



City of Covington

16720 SE 271st Street, Suite 100 • Covington, WA 98042 • (253) 638-1110 • Fax (253) 638-1122

SEPA DETERMINATION OF NON-SIGNIFICANCE (DNS)

Application Name: City of Covington 2012 Comprehensive Plan and Text (Development) Regulations Amendments

Application File Number: SEPA12-03

Applicant/Contact: Ann Mueller, Senior Planner
City of Covington
16720 SE 271st St.
Covington, WA 98042
253-480-2444

Date of Issuance: May 25, 2012

Project Location: The non-project action to amend the Comprehensive Plan Downtown Element and associated development regulation (CMC 18.31) will be applicable to the city's Town Center (TC) zoning district of the downtown zone. The non-project action to amend the Comprehensive Plan Introduction and Land Use Element will affect land currently outside of the city limits, but within the Urban Growth Area (UGA), and future annexation requests.

Project Description: The 2012 Comprehensive Plan and Text (Development) Regulations Amendments consist of the following: Amendments to the Downtown Element of the Comprehensive Plan, DTP Policy 2.4, requiring ground floor retail, restaurant, and/or personal services as part of any new multi-story, multi-family residential development in the Town Center (TC) zone (CPA2012-01); Amendment to the City's Zoning Code (CMC Chapter 18.31), implementing the policy language in CPA 2012-01, which requires ground floor retail, restaurant, and/or personal service uses in any multi-story, multi-family residential developments in the Town Center zone (DRA2012-01); and, Amendments to the Comprehensive Plan's Chapter 1- Introduction and a new Appendix T-3 relating to criteria for annexing unincorporated areas within the city's UGA. Also included are changes and additions to the existing annexation policies in Chapter 2, the Land Use Element, Section 2.8.2 Urban Growth Area and Potential Annexation Areas to guide any future annexations (CPA2012-02).

Documents Reviewed: Environmental Checklist (City of Covington, 05/15/2012), City of Covington Comprehensive Plan (Adopted 12/16/03 and as amended), Covington Downtown Plan and Zoning Study (09/30/09), and other information on file with the lead agency.

**Responsible Official/
Lead Agency** Richard Hart, Community Development Director
City of Covington SEPA Official
16720 SE 271st Street,
Covington, Washington 98042
(253) 480-2441

X This DNS is issued under WAC 197-11-340. Notice is hereby provided for the SEPA action for a non-project GMA Action. The comment period is 14 calendar days and ends **June 8, 2012** at 5 PM.

Comments and Notice of Appeals

*Any notice of appeals must be filed in writing, with the required filing fee paid in cash or check and received within 14 calendar days of the end of the comment period at Covington City Hall Offices by **July 22, 2012**. You must make specific factual objections, identify error, harm suffered, or identify anticipated relief sought and raise specific issues in the statement of appeal. Contact the Community Development Department at Covington City Hall to ask about the procedures for SEPA appeals.*

Signature of Responsible Official: Richard Hart Date: 05-17-2012



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CITY OF COVINGTON ENVIRONMENTAL CHECKLIST

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

Covington 2012 Comprehensive Plan Amendments to the Introduction Chapter, Downtown Element and Land Use Element and associated zoning code amendments to the Covington Municipal Code Chapter 18.31.

2. Name of applicant:

City of Covington, Community Development Department

3. Address and phone number of applicant and contact person:

*16720 SE 271 St. Suite 100
Covington, WA 98042
253.480.2444
Attn: Ann Mueller, Senior Planner*

4. Date checklist prepared:

May 15, 2012

5. Agency requesting checklist:

City of Covington, Community Development Department

6. Proposed timing or schedule (including phasing, if applicable):

Proposed amendments are scheduled to be adopted by the City Council by December 2012.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

The comprehensive plan maybe amended annually and updated on a mandatory 10-year cycle.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None

10. List any government approvals or permits that will be needed for your proposal, if known.

Covington's City Council will act on these proposed Comprehensive Plan Amendments by Dec. 31, 2012; the Washington Department of Commerce will be

notified according to GMA's required 60 day notice provision for amending local governmental plans and policies.

