CALL TO ORDER

ROLL CALL
Chair David Caudle, Vice Chair Elizabeth Porter, Jennifer Gilbert-Smith, Joe Culumber, Jonathan Ingram, Kathy Fosjord, and Murray Williams

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF CONSENT AGENDA

CITIZEN COMMENTS - Note: The Citizen Comment period is to provide the opportunity for members of the audience to address the Commission on items either not on the agenda or not listed as a Public Hearing. The Chair will open this portion of the meeting and ask for a show of hands of those persons wishing to address the Commission. When recognized, please approach the podium, give your name and city of residence, and state the matter of your interest. If your interest is an Agenda Item, the Chair may suggest that your comments wait until that time. Citizen comments will be limited to four minutes for Citizen Comments and four minutes for Unfinished Business. If you require more than the allotted time, your item will be placed on the next agenda. If you anticipate your comments taking longer than the allotted time, you are encouraged to contact the Planning Department ten days in advance of the meeting so your item may be placed on the next available agenda.

PUBLIC HEARING AND RECOMMENDATION – None

NEW BUSINESS – Agenda Item 1: Private recreational facilities
Attachment 1 – Proposed code amendments

OLD BUSINESS - None

ATTENDANCE VOTE

PUBLIC COMMENT: (Same rules apply as stated in the 1st CITIZEN COMMENTS)

COMMENTS AND COMMUNICATIONS OF STAFF AND COMMISSIONERS

ADJOURN

Any person requiring a disability accommodation should contact the City at least 24 hours in advance.
For TDD relay service please use the state’s toll-free relay service (800) 833-6384 and ask the operator to dial (253) 480-2400
Web Page: www.covingtonwa.gov
Planning Commission Minutes

February 6, 2019

City Hall Council Chambers

CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:31 p.m. by Chair Caudle.

MEMBERS PRESENT
David Caudle, Joe Culumber, Kathy Fosjord, Jonathan Ingram, Elizabeth Porter and Murray Williams

MEMBERS ABSENT – Jennifer Gilbert-Smith

STAFF PRESENT
Gina Estep, Community Development Director
Ryan Harriman, Planning Manager
Dafne Hernandez, Planning Technician
Kelly Thompson, Permit Center Manager
Bill Fealy, City Arborist and Lead Maintenance Worker

APPROVAL OF AGENDA
➢ Commissioner Ingram moved and Commissioner Williams seconded the motion to approve the agenda. The motion carried 6-0.

APPROVAL OF MINUTES
➢ C1. Commissioner Williams moved and Commissioner Fosjord seconded to approve the January 16, 2020 minutes. The motion carried 6-0.

CITIZEN COMMENTS - None

PUBLIC HEARING
1. Amendments to Covington Municipal Code Chapter 18.45 Preservation and Protection

Chair Caudle opened the Public Hearing.

Planning Manager, Ryan Harriman provided the staff report.

The Planning Commission asked questions of staff and continued discussion.
Public Comment

Patricia Smith, Covington resident – She is concerned about soil erosion and the rate of removal of trees in the city. She does not feel the trees replanted are adequate. She is concerned for the welfare of animals in the community as a result of tree removal.

Phillip Jones, Covington resident – He participated as a citizen when existing the tree code was adopted. He would like to see reasonable compromise balancing the needs of citizens vs. developers. He would like the properties under one acre continue to be exempt from the need for a permit.

Kyli Rainier, Covington resident – She is concerned for wildlife where the trees have been clear cut. Their habitat has been removed and the wildlife is now impacting domestic animals. She is concerned about the removal of significant trees along 204th for the widening and the increased noise as a result of the trees being removed.

Chair Caudle closed the Public Hearing.

The Planning Commission had a robust discussion regarding the proposed code amendments.

