



city of
covington
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The City of Covington is a destination community where citizens, businesses and civic leaders collaborate to preserve and foster a strong sense of unity.

PLANNING COMMISSION AGENDA

September 17, 2015

6:30 PM

CALL TO ORDER

ROLL CALL

Chair Bill Judd, Vice Chair Paul Max, Jennifer Gilbert-Smith, Alex White, Jim Langehough, Chele Dimmett & Krista Bates.

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

1. Planning Commission Minutes for August 20, 2015 (Attachment A)

CITIZEN COMMENTS - *Note: The Citizen Comment period is to provide the opportunity for members of the audience to address the Commission on items either not on the agenda or not listed as a Public Hearing. The Chair will open this portion of the meeting and ask for a show of hands of those persons wishing to address the Commission. When recognized, please approach the podium, give your name and city of residence, and state the matter of your interest. If your interest is an Agenda Item, the Chair may suggest that your comments wait until that time. Citizen comments will be limited to four minutes for Citizen Comments and four minutes for Unfinished Business. If you require more than the allotted time, your item will be placed on the next agenda. If you anticipate, in advance, your comments taking longer than the allotted time, you are encouraged to contact the Planning Department ten days in advance of the meeting so that your item may be placed on the next available agenda.*

UNFINISHED BUSINESS – None

PUBLIC HEARING – Action Required

1. Proposed Zoning Code Amendments to Parking and Use of Recreational Vehicles (RV's) (Attachment B)
2. Proposed Zoning Code Amendments to Setbacks for Sheds and Other Accessory Structures on Single-Family Residential Properties (Attachment C)

NEW BUSINESS – None

ATTENDANCE VOTE

PUBLIC COMMENT: (Same rules apply as stated in the 1st CITIZEN COMMENTS)

COMMENTS AND COMMUNICATIONS OF COMMISSIONERS AND STAFF

ADJOURN

*Any person requiring a disability accommodation should contact the City at least 24 hours in advance.
For TDD relay service please use the state's toll-free relay service (800) 833-6384 and ask the operator to dial (253) 480-2400*

Web Page: www.covingtonwa.gov

**CITY OF COVINGTON
Planning Commission Minutes**

August 20, 2015

City Hall Council Chambers

CALL TO ORDER

Chair Judd called the regular meeting of the Planning Commission to order at 6:34 p.m.

MEMBERS PRESENT

Krista Bates, Jennifer Gilbert-Smith, Bill Judd, Jim Langehough and Paul Max 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. Commissioner Gilbert-Smith moved and Vice-Chair Max seconded to approve the August 6, 2015 minutes and consent agenda. Motion carried 5-0.**

CITIZEN COMMENTS – None

UNFINISHED BUSINESS - None

PUBLIC HEARING - None

NEW BUSINESS

- 2. Discussion of 2015 Comprehensive Plan Update – 3 Draft Elements for Land Use, Housing and Economic Development**

Senior Planner, Ann Mueller, provided a brief overview of the 2015 Comprehensive Plan Amendment update process. She provided elements of the formatted draft Comprehensive Plan Update. The formatted version provides a bullet point overview, identifies goals, key terminology, action plans and provides the connection to the City of Covington Vision.

The Future Land Use map has been updated to match the narrative, parks and school district properties are identified, mining activities have been eliminated,

the annexation area is identified and the definitions have been updated in the current draft.

Community Development Director Richard Hart, noted that in the previous version of the Comprehensive Plan, there were literally hundreds of policies. The updated version has reduced the number of policies by at least 40% to simplify the document. He also noted that each chapter outlines the action plan, assigns responsibility, and creates the ability to measure progress which was lacking in our previous version of the Comprehensive Plan. Additional elements of the draft Comprehensive Plan will be available in 2-4 weeks.

Chair Judd asked about the number of people who leave the city for work, and whether that is a weakness of the city. He also asked how it is decided when bringing new industry into the city. Mr. Hart responded that the City Council makes the decision through the policies that appear in each of the Comprehensive Plan elements and in this case, the Economic Development element. The Covington Economic Development Council (CEDC) probably pushes the hardest for family wage jobs.

Vice Chair Max asked about the low number of available rental housing units for living wage jobs. Mr. Hart explained that when the supply increases, the prices begin to come down. There are currently two apartment complexes under construction in Covington which will increase the supply of rental units.

Commissioner White asked whether the final formatting would include goals and policies throughout the Comprehensive Plan. Ms. Mueller responded that is the plan, but we don't want to over-use. Commissioner White suggested labeling the pictures to show what they are supposed to represent as opposed to just the photo source.

ATTENDANCE VOTE – None

PUBLIC COMMENT –

George Pearson thought that shed setbacks were going to be discussed and had seen an agenda from a previous meeting. Mr. Hart shared that the public hearing will be held on September 17, 2015 to discuss shed and accessory setbacks.

COMMENTS AND COMMUNICATIONS FROM STAFF

Ms. Mueller checked out a book related to Council Meetings and Roberts Rules and has it available for any interested Commissioners.

Mr. Hart hopes to have additional elements of the draft Comprehensive Plan available at the September 17, 2015 regularly scheduled Planning Commission meeting.

Sausage and Cider Fest is this Saturday, August 22, 2015 from 4:00 to 8:00 p.m. at Covington Community Park.

Paul Max and Jennifer Gilbert-Smith were both re-appointed to the Planning Commission for another four year term. Chele Dimitt has been appointed and will be here in September.

ADJOURN

The August 20, 2015 Planning Commission Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Kelly Thompson, Planning Commission Secretary



City of Covington
16720 SE 271st St. Suite 100
Covington, WA 98042

City Hall – 253.480.2400
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Memo

To: Planning Commission
From: Richard Hart, Community Development Director
Brian Bykonen, Associate Planner
Ann Mueller, Senior Planner
Salina Lyons, Principal Planner
Date: 08/06/2015
Re: Public Hearing on Amendments for Use of Recreational Vehicles (RV's) and Setbacks for Sheds and Accessory Structures on Residentially Zoned Properties

Background

The Planning Commission reviewed the initial drafts of both code amendments for RV's and Sheds in residential zones at its previous meeting on July 16, 2014 and August 6, 2015.

