomish PUD intends to construct a new substation, transmission line, and relocate a portion of the existing solar array to support growth in the Arlington area and prepare for a battery energy storage system at this site. The work will maintain and improve current uses, including Lineman Training, storage of electrical equipment and poles, and the new North County Office. Additionally, the work prepares PUD's North County site for the eventual construction of 63rd Avenue NE as a public roadway.

The new 1.2-acre Crosswind substation will be constructed in the southeast corner of the site. This substation is required for the future battery energy storage system to work and will provide additional capacity to the Arlington electrical grid to accommodate increasing electrical use and future development in the area. The new substation will connect to a new planned overhead transmission line entering the site from 59th Avenue along the south property line.

A portion of the existing 500-kilowatt solar array at the site associated with the Arlington Microgrid project will be relocated to accommodate the battery system. To create the required space adjacent to the substation, the four northernmost rows of panels will be relocated on the same site, just west of the future 63rd Avenue and south of the existing Clean Energy Center and Modular Data Center. The relocated panels will be arranged in seven rows, approximately 250 feet long.

**Location:** 17601 59<sup>th</sup> Avenue NE, Arlington, WA 98223

**Permit Decision:** Approved, with Conditions

**Notice of Decision Date:** December 18, 2023

**End of Appeal Period:** January 2, 2024

**Zoning Permit Expiration Date:** December 18, 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 January 2, 2024, and the appeal fee as set by resolution is paid.

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



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

**GENERAL INFORMATION**

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File Number: PLN #1151

Project Title: Public Utility District #1 of Snohomish County  
Clean Energy Campus Improvements

Owner: Snohomish County PUD

Applicant/Contact: Snohomish County PUD

Description: Site Plan Review

Address: 17601 59<sup>th</sup> Avenue NE

Tax Parcel ID: 31052200405500 and 31052200405400

Lot Size: 25.69 acres (entire site)

Topographical Description: Generally flat

Soil Type: Lynnwood Loamy Sands, 0-3%

Zoning Classification: General Industrial

Land Use Designation: General Industrial

Proposed Use Classification: Electrical Community or Regional Facility

City Approvals Required: Special Use Permit, Civil Permit, Building Permits

Date of Decision: December 18, 2023

Decision: **APPROVED, with Conditions**

## I. NATURE OF APPLICATION

### A. Request

Snohomish PUD intends to construct a new substation, transmission line, and relocate a portion of the existing solar array to support growth in the Arlington area and prepare for a battery energy storage system at this site. The work will maintain and improve current uses, including Lineman Training, storage of electrical equipment and poles, and the new North County Office. Additionally, the work prepares PUD's North County site for the eventual construction of 63rd Avenue NE as a public roadway.