- **Commissioner Ingram moved and Commissioner Williams seconded to recommend the City Council adopt a civil penalty sliding scale of $300 per inch of diameter at breast height (DBH) for significant trees, $600 per inch of DBH for landmark trees, and $900 per inch of DBH for heritage trees when removed without a permit. Motion carries 6-0.**

- **Commissioner Williams moved and Commissioner Culumber seconded to recommend the City Council adopt 18.45 Tree Preservation and Protection as amended with the civil penalty sliding scale.**

- **Commissioner Ingram moved to include a friendly amendment to the motion recommending that staff evaluate the code changes in one year. Commissioner Williams and Commissioner Culumber agreed to accept the friendly amendment. The motion with the friendly amendment carries 6-0.**

NEW BUSINESS

2. Annual Hearing Examiner Report

The Planning commission discussed the report.

OLD BUSINESS - None

ATTENDANCE VOTE
Commissioner Ingram moved and Commissioner Williams seconded to excuse the absence of Commissioner Gilbert-Smith. Motion carried 6-0.

PUBLIC COMMENTS

Phillip Jones, Covington resident – He feels homeowners should not be made to get a permit.

COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS

ADJOURN

The February 6, 2020 Planning Commission Meeting adjourned at 8:50 p.m.

These minutes are intended to reflect the action taken during the Planning Commission meeting. The audio recording is available upon request.

Respectfully submitted,

______________________________
Kelly Thompson, Permit Center Manager
Planning Commission Minutes

February 20, 2019 City Hall Council Chambers

CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:32 p.m. by Chair Caudle.

MEMBERS PRESENT
David Caudle, Joe Culumber, Kathy Fosjord, Jennifer Gilbert-Smith, Jonathan Ingram, Elizabeth Porter and Murray Williams

MEMBERS ABSENT – None

STAFF PRESENT
Gina Estep, Community Development Director
Ryan Harriman, Planning Manager
Dafne Hernandez, Planning Technician
Kelly Thompson, Permit Center Manager

APPROVAL OF AGENDA
 Commissioner Porter moved and Commissioner Williams seconded the motion to approve the agenda. The motion carried 7-0.

APPROVAL OF CONSENT AGENDA
 Commissioner Williams moved and Commissioner Gilbert-Smith seconded the motion to approve the consent agenda. The motion carried 7-0.

CITIZEN COMMENTS - None

PUBLIC HEARING - None

NEW BUSINESS
1. Private recreational facilities – Introduction

Planning Manager, Ryan Harriman gave the staff report followed by a discussion with the Planning Commission.

OLD BUSINESS - None

ATTENDANCE VOTE - None
PUBLIC COMMENTS - None

COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS

ADJOURN

The February 20, 2020 Planning Commission Meeting adjourned at 8:15 p.m.

These minutes are intended to reflect the action taken during the Planning Commission meeting. The audio recording is available upon request.

Respectfully submitted,

______________________________
Kelly Thompson, Permit Center Manager
TO: Planning Commissioners

FROM: Ryan Harriman, Planning Manager, EMPA, AICP
Dafne Hernandez, Planning Technician

CC: Gina Estep, Community Development Director

DATE: March 5, 2020


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A. GENERAL INFORMATION:

On February 20, 2020, the Planning Commission discussed potential amendments to Chapter 18.35 Development Standards – Design Requirements. Planning Commission expressed to city staff that the current coded needed to be modified to include the following:

a. Development should include private recreation facilities to the city code.
b. Development should include private recreational facilities and pay a park impact fee.

City staff has done a thorough evaluation of Covington Municipal Code (CMC) Chapter 18.35 Development Standards – Design Requirements. Based on the Planning Commission recommendations/feedback city staff examined Chapter 18.35 and has provided potential code amendments. See Attachment 1 for the proposed Code amendment.

