



**CITY OF COVINGTON**  
 Community Development Department  
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A-431

## APPLICATION FOR DEVELOPMENT REGULATION AND/OR ZONING MAP AMENDMENT

<b>STAFF USE ONLY</b>	<b>Docket Number:</b> <u>DRA 2012-01</u> <b>Application Date:</b> <u>02/09/2012</u> <input checked="" type="checkbox"/> City-initiated <input type="checkbox"/> Privately-initiated
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**APPLICANT**  Primary Contact Person

Name: Covington Planning Commission

Address: Covington City Hall

City/State/Zip: Covington, WA 98042

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Signature: \_\_\_\_\_

**AGENT**  Primary Contact Person

Name: Ann Mueller, Senior Planner

Address: Covington City Hall

City/State/Zip: Covington, WA 98042

Phone: 253-638-1110 Ext 2224 Fax: \_\_\_\_\_

E-mail Address: amueller@covingtonwa.gov

Signature: \_\_\_\_\_

**PROPERTY OWNER**

Name: Non-Site Specific: Proposed text amend-  
ment will affect property development in the Town Cen-  
ter Focus Area.

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**PROPERTY OWNER 2**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Signature: \_\_\_\_\_

**TYPE OF AMENDMENT**

This is a proposal to amend development regulation text or tables contained in the Covington Municipal Code. **Complete development regulation information below.**

This is a proposal to amend the City's zoning map. **Complete zoning amendment information below.**

### DEVELOPMENT REGULATION AMENDMENT

Chapter and section of Covington Municipal Code to be amended: CMC 18.31.080

1. Is the proposed amendment a minor correction (i.e. one that does not result in any substantive change to the content or meaning of a development regulation, such as a correction to punctuation or numbering or a typographical or technical error)?

No     Yes *If yes, amendment proposal is exempt from the notice and hearing requirements of Chapter 14.27 CMC and the Director may make a recommendation directly to the City Council.*

2. What are the reasons for requesting this change?

To ensure multi-family dwellings in the Town Center Focus Area are located in multi-story, mixed-use structures with ground floor retail, restaurant or personal services.

\_\_\_\_\_

\_\_\_\_\_

## DEVELOPMENT REGULATION AMENDMENT (CONT'D.)

3. Provide either conceptual or specific amendatory language. Please be as specific as possible to aid in the evaluation of your proposal.

Add a new note to the table in 18.31.080 for Dwelling Unit, Multi-family” permitted in the TC zone.

26. Multifamily residential dwellings in the TC zone shall be located in a minimum three-story mixed use structure. 60% 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. Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use.

## ZONING MAP AMENDMENT

PROPOSED CHANGE TO ZONE DESIGNATION: FROM \_\_\_\_\_ (CURRENT) TO \_\_\_\_\_ (PROPOSED)

SURROUNDING ZONE DESIGNATIONS: EAST: \_\_\_\_\_ WEST: \_\_\_\_\_ NORTH: \_\_\_\_\_ SOUTH: \_\_\_\_\_

COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION: \_\_\_\_\_

CURRENT LAND USE: \_\_\_\_\_

*If this is a site-specific zoning map amendment, complete the following property information. Give street address or, if vacant, indicate lot(s), block, and subdivision OR tax lot number, access street and nearest intersection. If proposal applies to several parcels, list the streets bounding the area.*

ADDRESS(ES): \_\_\_\_\_

ASSESSOR'S PARCEL NUMBER(S): \_\_\_\_\_

SITE AREA: \_\_\_\_\_ sq. ft. / acres (circle one)

LEGAL DESCRIPTION(S): \_\_\_\_\_

## DESCRIBE HOW PROPOSAL MEETS DECISION CRITERIA

1. Proposed amendments that are the same or substantially-similar to an amendment proposed during the last three years are not eligible for consideration, except in certain cases due to geographic expansion by the City (see CMC 14.25.040(3)). Has the same or a substantially-similar amendment been proposed during the last three years?  No  Yes

If yes, how has geographic expansion necessitated the proposed amendment?

## DESCRIBE HOW PROPOSAL MEETS DECISION CRITERIA

2. Explain how the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan.

This code amendment is consistent with the vision, goals and policies of the Downtown Element of the Comprehensive Plan to ensure a vibrant and pedestrian friendly Town Center. This amendment is in conjunction with an amendment to the Comprehensive Plan associated with residential development in the Town Center focus area and will implement the policy change to require residential development in the Town Center to be located in a multi-story, mixed-use building with ground floor retail, restaurant and/or personal services uses.

3. Explain how 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.

The proposed code language is consistent with the City's zoning ordinances and specifically the purpose and intent of the downtown development and design standards (CMC 18.31.010 (3))

4. Explain how circumstances have changed substantially since the establishment of the current development regulation, zoning map or district to warrant the proposed amendment.