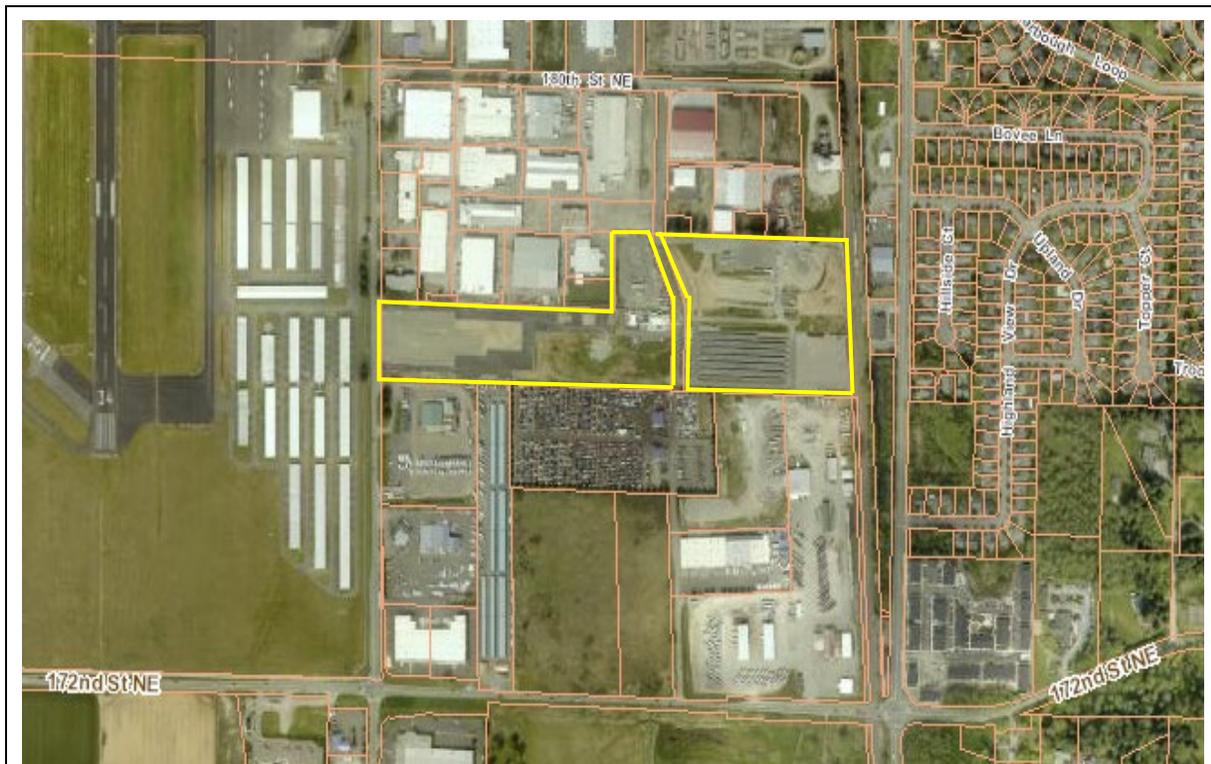
The new 1.2-acre Crosswind substation will be constructed in the southeast corner of the site. This substation is required for the future battery energy storage system to work and will provide additional capacity to the Arlington electrical grid to accommodate increasing electrical use and future development in the area. The new substation will connect to a new planned overhead transmission line entering the site from 59th Avenue along the south property line.

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### B. Project Chronology / Background

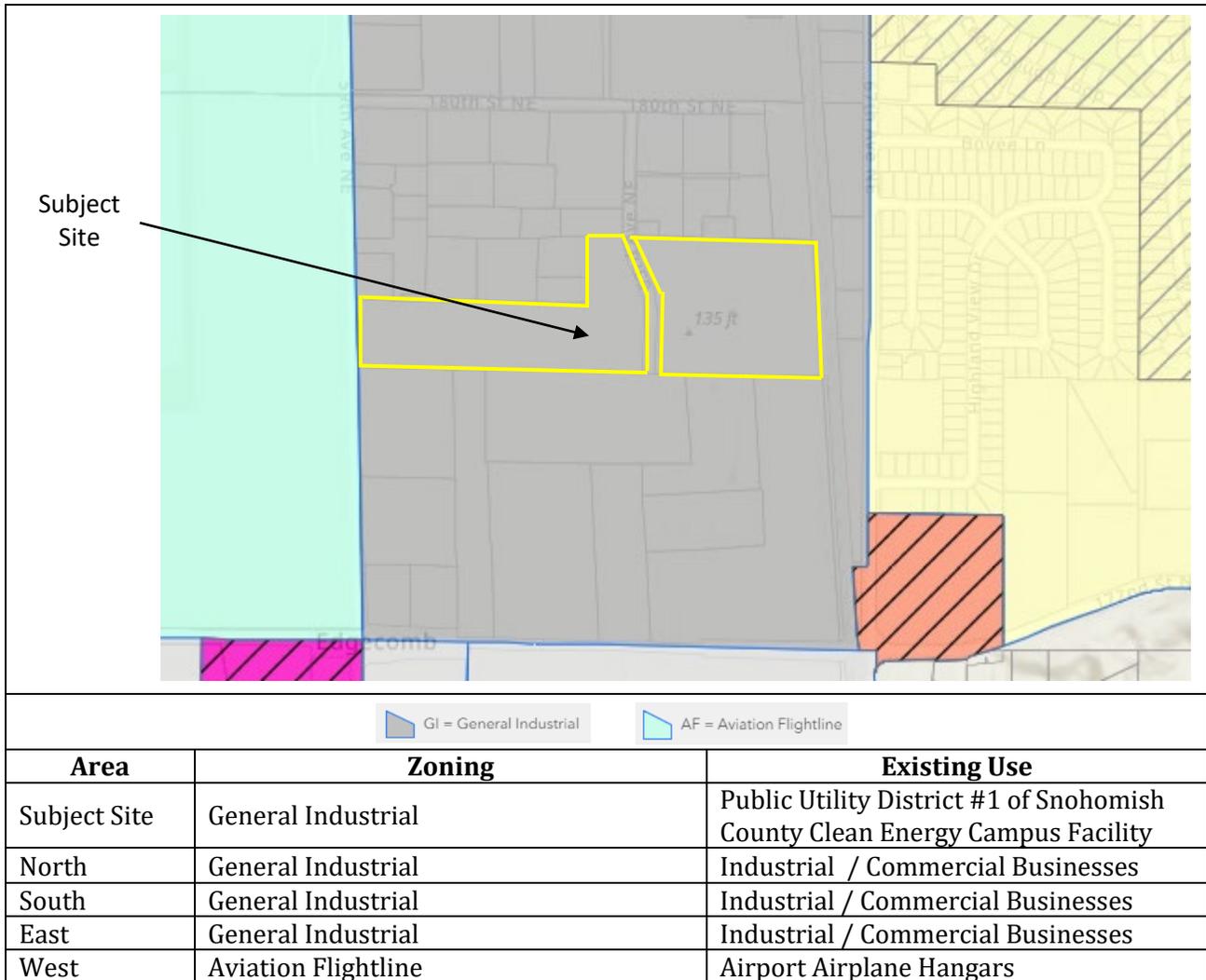
A formal application for the Zoning Permit was submitted to the Community & Economic Development Department on November 17, 2023. Staff routed the material to City review staff on November 17, 2023. Staff determined that the application was complete on November 29, 2023.

