Lakepointe Urban Village Development Agreement

Exhibits

- **Exhibit A**: City of Covington 2015-2035 Comprehensive Plan Land Use Element
- **Exhibit B**: Covington Municipal Code Title 18
- **Exhibit C**: Planned Action Ordinance (which includes the planned Action EIS)
- **Exhibit D**: Lakepointe Urban Village Legal Description
- **Exhibit E**: Lakepointe Urban Village Subarea Plan
- **Exhibit F**: Survey of Lakepointe Urban Village
- **Exhibit G**: Lakepointe Zoning Map Amendment
- **Exhibit H**: Lakepointe Boundary Line Adjustment
- **Exhibit I**: Critical Areas Study
- **Exhibit J**: Lakepointe Master Development Plan
- **Exhibit K**: Lakepointe Master Circulation Plan
- **Exhibit L**: Lakepointe Phasing Map
- **Exhibit M**: Lakepointe Connector Building Frontage Deviation
- **Exhibit N**: Lakepointe Tree Base Canopy Area
- **Exhibit O**: DNR Reclamation Permit
- **Exhibit P**: Subarea Design Standards
- **Exhibit Q**: Green Space Buffer
- **Exhibit R**: Unopened Right-of-Way
- **Exhibit S**: Transportation Mitigation Exhibit
- **Exhibit T**: Lakepointe Master Trails Plan
Exhibit A
LAND USE

WHAT YOU WILL FIND IN THIS CHAPTER

▶ A description of Covington’s current land uses.
▶ A discussion of development trends.
▶ A plan for future land use and areas where new development is being directed.
▶ Goals and polices that guide the character and intensity of land use within Covington.

PURPOSE

This Element guides future land use on both public and private property within Covington’s planning area, comprised of the city limits and its assigned Potential Annexation Area (PAA) within the King County Urban Growth Area (UGA). The element plans for the community’s rising needs for residential, employment, recreation, and other land uses. The element accommodates expected growth that is the basis for investments in transportation, capital facilities, and utilities.

This element promotes compact and well-designed neighborhoods that are served by effective public facilities, that protect environmental and cultural resources, and that provide new opportunities for
residents and businesses to locate in Covington to achieve the community's vision of an unmatched quality of life. Covington’s proposed land use plan and policies also help the City grow in harmony with the goals of the Growth Management Act (GMA), Puget Sound Regional Council (PSRC) VISION 2040’s regional growth strategy, and King County’s Countywide Planning Policies.

LAND USE ISSUES AND TRENDS

CONDITIONS AND TRENDS

History

Prior to European settlement, the Stkamish, Smulkamis, and Skopamish people inhabited the Covington area. Eventually these tribes, together with other tribes along the White and Green Rivers, were resettled on the Muckleshoot Reservation, named for the prairie on which the reservation was established. (Kershner, 2013; Tribe, 2015)

Covington was originally known for lumber mills on Jenkins and Soos Creeks, and a place where irrigated berry farms and dairies were successful. As with other places in King County following World War II, the community grew from a rural farming community into a suburb. (Kershner, 2013)

In 1992, Covington was designated as an Urban Activity Center by King County. Eventually the community advocated for incorporation, and Covington became a full-fledged city in 1997.
**Current Land Uses**

Covington’s current land use pattern is dominated by single family residential, parks and schools, and commercial uses. See Exhibit LU-1 for the current distribution and Exhibit LU-3 for a map.

**Current and Future Population, Housing, and Jobs**

Covington has grown since its incorporation from a population of 12,900 in 1998 to 18,520 in 2015. See Exhibit LU-2. This growth reflects Covington’s attraction as a residential community with middle income home-buying opportunities.

**WHAT DOES IT MEAN?**

Covington has traditionally been a bedroom community with modern and well-kept single family neighborhoods interspersed with parks, open space, and schools. Commercial retail and medical services have also burgeoned along suburban arterial corridors to serve Covington and surrounding areas in southeast King County.

Covington is a more mature community since its settlement with farms and rapid suburban growth between the 1960s and 2000s. Covington grew more rapidly than the County between 2000 and 2010, and its pace moderated between 2010 and 2015. Still, based on market studies Covington is poised to grow its population by 50% and its jobs by 78% over the next 20 years.

To maintain the quality of single family neighborhoods and to help protect environmentally sensitive areas, Covington has identified areas of focused growth in its Town Center with its Downtown area. There the City intends to facilitate compact mid-rise mixed-use residential, and commercial developments with gathering spaces and gridded streets. Secondarily, the Lakepointe Urban Village Subarea will offer an urban village with both regional and local commercial opportunities as well as mixed-use retail and multifamily, townhomes, and single family homes.
Exhibit LU-1. Existing Land Use Shares*

Note: * Each data label includes: Use Description, Number of Acres, and Percent of Total Acres.
Source: King County Assessor, 2015; City of Covington, 2015


Exhibit LU-3. Existing Land Use Map

Source: King County GIS Center, 2015; City of Covington, 2015
The City experienced a compound annual growth rate of 2.5% between 2000 and 2010, slowing to 0.5% between 2010 and 2015. Covington’s growth rate was higher than King County’s compound annual growth rate of 1.4% between 2000 and 2010, and is similar now to the County’s rate of 0.6% between 2010 and 2015.

Covington also realized strong employment growth from 2003 to 2013. See Exhibit LU-4. Local-serving industries such as services, retail, and government/education make up the largest share of the City’s employment base. Retail sector employment has grown the most and the fastest from 2003 to 2013.

Covington is forecast to grow nearly 50% to approximately 27,645 residents by 2035. See Exhibit LU-5. Currently, there are approximately 6,374 dwellings (OFM 2015) and most are occupied with 5,957 households (ACS 2013). Based on a market demand study (BERK 2012), it is anticipated that there will be 3,920 added dwellings. This will result in a total of 9,826 households and 10,294 dwellings by 2035.

The City has a solid base of jobs, largely retail and service oriented, equaling 4,753 jobs. (ESD, 2013). Based on a market analysis (BERK, 2012), the City would add over 1.6 million square feet of commercial space by 2035, which would support over 3,700 jobs. That would mean a total of 8,459 jobs by 2035. See Exhibit LU-5. The Economic Development Element discusses jobs and the economic outlook in more detail.
Exhibit LU-4. Total Covered Employment, 2000-2013 (Jobs in Thousands by Year)

Source: Puget Sound Regional Council, 2000-2013
Note: FIRE (Finance, Insurance, and Real Estate), WTU (Warehousing, Transportation, and Utilities)

Exhibit LU-5. Estimated Population, Housing, and Jobs: 2015 and 2035

Source: OFM 2015, ACS 2013, ESD 2013, BERK, 2015
Note: * Households and Jobs are 2013 estimates.
CHALLENGES AND OPPORTUNITIES

Planning for growth that is expected to surpass growth targets.

The City is required to show in its Comprehensive Plan how it will accommodate its fair share of growth. The City has surplus capacity to accommodate its housing and jobs targets. See Exhibit LU-6.

The City must, at a minimum, accommodate and plan for its King County issued growth targets. In 2012, the City commissioned a market study, which shows robust growth that exceeded its growth targets but was less than capacity (as measured in 2012 and in 2015 for the Comprehensive Plan Update). See Exhibit LU-7. If the City were to plan for its remaining growth target, it may “under plan” for the infrastructure and services needed to support the community’s desired levels of service. If the City were to plan for its growth capacity it may “over plan” and service providers and the City might invest scarce resources in infrastructure and services that are not yet needed.

The City is basing its Comprehensive Plan Update on the market demand study that not only accounts for the City’s growth targets, but also the likely level of growth in order to plan for capital facilities, utilities, and services that will help maintain Covington’s quality of life.

The Regional Growth Strategy in VISION 2040 sets out growth figures for the four county region and for counties. City-specific allocations are not included in VISION 2040. However, Covington is considered a Small City and, along with other Small Cities, are not seen as having as great a share of growth as other categories of cities.

KEY TERMS

- Growth Target: A target is the City’s assigned share of housing and employment growth for the period 2012-2035 consistent with the King County Countywide Planning Policies. The City must demonstrate its Comprehensive Plan at least accommodates its growth target.

- Capacity: Capacity illustrates whether the City has sufficient developable land free of constraints and zoned at urban densities to accommodate assigned growth targets. The City’s capacity is measured every five years in the King County Buildable Lands Report.
**Exhibit LU-6. King County Targets and Covington Capacity: 2012-2035**

<table>
<thead>
<tr>
<th>Targets and Capacity</th>
<th>Housing</th>
<th>Jobs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Growth Target (2006-2031)</td>
<td>1,470</td>
<td>1,320</td>
</tr>
<tr>
<td>Permits 2006-2012 (issued/finaled)</td>
<td>-</td>
<td>163</td>
</tr>
<tr>
<td>Remaining Target 2012-2031</td>
<td>1,307</td>
<td>172</td>
</tr>
<tr>
<td>Extended Target 2031-2035</td>
<td>+ 235</td>
<td>211</td>
</tr>
<tr>
<td>Remaining Target 2012-2035</td>
<td>+ 1,542</td>
<td>383</td>
</tr>
<tr>
<td>Pending Development 2012, updated</td>
<td>+ 622</td>
<td>514</td>
</tr>
<tr>
<td>Lakepointe Urban Village Capacity**</td>
<td>+ 1,500</td>
<td>1,889</td>
</tr>
<tr>
<td>Parcel Capacity 2012, updated 2015</td>
<td>+ 2,164</td>
<td>2,093</td>
</tr>
<tr>
<td>Total Capacity</td>
<td>4,286</td>
<td>4,496</td>
</tr>
<tr>
<td>Capacity Surplus (Deficit) versus Target</td>
<td>2,744</td>
<td>4,113</td>
</tr>
</tbody>
</table>

Source: City of Covington; BERK Consulting 2015

Note: **Based on the Hawk Property Planned Action EIS and the Hawk Property Subarea Plan (Ord 01-14)

Sources: City of Covington and BERK Consulting 2015

**Exhibit LU-7. King County Growth Targets, Market Demand, and Covington Land Capacity**

[Diagram showing housing and jobs growth targets with specific numbers for 2012-2035, 20-year market demand, and capacity for 2015.]

