CALL TO ORDER

ROLL CALL
Vice Chair Chele Dimmett, Jennifer Gilbert-Smith, Jonathan Ingram, Paul Max, David Caudle, Elizabeth Porter, & Murray Williams

PLEDGE OF ALLEGIANCE

SPECIAL ORDER OF BUSINESS – Election of Officers

APPROVAL OF CONSENT AGENDA

C1. Minutes from August 17, 2017

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.

UNFINISHED BUSINESS – None

PUBLIC HEARING – Action Required

1. Amendments to Covington Municipal Code(CMC) 18.75.030 & 18.75.040 related to adequate sewer and water service.

NEW BUSINESS- No Action Required

2. Preliminary Discussion on 2018 Work Program
3. Update on Lakepointe Urban Village Development Agreement.

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](http://www.covingtonwa.gov)
To: Planning Commission

From: Kelly Thompson, Planning Commission Clerk
Ann Mueller, Senior Planner

CC: Richard Hart, Community Development Director

Date: November 2, 2017

Re: Special Business- Election of Planning Commission Officers

Each year at the first meeting in November, the Planning Commission’s Rules of Procedure Section E. state that the election of the Commission’s the Chair and Vice-Chair will be held. We have attached a copy of the Rules of Procedures for your review on the process for nominating and electing a Chair and Vice-Chair.

Additional information on the formation and purpose of the Planning Commission can be found in the Covington Municipal Code (CMC) Chapter 2.15: http://www.codepublishing.com/WA/Covington#!/covington02/Covington0215.html#2.15
CITY OF COVINGTON
PLANNING COMMISSION
RULES OF PROCEDURE

We, the members of the Covington Planning Commission, pursuant to Covington Municipal Code (CMC) 2.15.030(3), do hereby adopt the following Rules of Procedure.

1. **Meeting Schedule (Time, Place, and Frequency).**
   A. The Commission and City staff shall determine a regular meeting schedule, as necessary, but no less frequent than once every two months. Generally, there may be two meetings a month, when determined necessary for the conduct of business. Such meetings will be held on the first and third Thursday of the month beginning at 6:30 p.m. and ending at 9:00 p.m. The majority of Commissioners present at a meeting may extend the meeting’s end time in one or more 15-minute increments by an affirmative vote.
   B. The meetings will be held in the Council Chambers of City Hall.
   C. “Special” meetings will be held as needed.
   D. Scheduled meetings may be cancelled or convened at other times and at other locations if deemed necessary by the Chair.

2. **Officers.** The officers of the Commission will consist of a Chair and Vice-Chair.
   A. **Presiding Officers.** The Planning Commission Chair, or in his or her absence, the Planning Commission Vice-Chair, shall be the Presiding Officer of the Planning Commission. In the absence of both the Chair and the Vice-Chair, the Commission shall appoint one of the other members of the Commission to act as a temporary Presiding Officer.
   B. **Presiding Officer’s Duties.** It shall be the duty of the Presiding Officer to:
      - Call the meeting to order.
      - Keep the meeting to its order of business.
      - Control discussion in an orderly manner.
      - Every Commissioner who wishes an opportunity to speak must be recognized by the Chair.
      - Permit audience participation at the appropriate times.
      - Require all speakers to speak to the question and to observe the rules of order.
      - State each motion before it is discussed and before it is voted upon.
      - Put motions to a vote and announce the outcome.
   C. **Presiding Officer, Questions of Order.** The Presiding Officer shall decide all questions of order, subject to the right of appeal to the Commission by any member.
D. **Presiding Officer, Participation.** The Presiding Officer may at his or her discretion call the Vice-Chair or, in his or her absence, any member to take the chair so the Presiding Officer may make a motion or for other good cause yield the Chair.

E. **Request for Written Motion.** Motions shall be reduced to writing when required by the Presiding Officer of the Commission or any member of the Commission. All resolutions and proposed ordinances to be transmitted to the City Council for consideration shall be in writing.

F. **Elections.** Elections for Chair and Vice-Chair will be held during the first meeting of November of each year. Officers will be elected by a majority vote of the total membership of the Commission. The terms of office will run from the time the officer is elected until the following election or until a successor has been elected, whichever occurs first. No Commission member shall serve more than two full one-year terms consecutively, totaling two years. Further, a member may also serve additional terms for Chair or Vice Chair if there has been an intervening term between his or her previous term as Chair or Vice Chair and any future term. In the event of a special election to fill a portion of an unexpired term, that officer shall not be precluded from seeking a consecutive term of office. No one Commissioner may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second vote. The Chair will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nominations, the Chair will ask again for further nominations and if there are none, the Chair will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, comments take place followed by voting for Chair in the order nominations were made. Commissioners will be asked for a voice vote and a raise of hands. As soon as one of the nominees receives a majority vote (four votes), then the Chair will declare him/her elected. No votes will be taken on the remaining nominees. If none of the nominees receives a majority vote, the Chair will call for nominations again and repeat the process until a single candidate receives a majority vote before the office of Vice Chair is opened for nominations. A tie vote results in a failed nomination. The Commissioners nominating and the nominees will have an opportunity to make public comment before voting commences.

G. **Vacancies.** Vacancies in the planning commission’s Chair or Vice-Chair positions shall be filled immediately by regular election procedure for the unexpired term. Should any vacancy occur among the membership by any reason, the City Clerk shall be notified immediately. The Chair shall request that the Mayor and City Council consider an appointment to the vacancy on the Planning Commission at the earliest possible time.
3. **Quorum.** A quorum will consist of four (4) members of the Commission, and no action can be taken in the absence of a quorum except to adjourn the meeting to a subsequent date.

4. **Voting.** The affirmative vote of the majority of those members present will be necessary for the adoption of any motion or other voting matter, unless otherwise specified in these Rules of Procedure but no proxy will be allowed. For the conduct of business dealing with matters requiring changes in the Comprehensive Plan and the election of officers; at least four (4) affirmative votes must be cast. Each member is entitled to one vote, but no proxy will be allowed. Remote participation will be allowed only if prearranged and only if the Commissioner(s) is in communication for the entire meeting.

5. **Agenda.** The City Manager or designee, in coordination with the Chair, shall prepare the agenda and shall be responsible for agenda publication and posting. Copies of an agenda shall be made available to Commissioners not less than 48 hours prior to a scheduled meeting. Copies of pertinent information for the meeting shall be attached to the agenda. The agenda should be structured so that sufficient time is available for the Commission to take action on all items in the agenda. Discussion of action items not completed will be continued to a subsequent meeting as directed by the Commission. Subject to the Commission’s right to amend the agenda, no legislative item shall be voted upon that is not on the Commission’s agenda. Meeting agendas shall be prepared according to the following format:
   A. Call to Order
   B. Roll Call
   C. Pledge of Allegiance
   D. Approval of Consent Agenda
   E. Public Comment
   F. Public Hearings
   G. Unfinished Business
   H. New Business
   I. Attendance Vote
   J. Public Comment
   K. Comments and Discussion of Commissioners and Staff
   L. Adjourn

6. **Conduct of Public Hearings.**
   B. Upon declaring the opening of a hearing, the Presiding Officer will state the
hearing's purpose and ascertain that Commission members are oriented to the 
hearing question and hearing review procedure.