B. NEXT STEPS:
As a next step, staff would return to a subsequent Planning Commission meeting based on tonight’s discussion and recommendations given by Commission and update code amendments.
Chapter 18.35
DEVELOPMENT STANDARDS – DESIGN REQUIREMENTS

18.35.005 Applicability.

18.35.150 Residential – On-site recreation requirements.

18.35.150 Developments within the Lakepointe Urban Village Subarea.

18.35.160 Multifamily – On-site recreation facility required.

18.35.160 Mixed-use building with a residential component.

18.35.165 Trails.

18.35.170 Dedication of parks and trails – Required by capital facilities plan.

18.35.175 Fee in lieu of provisions.

18.35.180 Private on-site recreation facilities – Minimum design standards.

18.35.185 Minimum park features, play equipment, and infrastructure.

18.35.190 Request for impact fee credits – Park and recreation and trail facilities.

18.35.005 Applicability.

The standards contained in this chapter shall apply to all zones other than the downtown zone.

18.35.150 Residential – On-site recreation requirements.

(1) Residential development that includes single-family attached and detached dwelling units within the City’s service area shall mitigate for impacts to park and recreation service levels through payment of a park impact fee in accordance with CMC Title 19.

(2) If the applicant chooses to provide a park and recreation facility as part of the residential development the park and recreation facility shall meet the following minimum requirements:

(a) Park and recreation facilities should be provided at a rate of 200 square feet per lot.

(b) Park and recreation facilities shall meet minimum design standards pursuant to CMC 18.35.180.
(e) The applicant will not receive credit for any park and recreation facilities or dedication of land for a future park and recreation facility unless the space meets the criteria in CMC 18.35.190.

(3) Developments within the Lakepointe Urban Village Subarea as designated in the Future Land Use Map shall provide fully accessible recreation facility for leisure, play and sport activities as follows, or as otherwise determined by the Director in accordance with the adopted subarea plan (Ordinance 02-2017) and planned action (Ordinance 04-2017):

(a) Residential subdivision at a density of four units an acre or more: 450 square feet per unit;

(b) Townhouses developed at a density of eight units or less per acre: 450 square feet per unit;

(c) Manufactured home park: 260 feet per unit;

(d) Multifamily dwelling units and townhouses developed at a density of greater than eight units per acre: 100 square feet per unit;

(e) Senior housing or other age-restricted facilities: 200 square feet per unit or as required by the funding agency, whichever is greater. (Ord. 10-17 § 5 (Exh. C))

(1) All development applications containing a residential component of ten or more units and/or lots, including, but not limited to, single-family, multiple-family subdivisions, binding site plans, mixed-use building and site plans, or other development which includes residential units, shall provide recreational space as set forth in this chapter. Development applications containing a residential component of nine for fewer units and/or lots shall be satisfied by payment in the form of a fee in lieu as set forth in CMC 18.35.175.

(2) General. Single-family residential recreation space shall be provided as follows:

(a) At least ten percent of the total net area of any proposed single-family residential subdivision, binding site plan, site plan or other development which includes single-family residential units shall provide for active park space, passive park space, and/or trails by means of on-site parks, a fee in lieu, or a combination as described below. The fee in lieu shall represent the appraised value of dedicated land and construction of the park. Critical areas and their buffers shall not be included in the required calculations, unless utilized in conjunction with a trail system pursuant to Chapter 18.65 CMC, Critical Areas, and as approved by the Director.
(b) An applicant may choose to satisfy all or any portion of the required recreation and common open space requirements on site, subject to the minimum requirements as described below. Any such park in excess of two and one-half acres in size shall be dedicated and conveyed to the City of Covington at the discretion of the city council in consideration of whether the park benefits the broader community (by way of providing sports courts or other facilities that contribute to the city’s park level of service standards, available parking, access to a public trail system that connects out of the neighborhood, or other such amenities found to be in the public interest). Should the city council not wish to accept any park over than two and one-half acres in size under such consideration, it shall be owned, operated, and maintained by the applicable homeowners’ association.