Source: BERK Consulting, 2015
Yet, the City has had market interest and demand and there is unavoidable growth as seen in the already permitted pending development and the approved Lakepointe Urban Village – a planned development authorized with the Hawk Property Planned Action Ordinance. The City will exceed its jobs target just with pending development. With both pending development and the Lakepointe Urban Village, the City will exceed its housing target.

In sum, the City has chosen to plan efficiently within its city limits and newly annexed Lakepointe area in a compact mixed use pattern consistent with Growth Management Act (GMA) goals, VISION 2040 policies, and the Covington framework goals. The City will also work with King County to update its growth target in light of its local circumstances in future plan update cycles.

*Promoting Covington as a hub for medical services and family wage jobs.*

Covington now contains an urgent care facility, and is becoming a hub for medical services in the southeast King County area. A hospital is planned.

Continuing to attract professional services, medical services, and other jobs that have the potential to support living wages is important to the City’s overall economic development goals and would promote sustainable living by helping reduce single occupancy vehicle driving.

*Protecting and improving Covington’s existing single family neighborhoods while encouraging vibrant mixed-use development.*

The predominant land use within Covington's city limits is single family residential. While this will remain Covington's predominant land use, there is limited
vacant land left to develop for single family residential uses. Covington's population is growing and changing, with more senior citizens and with households that are cost-burdened, meaning they are spending more than 30% of their income on housing and utilities and earning below the County median income. Thus, Covington is in need of greater housing variety such as townhomes and mixed-use residential, as noted in the Housing Element.

Similarly with Covington striving to become a commercial, professional, and medical services hub for southeast King County, more jobs are expected, and the City's suburban commercial areas are expected to experience new development and redevelopment over the next 20 years.

The City is actively planning for well-designed, high quality mixed-use development focused in the Town Center zone and within portions of the Lakepointe Urban Village.

Exhibit LU-8. Covington Downtown Aerial

Source: Google Earth, 2015
By focusing most growth in these two areas, the City can maintain the quality and character of existing residential neighborhoods while meeting the community’s changing needs for housing variety and offering more pedestrian amenities, public gathering spaces, and gridded streets. New development, whether it locates in the downtown, the Lakepointe Urban Village or within the community’s established neighborhoods, must be compatible with its surroundings and enhance Covington’s community identity and the character of the neighborhood in which it is located.

**Downtown and Town Center**

Covington’s Downtown area is presently in a low rise development pattern, with commercial shopping centers predominating. See Exhibit LU-8 on prior page.

In 2009, Covington completed a Downtown Plan and zoning study to set a new course and vision for the community. The plan addresses core economic development and land use goals:

- Identify a new town center site
- Make strategic town center investments
- Improve vehicular linkages
- Develop a parking study
- Provide greater pedestrian connections
- Establish new street and building design standards
- Consider and support Covington as a regional transportation focal point

The proposed land use pattern is based on a dense, pedestrian-friendly core surrounded by several districts:

The future downtown area should consist of a central Town Center District developed around a central civic plaza and open space, a new City Hall and/or other community facilities, and a public parking facility/transit center. Surrounding this Town Center core should be other Mixed Commercial and/or General Commercial...
districts permitting a wide variety of retail, residential, office, service, and public uses. Surrounding the retail, residential, office, service and public uses should be a less intensive Mixed Housing and Office district with a variety of housing and office uses at various levels of density and height. These four inter-related but discreet land use districts are described below. They are (a) Town Center; (b) Mixed Commercial; (c) Mixed Housing and Office; and (d) General Commercial.

Downtown Vision

The vision is to create a dynamic Town Center that includes retail, office, residential, and communal gathering spaces, and provides for development-friendly zoning and transportation requirements as well as improved surrounding areas. See Exhibit LU-9.

Exhibit LU-9. Town Center Vision

Sources: City of Covington Downtown Design Guidelines and Standards, 2014; Pannattoni 2015
Lakepointe Urban Village

The Lakepointe Urban Village Subarea (formerly known as the Hawk Property Subarea Ord. 01-14) lies in the northern gateway area of the city, and encompasses approximately 212 acres southeast of SR 18. The Lakepointe Urban Village Subarea primarily consists of the former Lakeside gravel mine, an asphalt batch plant, vacant land, and a highway interchange. Resource extraction operations at the mine site have ceased, and reclamation is in progress. Approximately 76 acres of the subarea was annexed to the city limits on January 12, 2016 (Ord. 01-16).

The community vision for the subarea is a mixed-use urban village secondary to the Town Center:

The vision for the Lakepointe Urban Village Subarea is the creation of an Urban Village at Covington’s northern gateway that provides a mix of commercial development focused on regional uses and a variety of housing types. This village would provide regional shopping and employment opportunities for residents of both Covington and neighboring communities, as well as new housing opportunities for the Covington community. In addition to commercial and residential development, the village would offer public recreational amenities, such as parks, natural open space, a pond, and bicycle and pedestrian trails that link to the regional trail system. The Lakepointe Urban Village Subarea, while providing both economic and lifestyle benefits would be a secondary center within Covington, providing an experience that is distinct from Covington’s town center, not competing with it. (Ord. 01-14)

The City adopted a range of concepts for the subarea allowing 1,000-1,500 dwellings and 680,000 to 850,000 square feet of commercial development. See Exhibit LU-10.
Exhibit LU-10. Lakepointe Urban Village Minimum and Maximum Concept Plans*

Source: City of Covington, 2014 (Hawk Property Subarea Plan Ord. 01-14, Hawk Property Planned Action Ord. 04-14)
Note: *Formerly Hawk Property Subarea
Maintaining Covington’s small town feel and the natural environment.

Covington recognizes the value and need to preserve and protect the natural environment in a manner that balances growth, economic needs, and quality of life. Development can be designed to protect environmental functions and values.

Potentially constrained lands typically include critical areas containing frequently flooded areas, wetlands, streams and associated buffers, wildlife habitat, critical aquifer recharge areas, as well as landslide, seismic, and erosion hazard areas. Other constrained areas include power line easements and gas line easements.

Some potentially constrained lands are managed for health and safety (e.g. geologic hazards and flood hazards) and the amount of development within or abutting the area may be restricted. Some areas are protected for their water quality and habitat functions and values (wetlands, streams and lakes, critical aquifer recharging areas, wildlife habitat, and floodplains), and may be protected from development by buffers and setbacks. Permanent structures are limited in utility corridors.

Low-impact development methods that mimic natural stormwater systems are now required, where feasible, by the City’s stormwater manual. These standards not only have value to manage water quality and quantity but also can be designed to contribute to open space systems and to soften streetscapes.

More detailed discussion and policies related to the city’s natural environment can be found in the Natural Environment and Shoreline Master Program Elements.
OUR LAND USE PLAN

FUTURE LAND USE MAP AND DESIGNATIONS

Covington’s Future Land Use Plan is oriented around two centers: downtown and Lakepointe Urban Village. Around these two destination centers with mixed uses are single family neighborhoods at low, medium, and high densities, interspersed by a green network of parks, trails, open space, and schools. See Exhibit LU-11 and Exhibit LU-12 for a distribution graph and a map.

In the future Land Use Plan, single family residential uses continue to predominate, at 65% of parcel acres, followed by public parks, recreation, and schools, at 14%. The downtown would make up 11% of parcel acres, and the Urban Village 6% of parcel acres. Matching the graph and map in Exhibits LU-11 and LU-12, the table in Exhibit LU-13 provides definitions of Covington’s Future Land Use categories and allowable densities in dwelling units per acre (du/acre), describing each in terms of intended use and overall character. These future land use designations allow for growth to occur in a sustainable development pattern, maintaining Covington’s quality of life and enhancing Covington’s identity.

The Land Use designations are implemented by detailed zoning in Exhibit LU-14.
Exhibit LU-11. Future Land Use Distribution*

Note: * Each data label includes: Use Description, Number of Acres, and Percent of Total Acres.

Source: City of Covington, 2015; BERK, 2015
Exhibit LU-12. Future Land Use Map

Source: City of Covington, BERK Consulting 2015
Exhibit LU-13. Future Land Use Map Descriptions

**Urban Separator**

The Urban Separator category exists to foster identifiable boundaries between Covington and Kent, helping each develop as a distinct community with individual identities and a sense of place. Much of Covington’s Urban Separator includes Soos Creek Park along the western portion of the UGA. Low-density residential development of up to one dwelling unit per acre is also appropriate for Urban Separator lands.

