ORDINANCE NO 04-14

AN ORDINANCE OF THE CITY OF COVINGTON, WASHINGTON, ESTABLISHING A PLANNED ACTION FOR THE HAWK PROPERTY PURSUANT TO THE STATE ENVIRONMENTAL POLICY ACT.

WHEREAS, the State Environmental Policy Act (SEPA) and its implementing regulations provide for the integration of environmental review with land use planning and project review through the designation of planned actions by jurisdictions planning under the Growth Management Act (GMA), such as the City of Covington ("City"); and

WHEREAS, Section 43.21C.440 of the Revised Code of Washington (RCW), Sections 197-11-164 through 172 of the Washington Administrative Code (WAC), and Section 16.10.180 of the Covington Municipal Code (CMC) allow for and govern the adoption and application of a planned action designation under SEPA; and

WHEREAS, the State Department of Commerce (DOC) has studied planned actions in various communities throughout the state and found that predefined mitigation as allowed under a planned action ordinance has resulted in increased certainty and predictability for development, time and cost savings for development project proponents and cities, and increased revenues for cities when used with other economic development tools; and

WHEREAS, the designation of a planned action expedites the permitting process for projects of which the impacts have been previously addressed in an environmental impact statement (EIS); and

WHEREAS, a subarea of the City commonly referred to as the "Hawk Property", as depicted on the map attached hereto as Exhibit A and incorporated herein by this reference, has been identified as a planned action area for future redevelopment from a reclaimed mine and asphalt batch plant to an urban village ("Planned Action Area"); and

WHEREAS, the City has developed and adopted a subarea plan complying with the GMA (RCW 36.70A), dated February 11, 2014, to guide the redevelopment of the Planned Action Area ("Hawk Property Subarea Plan"); and

WHEREAS, after extensive public participation and coordination with all affected parties, the City, as lead SEPA agency, issued the Hawk Property Planned Action Final Environmental Impact Statement ("FEIS") dated November 14, 2013, which identifies the impacts and mitigation measures associated with planned development in the Planned Action Area as identified in the Hawk Property Subarea Plan; the FEIS includes by incorporation the Hawk Property Planned Action Draft Environmental Impact Statement issued on July 26, 2013 (collectively referred to herein as the "Planned Action EIS"); and

WHEREAS, the City desires to designate a planned action under SEPA for the Hawk Property ("Planned Action"); and

WHEREAS, adopting a Planned Action for the Hawk Property with appropriate standards and procedures will help achieve efficient permit processing and promote environmental quality protection; and

WHEREAS, the City has adopted development regulations and ordinances that will help protect the environment and will adopt regulations to guide the allocation, form, and quality of development on the Hawk Property; and

WHEREAS, the City Council finds that adopting this Ordinance is in the public interest and will advance the public health, safety, and welfare;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section I. *Purpose*. The purpose of this Ordinance is to:

A. Combine environmental analysis, land use plans, development regulations, and City codes and ordinances together with the mitigation measures in the Planned Action EIS to mitigate environmental impacts and process Planned Action development applications in the Planned Action Area;

B. Designate the Hawk Property subarea shown in Exhibit A as a Planned Action Area for purposes of environmental review and permitting of designated Planned Action Projects pursuant RCW 43.21C.440;

C. Determine that the Planned Action EIS meets the requirements of a planned action EIS pursuant to SEPA;

D. Establish criteria and procedures for the designation of certain projects within the Planned Action Area as "Planned Action Projects" consistent with RCW 43.21C.440;

E. Provide clear definition as to what constitutes a Planned Action Project within the Planned Action Area, the criteria for Planned Action Project approval, and how development project applications that qualify as Planned Action Projects will be processed by the City;

F. Streamline and expedite the land use permit review process by relying on the Planned Action EIS; and

G. Apply applicable regulations within the City's development regulations and the mitigation framework contained in this Ordinance for the processing of Planned Action Project applications and to incorporate the applicable mitigation measures into the underlying project permit conditions in order to address the impacts of future development contemplated by this Ordinance.

Section II. *Findings*. The City Council finds as follows:

A. The Recitals above are adopted herein as Findings of the City Council.

B. The City is subject to the requirements of the GMA.

C. The City has adopted a Comprehensive Plan complying with the GMA and is amending the Comprehensive Plan to incorporate text and policies specific to the Hawk Property Subarea.

D. The City is adopting zoning and development regulations concurrent with the Hawk Property Subarea Plan to implement said Plan, including this Ordinance.

E. The Planned Action EIS adequately identifies and addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area.

F. The mitigation measures identified in the Planned Action EIS, attached to this Ordinance as Exhibit B and incorporated herein by reference, together with adopted City development regulations are adequate to mitigate significant adverse impacts from development within the Planned Action Area.

G. The Hawk Property Subarea Plan and Planned Action EIS identify the location, type, and amount of development that is contemplated by the Planned Action.

H. Future projects that are implemented consistent with the Planned Action will protect the environment, benefit the public, and enhance economic development.

I. The City provided several opportunities for meaningful public involvement and review in the Hawk Property Subarea Plan and Planned Action EIS processes, including a community meeting consistent with RCW 43.21C.440; has considered all comments received; and, as appropriate, has modified the proposal or mitigation measures in response to comments.

J. Essential public facilities as defined in RCW 36.70A.200 are excluded from the Planned Action as designated herein and are not eligible for review or permitting as Planned Action Projects unless they are accessory to or part of a project that otherwise qualifies as a Planned Action Project.

K. The designated Planned Action Area is located entirely within a UGA.

L. Implementation of the mitigation measures identified in the Planned Action EIS will provide for adequate public services and facilities to serve the proposed Planned Action Area.

Section III. *Procedures and Criteria for Evaluating and Determining Planned Action Projects within the Planned Action Area.*

A. Planned Action Area. This "Planned Action" designation shall apply to the area shown in Exhibit A of this Ordinance.

B. Environmental Document. A Planned Action Project determination for a site-specific project application within the Planned Action Area shall be based on the environmental analysis contained in the Planned Action EIS. The mitigation measures contained in Exhibit B of this Ordinance are based upon the findings of the Planned Action EIS and shall, along with adopted City regulations, provide the framework the City will use to apply appropriate conditions on qualifying Planned Action Projects within the Planned Action Area.

C. Planned Action Project Designated. Land uses and activities described in the Planned Action EIS, subject to the thresholds described in Subsection III.D of this Ordinance and the mitigation measures contained in Exhibit B of this Ordinance, are designated "Planned Action Projects" pursuant to RCW 43.21C.440. A development application for a site-specific project located within the Planned Action Area shall be designated a Planned Action Project if it meets the criteria set forth in Subsection III.D of this Ordinance and all other applicable laws, codes, development regulations, and standards of the City, including this Ordinance, are met.

D. Planned Action Qualifications. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area was contemplated as a Planned Action Project and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Qualifying Land Uses.

(a) Planned Action Categories: The following general categories/types of land uses are defined in the Hawk Property Subarea Plan and can qualify as Planned Actions:

i. Single Family dwelling units

ii. Townhome dwelling units

iii. Multi-family dwelling units

iv. Commercial

v. Large Format Retail

vi. Iconic/Local Retail

vii. Open Space, Parks, Plazas, Trails, Gathering Spaces

viii. Park and Ride

(b) Planned Action Project Land Uses: A primary land use can qualify as a Planned Action Project land use when:

i. it is within the Planned Action Area as shown in Exhibit A of this Ordinance;

ii. it is within one or more of the land use categories described in Subsection III.D(1)(a) above; and

iii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

A Planned Action Project may be a single Planned Action land use or a combination of Planned Action land uses together in a mixed-use development. Planned Action land uses may include accessory uses.

(c) Public Services: The following public services, infrastructure, and utilities can also qualify as Planned Actions: onsite roads, utilities, parks, trails, and similar facilities developed consistent with the Planned Action EIS mitigation measures, City and special district design standards, critical area regulations, and the Covington Municipal Code.

(2) Development Thresholds:

(a) Land Use: The following thresholds of new land uses are contemplated by the Planned Action:

Feature	Minimum Urban Village Proposal	Maximum Urban Village Proposal
Residential Dwellings (units)	1,000	1,500
Commercial Square Feet	680,000	850,000

(b) Shifting development amounts between land uses in identified in Subsection III.D(2)(a) may be permitted when the total build-out is less than the aggregate amount of development reviewed in the Planned Action EIS; the traffic trips for the preferred alternative are not exceeded; and, the development impacts identified in the Planned Action EIS are mitigated consistent with Exhibit B of this Ordinance.

(c) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action Project or combination of Planned Action Projects exceeds the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Planned Action EIS.

(3) Transportation Thresholds:

(a) Trip Ranges & Thresholds. The number of new PM peak hour trips anticipated in the Planned Action Area and reviewed in the Planned Action EIS for 2035 is as follows:

PM PEAK HOUR TRIPS

	Alternative 2 – Minimum Urban Village				Alternative 3 – Maximum Urban Village			
		PM Peak Hour				PM Peak Hour		
	Daily	In	Out	Total	Daily	In	Out	Total
Primary Trips	21,950	1,025	940	1,965	28,270	1,343	1,235	2,578

Source: Heffron Transportation, April 2013.

(b) Concurrency. All Planned Action Projects shall meet the transportation concurrency requirements and the Level of Service (LOS) thresholds established in Chapter 12.100 CMC, Transportation Concurrency Management, and Chapter 12.110, Intersection Standards.

(c) Traffic Impact Mitigation. Traffic impact fees shall be paid consistent with Chapter 12.105 CMC. Transportation mitigation shall also be provided consistent with mitigation measures in Exhibit B, Attachment B-1 of this Ordinance and the calculation of additional transportation mitigation fees per PM peak hour trip in Exhibit D of this Ordinance, attached hereto and incorporated by this reference.

(d) The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection III.D(3)(a) are not exceeded, that the project meets the concurrency and intersection standards of Subsection III.D(3)(b), and that the project has mitigated impacts consistent with Subsection III.D (3)(c).

(e) Discretion.

i. The responsible City official shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City's Public Works Director at his or her sole discretion, for each project permit application proposed under this Planned Action.

ii. The responsible City official shall have discretion to condition Planned Action Project applications to meet the provisions of this Planned Action Ordinance and the Covington Municipal Code.

iii. The responsible City official shall have the discretion to adjust the allocation of responsibility for required improvements between individual Planned Action Projects based upon their identified impacts.

(4) Elements of the Environment and Degree of Impacts. A proposed project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Planned Action EIS would not qualify as a Planned Action Project.

(5) Changed Conditions. Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action Project designation is no longer applicable until supplemental environmental review is conducted.

E. Planned Action Project Review Criteria.

(1) The City's SEPA Responsible Official, or authorized representative, may designate as a Planned Action Project, pursuant to RCW 43.21C.440, a project application that meets all of the following conditions:

(a) the project is located within the Planned Action Area identified in Exhibit A of this Ordinance;

(b) the proposed uses and activities are consistent with those described in the Planned Action EIS and Subsection III.D of this Ordinance;

(c) the project is within the Planned Action thresholds and other criteria of Subsection III.D of this Ordinance;

(d) the project is consistent with the Covington Comprehensive Plan including the policies of the Hawk Property Subarea Plan incorporated into the Comprehensive Plan and the regulations of the Hawk Property Subarea Plan integrated into the Covington Municipal Code;

(e) the project's significant adverse environmental impacts have been identified in the Planned Action EIS;

(f) the project's significant impacts have been mitigated by application of the measures identified in Exhibit B of this Ordinance and other applicable City regulations, together with any conditions, modifications, variances, or special permits that may be required;

(g) the project complies with all applicable local, state and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation; and

(h) the project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a Planned Action Project under this Ordinance.

(2) The City shall base its decision to qualify a project as a Planned Action Project on review of the Subarea SEPA Checklist form included in Exhibit B to this Ordinance and review of the Planned Action Project submittal and supporting documentation, provided on City required forms.

F. Effect of Planned Action Designation.

(1) Designation as a Planned Action Project by the City's SEPA Responsible Official means that a qualifying project application has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and thresholds established herein and with the environmental analysis contained in the Planned Action EIS.

(2) Upon determination by the City's SEPA Responsible Official that the project application meets the criteria of Subsection III.D and qualifies as a Planned Action Project, the project shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA. Planned Action Projects will still be subject to all other applicable City, state, and federal regulatory requirements. The Planned Action Project designation shall not excuse a project from meeting the City's code and ordinance requirements apart from the SEPA process.

G. Planned Action Project Permit Process. Applications submitted for qualification as a Planned Action Project shall be reviewed pursuant to the following process:

(1) Development applications shall meet all applicable requirements of the Covington Municipal Code and this Ordinance in place at the time of the Planned Action Project application. Planned Action Projects shall not vest to regulations required to protect public health and safety.

(2) Applications for Planned Action Projects shall:

(a) be made on forms provided by the City;

(b) include the Subarea SEPA checklist included in Exhibit B of this Ordinance;

(c) include a conceptual site plan pursuant to Subsection III.G(3) of this Ordinance; and

(d) meet all applicable requirements of the Covington Municipal Code and this Ordinance.

(3) A conceptual site plan shall be submitted for proposed Planned Action Projects. The purpose of the conceptual site plan process is to assess overall project concepts and phasing as well as to review how the major project elements work together to implement requirements of this Ordinance, the consistency of the Planned Action Project application with Planned Action EIS alternative concept plans included in Exhibit E of this Ordinance attached hereto and incorporated by this reference, the Covington Comprehensive Plan, the Hawk Property Subarea Plan, the Covington Municipal Code, and the City of Covington Design and Construction standards. The conceptual site plan shall contain and/or identify:

(a) Name of proposed project;

(b) Date, scale, and north arrow oriented to the top of the paper/plan sheet;

(c) Drawing of the subject property with all property lines dimensioned and names of adjacent streets;

(d) A legend listing all of the following information on one of the sheets:

- Total square footage of the site
- Square footage of each individual building and/or use
- Total estimated square footage of all buildings (including footprint of each building)
- Percentage estimate of the total lot covered by buildings and by total impervious area
- Square footage estimate of all landscaping (total and parking lots)

- Allowable and proposed building height
- Building setbacks proposed and required by the CMC
- Parking analysis, including estimated number, size, and type of stalls required, by use; and number of stalls provided by use;

(e) Phasing of development;

(f) Major access points and access to public streets, vehicle and pedestrian circulation, public transit stops;

(g) Critical areas;

(h) Focal points within the project (e.g., public plazas, art work, wayfinding signage, gateways both into the site and into the city, etc.);

(i) Private and public open space provisions and recreation areas; and

(j) Written summary of how the conceptual site plan meets the requirements of this Ordinance and the Hawk Property Subarea Plan as well as relevant Covington Municipal Code requirements. The written summary shall also identify the consistency of the Planned Action Project application with Planned Action EIS alternative concept plans included in Exhibit E of this Ordinance.

