



CITY OF COVINGTON
CITY COUNCIL REGULAR MEETING AGENDA
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Tuesday, May 9, 2017
7:00 p.m.

City Council Chambers
16720 SE 271st Street, Suite 100, Covington

CALL CITY COUNCIL REGULAR MEETING TO ORDER

ROLL CALL/PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMUNICATION

- National Public Works Week Proclamation – May 21-27, 2017 (Bob Lindskov)
- Affordable Housing Week Proclamation – May 15-22, 2017 (Joy Scott, Housing Consortium)
- Black Diamond/Maple Valley/Covington Relay for Life Proclamation – May 20, 2017 (Jenene Wilmoth, 2017 Event Lead & Cindy Patterson, 2017 Event Co-Lead)

PUBLIC COMMENT Speakers will state their name, address, and organization. Comments are directed to the City Council, not the audience or staff. Comments are not intended for conversation or debate and are limited to no more than four minutes per speaker. Speakers may request additional time on a future agenda as time allows. *

APPROVE CONSENT AGENDA

- C-1. Vouchers (Hendrickson)
- C-2. Declaration of Public Benefit Spaces Easement Pursuant to Covington Mixed-Use Commercial Site Development Permit and Development Agreement (LU14-0006/0010) (Hart)

PUBLIC HEARING

1. Receive Public Testimony and Consider Ordinance Extending Interim Sign Code Regulations (Lyons)

NEW BUSINESS

FUTURE AGENDA ITEMS

COUNCIL/STAFF COMMENTS

PUBLIC COMMENT *See Guidelines on Public Comments above in First Public Comment Section

EXECUTIVE SESSION – if needed

ADJOURN

Consent Agenda Item C-1

Covington City Council Meeting

Date: May 9, 2017

SUBJECT: APPROVAL OF VOUCHERS

RECOMMENDED BY: Rob Hendrickson, Finance Director

ATTACHMENT(S): Vouchers: Vouchers #35702-35781, including ACH payments and electronic fund transfers in the amount of \$366,947.69, dated April 28, 2017; and Paylocity Payroll Vouchers #1006750572-#1006750593 inclusive, plus employee direct deposits and wire transfers, in the amount of \$206,696.73, dated April 21, 2017.

PREPARED BY: Joan Michaud, Senior Deputy City Clerk

CITY COUNCIL ACTION: _____ Ordinance _____ Resolution X Motion _____ Other

Councilmember _____ moves, Councilmember _____ seconds, to approve for payment Vouchers: Vouchers #35702-35781, including ACH payments and electronic fund transfers in the amount of \$366,947.69, dated April 28, 2017; and Paylocity Payroll Vouchers #1006750572-#1006750593 inclusive, plus employee direct deposits and wire transfers, in the amount of \$206,696.73, dated April 21, 2017.

April 28, 2017

City of Covington

City of Covington

City of Covington
Voucher/Check Register

Check #35702 through Check #35781, including ACH payments and electronic fund transfers

In the Amount of \$366,947.69

We, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein and that the claims are just, due and unpaid obligations against the City of Covington, Washington, County of King, and that we are authorized to authenticate and certify said claims per the attached register.

Cassandra Parker
Senior Accountant

Mark Lanza
City Councilmember

Jeff Wagner
Mayor

Marlla Mhoon
City Councilmember

Council Meeting Date Approved _____

Accounts Payable

Checks by Date - Detail by Check Date

User: scles
 Printed: 4/28/2017 11:00 AM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
ACH	0345 0345-4	Sharon Scott Reimbursement; staff meeting refreshments	04/28/2017	14.99
Total for this ACH Check for Vendor 0345:				14.99
ACH	0706	Covington Retail Associates	04/28/2017	
	5008	1st floor; operating expenses, April balance		24.75
	5009	2nd floor; operating expenses, April balance		3.13
	5026	1st floor; operating expenses, May		9,920.35
	5026	1st floor; building lease, May		27,694.42
	5027	2nd floor; building lease, May		3,533.08
	5027	2nd floor; operating expenses, May		1,365.08
	CAM REC City1	1st floor; operating expenses, 1st Qtr reconciliati		74.24
	CAM REC City1	1st floor; operating expenses, 2016 reconciliation		-2,716.13
	CAM REC City2	2nd floor; operating expenses, 1st Qtr reconciliat		9.40
	CAM REC City2	2nd floor; operating expenses, 2016 reconciliatio		-368.21
Total for this ACH Check for Vendor 0706:				39,540.11
ACH	0780 0780-1Qtr	DAWN Human services; Prevention, 1st Quarter	04/28/2017	250.00
Total for this ACH Check for Vendor 0780:				250.00
ACH	1091 1521936-0	Complete Office Solutions Office supplies	04/28/2017	38.40
Total for this ACH Check for Vendor 1091:				38.40
ACH	1271 1271-4	Rob Hendrickson Hendrickson; WPTA conference, mileage/per diem	04/28/2017	196.84
Total for this ACH Check for Vendor 1271:				196.84
ACH	1408	Washington Workwear Stores Inc.	04/28/2017	
	2752	Seasonal; safety vest/hard hat		17.98
	2752	Seasonal; rain jacket/pants, t shirts		68.79
	2752	Seasonal; rain jacket/pants, t shirts		103.19
	2752	Seasonal; safety vest/hard hat		26.96
	2758	Seasonal; safety vest/hard hat		12.50
	2758	Seasonal; safety vest/hard hat		18.76
	2758	Seasonal; rain jacket/pants, shirt		74.65
	2758	Seasonal; rain jacket/pants, shirt		111.97
	2761	Seasonals; safety glasses		4.30
	2761	Seasonals; safety glasses		6.44
Total for this ACH Check for Vendor 1408:				445.54
ACH	1688 054257-4 054257-4	Mountain Mist Maint shop; bottled water, March City hall; bottled water, March	04/28/2017	15.20 144.28

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	054257-4	Maint shop; bottled water, March		11.39
	054257-4	Aquatics; bottled water, March		84.01
	054257-4	Maint shop; bottled water, March		11.39
Total for this ACH Check for Vendor 1688:				266.27
ACH	1876 1876-4	John Gaudette Gaudette; Partners in Emergency Prep, mileage/t	04/28/2017	109.83
Total for this ACH Check for Vendor 1876:				109.83
ACH	1901 0081146 0081146 0081146	Modern Building Systems, Inc. Maint shop; building lease, 5/1-6/1/17 Maint shop; building lease, 5/1-6/1/17 Maint shop; building lease, 5/1-6/1/17	04/28/2017	426.80 426.80 569.06
Total for this ACH Check for Vendor 1901:				1,422.66
ACH	2555 51955309	NuCO2 LLC Aquatics; CO2 for pH control	04/28/2017	202.29
Total for this ACH Check for Vendor 2555:				202.29
ACH	2688 2688-4	Krista Bates K. Bates; WSAPT conference, mileage/per diem	04/28/2017	193.05
Total for this ACH Check for Vendor 2688:				193.05
ACH	2855 2855-4	Regan Bolli Bolli; NW Regional Managers Conf, mileage/ho	04/28/2017	583.95
Total for this ACH Check for Vendor 2855:				583.95
ACH	3133 1172	Goldstreet Designs SWM public outreach/education campaign	04/28/2017	5,277.00
Total for this ACH Check for Vendor 3133:				5,277.00
ACH	3316 3316-4	Jeremy Terwillegar Terwillegar; Partners in Emergency Prep, parkin	04/28/2017	88.00
Total for this ACH Check for Vendor 3316:				88.00
104	0072 939,296-00-1Qtr 939,296-00-1Qtr 939,296-00-1Qtr 939,296-00-1Qtr 939,296-00-1Qtr 939,296-00-1Qtr	Dept of Labor & Industries Industrial insurance; 1st Quarter 2017 Industrial insurance; 1st Quarter 2017 Industrial insurance; 1st Quarter 2017 Industrial insurance; 1st Quarter 2017 Industrial insurance; 1st Quarter 2017 Industrial insurance; 1st Quarter 2017	04/28/2017	14.34 1,638.50 2,053.99 1,625.99 10,972.28 104.25
Total for Check Number 104:				16,409.35
35702	0206 975836	AFLAC Insurance premiums, April	04/28/2017	123.37
Total for Check Number 35702:				123.37
35703	0254 159814 159814	American Public Works Assoc APWA agency membership; 7/1/17-6/30/18 APWA agency membership; 7/1/17-6/30/18	04/28/2017	462.50 462.50

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 35703:	925.00
35704	0955 22007925	American Red Cross Lifeguarding review classes; 4/1/17	04/28/2017	140.00
			Total for Check Number 35704:	140.00
35705	3354 3354-1Qtr	ANEW Human Services, 1st quarter 2017	04/28/2017	896.25
			Total for Check Number 35705:	896.25
35706	1534 1929133-9996153 1929133-9996153 1929133-9996153 1929133-9996153 1929133-9996153	APWA - WA State Chapter Junkin; AWPAs Leadership workshop Junkin; AWPAs Leadership workshop Junkin; AWPAs Leadership workshop Lindskov; AWPAs Leadership workshop Lindskov; AWPAs Leadership workshop	04/28/2017	6.00 6.00 8.00 8.00 12.00
			Total for Check Number 35706:	40.00
35707	2033 12851	Aquatic Specialty Services Aquatics; skimmer plate installation	04/28/2017	988.26
			Total for Check Number 35707:	988.26
35708	1674 25234	Auburn Mechanical Aquatics; remove and replace pump motor	04/28/2017	2,788.31
			Total for Check Number 35708:	2,788.31
35709	0019 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170 100315L0520170	AWC Employee Benefits Trust Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May Medical Insurance Premiums, May	04/28/2017	473.10 4,699.42 9,575.34 7,186.61 1,665.09 2,358.03 2,429.36 8,599.45 3,068.77 2,882.59 2,415.47 7,639.04 10,636.32 1,605.59
			Total for Check Number 35709:	65,234.18
35710	2368 154582 154726	Best Parking Lot Cleaning Inc. MV; street cleaning, March Street cleaning, March	04/28/2017	7,653.09 3,871.55
			Total for Check Number 35710:	11,524.64
35711	0637 114934	Bill's Locksmith Service, Inc. Cabinet keys	04/28/2017	10.51
			Total for Check Number 35711:	10.51
35712	3148	BrightView Landscape Services	04/28/2017	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	5121415696	Landscaping; April		5,604.80
			Total for Check Number 35712:	5,604.80
35713	0026	C&B Awards	04/28/2017	
	4052	Spring break soccer camp; t shirts		186.95
	4066	Police door signs		56.91
			Total for Check Number 35713:	243.86
35714	2804	Calsense	04/28/2017	
	047393	CCP; irrigation controller annual data plan		190.05
			Total for Check Number 35714:	190.05
35715	1997	Capital One Commercial	04/28/2017	
	040608	Daddy Daughter Dance; food/prizes		117.93
	068454	Daddy Daughter Dance; food		331.77
			Total for Check Number 35715:	449.70
35716	2270	CenturyLink	04/28/2017	
	6317966698B-4	City hall; telephone, 4/13-5/13/17		111.05
			Total for Check Number 35716:	111.05
35717	2366	CenturyLink Business Services	04/28/2017	
	1405746617	Aquatics; internet/loop, March		360.00
			Total for Check Number 35717:	360.00
35718	2715	Joseph Cimaomo, Jr.	04/28/2017	
	2715-4	Cimaomo; SCATBd meeting, mileage		14.02
			Total for Check Number 35718:	14.02
35719	0366	City of Covington	04/28/2017	
	0366-4	SWM utility tax; March		4,079.71
			Total for Check Number 35719:	4,079.71
35720	0219	City of Maple Valley	04/28/2017	
	INV03189	Building inspector services; March		4,950.00
			Total for Check Number 35720:	4,950.00
35721	1699	Communities in Schools of Kent	04/28/2017	
	1699-1Qtr	Human services; 1st Quarter		1,250.00
			Total for Check Number 35721:	1,250.00
35722	2640	Crown Films/Custom Bioplastics	04/28/2017	
	81170	Dog waste bags		641.96
			Total for Check Number 35722:	641.96
35723	1983	De Lage Landen Financial Srvc	04/28/2017	
	54210494	Aquatics; copiers' property tax		54.50
			Total for Check Number 35723:	54.50
35724	2467	Department of Enterprise Services	04/28/2017	
	73160733	Vondran; business cards		17.76

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	73160733	Hendrickson; business cards		35.51
	73160733	Hardy; business cards		35.51
	73160733	Vondran; business cards		17.76
Total for Check Number 35724:				106.54
35725	0699 0699-4	Department of Licensing Drivers abstract	04/28/2017	52.00
Total for Check Number 35725:				52.00
35726	3248 W184072301012 W184072301012	E-filliate Incorporated Computer patch cables, use tax Computer patch cables	04/28/2017	-7.90 99.73
Total for Check Number 35726:				91.83
35727	3355 201716	EB Lock Police office; electric lock strike plate	04/28/2017	868.80
Total for Check Number 35727:				868.80
35728	3145 14583344 14583344 14583344 14583344	Electric Lightwave Maint shop; telephone, 4/8-5/7/17 City hall; telephone, 4/8-5/7/17 Maint shop; telephone, 4/8-5/7/17 Maint shop; telephone, 4/8-5/7/17	04/28/2017	140.74 731.53 187.64 140.74
Total for Check Number 35728:				1,200.65
35729	0361 000-013167-00-0	Employment Security Department Unemployment compensation; 1st Quarter 2017	04/28/2017	226.48
Total for Check Number 35729:				226.48
35730	2851 127214	Environmental Science Associates CCP; Task 2 - Year 3 Monitoring	04/28/2017	2,910.00
Total for Check Number 35730:				2,910.00
35731	1996 01465 170415 01465 170415 01465 170415	Facility Maintenance Contractors Maint shop; janitorial service Maint shop; janitorial service Maint shop; janitorial service	04/28/2017	122.10 91.58 91.57
Total for Check Number 35731:				305.25
35732	0886 2991 2991	John E. Galt Shadow Creek; hearing services Cedar Creek Parke; hearing services	04/28/2017	1,531.25 1,770.00
Total for Check Number 35732:				3,301.25
35733	2078 41479	Girard Resources & Recycling, LLC Hog fuel	04/28/2017	76.02
Total for Check Number 35733:				76.02
35734	1733 140247 140247 140247	The Good Earth Works, Inc. Maint shop; chains, log stand, hook tool Maint shop; chains, log stand, hook tool Maint shop; chains, log stand, hook tool	04/28/2017	60.09 60.09 80.13

