



## DEVELOPMENT REGULATION / ZONING MAP AMENDMENT INSTRUCTION GUIDE

This guide is intended to explain the process for amending the City's development regulations contained in the municipal code and amending the City's official zoning map, pursuant to Chapter 14.27 CMC, and to provide guidance in completing an application for such an amendment. Please direct any questions regarding this process to the Department of Community Development, Strategic Planning Division, at 253-638-1110 or via e-mail to [amueller@covingtonwa.gov](mailto:amueller@covingtonwa.gov).

### Overview

A development regulation is a provision contained in the Covington Municipal Code that regulates any aspect of development, including any zoning, rezoning, subdivision, environmental review, building construction, site planning, sign regulation, landscaping or other sections controlling land development. The City's official zoning map delineates the location and boundaries of the zones defined in the city code.

From time to time, the City's development regulations and zoning map may require changes. An amendment may be proposed in conjunction with a proposal to amend to the City's comprehensive plan pursuant to the annual docketing process established by Chapter 14.25 CMC. However, a proposed development regulation/zoning map amendment that is unrelated to a comprehensive plan amendment will follow the process established by Chapter 14.27 CMC. This process does require a specific annual timeline, and such amendments may be proposed and acted upon at any time of the year. Regardless of whether a comprehensive plan amendment is involved, all development regulation and/or zoning map amendment proposals must be set forth on the Application for Development Regulation and must meet the decision criteria set forth in CMC 14.27.

### Who May Apply?

Any person or entity (e.g., private citizens, groups, City departments, Planning Commission or City Council) may initiate a development regulation

text amendment or an area-wide amendment. Only property owners or their authorized agents may initiate a site-specific zoning map amendment.

An individual or group may seek sponsorship of a text amendment or an area-wide zoning map amendment to the City Council if they feel that it has broad significance for the public good of the City. If the Council agrees to sponsor an amendment, the application fee is waived.

### Fee

For 2009, the fee for a development regulation/zoning map amendment is \$3,000. Please refer to the City's current fee resolution for updated fees. Depending on the nature of the proposed amendment, a SEPA (environmental) checklist and additional applicable fee may be required before the application is considered by the Planning Commission.

### Procedure

1. Application. To propose a development regulation/zoning map amendment, an individual should fill out the application form (available online and at City Hall), provide any required materials, and pay the application fee. A pre-application meeting with City staff is strongly encouraged prior to submittal of an application.

2. Director review. The Community Development Director will evaluate an application for completeness and may reject any proposal that is clearly inconsistent with the City's comprehensive plan upon written notification to the applicant. For applications that are complete and not inconsistent with the comprehensive plan, the Director will prepare a staff report and the Director/SEPA official will conduct a SEPA review and notify the applicant accordingly of any environmental requirements.

3. Public comment. The City will provide public notice and opportunity for public comment as appropriate, given the nature of the proposed amendment.

4. Final review and decision. The Planning Commission will evaluate the proposed amendment, hold a public hearing, and make a recommendation to the City Council. The Council will consider the recommendation and make the final decision to approve, deny, or modify the proposed development regulation and/or zoning map amendment.

### **Decision Criteria**

The City Council's approval, modification, deferral, or denial of an amendment proposal shall be based on the following criteria:

- (1) The proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan;
- (2) The proposed amendment is consistent with the scope and purpose of the City's zoning ordinances and the description and purpose of the zone classification applied for;
- (3) Circumstances have changed substantially since the establishment of the current zoning map or district to warrant the proposed amendment;
- (4) The proposed zoning is consistent and compatible with the uses and zoning of surrounding property;
- (5) The property that is the subject of the amendment is suited for the uses allowed in the proposed zoning classification;
- (6) The amendment is in compliance with the three-year limitation rule as specified in CMC 14.27.030(3); and
- (7) Adequate public services could be made available to serve the full range of proposed uses in that zone.

### **Completing the Application**

An applicant must provide all information requested on the application and answer with as much detail as possible as to how the proposal meets the selection/decision criteria.

#### **A. Contact Information**

Give the name and contact information of the applicant. If a lawyer or group is acting on behalf of or jointly with the applicant, complete agent contact information. Indicate the primary contact person. For site-specific amendments only, also complete contact information for property owner(s).

#### **B. Amendment Type**

Indicate whether the proposed amendment is a development regulation amendment (to the text or tables of the Covington municipal code) or a zoning map amendment.

#### **C. Development Regulation Amendment**

Indicate the code section to be amended, whether it is a "minor correction", and the reason for the requested change. Provide proposed amended language if possible.

#### **D. Zoning Map Amendment**

Indicate the current and proposed zoning designation, the current surrounding zone designations, the current comprehensive plan land use designation, and describe the current land use.

#### **E. Decision Criteria**

Provide detailed information as to how the proposed amendment meets the decision criteria.

#### **F. Costs and Benefits, Additional Information**

Provide information on the costs and benefits to the public, both monetary and non-monetary, and describe any additional information that supports the proposed amendment.

#### **G. Signature**

The applicant or the applicant's agent must sign the application, indicating that these instructions have been read and that the information provided on the application is true and correct. Property owners applying for site-specific zoning map amendments must also sign and have notarized a Property Owner Declaration.