(4) The City's SEPA Responsible Official shall determine whether the application is complete and shall review the application to determine if it is consistent with and meets all of the criteria for qualification as a Planned Action Project as set forth in this Ordinance.

(5) (a) If the City's SEPA Responsible Official determines that a proposed project qualifies as a Planned Action Project, he/she shall issue a "Determination of Consistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to Chapter 1, Laws of 2012 (Engrossed Substitute Senate Bill (ESSB) 6406).

(b) Upon issuance of the Determination of Consistency, the review of the underlying project permit(s) shall proceed in accordance with the applicable permit review procedures specified in Title 14 CMC, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.

(c) The Determination of Consistency shall remain valid and in effect as long as the underlying project application approval is also in effect.

(d) Public notice and review for qualified Planned Action Projects shall be tied to the underlying project permit(s). If notice is otherwise required for the underlying permit(s), the notice shall state that the project qualifies as a Planned Action Project. If notice is not otherwise required for the underlying project permit(s), no special notice is required by this Ordinance.

(6) (a) If the City's SEPA Responsible Official determines that a proposed project does not qualify as a Planned Action Project, he/she shall issue a "Determination of Inconsistency" and shall mail or otherwise verifiably deliver said Determination to the applicant; the owner of the property as listed on the application; and federally recognized tribal governments and agencies with jurisdiction over the Planned Action Project, pursuant to Chapter 1, Laws of 2012 (Engrossed Substitute Senate Bill (ESSB) 6406).

(b) The Determination of Inconsistency shall describe the elements of the Planned Action Project application that result in failure to qualify as a Planned Action Project.

(c) Upon issuance of the Determination of Inconsistency, the City's SEPA Responsible Official shall prescribe a SEPA review procedure for the non-qualifying project that is consistent with the City's SEPA regulations and the requirements of state law.

(d) A project that fails to qualify as a Planned Action Project may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet the non-qualifying project's SEPA requirements. The City's SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

(7) To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action Project, consistent with RCW 36.70B.170 et seq. and CMC Chapter 18.114, Development Agreements.

(8) A Determination of Consistency or Inconsistency is a Type 1 land use decision and may be appealed pursuant to the procedures established in Title 14 CMC. An appeal of a Determination of Consistency shall be consolidation with any pre-decision or appeal hearing on the underlying project application.

Section IV. *Monitoring and Review*.

A. The City should monitor the progress of development in the designated Planned Action area as deemed appropriate to ensure that it is consistent with the assumptions of this Ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts and with the mitigation measures and improvements planned for the Planned Action Area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official no later than five (5) years from its effective date in conjunction with the City's regular Comprehensive Plan review cycle, as applicable. The timing of subsequent reviews after the first review shall be determined with the completion of the first review. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action Area, the impacts of development, and required mitigation measures (Exhibit B) and Public Agency Actions and Commitments (Exhibit C). Based upon this review, the City may propose amendments to this Ordinance or may supplement or revise the Planned Action EIS.

Section V. *Conflict*. In the event of a conflict between this Ordinance or any mitigation measures imposed thereto, and any ordinance or regulation of the City, the provisions of this Ordinance shall control.

Section VI. *Severability*. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect.

Section VII. *Effective Date*. This Ordinance shall take effect and be in force ten (10) days after publication as provided by law.

Passed by the City Council of the City of Covington the 11th day of February, 2014.

Margaret Harto

Mayor Margaret Harto

ATTESTED:

Sharon Scott, City Clerk

PUBLISHED: February 14, 2014

EFFECTIVE: February 24, 2014

APPROVED AS TO FORM:

Sara Springer, City Attorney

EXHIBIT A

HAWK PROPERTY SUBAREA PLANNED ACTION AREA

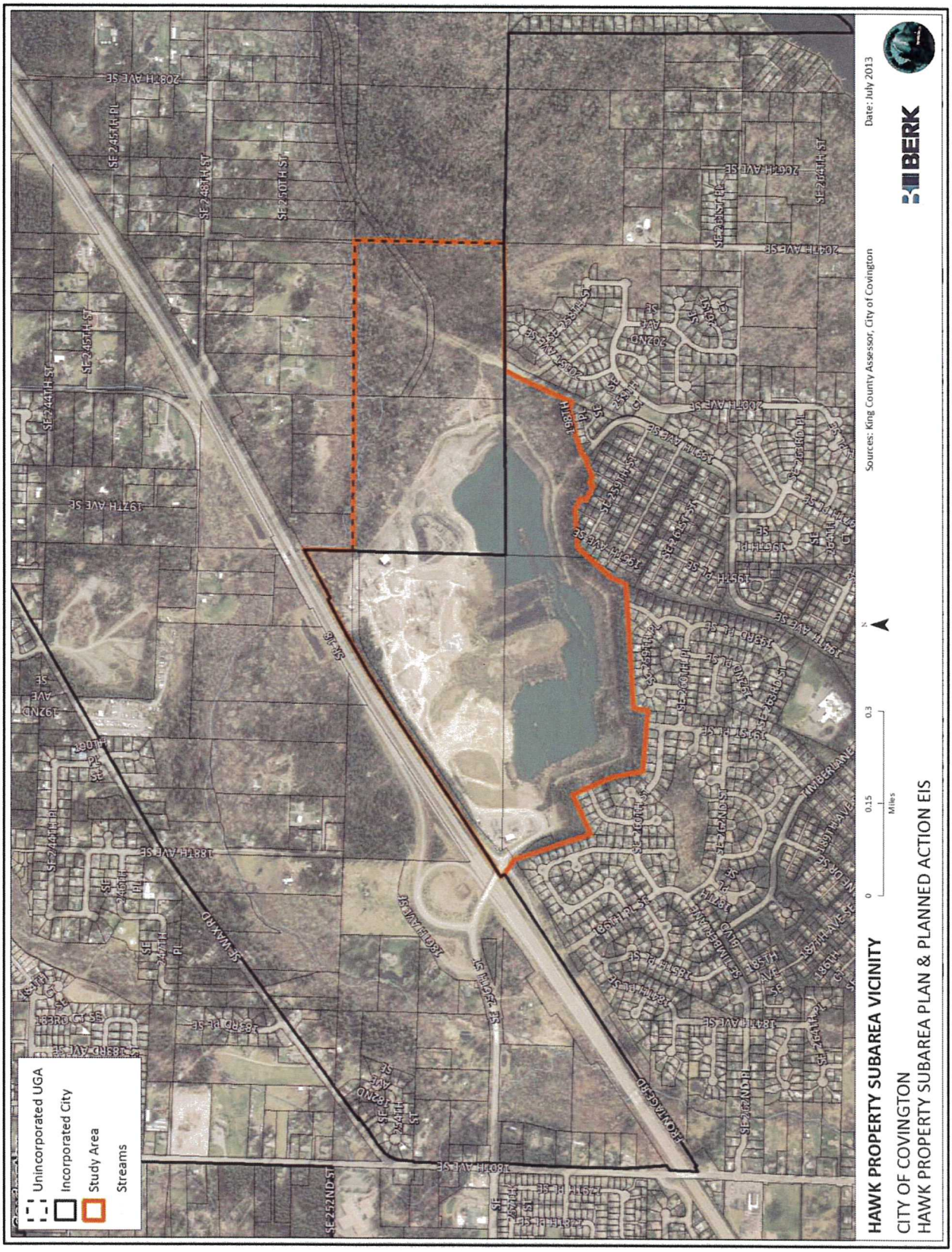


Exhibit B
Hawk Property Subarea SEPA Checklist and Mitigation Document

INTRODUCTION

The State Environmental Policy Act (SEPA) requires environmental review for project and non-project proposals that are likely to have adverse impacts upon the environment. In order to meet SEPA requirements, the City of Covington issued the Planned Action EIS for the Hawk Property, as defined in this Hawk Property Planned Action Ordinance ("Ordinance") in which this Exhibit is attached. The Planned Action EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts.

The City of Covington has established a Planned Action designation for the Hawk Property Subarea based on the Planned Action EIS (see **Exhibit A**). SEPA Rules indicate review of a Planned Action Project is intended to be simpler and more focused than for other projects (WAC 197-11-172). This **Exhibit B** provides a modified checklist form for Planned Action Project applicants to complete, as provided pursuant to RCW 43.21C.440.

MITIGATION DOCUMENT

A Mitigation Document is provided in **Attachment B-1** to this Exhibit B, and is also summarized in the environmental checklist. **Attachment B-1** establishes specific mitigation measures, based upon significant adverse impacts identified in the Planned Action EIS. These mitigation measures shall apply to future development proposals which are found consistent with the Planned Action thresholds in Subsection III.D of this Ordinance and the conceptual plans in Exhibit E of this Ordinance, and which are located within the Planned Action Area (see **Exhibit A**).

APPLICABLE PLANS AND REGULATIONS

The Planned Action EIS identifies specific regulations that act as mitigation measures. These are summarized by EIS topic in **Attachment B-2** to this Exhibit B and are advisory to applicants. All applicable federal, state, and local regulations shall apply to Planned Action Projects, including the regulations that are adopted with the Hawk Property Subarea Plan. Planned Action Project applicants shall comply with all adopted regulations where applicable, including those listed in the Planned Action EIS and those not included in the Planned Action EIS.

INSTRUCTIONS TO APPLICANTS

This environmental checklist below asks you to describe some basic information about your proposal. The City will use this checklist to determine whether the project is consistent with the analysis in the Hawk Property Planned Action EIS and qualifies as a Planned Action Project, or would otherwise require additional environmental review under SEPA. 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. 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 City may ask you to explain your answers or provide additional information.

A. PROPOSAL DESCRIPTION

Date:			
Applicant:	Name/Company:	Phone #:	Cell #:
	Mailing Address:	Email Address:	
Property Owner:	Name/Company:	Phone #:	Cell #:
	Mailing Address:	Email Address:	
Property Address	Street:	City, State, Zip Code:	
Parcel Information	Assessor Parcel Number:	Property Size in Acres:	
Give a brief, complete description of your proposal.			

Property Zoning	District Name:		Building Type:
Permits Requested (list all that apply)	☐ Land Use: _____ ☐ Building: _____		☐ Engineering: _____ ☐ Other: _____
	All Applications Deemed Complete? Yes __ No __ Explain:		
	Are there pending governmental approvals of other proposals directly affecting the property covered by your proposal? Yes __ No __ Explain:		
Existing Land Use	Describe Existing Uses on the Site:		
Proposed Land Use – Check and Circle All That Apply	☐ Single Family dwelling units ☐ Townhome dwelling units ☐ Multi-family dwelling units ☐ Commercial		☐ Large Format Retail ☐ Iconic/Local Retail ☐ Open Space, Parks, Plazas, Trails, Gathering Spaces ☐ Park and Ride
Dwellings	# Existing Dwelling Units: #____ Dwelling Type _____ #____ Dwelling Type _____	# Proposed Dwelling Units: #____ Type _____ #____ Type _____	Proposed Density (du/ac):
	Dwelling Threshold Total in Ordinance: 1,000 to 1,500		Dwelling Bank Remainder as of _____20__ _____dwellings
Non-residential Uses: Building Square Feet	Existing Square Feet:		Proposed Square Feet:
	Employment Square Feet in Ordinance: 680,000 to 850,000 square feet Type of Employment: ☐ Large Format Retail Square Feet _____SF ☐ Iconic/Local Retail _____SF ☐ Commercial Office _____SF ☐ Other (describe): _____SF		Square Feet Remainder as of _____20__ _____ square feet
Building Height	Existing Stories: Existing Height in feet:		Proposed Stories: Proposed Height in feet:
Parking Spaces	Existing:		Proposed:
PM Peak Hour Weekday Vehicle Trips	Existing Estimated Trips Total:	Future Estimated Trips Total:	Net New Trips:
	Maximum net new primary PM peak hour trips in Ordinance: 1,965 to 2,578		Trip Bank Remainder as of _____20__ _____dwellings
	Source of Trip Rate: ITE Manual ___ Other ____		Transportation Impacts Determined Consistent with Ordinance Subsection III.D(3): Yes ____ No ____

Impervious Surfaces	Existing Square Feet or Acres:	Proposed Square Feet or Acres:
Proposed timing or schedule (including phasing).		
Describe plans for future additions, expansion, or further activity related to this proposal.		
List any available or pending environmental information directly related to this proposal.		

B. ENVIRONMENTAL CHECKLIST AND MITIGATION MEASURES

Earth Checklist and Mitigation Measures	
1. Description of Conditions A. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____ B. What is the steepest slope on the site (approximate percent slope)? _____ C. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? _____ _____	**STAFF COMMENTS:**
2. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.	
3. Has any part of the site been classified as a "geologically hazardous" area? (Check all that apply) □ Landslide Hazards □ Erosion Hazards □ Seismic Hazards □ Liquefaction Hazards □ Other: _____ Describe:	

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

5. Proposed Measures to control impacts to earth, soils, and geologic hazardous areas:

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY):

- ☐ Site Specific Study
- ☐ Ground improvement and foundation support requirements
- ☐ Temporary Erosion and Sedimentation Control (TESC) measures and Best Management Practices to control erosion as required under the NPDES construction permit
- ☐ Other: _____

Surface Water and Groundwater Resources Checklist

6. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)?

If yes, describe type of surface water body, including their name(s), stream classification, and whether there is a 100-year floodplain.

If appropriate, state what stream or river the surface water body flows into.