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 35734:	200.31
35735	2045 26768	Goodbye Graffiti Seattle Everclean program; 2nd Quarter	04/28/2017	1,298.69
			Total for Check Number 35735:	1,298.69
35736	0354 9408020643 9408200765	Grainger Aquatics; first aid supplies Aquatics; first aid supplies	04/28/2017	5.20 182.95
			Total for Check Number 35736:	188.15
35737	0302 13599.00-28 15447.00-16 15563.00-18 17457.00-1	Gray & Osborne Timberlane/Jenkins Park SW LID & Retro; 3/5-4 Clements Drainage Improvement; 3/5-4/1/17 CIP 1086; engineering; 3/5-4/1/17 SE 267th Pl Rockery; engineering, 3/5-4/1/17	04/28/2017	1,793.13 1,123.05 2,053.50 1,336.66
			Total for Check Number 35737:	6,306.34
35738	3356 4009 4009 4009	H&H Appliance Maint shop; refrigerator repair Maint shop; refrigerator repair Maint shop; refrigerator repair	04/28/2017	40.73 40.72 54.30
			Total for Check Number 35738:	135.75
35739	2648 2648-4	Hart's Gymnastics Instructor payment; Gymnastics, April	04/28/2017	726.40
			Total for Check Number 35739:	726.40
35740	2706 2706-1Qtr 2706-1Qtr 2706-1Qtr-1 2706-1Qtr-1	Health Point Human services; Dental, 1st Quarter Human services joint funding; Dental, 1st Quarter Human services joint funding; Medical, 1st Quarter Human services; Medical, 1st Quarter	04/28/2017	1,250.00 14,437.50 19,700.00 1,250.00
			Total for Check Number 35740:	36,637.50
35741	1803 NRP5323	Iron Mountain Document storage; April	04/28/2017	442.94
			Total for Check Number 35741:	442.94
35742	0385 1700003196	Kent School #415 Basketball gym rental; 1/14-3/4/17	04/28/2017	8,513.39
			Total for Check Number 35742:	8,513.39
35743	0050 0050-4	Kent School District School mitigation payable; March	04/28/2017	15,300.00
			Total for Check Number 35743:	15,300.00
35744	0271 0271-1Qtr1 0271-1Qtr2	Kent Youth & Family Services Human Services, 1st quarter - Family Services C Human Services, 1st quarter - Early Childhood E	04/28/2017	3,000.00 1,250.00
			Total for Check Number 35744:	4,250.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
35745	0143	King County Finance	04/28/2017	
	4077950	Maint; sewer treatment, 1/1-3/31/17		14.57
	4077950	Maint; sewer treatment, 1/1-3/31/17		19.43
	4077950	Maint; sewer treatment, 1/1-3/31/17		14.57
	83360-83362	Street services; March		914.01
	83368-83371	Street services; March		7,208.59
	83407-83407	CIP 1028; 2017 overlay; March		2,007.77
Total for Check Number 35745:				10,178.94
35746	3308	LeMay Mobile Shredding	04/28/2017	
	4516608	Secure document destruction; 3/9/17		9.30
Total for Check Number 35746:				9.30
35747	1878	MacLeod Reckord	04/28/2017	
	7619	CCP; Phase 2, engineering, 3/1-3/31/17		25,127.88
Total for Check Number 35747:				25,127.88
35748	0333	Maple Valley Food Bank	04/28/2017	
	0333-1Qtr	Human Services, 1st quarter		3,750.00
Total for Check Number 35748:				3,750.00
35749	3352	Beth Meyer	04/28/2017	
	1148016.002	Refund; Drayton Jackson. Bricks 4 Kidz Camp		35.00
Total for Check Number 35749:				35.00
35750	3353	Motor Vehicle Division - Records Unit	04/28/2017	
	3353-4	Drivers abstract		5.00
Total for Check Number 35750:				5.00
35751	3357	Nexus Youth and Families	04/28/2017	
	3357-1Qtr	Human services; 1st Quarter		1,250.00
Total for Check Number 35751:				1,250.00
35752	1364	Betty Nomura	04/28/2017	
	1364-4	Utility tax rebate; electricity		18.57
	1364-4	Utility tax rebate; natural gas		31.65
	1364-4	Utility tax rebate; solid waste		7.16
	1364-4	Utility tax rebate; cable		56.76
	1364-4	Utility tax rebate; telephone		20.44
Total for Check Number 35752:				134.58
35753	0708	NRPA	04/28/2017	
	149330	2017 NRPA membership dues		150.00
	149330	2017 NRPA membership dues		150.00
	149330	2017 NRPA membership dues		150.00
	149330	2017 NRPA membership dues		150.00
Total for Check Number 35753:				600.00
35754	0004	Office Depot	04/28/2017	
	2052785958	Proclamation covers, certificates		51.54
	918440136001	Office supplies		302.56
	918865170001	Office supplies		142.01
	918865170001	Police; key cabinet		43.43

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 35754:	539.54
35755	1432 6-T10000476	Pacific Topsoils, Inc. Disposal fees	04/28/2017	45.00
			Total for Check Number 35755:	45.00
35756	2233 2233-1Qtr	Pediatric Interim Care Center Human Services, 1st quarter	04/28/2017	1,000.00
			Total for Check Number 35756:	1,000.00
35757	3075 11929 11951	Pinky's Plumbing LLC Minor housing repair; #WILD-02-16 Minor housing repair; #ATCHLEY-01-16	04/28/2017	1,080.12 217.19
			Total for Check Number 35757:	1,297.31
35758	2177 S2464152.001	Pirtek Kent #3488; repairs	04/28/2017	187.98
			Total for Check Number 35758:	187.98
35759	2923 122560 122561 122773	Prime Maint shop; remove/replace aluminum feeds/pan City hall; redistribution of circuits in multipurpo: City hall; lamp ballast replacements	04/28/2017	3,832.49 1,892.85 426.07
			Total for Check Number 35759:	6,151.41
35760	2048 1624960	PRSA Slate; PRSA membership through 6/30/18	04/28/2017	370.00
			Total for Check Number 35760:	370.00
35761	3345 3345-4	Public Storage 08773 Unit 0207; storage unit, 5/1-12/31/17	04/28/2017	1,872.00
			Total for Check Number 35761:	1,872.00
35762	0161 200003986730-4 200003987282-4 200003987464-4 200004045635-4 200004045866-4 200005568858-4 200013103656-4 200013951476-4 200014568881-4 200014568881-4 200014568881-4 200022909309-4 200022909689-4 220009801048-4 300000001770-4 300000001770-4 300000001788-4 300000001788-4 300000001804-4 300000001804-4	Puget Sound Energy Streets; electricity, 3/4-4/3/17 Streets; electricity, 3/7-4/7/17 Streets; electricity, 3/7-4/7/17 Streets; electricity, 3/4-4/3/17 Streets; electricity, 3/7-4/7/17 Streets; electricity, 3/2-3/30/17 CCP; electricity, 3/2-3/30/17 Streets; electricity, 3/2-3/30/17 Maint shop; electricity, 3/2-3/30/17 Maint shop; electricity, 3/2-3/30/17 Maint shop; electricity, 3/2-3/30/17 Streets; electricity, 3/4-4/3/17 Skate park; electricity, 3/7-4/7/17 Streets; electricity, 3/7-4/7/17 City tree; electricity, 3/4-4/3/17 Streets; electricity, 3/4-4/3/17 Streets; electricity, 3/3-3/31/17 Streets; electricity, 3/3-3/31/17 Streets; electricity, 3/4-4/3/17 Streets; electricity, 3/4-4/3/17	04/28/2017	74.73 54.94 11.76 77.50 61.27 65.21 29.57 83.44 90.90 121.21 90.91 82.18 10.84 79.57 10.84 10.84 8,693.78 82.71 54.20 43.55

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	30000007744-4	Aquatics; electricity, 3/2-3/30/17		1,895.45
	30000007744-4	Aquatics; natural gas, 3/2-3/30/17		2,171.00
	30000007934-4	City hall; electricity, 3/4-4/3/17		1,679.65
	30000007934-4	City hall; natural gas, 3/4-4/3/17		141.97
	30000011266-4	Crystal view; electricity, 3/4-4/3/17		10.84
	30000011266-4	SR 516; electricity, 3/4-4/3/17		163.06
			Total for Check Number 35762:	15,891.92
35763	3358 17-293	Puget Sound Regional Fire Authority Fire prevention services; 4th Quarter 2016	04/28/2017	13,620.65
			Total for Check Number 35763:	13,620.65
35764	1197 00057772	Rainier Wood Recyclers Disposal fees	04/28/2017	72.00
			Total for Check Number 35764:	72.00
35765	3020 RF864492	Referee Referee subscription; 1 year renewal	04/28/2017	24.95
			Total for Check Number 35765:	24.95
35766	2474 2434	SCORE Jail costs; March	04/28/2017	17,839.92
			Total for Check Number 35766:	17,839.92
35767	1905 C875647-701 C875848-701 C876219-701	Sharp Electronics Corporation Workroom copier; usage, 2/28-3/31/17 Aquatics copiers; usage, 3/1-4/3/17 Police copier; usage, 3/21-4/12/17	04/28/2017	1,126.79 154.03 25.35
			Total for Check Number 35767:	1,306.17
35768	1850 4328-4 4387-0	Sherwin-Williams Co. City hall; paint City hall; paint supplies	04/28/2017	133.42 9.39
			Total for Check Number 35768:	142.81
35769	0993 0700-906800-4 0700-927900-4 0700-927900-4 0700-927900-4	Soos Creek Water & Sewer District Aquatics; sewer, 2/1-3/31/17 Maint shop; sewer, 2/1-3/31/17 Maint shop; sewer, 2/1-3/31/17 Maint shop; sewer, 2/1-3/31/17	04/28/2017	3,477.70 37.35 37.35 49.80
			Total for Check Number 35769:	3,602.20
35770	1903 7753939 7753939	Sound Publishing, Inc. Monthly full page ad Weekly bulletins; 3/3, 3/17, 3/24	04/28/2017	2,802.25 1,167.49
			Total for Check Number 35770:	3,969.74
35771	0736 845671 845671 845671 845671 846777	Sound Security, Inc. Security monitoring, April Maint shop; secure monitoring, April Maint shop; secure monitoring, April Maint shop; secure monitoring, April Access fobs	04/28/2017	1,050.50 32.10 32.10 42.80 38.02

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 35771:	1,195.52
35772	2469 2469-1Qtr	South King Council of HS Human services; 1st Quarter	04/28/2017	500.00
			Total for Check Number 35772:	500.00
35773	2241 2241-2016 2241-2016 2241-2016 2241-2016	Walter Stockla Utility tax rebate; electricity Utility tax rebate; electricity Utility tax rebate; solid waste Utility tax rebate; telephone	04/28/2017	22.53 36.45 4.76 16.52
			Total for Check Number 35773:	80.26
35774	0409 0409-1Qtr	The Storehouse Human services; 1st Quarter	04/28/2017	2,500.00
			Total for Check Number 35774:	2,500.00
35775	2103 328628623 329122451	US Bancorp Equip Finance Inc. Workroom copier lease, May Reception copier lease, May	04/28/2017	639.10 93.40
			Total for Check Number 35775:	732.50
35776	0357 0020958	Valley Communications 800 MHz access fee; March	04/28/2017	75.00
			Total for Check Number 35776:	75.00
35777	3359 3359-1Qtr	Washington Poison Center Human services; 1st quarter	04/28/2017	522.00
			Total for Check Number 35777:	522.00
35778	1441 32409 32513	Watson Security City hall; rekey police office City hall tenant improvements; change locks	04/28/2017	397.15 224.22
			Total for Check Number 35778:	621.37
35779	2230 10690500	Wilbur-Ellis Company Retention pond grass mix	04/28/2017	825.00
			Total for Check Number 35779:	825.00
35780	0137 0137-4	WMCA Scott; WMCA membership dues; 5/1/17-4/30/18	04/28/2017	75.00
			Total for Check Number 35780:	75.00
35781	0781 0781-1Qtr	YWCA of Seattle/King/Snohomish County Human Services, 1st quarter	04/28/2017	2,000.00
			Total for Check Number 35781:	2,000.00
			Total for 4/28/2017:	366,947.69

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
Report Total (95 checks):				366,947.69

April 21, 2017

City of Covington

Payroll Approval

- Request Council approval for payment of Payroll dated 04/21/17 consisting of:

PAYLOCITY CHECK # 1006750572 through PAYLOCITY CHECK # 1006750593 inclusive, plus employee direct deposits and wire transfers

IN THE AMOUNT OF \$206,696.73

WE, THE UNDERSIGNED, DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIMS ARE JUST, DUE AND UNPAID OBLIGATIONS AGAINST THE CITY OF COVINGTON, WASHINGTON, COUNTY OF KING, AND THAT WE ARE AUTHORIZED TO AUTHENTICATE AND CERTIFY SAID CLAIMS PER THE ATTACHED COUNCIL APPROVAL REPORT.