(3) On-site recreation –Dedication criteria. Recreation space that meets the criteria of CMC 18.35.145(2)(b) may, at the discretion of the City Council, be dedicated to the city as a park open to the public in lieu of providing the on-site recreation required by this chapter if the following criteria are met:

(a) The dedicated area is at least two and one-half acres in size, unless when adjacent to an existing or planned City or County park;

(b) The dedicated land provides one or more of the following:

(i) Shoreline access;

(ii) Regional trail linkages;

(iii) Habitat linkages;

(iv) Recreation facilities; or

(v) Heritage sites; and

(c) The dedicated area is located within one-half mile of a city owned park.

(d) Unless the recreation space is dedicated to the City in accordance with this section, maintenance of any recreation space retained in private ownership shall be the responsibility of the owner or other separate entity capable of long-term maintenance and operation in a manner acceptable to the Department.

(4) Size and Ratio Requirements. Based on development size and/or number of units/lots.

(a) For each single-family residential subdivision, binding site plan, site plan, or other development application containing nine units or fewer, the applicant shall provide
recreation space in the form of a fee in lieu of dedication of park land and park infrastructure costs, as set forth in CMC 18.35.175.

(b) Each single-family residential subdivision, binding site plan, site plan, or other development that includes single-family residential units containing between 10 and 50 residential units shall provide and construct a minimum of one on-site neighborhood park at least one-quarter acre in size, to be owned and maintained by the applicable homeowners’ association. Any remaining residential recreation space required shall be satisfied by payment in the form of a fee in lieu as set forth in CMC 18.35.175.

(c) Each single-family residential subdivision, binding site plan, site plan, or other development that includes single-family residential units containing between 51 and 100 units shall provide the required recreation space as follows:

(i) Provide and construct two on-site neighborhood parks, each at least one-quarter acre in size, to be owned and maintained by the applicable homeowners’ association. Any remaining residential recreation space required shall be satisfied by payment in the form of a fee in lieu as set forth in CMC 18.35.175; or

(ii) Provide and construct one larger consolidated on-site park of not less than one-half acre, to be owned and maintained by the applicable homeowners’ association. Any remaining residential recreation space required shall be satisfied by payment in the form of a fee in lieu as set forth in CMC 18.35.175.

(d) Each single-family residential subdivision, binding site plan, site plan, or other development that includes single-family residential units containing between 101 and 150 units shall provide the required recreation space as follows:

(i) Provide and construct three on-site neighborhood parks, each at least one-quarter acre in size, to be owned and maintained by the applicable homeowners’ association. Any remaining residential recreation space required shall be satisfied by payment in the form of a fee in lieu as set forth in CMC 18.35.175; or

(ii) Provide and construct one larger consolidated on-site park of not less than one acre, to be owned and maintained by the applicable homeowners’ association. Any remaining residential recreation space required shall be satisfied by payment in the form of a fee in lieu as set forth in CMC 18.35.175; or

(iii) Other combination of on-site park area of not less than one acre to be approved by the City of Covington. In no case shall a park area be less than one-quarter acre in size unless otherwise approved by the city.
(e) Each single-family residential subdivision, binding site plan, site plan, or other development that includes single-family residential units containing more than 151 residential units shall provide the required recreation space as follows:

(i) Provide and construct one on-site larger consolidated park of not less than two and one-half acres, to be dedicated and conveyed to the City of Covington at the discretion of the city council if consistent with criteria in subsection (2)(b) of this section. Should the city council not wish to accept any park over two and one-half acres in size under such consideration, it shall be owned and maintained by the applicable homeowners’ association. Any remaining residential recreation space required shall be satisfied by payment in the form of a fee in lieu as set forth in CMC 18.35.175; or

(ii) Other combination of on-site park area of not less than two and one-half acres to be approved by the City of Covington.