STAFF COMMENTS:

7. Will the proposal require or result in (check all that apply and describe below):

- ☐ any work over, in, or adjacent to (within 200 feet) the described waters?
- ☐ fill and dredge material that would be placed in or removed from surface water or wetlands?
- ☐ surface water withdrawals or diversions?
- ☐ discharges of waste materials to surface waters?
- ☐ groundwater withdrawal or discharge?
- ☐ waste materials entering ground or surface waters?

Describe:

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

9. Is the area designated a critical aquifer recharge area? If so, please describe:

10. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

11. What measures are proposed to reduce or control water resources/stormwater impacts?

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY):

- ☐ Low Impact Development (LID) techniques
- ☐ Stormwater Manual Basic Water Quality menu
- ☐ Stormwater Manual Enhanced Basic Water Quality menu
- ☐ Stormwater Infiltration and pretreatment
- ☐ Construction refueling containment measures
- ☐ Wells decommissioned or property constructed
- ☐ Best Management Practices (BMP) Plan
- ☐ Native species landscaping
- ☐ Demonstrate compliance with the 2008 City of Kent Draft Water System Plan Chapter 8: Wellhead Protection Program

Other: _____

Air Quality/GHG Checklist and Mitigation Measures

12. What types of emissions to the air would result from the proposal a) during construction and b) when the project is completed? Please describe and give quantities if known.

STAFF COMMENTS:

13. What measures are proposed to reduce or control air emissions?

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY):

- ☐ Air Quality Control Plans
- ☐ Puget Sound Clean Air Agency Approval of Burning Slash
- ☐ Greenhouse Gas Reduction Measures
- ☐ Other: _____

Explain how additional mitigation and Greenhouse Gas Reduction Measures are incorporated into the project, and which measures are not incorporated and why they are infeasible:

Plants and Animals Checklist and Mitigation Measures

Plants and Habitat Checklist	STAFF COMMENTS:
14. 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, bullrush, skunk cabbage, other □ Water plants: Water lily, eelgrass, milfoil, other _____ □ Other types of vegetation: _____	
15. Are there wetlands on the property? Please describe their acreage and classification.	
16. Is there riparian habitat on the property?	
17. What kind and amount of vegetation will be removed or altered?	
18. List threatened or endangered species known to be on or near the site.	
19. Is the proposal consistent with critical area regulations? Please describe.	

20. Proposed landscaping, use of native plants, buffers, or other measures to preserve or enhance vegetation on the site:

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY):

- ☐ Water quality
- ☐ LID stormwater practices
- ☐ Critical area protection/avoidance
- ☐ Buffers consistent with regulations and placed in tract
- ☐ Native landscaping
- ☐ A long-term stewardship program for natural open spaces and critical areas
- ☐ Other: _____

Describe:

STAFF COMMENTS:

Fish and Wildlife

21. 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, other: _____
- ☐ Mammals: Deer, bear, elk, beaver, other: _____
- ☐ Fish: Bass, salmon, trout, herring, shellfish, other: _____

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

23. Is the proposal consistent with standard critical area buffers? Please describe.

24. Proposed measures to preserve or enhance fish and wildlife, if any:

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY):

- ☐ Native landscaping retained and added
- ☐ Wildlife crossing
- ☐ Critical area protection/avoidance
- ☐ Other: _____

Describe:

Noise Checklist and Mitigation Measures

25. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?	**STAFF COMMENTS:**
26. 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 hours noise would come from the site.	
THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): ☐ Chapter 8.20 of the Covington Municipal Code, Noise Control ☐ Washington State Noise Control Act of 1974 (WAC 173-60) ☐ Noise control plans ☐ Construction noise reduction measures ☐ Noise field measurements ☐ Appropriate site design. For example, based on the Planned Action EIS analysis, with a 35-foot minimum setback to residential buildings or residential outdoor use areas, the modeled traffic noise levels at new dwellings would be less than the impact criteria. ☐ Building materials and design (e.g. double pane windows) if exterior noise levels exceed local, state, or federal thresholds as studied in the Planned Action EIS. ☐ Other: _____ Describe:	

Land Use Checklist	
27. What is the current use of the site and adjacent properties? (Add more explanation as needed beyond description in Part A.)	**STAFF COMMENTS:**
28. Describe any structures on the site. Will any structures be demolished? If so, what type, dwelling units, square feet?	
29. What is the current comprehensive plan designation of the site?	
30. What is the current zoning classification of the site?	
31. If applicable, what is the current shoreline master program designation of the site?	
32. What is the planned use of the site? List type of use, number of dwelling units and building square feet.	
33. What is the tallest height of any proposed structure(s)?	
34. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any. THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): □ Consistency with Hawk Property Subarea Plan as described below □ Other: _____ Describe these measures and how they are incorporated into the development:	

Transportation Checklist

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

36. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

37. How many parking spaces would the completed project have? How many would the project eliminate?

38. 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).

39. How many PM peak hour vehicular trips per day would be generated by the completed project? Attach appropriate documentation.

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

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY):

- ☐ Trips in Ordinance Subsection III.D(3)(a) are not exceeded, the project meets the Concurrency and Intersection Standards of Subsection III.D(3)(b), and that the project has mitigated impacts consistent with Subsection III.D (3)(c).
- ☐ Installation of required improvements necessitated by development or that are part of Planned Action (e.g. spine road and associated intersection improvements).
- ☐ Fair share contribution to improvements at City concurrency intersections and roads.
- ☐ Other measures to reduce or control transportation impacts: _____

Describe:

STAFF COMMENTS:

Verify that:

- ☐ The Planned Action Project applicant has submitted documentation of the trips, required improvements, impact fees and other mitigation in comparison to the Planned Action EIS and the Planned Action Ordinance.
- ☐ The City has verified incremental and total trip generation.

Public Services and Utilities Checklist	
41. Police Protection: Would the project increase demand for police services? Can City levels of service be met?	**STAFF COMMENTS:**
42. Fire and Emergency Services: Would the project increase demand for fire and/or emergency services? Can levels of services be met?	
43. Schools: Would the project result in an increase in demand for school services? Can levels of services be met? Is an impact fee required?	
44. Parks and Recreation: Would the project require an increase in demand for parks and recreation? Can levels of services be met? Are parks and trails provided consistent with the Planned Action EIS Alternatives? Is an impact fee required?	
45. Water Supply: Would the project result in an increased need for water supply or fire flow pressure? Can levels of service be met?	
46. Wastewater: Would the project result in an increased need for wastewater services? Can levels of service be met?	
47. Other Public Services and Utilities: Would the project require an increase in demand for other services and utilities? Can levels of services be met?	
48. Proposed measures to reduce or control direct impacts on public services. THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): □ Police Services: Adequate levels of service available to serve development (verified by levels of service studied in the Planned Action EIS and City contract with King County Sheriff Office). □ Fire Services: Mitigation agreement between the developer and Kent Regional Fire Authority. □ Parks and Recreation: Park space and trails are provided to be consistent with both the LOS standards of the Parks and Recreation Element of the Comprehensive Plan and with the requirements of CMC 18.35.150 and this Planned Action Ordinance. □ Water and Wastewater: Adequate service at the time of development. □ Other Measures to reduce or control public services and utilities impacts:_____ Describe:	

ADDITIONAL ENVIRONMENTAL TOPICS

Historic and Cultural Preservation	
49. 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.	**STAFF COMMENTS:**
50. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.	
51. Proposed measures to reduce or control impacts to historic or cultural resources, if any: THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY): □ Condition to stop construction if remains of historic or archeological significance are found. □ Consultation with the Washington State Department of Archaeology and Historic Preservation. □ Where project is proposed on or immediately surrounding a site containing an archaeological resource a study is conducted by a qualified professional archaeologist Describe:	

C. APPLICANT 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 UNDERSTAND THAT THE LEAD AGENCY IS RELYING ON THEM TO MAKE ITS DECISION.

Signature:	
Date:	

D. REVIEW CRITERIA

Review Criteria

The City's SEPA Responsible Official may designate Planned Action Projects consistent with Subsection III.E of this Ordinance, if all of the following criteria are met.

Criteria	Describe how your application and proposed development meets the criteria.
(a) The proposal is located within the Planned Action area identified in Exhibit A.	
(b) The proposed uses and densities are consistent with those described in the Planned Action EIS and Subsection III.D of this Ordinance.	
(c) The proposal is within the Planned Action thresholds and other criteria of Subsection III.D of this Ordinance.	
(d) The proposal is consistent with the Hawk Property Subarea Plan and the Covington Comprehensive Plan.	
(e) The proposal's significant adverse environmental impacts were identified in the Planned Action EIS.	
(f) The proposal's significant adverse impacts have been mitigated by the application of the measures identified in this Exhibit B, Subsection III.D of this Ordinance, and other applicable city regulations, together with any modifications or variances or special permits that may be required.	
(g) The proposal complies with all applicable local, state, and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation.	

Criteria	Describe how your application and proposed development meets the criteria.
(h) The proposal is not an essential public facility as defined by RCW 36.70A.200(1) unless an essential public facility is accessory to or part of a development that is designated a Planned Action Project under Subsection III.E of this Ordinance.	

Determination Criteria

Applications for Planned Actions Projects shall be reviewed pursuant to the process in Subsection III.G of this Ordinance.

Requirement	Staff Comments
Applications for Planned Action Projects shall be made on forms provided by the City and shall include the Subarea SEPA checklist included in this Exhibit B.	
A conceptual site plan consistent with Subsection III.G(3) of this Ordinance demonstrates how the Planned Action Project is consistent with the overall site plan and Planned Action EIS conceptual alternatives in Exhibit E of this Ordinance.	
The application has been deemed complete in accordance with Title 14 CMC, Planning and Development.	
The application is for a project within the Planned Action Area defined in Exhibit A of this Ordinance.	
The proposed use(s) are listed in Subsection III.D of this Ordinance and qualify as a Planned Action.	

E. SEPA RESPONSIBLE OFFICIAL DETERMINATION

A. Determination of Consistency - Qualifies as a Planned Action Project: The application is consistent with the criteria set forth in this Hawk Property Planned Action Ordinance and has been determined to qualify as a Planned Action Project.

The project and underlying permit(s) review shall proceed in accordance with the applicable permit review procedures specified within Title 14 CMC, Planning and Development, except that no SEPA threshold determination, EIS, or additional SEPA review shall be required.

Notice of the Planned Action Determination of Consistency shall be made according to the notice requirements of the underlying project permit(s) pursuant to Title 14 CMC, Planning and Development. If notice is not otherwise required for the underlying project permit(s), no special notice is required.

SEPA Responsible Official Signature:	
Date:	

B. Determination of Inconsistency - Does not Qualify as Planned Action Project: The application is not consistent with the criteria set forth in this Hawk Property Planned Action Ordinance and has been determined to not qualify as a Planned Action Project for the following reasons:

_____

_____

_____

Projects that fail to qualify as Planned Action Projects may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

SEPA Process Prescribed: _____

SEPA Responsible Official Signature:	
Date:	

ATTACHMENT B-1

Mitigation Required for Development Applications

INTRODUCTION

The Planned Action EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts. Please see Final EIS Chapter 1 Summary for a description of impacts, mitigation measures, and significant unavoidable adverse impacts.

A Mitigation Document is provided in this **Attachment B-1** to establish specific mitigation measures based upon significant adverse impacts identified in the Planned Action EIS. The mitigation measures in this **Attachment B-1** shall apply to Planned Action Project applications that are consistent with the Preferred Alternative range reviewed in the Planned Action EIS and which are located within the Planned Action Area (see **Exhibit A**).

Where a mitigation measure includes the words "shall" or "will," inclusion of that measure in Planned Action Project application plans is mandatory in order to qualify as a Planned Action Project. Where "should" or "would" appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action Project. Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

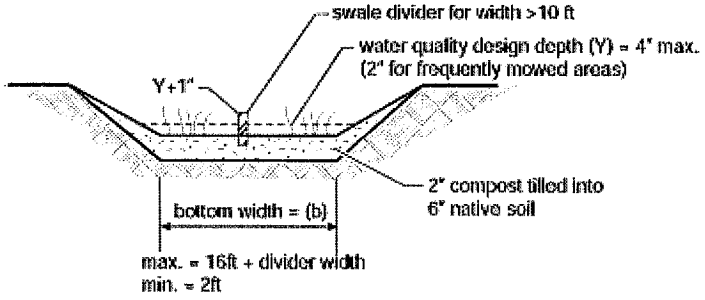
Any and all references to decisions to be made or actions to be taken by the City's SEPA Responsible Official may also be performed by the City's SEPA Responsible Official's authorized designee.

MITIGATION MEASURES

No.	Topic and Mitigation Measure
	Earth
1.	GEOLOGIC HAZARDS The City shall condition Planned Action Projects to be consistent with City codes and to limit impacts from geologic hazards and provide sufficient foundation support. • Specific foundation support systems to be used for onsite improvements will be determined as part of the specific design and permitting of infrastructure and individual buildings associated with future site development. • Site-specific studies and evaluations shall be conducted in accordance with Covington Municipal Code requirements and the provisions of the 2012 International Building Code (IBC) or current version in effect at the time of development application. • Mitigation measures to limit impacts from geologic hazards and associated foundation support considerations shall be identified in the site-specific study.