### C. Site Location / Description



The Project Site is Located at 17601 59<sup>th</sup> Avenue NE

## D. Site and Adjacent Zoning / Uses



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

### A. Applicable Review Criteria and Process

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

Regulation	Analysis	Meets
<b>Chapter 20.16 AMC, Permits and Final Plat Approval</b>		
20.16.100 (b) Special Use Permits are issued under this title only when a review of the application submitted, including plans contained therein, indicates that the development will comply with the provisions of this title if completed as proposed. All development shall occur strictly in accordance with such approved plans and applications.	The applicant submitted a Special Use Permit for Site Plan Review. The Community & Economic Development Department is responsible for the permit decision and the decision is appealable to the Hearing Examiner, unless a hearing is requested through the public comment period, then the Hearing Examiner makes the decision, and the decision is appealable to Snohomish County Superior Court.	Yes

Regulation	Analysis	Meets
<p>20.16.110 Who May Submit Permit Applications.  (a) Applications for zoning will be accepted only from persons having the legal authority to take action in accordance with the permit or the subdivision plat approval. By way of illustration, in general this means that applications should be made by the owners or lessees of property, or their agents, or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this title.</p>	<p>The owner of the property, Snohomish County PUD, signed the Special Use Permit application for site plan review that was submitted to the city.</p>	<p>Yes</p>
<p>20.16.120 Official Representative of the Applicant. The applicant for each land use permit shall designate an official representative, which may be himself, to receive all correspondence, determinations, and notices regarding the application.</p>	<p>The owner, Snohomish County PUD, has designated Jessica Spahr, as the official representative for the subject permit.</p>	<p>Yes</p>
<p>20.16.130 Staff Consultation Before Formal Application. To minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of this title, a general information meeting between the developer and the planning staff is encouraged as provided in this section.</p>	<p>The City held a General Information Meeting with the project applicant on February 22, 2023.</p>	<p>Yes</p>
<p>20.16.140 Submittal of Application.  (a) To minimize development planning costs, avoid misunderstanding or misinterpretations, and ensure compliance with the requirements of this title, a submittal intake appointment is required between the developer and the Community Development staff as provided in this section.</p>	<p>The project applicant scheduled a submittal intake appointment with the Community and Economic Development Department and submitted the application on November 17, 2023.</p>	<p>Yes</p>
<p>20.16.150 Vesting of Permits.  (1) Land use permit applications shall be considered vested on the date that an application is deemed complete pursuant to 20.16.205 and applications shall be processed under the land use regulations in effect on that date. However, subsequent permits on the same property are not vested on this date.  (2) Filing of a permit application does not vest the payment of fees. Fees due, including impact mitigation fees, application fees, or other charges, shall be those fees in effect on the date the fee is paid in accordance with the most current city council fee resolution.</p>	<p>The proposed application for Snohomish County PUD site plan review vested on November 29, 2023 with the issuance of the complete application.</p>	<p>Yes</p>