<table>
<thead>
<tr>
<th>Single family Urban Residential:</th>
<th>Low 4 dwelling units/acre</th>
<th>Medium 6 dwelling units/acre</th>
<th>High 8 dwelling units/acre</th>
</tr>
</thead>
</table>

Covington’s existing neighborhoods are primarily characterized by single family urban residential development often platted at four to eight units per acre. Accordingly, the Future Land Use map divides the Single Family Urban Residential category into “Low” “Medium” and “High” sub-categories, assigning minimum densities at four, six, and eight units per acre respectively. Undeveloped or underdeveloped areas within this designation will develop at the densities associated with each category, maintaining compatibility with existing neighborhoods and open space corridors.

**Multifamily (Residential 18 du/acre)**

The 35-acre Multifamily area located to the north of the Downtown land use designation allows higher density urban residential development typified by structures designed to accommodate several unrelated households, including duplexes, apartments, townhomes, and condominiums.

**Neighborhood Commercial**

The Neighborhood Commercial category includes small-scale commercial uses that provide convenience goods and services to serve the everyday needs of the surrounding neighborhoods while protecting neighborhood character. Neighborhood Commercial development can help reduce automobile trip lengths and frequency by providing dispersed commercial uses closer to resident homes. Second-floor residential uses are encouraged in Neighborhood Commercial buildings, and it’s critical that regulations ensure that the design and scale of Neighborhood Commercial development maintain compatibility with surrounding neighborhoods.

**Community Commercial**

The Community Commercial category is intended to provide for a broader range of commercial activities and services than those envisioned for Neighborhood Commercial areas. Community Commercial development should be designed and scaled to serve a range of day-to-day needs for residents of nearby neighborhoods, but not intentionally addressing needs of those living outside those areas. Uses should be sized and permitted accordingly to maintain compatibility with the surrounding residential neighborhoods, and the design and scale of Community Commercial development should be compatible with surrounding neighborhoods.
Downtown

The Downtown category is intended to provide the majority of the retail commercial and office opportunities within the city, as well as various civic, social, residential, and recreational uses. The Downtown designation is intended to accommodate economic growth in a compact form with a mix of uses that lessens automobile trip lengths and promotes travel modes other than single-occupancy vehicles. Residential uses integrated with commercial uses in mixed-use buildings are encouraged.

The Downtown area is envisioned to grow as the “heart” of Covington, characterized by:

- Places for community events
- Vibrant, active streetscapes with sidewalk vendors and street trees
- Higher-intensity development (over time) with reuse of parking lots for new buildings
- High-quality development
- A scale and form that’s walkable and comfortable for pedestrians
- Connections to nearby parks and natural spaces
- Distinctive landmarks to ensure people can easily find their way

The Downtown category includes four interrelated districts as follows:

- **Town Center:** Encompassing 81 acres is an area envisioned as the heart and core of downtown, characterized by an intensive mix of uses, a vibrant and active streetscape, the most pedestrian-scaled land use and circulation system downtown, and includes an important public gathering space.

- **Mixed Commercial:** These “gateways” to downtown Covington on the west and east encompass 231 acres. They accommodate a diverse mix of uses, emphasizing retail and employment, with increased walkability and access for all modes of travel. Large format retail, auto-oriented uses and public uses may be part of the mix, provided they’re compatible with the area’s pedestrian-oriented scale and character.

- **Mixed Housing & Office:** Totaling 67 acres, this category includes infill housing and office development designed to be compatible with surrounding residential uses. Cottage housing types or single family detached housing may also be part of this category.

- **General Commercial:** This 95-acre area is envisioned to include the broadest range of uses of any in the downtown, including commercial, light manufacturing, office, transportation and utility uses, as well as residential uses buffered from more intensive uses to ensure compatibility.
**Lakepointe Urban Village Subarea**

The Lakepointe Urban Village Subarea (formerly the Hawk Property) category is intended to provide commercial and residential opportunities in an “urban village” setting (formerly referred to as Hawk Property Subarea) with associated recreational and open space amenities. The adopted Hawk Property Subarea Plan (Ord. 01-14, as amended), clearly envisions mixed-use development in this area. Future development of the Lakepointe Urban Village is intended to provide regional and local commercial opportunities, as well as housing options not widely available in Covington including multifamily, townhome, and small-lot residential development.

**Industrial**

This category is intended to provide for industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing, and heavy trucking. The purpose of this designation is also to protect the industrial land base for industrial, economic development and employment opportunities. It is applied largely to the Bonneville Power Administration Substation.

**Public Parks, Recreational Facilities, and Schools**

This category is only placed on properties currently developed with a public park, and recreational facilities, and land owned by the Kent or Tahoma School District.

Future Parks, Recreational Facilities, and Schools may occur throughout the city, consistent with comprehensive plan goals and policies as well as development regulation provisions, which reduce impacts on surrounding land uses. Although mapped as a specific land-use designation, lands within this designation may occur in any zone, as this land-use designation does not affect underlying zoning.
### Exhibit LU-14. Future Land-Use Designations & Corresponding Zoning Districts

<table>
<thead>
<tr>
<th>Land Use Designation</th>
<th>Zoning District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Separator</td>
<td>US(R-1) Urban Separator</td>
</tr>
<tr>
<td>Single Family Urban Residential (Low, Medium, High)</td>
<td></td>
</tr>
<tr>
<td>Low Density Residential</td>
<td>R-4 Urban Residential 4 Units Per Acre</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>R-6 Urban Residential 6 Units Per Acre</td>
</tr>
<tr>
<td>High Density Residential</td>
<td>R-8 Urban Residential 8 Units Per Acre</td>
</tr>
<tr>
<td>Multifamily</td>
<td>R-18 Residential 18 Units Per Acre</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>NC Neighborhood Commercial</td>
</tr>
<tr>
<td>Community Commercial</td>
<td>CC Community Commercial</td>
</tr>
<tr>
<td>Downtown</td>
<td>TC Town Center</td>
</tr>
<tr>
<td></td>
<td>MC Mixed Commercial</td>
</tr>
<tr>
<td></td>
<td>MHO Mixed Housing/Office</td>
</tr>
<tr>
<td></td>
<td>GC General Commercial</td>
</tr>
<tr>
<td>Lakepointe Urban Village (formerly called the Hawk Property Subarea)</td>
<td>Pending a rezone consistent with Hawk Property Subarea Plan, the Mineral zone applies on an interim basis. Future zoning consistent with approved Hawk Property Subarea Plan Ord 01-14 includes the following:</td>
</tr>
<tr>
<td></td>
<td>• R-6 Urban Residential 6 Units Per Acre</td>
</tr>
<tr>
<td></td>
<td>• R-12 Urban Residential 12 Units Per Acre</td>
</tr>
<tr>
<td></td>
<td>• MR Mixed Residential</td>
</tr>
<tr>
<td></td>
<td>• RCMU Regional Commercial Mixed Use</td>
</tr>
<tr>
<td>Industrial</td>
<td>I Industrial</td>
</tr>
<tr>
<td>Public Parks, Recreation, and Schools</td>
<td>All Underlying Zones</td>
</tr>
</tbody>
</table>
CONSISTENCY WITH STATE GOALS AND REGIONAL PLANS

The City plans in conformance with the GMA and the PSRC VISION 2040, which sets a regional growth strategy.

State GMA goals are implemented in this Land Use Element by promoting a compact urban development pattern served by adequate transportation, parks, and other capital facilities and services. The Land Use Element also encourages a variety of housing choices and economic development opportunities. The Element promotes the protection of environmental, natural, and cultural resources. Each property in Covington is allowed a reasonable use consistent with the land use plan and development regulations. The City’s land use permit procedures allow permits to be addressed in a fair and predictable manner. (RCW 36.70A.020)

VISION 2040 contains multicounty planning policies and a regional growth strategy applicable to King, Kitsap, Pierce, and Snohomish Counties. The PSRC conducts consistency reviews of comprehensive plans and certifies transportation elements for consistency with VISION 2040. VISION 2040 requires a statement of consistency with VISION 2040’s multicounty planning policies and conformity to relevant planning requirements in the GMA.

Covington’s State of Consistency with VISION 2040 and Coordinated Regional Planning Efforts.

Covington plans commit to a sustainable and vibrant future through implementation of a downtown-focused on a Town Center with mixed-use commercial and residential mid-rise development patterns, gathering spaces, and connected multi-modal streets. A mixed use urban village is planned in Covington’s northern gateway in the Lakepointe Urban Village Subarea where a variety of housing types and densities are planned.
together with large format and community-based retail around natural and recreation amenities. Compact growth in the Town Center and Lakepointe Urban Village allows the City to reduce vehicle miles traveled, retrofit stormwater systems in a low-impact manner to improve water quality, avoid impacts to ecological functions and values, and reduce air quality emissions over standard development patterns. The City will leverage special district and private investment in these places and make wise, efficient public investments in infrastructure and services within already developed or altered environments.

This compact mixed-use strategy also allows the City to protect the character and vitality of its residential neighborhoods where a variety of homeownership opportunities are available on a range of lot sizes, served by a network of parks, open space and schools.

As a community with a mission of unity, Covington plans together with neighboring jurisdictions and special districts serving the City on infrastructure, transportation, human services, hazard reduction, and shoreline and critical area protection.

Covington’s plan promotes a quality development pattern able to accommodate the community’s fair share of housing and employment growth targets in conformance with the King County Countywide Planning Policies. The City will work with PSRC, King County, and its peer cities to grow responsibly consistent with VISION 2040 policies.