No.	Topic and Mitigation Measure
2.	STEEP SLOPES / LANDSLIDES The City shall condition Planned Action Projects to be consistent with City codes and to limit impacts regarding slope stability. • Development adjacent to steep slopes shall require site-specific slope stability analyses prior to construction (CMC, Sections 18.65.280 and 18.65.310). • If post reclamation slopes are assessed and found to require stabilization near any future structure, action shall be taken to mitigate slope instability concerns during the design and permitting for those structures. • Mitigation measures shall be incorporated based on the findings of the site-specific slope stability analyses, and may include but are not limited to retaining walls, structure setbacks, buttresses, and cutting and filling to establish flatter grades.
3.	EROSION The City shall condition Planned Action Projects to be consistent with City codes and to limit erosion impacts. • During construction, contractors shall employ Temporary Erosion and Sedimentation Control (TESC) measures and Best Management Practices (BMPs) to control erosion as required under the National Pollutant Discharge Elimination System (NPDES) construction permit. These measures shall be consistent with the City of Covington critical area and grading regulations (CMC, Chapter 18.60 and Section 18.65.220). • City conditions on Planned Action Projects to limit erosion impacts may include, but are not limited to, the following: o Minimize areas of exposure. o Schedule earthwork during drier times of the year (May 1st to September 30th). o Retain vegetation where possible. o Seed or plant appropriate vegetation on exposed areas as soon as earthwork is completed. o Route surface water through temporary drainage channels around and away from disturbed soils or exposed slopes. o Use silt fences, temporary sedimentation ponds, or other suitable sedimentation control devices to collect and retain possible eroded material. o Cover exposed soil stockpiles with plastic sheeting and exposed slopes with mulching, blankets, or plastic sheeting, as appropriate. o Intercept and drain water from any surface seeps, if encountered. o Incorporate contract provisions allowing temporary cessation of work under certain, limited circumstances, if weather conditions warrant.
4.	LIQUEFACTION The City shall condition Planned Action Projects to be consistent with City codes and to limit potential liquefaction impacts. • At the time of application, Planned Action Projects shall demonstrate the completed reclamation has

No.	Topic and Mitigation Measure
	implemented high quality, well-compacted crushed rock or gravel fill material during reclamation to significantly reduce the potential for soil liquefaction. • Ground improvement and foundation support requirements shall be determined as part of the design and permit approval process for each future onsite development project. The site specific evaluation by a licensed geotechnical engineer shall identify additional techniques to reduce liquefaction impacts. Several methods of ground improvement are available, including stone columns, vibro-compaction, vibro-replacement, deep soil mixing, compaction grouting, and others. Selection of the appropriate deep foundation or ground improvement technique is location-specific at the site and would depend on a number of factors that would be considered during design and permitting of the future structures.
5.	STRUCTURE SETTLEMENT UNDER STATIC LOADS At the time of application, Planned Action Projects shall demonstrate to the City's SEPA Responsible Official's satisfaction that the completed reclamation has implemented high quality, well-compacted crushed rock or gravel fill material to reduce the potential for future structure settlement. • Site structures will require site-specific geotechnical studies by a licensed geotechnical engineer in order to design appropriate foundation systems under the City's building permit process. • Although not associated with a specific environmental hazard, structure settlement shall be mitigated during the design and permitting for individual future structures. For multi-story structures, total and differential settlements could be accommodated by founding the structures on deep foundations or by implementing ground improvement techniques. Soil preloading/surcharging could likely be used to reduce total and differential settlements to within tolerable levels for utilities and single-story structures. Alternatively, lightly loaded structures could potentially be founded on mat foundations with flexible utility connections that would limit the potential adverse effect of differential settlement. Deep foundation options include driven piles and drilled shafts.
	Surface Water Resources
6.	STORMWATER QUALITY: BASIC WATER QUALITY MENU Planned Action Projects shall avoid or minimize direct discharge to surface water bodies as required by the City's SEPA Responsible Official. • As required, Planned Action Projects shall accomplish, at a minimum, water quality treatment using the Basic Water Quality menu from 2012 Stormwater Management Manual for Western Washington, or the manual in effect at the time of development applications; at the City's SEPA Responsible Official's discretion, the Enhanced Water Quality menu in Mitigation Measure 7 herein may instead be employed to minimize potential water quality impacts of Planned Action development. • The goal of this treatment is to remove 80% of total suspended solids (TSS) for influent concentrations that are greater than 100 mg/l, but less than 200 mg/l. Ecology encourages the design and operation of treatment facilities that engage a bypass at flow rates higher than the water quality design flow rate as long as the reduction in TSS loading exceeds that achieved with initiating bypass at the water quality design flow rate. There are several options for the basic water quality menu, and a biofiltration swale is the most likely option to be implemented due to its cost effectiveness and aesthetics to satisfy the basic water quality protection requirement. Biofilters are vegetated treatment systems (typically grass) that remove pollutants by means of sedimentation, filtration, soil absorption, and/or plant uptake. They are typically configured as swales or flat filter strips and designed to remove low concentrations and

No.	Topic and Mitigation Measure
	quantities of TSS, heavy metals, petroleum hydrocarbons, and/or nutrients from stormwater (SMMWW 2012). A biofilter can be used as a basic treatment BMP for contaminated stormwater runoff from roadways, driveways, parking lots, and highly impervious ultra-urban areas, or as the first stage of a treatment train. In cases where hydrocarbons, high TSS, or debris would be present in the runoff, such as high-use sites, a pretreatment system for those components would be necessary. Diagram B-1.1. below shows the typical swale section (SMMWW 2012). **Diagram B-1.1. Typical Swale Section** 
7.	STORMWATER QUALITY: ENHANCED BASIC WATER QUALITY MENU Consistent with the 2012 Stormwater Management Manual for Western Washington, or the manual in effect at the time of development applications, where the development is more intensive, such as a park and ride, commercial, and multifamily areas, or when required by the City's SEPA Responsible Official to reduce water quality impacts of any type of Planned Action Project pursuant to Mitigation Measure 6 herein, the Enhanced Basic Water Quality menu shall be applied to this project site, where an enhanced level of treatment is required for those development sites or portions thereof that generate the highest concentrations of metals in stormwater runoff. • Based on a review of dissolved metals removal of basic treatment options, a "higher rate of removal" is currently defined as greater than 30% dissolved copper removal and greater than 60% dissolved zinc removal. For the enhanced treatment menu, there are a couple options that will satisfy the enhanced treatment requirements, such as: infiltration, large sand filter, stormwater treatment wetland, compost-amended vegetated filter strip, two facility treatment trains, bioretention, media filter drain, and emerging stormwater treatment technologies.
	Groundwater Resources
8.	REFUELING AND SECONDARY CONTAINMENT During site construction, equipment refueling shall be located in a specific designated location and include secondary containment in the event of a spill, including spill kits and associated equipment. • Fuel storage shall not occur on-site during construction. • In the event of an on-site spill, contractors shall provide notification to the Washington State Department of Ecology, the City of Covington, and City of Kent, identifying that the spill area is located adjacent to an aquifer protection area.
9.	INFILTRATION Potential impacts due to reduced recharge shall be mitigated by stormwater detention and infiltration design and construction considerations per Surface Water Resources Mitigation Measures 6 and 7 herein. • Site soils are well drained and suitable for infiltration; infiltration shall be required with pretreatment of

No.	Topic and Mitigation Measure
	stormwater inflows. • Given the potential creation of impervious area on the site, natural recharge from critical areas and the pond shall be protected, such as through the use of stormwater infiltration methods, which could significantly reduce potential impacts due to loss of groundwater recharge. • Following the 2012 Stormwater Manual, or the manual in effect at the time of development application, stormwater designs for the sub-area shall be optimized by separating roof runoff from other pollution-generating impervious surfaces.
10.	SIGNAGE To increase public awareness, the applicant shall post signage in appropriate locations in the development stating, "protect groundwater, it's the water you drink," or equivalent language. These signs should be placed adjacent to any stormwater facility with infiltration or overflow to the pond or critical areas.
11.	WELL DECOMMISSIONING Any abandoned wells on the site shall be decommissioned consistent with requirements from the Washington State Department of Ecology. If retained, Planned Action Projects shall demonstrate that existing wells, properly constructed with sanitary seals and steel casing, would not pose significant adverse risks to groundwater resources.
12.	AUTO RELATED USES AND BMP PLAN A Best Management Practices (BMPs) Plan shall be developed for the entire property by the Planned Action Project applicant, especially addressing planned fueling areas, gas stations, and any associated automotive services, to protect groundwater resources.
13.	NO NET LOSS OF RECHARGE Stormwater management facilities shall be designed by the Planned Action Project applicant to maintain a no net loss of recharge to the aquifer. All stormwater shall be treated appropriately to the satisfaction of the City's SEPA Responsible Official to avoid any potential degradation to groundwater resources.
14.	LANDSCAPE MANAGEMENT AND WATER CONSERVATION Any landscaping associated with Planned Action Projects shall consist of native species to reduce the potential use of pesticide/fertilizer application. Native vegetation shall be incorporated to promote water conservation, as these species require less irrigation.
15.	CONSULTATION – WELLHEAD PROTECTION Planned Action Project applicants shall demonstrate that the applicant has consulted with the City of Kent regarding compliance with the 2008 City of Kent Draft Water System Plan Chapter 8: Wellhead Protection Program, as it applies to a portion of the Hawk Property Subarea, to the satisfaction of the City's SEPA Responsible Official.
	Air Quality
16.	CONSTRUCTION EMISSION CONTROL The City shall require all Planned Action Project construction contractors to implement air quality control plans for construction activities in the Planned Action Area. • The air quality control plans, specific to dust control, shall commit the Planned Action Project construction crews to implement all reasonable control measures described in the *Associated General Contractors of Washington's Guide to Handling Fugitive Dust from Construction Projects.* Copies of that

No.	Topic and Mitigation Measure
	guidance document are distributed by the Puget Sound Clean Air Agency (PSCAA). • The air quality control plans shall include the following BMPs to control fugitive dust and odors emitted by diesel construction equipment. o Use water sprays or other non-toxic dust control methods on unpaved roadways. o Minimize vehicle speed while traveling on unpaved surfaces. o Prevent track-out of mud onto public streets. o Cover soil piles when practical. o Minimize work during periods of high winds when practical.
17.	CONSTRUCTION TAILPIPE EMISSIONS The following mitigation measures shall be used by Planned Action Project construction contractors to minimize air quality and odor issues caused by tailpipe emissions: • Maintain the engines of construction equipment according to manufacturers' specifications. • Minimize idling of equipment while the equipment is not in use.
18.	HAUL TRAFFIC SCHEDULING If there is heavy traffic during some periods of the day, Planned Action Project construction contractors shall schedule haul traffic during off-peak times that would have the least effect on traffic and would minimize indirect increases in traffic related emissions.
19.	SLASH OR DEMOLITION DEBRIS Burning of slash or demolition debris shall not be permitted by Planned Action Project construction contractors without express approval from PSCAA.
20.	GREENHOUSE GAS REDUCTION MEASURES The City shall require Planned Action Project applicants to implement additional trip-reduction measures and energy conservation measures in Planned Action Projects to reduce greenhouse gas (GHG) emissions. The City shall require Planned Action Project applicants to evaluate the GHG reduction measures shown in Table B-1.1 below for their projects and to document, to the satisfaction of the City's SEPA Responsible Official, which measures are incorporated and which measures are infeasible and not incorporated. Table B-1.1 below lists a variety of mitigation measures that could reduce GHG emissions caused by transportation facilities, building construction, space heating, and electricity usage (Ecology 2008b) and where the emission reductions might occur.

Table B-1.1. Potential Greenhouse Gas Reduction Mitigation Measures

Reduction Measures	Comments
Site Design	
Retain and enhance vegetated open spaces.	Retains or increases sequestration by plants.
Plant trees and vegetation near structures to shade buildings.	Reduces on-site fuel combustion emissions and purchased electricity, and enhances carbon sinks.
Minimize building footprint.	Reduces on-site fuel combustion emissions and purchased electricity consumption, materials used, maintenance, land disturbance, and direct construction emissions.

No.	Topic and Mitigation Measure	
	Design water efficient landscaping.	Minimizes water consumption, purchased energy, and upstream emissions from water management.
	Minimize energy use through building orientation.	Reduces on-site fuel combustion emissions and purchased electricity consumption.
	Building Design and Operations	
	Apply LEED standards (or equivalent) for design and operations.	Reduces on-site fuel combustion emissions and off-site/indirect purchased electricity, water use, waste disposal.
	Purchase Energy Star equipment and appliances for public agency use.	Reduces on-site fuel combustion emissions and purchased electricity consumption.
	Incorporate on-site renewable energy production, including installation of photovoltaic cells or other solar options.	Reduces on-site fuel combustion emissions and purchased electricity consumption.
	Design street lights to use energy-efficient bulbs and fixtures.	Reduces purchased electricity.
	Construct "green roofs" and use high-albedo roofing materials.	Reduces on-site fuel combustion emissions and purchased electricity consumption.
	Install high-efficiency HVAC systems.	Minimizes fuel combustion and purchased electricity consumption.
	Eliminate or reduce use of refrigerants in HVAC systems.	Reduces fugitive emissions. Compare refrigerant usage before/after to determine GHG reduction.
	Maximize interior day lighting through floor plates, increased building perimeter and use of skylights, celestories, and light wells.	Increases natural/day lighting initiatives and reduces purchased electrical energy consumption.
	Incorporate energy efficiency technology such as super insulation motion sensors for lighting and climate-control-efficient, directed exterior lighting.	Reduces fuel combustion and purchased electricity consumption.
	Use water-conserving fixtures that surpass building code requirements.	Reduces water consumption.
	Reuse gray water and/or collect and reuse rainwater.	Reduces water consumption with its indirect upstream electricity requirements.
	Use recycled building materials and products.	Reduces extraction of purchased materials, possibly reduces transportation of materials, encourages recycling and reduction of solid waste disposal.
	Use building materials that are extracted and/or manufactured within the region.	Reduces transportation of purchased materials.
	Use rapidly renewable building materials.	Reduces emissions from extraction of purchased materials.
	Conduct third-party building commissioning to ensure energy performance.	Reduces fuel combustion and purchased electricity consumption.
	Track energy performance of building and develop strategy to maintain efficiency.	Reduces fuel combustion and purchased electricity consumption.
	Transportation	
	Size parking capacity to not exceed local parking requirements and, where possible, seek reductions in parking supply through special permits or waivers.	Reduced parking discourages auto-dependent travel, encouraging alternative modes such as transit, walking, and biking. Reduces direct and indirect VMT.
	Develop and implement a marketing/information program that includes posting and distribution of ridesharing/transit information.	Reduces direct and indirect VMT.