SHEDS

The City attorney reviewed the proposed code amendments for sheds, and indicated she had no major issues on content, and has made a few formatting adjustments.

RVs

One outstanding issues that will be resolved prior to Council review is cross referencing the new RV requirement and the existing Temporary Use Permit requirements outlined in CMC 18.85. Due to limited time to fully correct the cross referencing issues, language is included in the RV code section to indicate that if there are any discrepancies between the temporary use permit requirements and the requirements in the RV section, the RV requirements prevails.

Prior to council review, staff will revise CMC 18.85 and create a new section to cover RVs consistent with the requirements outlined in the RV amendments.

PUBLIC HEARING

At this time the Commission can hear public comments and deliberate on a recommendation for the council.

(Attachments B & C)

CMC Chapter 8.10
ABATEMENT OF ~~JUNK~~ NUISANCE VEHICLES AND ~~VEHICLE~~ STORAGE

Sections:

Article I. ~~Junk Vehicles~~

- 8.10.010 Purpose.
- 8.10.020 Definitions.
- 8.10.030 Certification.
- 8.10.040 Exemptions.
- 8.10.050 Abatement of Nuisance Vehicles. ~~Junk vehicle violation — Remedy.~~

Article II. ~~Vehicle Storage~~

- ~~8.10.060 — Storage of certain vehicles and components prohibited.~~
- ~~8.10.070 — Exceptions.~~
- ~~8.10.080 — Vehicle storage violation — Penalty.~~
- 8.10.0960 Third party liability.

Article I. ~~Junk Vehicles~~

8.10.010 Purpose.

The purpose of this chapter is to preserve the character and safety of the city's neighborhoods by eliminating ~~junk~~ nuisance vehicles and ~~improperly stored vehicles~~ as nuisances from private property, and to provide procedures for the removal of ~~junk~~ nuisance vehicles and ~~improperly stored vehicles~~ as authorized by RCW 46.55.240.

8.10.020 Definitions.

For the purposes of this chapter the following words shall have the following meanings:

- (1) "~~Code compliance enforcement officer~~" means a code enforcement officer, the director of ~~planning and community development~~, or the director of community development's designee.
- (2) "~~Junk motor vehicle~~" means any vehicle substantially meeting three of the following requirements:
 - (a) ~~Is extensively damaged, such damage including, but not limited to, broken windshields, missing wheels, tires, motor or transmission;~~
 - (b) ~~Is apparently inoperable;~~
 - (c) ~~Is without a valid current license plate and tabs;~~
 - (d) ~~Has an approximate fair market value equivalent only to the approximate value of the scrap in it.~~

(2) “Nuisance vehicle” means and includes any car, truck, motorcycle, boat, trailer, recreational vehicle (RV), self-propelled construction equipment or heavy machinery, or any other motorized or non-motorized means of conveyance, or any part thereof, and which:

(a) Meets any one of the following criteria:

(i) Is extensively damaged, such damage including, but not limited to, any of the following: a broken window or windshield or missing wheels, tires, motor, or transmission;

(ii) Is apparently inoperable;

(iii) Has an approximate fair market value equal only to the approximate value of the scrap in it; and

(b) Is not validly licensed and/or registered under the laws of the state of Washington.

(3) “Owner” or “property owner of record” means any person owning property as shown on the real property records of King County or on the last assessment roll for taxes, and shall also mean any lessee, tenant or other person having control or possession of the property.

(4) “Property” means land and any buildings or structures located thereon.

(5) “Vehicle” has the same definition as the definition of “vehicle” in RCW 46.04.670.

~~(5) “Recreational vehicle” means a camping trailer, travel trailer, motor home, truck camper and any similar vehicular type units primarily designed as temporary living quarters for recreational, camping or travel use, with or without motor power, being of such size and weight as to be operable over highways without requirement of a special highway movement permit. (Ord. 22-01 § 1; Ord. 79-98 § 1)~~

8.10.030 Certification.

The code ~~compliance~~ enforcement officer may inspect and certify, to the best of his or her knowledge, that a vehicle meets the requirements of a ~~junk motor~~ nuisance vehicle. Such certification shall be in writing and shall record the make of the vehicle, the vehicle identification number, and the license plate number of the vehicle, if available. The code ~~compliance~~ enforcement officer shall also describe in detail at least three (3) of the following:

(1) The model year and age of the vehicle;

(2) The damaged or missing equipment or condition of the vehicle;

(3) The factors supporting a determination that the vehicle is apparently inoperable;

(4) The absence of a valid, current license plate; and

(5) The approximate fair market value of the vehicle and the value of the scrap in it. (Ord. 22-01 § 1; Ord. 79-98 § 1)

8.10.040 Exemptions.

The provisions of this chapter relating to junk nuisance vehicles shall not apply to the following:

- (1) A vehicle or part thereof which is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or
- (2) A vehicle or part thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to the provisions of RCW 46.80.130. (Ord. 22-01 § 1; Ord. 79-98 § 1)

8.10.050 ~~Junk Abatement of nuisance vehicles—Remedy.~~

(1) ~~Unless exempted under CMC 8.10.040, it shall be a violation of this chapter and a public nuisance to park, store, or abandon junk nuisance vehicles on private property. all nuisance vehicles placed or situated upon private property within Covington city limits are public nuisances to be abated and shall be subject to the penalties and enforcement remedies as set forth in Chapter 1.30 CMC.~~

(2) If the city determines that such a violation has occurred or is occurring, the city shall ~~remedy~~ abate said violation in accordance with the civil code enforcement procedures established in Chapter 1.30 CMC; except that the last registered and legal owner(s) of the junk nuisance vehicle and the property owner of record shall be given any notice required by Chapter 1.30 CMC. Said notice need not be provided to the last registered and legal owner(s) of the nuisance vehicle if the vehicle is in such condition that the identification numbers cannot be readily determined or if the property owner has prevented access to the vehicle.