Regulation	Analysis	Meets								
<p>20.16.200 Applications to Be Complete. (a) All applications for zoning, special use, conditional use, or sign permits must be complete before the permit-issuing authority is required to consider the application.</p>	<p>The applicant submitted a complete application for Snohomish County PUD Special Use Permit.</p>	<p>Yes</p>								
<p>20.16.205 (c) Complete Application. Within 28 days of receiving the permit application, the Community Development Director shall mail or provide in person a written determination to the applicant.</p>	<p>The application was submitted on November 17, 2023. The City issued a Notice of Complete Application on November 29, 2023. The Notice was issued within the 28-day timeframe.</p>	<p>Yes</p>								
<p>20.16.215 Distribution of Application. Upon receipt of a zoning, special use or conditional use permit application, the Planning Official shall, in addition to all interested City Department, send a copy of the application to the authorities and agencies reviewing or furnishing water, fire, school, and sanitary sewer service to the proposed project.</p>	<p>The application was routed to all affected city departments on November 17, 2023.</p>	<p>Yes</p>								
<p>20.16.230 Notice of Application Filed. The Community and Economic Development Director shall give public notice of any application filed for a special use permit by issuing, distributing, and advertising a "Notice of Application Filed".</p>	<p>The city issued a Notice of Application on November 29, 2023. The notice was advertised in the Everett Herald, posted on the site, city website, post office, city hall, Arlington library, and mailed to all property owners within 500 feet of the property. The comment period ran from December 1, 2023 to December 15, 2023.</p>									
<p>20.16.270 Time Limitations for Permit Processing. (a) The City shall issue its notice of final decision on a permit application within 120 days after the Community and Economic Development Director notifies the applicant that the application is complete, as provided in 20.16.205. In determining the number of days that have elapsed, the following periods shall be excluded: (1) Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information.</p>	<p>The proposed zoning permit was reviewed and issued within the 120 day timeframe per the following dates:</p> <table border="1" data-bbox="847 1312 1347 1497"> <thead> <tr> <th>Action</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Date of Application</td> <td>11-17-2023</td> </tr> <tr> <td>Notice of Complete Application</td> <td>11-29-2023</td> </tr> <tr> <td>Decision</td> <td>12-18-2023</td> </tr> </tbody> </table> <p>Total Process Days: 19 Days</p>	Action	Date	Date of Application	11-17-2023	Notice of Complete Application	11-29-2023	Decision	12-18-2023	<p>Yes</p>
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Date of Application	11-17-2023									
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Regulation	Analysis	Meets
<b>Chapter 20.36 AMC, Zoning Districts and Zoning Map</b>		
<p>20.36.030 Manufacturing Districts Established. 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 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. Furthermore, the limitations in the light industrial district are more restrictive than those in the general industrial district.</p>	<p>The subject property for the proposed special use permit is zoned General Industrial. The proposed use of the new substation, relocation of a portion of solar array, and installation of transmission lines falls within the expected use for public utilities provided within the general industrial zone.</p>	<p>Yes</p>
<b>Chapter 20.38 AMC, Airport Protection District</b>		
<p>20.38.060 Airport Protection District Boundaries.  (a) Airport Protection Subdistrict A  (b) Airport Protection Subdistrict B  (c) Airport Protection Subdistrict C  (d) Airport Protection Subdistrict D</p>	<p>The property is located under Subdistrict B, Subdistrict C, and Inner Turning Zoning (ITZ) Zone 3.</p>	<p>Yes</p>
<p>20.38.090 Notice to Future Owners. In order to mitigate impacts to the Arlington Airport, and to provide notice to future property owners, all property owners within the Airport Protection Subdistricts A, B, and C seeking a land use or building permit or undertaking substantial reconstruction shall dedicate an avigation easement over their property to the City of Arlington. The language of the easement and notice shall be as provided by the airport, as approved by the city attorney and recorded with Snohomish County.</p>	<p>A previous Binding Site Plan on the property was completed under Snohomish County PUD – PLN #982. Avigation Easement information was placed on the Binding Site Plan recorded under AFN 202210045004.</p>	<p>Yes</p>
<b>Chapter 20.40 AMC, Permissible Uses</b>		
<p>20.40.010 Table of Permissible Uses. The Tables of Permissible Uses sets forth the permissible uses within the respective zoning classifications in the city, subject to other applicable provisions in this title. It should be read in close conjunction with the definitions of terms set forth in section 20.08 and the other interpretative provisions set forth in this article.</p>	<p>The proposed Substation and Partial Relocation of the Solar Array is an allowed use per the permissible use table listed within Utility Facilities - Electrical Community or Regional Facility within the General Industrial zone, as shown below, with a Special Use Permit.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<b>Chapter 20.40.140 Industrial Zones Permissible Use Table</b>		
Use	LI	GI
Utility Facilities – Electrical Community or Regional Facility		ZS
<ul style="list-style-type: none"> <li>ZS = Zoning or Special Use Permit</li> </ul>		
<b>Chapter 20.48 AMC, Density and Dimensional Regulations</b>		
20.48.040 Building Setback Requirements. No portion of any building or any freestanding sign may be located on any lot closer to any lot line than is authorized in Table 20.48-1 Density and Dimensional Standards for the general industrial zone.	The proposed project is within the general industrial zone and complies with the below regulations.	Yes
20.48.042 Sight Visibility Areas at Intersections. At the intersection of two streets, either public or private, no structure, sign, vegetation, or anything else that obscures sight shall exceed 30 inches in height in the area described by a triangle having two 25-foot legs along the curb faces of the streets from the streets’ point of intersection, and a diagonal line connecting the ends of these lines.	The proposed project has two access points to the site. One is from 59 <sup>th</sup> Avenue NE and the other is from 63 <sup>rd</sup> Avenue NE. The site plan shows the improvements do not obscure sight at any entrance or exit from the site.	Yes
<b>Table 20.48-1 Density and Dimensional Standards</b>		
Minimum Lot Size: 10,000 square feet	1,077,908 sf	Yes
Minimum Lot Width: 70 feet	331 – 667 ft	Yes
Front Lot Boundary Line: 25 feet	> 25 ft	Yes
Rear Lot Boundary Line – Primary: 20 feet	20 ft	Yes
Side Lot Line or Alley Building Setback: 5 feet	10 – 30 ft	Yes
Building Height Limitation: 50 feet	Up to 85 ft	<b>No*</b>
Maximum Lot Coverage: 100%	Buildings – 5%	Yes
<b>*The height of the steel transmission poles and substation ductile iron pole with data radio antenna are exempt from the height requirements per AMC 20.48.060 – Building Height Limitations.</b>		
<b>Chapter 20.56 AMC, Streets and Sidewalks</b>		
20.56.030 Access to Lots. Every lot shall have access to it that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. Access includes vehicular, pedestrian, bicycle, and other common forms of transportation.	The proposed project has two access points to the site, both from public rights-of-way. One is from 59 <sup>th</sup> Avenue NE and the other is from 63 <sup>rd</sup> Avenue NE.	Yes