No.	Topic and Mitigation Measure	
	Subsidize transit passes. Reduce employee trips during peak periods through alternative work schedules, telecommuting, and/or flex time. Provide a guaranteed-ride-home program.	Reduces employee VMT.
	Provide bicycle storage and showers/changing rooms.	Reduces employee VMT.
	Use traffic signalization and coordination to improve traffic flow and support pedestrian and bicycle safety.	Reduces transportation emissions and VMT.
	Apply advanced technology systems and management strategies to improve operational efficiency of local streets.	Reduces emissions from transportation by minimizing idling and maximizing transportation routes/systems for fuel efficiency.
	Develop shuttle systems around business district parking garages to reduce congestion and create shorter commutes.	Reduces idling fuel emissions and direct and indirect VMT.
	Source: Ecology 2008b LEED = Leadership in Energy and Environmental Design; HVAC = heating, ventilation, and air-conditioning	

21. ADDITIONAL GREENHOUSE GAS REDUCTION MEASURES

The City shall require Planned Action Project applicants to evaluate the reduction measures shown in Table B-1.2 below for their projects and to document, to the satisfaction of the City's SEPA Responsible official, which measures are incorporated and which measures are infeasible and not incorporated.

Table B-1.2 lists the emission reduction measures developed by Sacramento Metropolitan Air Quality Management District (SMAQMD 2010). The Table lists SMAQMD's estimated "mitigation points" value, where each point value corresponds to the percent reduction in emissions. For example, a mitigation point value of 1.0 corresponds to a 1% reduction in land-use-related emissions. SMAQMD developed this Table to quantify reductions in criteria pollutant emissions, but the listed measures would also generally reduce GHG emissions. These mitigation points are for informational purposes only to demonstrate to the applicant and the City's SEPA Responsible Official which measures have the potential to reduce emissions more than other measures.

Table B-1.2 SMAQMD Recommended Measures for Land Use Emission Reductions

Measure Number	Title	Description	Mitigation Points (% Reduction in Emissions)
Bicycle/Pedestrian/Transit Measures			
a.	Bike parking	Non-residential projects provide plentiful short-term and long-term bicycle parking facilities to meet peak season maximum demand.	0.625
b.	End of trip facilities	Non-residential projects provide "end-of-trip" facilities including showers, lockers, and changing space.	0.625
c.	Bike parking at multi-unit residential	Long-term bicycle parking is provided at apartment complexes or condominiums without garages.	0.625
d.	Proximity to bike path/bike lanes	Entire project is located within 1/2 mile of an existing bike lane and project design includes a comparable network that connects the project uses to the existing offsite facility.	0.625
e.	Pedestrian network	The project provides a pedestrian access network that internally links all uses and connects to all existing or planned external streets and pedestrian facilities contiguous with the subarea.	1.0

No.	Topic and Mitigation Measure			
	f.	Pedestrian barriers minimized	Site design and building placement minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and non-residential uses that impede bicycle or pedestrian circulation are eliminated.	1.0
	g.	Bus shelter for existing transit service	Bus or Streetcar service provides headways of one hour or less for stops within 1/4 mile; project provides safe and convenient bicycle/pedestrian access to transit stop(s) and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).	0.25-1.0
	h.	Bus shelter for planned transit service	Project provides transit stops with safe and convenient bicycle/pedestrian access. Project provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting) in anticipation of future transit service.	0.25
	i.	Traffic calming	Project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features.	0.25-1.0
	Parking Measures			
	j.	Paid parking	Employee and/or customer paid parking system	1.0-7.2
	k.	Parking cash out	Employer provides employees with a choice of forgoing subsidized parking for a cash payment equivalent to the cost of the parking space to the employer.	0.6-4.5
	l.	Minimum parking	Provide minimum amount of parking required. Special review of parking required.	0.1-6.0
	m.	Parking reduction beyond code	Provide parking reduction less than code. Special review of parking required. Recommend a Shared Parking strategy.	0.1-12
	n.	Pedestrian pathway through parking	Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.	0.5
	o.	Off street parking	Parking facilities are not adjacent to street frontage.	0.1-1.5
	Site Design Measures			
	p.	Office/Mixed-use density	Project provides high density office or mixed-use proximate to transit.	0.1-2.0
	q.	Orientation to existing transit, bikeway, or pedestrian corridor	Project is oriented towards existing transit, bicycle, or pedestrian corridor. Setback distance is minimized.	0.5
	r.	Orientation toward planned transit, bikeway, or pedestrian corridor	Project is oriented towards planned transit, bicycle, or pedestrian corridor. Setback distance is minimized.	0.25
	s.	Residential density	Project provides high-density residential development.	1.0-12
	t.	Street grid	Multiple and direct street routing (grid style).	1.0

No.	Topic and Mitigation Measure			
	u.	Neighborhood electric vehicle access	Make physical development consistent with requirements for neighborhood electric vehicles.	0.5-1.5
	v.	Affordable housing component	Residential development projects of 5 or more dwelling units provide a deed-restricted low-income housing component on-site.	0.6-4.0
	Mixed-use Measures			
	w.	Urban mixed-use	Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with functional interrelationships and a coherent physical design.	3.0-9.0
	x.	Suburban mixed-use	Have at least three of the following on site and/or offsite within ¼ mile: Residential Development, Retail Development, Park, Open Space, or Office.	3.0
	y.	Other mixed-use	All residential units are within ¼ mile of parks, schools or other civic uses.	1.0
	Building Component Measures			
	z.	No fireplace	Project does not feature fireplaces or wood burning stoves.	1.0
	aa.	Reserved for future measure		
	bb.	Energy Star roof	Install Energy Star labeled roof materials.	0.5-1.0
	cc.	Onsite renewable energy system	Project provides onsite renewable energy system(s).	1.0-3.0
	dd.	Solar orientation	Orient 75 or more percent of homes and/or buildings to face either north or south (within 30 degrees of N/S).	0.5
	ee.	Non-roof surfaces	Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site's non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR place a minimum of 50% of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas have a minimum albedo of.3 or greater.	1.0
	ff.	Green roof	Install a vegetated roof that covers at least 50% of roof area.	0.5
	TDM and Miscellaneous Measures			
	gg.	Transportation Management Association membership	Include permanent TMA membership and funding requirement. Funding to be provided by non-revocable funding mechanism.	5.0

No.	Topic and Mitigation Measure			
	hh.	Electric lawnmower	Provide a complimentary electric lawnmower to each residential buyer.	1.0
	ii.	Other	Other proposed strategies, in consultation City of Covington and other agencies with expertise.	To Be Determined
	Source: SMAQMD, 2010			
	Plants and Animals			
22.	WATER QUALITY AND BASE FLOW In addition to the mitigation measures identified in the Surface Water and Groundwater sections herein, Planned Action Projects shall be implement the following to avoid aquatic habitat degradation: • Runoff shall be captured, treated, and, where feasible, infiltrated to prevent poor water quality spikes. Untreated urban runoff contains metals and polycyclic aromatic hydrocarbons (PAHs), which has been shown to adversely affect salmon, particularly Coho salmon (Feist, B. et al 2011; McIntyre, J. et al. 2012). • To further reduce impacts to base flow and salmonids, the City shall limit impervious surface increases based on zoning standards. • Planned Action Projects shall follow the 2012 Ecology Stormwater Manual, including LID practices, or successor manual in effect at the time of the development application.			
23.	CRITICAL AREAS—RIPARIAN CORRIDOR/WETLAND Consistent with Planned Action EIS Alternatives illustrated in Exhibit E of this Ordinance, Planned Action Project applicants shall demonstrate that the riparian corridor, including Jenkins Creek and associated wetlands, are retained and, where appropriate, enhanced and that the Planned Action Project is consistent with adopted critical area regulations. • To further protect the wetland/riparian corridor, critical areas shall be put under a protective easement or non-buildable tract, dedicated to the City or a conservation organization approved by the City. • Planned Action Project applicants shall demonstrate consistency with Hawk Property Subarea Plan policies to minimize tree removal in critical areas and their buffers for the purposes of trails, utility corridors, and similar infrastructure through application of mitigation sequencing and consistency with critical area regulation standards. New utilities shall follow the 204th Avenue SE Connector road alignment to the extent feasible. • Once the baseline impacts necessary for construction of the arterial street, trails, and other infrastructure, such as utilities, are determined, the modified buffer shall be placed in an easement or a non-buildable tract, dedicated to the City or a conservation organization approved by the City, to effectively protect it in perpetuity and to prevent future incremental impacts as adjacent land is developed. The non-buildable tract shall be recorded with King County and dedicated to the City of Covington or an approved conservation group. Additional buffer protection shall be provided by applying the wider King County buffer to Wetland A (which is contiguous with Jenkins Creek) following annexation.			

No.	Topic and Mitigation Measure
24.	STEWARDSHIP PROGRAM A stewardship program for natural open spaces and critical areas shall be created by Planned Action Project applicants at the time easements or tracts are approved for the site and prior to development occurring within 500 feet of the onsite critical areas. • The stewardship program shall set forth five-year goals and requirements to be implemented by the Planned Action Project developer and long-term goals for the agency assuming responsibility for the protective easement or non-buildable tracts required in Mitigation Measure 23 herein. Elements such as removing non-native and invasive plants, native revegetation, removing garbage, and trail maintenance shall be included. • The stewardship program shall include stewardship goals and objectives for the care of the Jenkins Creek natural corridor as well as five-year and overall, long-term goals for the ecological health and habitat value of Jenkins Creek and associated wetland and buffer areas. Long-term goals and allowed maintenance practices for critical areas/non-buildable tract(s) shall be incorporated into a vegetation management plan (CMC 18.65.150).
25.	PLANTS A. Upland vegetation removed during construction shall be replaced to the extent possible by Planned Action Project applicants and contractors to the satisfaction of the City's SEPA Responsible Official. B. Public landscaped areas, stormwater bioswales, and other green space areas provided with redevelopment shall be planted by Planned Action Project applicants and contractors with native grasses, groundcovers, trees and shrubs wherever possible to maximize wildlife habitat and minimize needed maintenance, to the satisfaction of the City of Covington SEPA Responsible Official.
26.	STEEP SLOPES AND WETLAND IMPACTS To avoid impacts to steep slopes and wetlands: A. All clearing and grading construction by Planned Action Project contractors shall be in accordance with specific permit conditions, codes, ordinances, and standards applied by the City of Covington or other agencies with jurisdiction. • Temporary sedimentation control measures such as silt fencing shall be installed by Planned Action Project contractors as needed and disturbed soils should be covered with straw, hydroseeded, or otherwise revegetated with sod or native plants as soon after construction as possible. B. As part of any platting or subdivision, or prior to the start of construction, a wetland and stream delineation is required to be prepared by Planned Action Project applicants to the satisfaction of the City's SEPA Responsible Official to precisely map the critical area and quantify any impacts. • This level of detail will be needed to prepare a compensatory mitigation plan. • Based on existing site conditions and current plans, there appears to be more than enough intact forest continuous with the standard buffer that could be expanded as necessary to off-set any buffer losses.

No.	Topic and Mitigation Measure
27.	WILDLIFE To avoid impacts identified wildlife, Planned Action Projects shall avoid critical areas and buffers through mitigation sequencing, and Planned Action Project applicants shall place buffers in a protected easement or non-buildable tract, dedicated to the City or a conservation organization approved by the City. • The new 204th Avenue SE Connector shall be planned to bisect as little of the vegetated areas as is practicable. • One ponded mining area will be preserved as an open water feature consistent with conceptual plans in Exhibit E of this Ordinance. Planting native vegetation and installing snags and other habitat features on the pond fringe shall be considered in Planned Action Project landscape plans to enhance the pond area for wildlife. Construction timing restrictions shall be implemented as needed and required to protect priority species. Landscaping and park spaces may incorporate native planting, snags, logs, and other special habitat features to improve habitat functions and values. Preserving and establishing native trees, shrubs, and groundcovers around the perimeter of the open water feature would improve the habitat value of this feature by creating refuge, foraging, and nesting opportunities for wildlife.
28.	INTERPRETIVE SIGNAGE & PET WASTE A. At the time of development, Planned Action Project applicants and contractors shall place interpretive signage along proposed trails and/or within park spaces. Signage shall be designed and installed to educate the public about the functions and values of critical areas and urban habitats. B. Pet waste bags and trash cans shall be installed to help limit water quality impacts. Public park rules or homeowner association rules shall establish leash rules to limit wildlife disturbances.
29.	WILDLIFE CROSSING To reduce habitat fragmentation between the Jenkins Creek corridor and habitat patches to the south and west, a wildlife crossing shall be incorporated into the new arterial street design by Planned Action Project applicants to the satisfaction of the City's SEPA Responsible Official. • A crossing could potentially be established in the southeast corner of the Planned Action Area, approaching the connection with 204th Avenue. • In addition to providing safe crossing for elk, a wildlife corridor could also benefit invertebrates and small mammals that are likely to access the open water feature (Hansen et al. 2005). Even mobile species, such as songbirds, exhibit a preference for travel through wooded corridors compared to open gaps (Desrochers and Hannon 1997).
30.	RECLAMATION COMPLIANCE Prior to completion of reclamation and upon any amendment to the current reclamation permit (e.g. to resize the lake), Planned Action Project applicants shall consult with the lead federal agency regarding compliance with state and federal laws--including the State Hydraulic Code, Sections 401 and 404 of the Clean Water Act, and Section 7 of the Endangered Species Act--and provide documentation of the consultation to the satisfaction of the City's SEPA Responsible Official.
	Noise
31.	CONSTRUCTION NOISE ABATEMENT Based on site-specific considerations at the time of construction permit review, the City shall require all Planned Action Project construction contractors to implement noise control plans for daytime construction activities in the study area. See CMC 8.20.020(2)(i). Nighttime construction activities shall not be allowed without a waiver