C. The Presiding Officer will ask for a report from the staff, which will include a 
recommendation.

D. The Commission will ask questions of the staff for clarification purposes.

E. The Commission may ask questions during all presentations.

F. The Presiding Officer will announce the opportunity for the public to testify on the 
record.

G. All speakers will be required to give their name and indicate whether or not they 
are a resident or business/land owner in the city for the record. Arguments must 
be kept to non-repetitive essentials and discussion of personalities will not be 
tolerated. No questions may be asked by any speaker without prior consent of the 
Presiding Officer and all questions will be directed to the Presiding Officer. The 
Presiding Officer may request that staff answer the question posed, but is not 
required to do so.

H. The Commission may not take action on any scheduled agenda item when 
significant new materials are presented at a hearing that have not been reviewed 
by the staff and entered into the Staff Report. In such cases, the item will be 
continued to the next regularly scheduled hearing date.

7. **Agendas and Minutes.** Minutes of all public meetings will be kept and made part of 
the permanent public record and the complete files of proceedings and actions taken 
in connection therewith. Minutes will be considered for approval at the next regularly 
scheduled meeting and upon approval will become part of the official record of the 
Commission.

8. **Ad Hoc Committees.** The Chair shall have the full power to create ad hoc committees 
of one or more members and to appoint the members of such committees, charged 
with such duties as examination, investigation and inquiry relative to one or more 
subjects of interest to the Commission. No ad hoc committee shall have the power to 
commit the Commission to the endorsement of any plan or program without its 
submission to the Commission. Ad Hoc Committee Meetings are subject to all 
requirements of RCW 42.30, The Open Public Meetings Act.

9. **Amending Rules of Procedure.** These Rules of Procedure may be amended at any 
regular meeting by at least four members of the Commission.

10. **Effect/Waiver of Rules of Procedure.** These Rules of Procedure are adopted for the 
sole benefit of the members of the Planning Commission to assist in the orderly 
conduct of Commission business. These Rules of Procedure do not grant rights or 
privileges to members of the public or third parties. Failure of the Planning
Commission to adhere to these Rules of Procedure shall not result in any liability to the City, its officers, agents, and employees, nor shall failure to adhere to these rules result in invalidation of any Commission act. The Planning Commission may, by a two-thirds vote of the members of the entire Planning Commission, determine to temporarily waive any of the provisions herein. A two-thirds vote is five of seven votes.

11. **Posting Agendas.** Agendas will be posted at the official posting locations of the city which are at City Hall, and the Covington Library, or as otherwise required by the City Council.

12. **Code of Conduct.**

   A. Members of the Commission are prohibited from:

   i) Acting in a manner which would result in inefficiency, neglect of duty, misfeasance or malfeasance in office.

   ii) Acting in a manner to intentionally disrupt Commission proceedings.

   iii) Missing more than three regularly scheduled meetings in a 12-month period, without being excused by the Commission.

   iv) Using a Commission position to secure special privileges or exemptions for themselves or for others.

   v) Directly or indirectly giving or receiving or agreeing to receive compensation, gifts, rewards, or gratuities from any source, except the City of Covington, for a matter connected with or related to the services as a Commission member, unless otherwise provided by law.

   vi) Accepting employment or engaging in business or professional activities that a Commission member might reasonably expect would require or induce said member to disclose confidential information acquired by reason of having a seat on the Commission.

   vii) Disclosing confidential information gained by reason of membership on the Commission or otherwise using such information for personal gain or benefit.

   B. **Violation of Code of Conduct.** Whenever a member violates a provision of this Code of Conduct, the Commission may reprimand said member by motion or by written document and/or may send a recommendation to the Mayor for dismissal from the Commission. Such recommendation will contain a statement setting forth the violation or violations alleged to have occurred as well as the facts relating to said violation or violations.
C. Notification of Absence. Each member of the Commission who cannot attend a scheduled meeting of the Planning Commission shall notify the Community Development Department at City Hall at the earliest possible opportunity and, at the latest, prior to 5:00 PM on the date of the meeting. The Community Development Department Director or his or her designee shall notify the Chairperson of the Commission so a member may be considered for an excused absence.

13. Conflicts of Interest/Appearance of Fairness.

A. Members are subject to the provisions of RCW 42.36, Appearance of Fairness Doctrine - Limitations.

B. Commission members are expected to have communications with parties interested in legislative actions that require public hearings (Comprehensive Plan Amendments, 6 Year TIP, etc) outside of the commission meetings and Public Hearing processes. As part of the process of building a complete record for those pending legislative actions requiring a Public Hearing, the member should publicly state the content of the communications for the record.

C. If a Commissioner has been lobbied by a particular group, the member will publicly state the content of the conversation.

14. Submittal of Exhibits. All petitions, letters, data, photographs, sketches, drawing, document, study reports or results, architectural and engineering renderings, and any item submitted by any person, company, agency, city official or staff, prior to or during public hearings, in order to qualify for consideration by the Commission, will become numbered exhibits for the related matter.

Further, in accordance with Chapter 36.70A of the RCW, all such exhibits and items will become part of the record for the matter and must be retained on file and kept available for public inspection with the city.

Passed this 1st day of November, 2007.

Daniel Key, Chair
Planning Commission
AMENDMENTS

August 2, 1998 – Change the starting time of meetings from 7:00 p.m. to 6:30 p.m.

July 15, 1999 – Add an agenda item: “Action Item Update” and add maintenance of this list to the Vice Chair position.

August 5, 1999 – Change elections from the second meeting in August to the first meeting in September.

October 5, 2000 – Change terms of office to run from the time the officer is elected until the following election or until a successor has been elected.

August 2, 2001 - Add new section: "Effect/Waiver of Rules of Procedure" and change election of officers to first meeting of November. Also change name of document from Bylaws to "Rules of Procedure".

August 1, 2002 – Add new section on filling vacancies and holding elections of officers to fill unexpired terms on the Commission. Amend the “Agenda” section to clarify how the agenda is prepared. Also clarify constraints on Commissioner’s discussions related to quasi-judicial matters before the Commission.