(3) If the city invokes CMC 1.30.~~080~~ 170 and abates the junk nuisance vehicle(s), the vehicle(s) or part(s) thereof shall be removed by a licensed tow truck operator or hulk hauler. The code ~~compliance enforcement~~ officer shall give notice to the Washington State Patrol and to the Washington State Department of Licensing that the vehicle has been wrecked.

(4) Pursuant to CMC 1.30.~~080~~ 170, the costs and expenses of ~~correcting~~ abating the violation shall be assessed against the last registered owner of the nuisance vehicle and/or the property owner of record; ~~except that the owner of the property on which the vehicle is located may appear in person at the hearing provided for in CMC 1.30.070, or present a written statement in time for consideration at said hearing, denying responsibility for the presence of the nuisance vehicle, with his/her reasons for the denial. If it is determined at the hearing that the nuisance vehicle was placed on the property without the consent of the owner and that he/she has not subsequently acquiesced in its placement, then the city shall not assess the costs and expenses of correcting the violation against the property upon which the vehicle or item is located or otherwise attempt to collect said costs and expenses from the owner.~~ (Ord. 22-01 § 1; Ord. 79-98 § 1)

(5) This section shall apply even in cases where the owner has given permission for the vehicle to be left on the property.

Article II. Vehicle Storage

~~8.10.060 Storage of certain vehicles and components prohibited.~~

No person owning, leasing, renting, occupying, being in possession of or having charge of any property in the city, including vacant lots, shall retain or store, except as may be permitted by any other city ordinance, any of the following:

- ~~(1) One or more wrecked, dismantled or partially dismantled, inoperative, or unlicensed (vehicle licensing plates and current tabs) and uninsured vehicles;~~
- ~~(2) Body parts, engines or drive train parts, or any other parts, assemblies or components of automobiles and other motor vehicles;~~
- ~~(3) Any recreational vehicle, boat or trailer within the required front yard setback area unless parked and/or stored within a driveway in the front setback area;~~
- ~~(4) Any pickup truck campers or canopies (not mounted on a pickup truck) within the required front yard setback area unless parked and/or stored within a driveway in the front setback area. (Ord. 22-01 § 1; Ord. 79-98 § 1)~~

~~8.10.070 Exceptions.~~

The provisions of CMC [8.10.060](#) shall not apply to the following:

- ~~(1) A vehicle, recreational vehicle, boat, trailer, or component thereof which is completely enclosed within a building in lawful manner where it is not visible from the street or other public or private property; or~~
- ~~(2) A vehicle, recreational vehicle, boat, trailer, or component thereof which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to the provisions of RCW 46.80.130. (Ord. 22-01 § 1; Ord. 79-98 § 1)~~

~~8.10.080 Vehicle storage violation – Penalty.~~

- ~~(1) Unless exempted under CMC [8.10.070](#), it shall be a violation of this chapter to retain or store any vehicle or component thereof described in CMC [8.10.060](#) in violation of said section.~~
- ~~(2) If the city determines that such a violation has occurred or is occurring, the city shall remedy said violation in accordance with the civil code enforcement procedures established in Chapter [1.30](#) CMC; except that the last registered owner of the vehicle/component and the property owner of record shall be given any notice required by Chapter [1.30](#) CMC. Said notice need not be provided to the last registered owner of the vehicle/component if the vehicle is in such condition that the identification numbers cannot be readily determined or if the property owner has prevented access to the vehicle.~~
- ~~(3) If the city invokes CMC [1.30.080](#) and abates the vehicle(s)/component(s) retained or stored in violation of CMC [8.10.060](#), the vehicle(s)/component(s) shall be removed by a licensed tow truck~~

operator or hulk hauler. The code compliance officer shall give notice to the Washington State Patrol and to the Washington State Department of Licensing that the vehicle has been wrecked.

~~(4) Pursuant to CMC [1.30.080](#), the costs and expenses of correcting the violation shall be assessed against the last registered owner of the vehicle and/or the real property owner of record; except that the owner of the real property on which the vehicle is located may appear in person at the hearing provided for in CMC [1.30.070](#) or present a written statement in time for consideration at said hearing, denying responsibility for the presence of the vehicle on the property, with his/her reasons for the denial. If it is determined at the hearing that the vehicle was placed on the property without the consent of the owner and that he has not subsequently acquiesced in its placement, then the city shall not assess the costs and expenses of correcting the violation against the property upon which the vehicle or item is located or otherwise attempt to collect said costs and expenses from the owner. (Ord. 22-01 § 1; Ord. 79-98 § 1)~~

8.10.0960 Third party liability.

(1) It is expressly the purpose of this chapter to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

(2) It is the specific intent of this chapter to place the obligation of complying with its requirements upon the registered owner and property owner of record, and no provisions or term used in this chapter is intended to impose any duty whatsoever upon the city or any of its officers and employees, for whom the implementation or enforcement of this chapter shall be discretionary and not mandatory.