No.	Topic and Mitigation Measure
	from the City Manager, pursuant to the CMC.
32.	CONSTRUCTION NOISE REDUCTION A. Construction noise shall be reduced by Planned Action Project construction contractors by using enclosures or walls to surround noisy stationary equipment, installing mufflers on engines, substituting quieter equipment or construction methods, minimizing time of operation, and locating equipment as far as practical from sensitive receivers. B. To reduce construction noise at nearby receivers, the following mitigation measures shall be incorporated into construction plans and contractor specifications to the satisfaction of the City's SEPA Responsible Official: • Locate stationary equipment away from receiving properties. • Erect portable noise barriers around loud stationary equipment located near sensitive receivers. • Limit construction activities to between 7:00 a.m. and 8:00 p.m. on weekdays and between 9:00 a.m. and 6:00 p.m. on weekends and holidays to avoid sensitive nighttime hours. • Turn off idling construction equipment. • Require contractors to rigorously maintain all equipment. • Train construction crews to avoid unnecessarily loud actions (e.g., dropping bundles of rebar onto the ground or dragging steel plates across pavement) near noise-sensitive areas (e.g. critical areas, open spaces, residences).
33.	TRAFFIC NOISE MITIGATION The City shall require Planned Action Projects to install noise control measures at the new dwellings along the proposed new section of 204th Avenue SE within the development. The Planned Action EIS screening-level traffic noise study indicated the potential for traffic noise impacts at future dwellings to be constructed adjacent to the proposed new section of 204th Avenue SE within the Planned Action Area. Noise mitigation measures shall include: • Requiring developers to perform noise field measurements as a condition of engineering approvals once the ultimate roadway alignment, width, and final grade has been designed. • Require developers to conduct site-specific traffic noise studies to confirm the number and location of dwellings that would be impacted by traffic noise. • Appropriate site design, based on the noise study and specific alignment. For example, with a 35-foot minimum setback, the modeled traffic noise levels at new dwellings would be less than the WSDOT's noise guidelines applied as Planned Action EIS impact criteria. • Double-pane glass windows or other building insulation measures designed in accordance with the Washington State Energy Code (4-5-040). These would reduce indoor noise levels, but would not reduce exterior noise at outdoor use areas. • Installation of noise barrier walls to shield outdoor use areas facing the street.
	Transportation
34.	PROJECTS INCLUDED IN PLANNED ACTION A. Planned Action Projects shall demonstrate consistency with Planned Action EIS Alternatives 2 and 3 that include a new 2-to-3-lane arterial between SE 256th Street and SE 272nd Street. • The 204th Avenue SE Connector is required to be built as part of the redevelopment of the Hawk Property. The 204th Avenue SE Connector will serve as the spine of the site's internal roadway circulation system, will provide a second major roadway connection to the site from the east, and will also provide an additional emergency vehicle access point. This roadway was included as part of Alternatives 2 and 3 and it was assumed in the Planned Action EIS analysis to be in place in the future

No.	Topic and Mitigation Measure
	transportation analyses for each of these alternatives. • If the Planned Action Project applicant proposes to not implement this connection, or to delay or reduce its extent, the City shall require a supplemental transportation analysis to be completed demonstrating to the City's SEPA Responsible Official's satisfaction that no adverse transportation impacts will result and that all City transportation standards shall be met. B. Planned Action Projects shall demonstrate consistency with Planned Action EIS Alternatives 2 and 3 that include a local roadway connection between 191st Avenue SE and the local internal roadway system at the south end of the Planned Action Area. The local access connection shall be designed with traffic calming measures such as on-street parking, landscaping, and/or devices such as traffic circles to limit access to the local neighborhood and discourage cut-through traffic. • The local roadway connection between 191st Avenue SE is required to be built as part of the redevelopment of the Hawk Property. This local connection was included as part of Alternatives 2 and 3, and it is assumed to be in place in the future transportation analyses for each of these alternatives. The purpose of this roadway is to provide a direct connection between the Planned Action Area and residential development located to the south and to provide an additional emergency vehicle access point. This connection is not intended to serve trips generated outside of the local neighborhood. • If the Planned Action Project applicant proposes to not implement this local connection, the City shall require a supplemental transportation analysis to be completed demonstrating to the City's SEPA Responsible Official's satisfaction that no adverse transportation impacts will result and that all City transportation standards shall be met.
35.	OTHER ROADWAY CAPACITY IMPROVEMENTS A. The City's SEPA Responsible Official shall require that Planned Action Projects mitigate transportation impacts by implementing Roadway Capacity Improvements consistent with the Planned Action EIS and this Ordinance. Table B-1.3 below summarizes the roadway capacity improvements that have been identified to mitigate intersection operation impacts of Planned Action EIS Alternatives 2 and 3, along with planning-level estimates of each project's cost. • For projects that include new lanes or turn-pockets, planning level cost-estimates take into account the length of lane that would be needed to accommodate typical vehicle queues that would occur during the PM peak hour (typically the most congested time of day) under projected future conditions. • For each intersection location, an "X" indicates whether the identified measure would be required for each alternative. • For Planned Action EIS Alternatives 2 and 3, Table B-1.3 also summarizes the proportionate share of total PM peak hour trips through each intersection that build-out of the proposed project is expected to contribute.

No.	Topic and Mitigation Measure

Table B-1.3. Roadway Capacity Improvements and Action Alternative Proportional Trip Shares[1]

ID	Intersection	Measure [1]	Jurisdiction	Estimated Cost	Alt 1 No Action	Alt 2 Min Village		Alt 3 Max Village	
							Project % Share		Project % Share
	Signalized								
21	SE 272nd St/Covington Way	None Identified [2]	Covington, WSDOT	[2]	X	X	<1%	X	1%
22	SE 272nd St (SR 516)/164th Ave SE	None Identified [2]	Covington, WSDOT	[2]	X	X	1%	X	2%
23	SE 272nd St (SR 516)/Westbound SR 18 Ramps	None Identified [2]	Covington, WSDOT	[2]		X	3%	X	4%
26	SE 272nd St/168th Ave SE	None Identified [2]	Covington, WSDOT	[2]	X	X	<1%	X	1%
29	SE 272nd St/172nd Ave SE	None Identified [2]	Covington, WSDOT	[2]	X	X	-2%	X	-1%
32	SE 272nd St (SR 516)/SE Wax Rd	None Identified [2]	Covington, WSDOT	[2]	X	X	-4%	X	-4%
37	SE 272nd St/216th Ave SE	Add eastbound through lane, add eastbound receiving lane. (from Maple Valley Comprehensive Plan) [9]	Maple Valley, WSDOT	[9]	X	X	10%	X	12%
310	SE 231st St/SR 169	Add westbound through lane (from Maple Valley Comprehensive Plan) [9]	Maple Valley, WSDOT	[9]	X	X	1%	X	2%
313	SE 240th St/SR 169	Add eastbound right-turn lane (from Maple Valley Comprehensive Plan)	Maple Valley, WSDOT	[9]	X	X	1%	X	2%
314	SR 516/Witte Rd SE	Add eastbound through lane, convert westbound right-turn lane to right-though, add northbound right-turn lane, add eastbound and westbound receiving lane. [3]	Maple Valley, WSDOT	[3]	X	X	1%	X	2%

[1] This table excludes locations 8 and 17 regarding Roundabouts at SE 256th St/164th Ave SE and SE 267th Place/SE Wax Rd/180th Ave SE. In the roundabout analyses presented in the Draft EIS, coding errors were discovered in the analysis files that resulted in overestimation of delay. With correction made to the coding, all three roundabouts are projected to operate well within City level of service standards through 2035, and no future impacts are expected to result under any of the alternatives.

No.	Topic and Mitigation Measure								
315	SR 516/SR 169	Convert westbound right-turn lane to right-though, add westbound receiving lane. [3]	Maple Valley, WSDOT	[3]	X	X	1%	X	1%
	All-Way Stop-Control								
2	SE 240th St/196th Ave SE	Add eastbound left-turn lane.	Covington	$900,000	X	X	6%	X	7%
5	SE Wax Rd/ 180th Ave SE	In traffic impact fee program, CIP 1149 [4]	Covington	In traffic impact fee program, #1149		X	11%	X	12%
51	SE 240th St/164th Ave SE	Add eastbound left-turn lane, add westbound left-turn lane, add traffic signal.	Covington, King County [5]	$1,850,000	X	X	4%	X	6%
	One- or Two-Way Stop Control								
1	SE 240th St/180th Ave SE	Add traffic signal.	Covington	$650,000	X	X	9%	X	11%
3	SE 240th St/SE Wax Rd/200th Ave SE	Add traffic signal.	Covington, King County [5]	$300,000	X	X	6%	X	7%
6	SE 256th St/148th Ave SE	Add westbound right-turn lane and eastbound left-turn lane (CIP #1041), add traffic signal.	Covington	In traffic impact fee program, CIP #1041	X	X	4%	X	5%
13	SE 261st St/180th Ave SE	Add traffic signal.	Covington	$450,000	X			X	-12%
		Add eastbound left-turn lane.	Covington	$1,650,000		X	-15%		
18	SE 268th Place/164th Ave SE	Add traffic signal.	Covington	$450,000	X	X	-4%	X	-3%
20	SE 272nd St/156th Pl SE	In traffic impact fee program, CIP 1063 [6]	Covington, WSDOT	In traffic impact fee program, # 1063	X	X	<1%	X	1%
36	SE 272nd St/204th Ave SE	Add southbound left-turn lane, add traffic signal.	Covington, WSDOT	$1,350,000		X	10%	X	13%
39	SE 275th St/SE Wax Rd	In traffic impact fee program, CIP 1085	Covington	In traffic impact fee program, # 1085	X	X	2%	X	3%
50	SE 240th St/156th Ave SE	Add traffic signal.	Covington, King County [5]	$750,000	X	X	6%	X	7%
55	SE 272nd St/156th Ave SE	Add traffic signal. [7]	Kent, Covington [8]	$450,000	X	X	1%	X	1%
58	SE 272nd St/186th Ave SE	In traffic impact fee program, CIP 1128	Covington	In traffic impact fee program, # 1128	X		-17%		-16%

No.	Topic and Mitigation Measure							
300	SE 256th St/Westbound SR 18 Ramps	**Option A** Add traffic signal. Add eastbound left-turn lane. Coordinate signal timing/phasing with new signal at the northbound SR 18 ramp intersection.	Covington, King County, WSDOT [5]	$1,050,000		X	49%	
		Add traffic signal. Add eastbound and southbound left-turn lanes. Coordinate signal timing/phasing with new signal at the northbound SR 18 ramp intersection.	Covington, King County WSDOT[5]	$1,650,000				X 50%
		Option B Add a roundabout with one lane on the north side and two lanes on the south side. Add a second eastbound approach lane, and a right turn lane on the southbound approach.	Covington, King County WSDOT [5]	$2,250,000		X	49%	X 50%
301	SE 256th St/Eastbound SR 18 Ramps	**Option A** Add traffic signal.	Covington, King County, WSDOT[5]	$450,000	X			
		Add traffic signal. Remove bike lanes across SR 18 overpass, restripe to add eastbound left-turn lane and to channelize bicycles to use sidewalk across the overpass. Add westbound right-turn lane. Coordinate signal timing/phasing with new signal at the westbound SR 18 ramp intersection.	Covington, King County, WSDOT[5]	$670,000		X	69%	
		Add traffic signal. Remove bike lanes across SR 18 overpass, restripe to add eastbound left-turn lane and to channelize bicycles to use sidewalk across the overpass. Add westbound and northbound right-turn lane. Coordinate signal timing/phasing with new signal at the westbound SR 18 ramp intersection.	Covington, King County, WSDOT[5]	$2,370,000				X 72%

No.	Topic and Mitigation Measure					
	Option B Add a one-lane roundabout. Add right-turn lanes on the northbound and westbound approaches.	Covington, King County, WSDOT [5]	$3,350,000		X 69%	X 72%

Source: Heffron Transportation, David Evans & Associates, November 2013.

1. The roadway improvement measures that have been identified would improve operation to meet local level of service standards under projected 2035 conditions with build-out of local and regional land use plans, with the three alternatives. Projects located at Covington concurrency intersections are being added to the City's 2035 Capital Improvement Program as part of the Comprehensive Plan update. However, if regional development growth occurs to the extent projected, it is possible that other measures could be identified to address the impact at the time the need for improvement is triggered.
2. No mitigation measures have been identified at these intersections. For projected 2035 conditions, SE 272nd Street is assumed to be a five-lane section throughout Covington, with additional turn-lanes at high volume intersections. If growth occurs to the degree reflected in the model projections, it is likely that the City of Covington would reevaluate its long-term plan for the corridor, and determine if widening is warranted, or if it would be warranted to reexamine level of service standards and allow this section to operate lower than LOS D. The two Action alternatives do not significantly affect this outcome.
3. Analysis indicates that with projected 2035 volumes and any of the three alternatives, SR 516 would need to be widened to 5 lanes between 216th Avenue SE and SR 169 in order to meet City of Maple Valley concurrency standards. If growth occurs to the degree reflected in the model projections, it is likely that the City of Maple Valley would reevaluate its long-term plan for the corridor and determine if widening is warranted or if it would be warranted to reexamine level of service standards and allow this section to operate lower than LOS D. This issue is identified for the 2035 No Action alternative, and the two Action alternatives do not significantly affect this outcome.
4. See traffic impact fee program, project CIP 1149 for the improvement.
5. While this intersection is located outside of the Covington city limits in King County, the City of Covington monitors operations at this location.
6. Improvement at this location is assumed in the City's current traffic impact fee program, in project CIP 1063. See also Note 1.
7. Alternatively, turn movements could be restricted to right-turns only at this intersection. In this case, it is assumed that the projected westbound left-turn movement (180 vehicles in each alternative) would instead turn at 152nd Avenue SE. Phasing changes could be made to allow SE 256th Street/152nd Avenue SE to operate at LOS E in this circumstance, but additional capacity improvements would be needed to improve operation to LOS D.
8. This intersection is located outside of the Covington city limits in the City of Kent. However, Covington monitors operations at this location.
9. This project is included in the City of Maple Valley's long-range Transportation Improvement Program provided in the City Comprehensive Plan (City of Maple Valley 2011). The City of Maple Valley's planned improvements would address level of service issues with all three alternatives and no additional improvements would be needed.

B. Consideration of Alternative Mitigation Measures. Upon request by a Planned Action Project applicant, or by an agency, the City may consider mitigation measures other than those described in Table B-1.3 to address an impact at the time the need for improvement is triggered, provided City concurrency and level of service standards are met as well as the provisions of this Ordinance. Planned Action Projects at locations 5, 36, 300 and 301 shall be implemented based on Mitigation Measure 36 herein.

C. Impact and Mitigation Fees / In-City Improvements. Planned Action Project applicants shall pay a proportionate share of the costs of the projects needed to support concurrency. For projects within the City limits, the fee per peak hour trip rate shall be $167.38 consistent with Exhibit D of this Ordinance and shall be paid in addition to the City's standard impact fee in place as of 2013. The projects listed in the preceding Table B-1.3 are incorporated by reference in the City's Capital Facilities Plan Element as part of the Comprehensive Plan update. Once the City's impact fee is amended to address improvements identified in the Planned Action and not previously included in the 2013 impact fee, Planned Action Project applicants shall provide an impact fee consistent with the City's ordinances in effect at the time of application.