Cassandra Parker
Senior Accountant

Mark Lanza
City Councilmember

Jeff Wagner
Mayor

Marlla Mhoon
City Councilmember

Council Meeting Date Approved: _____

04/21/17 Payroll Voucher

Payroll Checks for Account Paylocity Account

Check/Voucher	Check Type	Check Date	Employee Id	Employee Name	Net Amount
114834	Regular	4/21/2017	503	Bolli, Regan H	5,035.81
114835	Regular	4/21/2017	572	Bykonen, Emily M	22.16
114836	Regular	4/21/2017	246	Kirshenbaum, Kathleen	418.03
114837	Regular	4/21/2017	243	Lyon, Valerie	1,539.60
114838	Regular	4/21/2017	234	Mhooon, Darren S	1,513.04
114839	Regular	4/21/2017	162	Michaud, Joan M	2,265.53
114840	Regular	4/21/2017	123	Scott, Sharon G	1,878.11
114841	Regular	4/21/2017	313	Slate, Karla J	2,592.68
114842	Regular	4/21/2017	275	Hart, Richard	2,921.99
114843	Regular	4/21/2017	368	Mueller, Ann M	1,778.12
114844	Regular	4/21/2017	180	Cles, Staci M	1,992.09
114845	Regular	4/21/2017	146	Hagen, Lindsay K	1,686.99
114846	Regular	4/21/2017	235	Hendrickson, Robert	3,928.06
114847	Regular	4/21/2017	105	Parker, Cassandra	2,610.52
114848	Regular	4/21/2017	601	Wells, Shelley L	345.20
114849	Regular	4/21/2017	433	Cimaomo, Joseph T	390.53
114850	Regular	4/21/2017	323	Harto, Margaret	589.85
114851	Regular	4/21/2017	324	Lanza, Mark	382.53
114852	Regular	4/21/2017	570	McGregor Hollums, Helen F	396.63
114853	Regular	4/21/2017	326	Mhooon, Marilla	352.70
114854	Regular	4/21/2017	502	Smith, Sean D	550.70
114855	Regular	4/21/2017	329	Wagner, Jeffrey	778.55
114856	Regular	4/21/2017	611	Cles, Matthew R	1,014.21
114857	Regular	4/21/2017	353	Dalton, Jesse J	1,944.63
114858	Regular	4/21/2017	524	Denning, Jerald J	1,076.83
114859	Regular	4/21/2017	373	Fealy, William J	2,464.02
114860	Regular	4/21/2017	301	Gaudette, John J	1,904.00
114861	Regular	4/21/2017	511	Goranson, Gage W	1,466.21
114862	Regular	4/21/2017	613	Hanemann, Jeffrey S	804.31
114863	Regular	4/21/2017	186	Junkin, Ross D	3,035.95
114864	Regular	4/21/2017	457	Smith, Nathan H	1,233.75
114865	Regular	4/21/2017	408	Terwillegar, Jeremy A	1,784.29
114866	Regular	4/21/2017	377	Bates, Krista	1,368.83
114867	Regular	4/21/2017	268	Bykonen, Brian D	2,420.74
114868	Regular	4/21/2017	270	Lyons, Salina K	2,434.68
114869	Regular	4/21/2017	269	Meyers, Robert L	3,468.15
114870	Regular	4/21/2017	284	Ogren, Nelson W	2,805.95
114871	Regular	4/21/2017	590	Slevin, Mark A	2,868.33
114872	Regular	4/21/2017	266	Thompson, Kelly	2,382.60
114873	Regular	4/21/2017	592	Drury, Keith R	897.00
114874	Regular	4/21/2017	307	Morrissey, Mayson	3,244.39
114875	Regular	4/21/2017	199	Bahl, Rachel A	2,294.60
114876	Regular	4/21/2017	397	Ball, Jaquelyn I	1,538.34
114877	Regular	4/21/2017	451	Conway, Sean	1,640.64
114878	Regular	4/21/2017	574	Dal Santo, Shannon A	1,620.51
114879	Regular	4/21/2017	448	Finazzo, Dominic V	1,654.70
114880	Regular	4/21/2017	587	Gardocki, Mary L	2,236.68
114881	Regular	4/21/2017	305	Kiselyov, Tatyana	1,693.64
114882	Regular	4/21/2017	194	Newton, Ethan A	3,517.39
114883	Regular	4/21/2017	195	Patterson, Clifford	2,569.82
114884	Regular	4/21/2017	106	Bates, Shellie L	2,264.65
114885	Regular	4/21/2017	349	Buck, Shawn M	2,100.87
114886	Regular	4/21/2017	273	French, Fred	1,077.39
114887	Regular	4/21/2017	436	Lindskov, Robert T	3,303.35

114888 Regular	4/21/2017	606 Parker, Kelton R	1,843.62
114889 Regular	4/21/2017	257 Parrish, Benjamin A	2,179.62
114890 Regular	4/21/2017	173 Vondran, Donald M	3,967.09
114891 Regular	4/21/2017	481 Binder, Jordan M	251.49
114892 Regular	4/21/2017	534 Blakely, Gavin D	277.58
114893 Regular	4/21/2017	517 Burke, Austin W	165.28
114894 Regular	4/21/2017	576 Clark, Reiley E	192.71
114895 Regular	4/21/2017	514 Collins, Ashtyn E	521.69
114896 Regular	4/21/2017	258 Cox, Melissa	981.85
114897 Regular	4/21/2017	566 Duven, Bridget N	226.03
114898 Regular	4/21/2017	586 Flem, Luke H	299.74
114899 Regular	4/21/2017	562 Grobbelaar, Jan G	461.66
114900 Regular	4/21/2017	508 Halbert, Olivia M	207.71
114901 Regular	4/21/2017	580 Hammerstrom, Iliana L	61.09
114902 Regular	4/21/2017	585 Huntley, Jack E	134.40
114903 Regular	4/21/2017	410 Lanz, Avalon A.	202.69
114904 Regular	4/21/2017	588 Maloy, Alexander P	219.93
114905 Regular	4/21/2017	582 Marienau, Aaron G	444.29
114906 Regular	4/21/2017	603 Marshall, Tucker Z	73.31
114907 Regular	4/21/2017	435 Martin, Iain-Josiah	539.35
114908 Regular	4/21/2017	525 Mastroianni, Anthony J	411.73
114909 Regular	4/21/2017	484 May, Alexander E	376.36
114910 Regular	4/21/2017	483 Medel, Erick	947.07
114911 Regular	4/21/2017	516 Montero, Ivan P	122.61
114912 Regular	4/21/2017	591 Parnello, Emma J	91.64
114913 Regular	4/21/2017	312 Perko, Roxanne H	682.91
114914 Regular	4/21/2017	584 Praggastis, George C	211.92
114915 Regular	4/21/2017	607 Ramsdell, Bailey E	146.62
114916 Regular	4/21/2017	595 Rogers, Eric R	386.66
114917 Regular	4/21/2017	493 Sears, Andrew J	204.18
114918 Regular	4/21/2017	492 Spencer, Ethan R	548.15
114919 Regular	4/21/2017	608 Tomalik, Adrian D	67.20
114920 Regular	4/21/2017	392 Wardrip, Spencer A	1,073.88
114921 Regular	4/21/2017	480 Woods, Dylan J	662.32
114922 Regular	4/21/2017	533 Wruth, Hunter T	195.46
114923 Regular	4/21/2017	578 Zarzoza, Kiley M	131.34
114924 Regular	4/21/2017	536 Harjehausen, Jack	136.62
114925 Regular	4/21/2017	573 Hopp, Savannah G	223.32
114926 Regular	4/21/2017	528 Hopp, Tyler A	287.22
114927 Regular	4/21/2017	467 Lam, Brandon A	183.13
114928 Regular	4/21/2017	468 Lam, Matthew T	53.88
114929 Regular	4/21/2017	495 Tashiro-Townley, Joshua C	251.12
114930 Regular	4/21/2017	500 White, Preston A	50.79
114931 Regular	4/21/2017	116 Beaufrere, Noreen	3,040.40
114932 Regular	4/21/2017	596 Johnston, Julie A	1,862.57
114933 Regular	4/21/2017	612 Hardy, Kathryn J	3,721.43
1006750572 Regular	4/21/2017	364 Newell, Nancy J	38.79
1006750573 Regular	4/21/2017	614 Stacy, Jermy E	463.39
1006750574 Regular	4/21/2017	509 Brannon, David J	230.95
1006750575 Regular	4/21/2017	555 Casey, Noah	260.43
1006750576 Regular	4/21/2017	577 DuBoise, Kaley M	73.31
1006750577 Regular	4/21/2017	583 Heywood, Tyler R	371.08
1006750578 Regular	4/21/2017	564 Jackson-Kinney, Kyrsten S	39.71
1006750579 Regular	4/21/2017	599 Lien, Olivia	271.40
1006750580 Regular	4/21/2017	604 Lockhart, Dylan A	129.60
1006750581 Regular	4/21/2017	602 Medel, Alan L	486.89
1006750582 Regular	4/21/2017	579 Mucke, Isabelle R	183.27
1006750583 Regular	4/21/2017	567 Praggastis, Christina B	162.19

1006750584 Regular	4/21/2017	489 Wold, Jared K	418.12
1006750585 Regular	4/21/2017	551 Bellmore, Alexander J	52.32
1006750586 Regular	4/21/2017	470 Cekarmis, Dusan	139.45
1006750587 Regular	4/21/2017	521 Ellsworth, Joseph G	118.37
1006750588 Regular	4/21/2017	598 Hopp, Brayden G	255.27
1006750589 Regular	4/21/2017	519 Lopez, Joseph C	118.37
1006750590 Regular	4/21/2017	547 Miskar, Isaac O	60.95
1006750591 Regular	4/21/2017	474 Shank, Elijah J	135.79
1006750592 Regular	4/21/2017	471 Shank, Maia M	769.91

Totals for Payroll Checks 121 Items 134,202.09

Third Party Checks for Account Paylocity Account

Check/Voucher	Check Type	Check Date	Employee Id	Employee Name	Net Amount
114934	AGENCY	4/21/2017	401SS	ICMA Retirement Trust	21,314.45
114935	AGENCY	4/21/2017	457Ex	Vantagepoint Transfer Agent-	394.80
114936	AGENCY	4/21/2017	CICOV	City of Covington	3,276.26
114937	AGENCY	4/21/2017	Emp	City of Covington Employee	126.00
114938	AGENCY	4/21/2017	IC401	ICMA Retirement Trust	4,879.95
114939	AGENCY	4/21/2017	IC457	ICMA Retirement Trust	2,451.04
114940	AGENCY	4/21/2017	ROTH	ICMA Retirement Trust	330.00
114941	AGENCY	4/21/2017	VEBA	HRA VEBA Trust Contributions	1,968.75
1006750593	AGENCY	4/21/2017	JG1	WASH CHILD SUPPORT	110.41

Totals for Third Party Checks 9 Items 34,851.66

ICMA Forfeiture Check	11,090.70
Tax Liabilities	25,733.11
Paylocity Fees	819.17

Grand Total \$ 206,696.73

Consent Agenda Item C-2

Covington City Council Meeting

Date: May 9, 2017

SUBJECT: AUTHORIZE THE CITY MANAGER TO SIGN A DECLARATION OF PUBLIC BENEFIT SPACES EASEMENT OVER REAL PROPERTY PURSUANT TO THE PUBLIC BENEFIT REQUIREMENTS FOR THE COVINGTON MIXED-USE COMMERCIAL SITE DEVELOPMENT PERMIT AND DEVELOPMENT AGREEMENT (LU14-0006/0010).

RECOMMENDED BY: Richard Hart, Community Development Director

ATTACHMENT(S):

1. Declaration of Public Benefit Spaces Easement

PREPARED BY: Salina Lyons, Principal Planner
Nelson Ogren, Development Review Engineer

EXPLANATION:

Pursuant to the Director's Conditions of Approval ("Conditions") for the Covington Mixed-Use Commercial Site Development Permit City File Numbers LU14-0006/0010 and the associated Development Agreement approved by the City Council on August 12, 2014, (KC Recording No. 20141212001205), Inland Group ("Developer") was required to construct public benefit spaces as mini plazas/gathering spaces for use by the public as identified in Attachment 1, Exhibit B:

Public Benefit Space Overview

To meet the public benefit requirements associated with the approved Covington Mixed-Use Development Agreement, the developer was required to develop 4,341 sq. ft. of additional public plaza space (over and above the 7,500 sq. ft. required by the downtown code – CMC 18.31) and provide an easement over the property that would authorize use by the city. The public plazas are located at north and south corners of 171st Ave. S.E. and mid-block on S.E. 276th St. The location and orientation of these public plaza spaces is intended to be one piece of the overall concept design for the Town Center and correspond with the location of the future public spaces such as a plaza proposed for the current school district site. The easements will allow the city the use of these spaces in the future for festivals and events as the Town Center concept is actualized.

The public benefit spaces were constructed to the satisfaction of the city with building permits B14-0088, B14-0113, B14-0103, and B14-0112.

ALTERNATIVES: None. This is a legally recorded document.

FISCAL IMPACT: Authorization of the easement agreement will not have a direct fiscal impact.

CITY COUNCIL ACTION: ___ Ordinance ___ Resolution X Motion ___ Other

Council member _____ moves, Council member _____ seconds, to authorize the city manager to sign a Declaration of Public Benefit Spaces Easement, in substantial form, over real property pursuant to the public benefit requirements for the Covington Mixed-Use Commercial Site Development Permit and Development Agreement (LU14-0006/0010).

REVIEWED BY: Community Development Director, Finance Director, City Attorney, City Manager

RECORDING REQUESTED BY AND WHEN

RECORDED MAIL TO:

City of Covington
16720 SE 271st St. Ste 100
Covington, WA 98042
Attn: Permit Services

Declaration of Public Benefit Spaces Easement

THIS DECLARATION OF PUBLIC BENEFIT SPACES EASEMENT is executed by and between Polaris at Covington, LLC (“Declarant”), in favor of the City of Covington, a municipal corporation of the State of Washington (“City”).

WHEREAS, Declarant owns certain real property in the City of Covington, legally described in **Exhibit A** attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, as part of the development of the Property, Declarant (through an affiliate) and the City entered into a Development Agreement For the Affinity at Covington & Polaris at Covington Development (“Development Agreement”), wherein Declarant agreed to devote certain public benefit space on the Property to the City to function as mini plazas/gathering spaces for the general public; and

WHEREAS, Declarant has constructed the public benefit spaces in accordance with the approved building plans (Permits: #B14-0088, #B14-0113, #B14-0103 and #B14-0112); and

WHEREAS, Declarant agreed, upon construction of the public benefit spaces, to execute an easement with the City for the public benefit spaces.

NOW THEREFORE, Declarant and the City hereby covenant and agree as follows:

1. Declarant warrants that it is the owner of the Property and has authority to impose this covenant on the Property and bind all future owners, successors, and assigns of Declarant.
2. Declarant hereby grants the City a perpetual public benefit spaces easement (the “Public Benefit Spaces Easement”) over and upon four (4) separate spaces on the Property (each a “Public Space” and collectively the “Public Spaces”), covering a total of approximately 4,341 square feet, the approximate locations of which are as follows:

Public Space No. 1 is located at the northwest corner of the Property, adjacent to the intersection of 171st Avenue SE and SE 274th Street (approximately 1,266 square feet);

Public Space No. 2 is located at the southwest corner of the Property, adjacent to the intersection of 171st Avenue SE and SE 276th Street (approximately 895 square feet);

Public Space No. 3 is located mid-block along the frontage of SE 276th Street adjacent to Polaris Building A (approximately 675 square feet);

Public Space No. 4 is located mid-block along the frontage of SE 276th Street adjacent to Polaris Building B (approximately 1,505 square feet).

A map of the approximate location of the Public Spaces is attached hereto as **Exhibit B** and incorporated herein by reference. The legal description of the Public Spaces (collectively the “Easement Area”) is attached hereto as **Exhibit C** and incorporated herein by reference.

