

ORDINANCE NO. 02-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON RELATING TO PERIODIC MAJOR UPDATES TO THE COVINGTON COMPREHENSIVE PLAN IN ACCORDANCE WITH THE WASHINGTON STATE GROWTH MANAGEMENT ACT (CHAPTER 36.70A RCW); ADOPTING THE NEW 2015-2035 COVINGTON COMPREHENSIVE PLAN IN ITS ENTIRETY; REPEALING THE 2001 COMPREHENSIVE PLAN AND ALL AMENDMENTS THEREAFTER; READOPTING THE SHORELINE MASTER PROGRAM, HAWK PROPERTY SUBAREA PLAN, AND PLANNED ACTION BY REFERENCE TO THE 2015-2035 COMPREHENSIVE PLAN; PROVIDING FOR SAVINGS, SEVERABILITY, RATIFICATION, AND CORRECTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, and amendments thereto, (the "GMA") the City of Covington (the "City") adopted its Comprehensive Plan on September 1, 2001; and

WHEREAS, pursuant to RCW 36.70A.130, an adopted comprehensive plan is subject to continuing review and evaluation, but may be amended no more than once per calendar year; and

WHEREAS, in addition to the above annual amendments, RCW 36.70A.130 also requires an adopted comprehensive plan to be subject to a major, substantive periodic review, on a dictated schedule, to ensure the plan and related development regulations comply with the requirements of the GMA ("Periodic Updates"); and

WHEREAS, since adoption of its original Comprehensive Plan, the City has performed two required Periodic Updates, resulting in major amendments to the original Comprehensive Plan in 2005, 2009, and 2011; and

WHEREAS, the City Council has also considered and adopted, if needed, regular, non-substantive amendments considered on an annual basis; and

WHEREAS, in accordance with RCW 36.70A.130, on or before June 30, 2015, cities in King County must perform a Periodic Update and revise, if needed, an adopted comprehensive plan and development regulations to ensure the plan and regulations comply with the requirements of the GMA, and must then repeat said Periodic Update every eight (8) years thereafter; and

WHEREAS, pursuant to the GMA requirements, on June 23, 2014, at a community workshop, the City initiated the 2015-2035 Covington Comprehensive Plan Periodic Update, which looks forward to guide planning policies for the next twenty years (2015—2035); and

WHEREAS, the City has undergone tremendous changes since its Comprehensive Plan was originally adopted and since the last major update, accordingly, City staff and consultants embarked on a complete review and update of the City's entire Comprehensive Plan (the proposed "2015-2035 Covington Comprehensive Plan" or "2015-2035 Comprehensive Plan") to respond to and be consistent with the requirements of Chapter 36.70A RCW, VISION 2040, and the Countywide Planning Policies; and

WHEREAS, in 2012 the City commissioned a Market Demand Study, the outcomes of which recognized that under the existing zoning, the City could accommodate all of its share of projected population and job growth through 2035; and

WHEREAS, given said population and job growth trends and approved development, the City has established new estimates for the amount of growth over the next twenty years (2015-2035) that must be addressed in the City's proposed 2015-2035 Comprehensive Plan; and

WHEREAS, the proposed 2015-2035 Comprehensive Plan anticipates growth of approximately 3,920 additional housing units and approximately 3,706 jobs between 2012 and 2035; and

WHEREAS, the proposed 2015-2035 Comprehensive Plan supports a strategy that focuses on the City's growth in the City's Downtown and the Lakepointe Urban Village Subarea (previously known as the Hawk Property Subarea) Areas to accommodate mixed-use development that will complement and serve existing neighborhoods and provide for commercial uses that serve the community's needs; and

WHEREAS, the City has reviewed the GMA and has identified that as part of the Periodic Update, the 2015-2035 Comprehensive Plan should, among other things, accept the new growth targets for households and jobs for the period from 2012 through 2035, and those new targets should be based on new elements, a Capital Facilities Appendix, an Existing Conditions Report, and a Best Available Sciences Report to reflect the additional growth in the 2015-2035 planning period; and

WHEREAS, the City intends to adopt future amendments to its Critical Areas regulations (Chapter 18.65 CMC) to include Best Available Science and better reflect local conditions and opportunities in accordance with the GMA; and

WHEREAS, the proposed 2015-2035 Comprehensive Plan identifies the infrastructure and capital investments required to support growth and changing community needs and is linked to facility plans for transportation, utilities, parks, and other public facilities; and

WHEREAS, the proposed 2015-2035 Comprehensive Plan seeks to preserve and enhance the community's quality of life, including economic opportunities, housing choice, quality of

neighborhoods, public safety, human and community services, and parks, recreation, and open space areas; and

WHEREAS, the City has provided for public participation in the development and review of the proposed 2015-2035 Comprehensive Plan to comply with the GMA, including requirements for early and continuous public participation in the development and amendment of the City's Comprehensive Plan; and