36. ROADWAY CAPACITY PROJECTS REQUIRED CONCURRENT WITH DEVELOPMENT

A. The following additional roadway capacity improvements shall be implemented by Planned Action Projects. Where options for improvements are provided, Planned Action applicants shall obtain approval for the selected alternative from the responsible agency specified below.

No.	Topic and Mitigation Measure

- 5 – SE Wax Road/SE 180th Street: Increased traffic volumes resulting from Alternative 2 or 3 require additional capacity improvement at this location. Analysis indicates that addition of a northbound right-turn lane would allow the intersection to operate at LOS D or better through 2035. However, space at this location is constrained by a retaining wall located along the east side of the roadway. If it is not feasible to widen the roadway at this location, installation of a traffic signal would also address the impact. This improvement is addressed in the City's transportation impact fees as of 2013. This City-required improvement is required to be installed concurrent with development consistent with Mitigation Measure 36 herein.

- 36 – SE 272nd Street/204th Avenue SE: Increased traffic volumes resulting from the 204th Avenue SE Connector Roadway require that this intersection be signalized under Alternative 2 or 3. The planned three-lane section will also need to be extended to this intersection, providing a southbound left-turn lane. This City-required improvement is accounted in the mitigation fee in Mitigation Measure 35C herein and is required to be installed concurrent with development consistent with Mitigation Measure 36 herein.

- 300 – SE 256th Street/SR 18 Westbound Ramps:
  - Option A (Signal): Both Alternative 2 and Alternative 3 trigger the need to signalize this intersection and add an eastbound left-turn lane. Alternative 3 also requires the addition of a southbound left-turn lane on the ramp.
  - Option B (Roundabout): Alternatively, for Alternative 2 or 3, level of service impacts can be mitigated by construction of a roundabout that has one lane on the north side and two lanes on the south side. A second eastbound approach lane and a right-turn lane on the southbound approach also need to be added.

B. Planned Action Projects shall implement Project 300 in consultation with Washington State Department of Transportation and King County as appropriate. The planning level cost estimates for the improvements in Mitigation Measure 35 herein depend on the improvement required by agencies with jurisdiction.

- 301 – SE 256th Street/SR 18 Eastbound Ramps:
  - Option A (Signal): Addition of a traffic signal at this location is triggered with the No Action alternative, but additional capacity improvements are needed to accommodate traffic volumes generated by Alternatives 2 and 3. In order for the intersection to operate at LOS D or better with both alternatives, it is necessary to add an eastbound left-turn lane on the existing SR 18 overpass. The width of the west leg of this intersection is constrained by the bridge structure; however, it appears there may be adequate curb-to-curb width to accommodate three travel lanes. The addition of a center left-turn lane would require that the existing bicycle lane striping be removed, and bicyclists to be directed to use the sidewalk to cross SR 18. As project-generated trips decrease on the 204th Avenue SE Connector, model projections in the Planned Action EIS indicate that non-project-generated trips would increase. As a result, there is very little difference in the projected eastbound traffic volumes between the two Action alternatives at this location. In addition to the eastbound left-turn lane, a westbound right-turn lane is needed with both Alternative 2 and Alternative 3. Alternative 3 would also need to add a northbound right-turn lane on the ramp. Construction of this improvement would likely require retaining walls to be built on the east side of the intersection.
  - Option B (Roundabout): Alternatively for Alternative 2 or 3, level of service impacts could be

No.	Topic and Mitigation Measure
	mitigated by construction of a one-lane roundabout, with right-turn lanes added on the northbound and westbound approaches. Similar to the signal option, construction of this option would require retaining walls to be constructed on the east side of the intersection, but no additional vehicle lanes would be needed across the bridge structure. o Note: with Alternative 2 or 3, for the SE 256th Street/SR 18 ramp intersections, the same improvement option (Option A – signal, or Option B – roundabout) would need to be chosen for both intersections. C. Planned Action Projects shall implement Project 301 in consultation with Washington State Department of Transportation and King County as appropriate. The planning level cost estimates for the improvements in Mitigation Measure 35 herein depend on the improvement required by agencies with jurisdiction. D. Phasing or Timing. The City shall condition Planned Action Projects to provide required roadway capacity projects concurrent with development. Improvement at the four locations in Paragraph A is triggered by the Hawk Property Planned Action as analyzed in the Planned Action EIS. The expected timing is as follows: • At SE Wax Road/SE 180th Street (5), it is estimated that the need for improvement would be triggered when trips generated by the development reach about 92% of the total estimated for the Maximum Village, approximately 2,370 net new primary trips. • The other three locations (36, 300, and 301) requiring improvement would become the endpoints of the proposed new 204th Avenue SE Connector, once it is constructed. Therefore, improved traffic control shall be installed at the time that the new roadway is constructed. • If it were desired to phase in the intersection improvements at a later date, the Planned Action Project developer shall submit to the City and agencies with jurisdiction a detailed traffic analysis showing that City concurrency standards would still be met. E. Latecomers Agreements. Planned Action Project applicants may request City approval of a Latecomer's Agreement subject to CMC Chapter 13.45, Latecomer's Agreements.
37.	MITIGATION TO ADDRESS SHORT-TERM CONSTRUCTION IMPACTS To minimize the potential short-term traffic impacts resulting from construction of the alternatives, a Traffic Control Plan shall be prepared by Planned Action Project applicants to the satisfaction of the City's SEPA Responsible Official in accordance with City guidelines. • All building and construction permits shall be reviewed and conditioned to mitigate construction traffic impacts. • The types of transportation-related measures that could be considered would depend on the type and size of the phase under construction. The Traffic Control Plan shall consider the inclusion of the following measures where applicable: o Truck haul-routes to and from the site. o Peak hour restrictions for construction truck traffic and how those restrictions would be communicated and enforced. o Truck staging areas (e.g., locations where empty or full trucks would wait or stage prior to and during loading or unloading.) o Measures to reduce construction worker trips such as rideshare or shuttles. o Provision of on-site or nearby parking for construction workers. o Road, lane, sidewalk, or bike lane closures that may be needed during utility, street or building construction. A plan detailing temporary traffic control, channelization, flagging, and signage

No.	Topic and Mitigation Measure
	measures, and possible detour routes, should be provided for affected facilities. o Plan to maintain access to residences and businesses at all times. o Restoration or repair of the pavement in the road right-of-way in accordance with City standards upon completion of the work. o Other elements or details may be required in the Traffic Control Plan as required by the City of Covington. The project developer/owner and the contractor shall be required to incorporate other City requirements into an overall plan, if applicable.
	Public Services
38.	FIRE MITIGATION The City shall require a mitigation agreement between the Planned Action Project developer and Kent Regional Fire Authority prior to development to address the impacts identified in the Planned Action EIS. • The mitigation agreement should address impacts to daily and peak hour workload at KFD Station 78 resulting from Planned Action Project development. • If the mitigation agreement is superseded by an impact fee, Planned Action Projects shall comply with the impact fee requirements and other applicable regulations in place at the time of the application.
39.	PARKS AND TRAILS At the time of Planned Action Project application, the City shall review submitted conceptual and detailed site plans to ensure that sufficient park space and trails are provided to be consistent with both the LOS standards of the Parks and Recreation Element of the Comprehensive Plan and with the requirements of CMC 18.35.150. • Planned Action Project applications shall demonstrate a consistent and compatible network of parks and trails throughout the site similar to Planned Action EIS Alternatives. Pursuant to the requirement to prepare a conceptual site plan with phasing in Subsection III.G(3) of this Ordinance, the Planned Action Project applicant shall identify on-site parks and trails, including trail connections to adjacent sites, to promote the goals and policies of the Hawk Property Subarea Plan regarding walkability, connectivity, and reducing trips. • Public open space shall be provided consistent with City level of service standards adopted in the Comprehensive Plan. • Private open space shall be required and installed consistent with the requirements of CMC 18.35.150 to 190. • Planned Action Project applicants shall provide parks and trail facilities prior to or concurrent with the development. The City may require such facilities to be dedicated to the City. • At the request of Planned Action Project Applicants, the City may accept fees in lieu of parks and trails facilities where the City anticipates that coordinated implementation of public parks and trails is desired. The fee-in-lieu agreements shall address the responsibility and cost for operation and maintenance of said parks and trails facilities. The fee-in-lieu agreement shall be in a form acceptable to the City and may be developed as a voluntary agreement under RCW 82.02.020.

No.	Topic and Mitigation Measure
	Cultural Resources
40.	The City shall condition Planned Action Projects to protect any currently undiscovered historic or archaeological resources in the study area as follows: • If construction activities uncover any remains of historic or archaeological significance, construction shall immediately be stopped and all appropriate state and local agencies notified. • Projects that entail substantial excavation must enter consultation with DAHP to determine the likelihood of inadvertent discovery of archaeological resources and to establish mitigation procedures. Archaeological surveys and testing may be necessary prior to excavation. The Department of Archaeology and Historic Preservation (DAHP) may recommend archaeological monitoring of construction activities in areas deemed to have a high likelihood of discovery. • In the event of an archaeological discovery, future development on property surrounding the archaeological site shall analyze the potential for adverse impacts to the archaeological resource, and, if necessary, engage a qualified professional archaeologist to determine whether the proposed development would negatively affect the archaeological resource.

ATTACHMENT B-2

Advisory Notes to Applicants: Applicable Regulations and Commitments

The Planned Action EIS identifies specific regulations that act as mitigation measures. These are summarized in **Table B-2.1** by EIS topic. All applicable federal, state, and local regulations shall apply to Planned Action Projects. Planned Action Project applicants shall comply with all adopted regulations where applicable including those listed in the Planned Action EIS and those not included in the Planned Action EIS.

Table B-2.1. Applicable Regulations and Commitments

Topic	Regulation/Commitment
Earth	• The federal government provides seismic information and standards. The 2012 IBC has adopted the seismic recommendations developed by the National Earthquake Hazards Reduction Program (NEHRP) (Federal Emergency Management Agency 2009) using the 2008 probabilistic seismic hazard maps developed by the U.S. Geological Survey for a seismic event with a recurrence interval of 5,000 years. The American Association of State Highway and Transportation Officials (AASHTO) standards rely on the 2002 U.S. Geological Survey probabilistic hazard mapping; however, AASHTO (2012) uses a seismic event with a recurrence interval of 1,000 years as the basis for design. • The State of Washington adopted the 2012 edition of the International Building Code (ICC 2012) on July 1, 2013. The IBC applies to the design of continuously occupied buildings, so would apply to residences and most commercial buildings. The types of buildings that would be developed at the Planned Action Area will most likely be designed in accordance with the 2012 IBC or the version of the manual in effect at the time of the development application. • State highway projects in Washington are typically designed in accordance with the Washington State Department of Transportation Design Manual (2010) or current version at the time of the permit application, which generally adopts AASHTO standards, with certain additional requirements or guidance. • Washington State Department of Ecology implements the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Permit system, which requires construction contractors to implement erosion and sedimentation control systems at all major construction sites. • The City uses the IBC as adopted by the State of Washington and amended by the City of Covington in the Covington Municipal Code. The only critical areas mapped inside the study area (City of Covington 2003) are wetlands along Jenkins Creek, which are discussed in Planned Action EIS Section 3.4. The City also adopted critical areas regulations in the Covington Municipal Code (Chapter 18.65). These regulations do not preclude development within critical areas, but do require permitting and special design and review to show that the proposed development minimizes impacts to critical areas to a satisfactory degree and manages hazards appropriately.
Surface Water Resources	Regulations adopted at the time development permits are submitted will be applicable, such as: • Department of Ecology, Stormwater Manual for Western Washington • City of Covington Surface Water Management Program, CMC 13.25 • City of Covington Clearing and Grading Regulations, CMC 14.60.120, which require spill prevention and control measures for the maintenance, fueling, and repair of heavy equipment on a construction site • City of Covington Design and Construction Standards • Low Impact Technical Guidance Manual for Puget Sound • Washington State Statutes • US Environmental Protection Agency, Clean Water Act

Topic	Regulation/Commitment
Groundwater Resources	The Planned Action Area is near, but not within, the Armstrong Springs Aquifer Protection Area, which is documented as Zone 1 in the City of Kent Wellhead Protection Program (Aspect 2008). Critical Aquifer Recharge Areas (CARAs) regulations are intended to protect groundwater; those regulations focus on underground storage tanks, abandoned wells, and stormwater infiltration. Based on geologic mapping the site is primarily characterized as a groundwater discharge site. However, given site proximity to CARAs and the onsite well, the following regulations, in current or amended form, could apply to site development activities. • 2012 Stormwater Management Manual for Western Washington • City of Covington Standard Plan Notes and Covington Municipal Code, Chapter 13.37 • Low impact development measures are based on the current version of Washington State Department of Ecology's stormwater manual; the manual in effect at the time of development applications would apply • 2012 Stormwater Management Manual for Western Washington Chapter 2.5.2 Element 13: Minimum Requirements for New Development and Redevelopment – Protect Low Impact Development BMPs.
Air Quality	• National Ambient Air Quality Standards (NAAQS): The US EPA establishes NAAQS and specifies future dates for states to develop and implement plans to achieve these standards. • State Ambient Air Quality Standards: The Washington State Department of Ecology establishes state ambient air quality standards for the same six pollutants that are at least as stringent as the national standards; in the case of SO2, state standards are more stringent. • Outdoor Burning: Burning yard waste and land-clearing debris is not allowed at any time in areas of King County. PSCAA enforces state outdoor burning regulations required by RCW 70.94.743. • Puget Sound Clean Air Agency Regulations: All construction sites in the Puget Sound region are required to implement rigorous emission controls to minimize fugitive dust and odors during construction, as required by PSCAA Regulation 1, Section 9.15, Fugitive Dust Control Measures. All industrial and commercial air pollutant sources in the Puget Sound region are required to register with PSCAA. Facilities with substantial emissions are required to obtain a Notice of Construction air quality permit before construction is allowed to begin. • State of Washington GHG Laws: The Washington Legislature enacted RCW 70.235, Limiting Greenhouse Gas Emissions, into state law. The law sets the following standards: o Reduce emissions to 1990 levels by 2020, 25% below 1990 levels by 2035, and 50% below 1990 levels by 2050. o Reduce expenditures on fuel imported into Washington State by 20% by 2020. o Decrease the annual per capita vehicle miles traveled 18% by 2020, 30% by 2035, and 50% by 2050. The state law applies only to actions taken by Washington State agencies and local governments. State regulations on GHG emissions include prerequisites for distribution of capital funds for infrastructure and economic development projects, where projects receiving funding must be evaluated for consistency with state and federal GHG limits and state VMT goals (RCW 20.235.070).
Plants and Animals	Current local, state, and federal regulations protecting plants and animals include: • CMC 18.65, Critical Areas; • King County Zoning Code (KCC) 21A.24, Critical Areas (only applicable until annexation is complete); • US Army Corps of Engineers (Corps) regulate wetlands under section 404 of the Clean Water Act; • Washington State Department of Ecology may require an individual 401 Water Quality Certification and Coastal Zone Management Consistency determination for Corps permits; • U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, for federally permitted actions that could affect endangered species (i.e. salmon or bull trout); and • No State or federally listed threatened or endangered plant or animal species have been observed on or adjacent to the site. The site does contain habitat that could be used by such species. See mitigation measures for an evaluation and consultation regarding compliance with state and federal laws, including the State Hydraulic Code, Sections 401 and 404 of the Clean Water Act, and Section 7 of the Endangered Species Act. • Critical area impacts will be avoided and minimized to the extent possible. Any impacts would be fully mitigated as required by the Covington's critical areas regulations. Temporary critical area impacts, such as disturbance and possible erosion/sedimentation would be addressed by