(3) Nothing contained in this chapter is intended to be, nor shall be, construed to create or form the basis for any liability on the part of the city, or its officers, employees or agents, for any injury or damage resulting from the failure of a property owner or registered owner to comply with the provisions of this chapter, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this chapter, or by reason of any action or inaction on the part of the city related in any manner to the enforcement of this chapter by its officers, employees or agents. (Ord. 22-01 § 1; Ord. 79-98 § 1)

**Chapter 8.30
NUISANCES**

8.30.030 Nuisances declared.

The following specific acts, omissions, places and conditions are declared to be public nuisances:

- (1) Erecting, continuing or using any building or other place in the city for the exercise of any trade, employment or manufacturing operation, which by occasioning noxious exhalation, offensive smells or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or the public;
- (2) Keeping or maintaining any dangerous, decaying, falling, or damaged dwelling, or other structure;
- (3) Keeping, using or maintaining any pen, stable, lot, place or premises in which any animal may be confined or kept, in such a manner to be noxious, foul or offensive to individuals or the public;
- (4) Obstructing or encroaching upon or rendering unsafe for passage any public highway, private street, street, alley, sidewalk, crossing, park, square, driveway, lake, or stream in the city; provided, that this subsection shall not apply to events, parades, or the use of the streets or public rights-of-way when authorized by the city;
- (5) Making or keeping any explosive or combustible substance in the city, or carrying it through the streets thereof, in a quantity or manner prohibited by Chapter 70.74 RCW;
- (6) Placing, depositing, keeping, having or leaving in or upon any private lot, building, structure or premises or in or upon any street, avenue, park, sidewalk, waterway, parkway or public or private place in the city any one or more of the following conditions, places or things:
 - (a) Any putrid, unhealthy or unwholesome bones, meat, hides, skins, or the whole or any part of any dead animal, fish or fowl, or waste parts of fish, vegetable or animal matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles;
 - (b) Privies, vaults, drains, sewer and septic tanks, cesspools, sumps, pits or like places which are not securely protected from flies or rats, or which are noxious, foul, malodorous or injurious to the public health;
 - (c) Vegetation which constitutes a fire hazard or a health hazard;
 - (d) Refuse or feces which constitute a health hazard;
 - (e) Vegetation which overhangs a street, sidewalk or alley in such a way as to impede the free and full use of said street, sidewalk or alley, and vegetation which obstructs the vision of drivers such that traffic regulation signs or view of an intersection is obstructed from a position of 30 feet or closer to the intersection, and vegetation which creates injury to or other opportunity or risk of injury to passersby of the general public;

(f) Animal manure in any quantity which is not securely protected from flies and/or the elements, or which is kept or handled in violation of any ordinances of the city;

(g) An accumulation of material, including but not limited to tin cans, bottles, glass, plastic, scrap metal, ashes, wire, bric-a-brac, broken crockery, broken glass, broken plaster, trash, litter, weeds, grass, rags, garbage, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing straw, or other packing materials or building materials which are not properly stored or neatly piled, and all such trash or abandoned material unless the same be kept in covered bins or galvanized iron receptacles approved by the enforcement officer; provided, however, this section shall exclude residential composting piles not greater than 25 square yards in area;

(h) Broken or discarded furniture, furnishings, appliances, household equipment and other similar items, in any front yard, back yard, side yard or vacant lot;

(i) Any abandoned, unattended or discarded icebox, refrigerator, freezer or other container having an air-tight door or lid and a snap lock or other locking device which may not be easily released from the inside when such lid or door is in a closed position;

(j) In a place accessible to children, any attractive nuisance dangerous to children, including but not limited to any abandoned, broken or neglected equipment, machinery, refrigerator, freezer or other large appliance;

(k) Any abandoned or unused well, pit, shaft, cistern, or storage tank without first demolishing or removing from the premises such storage tanks, or securely closing and barring any entrance or trapdoor thereto, or without filling any well, pit, shaft or cistern or capping the same with sufficient security to prevent access thereto;

(l) Nonoperational or abandoned vehicles or parts thereof, or other articles of personal property that are discarded or left in a state of partial construction or repair in any front yard, side yard, rear yard, or vacant lot. The responsible person may have on his or her premises, at any one time, only one (1) nonoperational or abandoned vehicle outside an enclosed building for a period not to exceed fourteen (14) days.

Chapter 18.20
TECHNICAL TERMS AND LAND USE DEFINITIONS

18.20.960 Recreational vehicle (RV).

“Recreational vehicle (RV)” means a motorized vehicle designed primarily for recreational camping, travel, or seasonal use which has its own motive power or is mounted on or towed by another vehicle, including but not limited to:

- (1) Travel trailers;
- (2) ~~Folding~~ Camping trailers;
- (3) ~~Park Tent~~ trailers;
- (4) Truck campers;
- (5) ~~Park trailer~~ Camper vans;
- (6) Motor homes; and
- (7) Multi-use vehicle. (Ord. 42-02 § 2 (21A.06.960))

Chapter 18.50
DEVELOPMENT STANDARDS—PARKING AND CIRCULATION

- 18.50.010 Purpose.
- 18.50.020 Authority and application.
- 18.50.030 Computation of required off-street parking spaces.
- 18.50.040 Shared parking requirements.
- 18.50.050 Exceptions for community residential facilities (CRFs) and senior citizen assisted housing.
- 18.50.060 Parking for the disabled.
- 18.50.070 Loading space requirements.
- 18.50.080 Stacking spaces and restrictions for drive-through facilities.
- 18.50.090 Transit and rideshare provisions.
- 18.50.100 Pedestrian and bicycle circulation and access.
- 18.50.110 Off-street parking plan design standards.
- 18.50.120 Off-street parking construction standards.
- 18.50.130 Compact car allowance requirements.
- 18.50.140 Internal circulation street standards.
- 18.50.150 Trail improvements and connections.
- 18.50.160 Electric vehicle charging station requirements – Downtown zones.
- 18.50.170 Electric vehicle charging station requirements – R-18, MR, NC, CC, RCMU, and I zones.

- 18.50.180 Electric vehicle charging station design standards.
- 18.50.190 Recreational vehicles—Parking, storage, and habitation.