February 2, 2006 – Complete review of Rules of Procedure. Eliminate position of Secretary and Recording Secretary, add Election process, delete reference to quasi-judicial matters under Conduct of Meetings, clarify duties of the Presiding Officer, establish criteria for remote participation, other minor administrative and procedural clarifications, and clean up of scrivener errors.

November 1, 2007 – Complete review of Rules of Procedure. Amend language regarding the meeting schedule; clarify language as to the number of terms a member may serve as Chair or Vice-Chair; and add language to require advance notice of meeting absences.
CALL TO ORDER
The regular meeting of the Planning Commission was called to order at 6:34 p.m. by Chair Judd.

MEMBERS PRESENT
Jennifer Gilbert-Smith, Jonathan Ingram, Bill Judd, and Paul Max

MEMBERS ABSENT
Chele Dimmett

STAFF PRESENT
Richard Hart, Community Development Director
Salina Lyons, Principal Planner
Ann Mueller, Senior Planner
Kelly Thompson, Planning Commission Secretary

APPROVAL OF MINUTES AND AGENDA
- C1. Commissioner Max moved and Commissioner Ingram seconded to approve the August 3, 2017 minutes and meeting agenda for August 17, 2017. Motion carried 4-0.

CITIZEN COMMENTS - None

UNFINISHED BUSINESS - None

PUBLIC HEARING

Chair Judd opened the Public Hearing.

Ms. Mueller reviewed the proposed regulations and the staff report. She spoke with a King County Landmarks Commission staff person who indicated that it is rare for a landmark to be denied due to the lack of meeting significant criteria. The only controversy they have experienced is a property owner not being happy about being nominated. The proposed Ordinance requires that all nominations must have written consent from the property owner(s).
There was no public comment.

Chair Judd closed the Public Hearing.

Commissioner Max moved and Commissioner Gilbert-Smith seconded to recommend the City Council approve the proposed Zoning Code Amendments to CMC Title 13 and CMC Chapter 18.47, in substantial form as found in Attachment 1, finding that the amendments are in accordance with the Covington Comprehensive Plan and CMC 14.27.040 Decision Criteria for code amendments. The Planning Commission also recommends that the City charge a fee for the review of Landmark applications. Motion carried 4-0.

2. Discuss Amendments to Title 18 Zoning Code for Removal of Mineral (M) Zoning Designation

Chair Judd opened the Public Hearing.

Ms. Mueller gave an overview of the amendments to remove the Mineral Zoning Designation from the city’s Zoning Code as previously introduced at the August 3, 2017 Planning Commission Meeting.

There was no public comment received.

Chair Judd closed the Public Hearing.

Commissioner Ingram moved and Commissioner Max seconded to recommend the City Council approve the proposed Zoning Code amendments to CMC Title 18, in substantial form as found in Attachment 1, finding that the amendments are in accordance with the Covington Comprehensive Plan and CMC 14.27.040 Decision Criteria for code amendments.

NEW BUSINESS – None

ATTENDANCE VOTE

Commissioner Gilbert-Smith moved and Commissioner Max seconded to excuse the absence of Vice Chair Dimmett. Motion carried 4-0.

PUBLIC COMMENTS - None
COMMENTS AND COMMUNICATIONS FROM STAFF AND COMMISSIONERS

Mr. Hart shared that staff continues to work on the sign code regulations. Due to limited staff availability, staff will request an extension of the interim sign code regulations from the City Council allowing time for the permanent regulations to be adopted.

The September 7, 2017 Planning Commission Meeting is cancelled. The new Planning Commission members will be in place by the September 21, 2017 Planning Commission meeting.

Staff thanked Chair Judd for his service. This was the last meeting of his term.

ADJOURN

The August 17, 2017, Planning Commission Meeting adjourned at 6:51 p.m.

Respectfully submitted,

_____________________________________________
Kelly Thompson, Planning Commission Secretary
Memo

To: Planning Commission

From: Ann Mueller, Senior Planner

CC: Richard Hart, Community Development Director

Date: November 2, 2017

Re: Public Hearing – Amendments to CMC 18.75.030 - Adequate Sewage Disposal & 18.75.040 Adequate Water Supply

Chapter 18.75 Development Standards- Adequacy of Public Facilities and Services of the Covington Municipal Code (CMC) contains provisions to ensure that adequate public facilities and services necessary to support proposed development are available or will be provided in a timely manner before that development proposal is approved. In order to approve a new development proposal, the city must verify that it can be adequately served by the following: sewage disposal; water supply; surface water management; roads and access; fire protection service; and schools. Of these six services, the city only manages two: surface water management and roads and access. Within the city limits water supply is provided by Covington Water District and Water District 111; sewage disposal is provided by Soos Creek Water and Sewer District; fire protection service is provided by Puget Sound Regional Fire Authority; and public schools are provided by the Kent School District. The city works cooperatively with these other service providers to review development proposals and verify that they can provide adequate services for the proposed use and intensity.

CMC Title 13 Public Utilities was amended earlier this year by Ordinance 12-2017 to remove old and incorrect language in CMC Chapters 13.05 (Definitions), 13.10 (Side Sewer Work) and 13.15 (Sewer and Water Comprehensive Plans) that implied that the city managed and owned the water and sewer infrastructure within the city limits. Ordinance 12-2017 added new language to clarify how the city coordinates with the appropriate water-sewer district to determine adequacy of water and sewer.

The proposed amendments to CMC 18.75.030 and 18.75.040 will remove language that is out of date, not accurate, or redundant with the new code language in CMC Chapter 13.10 Sewer and Water Service. Cross references to CMC Chapter 13.10 Sewer and Water Service have been added to direct staff and developers to those code provisions related to public utilizes.

Proposed amendments:

**CMC 18.75.030 Adequate sewage disposal**

All new development proposals shall be served by an adequate sewage system, including both collection and treatment facilities, consistent with CMC Title 13, as follows:
(1) A public sewage disposal system is adequate for a development proposal; provided, that:

(a) For the issuance of a building permit, preliminary plat or short plat approval or other land use approval, the site of the proposed development is or can be served by an existing disposal sewage system consistent with CMC Title 13, and the disposal system has been approved by the Department as being consistent with applicable State and local design and operating guidelines;

(b) For the issuance of a certificate of occupancy for a building or change of use permit, the approved public sewage disposal system as set forth in subsection (1)(a) of this section is installed to serve each building or lot;

(c) For recording a final plat, final short plat or binding site plan, the approved public sewage disposal system set forth in subsection (1)(a) of this section shall be installed to serve each lot respectively, or a bond or similar security shall be deposited with the City of Covington for the future installation of an adequate sewage disposal system. The bond may be assigned to a utility to assure the construction of the facilities within two years of recording; and

(d) For a zone reclassification or urban planned development permit, the timing of installation of required sewerage improvements shall be contained in the approving ordinance.