3. The Easement Area is to be used by the City solely as mini plazas/gathering spaces open to the general public.
4. Declarant shall be responsible for the ordinary day-to-day maintenance (such as cleaning), shall maintain the Public Spaces in good condition at the Declarant sole cost and expense.
5. The City shall be responsible for any major or non-ordinary maintenance of the Public Spaces that becomes necessary over time (such as sidewalk/concrete repairs, accessory/fixture replacements, vehicular damage, graffiti, etc.) at the City’s sole cost and expense. Major or non-ordinary maintenance may require separate agreement by City and Declarant.
6. The Public Benefit Spaces Easement granted herein is not exclusive. Declarant reserves unto itself and to the future owners of the Property the right to utilize and enjoy the Easement Area for any purpose that does not unreasonably interfere with the easement rights granted herein.
7. This Declaration shall not be relinquished, vacated, or extinguished by Declarant, its successors and assigns, without the prior written consent of the City.
8. By executing this Declaration, Declarant acknowledges that the benefits of the Public Benefit Spaces Easement inure to the City and that the City has the right to enforce this Declaration on behalf of the general public.
9. Each party shall indemnify, defend and hold harmless the other party (and its officers, officials, employees, affiliates and agents) from any and all claims, demands, suits, penalties, losses, damages, judgments, attorneys’ fees and/or costs of any kind whatsoever, arising out of or in any way resulting from the negligent acts or omissions of such party (or its officers, employees, contractors, and agents) relating to the Easement Area on the Property, unless caused by the negligent acts or omissions of the other party.
10. This Declaration and the Public Benefit Spaces Easement shall run with the land and be binding upon the Declarant, as the owner of the Property, and on Declarant’s successors in interest and assigns as to such Property.
11. This Declaration may be terminated by execution of a written agreement by Declarant and the City.

[Reminder of page intentionally blank – signature page follows.]

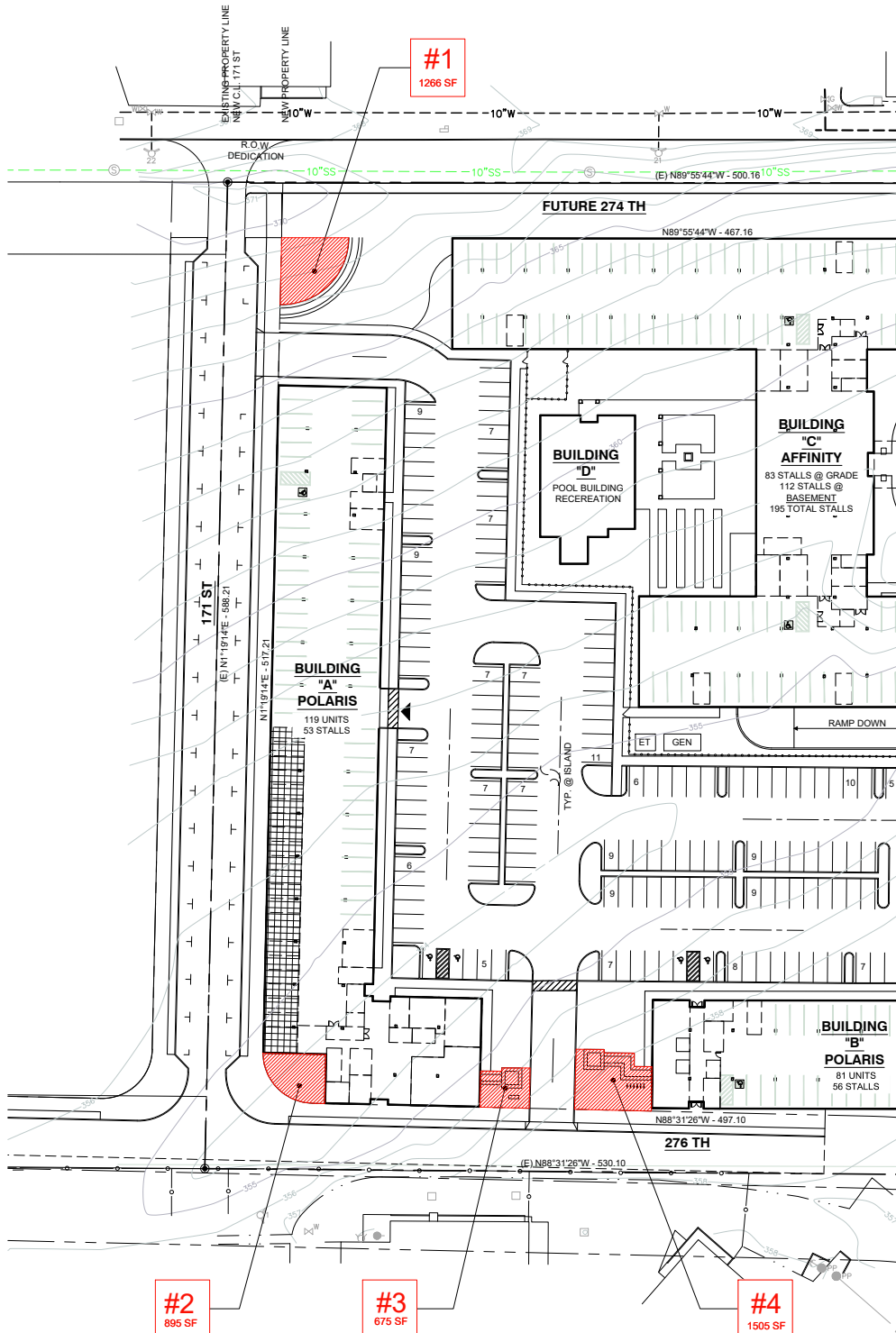
EXHIBIT A

Legal Description of the Property

**LOT 1 AS SHOWN ON THAT CERTAIN MAP ENTITLED BINDING SITE PLAN,
FILE NO. LU14-009/0010, RECORDED ON NOVEMBER 19, 2014 UNDER
RECORDING NO. 20141119001072, RECORDS OF KING COUNTY AUDITOR.**

**SITUATE IN THE CITY OF COVINGTON, COUNTY OF KING, STATE OF
WASHINGTON.**

EXHIBIT B



SITE PLAN
SCALE: 1"=50'

Exhibit C

Public Benefit Spaces Easement

All that certain real property situate in the City of Covington, County of King, State of Washington, being portions of Lot 1, as said Lot is shown upon that certain map entitled "Binding Site Plan File No. LU14-0009/0010" recorded November 19, 2014 in Volume 267, Pages 18 and 19, under Auditor's File Number 20141119001072, and more particularly described as follows:

PARCEL 1:

BEGINNING at the Northwest corner of said Lot 1, being hereinabove described; thence along the North line of said Lot 1, South 89°55'44" East 40.00 feet; thence Southwesterly along a curve to the right, having a radius of 40.00 feet, through a central angle of 91°14'58", an arc distance of 63.70 feet to a point in the West line of said Lot 1, being South 01°19'14" West 40.00 feet from the said Northwest corner; thence along said West line, North 01°19'14" East 40.00 feet to the said **POINT OF BEGINNING** of this description.

PARCEL 2:

BEGINNING at the Southwest corner of said Lot 1, being hereinabove described; thence along the West line of said Lot 1, North 01°19'14" East 31.46 feet to the **TRUE POINT OF BEGINNING** of this description; thence leaving said West line, South 88°40'46" East 35.54 feet; thence South 01°19'14" West 30.94 feet to the South line of said Lot 1; thence along said South line, North 89°31'26" West 4.08 feet; thence leaving said South line, Northeasterly along a tangent curve to the right, having a radius of 31.00 feet, through a central angle of 90°50'40", an arc distance of 49.15 feet to the said **TRUE POINT OF BEGINNING** of this description.

PARCEL 3:

BEGINNING at the Southeast corner of said Lot 1, being hereinabove described; thence along the South line of said Lot 1, North 89°31'26" West 337.00 feet to the **TRUE POINT OF BEGINNING** of this description; thence leaving said South line, North 01°19'14" East 23.55 feet; thence North 89°31'26" West 17.39 feet; thence South 00°00'00" East 2.40 feet; thence North 89°31'26" West 12.64 feet; thence South 01°19'14" West 21.55 feet to the said South line of Lot 1; thence along said South line, South 89°31'26" East 30.00 feet to the said **TRUE POINT OF BEGINNING** of this description.

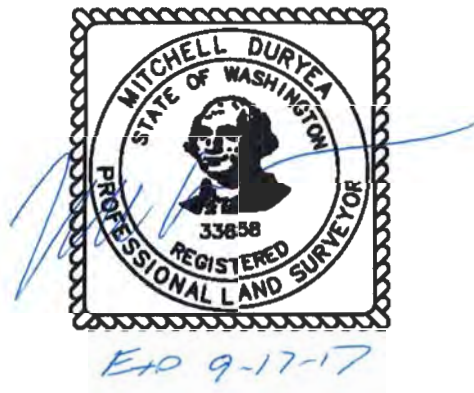
PARCEL 4:

BEGINNING at the Southeast corner of said Lot 1, being hereinabove described; thence along the South line of said Lot 1, North 89°31'26" West 264.62 feet to the **TRUE POINT OF BEGINNING** of this description; thence leaving said South line, North 00°28'34" East 25.00

feet; thence North 89°31'26" West 10.50 feet; thence North 00°28'34" East 8.00 feet; thence North 89°31'26" West 18.00 feet; thence North 00°28'34" East 2.00 feet; thence North 89°31'26" West 17.36 feet; thence South 01°19'14" West 35.00 feet to the said South line of Lot 1; thence along said South line, South 89°31'26" East 46.38 feet to the said **TRUE POINT OF BEGINNING** of this description.

Prepared by:

Mitchell Duryea, August 29, 2016
PLS 33658



BINDING SITE PLAN FILE NO. LU14-0009/0010
 VOLUME 267, PAGES 18 & 19
 (#20141119001072)

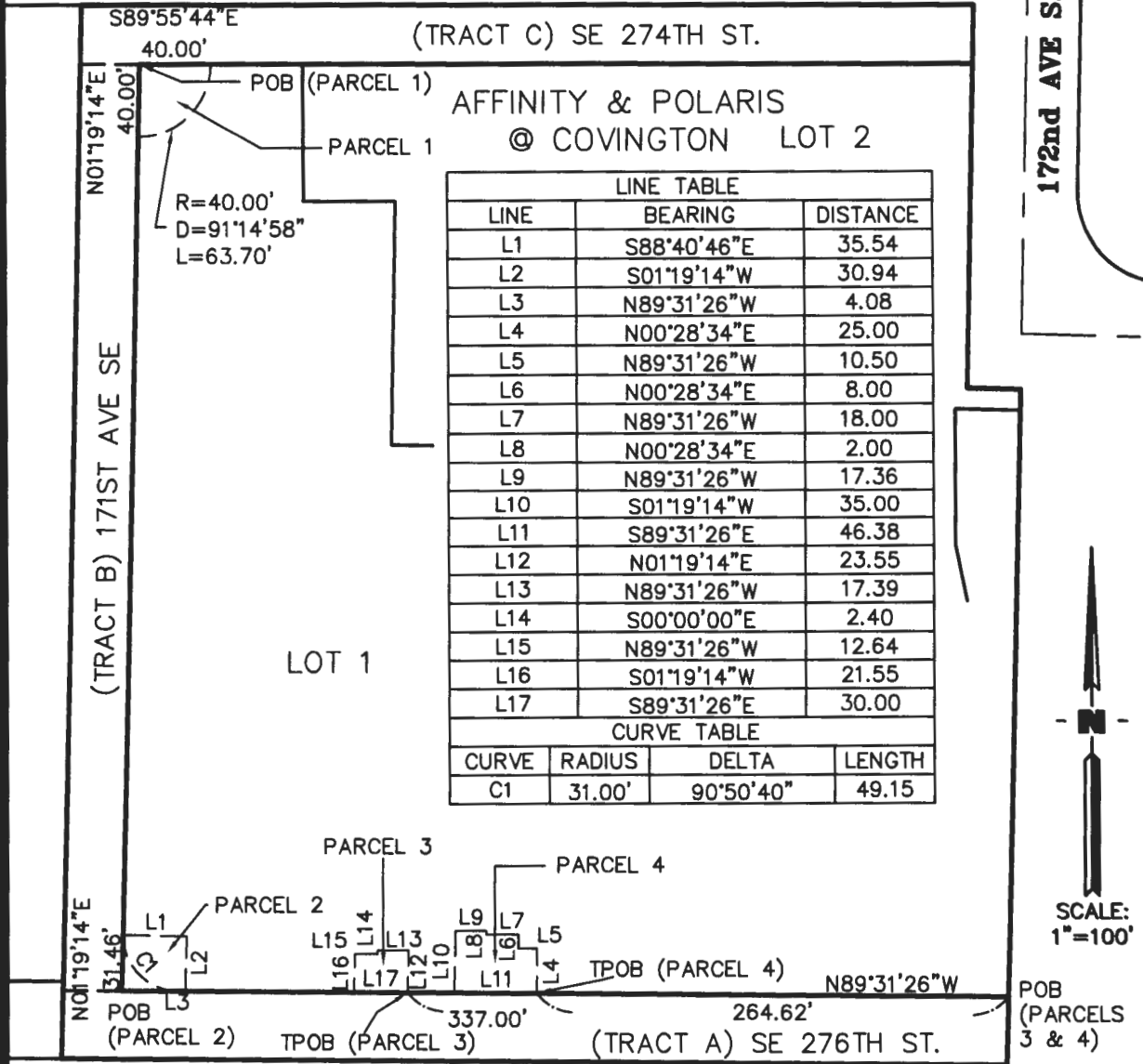


EXHIBIT B
 PLAT TO ACCOMPANY DESCRIPTION
 PUBLIC BENEFIT SPACES EASEMENT
 LOT 1
 BINDING SITE PLAN LU14-0009/0010
 COVINGTON, WA



8-29-10
 EYP 9-17-10

DURYEA & ASSOCIATES, P.S.
 2702 N. Perry Street, Spokane WA 99207
 tel: (509) 465-8007
 www.duryea-associates.com
 JOB NO. 14-1812

Agenda Item 1

Covington City Council Meeting

Date: May 9, 2017

SUBJECT: PUBLIC HEARING, RECEIVE COMMENTS, AND CONSIDER ORDINANCE ON CONTINUING INTERIM ZONING REGULATIONS IN COVINGTON MUNICIPAL CODE (CMC) TITLE 18.55 REGARDING TEMPORARY AND PERMANENT SIGNS.

RECOMMENDED BY: Richard Hart, Community Development Director
Kathy Hardy, City Attorney

ATTACHMENT(S):

1. Proposed ordinance continuing interim zoning regulations for temporary and permanent signs for six months.
2. Interim regulations governing temporary and permanent signs in CMC 18.55.