18.35.150 Developments within the Lakepointe Urban Village Subarea.

(1) Developments within the Lakepointe Urban Village Subarea as designated in the Future Land Use Map shall provide fully accessible recreation facility for leisure, play and sport activities as follows, or as otherwise determined by the Director in accordance with the adopted subarea plan (Ordinance 02-2017) and planned action (Ordinance 04-2017):

(a) Residential subdivision at a density of four units an acre or more: 450 square feet per unit;

(b) Townhouses developed at a density of eight units or less per acre: 450 square feet per unit;

(c) Manufactured home park: 260 feet per unit;

(d) Multifamily dwelling units and townhouses developed at a density of greater than eight units per acre: 100 square feet per unit;

(2) Senior housing or other age-restricted facilities: 100 square feet per unit or as required by the funding agency, whichever is greater.

18.35.160 Multifamily – On-site recreation facility required.

(1) Multifamily development and mixed-use development with residential units, including senior housing or other age-restricted facilities, shall be required to provide private recreation facilities on site pursuant to subsection (2) of this section and mitigate for impacts to the City’s
(2) Multifamily development shall provide **100-200** square feet per unit of private recreation facility. The private recreations facility shall meet the minimum design standards pursuant to CMC 18.35.180.

(3) Indoor recreation areas or rooftop areas may be credited toward the total recreation space requirement, if the Director determines that the areas are located, designed and improved in a manner that provides recreational opportunities functionally equivalent to recreational activities provided outdoors or provides areas for social activities, multi-purpose entertainment and education areas. (Ord. 10-17 § 5 (Exh. C))

(4) Multifamily on-site recreation facilities shall be designed and developed consistent with the following standards:

(a) Private recreation facilities shall not front or abut a public street and shall be designed and sited centrally within the proposed development; and

(b) The required yard setback area required by the applicable zoning district shall not qualify as recreational space; and

(c) The required recreational space may be dispersed in multiple locations throughout the multifamily complex or development at the discretion of the Director, but no required recreational space shall be less than 1,000 square feet in size; and

(d) No more than 50 percent of the total required recreational space may be indoor or covered space; and

(e) No more than 50 percent of the total required recreational space may be used for any single purpose such as swimming pools, tennis courts, or similar facilities; and

(f) No more than 50 percent of the uncovered recreational space requirement may be located on slopes greater than four horizontal units to one vertical unit (4:1) slope; and

(g) The required recreational space shall be usable for recreation by all residents and shall not be occupied by at-grade stormwater features or aboveground utilities, floodplain fill compensatory storage areas, or other facilities that would diminish its utility for recreation purposes.

**18.35.160 Mixed use buildings with a residential component.**
(1) Any residential unit within a mixed-use building or development shall provide common open space as follows:

(a) A minimum of 150 square feet of common open space per residential unit, incorporated into a pedestrian plaza visible from the public street.

(b) A minimum of 200 square feet of common open space per residential unit, for projects that do not incorporate the common open space into a pedestrian plaza.

(c) Mixed-use buildings shall meet the criteria of CMC 18.35.155(4)(a) through (g) for multiple-family structures as provided above.

(d) On-site common open space shall not be required for existing commercial or mixed-use buildings which add residential dwellings within the existing footprint of the building.

18.35.165 Trails.

(1) Trail Provision Requirements. The following provisions apply to any residential development

(a) Trail Access Connections. Where any residential development abuts a public trail corridor, access connections shall be provided from streets within the development to the public trail corridor. The number of access connections provided shall be proportional to the size of the development. Shared access connections are encouraged at parcel boundaries between developments. The area of the access connection shall be owned and maintained by the applicable homeowners’ association or management company. The trail within the access connection shall be constructed per the trail construction standards below.