18.50.190 Recreational vehicles—parking, storage, and habitation.

(1) The parking or storage of recreational vehicles, except for loading and unloading activities completed within a three (3) day period within any given two (2) week period, is not permitted unless there is compliance with the following:

(a) The recreational vehicle is housed within a vented garage or within a carport which is sight-screened from abutting properties by solid board fencing or sight-obscuring landscaping at least six feet (6 ft) in height.

(b) The recreational vehicle may be located within a side or rear yard if in compliance with setback requirements applicable to accessory structures and sight-screened from abutting properties by solid board fencing or sight-obscuring landscaping at least six feet (6 ft) in height. The recreational vehicle does not need to be parked on an approved impervious surface if parked within a side or rear yard.

(c) If there is no reasonable access to a rear or side yard, one (1) recreational vehicle not exceeding twenty-eight feet (28 ft) in length may be located in the front yard driveway as follows:

(i) In the driveway perpendicular to the right-of-way, provided setback requirements applicable to the primary structure are met.

(ii) A recreational vehicle stored under this subsection (3)(c) must be licensed and operable.

(2) For purposes of this section, all sides of a property which abut a right-of-way constitute a front yard.

(3) It is a violation of this section to sleep in, or use for any other habitation or residential purposes, a recreation vehicle or boat parked, placed, or situated on private property for more than seven (7) days in any one hundred and eighty (180) day period, except as allowed by subsections 4, 5, and 6 of this section. Should there be any discrepancy between the provisions of subsections 4, 5, and 6 of this section and Chapter 18.85—Nonconformance, Temporary Uses, and Re-use of Facilities, the provisions of subsections 4, 5, and 6 of this section shall prevail.

(4) One (1) recreational vehicle may be used as a temporary dwelling on a lot already containing another dwelling unit for a period not to exceed thirty (30) days upon issuance of a temporary use permit by the City pursuant to the provisions of this subsection and CMC 18.85.100.

(a) The temporary use permit issued must be affixed to the recreational vehicle in such a manner that it is prominently displayed and visible, to the extent possible, from a public right-of-way.

(b) Recreational vehicles meeting the requirements of this subsection may be parked within a front yard driveway, need not be sight-screened, and need not comply with accessory structure setback requirements for the effective period of the temporary use permit.

(c) No more than one (1) temporary use permit may be granted for a given property within any twelve (12) month period.

(5) As to recreational vehicles only, the requirements of this section shall not apply to a residence if one or more occupants thereof has a current windshield placard or special license plate issued to them by the State of Washington as a qualified disabled person in accordance with RCW 46.19.010. Persons claiming this exemption shall apply to the director for approval thereof. The director shall establish procedures and standards for acting on exemption requests hereunder. Only one (1) recreational vehicle per residence may be exempted under this provision.

(6) Based on a written request, the director may permit a recreational vehicle of any size to be used as a temporary dwelling on a single-family residential lot where the primary dwelling unit is unsafe to occupy by reason of disaster or accident such as fire, wind, earthquake, or other similar circumstance, provided:

(a) The recreational vehicle may be occupied for a maximum of twelve (12) months from the date the primary dwelling was damaged. One twelve (12)-month extension may be granted by the director based on demonstration of continuing hardship and documented good faith efforts to complete construction.

(b) Occupancy of the recreational vehicle shall cease within thirty (30) days of issuance of a certificate of occupancy for reconstruction of the primary dwelling unit at the property.

(c) The recreational vehicle may be located within the required front yard setback but may not obstruct sight distance at driveways and intersections. The recreational vehicle may not be in required side or rear yards setbacks.

(d) Generators shall not be utilized.

(e) The director's approval is revocable at any time if the requirements of this section are not met.

(f) The director shall provide a copy of the approval letter to the applicant, property owner (if different from the applicant), and all adjoining property owners.

**PROPOSED AMENDMENTS TO COVINGTON MUNICIPAL CODE (CMC)
SETBACK MODIFICATIONS FOR RESIDENTIAL ACCESSORY
STRUCTURES AND DIMENSIONS FOR SINGLE FAMILY ATTACHED
AND DETACHED DWELLINGS IN DOWNTOWN ZONES
CMC Chapters 18.30.030, 18.30.200, and 18.31.030**

**Chapter 18.30
DEVELOPMENT STANDARDS-DENSITY AND DIMENSIONS**

18.30.030 Densities and dimensions – Residential zones.

A. Table.

STANDARDS	ZONES						
	RESIDENTIAL						
	R-1 (14) Urban Separator	R-4	R-6	R-8	R-12	R-18	MR
Base density: dwelling units/acre (15)	1 du/ac	4 du/ac	6 du/ac	8 du/ac	12 du/ac	18 du/ac (18)	14 du/ac
Maximum density: dwelling unit/acre (1)		6 du/ac	9 du/ac	12 du/ac	18 du/ac	24 du/ac	50 du/ac
Minimum density (2) (15)		85% (12)	85% (12)	85% (12)	85% (12)	85% (12)	85% (12)
Minimum lot area (13)	2,500 sf	2,500 sf	2,500 sf	2,500 sf	2,500 sf (3)	2,500 sf (3)	2,500 sf (3)
Minimum lot width (3)	35 ft (7)	30 ft	30 ft	30 ft	30 ft	30 ft	30 ft
Minimum street setback (3)	20 ft (7)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft (8)	10 ft	10 ft
Minimum interior setback (3) (13) (20)	7 ft 6 inches (7)	7 ft 6 inches	7 ft 6 inches	7 ft 6 inches	5 ft (19)	10 ft	5 ft (19)
Base height (4)	35 ft	35 ft	35 ft 45 ft (11)	35 ft 45 ft (11)	35 ft 45 ft (11)	35 ft	60 ft
Maximum impervious surface: percentage (5)	30% (16)	55%	70%	75%	75% (3)	75%	80% (3)

B. Development Conditions.

(1) This maximum density may be achieved only through the application of residential density incentives in accordance with Chapter 18.90 CMC or transfers of density credits in accordance with Chapter 18.95 CMC, or any combination of density incentive or density transfer. Maximum density may only be exceeded in accordance with CMC 18.90.040(6)(a)(vii). Within the Hawk Property subarea, this condition shall not apply.