To address 1) Covington’s unique market circumstances as a commercial and services hub in southeast King County, 2) its attraction of compact, mixed use development at an unprecedented pace, 3) its reliance on urban sewer and water services with special districts, and 4) its commitment to ongoing transportation coordination with state, regional, and local governments, the City will work in partnership with King County and PSRC to monitor growth and to revise growth targets, in order to manage anticipated and unavoidable growth in a compatible and environmentally sensitive manner.
LAND USE GOALS

Goal LU-I. Covington contains a diverse mix of uses and densities that are sustainable and support the community’s desire to provide a high-quality environment for residents, businesses, employees, and visitors.

Goal LU-II. Covington’s zoning, design guidelines, and other strategies promote development that provides a variety of land use types, densities and building forms, while discouraging sprawl, protecting critical areas, and minimizing exposure to natural hazards to support a healthy economy and promote living wage job growth.

Goal LU-III. Covington’s vibrant mixed-use and commercial areas are places current and future residents and businesses want to live, work, play, shop, and learn and locate their businesses. These centers incorporate a range of housing types, commercial spaces, public spaces, parks and recreational facilities that accommodate a variety of families and individuals, income groups, and types of businesses.

Goal LU-IV. Covington’s downtown is the economic and entertainment heart of the community, flourishing from the investment in infrastructure, mixed-use development, and high quality urban design.
Goal LU-V. The Lakepointe Urban Village is thriving and accessible by multi-modal transportation at the northern gateway to the city, providing regional shopping and employment, new housing opportunities for the community, and a mix of recreational amenities.

Goal LU-VI. Covington is a walkable community with access to healthy local foods, active living facilities, and well-designed and accessible multi-modal connections between and within neighborhoods and commercial areas.

Goal LU-VII. Covington residents and business owners are informed and involved in the on-going land use decision-making process and have opportunities to participate in the implementation, review, and amendments to the Comprehensive Plan, zoning code, and development permits.

LAND USE POLICIES

Citywide Sustainable Growth Management Strategy

Policy LU-1. Plan and manage community growth and redevelopment to ensure an orderly pattern of land use that is interconnected and accessible to the community while maintaining and improving the city’s existing character.

Policy LU-2. Maintain sufficient land designated to accommodate appropriate commercial, office, healthcare, and educational uses proximate to adequate transportation and utility infrastructure.
Policy LU-3. Work with King County and other urban cities to adjust and align individual city and King County growth targets and the PSRC Regional Growth Strategy. Covington’s target should be updated, and consider:

A. Existing land capacity, demand, and market conditions including Covington’s niche in southeast King County.
B. Available and planned infrastructure.
C. The community’s compact growth pattern and standards for environmental protection.
D. State population projections and local trends.

Policy LU-4. Maintain land use designations that ensure an adequate supply of housing units and employment space to meet required growth targets and market demand.

Policy LU-5. Encourage maximum permitted density of land development while requiring high-quality design, avoiding natural and manmade hazards, and protecting critical areas and environmental quality to avoid unnecessary public and private costs.

Policy LU-6. Encourage new development to be sited and designed to:

A. Limit impact on the natural environment.
B. Be compact and contiguous to existing development.
C. Protect critical areas.
D. Protect cultural resources.
E. Promote water quality, incorporation of renewable energy, green infrastructure, urban forests, green roofs, and natural drainage systems.

F. Incorporate energy and water conservation practices, and reduce heat absorption.

G. Encourage walking, bicycling and transit use.

Policy LU-7. Direct growth, including redevelopment and infill, to locations that take advantage of existing service capacity and infrastructure.

A. Coordinate with all public service providers to ensure services can support Covington’s planned growth and shifts in demand while maintaining acceptable levels of service.

B. Implement City transportation level of service standards, concurrency, and impact fee requirements to support future land development. Coordinate with the Washington State Department of Transportation and adjacent jurisdictions to manage transportation demand and facilitate improvements.

Policy LU-8. Ensure new development complements community character and neighborhood quality, encouraging attractive site and building design that is compatible in scale and in character with existing or planned development.

Policy LU-9. Support development patterns that promote the community’s health by:
A. Providing opportunities for safe and convenient physical activity and social connectivity.

B. Promoting safe routes to and from public schools.

Policy LU-10. Promote residential and other forms of mixed-use development in commercial areas to allow people to live, work, play, shop, and learn while reducing vehicular traffic and providing for shared parking in a pedestrian-friendly setting, including eventual transition to structured parking at high demand locations, and maintain development capacity for active ground-level commercial use.

Policy LU-11. Require the incorporation of features in new development projects that support transportation choices.

Policy LU-12. Promote the use of landscaping that can thrive in urban settings, conserve water, retain desirable trees, and is comprised of native plant materials.

Policy LU-13. Promote farmers markets and urban agriculture as a way to access healthy, affordable local foods.

Policy LU-14. Encourage the development and strategic placement of public art features throughout the city.

Policy LU-15. Encourage public open spaces or community plazas where appropriate in commercial areas, for the congregation of people.
Policy LU-16. Allow, through appropriate zoning and siting, a variety of public and quasi-public uses serving the community, including parks, schools, libraries, churches, community centers, fire and police stations, and other municipal facilities in a well-designed manner that is compatible with surrounding land uses.

Policy LU-17. Manage and design public utility land uses and structures in a manner that is compatible with nearby uses, using techniques such as buffers, increased setbacks, easements, landscaping, and other innovative forms of screening.

Policy LU-18. Site essential public facilities countywide in coordination with King County, the State and/or other cities and tribes considering environmental and social equity, fair-share burden, and environmental, technical and service area factors to reduce incompatibility with adjacent uses.

Policy LU-19. Coordinate planning efforts with State agencies, King County, and neighboring cities to address shared areas of interest and concern such as transportation systems and concurrency, regional trails, health and human services, shorelines of the state, surface and groundwater systems, watersheds, and other topics.
Urban Growth and Annexations

Policy LU-20. Continue to support the expansion of the City’s Urban Growth Area in the northern gateway to include land east of 180th Ave SE between SE Wax Road and SR 18 to correct illogical boundary lines. Pursue changes to the Urban Growth Area based on criteria in the Countywide Planning Policies and in coordination with King County.

Policy LU-21. Annex potential annexation areas assigned to the City within the King County urban growth area into Covington’s city limits only after carefully studying the fiscal impacts and planning for the future development of the area.


Public Services and Responsiveness

Policy LU-24. Ensure timely, thorough, consistent, fair, and predictable project review by allocating adequate resources to the permit review process, and minimizing review time.

Policy LU-25. Promote public involvement in the planning process.
Policy LU-26. Establish and maintain positive and proactive inter-jurisdictional relationships with outside service providers, such as water, sewer, gas, electric, fire, schools, phone, and cable entities, throughout the permitting process.

**Downtown**

Policy LU-27. Encourage a variety of development in the downtown with an emphasis on multi-story mixed-use, while allowing existing, major retail components to remain until market conditions support redevelopment; allow limited, regulated, and high-quality designed large format retail while minimizing impacts on adjacent residential neighborhoods.

Policy LU-28. Encourage the integration of new office, service, health care, educational, and residential uses into the downtown area to support high quality business/retail activities and to increase the vitality of the downtown.

Policy LU-29. In the Downtown Mixed-Housing and Office designation, encourage infill development and redevelopment that provides a variety of housing types and professional office uses that may include innovative ideas and designs.

Policy LU-30. Promote a mix of uses, building forms, and public realm improvements within the Town Center, consistent with the current version of the Town Center Design Standards and Guidelines.
Policy LU-31. In the Mixed Commercial area of the downtown, encourage diverse employment opportunities and increased walkability and connectivity to portions of the downtown outside of the Town Center, while encouraging a mix of commercial and multi-story residential uses, with mixed-use buildings, public uses and spaces, compatible food-related uses, still allowing for large format and auto-oriented retail, provided they are designed consistent with the current version of the Town Center Design Standards and Guidelines.

Policy LU-32. In the General Commercial designation, encourage a complete variety and mix of commercial and office uses, appropriate low-impact manufacturing and storage, transportation-related and utility facilities and limited residential use that can be buffered to ensure compatibility.

Policy LU-33. Encourage a development pattern that places buildings near the street and makes surface parking a non-dominant use.

Policy LU-34. Provide for a sense of gateway and entry to the downtown area through the development of key distinctive focal points, such as special signs, and architectural, water and/or landscaping features.

Policy LU-35. Encourage interconnected walkway systems to accommodate areas for landscaping and wide sidewalks that provide the opportunity for appropriate outdoor commercial and
civic activities, including seating for food and beverage establishments.

**Lakepointe Urban Village Subarea**

Policy LU-36. Encourage a variety of commercial, residential, and recreational development types in the Lakepointe Urban Village.

Policy LU-37. Encourage a variety of housing types at various densities in the Lakepointe Urban Village to provide housing choices not currently available in one location within Covington.

Policy LU-38. Ensure that the public realm in the Lakepointe Urban Village provides places for a variety of ages, interests, and experiences and is easily accessible.

Policy LU-39. Implement design standards that facilitate development in the Lakepointe Urban Village Subarea as the northern entrance to Covington.