Regulation	Analysis	Meets
<p>20.56.050 Entrances to Streets. (a) All driveway entrances and other openings onto streets within the city’s planning jurisdiction shall be constructed so that:</p> <ol style="list-style-type: none"> <li>1. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets, and</li> <li>2. Interference with the free and convenient flow of traffic in abutting or surrounding streets is minimized.</li> <li>3. Driveway cuts shall be limited so the narrowest width necessary to provide safe ingress and egress onto and from the property.</li> <li>4. Driveways shall not be located adjacent to one another in such a manner as to create a “double width” driveway without any landscaping between the driveways.</li> </ol>	<p>The proposed project provides multiple driveway access points to different areas of the site. The project site is served by two public rights-of-way, and then through internal private drive aisles. All easements and dedications are shown on the recorded Binding Site Plan under AFN 202210045004. The proposed project complies with the following City of Arlington Standards and Specifications:</p> <ul style="list-style-type: none"> <li>• The driveway entrances provide safe access to the site and does not impede vehicle or pedestrian travel.</li> <li>• Access to the site is not proposed to interfere with 59<sup>th</sup> Avenue NE and 63<sup>rd</sup> Avenue NE.</li> <li>• The existing driveway widths were previously approved per the Binding Site Plan.</li> <li>• No double width driveway are proposed.</li> </ul>	<p>Yes</p>
<p>20.56.120 Street Intersections. (a) Streets shall intersect at 80° to 90°. Not more than two streets shall intersect at any one point or vary from the above angle of connections.</p>	<p>The proposed project provides 90° driveway intersections at all access points.</p>	<p>Yes</p>
<p>20.56.130 Construction Standards and Specifications. Construction and design standards and specifications for streets, sidewalks, and curbs and gutters are contained in the “Public Works Construction Standards and Specifications,” and all such facilities shall be completed in accordance with these standards.</p>	<p>The proposed project is subject to a site civil construction permit.</p>	<p>Yes</p>
<p><b>Chapter 20.60 AMC, Utilities</b></p>		
<p>20.60.400 Lighting Requirements. (a) All public streets, sidewalks, and other common areas or facilities shall be sufficiently illuminated to ensure security of property and the safety of persons using such streets, sidewalks and other common areas or facilities.</p>	<p>The proposed project provides adequate lighting throughout the site.</p>	<p>Yes</p>
<p>(c) All entrances and exits in substantial buildings used for nonresidential purposes shall be adequately lighted to ensure the safety of persons and the security of buildings.</p>	<p>The proposed project has provided adequate lighting at the building entrance and throughout the site to ensure safety.</p>	