PREPARED BY: Richard Hart, Community Development Director
Brian Bykonen, Associate Planner & Code Enforcement Officer

EXPLANATION:

Background

City staff has been working on the revisions to our sign code since 2015. In 2015, the US Supreme Court issued a decision in *Reed v Town of Gilbert*, a suburban city in the Phoenix, Arizona metropolitan area, that has provided new guidance for all cities and counties across the country regarding sign regulation. At question is the major issue of content-neutrality of local jurisdiction's sign regulations. City staff held several study sessions with the city council in 2015 to develop the goals, objectives, and purpose of new sign regulations, which is an important step required by the Supreme Court decision to lay the framework for content-neutral sign regulations. City staff has also held several discussion sessions with the planning commission to review progress on the proposed sign code revisions. City staff also held a discussion with the city council on October 11, 2016 to review the proposed interim sign code regulations for both temporary and permanent signs. On October 25, 2016, the city council adopted interim sign code regulations for six months that were content-neutral and addressed the specific points of temporary signs, as they were the major issue involved with the Supreme Court decision of *Reed v Town of Gilbert*.

Process for Interim Regulations

During the six months of interim regulations, staff intended to conduct an extensive public outreach program with planning commission participation to involve a variety of interest groups, provide education on the proposed regulations, and listen to feedback on the specific provisions governing signs. Because city staff and the planning commission were heavily involved with other important work tasks, including completion of the development plans and development agreement (DA) for the Lakepointe Urban Village and full certification of our comprehensive plan with PSRC, those public outreach efforts were not accomplished. Thus, the city needs to extend the interim sign code regulations for another 6 months to allow that desired public outreach. City staff plan to conduct public outreach between June and September 2017.

City staff will return to the council with a recommendation from the planning commission prior to November 2017, after the required public hearing on the permanent sign regulations, and make their final recommendation to the city council at that time.

During the last six months while the interim sign regulations have been in effect, staff discovered a minor omission in Section 18.55.190 which left out the requirement that “all temporary signs in both the public right-of-way and public spaces shall only display non-commercial copy.” That omission has been corrected as reflected in red on pages 22 and 23 of Attachment 2, the proposed interim sign regulations.

Public Hearing and Discussion of Interim Sign Regulations

The accompanying draft of the proposed interim sign code regulations is the version that will be in effect for an additional six months until November 9, 2017, unless the interim regulations are extended or until permanent regulations are adopted earlier. The intent of tonight’s meeting is to hold a public hearing on the proposed interim regulations, take public comments, and consider the ordinance continuing the interim sign regulations.

FISCAL IMPACT:

Staff time to respond to inquiries and administer and enforce the interim sign regulations.

CITY COUNCIL ACTION: Ordinance Resolution Motion Other

Councilmember _____ moves, and councilmember _____ seconds, to pass an ordinance, in substantial form as that presented, to continue the interim sign regulations for six months for both temporary and permanent signs until November 9, 2017.

REVIEWED BY: City Manager; City Attorney; Finance Director; and Community Development Director

ATTACHMENT 1

ORDINANCE NO. 03-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, RELATING TO TEMPORARY AND PERMANENT SIGNS; ESTABLISHING INTERIM ZONING REGULATIONS FOR TEMPORARY AND PERMANENT SIGNS; ADMINISTRATION, PERMITTING, AND ENFORCEMENT IN THE COVINGTON MUNICIPAL CODE (CMC) TITLE 18.55; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in 2015 the US Supreme Court issued a decision in *Reed v. Town of Gilbert* that has provided guidance for all cities and counties in revising and updating their sign codes; and

WHEREAS, the planning commission and city council have discussed the issue of revising the city's existing sign code provisions to meet the guidelines of *Reed v. Town of Gilbert*; and

WHEREAS, the city staff has held several study sessions with the city council to develop goals, objectives, and purpose of new sign regulations, which is an important step required by the Supreme Court decision to lay the framework for content neutral signs; and

WHEREAS, the city staff has also held several discussions and work sessions with both the city council and planning commission to review progress on the proposed sign code revisions to CMC Title 18.55; and

WHEREAS, interim sign code regulations have been in place for six months, and the city desires to continue the interim regulations to allow for public outreach before proposing permanent sign regulations; and

WHEREAS, the city deems it in the public interest to continue interim zoning regulations for a period of six months to investigate this issue further and obtain public input and comment; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize the city to adopt interim land use regulations and official controls, and the Covington City Council deems it to be in the public interest to adopt the regulations set forth in this ordinance under this authority; and

WHEREAS, after the interim zoning regulations were adopted in November, 2016, city staff discovered an unintended omission for temporary signs in the public right-of-way and public spaces which should have limited their copy to non-commercial messages only, and that omission has now been corrected in the proposed extension of the interim sign regulations in Section 18.55.190(1) and (2); and

WHEREAS, a public hearing was held on the regulations set forth in this ordinance on May 9, 2017, and the council has weighed the testimony received; and

WHEREAS, during the six months after the continuation of the interim zoning regulations, the city staff and planning commission will conduct extensive public outreach and a public hearing on the interim sign code regulations and make a final recommendation to the city council for adoption of permanent regulations based upon the extensive public outreach, public hearing, and public comments; and

WHEREAS, nothing in this ordinance is intended nor shall be construed to authorize or approve of any violation of federal or state law.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. In accordance with RCW 35A.63.220 and RCW 36.70A.390, which require the city council to adopt findings of fact justifying the adoption of interim zoning regulations, the “WHEREAS” clauses set forth above are hereby adopted as the city council’s findings of fact in support of continuing the interim zoning regulations imposed by this ordinance. The city council may adopt additional findings if additional evidence is presented to the council.

Section 2. Interim Regulations Established. Notwithstanding the existing provisions of the Covington Municipal Code, the city hereby establishes the following interim zoning regulations for both temporary and permanent signs, as defined herein, and are the sole means of establishing temporary and permanent signs within the city as provided in Exhibit A.

Section 3. Work Plan. City staff is hereby directed to implement the following work plan during the interim period. Staff is directed to review existing laws and regulations applicable to temporary and permanent signs and to monitor federal and state court cases related to *Reed v. Town of Gilbert*. Staff is also encouraged to review and consider the experiences of other jurisdictions dealing with similar sign code regulations.

Section 4. Conflict. In the event there is a conflict between the provisions of this ordinance and any other city ordinance, the provisions of this ordinance shall control.

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 preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Corrections. Upon the approval of the City Attorney, the City Clerk is authorized to make any necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 7. Declaration of Emergency - Effective Date. The Covington City Council declares that an emergency exists necessitating that this ordinance become effective immediately for the protection of the public health and safety, public peace, and public property. This ordinance shall take effect immediately upon passage.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF COVINGTON,
WASHINGTON, at a regular meeting thereof this 9th day of May, 2017.

Mayor Jeff Wagner

EFFECTIVE: May 9, 2017
PUBLISHED: May 12, 2017

ATTESTED:

Sharon Scott, City Clerk

APPROVED AS TO FORM:

Kathy Hardy, City Attorney

CHAPTER 18.55

SIGNS

PART I: GENERAL PROVISIONS

- 18.55.010 Intent and purpose.**
- 18.55.020 Applicability and exclusions.**
- 18.55.030 Interpretation.**
- 18.55.040 Definitions.**

18.55.010 Intent and purpose.

(1) Intent. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the community. Because the City relies upon its physical setting and beauty to attract commerce, aesthetic considerations assume economic value. It is the intent of the City, through this chapter, to protect and enhance both the City's residential character and its economic base through the provision of appropriate and aesthetic signage. In addition, it is the intent of the City to limit the size, type, and location of signs in order to minimize their distracting effect on drivers and thereby improve traffic safety.

(2) Purpose. The purpose of this chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. This chapter has also been adopted to:

- (a) Promote and accomplish the goals, policies, and objectives of the City's comprehensive plan and Zoning Code, and the city council's vision, mission, and goals statement;
- (b) Provide minimum standards in order to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs;
- (c) Recognize free speech rights by regulating signs in a content-neutral manner;
- (d) Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to cluttered, distracting, and/or

illegible signage;

- (e) Promote a positive visual image of the City and protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses;
- (f) Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape;
- (g) Provide consistent sign design standards;
- (h) Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district;
- (i) Provide an improved visual environment for the citizens of and visitors to the City;
- (j) Adopt clear, understandable regulations which will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this chapter;
- (k) Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and strong focus on economic well-being, aesthetics, community and family, the environment, and public infrastructure;
- (l) Support and enhance the economic well-being of all businesses within the City and, in particular, recognize the needs of all businesses to identify their premises and advertise their products and services;
- (m) Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs can and does detract from the economic value of the community; and
- (n) Prohibit the use of billboard signs by recognizing that billboards affect the aesthetic value of the community, thereby reducing property values, and impact traffic safety because of the distraction that is created by large signage along public rights-of-way.

18.55.020 Applicability and exclusions.

(1) Applicability. This chapter applies to all signs within the jurisdictional limits of the City that are visible from any right-of-way or public place, regardless of the type or nature.

(2) Exclusions. The following are exempted from the regulations and requirements of this chapter, but may be subject to regulation under other portions of the CMC:

- (a) Signs that are not visible from any public right-of-way, public place, or another property.
- (b) Signs inside a building; however, signs inside windows are not exempt.
- (c) Signs required by local, state, or federal law if the sign is no more than thirty-two square feet (32 sq. ft.) in area or is painted directly on pavement. Such signs include, but are not limited to, building addresses, development review or construction review public notices, and commercial parking facility posting.
- (d) Signs installed by the City, county, state, or federal governmental agency for the protection of the public health, safety, and general welfare, including, but not limited to, the following:
 - (i) Emergency and warning signs necessary for public safety or civil defense;
 - (ii) Traffic and/or wayfinding signs erected and maintained by an authorized public agency;
 - (iii) Signs required to be displayed by law;
 - (iv) Signs showing the location of public facilities; and
 - (v) Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety, and general welfare.
- (e) Any sign on a vehicle, unless such vehicle is regularly parked in any prominently visible location from public right-of-way or other public space for the primary purpose of attracting public attention to the sign, which is prohibited pursuant to CMC 18.55.050.
- (f) Public art, as defined by CMC 18.55.040.

18.55.030 Interpretation.

- (a) This chapter is not intended to, and shall not be interpreted to, restrict speech based on its content, viewpoint, or message.
- (b) Any classification of signs in this chapter which purports to permit speech because of the type of sign or identity of the sign user, or otherwise, shall be interpreted to allow either commercial or non-commercial speech on the sign.

- (c) No part of this chapter shall be construed to favor commercial speech over non-commercial speech.

18.55.040 Definitions.

The following words, terms, and phrases, when used in this chapter shall have meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any word, term, or phrase used in this chapter that is not defined in this section shall have the meaning ascribed to it in Chapter 18.20 CMC. Any word, term, or phrase used in this chapter that is not defined in this section or Chapter 18.20 CMC shall have their normal dictionary meaning:

- (1) “Abandoned sign” means any sign remaining in place after such sign has not been maintained, or if the activity conducted on the subject property ceases, for one hundred and eighty (180) or more consecutive days.
- (2) “Administrator” means the City Manager or his/her designee.
- (3) “Animated sign” means any sign, or any portion of the sign, affected by the movement of air or other atmospheric or mechanical means, or uses natural or artificial changes of lighting, to depict action or create a special effect or scene. Animated signs include, but are not limited to, pennants, streamers, balloons, search lights, spinners, and propellers. Changeable copy signs and electronic changeable copy signs are not considered animated signs for the purposes of this chapter.
- (4) “Awning or canopy sign” means a nonelectric sign that is printed on, painted on, or attached to the vertical surface or flap of an awning or canopy.
- (5) “Banner” means a sign composed of flexible material, such as fabric, pliable plastic or other similar non-rigid material, with no enclosing framework or electrical components and that is supported or anchored on two (2) or more edges or at all four (4) corners, or along either one (1) edge or two (2) corners with weights installed that reduce the reaction of the sign to wind.
- (6) “Building-mounted signs” means any sign attached to the face of a building, including, without limitation, wall signs, marquee signs, under canopy signs, and projecting signs.
- (7) “Canopy sign.” See “awning or canopy sign.”
- (8) “Changeable copy sign” means a sign with copy that can be changed or altered by manual, electric, electromechanical, or electronic means and without changing or altering the sign frame, sign supports, or electrical parts. A sign on which the copy changes more than eight (8) times in a twenty-four (24) hour period shall be considered an electronic changeable copy sign, and not a changeable copy sign, for the purposes of this chapter.
- (9) “Copy” means the graphic content of a sign surface, including, but not limited to, graphics, letters, numbers, figures, symbols, and trademarks.

(10) “Electric sign” means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

(11) “Electronic changeable copy sign” means an electronically activated sign with copy that is changed, either in whole or in part, more than eight (8) times in a twenty-four (24) hour period by means of electronic programming.

(12) “Exposed building face” means the building exterior wall of a single occupant building or the building exterior wall of an individual tenant’s leased space in a multi-tenant complex, viewed as a vertical plane between the finished grade and the ridge of a pitched roof above it (e.g. top of parapet, etc.). This vertical plane will be used to calculate the sign area for building-mounted signs. In the case of an interior business without a separate exterior entrance, the exposed building face will be the vertical plane of the entrance wall measured between the floor and ceiling. As an option, for those businesses having oblique walls, the exposed building face is that area between the finish grade and the ridge or top of parapet that is shown on the elevation drawing submitted with the required drawings for a building permit.

(13) “Facade” means the entire building face, including the parapet.

(14) “Flag” means any piece of cloth of individual size, color, and design, hoisted on a pole permanent affixed to the ground or displayed via a pole bracket permanently affixed to a building. If any single dimension of a flag is more than three times (3x) greater than any other single dimension, for the purposes of this chapter such flag is classified and regulated as a banner, regardless of how it is anchored or supported.

(15) “Flashing sign” means an electric sign or any portion of an electric sign that changes light intensity in sudden transitory bursts, or switches on and off in a constant pattern (e.g. strobe lights). Changeable copy signs and electronic changeable copy signs are not considered flashing signs for the purposes of this chapter.

(16) “Freestanding sign” means a sign on a frame, pole, or other support structure that is not attached to any building.

(17) “Frontage, building” means the length of an outside building wall.

(18) “Frontage, property” means the length of the property line along the public right-of-way on which it borders.

(19) “Graffiti” means an inscription of symbols, works, or pictures by painting, spray painting, or other means of defacing public or private property.

(20) “Government sign” means any temporary or permanent sign erected and maintained by the City or any special purpose district, school district, county, state, or federal government or agency, including, without limitation, traffic signs, directional signs, warning signs, informational signs, and signs displaying

a public service message.

(21) “Height” means the vertical distance measured from the highest point of the sign to either the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

(22) “Illuminated sign” means a sign with an artificial light source incorporated internally or externally for illuminating the sign.

(23) “Inflatable sign” means any object enlarged or inflated which floats, is tethered in the air, is activated by air or moving gas, or is located on the ground or on a building with or without copy or other graphic. These signs include large single displays or a display of smaller inflatable items, such as balloons, connected in some fashion to create a larger display.