Policy LU-40. Ensure that the pond in the Lakepointe Urban Village serves as a major public amenity with extensive public access and a surrounding area with a mix of residential and commercial uses that offer a place for the community to gather, stroll, dine, shop, and live.

Policy LU-41. Encourage the preservation of a green space buffer, which may include public trails, along the southern border of the Lakepointe Urban Village adjacent to existing residential development.
Policy LU-42. Encourage development of larger public park and greenspace amenities in the Lakepointe Urban Village that are accessible to all residents and visitors, as opposed to small, fragmented, private park facilities.

ACTION PLAN

The Land Use Element is implemented by related elements, plans, regulations, and programs, including:

- Covington’s Zoning Code, which provides permitted uses, density and dimensional standards, and design guidelines for new development.
- Covington’s Comprehensive Plan Housing Element, which provides strategies for integrating a diversity of housing types and more affordable housing.
- Covington’s Comprehensive Plan Economic Development Element, which provides policies and strategies for growing businesses in the community.
- Covington’s Parks, Recreation, and Open Space Plan, which guides parks, trails, and recreation acquisition and improvements.
- Covington’s Transportation Plan, which provides motorized and non-motorized plans and promotes coordination of transit with regional providers to serve local residents, workers, and visitors.
- Covington’s Natural Environment Element, which protects sensitive areas and provides open space that frames and links neighborhoods.
This Element also includes policies promoting new initiatives during the regular eight-year Growth Management Action Comprehensive Plan review cycle. See Exhibit LU-15.

Exhibit LU-15. Land Use Action Plan

<table>
<thead>
<tr>
<th>Implementation Action</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prioritize strategic investments in parks, trails, sidewalks, streetscape, gathering spaces, streets, and other infrastructure to facilitate the downtown vision.</td>
<td>Community Development, Parks, and Public Works Departments</td>
</tr>
<tr>
<td>Complete a development agreement and associated development and infrastructure standards for the Lakepointe Urban Village.</td>
<td>Community Development Department</td>
</tr>
<tr>
<td>Coordinate the Parks, Recreation, and Open Space Plan, Transportation Plan, and Stormwater Plan to provide for a system of green infrastructure, gathering spaces, and non-motorized connections between neighborhoods and schools, parks, and shopping areas.</td>
<td>Community Development, Parks, and Public Works Departments</td>
</tr>
</tbody>
</table>
Exhibit B
Title 18
ZONING

Chapters:

18.05  Zoning Code Adoption
18.10  Authority, Purpose, Interpretation and Administration
18.15  Zones, Maps and Designations
18.20  Technical Terms and Land Use Definitions
18.25  Permitted Uses
18.30  Development Standards – Density and Dimensions
18.31  Downtown Development and Design Standards
18.33  Marijuana-Related Uses
18.35  Development Standards – Design Requirements
18.37  Development Standards and Design Requirements for Cottage Housing
18.40  Development Standards – Landscaping
18.45  Tree Preservation and Protection
18.50  Development Standards – Parking and Circulation
18.60  Development Standards – Mineral Extraction
18.70  Wireless Communication Facilities
18.75  Development Standards – Adequacy of Public Facilities and Services
18.80  Development Standards – Animals, Home Occupation, Home Industry
18.85  Nonconformance, Temporary Uses, and Re-Use of Facilities
18.110  Commercial Site Development Permits

18.114  Development Agreements

18.125  Decision Criteria
Chapter 18.05
ZONING CODE ADOPTION

Sections:
18.05.010  Zoning code adopted.
18.05.020  Notification to tribes.
18.05.030  Transition to new code.
18.05.040  Drawings.
18.05.050  Periodic review.

18.05.010 Zoning code adopted.
Under the provisions of Article XI, Section 11 of the Washington State Constitution, this zoning code is adopted and declared to be the zoning code for the City of Covington until amended, repealed or superseded. This code also is enacted pursuant to and to implement the comprehensive plan in accordance with Chapter 36.70A RCW. (Ord. 42-02 § 2 (21A.01.010))

18.05.020 Notification to tribes.
The City recognizes that many actions undertaken pursuant to this title, as amended, may impact treaty fishing rights of Federally recognized tribes. In order to honor and prevent interference with these treaty fishing rights and to provide for water quality and habitat preservation, the City shall provide notice to any Federally recognized tribes whose treaty fishing rights would be affected by an action undertaken pursuant to this title, including but not limited to: development of wetlands, stream and river banks, lakeshore habitat of water bodies, or development directly or indirectly affecting anadromous bearing water bodies, including the promulgation of plans, rules, regulations or ordinances implementing the provisions of this title, whether or not review of such actions is required under the State Environmental Policy Act (SEPA), Chapter 43.21C RCW. (Ord. 42-02 § 2 (21A.01.025))

18.05.030 Transition to new code.
(1) Complete applications for conditional use permits, planned unit developments, binding site plans, right-of-way use permits, commercial site development permits, variances, unclassified use permits, or public agency and utility exceptions which were pending at the time this title took effect shall continue to be processed under those applicable zoning regulations governing review prior to implementation of this title except when a conditional use permit application has been submitted for a use that, under this title, no longer requires a conditional use permit, that conditional use permit shall not be a requirement for the vested development proposal. Notwithstanding any contrary provisions in this title, where approved, these permits shall continue to establish allowable uses on the property until permit expiration. Nothing in this subsection is intended to restrict otherwise vested applicant rights.
(2) Except for the requirements of CMC Title 19, any lot created by subdivision or short subdivision for which a complete subdivision or short subdivision application was submitted prior to adoption of this code may be developed pursuant to the standards in effect at the time of complete application. 
(Ord. 16-16 § 3; Ord. 42-02 § 2 (21A.01.040))

18.05.040 Drawings.
The Department is hereby authorized after the date of the adoption of the ordinance codified in this title to incorporate drawings as necessary for the purpose of illustrating concepts and regulatory standards contained in this title; provided, that the adopted provisions of the code shall control over such drawings. (Ord. 42-02 § 2 (21A.01.090))

18.05.050 Periodic review.
The Department shall submit an annual written report to the Council detailing issues relating to the implementation of the City of Covington zoning code and recommending amendments to address those issues. (Ord. 42-02 § 2 (21A.01.100))
Chapter 18.10
AUTHORITY, PURPOSE, INTERPRETATION AND ADMINISTRATION

Sections:

18.10.010 Title.

18.10.020 Purpose.

18.10.030 Conformity with this title required.

18.10.040 Minimum requirements.

18.10.050 Interpretation – General.

18.10.060 Interpretation – Standard industrial classification.

18.10.070 Interpretation – Zoning maps.

18.10.080 Administration and review authority.

18.10.090 Classification of right-of-way.

18.10.010 Title.
This title shall be known as the City of Covington zoning code, hereinafter referred to as “this title.” (Ord. 42-02 § 2 (21A.02.010))

18.10.020 Purpose.
The general purposes of this title are to:

1. Encourage land use decision making in accordance with the public interest and applicable laws of City of Covington and the State of Washington;

2. Protect the general public health, safety, and welfare;

3. Implement the City of Covington comprehensive plan’s policies and objectives and community vision statement through land use regulations;

4. Provide for the economic, social, and aesthetic advantages of orderly development through harmonious groupings of compatible and complementary land uses and the application of appropriate development standards;

5. Provide for adequate public facilities and services in conjunction with development; and

6. Promote general public safety by regulating development of lands containing physical hazards and to minimize the adverse environmental impacts of development. (Ord. 42-02 § 2 (21A.02.030))

18.10.030 Conformity with this title required.
(1) No use or structure shall be established, substituted, expanded, constructed, altered, moved, maintained, or otherwise changed except in conformance with this title.

(2) Creation of or changes to lot lines shall conform to the use provisions, dimensional and other standards, and procedures of this title and CMC Title 17, Subdivisions.

(3) All land uses and development authorized by this title shall comply with all other regulations and/or requirements of this title as well as any other applicable local, State or Federal law. Where a difference exists between this title and other County regulations, the more restrictive requirements shall apply.

(4) Where more than one part of this title applies to the same aspect of a proposed use or development, the more restrictive requirement shall apply.

(5) Temporary uses or activities, conducted during an emergency event, or training exercises conducted at emergency sites, designated pursuant to an emergency management plan, shall not be subject to the provisions of this title. (Ord. 42-02 § 2 (21A.02.040))

18.10.040 Minimum requirements.
In interpretation and application, the requirements set forth in this title shall be considered the minimum requirements necessary to accomplish the purposes of this title. (Ord. 42-02 § 2 (21A.02.050))

18.10.050 Interpretation – General.
(1) In case of inconsistency or conflict, regulations, conditions or procedural requirements that are specific to an individual land use shall supersede regulations, conditions or procedural requirements of general application.

(2) A land use includes the necessary structures to support the use unless specifically prohibited or the context clearly indicates otherwise.

(3) In case of any ambiguity, difference of meaning, or implication between the text and any heading, caption, or illustration, the text and the permitted use tables in Chapter 18.25 CMC shall control, except for uses within the downtown zoning area, where CMC 18.31.080 shall control. All applicable requirements shall govern a use whether or not they are cross-referenced in a text section or land use table.