(2) Also see CMC 18.30.060.

(3) These standards may be modified under the provisions for zero-lot-line and townhouse developments.

(4) Height limits may be increased if portions of the structure that exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, but the maximum height may not exceed 75 feet. Wireless communication facilities, including licensed amateur (HAM) radio stations and citizen band stations, shall not exceed the zone's base height limit unless allowed pursuant to the provisions of Chapter 18.70 CMC or a height modification is granted pursuant to CMC 18.70.150. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the additional interior setback requirements but the maximum height shall not exceed 75 feet.

(5) Applies to each individual lot. Impervious surface area standards for:

(a) Regional uses shall be established at the time of permit review;

(b) Nonresidential uses in residential zones, except those located within the MR zone, shall comply with CMC 18.30.140 and 18.30.250;

(c) Individual lots in the R-4 through R-6 zones that are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone; and

(d) A lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

(6) Mobile home parks shall be allowed a base density of six dwelling units per acre.

(7) The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.

(8) At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the street property line or back of sidewalk if any portion of the sidewalk has been included in an

easement. The linear distance shall be measured along the center line of the driveway from the access point to such garage, carport or fenced area to the street property line.

(9) Intentionally left blank.

(10) Intentionally left blank.

(11) The base height to be used only for projects as follows:

(a) In R-6, R-8 and R-12 zones, a building with a footprint built on slopes exceeding a 15 percent finished grade.

(12) Density applies only to dwelling units and not to sleeping units.

(13) Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a joint use driveway is located to provide a straight line length of at least 26 feet as measured from the center line of the garage, carport or fenced parking area, from the access point to the opposite side of the joint use driveway.

(14) (a) All subdivisions and short subdivisions in the R-1 zone shall be required to be clustered if the property is located within or contains:

(i) A floodplain;

(ii) A critical aquifer recharge area;

(iii) A regionally or locally significant resource area;

(iv) Existing or planned public parks or trails, or connections to such facilities;

(v) A Class I or II stream or wetland;

(vi) A steep slope; or

(vii) A greenbelt/urban separator or wildlife corridor area designated by the comprehensive plan or a community plan.

(b) The development shall be clustered away from sensitive areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and the open space shall be placed in a separate tract that includes at least 50 percent of the site. Open space tracts shall be

permanent and shall be dedicated to a homeowners' association or other suitable organization, as determined by the Director, and meet the requirements in CMC 18.35.040. On-site sensitive area and buffers, wildlife habitat networks, required habitat and buffers for protected species and designated urban separators shall be placed within the open space tract to the extent possible. Passive recreation (with no development of recreational facilities) and natural-surface pedestrian and equestrian trails are acceptable uses within the open space tract.

(15) See CMC 18.30.090.

(16) All subdivisions and short subdivisions in the R-1 zone shall have a maximum impervious surface area of eight percent of the gross acreage of the plat. Distribution of the allowable impervious area among the platted lots shall be recorded on the face of the plat. Impervious surface of roads need not be counted towards the allowable impervious area. Where both lot- and plat-specific impervious limits apply, the more restrictive shall be required.

(17) Intentionally left blank.

(18) Except cottage housing, which may have a base density of 12 du/acre.

(19) Minimum interior setback for underground parking structures is zero feet.

[\(20\) See CMC 18.30.200 for projections and structures allowed within interior setbacks.](#)

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18.30.200 Setbacks – Projections and structures allowed.

Provided that the required setbacks from regional utility corridors of CMC 18.30.170, the adjoining half-street or designated arterial setbacks of CMC 18.30.190 and the sight distance requirements of CMC 18.30.240 are maintained, structures may extend into or be located in required setbacks, including setbacks as required by CMC 18.30.250(2), as follows:

(1) Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into any setback, provided such projections are:

(a) Limited to two per facade;

(b) Not wider than 10 feet; and

(c) Not more than 24 inches into an interior setback or 30 inches into a street setback;

(2) Detached residential accessory structures, including tool and storage sheds, gazebos, trellises, play equipment and similar structures, with a floor area not exceeding 200 square feet each may be located in required interior setback areas pursuant to the following conditions:

(a) No portion of any accessory structure shall be closer than three (3) feet from any interior property line; and

(b) No portion of any accessory structure located within an interior setback shall exceed twelve (12) feet in height; and

(c) No portion of any accessory structure located within an interior setback shall be located within six (6) feet of any other accessory structure or primary structure; and

(d) No storage of material or debris, overgrown vegetation, or any other obstruction that restricts passage is allowed in the area between the accessory structure and property line; and

(e) An accessory structure requiring a city building permit shall not be located within an interior setback; and

(f) Accessory structures shall not be located within interior setback areas that contain utility easements and/or critical area setbacks; and

(g) Structures and confinement areas used for the keeping of domestic animals, fowl, livestock, and bees are not permitted within interior setbacks, unless specifically allowed by Chapter 18.80 CMC;

~~Uncovered porches and decks which exceed 18 inches above the finished grade may project:~~

~~(a) Eighteen inches into interior setbacks, and~~

~~(b) Five feet into the street setback;~~

(3) Building siding materials and trim boards; provided, that the siding materials and trim boards do not extend further than six inches into said setback;

(4) Uncovered porches and decks are allowed within interior setbacks pursuant to the following conditions: ~~not exceeding 18 inches above the finished grade may project to the property line;~~

(a) No portion of an uncovered porch or deck that is 18 inches or less in height above the finished grade shall be closer than three (3) feet from any interior property line; and

(b) No portion of an uncovered porch or deck which exceeds 18 inches in height above the finished grade shall encroach more than 18 inches into an interior setback;