Regulation	Analysis	Meets
(d) All outdoor lights shall be low sodium or similar lamp type and be down shielded to prevent light pollution.	The proposed project provides LED lighting that is down shielded throughout the site.	Yes
20.60.410 Excessive Illumination. Lighting within any lot that unnecessarily illuminates any other lot or public right-of-way and substantially interferes with the use or enjoyment of such other lot or public right-of-way is prohibited.	The proposed project provides adequate lighting throughout the site that does not unnecessarily illuminate to neighboring properties.	Yes
20.60.450 Underground Utilities. All existing, extended, new electrical power lines, telephone, gas distribution, cable television, and other communication and utility lines shall be placed underground in accordance with the specifications and policies of the respective utility service providers and located in accordance with the Public Works Construction Standards and Specifications.	All proposed utilities to and on the site shall be located underground (except the transmission lines to the substation, which are exempt from this requirement). All utility lines are required to be shown on the site civil plans and shall be approved by the City of Arlington prior to construction activities on the site.	Yes
<b>Chapter 20.76 AMC, Screening and Trees</b>		
20.76.020 General Screening Standard. Developments shall provide sufficient screening so that: 1. Neighboring properties are shielded from any adverse external effects of that development. 2. The development is shielded from the negative impacts of adjacent uses such as streets and railroads.	The project is in the General Industrial zone surrounded by industrial and manufacturing businesses.	Yes
20.76.030 Compliance with Screening Standard. The table set forth in 20.76.050, in conjunction with the explanations in 20.76.040 concerning the types of screens, establishes screening requirements that presumptively satisfy the general standards established in 20.76.020. The table uses the permissible use designation to determine the type of screening that is required between two uses.	The proposed project has provided a Type A landscaping for the substation along the east side of 63 <sup>rd</sup> Avenue NE through a 6 foot wall, which will screen the substation from the west. The north and west property lines border interior land owned by Snohomish County PUD, the east property line borders Burlington Norther Railroad Tracks and property and the south property line borders an industrial site. The solar array and transmission line does not require screening.	Yes
<b>Table 20.76-1 Screening Requirements</b>		
Use	Frontage Landscaping	Side and Rear Property Lines
Utility Facilities – Electrical Community or Regional Facility	Type A	Type A – All Neighboring Properties