(24) “Kiosk” means a freestanding sign, which may have a round shape or which may have two (2) or more faces.

(25) “Lawn sign” means a freestanding sign made of lightweight materials such as cardboard or vinyl that is supported by a frame, pole, or other support structure placed directly in the ground without foundation or other anchor.

(26) “Maintenance” means the cleaning, painting, and minor repair of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(27) “Marquee sign” means any sign attached to or supported by a marquee, which is a permanent roof-like projecting structure attached to a building.

(28) “Monument sign (ground sign)” means a freestanding sign having the appearance of a solid base of landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete that are harmonious with the materials of the primary structure on the subject property.

(29) “Multi-tenant complex” means a complex containing two (2) or more uses or businesses.

(30) “Neon (outline tubing) sign” means a sign consisting of glass tubing, filled with neon gas, or other similar gas, which glows when electric current is sent through it.

(31) “Nonconforming sign” means any sign that was constructed, erected, and maintained in conformance with all King County or City of Covington rules and regulations in effect at the time of establishment and no longer conforms to the rules and regulations of this chapter.

- (32) "Person" means any individual, corporation, association, firm, partnership, or other legal entity.
- (33) "Pedestal sign" means freestanding signs supported permanently upon the ground by one or more solid bases, which base or bases shall be of a width equal to or greater than fifty percent (50%) of the sign width.
- (34) "Pole or pylon signs" means freestanding signs supported permanently upon the ground by poles or braces and not attached to any building.
- (35) "Portable sign" means a sign that is not permanently affixed and is designed for or capable of being moved, except those signs explicitly designed for people to carry on their persons or that are permanently affixed to motor vehicles. Portable signs include, but are not limited to, A-frame signs, portable reader boards, and similar signs.
- (36) "Projecting sign" means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.
- (37) "Public art" means original artwork which is accessible to the public and/or public employees and has been approved as public art by the City.
- (38) "Right-of-way" means land owned, dedicated, or conveyed to the public and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic; and land privately owned and used primarily for the movement of vehicles, wheelchair, and pedestrian traffic, so long as such privately owned land has been constructed in compliance with all applicable laws and standards for a public right-of-way.
- (39) "Roadway" means the portion of a street that is improved for motor vehicular or bicycle travel. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, parking strips, or sidewalks.
- (40) "Roof sign" means any sign erected above the eaves or on the roof of a building or structure.
- (41) "Rotating sign" means a sign that revolves on a fixed axis.
- (42) "Sign" means any medium, including structural and component parts, that is used or intended to be used to attract attention to the subject matter for advertising, identification, or informative purposes. The scope of the term 'sign' does not depend on the content of the message or image conveyed.
- (43) "Sign area" means the entire area of a sign on which copy is placed, excluding the sign's structure, architectural embellishments, and framework. Sign area is calculated by measuring the perimeter enclosing the extreme limits of the module or sign face containing the copy; provided, however, that separated copy using a canopy, awning, or wall as the background and is without added decoration or change in the canopy, awning, or wall shall have a sign area calculated by measuring the

perimeter enclosing separate copy and totaling the square footage of all such perimeters included as part of the sign.

(44) “Sign face” means the area of a sign on which the copy is placed.

(45) “Temporary sign” means a sign placed on a structure or the ground for a specifically limited period of time as provided in CMC 18.55.140 – 200.

(46) “Tenant space” means a portion of a structure occupied by a single commercial lease holder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

(47) “Vacant lot” means any parcel of land that is without a primary use or structure.

(48) “Wall sign” means either a sign applied with paint or similar substance on the surface of a wall or a sign with no copy on the sides or edges and attached essentially parallel to and extending not more than twenty-four (24) inches from the wall of a building.

(49) “Window signs” mean all signs located inside and affixed to a window and intended to be viewed from the exterior of the structure.

PART II: ADMINISTRATION

18.55.050	Prohibited signs.
18.55.060	Sign permits—Exemptions.
18.55.070	Sign permits—Temporary signs on commercial properties.
18.55.080	Reserved.
18.55.090	Sign permits—Permanent signs.
18.55.100	Sign variances.
18.55.110	Maintenance; removal.
18.55.120	Nonconforming signs.
18.55.130	Compliance and enforcement.

18.55.050 Prohibited signs.

Unless otherwise provided for in this chapter, no person shall erect, alter, maintain, or relocate any of the following signs in the City and such existing signs must be removed:

- (1) Animated signs. Any animated sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (2) Flashing signs. Any flashing sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (3) Inflatable signs. Any inflatable sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (4) Rotating signs. Any rotating sign as defined in CMC 18.55.040, except as permitted under CMC 18.55.140 - .200.
- (5) Nuisance signs. Any signs which emits smoke, visible particles, odors, and/or sound, except that speakers in signs on the premises of a drive-through facility shall be allowed.
- (6) Hazardous signs. Any sign that is dangerous or confusing to motorists and pedestrians on the public right-of-way, including any sign which by its color, wording, design, location, or illumination resembles or conflicts with any official traffic control device or which otherwise impedes the safe and efficient flow of traffic.
- (7) Impediment to access. No sign may impede free ingress and egress from any door, window, or exit way required by building and fire regulations.
- (8) Permanent signs on vacant lots. No permanent sign shall be located on a vacant lot, parcel, or easement. No permanent sign shall be located on a lot, parcel, or easement as the principal use of that lot, parcel, or easement. Signs may only be established as an accessory use to a principally permitted use.

- (9) Certain portable signs. Portable signs on wheels (trailer signs) and outdoor electric portable signs.
- (10) Abandoned signs. Abandoned signs as defined by CMC 18.55.040.
- (11) Certain locations within ROW and public property. Signs on or within medians, roundabouts, utility poles, lampposts, traffic poles and signals, and street trees in the right-of-way or on or within other public property or structures, except as allowed pursuant to CMC 18.55.190.
- (12) Certain parked vehicles. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signs not otherwise allowed by this chapter.
- (13) Signs without proper permit. Signs erected, constructed, or structurally altered that are required to have a permit for such action and that were erected, constructed, or altered without obtaining a permit for such action.

18.55.060 Sign permits—Exemptions.

The following signs, and activities relating to signs, are exempt from the permitting requirements of this chapter:

- (1) Changes to the face or copy of changeable copy signs, digital signs, and electronic copy signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.
- (2) The normal repair and maintenance of conforming or legal nonconforming signs.
- (3) Temporary signs meeting the requirements in this chapter, except for those required to be permitted pursuant to CMC 18.55.070.
- (4) Any signs required to be posted pursuant to the Covington Municipal Code or any other local, state, or federal regulation.
- (5) Any sign on a vehicle, unless such vehicle sign is prohibited pursuant to CMC 18.55.050.

18.55.070 Sign permits—Temporary signs on commercial properties.

- (1) Permit Required. No person shall erect, alter, or relocate any temporary sign allowed on a commercial property without first receiving an approved temporary sign permit from the City pursuant to the requirements herein.
- (2) Review Type. The review and approval of temporary sign permits is a Type I land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.

(3) Application. Applications for temporary sign permits shall be submitted to the City on forms provided by the City.

(4) Fee. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of each temporary sign permit application.

18.55.080 Reserved.

18.55.090 Sign permits—Permanent signs.

(1) Permit Required. Except as provided for under CMC 18.55.060, no person shall erect, alter, or relocate any permanent sign without first receiving an approved sign permit from the City pursuant to the requirements herein.

(2) Review Type. The review and approval of permanent sign permits is a Type II land use decision that shall be processed pursuant to Chapter 14.30 CMC, as amended.

(3) Application Requirements. A complete permit application for permanent signs shall consist of the following:

- (a) Application form. A completed permanent sign permit application shall be submitted on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign permit application and for the installation/posting of the sign on the property owner's property.
- (b) Building elevation/site plan. Signs proposed to be mounted on a building require a building elevation drawn to scale that specifies the location of the sign and drawings or photographs that show the scale of the sign in context with the building. Freestanding signs require a site plan indicating the proposed sign location as it relates to property lines, adjacent streets, and adjacent buildings.
- (c) Scaled design drawing. A colored rendering or scaled drawing, including dimensions of all sign faces, and descriptions of materials to be used, including color samples.
- (d) Scaled installation drawing. A scaled drawing that includes the sign description, proposed materials, size, weight, manner of construction, and method of attachment, including all hardware necessary for proper sign installation.
- (e) Lighting. A drawing indicating the location and fixture type of all exterior lighting for the proposed sign. The drawing shall specify wattage and bulb type to ensure compatibility with the lighting standards in this chapter.

(f) Fees. The applicable permit application fee, pursuant to the City's current fee resolution in effect at the time of application, shall be paid upon submission of the sign permit.

(4) Criteria for Approval. Sign permit applications shall be reviewed by the Community Development Director for consistency with the standards in this chapter, according to the sign type and all other applicable regulations. A sign permit shall not be issued unless the Director makes findings that the criteria applicable to each sign type, as well as the general standards in this chapter, are satisfied. Sign permit applications shall be reviewed by the Building Official for consistency with the Building Code.

(5) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the sign permit application not more than one hundred and twenty (120) days after issuance of the Determination of Completeness for the same application.

(6) Expiration of Permit. A permanent sign approved under a permanent sign permit must be installed within one hundred and eighty days (180) days of issuance of the permit or the permanent sign permit will expire. No sign may be erected if a sign permit has expired.

18.55.100 Sign variances.

(1) Approval Required. A variance may be granted from the strict application of the regulations in this chapter which apply to:

- (a) sign placement on a parcel or building frontage;
- (b) sign area; or
- (c) sign height, as regulated in this chapter.

A variance may not be granted to allow any prohibited signs or prohibited sign features, as included in CMC 18.55.050, or for any other purpose not listed in this subsection (1).

(2) Review Type. Sign variances under this section shall be processed as a Type II land use decision pursuant to the procedures as set forth in Chapter 14.30 CMC, as amended.

(3) Need for Sign Permit; Consolidation of Processing. A sign variance application may be submitted before or concurrent with the associated sign permit application. No sign permit application requiring a variance for issuance will be processed without a sign variance application.

(4) Application Requirements. A complete sign variance application shall consist of the following:

- (a) Application form. A completed sign variance application on a form provided by the City. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner verifying that the property owner has given permission to the applicant for the submission of the sign variance application and for

the installation/posting of the sign on the property owner's property.

- (b) Sign Permit Application. A sign permit application pursuant to CMC 18.55.090; provided, that the applicant may submit a variance application without a sign permit application as provided in subsection (2) above.
 - (c) A narrative report which describes the requested variance in detail. The report shall identify all sections of this chapter from which the applicant is requesting a variance, as well as the nature and extent of the variance.
 - (d) The narrative report shall also include the applicant's description of the manner in which the sign variance satisfies all the variance criteria in subsection (5) below.
 - (e) Fees. The applicable permit application fee, pursuant to the City's current fee schedule in effect at the time of application, shall be paid upon submission of the variance application.
- (5) Criteria for Approval. To approve any sign variance, the Director must make written findings to show that all of the following criteria have been met:
- (a) The request for a sign variance is due to unusual conditions pertaining to sign visibility needs for a specific building or lot; and
 - (b) The sign will not create a hazard; and
 - (c) The sign will not violate any state statute or any City Code provision (other than the provisions identified in this chapter relating to signs); and
 - (d) The sign will not negatively affect adjacent property; and
 - (e) The sign will be in keeping with the general character of the surrounding area and the granting of the variance would not result in an alteration of the essential character of the surrounding area; and
 - (f) The proposed variance is consistent with the purposes and intent of the Zoning Code and the purposes of this chapter; and
 - (g) The variance is consistent with the City's comprehensive plan; and
 - (h) The applicant has established that there are practical difficulties in complying with the provision(s) of this chapter and that the proposed sign is a reasonable use of the property (economic considerations alone do not constitute practical difficulties); and

- (i) The plight of the applicant is due to circumstances unique to the property, which were not created by the applicant or landowner; and
- (j) The variance will not permit any sign or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under CMC 18.55.050.

(6) Notice of Final Decision. The Director shall issue a Notice of Decision incorporating the decision on the variance application not more than one hundred and twenty (120) days after issuance of the Determination of Complete Application.

(7) Expiration of Variance. If the sign variance is approved, the sign identified in the variance must be installed within one hundred and eighty (180) days or the variance will expire. No sign may be erected if there is no sign permit for the sign, or if the variance or the sign permit has expired.

18.55.110 Maintenance; removal.

(1) Maintenance Required.

- (a) It is unlawful for any owner of record, lessor, lessee, manager, or other person having lawful possession or control over a building, structure, or parcel of land to fail to maintain any signs on the building, structure, or parcel in compliance with this chapter and any other applicable provisions of the Covington Municipal Code. Failure to maintain a sign constitutes a violation of this chapter and shall be subject to enforcement under the enforcement provisions of this chapter.
- (b) All signs, whether or not in existence prior to adoption of this chapter, shall be maintained and kept in good repair and in a safe condition at all times. Maintenance of a sign shall include, but is not limited to, periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation, if required, and the provisions of this chapter.

(2) Removal.

- (a) Every person maintaining a sign must, upon vacating the premises where a sign is maintained, remove or cause to be removed said sign within one hundred and eighty (180) days from the date of vacating the premises. When the Director determines that said sign has not been removed within said period, the Director shall remedy and enforce said violation in accordance with the enforcement provisions of this chapter.

- (b) Any vacant and/or unused sign support structures, angle irons, sign poles, or other remnants of old signs which are currently not in use, or are not proposed for immediate reuse by a sign permit application for a permitted sign, shall be removed.
- (c) In addition to the remedies in Chapter 1.30 CMC, the Director shall have the authority to require the repair, maintenance, or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign and/or property owner.
- (d) Any sign posted in violation of this chapter on public property or on public rights-of-way shall be subject to summary removal by the City.
- (e) Any person responsible for any sign posting made in violation of this chapter shall be liable to the City for the costs incurred by the City in removal thereof and, in event of failure to pay, for billing and collection charges, including interest and reasonable attorneys' fees.

