

**CITY OF COVINGTON  
Planning Commission Minutes**

**March 1, 2012**

**City Hall Council Chambers**

**CALL TO ORDER**

Chair Key called the regular meeting of the Planning Commission to order at 6:33 p.m.

**MEMBERS PRESENT**

Chair Daniel Key, Vice Chair Paul Max, Sonia Foss, Ed Holmes, Bill Judd, Sean Smith and Alex White.

**MEMBERS ABSENT - NONE**

**STAFF PRESENT**

Richard Hart, Community Development Director  
Ann Mueller, Senior Planner  
Kelly Thompson, Planning Commission Secretary

**APPROVAL OF CONSENT AGENDA**

- **1. Vice Chair Max moved and Commissioner White seconded to approve the consent agenda and the minutes for February 16, 2012. Motion carried 7-0.**

**CITIZEN COMMENTS – NONE**

**PUBLIC HEARING**

**2. Proposed Zoning Code Amendment on Wireless Communication Facilities (WCF's)**

Chair Key opened the public hearing.

Senior Planner, Ann Mueller began by noting that Public Notice of the proposed code amendments was published in the Covington Reporter, on the city website and posted at City Hall. The SEPA Determination of Non-Significance was issued, and the Washington State Department of Commerce was notified of the proposed changes to the zoning code. Ms. Mueller provided an overview of changes noting that the existing code will be repealed. Another major change is more restrictive height requirements. New facilities should be located in non-residential areas, encourage co-location on towers and cause minimal visual impact.

Correction under CMC 18.70.150(3): "Setback" modification should read "height" modification. Another correction noted by Vice Chair Max on 18.20.1281 should read ..."any facility owned **by** an electric utility..."

No public was present to testify.

Chair Key closed the public hearing.

There was consensus to change the order of the agenda moving NEW BUSINESS to the next item on the agenda.

## **NEW BUSINESS**

### **4. Discussion and Possible Recommendations to the City Council on Zoning Code Amendments for Wireless Communication Facilities (WCF's)**

Chair Key asked for clarification of a definition between utility pole and transmission tower based on voltage alone as the 115kv or higher will often be served by a wooden pole. It would not be possible to contain cable or conduit within the pole.

Ms. Mueller responded that there are utility poles that are essentially hollow that could contain cable or conduit.

Chair Key noted that replacing a wooden transmission pole is incongruent with the proposed regulations. His concern is that the transmission lines are going to be out of compliance with the regulations. He would like to also confirm the practical limitations by not having a height requirement on electrical transmission towers. There should be consideration defining transmission tower vs. transmission pole if they are going to be treated differently.

Commissioner Smith asked about the requirements for co-locating. Who determines whether they would be allowed to co-locate on a tower?

Mr. Hart responded that when a tower is built, the applicant has to show they can allow for another carrier.

Commissioner Smith asked about landscaping requirements and whether there is a requirement to use native plants?

Mr. Hart responded that there is a requirement for Pacific Northwest native plants as part of our tree ordinance. We could reference that as part of the proposed code. However, that may limit the types of landscaping.

Vice Chair Max asked if any part of this code is retroactive, and would it apply to previously permitted towers?

Mr. Hart responded that previously permitted structures are vested under the code in which they applied. When a new regulation is adopted, it becomes effective for any permit application that comes in after the adoption of the code. A previously permitted tower may become a legal non-conforming use.

Ms. Mueller informed the commission that a homeowner came to the counter who has an expired application for a ham radio tower. He is out of compliance currently and will be out of compliance with new regulations. Kent allows towers up to 70 feet in height in residential zones. Bonney Lake and Maple Valley allow towers up to 35 feet. If the applicant is asking for something greater in height, they could go through a variance process. We are researching other cities regarding height limitations and will continue this discussion at future meetings.

Fees for a variance have not been determined at this time. We estimate it could be several hundred dollars and will be based on staff review time.

Mr. Hart also talked about the possibility of a retractable or telescoping antenna. We could try to get an idea of how many ham radio operators are in Covington. The FCC says we have to make reasonable accommodation for ham radio towers.

This item will be added as unfinished business in April.

## **UNFINISHED BUSINESS**

### **3. Community Development Director's Recommendation to the Planning Commission on the Final Docket for 2012.**

The Planning Commission is required to make a recommendation to the City Council on the docket in accordance with CMC 14.25. Mr. Hart suggests we take the three proposed amendments and pass them onto the City Council. The City Council will set the formal docket which will then go to public hearing before the commission this summer.

The City received a letter today from Don Ramsey, Ashton Development, requesting that the Downtown Element of the Comprehensive Plan remain as it is currently and not require first floor commercial in the Town Center zone.

## **ATTENDANCE VOTE – NONE**

## **PUBLIC COMMENT- NONE**

### **COMMENTS AND COMMUNICATIONS FROM STAFF**

Ms. Mueller shared that the City Council approved the multi-family tax exemption. There was discussion among City Council members that they would like staff to include provisions to include condominiums, which we could accomplish later this year.

The request for proposal (RFP) for the Northern Gateway study has been posted on the city website. Consultants have until March 21, 2012 to submit an application.

Mr. Hart shared that interviews for the RFP will be held on Monday April 2, 2012.

Commissioner Holmes had questions on the upcoming Planning Commission schedule.

Mr. Hart responded that the March 15, 2012 and April 19, 2012 Planning Commission Meetings are cancelled. The public hearing for setting the 2012 Comprehensive Plan Amendment Docket has been moved to the April 5, 2012.

Commissioner Smith shared that the new Multi-Care Emergency Department is having their V.I.P. open house for city staff, Council and Commissions on March 14, 2012. The public open house will be held on March 31, 2012.

### **ADJOURN**

The March 1, 2012 Planning Commission Meeting adjourned at 7:31p.m.

Respectfully submitted,



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Kelly Thompson, Planning Commission Secretary