<table>
<tr><th>Topic</th><th>Regulation/Commitment</th></tr>
<tr><td></td><td>restoring the affected areas to the same or an improved condition, as required by Covington's critical area regulations and other applicable state and federal regulations.
• Erosion control measures would be implemented prior to construction as detailed in the Earth and Water Resource sections.</td></tr>
<tr><td>Noise</td><td>LOCAL: CITY OF COVINGTON NOISE REGULATIONS
CMC 8.20 establishes regulations to minimize the exposure of citizens to excessive noise. The CMC clearly states the hours during which certain noisy activities are prohibited but does not specify numerical limits for permissible noise levels. The City's code references state noise regulations.

The CMC prohibits sounds originating from construction activity between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and 6:00 p.m. and 9:00 a.m. on Saturdays, Sundays, or Federal holidays. However, prohibitions on construction activities may be waived or modified for work involving public utilities within the public right-of-way if approved by the City Manager or his/her designee.

FEDERAL: FEDERAL HIGHWAY ADMINISTRATION (FHWA) TRAFFIC NOISE REGULATIONS
Federal FHWA funding, distributed WSDOT, may be used for street improvements associated with this project, and as such, the noise criteria established in Title 23, Part 772 of the Code of Federal Regulations (CFR) may apply. The FHWA Noise Abatement Criteria (NAC) are summarized in Table B-2.2.

Table B-2.2. Federal Highway Administration Noise Abatement Criteria
<table><tr><th>Activity Category</th><th>Criterion (dBA Leq)</th><th>Description of Activity Category</th></tr><tr><td>A</td><td>57 (exterior)</td><td>Lands where serenity and quiet are of extraordinary significance and that serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.</td></tr><tr><td>B</td><td>67 (exterior)</td><td>Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.</td></tr><tr><td>C</td><td>72 (exterior)</td><td>Developed lands, properties, or activities not included in Categories A or B above.</td></tr><tr><td>D</td><td>--</td><td>Undeveloped lands.</td></tr><tr><td>E</td><td>152 (interior)</td><td>Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.</td></tr></table>Source: FHWA, CFR, 2013

STATE: NOISE CONTROL ACT OF 1974 (WAC 173-60)
WAC 173-60-040 establishes maximum permissible noise levels for various environments, and construction activities under all alternatives would be subject to these provisions.

STATE: WASHINGTON DEPARTMENT OF TRANSPORTATION TRAFFIC NOISE REGULATIONS
WSDOT has adopted the FHWA NAC for evaluating noise impacts and for determining if such impacts are sufficient to justify funding of noise abatement for new roadway construction and roadway widening projects with state funding. The WSDOT traffic noise policy described below meets the federal requirements of 23 CFR 772 described above, so compliance with the WSDOT traffic noise policy will meet FHWA noise requirements. For WSDOT-funded roadway projects, a noise impact occurs when a predicted traffic noise level under the design year conditions approaches within 1 dBA of the FHWA NAC (for example, WSDOT defines a traffic noise impact at a dwelling to be 66 dBA or higher). In addition, WSDOT defines a traffic noise impact to occur when the predicted traffic noise level substantially exceeds the existing noise level. A 10-dBA increase over existing noise levels is considered a substantial increase.</td></tr>
<tr><td>Land Use Patterns/Plans and Policies</td><td>• Prior to annexation to the City of Covington, the unincorporated portion of the subarea would be subject to the provisions of King County Code Title 21, including the following Chapters:
o 21A.08: Permitted Uses
o 21A.12: Development Standards – Density and Dimensions</td></tr>
</table>

Topic	Regulation/Commitment
	○ 21A.14: Development Standards – Design Requirements ○ 21A.16: Development Standards – Landscaping and Water Use ○ 21A.18: Development Standards – Parking and Circulation ○ 21A.20: Development Standards – Signs ○ 21A.22: Development Standards – Mineral Extraction ○ 21A.24: Critical Areas • After annexation into the City of Covington, all development in the Planned Action Area will be subject to the provisions of CMC Title 18 – Zoning, including the following Chapters: ○ 18.25: Permitted Uses ○ 18.30: Development Standards – Density and Dimensions ○ 18.35: Development Standards – Design Requirements ○ 18.40: Development Standards – Landscaping ○ 18.50: Development Standards – Parking and Circulation ○ 18.55: Development Standards – Signs ○ 18.65: Critical Areas
Transportation	CITY OF COVINGTON DESIGN STANDARDS For Alternatives 2 and 3, internal roadways, and non-motorized facilities are subject to design standards presented in Covington Design Guidelines (City of Covington 2005) and CMC Chapter 18.50 - Development Standards – Parking and Circulation. The proposed new roadway connections would be subject to the City's Design and Construction Standards for roadways. (City of Covington 2009) CITY OF COVINGTON PARKING CODE For Alternatives 2 and 3, the amount of parking supply provided as the subarea develops would be subject to parking requirements defined in CMC Chapter 18.50 - Development Standards – Parking and Circulation.
Public Services	FIRE Implement the City's adopted fire code at CMC 15.20 Fire Code. SCHOOLS • Until annexation by the City of Covington, development in the unincorporated portions of the Planned Action Area will be subject to assessment of school impact fees as required by King County Code Chapter 27.44. • After annexation by the City of Covington, development in the Planned Action Area will be subject to assessment of school impact fees as required by Covington Municipal Code Chapter 18.120.
Utilities	Plans and regulations adopted at the time Planned Action Project development permits are submitted will be applicable, such as: • Department of Ecology, Stormwater Manual for Western Washington • City of Covington Surface Water Management Program, CMC 13.25 • CMC Title 13 Public Utilities • Soos Creek Water and Sewer District Comprehensive Plan • Covington Water District Water System Plan

EXHIBIT C

Public Agency Actions and Commitments

INTRODUCTION

Under some elements of the Planned Action EIS, specific City or other agency actions are identified. Generally, incorporation of these actions is intended to provide for consistency within the City's Comprehensive Plan, Hawk Property Subarea Plan, or between the Hawk Property Subarea Plan and implementing regulations; to document pending City actions; to establish a protocol for long-term measures to provide for coordination with other agencies; or to identify optional actions that the City may take to reduce impacts. These actions are listed below in Table C.1.

Actions identified as "Proposed Concurrent Actions" refer to legislative actions proposed for adoption together with the Preferred Alternative CIP. Actions identified as short term are currently underway or expected to be completed in time for the next major Comprehensive Plan review. Longer term and other agency actions will occur in the future, depending on need. The projected timeframe and responsible departments are identified and will be used in monitoring the implementation of this Ordinance.

This Exhibit C will be used in the monitoring process established in Section IV of this Ordinance.

Table C.1
Public Agency Mitigation Measures

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle or within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
The City could provide neighboring property owners with educational resources to encourage native plant use and backyard habitat projects.			X		Community Development Department Year: To be determined by City based on available resources. This could be a partnership opportunity such as with a conservation district.
As part of integrating the Hawk Property Subarea Plan into the Comprehensive Plan, the City should amend land use designations, goals, policies, and capital facility improvements supporting the anticipated growth of the urban village. In addition, the City should make associated housekeeping amendments to update the status of the reclaimed mine site as transforming to an urban village.	X				Community Development / Public Works / Parks Departments 2014
The City would continue its 5-lane widening of SE 272nd Street to include the segment between 192nd Avenue SE and the east city limits. The estimated cost for widening SE 272nd Street to 5 lanes between 192nd Avenue SE and the east city limits is $40.2 to $55.9 million. This segment of the project should be included in the City's Capital Improvement Program.	X				Community Development / Public Works Departments 2014
Transportation projects studied in the Planned Action EIS will need to be added to the City's Capital Improvement Program as part of its next Comprehensive Plan update. Additionally, the City's Traffic Impact Fee Program will need to be updated to include these additional projects.	X Add to CFP	X Traffic Impact Fee Program			CFP: Community Development Department 2014 Traffic Impact Fee: Public Works 2015

Mitigation Measures	Proposed Synchronous Amendments	Short Term: Next Comp Plan Amendment Cycle or within 5 years	Long Term	Other Agency	Estimated Year of Implementation and Responsible Department
If growth occurs to the degree reflected in the model projections, it is likely that the City will reevaluate its long-term plan for the for the SE 272nd corridor, and determine if widening is warranted, or if it is warranted to reexamine level of service standards and allow this section to operate lower than LOS D. Under these circumstances, the City would be required to decide upon one of these options—additional capacity improvements or a level of service policy change—in order to support concurrency.			X		Public Works Ongoing
If regional land use growth occurs at the rate reflected in the Covington model assumptions through 2035, it is likely that the City of Maple Valley will reevaluate its long-term plan for the for the SE 272nd corridor, and determine if widening is warranted, or if it is warranted to reexamine level of service standards and allow this section to operate lower than LOS D. Under these circumstances, the City of Maple Valley would be required to decide upon one of these options—capacity improvements or a level of service policy change—in order to support concurrency.			X	X	City of Maple Valley Ongoing
The City should adopt comprehensive plan policies stating that the City will plan cooperatively with WSDOT and neighboring cities to define the ultimate capacity for the SE 272nd Street roadway.		X			Community Development Department/Public Works 2015
The City could adopt a formal LOS standard for police service and coordinate with the King County Sheriff's Office on monitoring of call responses to incidents by members of the Covington Police Department.		X			Community Development Department/Police Department 2015
The City should contract with the King County Sheriff's Office for the services of additional police officers commensurate with the level of development ultimately approved for the subarea.				X	Police Department Determine through development phasing Ongoing

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Exhibit D. Transportation Cost Estimates

Planning Level Cost Estimates – City Transportation Projects in Addition to Base Impact Fee

Component	Estimated Component Cost										
		2	51	1	3	13	13	18	36	50	55
Total Project Estimates		$900,000	$1,850,000	$650,000	$300,000	$450,000	$1,650,000	$450,000	$1,350,000	$750,000	$450,000
% Share: Alternative 2		6%	4%	9%	6%		-15%	-4%	10%	6%	1%
Cost Share: Alternative 2		$54,000	$74,000	$58,500	$18,000	$0	($247,500)	($18,000)	$135,000	$45,000	$4,500
% Share: Alternative 3		7%	6%	11%	7%	-12%		-3%	13%	7%	1%
Cost Share: Alternative 3		$63,000	$111,000	$71,500	$21,000	($54,000)	$0	($13,500)	$175,500	$52,500	$4,500
Right Turn Lane	$ 200,000										
Left Turn Lane	$ 600,000	1	2				1		1		
Add Through Lane	$ 400,000										
Add Receiving Lane	$ 750,000										
Striping	$ 20,000										
New Traffic Signal	$ 450,000		1	1		1	1	1	1	1	1
Modify Traffic Signal	$ 250,000										
Single Lane Roundabout	$ 1,500,000										
Multi-lane Roundabout	$ 2,250,000										
Bridge/Culvert Replacement	$ 1,500,000										
Significant Walls	$ 400,000						1				
Minor ROW	$ 200,000	1	1	1	1		1		1	1	
Major ROW	$ 500,000										
Minor Env	$ 100,000									1	
Major Env	$ 300,000										
Major Utility Relocation	$ 100,000	1			1				1		
Sum											
Net New Primary PH											
Cost Per Trip											
		$123,500									$431,500
		1965									2578
		$62.85									$167.38
		Not Applicable									Not Applicable

Assumptions:

This document estimates the cost of each mitigation proposal in Mitigation Measure 35, except for projects that are outside of Covington, and projects already in the traffic impact fee program.

Estimates are conceptual level and are based upon the descriptions in the exhibit and "Google maps" site review.

Estimates are based upon recent experience with similar projects by David Evans and Associates consultants.

The percent share for each project is shown.

The cost per trip is in addition to the city's base impact fee.

SR 516 is identified for improvement in the EIS under No Action conditions. However, Alternative 3 results in a decrease of trips west of 204th which would offset the expected increase in trips east of 204th. Therefore consultants have assumed a zero proportional share (and the project is not included in this matrix).

Exhibit E. Planned Action EIS Conceptual Alternatives

Alternative 2 Conceptual Land Use Plan

Note: The size, shape, and location of all land uses, trails, and road alignments depicted are conceptual. Final locations and extents will be determined as part of final site plan approval.

Source: Communita, 2013

Alternative 3 Conceptual Land Use Plan

Note: The size, shape, and location of all land uses, trails, and road alignments depicted are conceptual. Final locations and extents will be determined as part of final site plan approval.

Source: Communita, 2013