18.55.120 Nonconforming signs.

- (1) Legally Nonconforming. Except as otherwise provided in this section, signs in existence on the effective date of the ordinance codified in this chapter which do not conform to the provisions of this chapter but which were constructed, erected, or maintained in full compliance with previous regulations will be regarded as legal and nonconforming.
- (2) Compliance Required. Signs in existence on the effective date of the ordinance codified in this chapter that do not comply with provisions regulating any signs prohibited pursuant to CMC 18.55.050 shall be immediately made to comply with the provisions of this chapter or be abated in accordance with the procedure established in Chapter 1.30 CMC.
- (3) Sign Face Change. A sign face or copy change on a nonconforming sign is not allowed when the affected property and sign structure have been abandoned pursuant to CMC 18.55.040.
- (4) Repair; Restoration. Any part of a sign or sign structure may be repaired as normal maintenance, or restored to a safe condition, without loss of legal nonconforming status. Damage from acts of nature or vandalism to a nonconforming sign will keep its nonconforming status if the cost of the repair is less than fifty percent (50%) of the cost of replacing the nonconforming sign with a conforming sign; provided that the replacement sign must be restored to the original design or a more conforming design.
- (5) Alterations; Relocation; Replacement. Except for as provided herein, any legally nonconforming sign that is structurally altered, relocated, or replaced must immediately be brought into compliance with all applicable provisions of this chapter.
- (6) Expansion or Change of Use. Any legally nonconforming sign on non-residential property must be brought into conformance with all applicable provisions of this chapter prior to any expansion or

change in use which requires a site review or conditional use permit. No building permits for new construction may be issued until compliance with this provision is assured.

(7) Hazardous signs. Any legally nonconforming sign or sign structure on private property, which, as a consequence, is a hazard to life and property, or which by its condition or location presents an immediate and serious danger to the public, must be removed or otherwise brought into compliance with this chapter pursuant to the enforcement provisions of this chapter.

(8) Variances. Variances may be granted using the variance procedure of this chapter to alleviate unusual hardships or extraordinary circumstances which exist in bringing nonconforming signs into conformity.

18.55.130 Compliance and enforcement.

(1) Compliance with Other Codes. All signs erected or altered under this chapter must comply with all applicable federal, state, and local regulations relating to signs, including, without limitation, the provisions of this chapter and the International Building Code. If any provision of this chapter is found to conflict with any Code provision of the City, or any other federal, state, or local regulation, the provision that establishes the more restrictive standard shall prevail.

(2) Inspection. The Director is empowered to enter or inspect any building, structure, or premises in the City upon which any sign is located for inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this chapter. Such inspections shall be carried out during business hours, unless an emergency exists.

(3) Bond. The City may require a bond to ensure compliance with any aspect of this chapter.

(4) Violation – Penalty.

(a) It is a violation of this chapter for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any sign or sign structure in the City, or cause or permit the same to be done, contrary to the provisions of this chapter.

(b) Each day any person allows a violation of this chapter to continue shall be considered a separate offense.

(c) Whenever the City has determined that a violation of this chapter has occurred or is occurring, the City shall remedy said violation as follows:

(i) The first violation of this chapter within a 12-month period shall be a civil infraction punishable by a monetary penalty in the amount of \$100.00, not including statutory assessments;

(ii) The second violation of this chapter within a 12-month period shall be a civil infraction punishable by a monetary penalty in the amount of \$200.00, not including statutory

assessments;

- (iii) The third or any successive violation of this chapter within a 12-month period shall be a misdemeanor, punishable by up to a \$1,000 fine and/or imprisonment for up to ninety (90) days.
 - (d) Any sign or sign structure that is erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, demolished, equipped, used, or maintained in violation of this chapter is declared to be a public nuisance.
 - (e) All signs abated by the City shall be available for recovery by the owner of said sign for a period of fourteen (14) calendar days and upon payment of the costs of removal and storage, if any, after which time the sign will be destroyed. The City shall not be responsible for damages or loss incurred during removal and/or storage of any sign.
- (5) **Additional Remedies.** In addition to the other remedies provided by this chapter, the City may abate said public nuisance or seek any other equitable relief authorized by the Chapter 1.30 CMC and the laws and regulations of the State of Washington.
- (6) **Joint and Several Liability.** The property owner(s) and each tenant or occupant shall be jointly and severally liable for violations of and penalties imposed pursuant to this chapter.

PART III: REGULATIONS FOR TEMPORARY SIGNS

- 18.55.140** Temporary signs—General regulations.
- 18.55.150** Temporary signs—Residential properties.
- 18.55.160** Temporary signs—Mixed use properties.
- 18.55.170** Temporary signs—Institutional properties.
- 18.55.180** Temporary signs—Commercial properties.
- 18.55.190** Temporary signs—ROW and public spaces.
- 18.55.200** Temporary signs—Other properties.

18.55.140 Temporary signs—General regulations.

The following provisions apply to all temporary signs placed within the City:

- (1) Sign placement. All temporary signs must be placed totally within the site / property pursuant to the requirements of this chapter, except when allowed to extend into the right-of-way by this chapter.
- (2) Materials; construction. Temporary signs may be made of any durable material, provided that the temporary sign otherwise conforms to the requirements of this chapter. A temporary sign may be of rigid or non-rigid construction.
- (3) Features.
 - (a) Lighted signs. Temporary signs that have either internal or external illumination shall not be displayed from the hours of 11 p.m. to 8 a.m.
 - (b) Audio. Sound generated by any temporary sign shall be regulated and enforced pursuant to the City's noise control provisions under Chapter 8.20 CMC.
- (4) Prohibited placement. In addition to the limitations on the placement of temporary signs within the public right-of-way pursuant to CMC 18.55.180, except as otherwise provided for in this chapter, temporary signs are prohibited from being located in the following places:
 - (a) No temporary sign may be placed on a roof of a building or structure.
 - (b) No temporary sign may be placed on fences.
 - (c) No temporary sign shall be so located to physically obstruct any door or exit from a building.
 - (d) No temporary sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.
 - (e) No temporary sign shall be in the sight-distance triangle pursuant to the City's Design and Construction Standards adopted pursuant to Chapter 12.60 CMC, or in any other area which

may obstruct the vision of motorists to create a safety hazard.

- (f) Temporary signs shall not be placed within the required setback area from the property line, which shall be not less than five feet (5 ft.) from the property line in residential zones and not less than three feet (3 ft.) from the property line in all other zones. The distance between a sign and a property line shall be measured along a straight line representing the shortest distance between the sign and the property line.

18.55.150 Temporary signs—Residential properties.

Except as otherwise provided for in this chapter, temporary signs on residential properties are allowed pursuant to the following regulations:

- (1) Non-commercial. All temporary signs on residential properties shall only display non-commercial copy.
- (2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on residential properties, if all other regulations and provisions of this chapter are met.
- (3) Quantity. There is no restriction on the number of temporary signs allowed on residential properties.
- (4) Size.
 - (a) Temporary freestanding signs. No temporary freestanding sign shall be greater than twelve (12) square feet in size, with no sign face exceeding six (6) square feet.
 - (b) Building-mounted signs. Building-mounted temporary signs attached flush to the face of the building:
 - (i) shall not have a maximum height, provided that no sign shall extend beyond the roofline of the building; and
 - (ii) in aggregate (i.e. the total of all building-mounted temporary signs) shall not cover more than twenty percent (20%) of the building's facade.
 - (c) Window signs. Temporary signs placed on the inside of windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
 - (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.

(5) Temporary signs in parking strip. Temporary signs may be placed in the parking strip or landscaped or unimproved right-of-way directly adjacent to a residential property pursuant to the following:

- (a) No more than three (3) temporary signs are allowed. For residential properties actively for sale or lease, one (1) of the three (3) temporary signs may be a commercial sign;
- (b) No temporary sign may be greater than four feet (4 ft.) in height; and
- (c) The approval of the property owner of said adjacent property must be given.

18.55.160 Temporary signs—Mixed use properties.

(1) Residential uses. Residential uses on mixed-use properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.150.

(2) Commercial uses. Commercial uses on mixed-use properties shall be subject to the temporary sign regulations pursuant to CMC 18.55.180.

18.55.170 Temporary signs—Institutional properties.

Except as otherwise provided for in this chapter, temporary signs on institutional properties are allowed pursuant to the following regulations:

(1) Non-commercial. All temporary signs on institutional properties shall display only non-commercial copy.

(2) Sign types; construction; materials. There is no restriction on the type of temporary sign (i.e. the sign construction or materials used) allowed on institutional properties, if all other regulations and provisions of this chapter are met.

(3) Quantity.

(a) Banners. One (1) temporary banner sign is allowed per each five hundred feet (500 ft.) of street frontage, not to exceed four (4) banners per property. Temporary banners may be placed on fences on the property.

(b) All other temporary signs. There is no restriction on the number of all other temporary signs allowed on institutional properties.

(4) Size.

(a) Banners. Banners shall not be greater than five feet (5 ft.) in height, unless attached to the face of the primary structure on the property, in which case there is no maximum height restriction so long as the banner does not extend above the roofline of the building. Any banner shall not

be larger than a total of thirty-two square feet (32 sq. ft.) in size.

- (b) All other temporary signs displayed on an institutional property shall each not be greater than three feet (3 ft.) in height and shall not be greater than six square feet (6 sq. ft.) in size.
- (c) Window signs. Temporary signs placed on windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
- (d) The size requirements of this section shall not apply to a flag(s) placed on a permanent flagpole or bracket.

18.55.180 Temporary signs—Commercial properties.

Except as otherwise provided for in this chapter, all temporary signs placed on commercial properties shall conform to the following provisions:

- (1) Permit Required. All temporary signs placed on commercial properties must be permitted by the City pursuant to CMC 18.55.070.
- (2) Commercial and non-commercial signs. Temporary signs on commercial properties may be commercial or non-commercial in their messaging.
- (3) Features.
 - (a) No temporary sign on a commercial property may have direct or internal illumination.
 - (b) Changing image sign features and electronic elements are prohibited.
- (4) Banners. Temporary banner signs on commercial properties shall be limited to the following:
 - (a) Quantity.
 - (i) One (1) temporary banner sign is allowed per tenant space on the property.
 - (ii) The property owner (or landlord), if not also a tenant, may be allowed one (1) temporary banner sign.
 - (b) Size. The maximum size of a banner shall be thirty-two square feet (32 sq. ft.).
 - (c) Placement. A banner shall be attached to the face of the building and may not extend above the roofline.
 - (d) Duration. Each tenant space, or the property owner pursuant to subsection (4)(a)(ii) above shall be allowed to display a temporary banner for no more than a total of one hundred and twenty (120) days in a calendar year.

- (5) Portable signs.
 - (a) Quantity. One (1) temporary portable sign is allowed per tenant space on the property.
 - (b) Size. The sign shall be no more than eight square feet (8 sq. ft.) in size. Only one side of a portable sign will be counted. No single sign face shall be greater than four feet (4 ft.) in height.
 - (c) Placement. Portable signs must be placed entirely on private property and directly adjacent to the tenant space for which the portable sign permit was issued.
 - (d) Duration. Portable signs may be placed from dawn to dusk, 365 days a year.
- (6) Window signs.
 - (a) Temporary signs placed on the inside of windows shall, in aggregate, not exceed fifty percent (50%) of the area of the window on which they are displayed.
 - (b) A permit is not required for temporary interior window signs.
- (7) Temporary freestanding sign. Where a commercial property, either in whole or in part, is actively listed for sale or lease, one (1) additional temporary freestanding sign for each street frontage on the site is allowed pursuant to the following:
 - (a) The sign shall be no more than thirty-two square feet (32 sq. ft.) in area. Temporary freestanding signs may have an additional face up to thirty-two square feet (32 sq. ft.) in size if the angle between the sign faces is less than ninety (90) degrees;
 - (b) The sign must be placed totally on private property; and
 - (c) The permit for such a temporary sign shall expire, and the sign must be immediately removed, upon the deactivation, sale, or lease of any listed property or tenant space.

18.55.190 Temporary signs—ROW and public spaces.

- (1) Right-of-way. Except as prohibited pursuant to POMC 18.55.050, temporary signs may be placed in the right-of-way if they meet all the following standards:

- (a) Non-Commercial Copy. All temporary signs in public right-of-way shall only display non-commercial copy.
- ~~(a)~~(b) Only temporary lawn signs are allowed;
- ~~(b)~~(c) The sign must be placed entirely outside of the roadway;

~~(c)~~(d) _____ The sign must not be placed in medians, traffic islands, roundabouts, or other areas within the roadway;

~~(d)~~(e) _____ The sign must not obstruct pedestrian or wheelchair access to the sidewalk;

~~(e)~~(f) _____ The sign must not be placed in parking spaces, pedestrian pathways, or bicycle paths;

~~(f)~~(g) _____ The sign must be placed entirely outside of the sight-distance-triangle of a right-of-way corner, curb-cut, or drive entrance pursuant to the City's Design and Construction Standards adopted under Chapter 12.60 CMC. Where no curb exists, the sign must be placed outside the roadway at least five feet (5 ft.) from the edge of the roadway.

~~(g)~~(h) _____ The sign shall be no larger than six square feet (6 sq. ft.) in size with no sign face taller than three feet (3 ft.); and

~~(h)~~(i) _____ The sign must remain portable and may not be attached or anchored in any way to trees or to public property including, but not limited to, utility or light poles, parking meters, fences, or pavement.

(2) Public spaces. Temporary signs shall not be placed in any public park, trail, open space, or other public space, except for those signs placed by the City. All temporary signs in public spaces shall only display non-commercial copy.

18.55.200 Temporary signs—Other properties.

Properties with primary uses other than those regulated under CMC 18.55.150 (Residential properties), 18.55.170 (Institutional properties); 18.55.180 (Commercial properties), or 18.55.190 (ROW) shall be subject to the temporary sign regulations in CMC 18.55.180 (Commercial properties).

PART IV: PERMANENT SIGNS—REGULATIONS

- 18.55.210** Permanent signs—Structural components.
- 18.55.220** Permanent signs—Placement.
- 18.55.230** Permanent signs—Design criteria.
- 18.55.240** Permanent signs—Residential properties.
- 18.55.250** Permanent signs—Town center.
- 18.55.260** Permanent signs—Nonresidential properties—Freestanding signs.
- 18.55.270** Permanent signs—Nonresidential properties—Building-mounted signs.

18.55.205 Permanent signs—Applicability of regulations.

Sections 18.55.210 to 18.55.230 of this chapter shall apply to all permanent signs within the City.

18.55.210 Permanent signs—Structural components.

To the maximum extent possible, signs should be constructed and installed so that angle irons, guy wires, braces, and other structural elements are not visible. This limitation does not apply to structural elements that are an integral part of the overall design such as decorative metal or wood.

18.55.220 Permanent signs—Placement.

- (1) Obstructing and hazardous placement prohibited. No sign shall be so located to physically obstruct any door or exit from a building. No sign shall be located to be hazardous to a motorist's or pedestrian's ingress and egress from buildings or parking areas.
- (2) Sight distance triangle. No sign shall be in the triangular area(s) measured 15 feet by 15 feet where a driveway enters onto a street, or in any other area which may obstruct the vision of motorists to create a safety hazard. Additionally, all signs are subject to the current City of Covington Design and Construction Standards regarding sight distances, pursuant to CMC 12.60, as amended.
- (3) Sign Setback Requirements. The required setback from the property lines for all signs shall be not less than five (5) feet from the property line in residential zones and not less than three (3) feet from the property line in all other zones.
- (4) Setback and Distance Measurements. The following guidelines shall be used to determine compliance with setback and distance measurements:
 - (a) The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between the two signs.
 - (b) The distance between a sign and a property line shall be measured along a straight line representing the shortest distance between the sign and the property line.