(2) A private individual sewage system is adequate, if an on-site sewage disposal system for each individual building or lot is installed to meet the requirements and standards of the Department of Public Health as to lot size, soils and system design prior to issuance of a certificate of occupancy for a building or change of use permit.

CMC 18.75.040 Adequate water supply.
All new development proposals shall be served by an adequate public or private water supply system as follows:

(1) A public water system is adequate for a development proposal; provided, that:

(a) For the issuance of a building permit, preliminary plat or short plat approval or other land use approval, the site of the proposed development can be served a water system consistent with CMC Title 13. The applicant must demonstrate that the existing water supply system available to serve the site:

(i) Complies with the applicable planning, operating and design requirements of Chapter 246-290 WAC; Chapters 12.60 and 12.65 CMC and CMC Title 15; coordinated water system plans; CMC Title 13 and other applicable provisions of the rules and regulations of the King County Board of Health; and any limitation or condition imposed by the City-approved comprehensive plan of the water purveyor; and

(ii) The proposed improvements to an existing water system have been reviewed by the Department and determined to comply with the design standards and conditions specified in subsection (1)(a)(i) of this subsection; or

(iii) A proposed new water supply system has been reviewed by the Department and determined to comply with the design standards and conditions specified in subsection (1)(a)(1) of this subsection;
(b) Prior to issuance of a certificate of occupancy for a building or change of use permit, the approved public water system and any system improvements set forth in subsection (1)(a) of this section shall be installed to serve each building or lot respectively.

(c) For recording a final plat, final short plat or binding site plan, either the approved public water supply system or system improvements set forth in subsection (1)(a) of this section shall be installed to serve each lot, or a bond or similar security shall be deposited with the City of Covington and may be assigned to a purveyor to assure the construction of required water facilities in Group A systems as defined by Board of Health regulations, within two years of recording; and

(d) For a zone reclassification or urban planned development permit, the timing of installation of required water system improvements shall be included in the approving ordinance.

(2) An on-site, individual water system is adequate and the plat or short plat may receive preliminary and final approval, and a building or change of use permit may be issued:

(a) In an urban area if:

(i) The buildings or lots to be served are located outside of a City approved water purveyor service area; or

(ii) The water purveyor has indicated that service cannot be provided in compliance with the purveyor’s approved comprehensive plan; and

(iii) The Seattle-King County Department of Public Health has approved the proposed method of water supply in accordance with the applicable King County Board of Health rules and regulations and this section. The applicant shall provide appropriate information to demonstrate to the Department and the Seattle-King County Department of Public Health that a private individual water system will be adequate. The Seattle-King County Department of Public Health may require installation of private individual water systems prior to final approval of a plat or short plat where information is insufficient to show an adequate water supply can be made available.

Planning Commission Review & Recommendation

CMC 14.27.040 Decision criteria.

The City Council’s approval, modification, deferral, or denial of an amendment proposal shall be based on the following criteria:

(1) The proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan;

  **Staff Findings:** These amendments will make the city’s zoning code consistent with CMC Chapter 13 and are consistent with applicable goals and policies in the Comprehensive Plan.

(2) The proposed amendment is consistent with the scope and purpose of the City’s zoning ordinances and the description and purpose of the zone classification applied for;

  **Staff Findings:** The proposed amendments will remove language that is not consistent with the city’s existing conditions or long range plans. These amendments do not include zone reclassification.

(3) Circumstances have changed substantially since the establishment of the current zoning map or district to warrant the proposed amendment;
**Staff Findings:** Not Applicable. There is no proposed zoning map amendment proposed.

(4) The proposed zoning is consistent and compatible with the uses and zoning of surrounding property;

**Staff Findings:** Not Applicable. There is no proposed zoning map amendment proposed.

(5) The property that is the subject of the amendment is suited for the uses allowed in the proposed zoning classification;

**Staff Findings:** These proposed amendments apply city-wide.

(6) The amendment is in compliance with the three-year limitation rule as specified in CMC 14.27.030(3); and

**Staff Findings:** These proposed amendments to CMC 18.75.030 and 18.75.040 have not been proposed or reviewed by the City in the last three years.

(7) Adequate public services could be made available to serve the full range of proposed uses in that zone.

**Staff Findings:** Not Applicable. These amendments will make the processing and determination of whether a development proposal has adequate water or sewer service more understandable and consistent with existing conditions within the city limits.

**Procedural Requirements.**

**Required Notice to the State Department of Commerce.**

Pursuant to state law and CMC Section 14.27.050(4), the city has provided the Washington State Department of Commerce (Commerce) a copy of the proposed code amendments more than 60-days prior to the expected date of final City Council action which is expected in December. City staff provided drafts of the propose code amendments to the Department of Commerce on September 12, 2017 and requested expedited review under RCW36.70A.106(3)(b). Commerce then distributes the drafts to state agencies for review and comment. No comments were received on these amendments. Expedited review was granted on September 27, 2017.

**SEPA**

A SEPA determination of nonsignificance was issued for these proposed amendments on September 22, 2017, with a legal notice placed in the Covington Reporter, posted at city hall, and on the city’s website. Copies were also provided to the SEPA register, Muckleshoot Indian Tribe, and Department of Ecology.

**Planning Commission Hearing**

These amendments are a legislative action, and the public hearing before the Planning Commission is scheduled for November 2, 2017. The Commissioners will take public testimony, review comments and make a final recommendation to the City Council. Consistent with CMC 14.30.060, notice of this Planning Commission public hearing was published in the Covington Reporter on October 6, 2017, more than 14-days prior to the scheduled public hearing. Notice was also posted on the city’s website and at city hall.
Recommended Motion:
Move to recommend the City Council approve the proposed Zoning Code amendments to CMC Sections 18.75.030 and 18.75.040, in substantial form as found in Attachment 1, finding that the amendments are in accordance with the Covington Comprehensive Plan and CMC 14.27.040 Decision criteria for code amendments.

Alternative Motion: Move to continue the public hearing on the proposed amendments to ____________________ and request staff ____________________. 

______________________________
growing toward greatness.

Planning Commission November 2, 2017  17 of 33
ORDINANCE NO. _-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, AMENDING SECTION 18.75.030 ADEQUATE SEWAGE DISPOSAL, AND SECTION 18.75.040 ADEQUATE WATER SUPPLY OF THE COVINGTON MUNICIPAL CODE, RELATING TO SEWER AND WATER SERVICE.

WHEREAS, Chapter 35A.63 of the Revised Code of Washington (RCW) empowers the City of Covington (the “City”) to enact planning and environmental regulations; and

WHEREAS, Title 13 of the Covington Municipal Code (CMC) provides regulations for administering public utilities within the City; and

WHEREAS, the City of Covington does not provide water or sewer service within the City limits;

WHEREAS, the City Council approved amendments to CMC Title 13 on September 26, 2017 with the adoption of Ordinance 12-2017 to update regulations within the City related to sewer and water service to new and existing development.