WHEREAS, throughout 2014 and 2015, the City embarked on a community outreach campaign to provide numerous opportunities for community involvement in creating a shared plan for the City's future, including community workshops, stakeholder interviews, a "Storefront Studio" in a centrally-located retail space for drop-in visits to ask questions of City staff, and several open houses and public meetings; and

WHEREAS, the City also encouraged public participation and provided information on the 2015 Comprehensive Plan update on its website (<http://covingtonwa.gov/update2015>); and

WHEREAS, as a result of the City's efforts, the public has had extensive opportunities to participate throughout the 2015-2035 Comprehensive Plan Periodic Update process and all persons desiring to comment on the proposed updates were given a full and complete opportunity to be heard; and

WHEREAS, the City's Planning Commission held a public hearing on November 19, 2015, to take public testimony on the proposed 2015-2035 Comprehensive Plan; and

WHEREAS, the Planning Commission has recommended that the City Council approve the proposed 2015-2035 Comprehensive Plan on file with the City Clerk; and

WHEREAS, the City Council held a public hearing on January 12, 2016, to consider the Planning Commission's recommendation and to take further public testimony; and

WHEREAS, the City Council has reviewed and considered the public testimony made at the public hearing(s), and other pertinent material regarding the 2015-2035 Comprehensive Plan; and

WHEREAS, the City Council finds that the proposed 2015-2035 Comprehensive Plan to be adopted is consistent with the GMA, and will protect and promote the health, safety, and welfare of the general public; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act (Chapter 43.21C RCW), including the publication of a Determination of Significance, Adoption of Existing Documents and Addendum on November 13, 2015.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. After reviewing the record and considering the evidence in the record and at public meetings, the City Council hereby adopts all of the above recitals and the findings, analysis, and conclusions contained in the City Planning Commission Staff Memo prepared for the November 19, 2015 public hearing.

Section 2. Adoption of 2015 Covington Comprehensive Plan. The 2015 Covington Comprehensive Plan, as set forth in the attached Exhibit A and fully incorporated herein by this reference, is hereby adopted and approved in its entirety as the comprehensive plan for the City of Covington, Washington.

Section 3. Repeal of 2001 Covington Comprehensive Plan and Amendments. The 2001 Covington Comprehensive Plan, originally adopted by Ordinance No. 24-01, and thereafter amended by Ordinance Nos. 02-02, 16-02, 45-02, 46-02, 47-02, 48-02, 49-02, 50-02, 51-02, 55-02, 56-02, , 70-03, 84-03, 85-03, 86-03, 87-03, 88-03, 89-03, 90-03, 91-03, 92-03, 94-03, 11-05, 15-05, 23-05, 31-05, 20-08, 23-09, 10-11, 02-14, 11-14, (the "Repealed Comprehensive Plan Ordinances") and Resolution 03-167, are hereby repealed in full.

Section 4. Effect on Adopted Plans.

- a. **Shoreline Master Program.** Upon the effective date of this ordinance, the City of Covington Shoreline Master Program, adopted by Ordinance No. 05-11, shall be incorporated by reference and readopted within the 2015-2035 Covington Comprehensive Plan.
- b. **Hawk Subarea Plans.** Upon the effective date of this ordinance, the Hawk Property Subarea Plan, adopted by Ordinance No. 01-14, as amended, shall be incorporated by reference and readopted within the 2015-2035 Covington Comprehensive Plan and referred to as the Lakepointe Urban Village Subarea.
- c. **Hawk Property Planned Action.** Upon the effective date of this ordinance, the Hawk Property Planned Action, adopted by Ordinance No. 04-14, as amended, shall be incorporated by reference and readopted within the Covington Comprehensive Plan.

Section 5. Savings Clause. The Repealed Comprehensive Plan Ordinances and Resolution 03-167 shall remain in full force and effect until the 2015-2035 Covington Comprehensive Plan adopted in Section 2 herein becomes operative upon the effective date of this ordinance; AND at any time should the 2015-2035 Covington Comprehensive Plan be found unlawful or invalidated in its entirety, the Repealed Comprehensive Plan Ordinances and Resolution 03-167 shall spring back into full force and effect.

Section 6. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance or the validity of its application to other persons or circumstances.

Section 7. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 8. Corrections by City Clerk. Upon approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary technical corrections to this ordinance, including, without limitation, the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

Section 9. Effective Date. This ordinance shall be in full force and effect five (5) days after its passage and legal publication. A summary of this ordinance, consisting of the ordinance title, may be published in lieu of publishing the ordinance in its entirety.

Passed by the City Council of the City of Covington, Washington at its regular meeting on the 12th of January 2016, and signed in authentication of its passage.

CITY OF COVINGTON



Mayor

PUBLISHED: January 15, 2016

EFFECTIVE: January 20, 2016

ATTESTED:



Sharon Scott
City Clerk

APPROVED AS TO FORM ONLY:



Sara Springer
City Attorney