18.55.230 Permanent signs—Design criteria.

- (1) Sign Base. The base of the sign must be done in landscape construction materials such as brick, stucco, stonework, textured wood, tile, or textured concrete, or materials that are harmonious with the character of the primary structures on the property and subject to the Director's approval. No visible gap shall be allowed between the sign base and the finished grade.
- (2) Sign Face. The color, shape, material, and other architectural details of the sign face must be consistent with the character of the primary structure.
- (3) Landscaping around freestanding signs. To improve overall appearance of the sign and to reduce the risk of motor vehicles hitting the sign or supports of the sign, an area adjacent to the base of each freestanding sign must be landscaped equal to the sign area; provided, however, that the City will not require more than 200 square feet of landscaped area. This landscaping must include vegetation and may include other materials and components such as brick or concrete bases as evidenced in plazas, patios and other pedestrian areas, planter boxes, pole covers, or decorative framing.
- (4) Illumination. No sign may contain or utilize any of the following (does not apply to neon signage):
 - (a) Any exposed incandescent lamp with wattage more than 25 watts.
 - (b) Any exposed incandescent lamp with an internal or external reflector.
 - (c) Any continuous or sequential flashing device or operation.
 - (d) Except for electronic changeable copy signs, any incandescent lamp inside an internally lighted sign.
 - (e) External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
 - (f) Internally lighted signs using 800-milliamp or larger ballasts if the lamps are spaced closer than twelve (12) inches on center.
 - (g) Internally lighted signs using 425-milliamp or larger ballasts if the lamps are spaced closer than six (6) inches on center.
- (5) Design consistency. Where more than one sign is allowed for a property, all signs for that property shall be consistent in design, style, color, and method of illumination.

18.55.240 Permanent signs—Residential properties.

(1) Generally. No sign permit shall be issued for any permanent sign in a residential zone unless such sign complies with the sign type, maximum number, maximum sign area, maximum height, location, duration, and all other allowances and limitations for those uses as required by this chapter.

(2) Properties issued a business license. On residential properties for which the City has issued a valid City business license for home occupation or home industry, one (1) permanent sign is allowed pursuant to the following:

- (a) The sign must be a wall sign placed on the façade of the primary structure; the sign may be of a commercial or non-commercial nature.
- (b) The maximum sign size shall not be greater than four (4) square feet in size.
- (c) Where a sign placed on the building's façade cannot be seen from a public street due to the distance the building is setback from the street, the Director may approve an alternative sign size, type, or location.
- (d) The sign shall not cover or obscure important architectural details of a building, such as stair railings, windows, doors, decorative louvers, or similar elements, intended to be decorative features of a building design.
- (e) The sign must appear to be a secondary feature of the building façade.
- (f) The sign shall not project above the roofline of the exposed building face to which it is attached.
- (g) The sign shall be installed to appear flush-mounted.
- (h) Illumination is not allowed.

18.55.250 Permanent signs—Town Center.

Permanent sign construction and design standards in Chapter 18.31 CMC for the Town Center (TC) zoning district shall be applied to all permanent signs within the Town Center zone. Where any other standards in this chapter may conflict with Chapter 18.31 CMC, the standards contained in Chapter 18.31 CMC shall control.

18.55.260 Permanent signs—Nonresidential properties—Freestanding signs.

Except as provided for in CMC 18.55.250, all nonresidential properties shall be designated as either qualifying for a high profile, medium profile, or low profile freestanding sign based upon the following criteria:

- (1) Freestanding signs—High profile.

- (a) A commercial property meeting all the following criteria is allowed a high-profile freestanding sign:
- (i) A zoning designation of GC (General Commercial) or MC (Mixed Commercial);
 - (ii) A minimum of 250 feet of frontage on one public right-of-way;
 - (iii) Multi-use complex; and
 - (iv) A minimum site of fifteen (15) acres.
- (b) Sign Types. The following sign types are allowed for freestanding high-profile signs:
- (i) Pedestal signs;
 - (ii) Monument signs; and
 - (iii) Kiosks.
- (c) Sign Features. The following sign features are allowed for freestanding high-profile signs:
- (i) Any high-profile sign may be an electrical sign, an illuminated sign, and/or a neon sign.
 - (ii) The sign features for pedestal or monument sign may include electronic changeable copy signs and/or changeable copy signs.
- (d) Sign Height. A freestanding high-profile sign shall not exceed the following maximum heights:
- (i) Pedestal or monument signs: Twelve feet (12 ft.)
 - (ii) Kiosk sign: Six feet (6 ft.), unless the sign is set back a minimum of fifty feet (50 ft.) from any public right-of-way, in which case it may be ten feet (10 ft.).
- (e) Sign Area. A freestanding high profile sign shall not exceed the following maximum sign areas:
- (i) Pedestal or monument signs: 160 square feet for the total of all sign faces with no one face exceeding 80 square feet.
 - (ii) Kiosk signs: 15 square feet per sign face.
- (f) Number of Signs. A property qualifying for a freestanding high profile sign may have the following maximum number of signs:
- (i) Pedestal or monument signs: one sign unless the property has an additional 500 feet of street frontage for a total of 750 feet of aggregate frontage on any public right-of-way,

in which case the property will be allowed one additional high profile sign, not to exceed a maximum of two such signs per property. In addition, two monument signs are allowed per entrance from a public right-of-way, not to exceed five feet (5 ft.) in height; and

(ii) Kiosk signs: one sign per property frontage.

(2) Freestanding signs—Medium profile.

(a) Criteria. Except as provided for in CMC 18.55.250, a property that does not qualify for a freestanding high profile sign pursuant to Subsection (1) of this section or is zoned I (industrial), M (mineral), MHO (Mixed Housing/Office), or some other zoning designation other than those identified in Subsection (1) above is allowed a medium profile freestanding sign.

(b) Sign Type. The following sign types are allowed for a freestanding medium profile sign:

(i) Pedestal signs; and

(ii) Monument signs.

(c) Sign Features. The following sign features are allowed for freestanding high-profile signs:

(i) Any medium profile sign may be an electrical sign, an illuminated sign, and/or a neon sign.

(ii) The sign features for pedestal or monument sign may include electronic changeable copy and/or changeable copy signs.

(b) Sign Height.

(i) The height of a freestanding medium profile sign shall be calculated at the rate of 0.75 feet of sign height for every ten (10) lineal feet of frontage on a public right-of-way; provided, however, that sign height shall be calculated at the rate of one and one-half feet in height for every ten (10) lineal feet of frontage on a public right-of-way for any multi-tenant complex.

(ii) Sign height shall not exceed twelve (12) feet and every applicant is entitled to a minimum height of five (5) feet.

(b) Sign Area.

(i) For any multi-tenant complex, sign area will be calculated at the rate of two (2) square feet per lineal foot of building frontage on a public right-of-way not to exceed a maximum sign area of 128 square feet for the total of all sign faces on each permitted

sign with no one sign face exceeding 64 square feet.

- (ii) For all other uses, sign area allowed for medium profile signs shall be calculated at the rate of one (1) square foot per lineal foot of frontage on a public right-of-way not to exceed a maximum sign area of 80 square feet for the total of all sign faces on each permitted sign with no one sign face exceeding 40 square feet.
- (iii) Notwithstanding the foregoing sign area calculations, every applicant is entitled to a minimum sign area of 50 square feet for the total of all sign faces with no one sign face exceeding 25 square feet.

(b) Number of Signs. A property qualifying for a freestanding medium profile sign may have the following maximum number of signs:

- (i) Pedestal or monument sign: one per street frontage.
- (ii) Kiosk sign: one per property frontage.

(2) Freestanding signs—Low profile.

(a) Criteria. A property located in the NC (Neighborhood Commercial) or CC (Community Commercial) zones is allowed a low-profile freestanding sign.

(b) Sign Type. The following sign types are allowed for a freestanding low profile sign:

- (i) Pedestal signs; and
- (ii) Monument signs.

(c) Sign Features. Any freestanding low profile sign may be an electrical sign, an illuminated sign, and/or a neon sign.

(d) Sign Height. A freestanding low profile sign shall not exceed the following maximum heights:

- (i) Pedestal or monument signs: five (5) feet.
- (ii) Kiosks: six (6) feet unless the sign is set back a minimum of 50 feet from any public right-of-way, in which case it may be ten (10) feet.

(e) Sign Area.

- (i) Pedestal or monument signs: sign area allowed for a low-profile sign shall be calculated at the rate of one (1) square foot per lineal foot of building frontage on a public right-of-way; provided, however, that a low-profile sign shall not exceed a maximum sign area of

80 square feet for the total of all sign faces on each permitted sign with no one sign face exceeding 40 square feet.

- (ii) Every applicant is entitled to a minimum sign area of 50 square feet for the total of all sign faces with no one sign face exceeding 25 square feet.

(f) Number of Signs. A property qualifying for a low-profile sign may have the following maximum number of signs:

- (i) Pedestal or monument signs: one sign per frontage on a public right-of-way.

(3) Combined sign package for adjacent property owners. The owners of two or more properties that abut or are separated only by a vehicular access easement or tract may propose a combined sign package to the City. The City will review and decide upon a combined sign package by reviewing the proposal as if the combined parcels were one development. The City may approve the combined sign package if it will provide more coordinated, effective, and efficient signs. The allowable sign area, sign type, sign height, and number of signs will be determined as if the applicants were one multi-tenant complex.

18.55.270 Permanent signs—Nonresidential properties—Building-mounted signs.

Except as provided for in CMC 18.55.260, all nonresidential properties shall be allowed permanent building-mounted signs pursuant to the following criteria:

(1) Sign Types. The following may be building-mounted signs and are allowed in all nonresidential zoning districts:

- (a) Awning or canopy signs;
- (b) Changeable copy signs;
- (c) Electronic changeable copy signs;
- (d) Marquee signs;
- (e) Window signs;
- (f) Projecting signs; and
- (g) Wall-mounted signs.

(2) Sign Features. Any building-mounted sign may be an electrical sign, an illuminated sign, and/or a neon sign.

(3) Sign Height. No sign shall project above the roofline of the exposed building face to which it is attached.

(4) Sign Area. Except as otherwise provided for in this section, the total sign area of building-mounted signs for each business or tenant, excluding under canopy signs, shall not exceed fifteen (15) percent of the exposed building face to which it is attached; provided, however, that no individual sign shall exceed a sign area of 240 square feet and every applicant is entitled to a minimum sign area of 30 square feet.

(5) Number of Signs.

(a) The number of building-mounted signs allowed each user is dependent on upon the surface are of the largest single exposed building face of the building as follows:

Largest Exposed Building Face	Maximum Number of Signs
Less than 999 square feet	2
1,000 – 2,999 square feet	3
3,000 – 3,999 square feet	4
4,000 and over square feet	5

(b) Primary uses with more than one business (i.e., grocery store with a banking facility, cleaner, etc.), which must obtain a business license and without a separate entrance, are allowed one sign for each different business in addition to the number allowed above. The area of such additional signage must not exceed fifteen (15) percent of the exterior wall of the separate business.

(c) An applicant is not allowed to transfer sign area calculated pursuant to this section from one building face to another but can move allotted signs from one building face to another.

(d) Each business or use may be allowed under canopy signs in addition to the other allowed building-mounted signs subject to the size and separation requirements set forth in CMC Title 18.

(6) Window signs.

(a) Permanent window signs in buildings with nonresidential uses are limited to painted or vinyl cut-out materials, or a neon signs constructed with or without a solid or opaque background.

(b) Permanent signs with solid backgrounds are not allowed in windows to ensure maximum light and visibility through windows.

**DISCUSSION OF
FUTURE AGENDA ITEMS:**

**5:40 p.m., Tuesday, May 23, 2017
Special Meeting - Interviews for Commissions
Arts, Parks & Recreation, Human Services**

**7:00 p.m., Tuesday, May 23, 2017
Regular Meeting**

(Draft Agenda Attached)



CITY OF COVINGTON
CITY COUNCIL SPECIAL & REGULAR MEETING AGENDA
www.covingtonwa.gov

Tuesday, May 23, 2017
7:00 p.m.

City Council Chambers
16720 SE 271st Street, Suite 100, Covington

Council will interview Commission applicants beginning at 5:40 p.m.

CALL CITY COUNCIL REGULAR MEETING TO ORDER

ROLL CALL/PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

PUBLIC COMMUNICATION - NONE

PUBLIC COMMENT Speakers will state their name, address, and organization. Comments are directed to the City Council, not the audience or staff. Comments are not intended for conversation or debate and are limited to no more than four minutes per speaker. Speakers may request additional time on a future agenda as time allows. *

APPROVE CONSENT AGENDA

- C-1. Minutes: April 11, 2017 Special & Regular Meeting; April 25, 2017 Regular Meeting; May 9, 2017 Special Meeting - Joint Study Session with CEDC & Chamber; and May 9, 2017 Regular Meeting (Scott)
- C-2. Vouchers (Hendrickson)
- C-3. Appoint Voting Delegate for Association of Washington Cities Annual Business Meeting (Council)
- C-4. Appoint Voting Delegate for Puget Sound Regional Council General Assembly (Council)

REPORTS OF COMMISSIONS

- Human Services Chair Leslie Hamada: May 11 meeting
- Arts Chair Lesli Cohan: May 11 meeting
- Parks & Recreation Chair Laura Morrissey: May 17 special meeting
- Planning Chair Bill Judd: May 18 meeting; May 4 meeting canceled
- Economic Development Council Member: April 27 meeting

PUBLIC HEARING

- 1. Receive Public Testimony on Proposed 2018-2023 Transportation Improvement Program (Lindskov)

NEW BUSINESS

- 2. Consider Appointments to Arts Commission (Council)
- 3. Consider Appointment to Parks & Recreation Commission (Council)
- 4. Consider Appointment to Human Services Commission (Council)

5. Consider Ordinance Authorizing City Manager to Acquire, Dispose or Lease Certain Real Property Interests for the Purpose of Installing and Maintaining Certain Intersection and Road Improvement on SE 272nd Street (CIP 1127) (Vondran)

FUTURE AGENDA ITEMS

COUNCIL/STAFF COMMENTS

PUBLIC COMMENT *See Guidelines on Public Comments above in First Public Comment Section

EXECUTIVE SESSION – if needed

ADJOURN

Americans with Disabilities Act – reasonable accommodations provided upon request a minimum of 24 hours in advance (253-480-2400).