WHEREAS, the proposed amendments to CMC 18.75.030 and CMC 18.75.040 are consistent with the goals, objectives, and policies of the City’s comprehensive plan; and

WHEREAS, the proposed amendments are consistent with and cross reference the regulations in Title 13; and

WHEREAS, the City Council of the City of Covington, upon review of the facts and findings, and after reviewing information provided by City staff, find that all applicable and substantive requirements of the law have been met, that the adoption of this ordinance promotes the public health, safety, and general welfare of the community, and that the adoption of this ordinance serves the public interest.

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

Section 1. Findings of Fact. The “Whereas” provisions above shall constitute Findings of Fact and are incorporated by reference as if fully set forth herein.

Section 2. Amendments. CMC Section 18.75.030 Adequate sewage disposal, is amended to read as follows:

All new development proposals shall be served by an adequate sewage system, including both collection and treatment facilities, consistent with CMC Title 13, as follows:

(1) A public sewage disposal system is adequate for a development proposal; provided, that:
(a) For the issuance of a building permit, preliminary plat or short plat approval or other land use approval, the site of the proposed development is or can be served by an existing disposal sewage system consistent with CMC Title 13, and the disposal system has been approved by the Department as being consistent with applicable State and local design and operating guidelines;

(b) For the issuance of a certificate of occupancy for a building or change of use permit, the approved public sewage disposal system as set forth in subsection (1)(a) of this section is installed to serve each building or lot.

(c) For recording a final plat, final short plat or binding site plan, the approved public sewage disposal system set forth in subsection (1)(a) of this section shall be installed to serve each lot respectively; or a bond or similar security shall be deposited with the City of Covington for the future installation of an adequate sewage disposal system. The bond may be assigned to a utility to assure the construction of the facilities within two years of recording; and

(d) For a zone reclassification or urban planned development permit, the timing of installation of required sewerage improvements shall be contained in the approving ordinance.

(2) A private individual sewage system is adequate, if an on-site sewage disposal system for each individual building or lot is installed to meet the requirements and standards of the Department of Public Health as to lot size, soils and system design prior to issuance of a certificate of occupancy for a building or change of use permit.

Section 3. Amendments. CMC Section 18.75.030 Adequate water supply, is amended to read as follows:

All new development proposals shall be served by an adequate public or private water supply system as follows:

(1) A public water system is adequate for a development proposal; provided, that:

(a) For the issuance of a building permit, preliminary plat or short plat approval or other land use approval, the site of the proposed development can be served a water system consistent with CMC Title 13. The applicant must demonstrate that the existing water supply system available to serve the site:

(i) Complies with the applicable planning, operating and design requirements of Chapter 246-290 WAC; Chapters 12.60 and 12.65 CMC and CMC Title 15; coordinated water system plans; CMC Title 13 and other applicable provisions of the rules and regulations of the King County Board of Health; and any limitation or condition imposed by the City-approved comprehensive plan of the water purveyor; and

(ii) The proposed improvements to an existing water system have been reviewed by the Department and determined to comply with the design standards and conditions specified in subsection (1)(a)(i) of this subsection; or

(iii) A proposed new water supply system has been reviewed by the Department and determined to comply with the design standards and conditions specified in subsection (1)(a)(i) of this subsection;

(b) Prior to issuance of a certificate of occupancy for a building or change of use permit, the approved public water system and any system improvements set forth in subsection (1)(a) of this section shall be installed to serve each building or lot respectively.
(c) For recording a final plat, final short plat or binding site plan, either the approved public water supply system or system improvements set forth in subsection (1)(a) of this section shall be installed to serve each lot, or a bond or similar security shall be deposited with the City of Covington and may be assigned to a purveyor to assure the construction of required water facilities in Group A systems as defined by Board of Health regulations, within two years of recording; and

(d) For a zone reclassification or urban planned development permit, the timing of installation of required water system improvements shall be included in the approving ordinance.

(2) An on-site, individual water system is adequate and the plat or short plat may receive preliminary and final approval, and a building or change of use permit may be issued:

(a) In an urban area if:

(i) The buildings or lots to be served are located outside of a City approved water purveyor service area; or

(ii) The water purveyor has indicated that service cannot be provided in compliance with the purveyor’s approved comprehensive plan; and

(iii) The Seattle-King County Department of Public Health has approved the proposed method of water supply in accordance with the applicable King County Board of Health rules and regulations and this section. The applicant shall provide appropriate information to demonstrate to the Department and the Seattle-King County Department of Public Health that a private individual water system will be adequate. The Seattle-King County Department of Public Health may require installation of private individual water systems prior to final approval of a plat or short plat where information is insufficient to show an adequate water supply can be made available.

Section 4. Savings. The enactment of this ordinance shall not affect any application, case, proceeding, appeal, or other matter currently pending administratively or judicially in any court or in any way modify any right or liability, civil or criminal, that may be in existence on the effective date of this ordinance.

Section 5. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 6. Corrections. Upon approval of the city attorney, the city clerk and/or code codifier is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

Section 7. Effective Date. This ordinance shall be in full force and effect five (5) days after publication in the City’s newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.
PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof on the 26th day of September 2017, and signed in authentication of its passage.

_______________________
Mayor Jeff Wagner

PUBLISHED:
EFFECTIVE:

ATTESTED:

_______________________
Sharon Scott, City Clerk

APPROVED AS TO FORM ONLY:

_______________________
Kathy Hardy, City Attorney
To: Planning Commission  
From: Ann Mueller, Senior Planner  
CC: Richard Hart, Community Development Director  
Date: November 2, 2017  
Re: Preliminary 2018 Communality Development Department & Planning Commission Workplan  

Community Development staff is providing the Planning Commission with a list of the major work items expected for 2018. We have also included an estimate of the amount of staff time expected to be involved with each task and the priority level each task falls within.  

The Planning Commission traditionally meets with the City Council for a study session at their 2nd meeting in January to discuss the 2018 workplan. Currently that meeting is scheduled for January 23, 2018.  