(b) Trail Corridor Extensions. Residential developments that contain future trail corridors as identified in the Parks, Recreation, and Open Space Element of the comprehensive plan shall provide trail extensions across or through the development in approximate alignment with that shown on the trail plan map, or per an alternative alignment as approved by the director. The area of the trail extension may count toward the recreational space requirement for the development and shall be dedicated and conveyed in a tract to the city of Covington, or an easement granted to the city for public access along the trail. Should the provision and dedication of the trail corridor use more recreational space land than what is required by this chapter and thereby create a situation that could require nonconforming lot sizes, the area of the trail corridor tract adjacent to such lots may be used for calculating the minimum lot size of those lots.

(2) Trail Construction Standards. Trails provided for access connections or trail corridor extensions per this section shall be constructed in accordance with the standards listed in CMC 18.50.150.
18.35.170 Dedication of parks and trails – Required by capital facilities plan.
(1) Dedication of park and recreation facility and trails shall be provided by any development when such development is located within an area identified by the capital facilities plan as a park site or trail corridor.

(2) The area of the park and recreation facility and trail dedication shall be counted as part of the site for purposes of density and floor area calculations, unless otherwise exempt from density calculations in accordance with CMC 18.30.080.

(3) The residents of the development shall be provided, at a minimum, pedestrian access to the park and recreation facility and trail.

(4) Residential and multifamily developments that propose to provide public park and trail facilities pursuant to this section shall be subject to an impact fee credit in accordance with CMC Title 19. An easement granted for future park and recreation and trail facilities shall not be subject to impact fee credits, unless the easement includes required facility improvements. (Ord. 10-17 § 5 (Exh. C))

18.35.175 Fee in lieu of provisions.

(1) When land is dedicated for recreational space requirements, the developer is required to construct the park and install the facilities (e.g., play equipment, walkways, trails, benches, and other improvements) as approved by the city with the preliminary subdivision. All development applications containing a residential component of nine or less units and/or lots, including, but not limited to, single-family, multiple-family subdivisions, binding site plans, mixed-use building and site plans, or other development which includes residential units, shall provide recreational space as set forth in this chapter.

(2) The creation of on-site recreation space shall be the preferred method of providing new development with opportunities for leisure, play and sports activities. Applicants shall to the best of their ability endeavor to provide recreation space on the project site. However, if on-site recreation space is not provided in accordance with CMC 18.35.145, the applicant shall pay a fee in lieu of actual recreation space if approved by the City. City acceptance of a fee in lieu payment is discretionary. A fee in lieu of on-site recreation space may be permitted if the recreation space provided within a City park in the vicinity will be of greater benefit to the prospective residents of the development.

(3) When a fee in lieu of dedication of land and park improvement is proposed or required for recreational space requirements, the fee shall be computed on a square-foot unit cost.
basis, by any licensed appraiser with a Member Appraisal Institute (MAI) designation, or other appraiser acceptable to the city. By summary appraisal report, or other form of report acceptable to the city, the appraiser shall appraise the value of the total undeveloped land within the proposed development and calculate the fee based on the total square footage otherwise required to be developed as parks and/or trails.

(4) An additional charge equal to 20 percent of the required fee in lieu of dedication shall also be paid for the required park improvements, such as play equipment, walkways, trails, benches, and other park improvements. The required appraisal report must be provided to the city prior to engineering plan approval of the associated development applications. The fee in lieu shall be paid prior to final plat, site plan or binding site plan or other applicable final permit.

18.35.180 Private on-site recreation facilities – Minimum design standards.
(1) Private park and recreation facilities shall meet the minimum design standards:

(a) Be on the site of the proposed development.

(b) Be adjacent to and visible from main pedestrian path, sidewalk or near building entrances.

(c) Be of a grade and surface suitable for recreation; 75 percent of the site cannot exceed two percent grade, unless the topography results in enhanced critical areas or environmental protection.

(d) Be located in an area where the topography, soils, hydrology and other physical characteristics are of such quality as to create a flat, dry, obstacle-free space in a configuration which allows for passive and active recreation.

(e) Have no dimensions less than 20 feet (except trail segments).