(4) Unless the context clearly indicates otherwise, words in the present tense shall include past and future tense, and words in the singular shall include the plural, or vice versa. Except for words and terms defined in this title, all words and terms used in this title shall have their customary meanings. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.02.060))

18.10.060 Interpretation – Standard industrial classification.
(1) All references to the Standard Industrial Classification (SIC) are to the titles and descriptions
found in the Standard Industrial Classification Manual, 1987 Edition, as amended, prepared by the United States Office of Management and Budget which is hereby adopted by reference. The SIC is used, with modifications to suit the purposes of this title, to list and define land uses authorized to be located in the various zones consistent with the comprehensive plan land use map.

(2) The permitted use table and use determination process in CMC 18.31.080 shall apply to the downtown zone. The Director shall consider the direction in this chapter, but is not bound by this section or the SIC in making a use determination for proposals on properties in the downtown zone.

(3) The SIC categorizes each land use under a general two-digit major group number, or under a more specific three- or four-digit industry group or industry number. A use shown on a land use table with a two-digit number includes all uses listed in the SIC for that major group. A use shown with a three-digit or four-digit number includes only the uses listed in the SIC for that industry group or industry.

(4) An asterisk (*) in the SIC number column of a land use table means that the SIC definition for the specific land use identified has been modified by this title. The definition may include one or more SIC subclassification numbers, or may define the use without reference to the SIC.

(5) The Director shall determine whether a proposed land use not specifically listed in a land use table or specifically included within a SIC classification is allowed in a zone. The Director’s determination shall be based on whether or not permitting the proposed use in a particular zone is consistent with the purposes of this title and the zone’s purpose as set forth in Chapter 18.15 CMC, by considering the following factors:

(a) The physical characteristics of the use and its supporting structures, including but not limited to scale, traffic and other impacts, and hours of operation;

(b) Whether or not the use complements or is compatible with other uses permitted in the zone; and

(c) The SIC classification, if any, assigned to the business or other entity that will carry on the primary activities of the proposed use. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.02.070))

18.10.070 Interpretation – Zoning maps.
Where uncertainties exist as to the location of any zone boundaries, the following rules of interpretation, listed in priority order, shall apply:

(1) Where boundaries are indicated as paralleling the approximate center line of the street right-of-way, the zone shall extend to each adjacent boundary of the right-of-way. Nonroad-related uses by adjacent property owners, if allowed in the right-of-way, shall meet the same zoning requirements regulating the property owners lot;

(2) Where boundaries are indicated as approximately following lot lines, the actual lot lines shall be
considered the boundaries;

(3) Where boundaries are indicated as following lines of ordinary high water, or government meander line, the lines shall be considered to be the actual boundaries. If these lines should change the boundaries shall be considered to move with them; and

(4) If none of the rules of interpretation described in subsections (1) through (3) of this section apply, then the zoning boundary shall be determined by map scaling. (Ord. 42-02 § 2 (21A.02.080))

18.10.080 Administration and review authority.
(1) The Hearing Examiner shall have authority to hold public hearings and make decisions and recommendations on subdivisions and other development proposals, and appeals, as set forth in Chapters 2.25, 14.30, 14.35, 14.40, and 14.45 CMC.

(2) The Director shall have the authority to grant, condition or deny applications for reasonable use permits, short plat applications, boundary line adjustments, commercial site development permits, and renewals of permits for mineral extraction and processing, unless a public hearing is required as set forth in Chapter 14.30 CMC, in which case this authority shall be exercised by the Hearing Examiner.

(3) The Department shall have authority to grant, condition or deny commercial and residential building permits, grading and clearing permits, and temporary use permits in accordance with the procedures set forth in Chapter 14.30 CMC.

(4) Except for other agencies with authority to implement specific provisions of this title, the Department shall have the sole authority to issue official interpretations of this title. (Ord. 10-10 § 3 (Exh. C); Ord. 01-09 § 18; Ord. 42-02 § 2 (21A.02.090))

18.10.090 Classification of right-of-way.
(1) Except when such areas are specifically designated on the zoning map as being classified in one of the zones provided in this title, land contained in rights-of-way for streets or alleys, or railroads shall be considered unclassified.

(2) Within street or alley rights-of-way, uses shall be limited to street purposes as defined by law.

(3) Within railroad rights-of-way, allowed uses shall be limited to tracks, signals or other operating devices, movement of rolling stock, utility lines and equipment, and facilities accessory to and used directly for the delivery and distribution of services to abutting property.

(4) Where such right-of-way is vacated, the vacated area shall have the zone classification of the adjoining property with which it is first merged. (Ord. 42-02 § 2 (21A.02.110))
Chapter 18.15
ZONES, MAPS AND DESIGNATIONS

Sections:
18.15.010 Zones and map designations established.
18.15.020 Zone and map designation purpose.
18.15.030 Mineral zone.
18.15.040 Urban separator zone.
18.15.050 Urban residential zone.
18.15.060 Neighborhood commercial zone.
18.15.070 Community commercial zone.
18.15.080 Downtown zone.
18.15.090 Regional commercial mixed-use zone.
18.15.100 Industrial zone.
18.15.110 Repealed.
18.15.120 Repealed.
18.15.130 Repealed.
18.15.140 Zoning maps and boundaries.
18.15.010 Zones and map designations established.

In order to accomplish the purposes of this title, the following zoning designations and zoning map symbols are established:

<table>
<thead>
<tr>
<th>Zoning Designations</th>
<th>Map Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral</td>
<td>M</td>
</tr>
<tr>
<td>Urban Separator</td>
<td>US (R-1)</td>
</tr>
<tr>
<td>Urban Residential</td>
<td>R (base density in dwellings per acre)</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>NC</td>
</tr>
</tbody>
</table>
18.15.020 Zone and map designation purpose.
The purpose statements for each zone and map designation set forth in the following sections shall be used to guide the application of the zones and designations to all lands in the City. The purpose statements also shall guide interpretation and application of land use regulations within the zones and designations, and any changes to the range of permitted uses within each zone through amendments to this title. (Ord. 42-02 § 2 (21A.04.020))

18.15.030 Mineral zone.
(1) The purpose of the mineral zone (M) is to provide for continued extraction and processing of mineral and soil resources in an environmentally responsible manner by:

(a) Reserving known deposits of minerals and materials within areas as protection against premature development of the land for nonextractive purposes;

(b) Providing neighboring properties with notice of prospective extracting and processing activities; and

(c) Providing appropriate location and development standards for extraction and on-site processing to mitigate adverse impacts on the natural environment and on nearby properties.

(2) Use of this zone is appropriate for known deposits of minerals and materials on sites that are of sufficient size to mitigate the impacts of operation and that are served or capable of being served at
the time of development by adequate roads and other public services, and for sites containing mineral extracting and processing operations that were established in compliance with land use regulations in effect at the time the use was established. (Ord. 42-02 § 2 (21A.04.050))

18.15.040 Urban separator zone.

(1) The purposes of the urban separator zone (US) are to phase growth and demand for urban services, and to reserve large tracts of land for possible future growth in portions of areas designated by the comprehensive plan for future urban growth while allowing reasonable interim uses of property; or to reflect designation by the comprehensive plan of a property or area as part of the urban growth area when a detailed plan for urban uses and densities has not been completed; or when the area has been designated as a site for future development or annexation. These purposes are accomplished by:

   (a) Allowing for limited residential growth, contiguous to existing urban public facilities; and

   (b) Requiring clustered residential developments, where feasible, to prevent establishment of uses and lot patterns which may foreclose future alternatives and impede efficient later development at urban densities.

(2) Use of this zone is appropriate in urban areas, designated by the comprehensive plan, when such areas do not have adequate public facilities and services or are not yet needed to accommodate planned growth, or do not yet have detailed land use plans for urban uses and densities. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.04.070))

18.15.050 Urban residential zone.

(1) The purpose of the urban residential zone (R) is to implement comprehensive plan goals and policies for housing quality, diversity and affordability, and to efficiently use urban residential land, public services and energy. These purposes are accomplished by:

   (a) Providing, in the R-1 (urban separator) through R-12 zones, for a mix of predominantly single detached dwelling units and other development types, with a variety of densities and sizes;

   (b) Providing, in the R-18 (multifamily) zone, a mix of higher densities and greater variety of housing uses;

   (c) Allowing only those accessory and complementary nonresidential uses that are compatible with urban residential communities;

   (d) Establishing density designations to facilitate advanced area-wide planning for public facilities and services, and to protect environmentally sensitive sites from overdevelopment; and

   (e) Providing, in the MR (mixed residential) zone, a variety of housing types at a range of
densities not provided by the other urban residential zoning districts. These purposes are accomplished by allowing a mixture of residential uses while limiting nonresidential uses to neighborhood-serving commercial uses that are complementary and supportive of mixed density housing development.

(2) Use of this zone is appropriate as follows:

(a) The urban separator (R-1) zone on or adjacent to lands with area-wide environmental constraints where development is required to cluster away from sensitive areas, on lands designated urban separators or wildlife habitat network where development is required to cluster away from the axis of the corridor on critical aquifer recharge areas, and on regionally and locally significant resource areas (RSRAs/LSRAs) or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities; and

(b) The R-4 through R-18 zones and the MR zone on lands that are predominantly environmentally unconstrained and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.04.080))

18.15.060 Neighborhood commercial zone.
The purpose of the neighborhood commercial zone (NC) is to provide convenient daily retail and personal services within a local neighborhood while minimizing impacts of commercial activities on nearby properties outside of the commercial center, and to provide for limited residential development. These purposes are accomplished by:

(1) Limiting nonresidential uses to those retail or personal services, which can serve the everyday needs of a local neighborhood;

(2) Excluding industrial, community commercial and community/regional business-scaled uses;

(3) Maximum building size is limited to 5,000 gross square feet. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.04.090))

18.15.070 Community commercial zone.
(1) The purpose of the community commercial zone (CC) is to provide convenient daily retail and personal services for a limited service area and to minimize impacts of commercial activities on nearby properties outside of the commercial center, and to provide for limited residential development. These purposes are accomplished by:

(a) Limiting nonresidential uses to those retail or personal services, which can serve the everyday needs of a surrounding urban or rural residential area;

(b) Allowing for mixed-use (housing and retail/service) developments;
(c) Excluding industrial and community/regional business-scaled uses;

(d) Maximum building size is limited to 30,000 gross square feet.