(5) Eaves may not project more than:

- (a) Eighteen inches into an interior setback;
- (b) Twenty-four inches into a street setback; or
- (c) Eighteen inches across a lot line in a zero-lot-line development;

(6) Fences with a height of six feet or less may project into or be located in any setback;

(7) Rockeries, retaining walls and curbs may project into or be located in any setback, provided these structures are in accord with the International Building Code and International Residential Code, and:

- (a) Do not exceed a height of six feet in R-1 through R-18; and
- (b) Do not exceed the building height for the zone in commercial/industrial zones, measured in accordance with the codified standards;

(8) Fences located on top of rockeries, retaining walls or berms are subject to the requirements of CMC 18.35.210;

(9) Telephone, power, light and flag poles may project to property lines;

(10) The following may project into or be located within a setback and shall maintain a minimum five (5) foot setback from any interior property line; but may only project into or be located within a five-foot interior setback area if an agreement documenting consent between the owners of record of the abutting properties is recorded with the King County Department of Records and Elections prior to the installment or construction of the structure:

- (a) Sprinkler systems, air conditioners, heat pumps, generators, electrical and cellular equipment cabinets and other similar utility boxes and vaults;
- (b) Security system access controls;
- (c) Structures, except for buildings, associated with trails and on-site recreation spaces and play areas required in CMC 18.35.150 and 18.35.170 such as benches, picnic tables and drinking fountains; and

~~(d) Surface water management facilities as required by Chapter 13.25 CMC;~~

(11) Mailboxes and newspaper boxes may project into or be located within street setbacks;

(12) Fire hydrants and associated appendages;

(13) Metro bus shelters may be located within street setbacks;

(14) Unless otherwise allowed in Chapter 18.55 CMC, freestanding and monument signs four feet or less in height, with a maximum sign area of 20 square feet, may project into or be located within street setbacks; and

(15) Stormwater conveyance and control facilities, both above and below ground, provided such projections are:

(a) Consistent with setback, easement and access requirements specified in the stormwater manuals adopted in Chapter 13.25 CMC; or

(b) In the absence of said specifications, not within five feet of the property line. (Ord. 10-10 § 3 (Exh. C); Ord. 13-09 § 27; Ord. 06-05 § 1; Ord. 23-04 § 11; Ord. 60-03 § 1; Ord. 57-03 § 1; Ord. 42-02 § 2 (21A.12.170))

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Chapter 18.31 DOWNTOWN DEVELOPMENT AND DESIGN STANDARDS

18.31.080 Permitted uses.

(3) Permitted Use Table.

Use Categories	Town Center (TC) ²³	Mixed Commercial (MC)	General Commercial (GC)	Mixed Housing Office (MHO) ¹
Residential				
Dwelling Unit, Accessory	NP	NP	NP	P ²
Dwelling Unit, Multifamily	P ²⁶	P	P	P
Dwelling Unit, Single-Family Attached, Detached or Cottage Housing ^{21, 27}	NP	NP	NP	P ²
Senior Citizen Assisted Housing	P	P	P	C
Commercial				
Adult Entertainment	NP	P ³	P ³	NP
Business Services ¹⁹	P ⁵	P	P	P ^{4,5}
Drive Through Use	NP	P	P	NP
Farmers' Markets and Public Markets ⁶	P	P	P	NP
Gambling and Card Rooms	NP	NP	NP	NP
Home Occupation and Live/Work	P	P	P	P
Outdoor Commercial	NP	NP	P	NP
Personal and Beauty Services ^{20,21}	P	P	P	P
Private Electric Vehicle Parking Facility (Primary Use)			P ^{5,24}	
Private Parking Facility (Primary Use)	NP	NP	NP	NP
Professional Office	P	P	P	P
Retail Trade and Services – 100,000 sq. ft. or less for all structures	P ⁵	P	P ¹⁰	P ^{4,5}
Retail Trade and Services – greater than 100,000 sq. ft. for all structures	C ^{5,9,18}	P	P ¹⁰	NP
Shooting Ranges ²⁵	NP	NP	P	NP

Storage/Self Storage	NP	P ⁵	P	NP
Temporary Lodging/Hotel	P	P	P	C ²²
Cultural/Recreation				
Cinema, Performing Arts and Museums	P	P	P	NP
Meeting Hall/Other Group Assembly	P	P	P	C
Recreation, Indoor or Outdoor	C	P	P	P
Religious	C ⁷	P	P	C
Health Services				
Emergency Care Facility	C ^{9,18}	P	NP	NP
Hospital	NP	P	NP	NP
Medical Office/Outpatient Clinic	P ⁸	P	NP	P
Nursing/Personal Care Facility	NP	P	NP	C
Industrial/Manufacturing				
Asphalt Plants	NP	NP	NP	NP
Light Industrial/Manufacturing	NP	NP	P ¹⁰	NP
Government/Institutional ¹¹				
Essential Public Facilities	NP	NP	C	NP
Government Services	P	P	P	P ¹²
Major Utility Facility	C ¹⁴	C	P	C
Minor Utility Facility	P ¹⁵	P	P	P
Schools: Compulsory, Vocational and Higher Education	C ¹³	P	NP	C
Wireless Communication Facilities ¹⁶				
Antenna, Collocation on an Existing Structure ¹⁷	P	P	P	P
Wireless Communication Facility Tower	NP	NP	NP	NP

(4) Permitted Use Conditions.