Tonight, staff will review this draft workplan and answer any questions and take feedback.
## Community Development Department & Planning Commission

### Draft Work Program Items for 2018

(* Council Budget Allocation  
(**) Development Reimbursed staff time

<table>
<thead>
<tr>
<th>Mandatory</th>
<th>Requirement Type</th>
<th>Est. Staff Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Periodic Review of Covington’s Shoreline Master Plan (SMP)</td>
<td>Statutorily Mandated Review</td>
<td>400</td>
</tr>
<tr>
<td>2. Comprehensive Plan &amp; Development Code Regulation Amendment Annual Docket for 2017 (City Policy and Code Updates)</td>
<td>State Legislature Annual Ongoing</td>
<td>300</td>
</tr>
<tr>
<td>3. Update Traffic Concurrency Program (Title 12) &amp; Transportation Impact Fee Calculation (Title 19) [Carry-over from 2017]</td>
<td>State Legislative GMA Compliance</td>
<td>350</td>
</tr>
<tr>
<td>4. Completion of Sign Code Amendments for Compliance with Supreme Court Decision in Reed v. Town of Gilbert CMC 18.55 [Carry over from 2017]</td>
<td>Supreme Court</td>
<td>150</td>
</tr>
</tbody>
</table>

### Mandatory Work Plan Hours

1,200

<table>
<thead>
<tr>
<th>Strategic Plan Action Items</th>
<th>Requirement Type</th>
<th>Est. Staff Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Economic Development- Establish a development plan between the city and developer &amp; between the city and a higher education institution. (goal establish college and vocational courses)</td>
<td>City Council</td>
<td>Un-scoped (est. 100)</td>
</tr>
<tr>
<td>6. Economic Development – Convene a meeting with our Town Center partners to develop and reach agreement on a set of shared interests and goals and to review and pursue the recommendations contained in the Higher Education Needs Assessment.</td>
<td>City Council</td>
<td>Un-scoped (est. 100)</td>
</tr>
</tbody>
</table>

### Strategic Plan Work Plan Hours

(est. 200)

<table>
<thead>
<tr>
<th>High Priority</th>
<th>Requirement Type</th>
<th>Est. Staff Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Implementation and monitoring of Lakepointe Urban Village Development Agreement and Planned Action [on-going]</td>
<td>Council/Staff(CD/PW)</td>
<td>250**</td>
</tr>
<tr>
<td>10. Critical Area/Wetland Monitoring System – Phase 2 Implementation Strategies</td>
<td>Council/Staff</td>
<td>60</td>
</tr>
</tbody>
</table>

### High Priority Work Plan Hours

910

**TOTAL ESTIMATED WORK HOURS FOR 2018 PROPOSED PROGRAMS**

2,310
## Community Development Department & Planning Commission

### Work Program Items for 2018 – Cont.

<table>
<thead>
<tr>
<th>Requirement Type</th>
<th>Est. Staff Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Medium Priority</strong></td>
<td></td>
</tr>
<tr>
<td>13. Amend/update CMC 14.35.010 Preapplication conference procedures to include language that a type 1 permit may require a pre-app at the direction of the Building Official/ Director</td>
<td>Staff(CD) 150</td>
</tr>
<tr>
<td>14. Amend/update Title 17 Subdivisions to conform with preferred processes &amp; include administrative approval process for final plat</td>
<td>Staff (CD) 150</td>
</tr>
<tr>
<td>15. Update to Hearing Examiner’s (HE) Rules &amp; Procedures</td>
<td>Staff/HE 75</td>
</tr>
<tr>
<td>16. Update Franchise Agreement Codes (Title 12)</td>
<td>Staff (CD/PW) 100</td>
</tr>
<tr>
<td>17. Update web presence for Community Development webpages with updates and more functional and informative webpages and continued integration of electronic plan integration and overview.</td>
<td>Staff (CD) 200</td>
</tr>
<tr>
<td>18. Update/ Amend Title 19 Definitions and other out of date code (no longer needed or not removed when incorporated)</td>
<td>Staff (CD) 100</td>
</tr>
</tbody>
</table>

**Medium Priority Work Plan Hours 775**

*Work Plan Items above this line account for more than available staff hours in 2018. Additional work plans items will be prioritized accordingly within the available hours or staff will request additional resources.*

<table>
<thead>
<tr>
<th>Requirement Type</th>
<th>Est. Staff Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Future Work Plan Items</strong></td>
<td></td>
</tr>
<tr>
<td>19. Study sustainability strategies to implement Comp Plan policies (Code Amendments)</td>
<td>Staff (CD/PW) 200</td>
</tr>
<tr>
<td>20. Draft New Zoning Code Regulations on Food Trucks (Title 18)</td>
<td>Staff (CD/ED) 150</td>
</tr>
<tr>
<td>21. Anticipated amendments to the Lakepointe Urban Village Development Agreement/ Hawk Property Subarea Plan/Planned Action EIS &amp; Comp Plan amendments</td>
<td>Council/Private Developer 400 **</td>
</tr>
<tr>
<td>22. Strategic Plan Action Item- Economic Development Evaluate the General Commercial Zone to determine the transportation and infrastructure impacts of the development of light manufacturing within that zone.</td>
<td>City Council Un-scoped (est. 50)</td>
</tr>
<tr>
<td>23. Review and scope any work necessary for updates to the city’s Noise Ordinance. CMC 8.20 Noise Control</td>
<td>Staff (CD) Un-scoped (est. 150)</td>
</tr>
<tr>
<td>24. Review and update as necessary Permitted Use Charts for clarity and usability</td>
<td>Staff (CD) Un-scoped (est. 150)</td>
</tr>
<tr>
<td>25. Study Reducing Residential Side Yard Setbacks from 7.5 ft. to 5.0 ft., density calculations, and lot sizes (CMC 18.30 &amp; Forms) [Carry-over since 2014]</td>
<td>Master Builders Request/No Application submitted 300</td>
</tr>
<tr>
<td>26. Increase Short Plat Yields from 4 to 9 units and SEPA Thresholds &amp; SEPA exemptions for SFR from 9 to 30 units (Title 18 &amp; Forms) Note: the city updated the SEPA threshold to 9 units in 2014.</td>
<td>Master Builders Request/No Application submitted 200</td>
</tr>
</tbody>
</table>

**Future Work Plan Items Hours 1,600**

TOTAL ESTIMATED WORK HOURS FOR 2018 MEDIUM AND FUTURE TASKS 2,375
Community Development Department & Planning Commission

2018 Work Program Notes

Available Staff Hours
Estimated available hours in 2018 for work program items with proposed staffing levels are approximately **2900 hours**. These **2900 hours** reflect the total hours each community development staff position can devote to Long Range Planning/Special Projects as follows: 40% Director, 75% Senior Planner, 20% Principal Planner, 25% Associate Planner, 10% Building Official, and 5% Sr. Permit Center Coordinator. The remaining percentage of staff time is devoted to normal work activities of the positions outside of the special projects listed on the Work Plan, such as permitting, plan review, counter assistance, public inquires, code implementation and other administrative duties directly related to general customer service and development review. In addition, the Director has other department administrative functions and responsibilities.