- 11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

This is a non-project action involving two comprehensive plan text amendments and one zoning code amendment as follows:

CPA2012-01- Amendments to the Downtown Element of the Comprehensive Plan, DTP Policy 2.4, requiring ground floor retail, restaurant, and/or personal services as part of any new multi-story, multi-family residential development in the Town Center (TC) zone.

DRA2012-01 – Amendment to the City's Zoning Code (CMC Chapter 18.31), implementing the policy language in CPA 2012-01 above, which requires ground floor retail, restaurant, and/or personal service uses in any multi-story, multi-family residential developments in the Town Center zone.

CPA2012-02 – Amendments to the Comprehensive Plan's Chapter 1- Introduction and a new Appendix T-3 relating to criteria for annexing unincorporated areas within the city's UGA. Also included are changes and additions to the existing annexation policies in Chapter 2, the Land Use Element, Section 2.8.2 Urban Growth Area and Potential Annexation Areas to guide any future annexations.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

This is a non-project action the amendments to the Comprehensive Plan's Downtown Element and downtown development regulations will essentially affect the development of property located within the Town Center (TC) zoning district.

The non-project action amending the Comprehensive Plan's Introduction and Land Use Elements will affect land currently located outside of the city's limit but within its UGA that may in the future request annexation to the City.

B. ENVIRONMENTAL ELEMENTS

1. Earth

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

- a. **General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other.**
N/A
- b. **What is the steepest slope on the site (approximate percent slope)?**
N/A
- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**
N/A
- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**
N/A
- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**
N/A
- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**
N/A
- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**
N/A
- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**
N/A

2. Air

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

- a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**
N/A

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

3. Water

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. Surface:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

N/A

- 2) Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

N/A

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

N/A

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

N/A

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

N/A

4. Plants

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. Check or circle types of vegetation found on the site:

_____ Deciduous tree: alder, maple, aspen, other

_____ Evergreen tree: fir, cedar, pine, other

_____ Shrubs

_____ Grass

_____ Pasture

_____ Crop or grain

_____ Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, or other

_____ Water plants: water lily, eelgrass, milfoil, or other

_____ Other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

N/A

c. List threatened or endangered species known to be on or near the site.

N/A

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

5. Animals

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

- a. Circle any birds and animals, which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, or other: _____

Mammals: deer, bear, elk, beaver, or other: _____

Fish: bass, salmon, trout, herring, shellfish, or other: _____

- b. List any threatened or endangered species known to be on or near the site.

N/A

- c. Is the site part of a migration route? If so, explain.

N/A

- d. Proposed measures to preserve or enhance wildlife, if any:

N/A

6. Energy and natural resources

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

7. Environmental health

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

N/A

- 1) Describe special emergency services that might be required.
N/A
 - 2) Proposed measures to reduce or control environmental health hazards, if any:
N/A
- b. Noise
- 1) What types of noise exist in the area which may affect your project (for example traffic, equipment, operation, or other)?
N/A
 - 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hour's noise would come from the site.
N/A
 - 3) Proposed measures to reduce or control noise impacts, if any:
N/A
8. Land and shoreline use
NOT APPLICABLE, THIS IS A NON-PROJECT ACTION
- a. What is the current use of the site and adjacent properties?
N/A
 - b. Has the site been used for agriculture? If so, describe.
N/A
 - c. Describe any structures on the site.
N/A
 - d. Will any structures be demolished? If so, what?
N/A
 - e. What is the current zoning classification of the site?
N/A
 - f. What is the current comprehensive plan designation of the site?
N/A
 - g. If applicable, what is the current shoreline master program designation of the site?
N/A

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

N/A

i. Approximately how many people would reside or work in the completed project?

N/A

j. Approximately how many people would the completed project?