(2) Use of this zone is appropriate in urban neighborhood commercial centers, on sites which are served at the time of development by adequate public sewers when located in urban areas, water supply, roads and other needed public facilities and services. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.04.095))

18.15.080 Downtown zone.
The following zoning districts are established within the downtown zone to protect the public health, safety and general welfare by implementing the goals and policies adopted in the City of Covington Downtown Element of the Comprehensive Plan. The district intent statements define the specific purpose of each district. They shall be the policies of the City of Covington Downtown Element of the Comprehensive Plan, serve as a guide for determining the appropriate location of uses, help determine appropriate conditions for development within the downtown zone, and help the Director interpret the standards and provisions of this chapter.

(1) The town center district (TC) is the pedestrian-oriented core of downtown and allows the most intensive level of development. The emphasis of this district is on mixed-use development that includes pedestrian-oriented retail, high density residential development, and civic uses. The development of a walkable street grid and a central public gathering space are key objectives of this district. To meet goals for a pedestrian-oriented town center, limited large-format retail uses are permitted, and such uses are subject to a conditional use permit and additional design criteria provided in CMC 18.31.040.

(2) The mixed commercial district (MC) is applied to the majority of the Covington downtown zone. This district encourages a mix of commercial and multi-story residential uses, public uses, and allows for large-format and auto-oriented retail, provided they meet pedestrian-oriented design standards that are more flexible than those applied to the town center district. Achieving a high level of connectivity with new and improved streets and trails is a major goal in this district.

(3) The general commercial district (GC) is applied to a limited area of the downtown and is intended to allow the widest range of uses, coupled with more limited design standards than other areas of downtown. Permitted uses include commercial and light industrial uses, offices, major transportation and utility facilities, and residential uses that are appropriately buffered to ensure compatibility. Development and design standards are less prescriptive and provide greater flexibility to accommodate the intended uses.

(4) The mixed housing/office district (MHO) is applied to areas where infill development and redevelopment of low intensity areas with multifamily housing and office is encouraged. Residential uses that are encouraged in this district include townhouses, cottages, and low-rise multifamily.
Office development and limited intensity neighborhood retail is also permitted. Development and design standards applied to this district require buffers, lower height limits and building scale that is appropriate to the size of the lot. Trail connections are also emphasized in this district. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.04.100))

18.15.090 Regional commercial mixed-use zone.

(1) The purpose of the regional commercial mixed-use zone (RCMU) is to provide regional-scale retail and service uses in a well designed urban village setting that may include a limited amount of high density residential uses. These purposes shall be accomplished by:

(a) Concentrating large-scale commercial uses to facilitate efficient provision of public services and to minimize incompatibilities with residential uses;

(b) Encouraging compact development to accommodate integrated open space and natural features, as well as recreational amenities;

(c) Allowing for both horizontal and vertical mixed-use development, including a mix of commercial and residential uses; and

(d) Other public benefits consistent with the comprehensive plan policies as approved by the city council.

(2) Use of this zone is appropriate in commercial centers with adequate access to the regional transportation network. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A))

18.15.100 Industrial zone.

(1) The purpose of the industrial zone (I) is to provide for the location and grouping of industrial enterprises and activities involving manufacturing, assembly, fabrication, processing, bulk handling and storage, research facilities, warehousing, power generation and heavy trucking. It is also a purpose of this zone to protect the industrial land base for industrial economic development and employment opportunities. These purposes are accomplished by:

(a) Allowing for a wide range of industrial and manufacturing uses;

(b) Establishing appropriate development standards and public review procedures for industrial activities with the greatest potential for adverse impacts; and

(c) Limiting residential, institutional, commercial, office and other nonindustrial uses to those necessary for the convenience of industrial activities.

(2) Use of this zone is appropriate where designated by the comprehensive plan and served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services. (Ord. 42-02 § 2 (21A.04.130))
18.15.110 Map designation – Regional use designation.  
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.04.140))

18.15.120 Map designation – Special district overlay.  
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.04.160))

18.15.130 Map designation – Interim zoning.  
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.04.180))

18.15.140 Zoning maps and boundaries.  
(1) The location and boundaries of the zones defined by this chapter shall be shown and delineated on zoning maps adopted by ordinance.

(2) Changes in the boundaries of the zones, including application or amendment of interim zoning, shall be made by ordinance adopting or amending a zoning map.

(3) Zoning maps are available for public review at the Department of Community Development permit center during business hours. (Amended at request of department 2/08; Ord. 42-02 § 2 (21A.04.190))
Chapter 18.20
TECHNICAL TERMS AND LAND USE DEFINITIONS

Sections:
18.20.005 Scope of chapter.
18.20.007 Abandoned vehicle.
18.20.010 Accessory living quarters.
18.20.015 Accessory use, commercial/industrial.
18.20.020 Accessory use, residential.
18.20.025 Accessory use, resource.
18.20.026 Active recreation space.
18.20.027 Adjustment factor.
18.20.035 Adult entertainment business.
18.20.039 Agricultural drainage.
18.20.040 Agricultural product sales.
18.20.042 Agriculture training facility.
18.20.050 Airport/heliport.
18.20.055 Alley.
18.20.056 Alteration.
18.20.057 Alternative water sources.
18.20.059 Amenity area.
18.20.060 Amusement arcades.
18.20.062 Ancillary wireless communication facility.
18.20.065 Animal, domestic.
18.20.066 Animal unit.
18.20.067 Antenna(s).
18.20.068  Antenna(s) array.
18.20.068.5  Antenna(s), flush-mounted.
18.20.070  Applicant.
18.20.072  Application rate.
18.20.072.5  Aquatic area.
18.20.072.8  Articulate.
18.20.073  Artist studio.
18.20.074  Asphalt plant.
18.20.075  Auction house.
18.20.077  Bank stabilization.
18.20.080  Base flood.
18.20.085  Base flood elevation.
18.20.087  Basement.
18.20.088  Basin plan.
18.20.089.3  Battery charging station.
18.20.089.6  Battery exchange station.
18.20.090  Bed and breakfast guesthouse.
18.20.095  Repealed.
18.20.096  Belt course.
18.20.097  Berm.
18.20.098  Best management practice.
18.20.100  Billboard.
18.20.105  Bioengineering.
18.20.110  Biologist, qualified.
18.20.112  Bog.
18.20.115  Book, stationery, video and art supply store.

18.20.120  Broadleaf tree.

18.20.122  Buffer, critical area.

18.20.123  Buffer and transition zone, downtown.

18.20.125  Building.

18.20.135  Building envelope.

18.20.140  Building facade.

18.20.145  Building, hardware and garden materials store.

18.20.146  Building height.

18.20.150  Bulk gas storage tanks.

18.20.155  Bulk retail.

18.20.157  Business services.

18.20.160  Campground.

18.20.162  Canopy.

18.20.165  Capacity, school.

18.20.170  Capital facilities plan, school.

18.20.171  Capital facilities plan, transportation.

18.20.172  Catastrophic collapse.

18.20.175  Cattery.

18.20.180  Cemetery, columbarium or mausoleum.

18.20.181  Channel.

18.20.181.5  Channel edge.

18.20.182  Channel relocation and stream meander areas.

18.20.183  Channel migration hazard area, moderate.
18.20.184  Channel migration hazard area, severe.
18.20.184.5  Channel migration zone.
18.20.184.8  Charging levels.
18.20.185  Church, synagogue or temple.
18.20.190  Classrooms, school.
18.20.195  Clearing.
18.20.205  Cogeneration.
18.20.207  Commercial recreation.
18.20.210  Communication facility, major.
18.20.215  Communication facility, minor.
18.20.217  Community identification sign.
18.20.220  Community residential facility (CRF).
18.20.223  Commuter parking lot.
18.20.225  Compensatory storage.
18.20.230  Conditional use permit.
18.20.235  Conference center.
18.20.240  Confinement area.
18.20.245  Consolidation.
18.20.247  Construction and trades.
18.20.250  Construction cost per student, school.
18.20.252  Conversion factor.
18.20.252.3  Cornice.
18.20.252.5  Craft sales.
18.20.253  Critical aquifer recharge area.
18.20.254  Critical area.
18.20.255  Critical drainage area.