The majority of the community development department staff are salaried employees, with the exception of the senior and associate planners, so there is limited opportunity for the council to allocate overtime funds to this staff. While the work plan has been established through allocating the full 2900 hours of available staff time, it is important to note that additional new work plan tasks are assigned throughout the year. Further, the estimated staff hours are strictly an estimate and that once the task is scoped the estimation may change or result in additional work not provided for in the list.

Attorney Review Hours
Not included within the hours of proposed work tasks for the CD staff are city attorney review hours. The availability of attorney review hours may affect the timeline for any public hearing, ordinance adoption, and implementation, and in some cases, can change the overall priority or delay completion.

2018 Work Plan Prioritization
Work plans are not processed in a linear fashion, and often involve cross coordination with other department and input from the legal department. While each task is assigned a number, that is not necessarily the order in which the task will be completed. Rather, staff will focus on the tasks designated Mandatory and High and then will focus efforts to the Medium and Future prioritized tasks. Mandatory, High, Medium and Future prioritizations are defined as follows.

<table>
<thead>
<tr>
<th>Prioritization Designation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandatory</td>
<td>These tasks are requirements based on legislative and legal actions or ongoing annual requirements under state law. They are often associated with a strict timeline and in most instances cannot be postponed or delayed.</td>
</tr>
<tr>
<td>High</td>
<td>These tasks are “mission critical” meaning that the work plan items have been deemed important by the council through a clear directive or financial support in the city budget.</td>
</tr>
<tr>
<td>Strategic Plan Action Items</td>
<td>These are action items identified in the City Council’s 2017 Strategic Plan for the Community Development Department to address. These are currently unscoped. Staff is awaiting further information from the management team and city council on these tasks.</td>
</tr>
<tr>
<td>Medium</td>
<td>These tasks are seen as necessary to the long-term operations related to development review, maintenance, and cross department processes, but could wait an be carried forward in a subsequent year. These are also the next set of tasks that staff will evaluate if time is made available.</td>
</tr>
<tr>
<td>Future</td>
<td>These are a collection of tasks that would be nice to complete when resources are available or the implementation of the task becomes critical to the city’s objectives. This list also includes code amendments that have been requested by the public or other entity which could otherwise be applied for through our code amendment process. The Council may move any of these items to a higher designation by removing a higher prioritization or allocating budgetary resources.</td>
</tr>
</tbody>
</table>
In an effort to manage the work plan and staff time, if a work plan item is added to the list (through a state or council directive, or in response to a mission critical scenario), each task will be evaluated accordingly and re-prioritized within the 2900 hours available for staff. Staff may need to request additional resources, such as allocating funds for consultants, as necessary to achieve the medium and future priorities if they are expected to be completed in 2017.

**2018 Work Plan Summary**

**Carry-Over Tasks**

The chart denotes the duration of time a task has been on the work plan and/or if it is a carry-over from a previous year. While the carry over items are not complete, it does not mean that staff has not allocated some time to the task, as shown on the 2017 End of Year Work Plan Overview.

There are also various projects that have an assigned budget item to assist with completing the task through the help of a consultant. The hours shown for these tasks are only staff’s time to manage and complete the project and are not reflective of time spent by consultants.

**Lakepointe Urban Village**

Lakepointe Urban Village (Item 6, 7 & 19) is unique in that the developer is responsible for reimbursing the city for staff time related to the project. Also, the city has hired a consultant team to provide support to staff which helps to alleviate the true amount of staff time devoted to reviewing and managing the project.

**Private Requests**

While a significant number of the items listed on the 2017 work plan, are council, staff or agency initiated, there is opportunity for the public to file for code amendments, such as the Master Builder’s requests. By formally submitting a code amendment for council consideration, the applicant is required to pay a review fee and reimburse for any consultant time associated with processing the request. Cost to cover staff’s time for the processing of the code amendment is borne by the applicant. It also guarantees that the work item will be completed, ideally within a 12-18-month time period depending on the scope of the amendment.

**On-going Modifications**

We anticipate that Planning Commission and staff responsibilities can fluctuate throughout the year with efficiencies in some areas and additional work hours in other areas, and the balance is actualized over multiple years. Staff will provide a mid-year update on work program progress and percentage completion to the Planning Commission and City Council. It is also further anticipated that the Community Development work plan will change as the City Council implements the city wide strategic plan.
Strategic Plan Action Item Responsibilities designated to Community Development

GOALS

ECONOMIC DEVELOPMENT

Goal Statement: Encourage and support a business community that is committed to Covington for the long-term and offers diverse products and services, family wage jobs, and a healthy tax base to support public services.

Objectives:
- Promote and assist local business retention and expansion.
- Grow Covington as a destination city.

Actions:
1. Establish a development plan between the city and a developer and between the city and a higher education institution. Community Development 2018
2. Convene a meeting with our Town Center partners to develop and reach agreement on a set of shared interests and goals and to review and pursue the recommendations contained in the Higher Education Needs Assessment. Community Development 2018
3. Task CEDC with the development of a business outreach plan that assesses current business attitudes regarding doing business in Covington.
4. Develop a community wide branding strategy in collaboration with CEDC.
5. Evaluate the General Commercial Zone to determine the transportation and infrastructure impacts of the development of light manufacturing within that zone. Community Development 2019

THE TOWN CENTER

Goal Statement: Establish Downtown Covington as a vibrant residential, commercial, educational, social, and cultural gathering place that is safe, pedestrian-friendly, well-designed, and well-maintained.

Objectives:
- Make Town Center the social and cultural focal point of the city.
- Develop a strong mixed use and pedestrian friendly Town Center.
- Foster Town Center development and branding.

Actions:
1. Execute a development agreement with a Town Center developer specifically addressing the desired development to take place in the future Town Center. Community Development 2020
2. Work collaboratively with local higher education institutions on facilitating the creation of job related training and job creation in Covington. Community Development 2020
3. Task the Arts Commission with developing a Town Center public art plan that could be used and incorporated into the Town Center design and construction.
4. Work with the Town Center Developer to design a community gathering place within the Town Center development and to determine the best location for a community holiday tree to be used for the Community Tree Lighting Festival. Community Development 2020
5. Lobby the state legislature for capital funding to develop a civic plaza.
6. Develop a report on how a levy lid lift could impact public safety and the construction of a police department/city hall.
NEIGHBORHOODS

Goal Statement: Foster community cohesiveness, communications, and cooperation, and maintain neighborhoods that offer a variety of housing options that are diverse, safe, accessible, and well-designed.

Objectives:
- Diversify our housing market.
- Participate in and support neighborhood events.
- Foster safe and desirable neighborhoods.