Upon further reflection and consideration Covington's Planning Commission has determined there is a benefit to requiring residential development in the Town Center Focus Area to be part of a mixed-use, multi-story structure with ground floor retail, restaurant or personal service uses to make sure the heart of downtown is pedestrian oriented, human in scale and economically healthy with mixed-use buildings and higher density residential housing. Without this amendment the opportunity may be lost if a large scale residential development is proposed without associated commercial and retail space to serve the needs of the residents and workers in the Covington.

5. Explain how the proposed zoning is consistent and compatible with the uses and zoning of surrounding property.

This amendment includes existing uses that are consistent with the uses currently allowed in the Town Center Focus area and is compatible with the uses in the surrounding areas.

6. Explain how the property that is the subject of the amendment is suited for the uses allowed in the proposed zoning classification.

This proposed amendment is for property located in the Town Center Focus Area and does not change any allowed uses but clarifies that residential development must be in a multi-story, mixed-use development with ground floor retail, restaurant or personal service uses.

7. Explain how adequate public services could be made available to serve the full range of proposed uses in that zone.

This proposed amendment does not add any new uses to the existing zoning and uses allowed in the TC Focus Area not additional public services would be required due to this code amendment.

## COSTS & BENEFITS / ADDITIONAL INFORMATION

1. Describe the effects of the proposed amendment in terms of costs and benefits to the public, both monetary and non-monetary.  
The proposed change to the mix of required development is to encourage commercial and retail uses on the ground floor that will result in a more pedestrian-friendly and active streetscape. It will strengthen the community's vision of the Town Center and align with true sustainable development patterns, which will be more cost effective and efficient in the long term.

2. Describe and/or attach any studies, research information, or further documentation that will support this proposal.

N/A

## CERTIFICATION / SIGNATURE

I have reviewed the Development Regulation/Zoning Map Amendment Instruction Guide, and certify that the information provided on this application is true and correct.

\_\_\_\_\_  
Applicant's/Agent's Signature

\_\_\_\_\_  
Date

*Please note: If this is a site-specific amendment proposal, all affected property owners must complete, sign, and have notarized a Property Owner Declaration.*

**Proposed Amendments 2012**

**Covington Municipal Code**

**Chapter 18.31**

**Downtown Development and Design Standards**

**18.31.080 Permitted land uses.**

(1) The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied or maintained. The use is considered permanently established when that use will or has been in continuous operation for a period exceeding 60 days. A use which will operate for less than 60 days is considered a temporary use, and subject to the requirements of Chapter [18.85](#) CMC.

(2) Explanation of Permitted Use Table.

(a) The permitted use table in this chapter determines whether a use is allowed in a district. The name of the district is located on the vertical column and the use is located on the horizontal row of these tables.

(b) If the letters “NP” appear in the box at the intersection of the column and the row, the use is not permitted in that district, except for certain temporary uses.

(c) If the letter “P” appears in the box at the intersection of the column and the row, the use is allowed in that district subject to the review procedures specified in Chapter [14.30](#) CMC and the general requirements of the code.

(d) If the letter “C” appears in the box at the intersection of the column and the row, the use is allowed subject to the conditional use review procedures specified in Chapter [14.30](#) CMC and conditional use fees as set forth in the current fee resolution, and the general requirements of the code.

(e) If a number appears next to a specific use or in the box at the intersection of the column and the row, the use may be allowed subject to the appropriate review process indicated above, the general requirements of the code and the specific conditions indicated in the permitted use conditions with the corresponding number in the code subsection immediately following the permitted use table.

(f) All applicable requirements shall govern a use whether or not they are cross-referenced in a section.

(3) Permitted Use Table.

Use Categories	Town Center (TC) <sup>23</sup>	Mixed Commercial (MC)	General Commercial (GC)	Mixed Housing Office (MHO) <sup>1</sup>
Residential				
Dwelling Unit, Accessory	NP	NP	NP	P <sup>2</sup>
Dwelling Unit, Multifamily	P <sup>26</sup>	P	P	P