(f) Be located in one designated area, unless the Director determines that residents of large subdivisions, multi-family developments, and mixed-use building developments would be better served by multiple areas developed with recreation or play facilities.

(g) Be located adjacent to, and be accessible by, trail or walkway to any existing or planned municipal, County or regional park, public open space or trail system, which may be located on adjoining property.
(h) Lighting shall be provided for safe use of any recreational facility as determined by the Department. Such lighting shall be maintained by the responsible party if not part of a City maintenance program.

(i) In single detached or townhouse subdivisions, if the required outdoor recreation space exceeds 5,000 square feet, have a street roadway or parking area frontage along 10 percent or more of the recreation space perimeter, except trail segments, if the outdoor recreation space is located in a single detached or townhouse subdivision.

(dj) Be fully accessible and convenient to all residents within the development and in compliance with current ADA Standards for Accessible Design and the 2004 Architectural Barriers Act, as amended.

(ek) Be designed with amenities that encourage residents to the facility such as benches, trash receptacles, and paths leading from the main pedestrian path and to an internal walking path.

(fj) Trails and paths shall be constructed per the City of Covington’s Design and Construction Standards adopted in CMC Title 12 CMC. Trails located within critical area buffers shall be designed in accordance with Chapter 18.65 CMC. Any modified private trail or path design shall be approved by the Parks and Recreation Director prior to any preliminary land use approval.

(gm) Private recreation facility, paths and trails shall be placed in a designated recreation facility tract. The tract shall be dedicated to the homeowner’s association or other organization. Maintenance of any recreation facility tract retained in private ownership should be audited regularly for safety and compliance with current standards. The homeowner’s association or other organization shall be responsible for all costs associated with the continued long-term maintenance of the recreation tract and facilities.

(hn) Provide play equipment that meets, at a minimum, the Consumer Product Safety Standards for equipment, soft surfacing and comply with all applicable ADA accessibility standards, and incorporate play pieces that address ages two to five, and five to 12, and older. Prior to final approval of the development, the applicant will be required to provide the City a letter from a certified parks installer that the equipment was installed to industry standards.
(o) Indoor recreation areas may be credited towards the total recreation space requirement, if the Director determines that the areas are located, designed and improved in a manner that provides recreational opportunities functionally equivalent to those recreational opportunities available outdoors. For senior citizen assisted housing, indoor recreation areas need not be functionally equivalent but may include social areas, game and craft rooms, and other multi-purpose entertainment and education areas.

(p) Private recreational facilities shall be owned, operated, and maintained by the applicable homeowners’ association.

(2) The City may require a financial guarantee for construction and maintenance of private recreation facilities and trails consistent with CMC Title 14. (Ord. 10-17 § 5 (Exh. C))

18.35.185 Minimum park features, play equipment, and infrastructure.

(1) Neighborhood Parks. A neighborhood park is characterized by its relatively small size (one-quarter acre to one-half acre) and its specialized facilities that are designed to serve the neighborhood in which the park is located. Neighborhood parks often serve a specific segment of the population (i.e., tot lots or senior citizens). The exact facilities to be located will be determined during the preliminary subdivision process and refined during the site civil plans review process. Neighborhood parks shall be designed to provide a variety of recreational activities and uses for all age groups. Neighborhood parks shall contain active and passive recreational facilities such as those depicted in the diagrams and list below:
(a) Children’s play equipment;

(b) Picnic tables;

(c) Benches;

(d) Pea patch/other specialized community garden.