1. a. Unless the use can be accommodated within an existing structure, development and/or redevelopment in the Covington Firs and Covington Township subdivisions shall be a minimum of two acres;

b. Be contiguous to a non-single-family use of two acres or more to be eligible to redevelop to a new use; and

- c. Successive development cannot isolate existing single-family residential lots less than two acres (as a group) between developments.
2. a. No new subdivision of land is permitted for single-family homes except for townhouses and cottage developments. The exception is a binding site plan for commercial uses.
 - b. New single-family homes are allowed on existing single-family lots.
 - c. An accessory dwelling unit is allowed as an accessory to a single-family detached unit subject to the development standards in CMC 18.25.030(7).
3. Adult entertainment uses are prohibited within certain locations pursuant to the development standards provided in Chapter 5.20 CMC and CMC 18.25.040(2).
4. This use is restricted to a maximum of 5,000 gross square feet within the MHO district.
5. Services and operations other than customer parking shall be fully contained within a structure.
6. Temporary farmers' and public markets shall be permitted in accordance with CMC 18.85.125.
7. The development shall not occupy more than one acre for the total of the site development, including any planned phases and/or expansions.
8. a. Buildings greater than four stories shall provide 80 percent of required parking within a structure. Structured parking shall not front onto 171st Ave. SE.
 - b. Medical office uses greater than two stories shall have a minimum of 60 percent ground floor retail trade and services and 40 percent business and professional services when fronting onto 171st Ave. SE, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045.
9. The development shall be located west of the proposed 171st Ave. SE road alignment with frontage onto 168th Pl. SE or the planned SE 276th St. alignment.
10. All structures shall meet the required setbacks, landscaping and all other standards contained in this chapter. Equipment storage, manufacturing activities, and wrecked, dismantled and/or inoperative vehicles shall be enclosed in a structure or fully screened from public right-of-way, including SE 272nd St. and Covington Way with Type I landscaping in accordance with CMC 18.40.040.

11. Maintenance yards, substations and solid waste transfer stations are not permitted in the TC, MC, or MHO downtown zoning districts.
12. Transit stations and park and ride facilities, not including bus stops, shall be reviewed by a conditional use permit pursuant to CMC 18.125.040.
13. All schools for compulsory, vocational and higher education shall be located on the upper floors of a mixed-use building that includes ground floor commercial uses, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045.
14. All facilities shall not occupy more than one acre of a site and the facility shall be screened with Type I landscaping in accordance with CMC 18.40.040.
15. Minor utility facilities, such as telecom, fiber optics, Internet and similar facilities, shall be located within a fully enclosed structure, unless otherwise determined by the Director.
16. Chapter 18.70 CMC, Wireless Communication Facilities, outlines the approval and review process. In the event of a conflict between the requirements of Chapter 18.70 CMC and the requirements of this chapter, Chapter 18.70 CMC shall govern.
17. All antennas and ancillary wireless communication facilities shall be concealed facilities and mounted on an existing building or structure or placed underground as provided for in Chapter 18.70 CMC.
18. a. Emergency care facilities shall not occupy more than four acres for the total of the site development including any planned phases and/or expansions of the emergency care use;
 - b. Shall not exceed 50,000 square feet of total building square footage; and
 - c. Shall not exceed more than two stories or 35 feet whichever is greater.
19. Gasoline service stations and battery exchange stations are limited to the general commercial and mixed commercial districts and subject to the following conditions:
 - a. A gasoline service station shall be limited to eight pumps and 16 price gauges to service no more than 16 vehicles.
 - b. A battery exchange station shall provide a minimum of three stacking spaces.

- c. Stacking spaces and drive-through facilities shall be designed in accordance with CMC 18.50.080.
 - d. Any associated materials, equipment storage, outdoor storage tanks and battery exchange activities shall be within a fully enclosed structure, unless otherwise determined by the Director.
20. a. No burning of refuse or dead animals is allowed;
- b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot-high solid wall and surfaced with concrete or other impervious material;
 - c. Subject to animal keeping provisions of Chapter 18.80 CMC;
 - d. Prior to issuance of a development permit, documentation shall be provided by a qualified acoustical consultant, for approval by the Community Development Director, verifying that the expected noise to be emanating from the site complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property;
 - e. Outside runs and other outside facilities for animals are not permitted;
 - f. Not permitted in any subdivision containing dwelling units; and
 - g. May only treat small animals on premises.
21. Day care I is allowed only as an accessory to a single-family detached unit.
22. Except bed and breakfasts, guesthouses are permitted outright and do not require a conditional use permit.
23. Mixed-use structures greater than one story shall provide ground floor retail, restaurant, or personal services along 60 percent of the building facade, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045. Permitted uses under the headings of cultural/recreation and governmental/institutional in subsection (3) of this section are exempt from this provision.
24. Parking facilities shall be fully screened from the public right-of-way with Type 1 landscaping in accordance with CMC 18.40.040.

25. a. The indoor shooting range, including its plans, rules, procedures, management and staff, shall comply with the applicable safety guidelines and provisions in the latest edition of “the Range Source Book” (National Rifle Association of America: Fairfax, Virginia) or its successor, as appropriate to the type of facility involved.

b. Any new development proposal and/or business license application for an indoor shooting range shall be accompanied by a notarized letter by the shooting facility operator that the facility complies with Federal and State regulations, meets commonly accepted shooting facility safety and design practices, and will be operated in a manner that protects the safety of the general public.

c. Outdoor shooting ranges are not permitted.

26. a. Multifamily residential dwellings in the TC zone shall be located in a minimum three-story mixed-use structure; and

b. Sixty percent or more of the ground floor abutting a street, public space, public plaza and/or public green space shall be occupied by one or more of the following permitted uses: retail, restaurant or personal services, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045. Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use. (Ord. 06-13 § 2 (Exh. A); Ord. 14-12 § 2 (Exh. B); Ord. 09-12 § 2 (Exh. B); Ord. 04-12 § 1 (Exh. A); Ord. 01-12 § 1 (Exh. 1); Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 1 (Exh. A))

27. New and existing single-family attached and detached dwellings within commercial zones shall abide by the density and dimension standards for the R-8 zone provided in Chapter 18.30.030 CMC.