Regulation	Analysis	Meets
<p>20.76.110 Required Trees Along Dedicated Streets. The developer shall either plant or retain sufficient trees so that within the landscape strip there is for every 30 feet of street frontage at least an average of one deciduous tree of two inches dbh at the time of planting and with a canopy that starts at least eight feet above finished grade and has or will have when fully mature a trunk at least 8 inches in diameter. Root barriers shall be provided for all street trees and the landscape strip shall be planted per the Department of Public Works Standards and Specifications.</p>	<p>The proposed project requires street trees to be planted within landscape planting strips along the public right-of-way of 63<sup>rd</sup> Avenue NE.</p>	<p>Yes</p>
<p>20.76.140 Maintenance of Screening and Shading Elements. All screening and shading elements required by this Chapter shall be maintained by the owner for the life of the project to the following standards:</p> <ol style="list-style-type: none"> <li>1. All plant material shall be maintained with respect to pruning, trimming, mowing, watering, insect control, and fertilizing to maintain a healthy growing condition, create an attractive appearance, and to accomplish the purpose for which it was required.</li> <li>2. Dead, diseased, stolen, vandalized, or damaged plants shall be replaced within three months of the plants indicated on the approved landscape plans.</li> <li>3. All screening and shading elements shall be maintained reasonably free of weeds and trash.</li> <li>4. All screening and shading elements located within the public right-of-way shall be maintained by the abutting property owner.</li> </ol>	<p>The property owner(s) shall maintain the landscaping on the property and within the right-of-way per AMC 20.76.</p>	<p>Yes</p>
<p><b>Chapter 20.98 AMC, State Environmental Policy Act (SEPA)</b></p>		
<p>20.98.110 (a) Environmental Checklist. A completed environmental checklist in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this ordinance. The City shall use the environmental checklist to determine the lead agency and for determining the responsible official and for making the threshold determination.</p>	<p>The applicant, Snohomish County PUD, was determined to be the lead agency. The applicant submitted both the SEPA Checklist and the DNS at the time of application. The Determination of Non-Significance was issued A Mitigated Determination of Non-Significance was issued for the proposal on November 2, 2023. The comment period for the DNS was from November 2, 2023 to November 16, 2023.</p>	<p>Yes</p>

Regulation	Analysis	Meets
<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 Site 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

### III. CONCLUSIONS

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

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

#### **IV. ADMINISTRATIVE DECISION**

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The proposed project was found to be consistent with and meets the intent of the Arlington Zoning Code, Comprehensive Plan, and the Arlington Municipal Code, therefore the Special Use Permit – Site Plan Review for Public Utility District #1 of Snohomish County – Clean Energy Campus Improvements (PLN #1151) is hereby **APPROVED**, subject to the following conditions.

#### **V. CONDITIONS**

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##### **Special Use Permit:**

1. All development shall be in substantial conformance with the approved Site Plans and Landscape Plans received on November 17, 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. Please refer to the Arlington Municipal Code for a complete list of code requirements for your project type.
3. The applicant shall comply with all permits and conditions thereof from the City of Arlington and other government agencies with jurisdiction.

##### **Civil Permit:**

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

##### **Building:**

9. A building permit application shall be reviewed and approved prior to building construction on the site.
10. All building permits shall meet the most current edition of the International Building Code.

**Other:**

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

**VI. EXPIRATION**

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

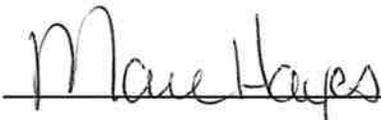
1. The use authorized by such permits has not commenced, in circumstances where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, or
2. Less than 10 percent of the total cost of all construction, erection, alteration,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

**VII. APPEAL**

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This decision may be appealed pursuant to AMC 20.20.010, which provides for a hearing of the special use permit decision before the Hearing Examiner. Any aggrieved party of record may file an appeal within 14 days of the permit decision. An appeal shall be considered filed when a written notice of appeal, specifying the grounds and arguments, therefore, is delivered to the Department of Community and Economic Development by 5:00 PM on January 2, 2024, and the appeal fee as set by resolution is paid.

ORDERED THIS ON THE 18<sup>th</sup> DAY OF December, 2023



Marc Hayes, Community and Economic Development Department Director

Distributed to the Following Parties:

Jessica Spahr, Snohomish County PUD

## ATTACHMENT B CODE REQUIREMENTS

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

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

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

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