Dwelling Unit, Single-Family Attached, Detached or Cottage Housing <sup>21</sup>	NP	NP	NP	P <sup>2</sup>
Senior Citizen Assisted Housing	P	P	P	C
Commercial				
Adult Entertainment	NP	P <sup>3</sup>	P <sup>3</sup>	NP
Business Services <sup>19</sup>	P <sup>5</sup>	P	P	P <sup>4,5</sup>
Drive Through Use	NP	P	P	NP
Farmers' Markets and Public Markets <sup>6</sup>	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 <sup>20,21</sup>	P	P	P	P
Private Electric Vehicle Parking Facility (Primary Use)			P <sup>5,24</sup>	
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 <sup>5</sup>	P	P <sup>10</sup>	P <sup>4,5</sup>
Retail Trade and Services – greater than 100,000 sq. ft. for all structures	C <sup>5,9,18</sup>	P	P <sup>10</sup>	NP
Shooting Ranges <sup>25</sup>	NP	NP	P	NP
Storage/Self Storage	NP	P <sup>5</sup>	P	NP
Temporary Lodging/Hotel	P	P	P	C <sup>22</sup>
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 <sup>7</sup>	P	P	C
Health Services				
Emergency Care Facility	C <sup>9,18</sup>	P	NP	NP
Hospital	NP	P	NP	NP
Medical Office/Outpatient Clinic	P <sup>8</sup>	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 <sup>10</sup>	NP
Government/Institutional <sup>11</sup>				
Essential Public Facilities	NP	NP	C	NP
Government Services	P	P	P	P <sup>12</sup>
Major Utility Facility	C <sup>14</sup>	C	P	C
Minor Utility Facility	P <sup>15</sup>	P	P	P
Schools: Compulsory, Vocational and Higher Education	C <sup>13</sup>	P	NP	C
Communication Facilities <sup>16</sup>				
Antenna	P	P	P	P
Transmission Support Structure	C <sup>17</sup>	C	P	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.
9. The development shall be located west of the proposed 171st Ave SE road alignment with frontage onto 168th PI 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.
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, Development Standards – 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 transmission support structures shall be mounted on a building.
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. 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. (Ord. 04-12 § 1 (Exh. A); Ord. 01-12 § 1 (Exh. 1); Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 1 (Exh. A))

26. Multifamily residential dwellings in the TC zone shall be located in a minimum three-story, mixed-use structure. 60% 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. Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use.

**18.31.090 Downtown zoning districts density and dimension standards.**

(1) Table of Density and Dimension Standards, Downtown Zoning Districts.

Standards	Town Center (TC)	Mixed Commercial (MC)	General Commercial (GC)	Mixed Housing Office (MHO)	Exceptions and Notes
Maximum Building Height	75 feet	60 feet	55 feet	45 feet	Maximum height shall be 45 feet within 50 feet of any zone outside of the downtown zone. In the MHO district, the 35 feet maximum height shall also apply within 50 feet of another MHO property.
Maximum Residential Density (stand alone)	Unlimited	60 D.U./acre	48 D.U./acre	24 D.U./acre	For cottage housing, CMC <a href="#">18.37.040</a> shall control. <u>Stand alone residential structures not permitted in the Town Center.</u>
Maximum Residential Density (if ground floor is commercial)	Unlimited	Unlimited	Unlimited	24 D.U./acre	
Minimum Residential	32 D.U./acre	24 D.U./acre	24 D.U./acre	12 D.U./acre	Residential use is not required in the downtown. For cottage housing, CMC <a href="#">18.37.040</a> shall control.

Density					
Maximum Floor Area Ratio (FAR) with Bonus Features	4:1	3:1	3:1	2:1, 1.25:1 east of Wax Road	Refer to CMC <a href="#">18.31.100</a> for bonus features.
Maximum Floor Area Ratio (FAR) without Bonus Features	1.5:1	1:1	1:1	1:1; .75:1 east of Wax Road	No minimum FAR. Development within the Jenkins Creek Corridor shall utilize low impact development (LID) techniques as adopted in CMC <a href="#">13.25.020</a> .
Maximum Impervious Surface	80%	90%	80%	70%; 50% east of Wax Road and south of SE 272nd St.	Developments in the MHO located east of Wax Road and south of SE 272nd St., and cottage housing developments shall not exceed the 50% maximum impervious surface.
Minimum Lot Frontage Occupied by a Building	Type I Street – 80% Type II Street – 50% Type III Street – 50% Type IV Street – 40%	Type II Street – 50% Type IV Street – 40%	Type IV Street – 40%	None	A building shall be located within 5 feet of the back of sidewalk or on a public plaza. Where utility easements greater than 5 feet exist, the building shall be set back to the extent of the easement and this area shall be designed as an extension of the sidewalk and/or may be included as part of the public space requirement.
Minimum Setbacks within District	None	None	20 feet	10 feet	Except in the TC and MC districts, a minimum of 5 feet setback shall be provided from any public property other than a street.
Minimum Setbacks to Adjoining Downtown District	10 feet where adjoining the MHO District only	10 feet	N/A	10 feet	In districts other than the MHO, no setback shall be required for mixed use development or commercial building less than 50,000 square feet, with no significant outside storage or sales.
Minimum Setbacks to Zones Outside the Downtown Zone	0	20 feet	20 feet	20 feet	Refer to Design Standards Section B(1)(g) – Buffers and Transitions. No setback is required where a zone is separated from another zone by a street.

(2) Additional Density and Dimension Development Standards Referenced in This Title.

(a) CMC [18.30.060](#) through [18.30.090](#) for density measurement and calculation methods.

(b) CMC [18.30.130](#) through [18.30.200](#) for measurement of setbacks and allowed projections into the setbacks. (Ord. 10-10 § 1 (Exh. A))