Actions:
1. Diversify housing types through creative land use and zoning policies. Community Development 2020
2. Stay connected to and involved with neighborhood and HOA planned events.
3. Expand city department participation in National Night Out.
4. Increase education regarding proper use of code enforcement and public safety services. Community Development 2019
5. Seek funding to provide better pedestrian connectivity between neighborhoods and new development. Community Development 2020
6. Increase accessibility to crime prevention resources.
7. Improve follow up and advocacy for victims of crime.
To: Planning Commission

From: Ann Mueller, Senior Planner

CC: Richard Hart, Community Development Director
    Don Vondran, Public Works Director

Date: November 2, 2017

Re: Overview/Update on the Lakepointe Urban Village Development Agreement

Staff wanted to take the opportunity to provide some information and resources on where to find background information on the planning efforts that have gone into the adoption of the Lakepointe Urban Village Development Agreement. As well as an update on the status of several components of the Development Agreement.

Link to city webpage with background and process information on the Development Agreement: http://www.covingtonwa.gov/lakepointe. On this webpage, you can also find links to the Hawk Property Subarea Plan and the Planned Action Environmental Impact Statement (EIS).


Summary of major milestones:

May 2012 Initial public open house on the Northern Gateway Study\(^1\)

August 2012 Northern Gateway Area study (Phase 1) was presented to the City Council & the Council forwarded a request to the King County Council and Executive staff to add the 275 acres of land commonly referred to as the “Notch” into Covington’s Urban Growth Area (UGA).

September 2012 King County’s Growth Management Planning Council declined to include the “Notch” in its recommended UGA changes.

January 2013 Council approved a contract for Phase 2 of the Northern Gateway Study that would focus solely on the area now referred to as the Lakepointe Urban Village Subarea.

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\(^1\) Northern Gateway Study looked at the future development potential and community input on existing conditions and future uses and zoning for the 485-acre area that had been referred to as “The Notch” (unincorporated area bounded by SR 18, 180\(^{th}\) Ave SE & SE Wax Rd) as well as the Lakepointe Urban Village Subarea also referred to in the past as the Hawk Property or the Lakeside Gravel Mine.
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 2013</td>
<td>Issued a SEPA Determination of Significance &amp; Scoping Notice of a Planned Action EIS issued. Community workshop held to gather public input on how the subarea could be developed with a mix of different uses. ²</td>
</tr>
<tr>
<td>July 2013</td>
<td>Hawk Property Draft Planned Action EIS issued with a comment period.</td>
</tr>
<tr>
<td>November 2013</td>
<td>Hawk Property Final Planned Action EIS issued.</td>
</tr>
<tr>
<td>January 2016</td>
<td>Council adoption of an ordinance annexing two parcels (75-acres) within the Subarea into the city limits.</td>
</tr>
<tr>
<td>November 2016</td>
<td>Oakpointe submitted 3 applications: Development Agreement, Zoning Map Amendment, and a Boundary Line Adjustment (BLA) as well as SEPA documentation.</td>
</tr>
<tr>
<td>March 2017</td>
<td>Issued a SEPA Determination of Significance and Adoption of Existing Environmental Document including Addendum.</td>
</tr>
<tr>
<td>April 2017</td>
<td>Council adoption of an Ordinance approving the Development Agreement and authorizing staff to sign the BLA with the rezoning effective after recording of the BLA.</td>
</tr>
<tr>
<td>July 2017</td>
<td>BLA recorded with King County and new zoning of the subarea went into effect.</td>
</tr>
<tr>
<td>August 2017</td>
<td>Development Agreement recorded with King County</td>
</tr>
<tr>
<td>September 2017</td>
<td>Tree inventory &amp; risk assessment was emailed to the city for the green space buffer area located west of the future 191st extension. Consistent with Section 19.2.6 of the Development Agreement staff has followed up and requested a management plan for that area that identifies when the hazard trees will be removed and how that area will be managed including addressing root disease that was identified in risk assessment report.</td>
</tr>
</tbody>
</table>

**Upcoming/Ongoing deadlines contained in the Development Agreement**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 25, 2017</td>
<td>Tree inventory and management plan for the green space buffer west of 191st due. (Development Agreement Section 13.2.6)</td>
</tr>
<tr>
<td>December 31 (annually)</td>
<td>Annual status report on the Subarea and Development Agreement submitted to the city (Development Agreement Section 36)</td>
</tr>
<tr>
<td>April 25, 2018</td>
<td>Hazard trees identified in the risk assessment must be replanted at a 1:1 ratio (requires prior submittal of a Major Tree Clearing Permit)</td>
</tr>
</tbody>
</table>

**Other highlighted requirements identified in the Development Agreement**

- Provide the city’s Development Engineer with compaction reports for all on-going reclamation work (Development Agreement Section 14.3). These have been provided at irregular intervals staff has requested the reports be sent as soon as they are received.

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² Multiple public meetings and public hearings were held throughout 2013 and early 2014 to review and discuss the range of alternatives/types of development for study within the Subarea.
Identify an artist (familiar with large infrastructure projects) that Oakpointe has hired to work as an integral part of their design team to integrate art in to the aesthetic treatment of retaining walls (Development Agreement Exhibit P Design Standards 1.4 and 1.5) No information has been provided to the city to date.

Provide Covington’s Police Chief with early review of all site and building design documents prior to review/ approval by the Master Developers Design Review Committee (Development Agreement Section 17.3) None received so far.

Oakpointe will work with Covington’s Police Department to explore the opportunity to set-up a police business partnership and MOU (Development Agreement Section 6.1) Date to be determined in the future.

Status of the Covington Connector
The city has been awarded $24,000,000 from the Washington State Legislator towards the construction of the Covington Connector - all costs to design and construct the Covington Connector including necessary improvements to 204th Ave SE., above the 24 million will be the responsibility of Oakpointe, the Master Developer.

The overall Covington Connector project is likely to be constructed in two phases.

- The first phase will be widening of the 204th corridor from Kent Kangley (SR 516) to the Maple Hills subdivisions. This phase will also make some improvements to Kent Kangley (SR 516) at its intersection with 204th. We are currently identifying wetland impacts along the corridor and will begin the necessary permitting process required by city critical area codes and the Washington State Department of Ecology. We are also looking at driveway impacts and alternatives which impacts the alignment of the roadway. Once those have been finalized we can proceed with the civil design. We will also be able to finalize what Rights of Way (ROW) needs are for the corridor and begin the process to acquire ROW as needed. We are also evaluating locations for storm water drainage for the corridor. We have met with Metro regarding transit stop locations and amenities. The consultant plans to submit 60 percent plans within the next week or two. It is likely 2019 before the project would be constructed thought the Master Developer would like to begin in 2018.

- The second phase will be from Maple Hills to the SR 18 interchange. That requires significant import of material before the project goes out for construction. The consultant is designing the project based on the material being imported and in place prior to this phase going out to construction. It will take over 2-4 years to bring in all the material needed for the project. It is likely to be 2020 before this phase is under construction.