(2) Larger Consolidated Parks. Larger consolidated parks of two and one-half acres or more are typically characterized by recreational activities for each member of the family, such as field games, court games, crafts areas, playground apparatus, picnicking, and space for quiet/passive activities. Larger consolidated parks shall contain active recreational facilities such as softball, basketball, volleyball, handball, tennis, children’s play structures, and picnic facilities. The exact facilities to be located will be determined during the preliminary subdivision process and refined during the site civil plans review process. Larger consolidated parks shall be designed to provide a variety of recreational activities and uses for all age groups. The following picture is an example of these larger consolidated parks features:

(3) All parks and recreation areas shall contain the following features:

   (a) Garbage and recycling bins; and

   (b) Picnic tables; and

   (c) Benches; and

   (d) Pet waste station, bags, and disposal; and

   (d) Lighting. Lighting shall be at a neighborhood scale, energy efficient, and full cutoff light fixtures; and
(e) **ADA Compliance.** All parks shall provide compliance with applicable requirements of the Americans with Disabilities Act.

(f) **Provide play equipment** that meets, at a minimum, the Consumer Product Safety Standards for equipment, soft surfacing spacing and comply with all applicable ADA accessibility standards.

(4) **Children’s play equipment.** A facility or structure intended for play and enjoyment by children. These structures should contain elements such as: slides, balance features, swings, climbing features and/or other enjoyable elements, and may include natural elements such as rocks, logs, or stumps safely installed, anchored and arranged in such a manner as to create a play space for enjoyment by children.

(5) **Pea patch/other specialized community garden.** A Pea patch/other specialized community garden is a small neighborhood communal garden area for the growing of fruits, vegetables and/or flowers.

18.35.190 **Request for impact fee credits – Park and recreation and trail facilities.**

(1) Residential and multifamily developments that propose to provide private park and recreation and trail facilities shall not receive a credit against the park impact fee, unless otherwise determined by the Parks and Recreation Director, in accordance with this section, and CMC Title 19 CMC. Any request for a credit shall be submitted in accordance with CMC Title 19 CMC.

(2) The applicant may request a credit be applied to the park impact fee based on the installation of a private park and recreation facility, construction of a private trail, or the dedication of land for future park and recreation and trail facilities. The applicant shall be responsible for all cost associated with preparing data and analysis to determine if the private park and recreation or trail facilities provided on private land satisfy the applicant’s requirement to mitigate for park and recreation level of service deficiencies.

(3) The Parks and Recreation Director is responsible for making a final decision pertaining to a request for park impact fee credits. The applicant shall submit the following information, in addition to the minimum requirements in Chapter 19.20 CMC, to be considered:

   (a) Supply and demand data that identifies proposed private park and recreation facility would better meet community needs for parks and recreation facilities than payment of park impact fees.
(b) The location and design of the park and recreation facilities are consistent with comprehensive plan and any applicable park and recreation plans, as amended.

(c) Site plan and supporting documents that show the proposed private park and recreation facility meets the following minimum criteria:

(i) The land and its development are an integral element of the comprehensive plan;

(ii) The land is suitable for future active park and recreation facilities pursuant to the comprehensive plan;

(iii) The land is a size and horizontal and vertical configuration necessary for the design of recreation facilities that meet the City’s park standards identified in the comprehensive plan;

(iv) The land has public access via a public street;

(v) The land is located near areas designated by the City for park, trail or recreation purposes;

(vi) The land provides a link between City and/or other publicly owned recreation properties.

(d) The land shall be surveyed or adequately marked with survey monuments, or otherwise readily distinguishable from adjacent property.

(e) The land shall have no known physical problems associated with it, such as problems with drainage, erosion or flooding, or the presence of hazardous waste, which the Director determines would cause inordinate demands on public resources for maintenance and operation.

(f) The land shall have no known on-site safety hazards. Substandard vehicular and pedestrian facilities shall be considered but shall not alone be used to disqualify a proposed site dedication.

(g) The Director may require a developer to post financial guarantee consistent with CMC Title 14 for the maintenance of any private park and recreation facility as a method of showing long-term maintenance for a time as specified by the Director. (Ord. 10-17 § 5 (Exh. C))
18.35.190 On-site recreation – Financial guarantees for construction.

(1) Financial guarantees for construction of recreation facilities required by the provisions of this chapter shall be provided consistent with Chapter 14.105 CMC.