N/A

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A

9. Housing

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

N/A

c. Proposed measures to reduce or control housing impacts, if any:

N/A

10. Aesthetics

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

N/A

b. What views in the immediate vicinity would be altered or obstructed?

N/A

c. Proposed measures to reduce or control aesthetic impacts, if any:

N/A

11. Light and glare

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

c. What existing off-site sources of light or glare may affect your proposal?

N/A

d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

12. Recreation

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

d. N/A

13. Historic and cultural preservation

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

N/A

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

N/A

c. Proposed measures to reduce or control impacts, if any:

N/A

14. Transportation

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

- N/A
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?
N/A
- c. How many parking spaces would the completed project have? How many would the project eliminate?
N/A
- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).
N/A
- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
N/A
- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.
N/A
- g. Proposed measures to reduce or control transportation impacts, if any:
N/A

15. Public services

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.
N/A
- b. Proposed measures to reduce or control direct impacts on public services, if any.
N/A

16. Utilities

NOT APPLICABLE, THIS IS A NON-PROJECT ACTION

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.
N/A
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.
N/A

C. SIGNATURE

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE CORRECT AND COMPLETE. I UNDERTAND THAT THE LEAD AGENCY IS RELYING ON THEM TO MAKE ITS DECISION.

Signature:

Date Submitted:



05-15-2012

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The goals and policies in these proposed Comprehensive Plan Amendments and related development regulation amendments would not be likely to increase discharge to water; emissions to air, production, storage or release of toxic or hazardous substances; or production of noise beyond that currently allowed under the existing language in the Comprehensive Plan and Town Center development regulations.

Proposed measures to avoid or reduce such increases are:

Possible future site-specific development would be subject to SEPA review that would identify reasonable mitigation measures associated with identified impacts, as needed.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The comprehensive plan updates and regulatory changes would generally not adversely affect plants animals or marine life, because most projects and activities would be subject to compliance with the City's critical areas regulations as well as state and federal laws protecting threatened and endangered species and critical area.

Compliance with state, federal, and local regulations regarding critical areas, endangered species, and water quality protection will ensure that most impacts from future development under these amendments are avoided and that mitigation is provided. Most projects would be subject to additional environmental review prior to implementation, which would afford opportunity to evaluate impacts on a project specific basis and devise appropriate mitigation.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed comprehensive plan and zoning code amendments would not deplete energy or natural resources. Future possible development would be expected to be substantially denser than current uses, and as such could use more energy and deplete natural resources. However, current or future regulations would apply that would influence total energy use and/or natural resource depletion. Subsequent site-specific

development that might occur consistent with the proposed amendments would be subject to SEPA review that would involve evaluation of potential, project-specific impacts relative to energy and natural resources.

Proposed measures to protect or conserve energy and natural resources are:

All projects in Covington are subject to Washington State regulations for energy conservation.

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

The comprehensive plan and regulatory changes do not affect existing city policies and regulations that protect environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

All future projects will be subject to the city's critical areas and shoreline regulations, as well as compliance with federal and state laws provides protection of and mitigation for impacts to endangered species habitat, wetlands and other aquatic resources.

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

Theses comprehensive plan and regulatory amendments would have no direct effect on shoreline use. There are two amendment that would affect land use in so far as it requires any residential development in the TC zone to be part of a mixed use, multi-story structure which is consistent with the current vision of the downtown area of the city.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None at this time. Subsequent site-specific development proposals would be subject to SEPA review that would identify reasonable mitigation measures associated with identified project-related impacts.

6. **How would the proposal be likely to increase demands on transportation or public services and utilities?**

The comprehensive plan updates and regulatory changes would not increase demands on transportation facilities or public services relative to what would occur without the updates.

Proposed measures to reduce or respond to such demand(s) are:

None at this time. Subsequent site-specific development would be subject to SEPA review and traffic analysis that would identify reasonable mitigation measures that would be associated with identified impacts of such future development.

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

These comprehensive plan updates and regulatory changes would not conflict with any local, state, or federal regulations or requirements to protect the environment.