18.20.260  Repealed.

18.20.262  Daily care.

18.20.265  Day care.

18.20.270  Deciduous.

18.20.275  Density credit, transfer (TDC).

18.20.280  Department.

18.20.285  Department and variety store.

18.20.290  Destination resort.

18.20.295  Developer or applicant.

18.20.300  Development activity.

18.20.305  Development agreement.

18.20.310  Development proposal.

18.20.315  Development proposal site.

18.20.320  Direct traffic impact.

18.20.325  Director.

18.20.327  Ditch.

18.20.329  Dormer.

18.20.330  Dormitory.

18.20.331  Draft flood boundary work map.

18.20.331.5  Drainage.

18.20.332  Drainage basin.

18.20.333  Drainage facility.

18.20.334  Drainage sub-basin.
18.20.334.3  Drive-through.
18.20.335  Drop box facility.
18.20.340  Drug store.
18.20.345  Dwelling unit.
18.20.350  Dwelling unit, accessory.
18.20.355  Dwelling unit, multifamily.
18.20.365  Dwelling unit, single-family attached.
18.20.370  Dwelling unit, single-family detached.
18.20.375  Earth station.
18.20.377  Ecosystem.
18.20.380  Effective radiated power.
18.20.385  Electric scooters and motorcycles.
18.20.385.3  Electric vehicle.
18.20.385.6  Electric vehicle charging station.
18.20.385.9  Electric vehicle charging station – Restricted.
18.20.385.12  Electric vehicle charging station – Public.
18.20.385.15  Electric vehicle infrastructure.
18.20.385.18  Electric vehicle parking space.
18.20.390  Electrical substation.
18.20.392  Emergency.
18.20.393  Emergency care facility.
18.20.395  Energy resource recovery facility.
18.20.397  Engineer, civil, geotechnical and structural.
18.20.400  Enhancement.
18.20.405  Equipment, heavy.
18.20.410  Erosion.
18.20.415  Erosion hazard area.
18.20.418  Essential public facility.
18.20.420  Evergreen.
18.20.425  Examiner.
18.20.427  Expansion.
18.20.430  Fabric shop.
18.20.433  Facade.
18.20.435  Facilities standard.
18.20.440  Factory-built commercial building.
18.20.445  Fairground.
18.20.450  Family.
18.20.451.5  Farmers’ market.
18.20.452  Feasible.
18.20.455  Federal Emergency Management Agency (FEMA) floodway.
18.20.460  Feed store.
18.20.463  Fen.
18.20.465  Fence.
18.20.467  Financial guarantee.
18.20.470  Flood fringe, zero-rise.
18.20.475  Flood hazard area.
18.20.477  Flood hazard boundary map.
18.20.478  Flood hazard data.
18.20.480  Flood insurance rate map.
18.20.485  Flood insurance study for Covington.
18.20.490  Flood protection elevation.
18.20.492  Flood protection facility.
18.20.495  Floodplain.
18.20.500  Floodproofing, dry.
18.20.505  Floodway, zero-rise.
18.20.507  Floor area ratio (FAR).
18.20.510  Florist shop.
18.20.512  Footprint.
18.20.513  Footprint, development.
18.20.515  Forest land.
18.20.520  Forest practice.
18.20.521  Forest practice, Class IV-G nonconversion.
18.20.525  Forest product sales.
18.20.530  Forest research.
18.20.531  Fowl.
18.20.532  Fully accessible.
18.20.533  Fully contained community (FCC).
18.20.535  Furniture and home furnishings store.
18.20.536  Gable roof.
18.20.537  Gambling.
18.20.540  General business service.
18.20.545  Geologist.
18.20.550  Geotechnical engineer.
18.20.555  Golf course facility.
18.20.556  Government services.
18.20.557  Grade.
18.20.560  Grade span.
18.20.565  Grading.
18.20.570  Grazing area.
18.20.575  Ground cover.
18.20.575.5  Groundwater.
18.20.576  Group assembly.
18.20.577  Habitat.
18.20.578  Habitat, fish.
18.20.580  Hazardous household substance.
18.20.582  Hazardous liquid and gas transmission pipeline.
18.20.585  Hazardous substance.
18.20.590  Heavy equipment and truck repair.
18.20.595  Helistop.
18.20.596  Hip roof.
18.20.597  Historic resource.
18.20.598  Historic resource inventory.
18.20.599  Historical flood hazard information.
18.20.599.5  Hive.
18.20.600  Hobby, toy, and game shop.
18.20.605  Home industry.
18.20.610  Home occupation.
18.20.611   Hospital.
18.20.613   Hotel.
18.20.615   Household pets.
18.20.620   Hydroelectric generation facility.
18.20.621   Impact fee.
18.20.622   Impacts.
18.20.625   Impervious surface.
18.20.627   Impoundment.
18.20.630   Improved public roadways.
18.20.632   Improvement.
18.20.635   Individual transportation and taxi.
18.20.636   Industrial, light.
18.20.637   Infiltration rate.
18.20.638   Instream structure.
18.20.640   Interim recycling facility.
18.20.641   Interlocal agreement.
18.20.641.5  Invasive vegetation.
18.20.642   Irrigation efficiency.
18.20.645   Jail.
18.20.650   Jail farm.
18.20.655   Jewelry store.
18.20.658   Joint use driveway.
18.20.659   Joint use parking.
18.20.660   Kennel.
18.20.661   Kick plate.
18.20.662 Kitchen or kitchen facility.
18.20.665 Landfill.
18.20.667 Landscape water features.
18.20.670 Landscaping.
18.20.675 Landslide.
18.20.680 Landslide hazard area.
18.20.682 Large format retail trade and services.
18.20.683A Letter of map amendment.
18.20.683B Letter of map revision.
18.20.685 Level of service (LOS), traffic.
18.20.690 Light equipment.
18.20.695 Livestock.
18.20.697 Livestock facility.
18.20.700 Livestock, large.
18.20.705 Livestock sales.
18.20.710 Livestock, small.
18.20.715 Loading space.
18.20.720 Log storage.
18.20.725 Lot.
18.20.727 Lot frontage.
18.20.730 Lot line, interior.
18.20.732 Low impact development.
18.20.733 Maintenance.
18.20.735 Manufactured home.
18.20.740  Manufactured home park.
18.20.741  Manufacturing, heavy.
18.20.742  Manufacturing, light.
18.20.743  Mapping partner.
18.20.744  Marijuana.
18.20.744.1  Marijuana processor.
18.20.744.2  Marijuana producer.
18.20.744.3  Marijuana retail outlet.
18.20.744.4  Marijuana retailer.
18.20.744.5  Marijuana-infused products.
18.20.744.6  Marijuana, useable.
18.20.745  Marina.
18.20.748  Market manager.
18.20.749  Mass.
18.20.750  Material error.
18.20.750.5  Medical office.
18.20.751  Microwave.
18.20.752  Mitigation.
18.20.753  Mitigation bank.
18.20.755  Mitigation banking.
18.20.757  Maximum extent practical.
18.20.760  Mixed-use development.
18.20.765  Monitoring.
18.20.770  Monuments, tombstones, and gravestones sales.
18.20.775  Motor vehicle and bicycle manufacturing.
18.20.780 Motor vehicle, boat and mobile home dealer.
18.20.782 Mulch.
18.20.783 Museum.
18.20.785 Municipal water production.
18.20.790 Native vegetation.
18.20.795 Naturalized species.
18.20.797 Net buildable area.
18.20.800 Nonconformance.
18.20.805 Nonhydroelectric generation facility.
18.20.810 Non-ionizing electromagnetic radiation (NIER).
18.20.815 Noxious weed.
18.20.816 Nursing and personal care facility.
18.20.817 Off-street required parking lot.
18.20.819 Open space.
18.20.820 Open-work fence.
18.20.825 Ordinary high water mark.
18.20.827 Outdoor commercial.
18.20.829 Outdoor performance center.
18.20.830 Outpatient clinic.
18.20.831 Overburden-cover-to-seam-thickness ratio.
18.20.832 Overspray.
18.20.833 Parapet.
18.20.834 Parcel.
18.20.835 Park.
18.20.840   Park service area.
18.20.845   Parking lot aisle.
18.20.850   Parking lot unit depth.
18.20.855   Parking space.
18.20.860   Parking space angle.
18.20.865   Party of record (POR).
18.20.870   Peak hour.
18.20.872   Pedestrian orientation.
18.20.873   Pedestrian walkway.
18.20.874   Performing arts center.
18.20.875   Permanent school facilities.
18.20.875.5  Person.
18.20.876   Personal service.
18.20.880   Personal medical supply store.
18.20.885   Pet shop.
18.20.890   Photographic and electronic shop.
18.20.893   Physical fitness/recreation club.
18.20.895   Plant associations of infrequent occurrence.
18.20.897   Plant factor.
18.20.898   Preliminary flood insurance rate map.
18.20.899   Potable water.
18.20.899.3  Preapplication.
18.20.899.5  Preliminary flood insurance study.
18.20.899.6  Premises.
18.20.899.7  Prepared food sales.
18.20.900  Private.
18.20.905  Private storm water management facility.
18.20.908  Processed food sales.
18.20.910  Professional office.
18.20.912  Proportionate share.
18.20.915  Public agency.
18.20.920  Public agency animal control facility.
18.20.925  Public agency archive.
18.20.930  Public agency or utility office.
18.20.935  Public agency or utility yard.
18.20.940  Public agency training facility.
18.20.940.5  Public market.
18.20.941  Public road right-of-way structure.
18.20.942  Public street.
18.20.943  Public transportation amenities.
18.20.945  Repealed.
18.20.947  Rapid charging station.
18.20.950  Reasonable use.
18.20.955  Receiving site.
18.20.957  Reclamation.
18.20.960  Recreational vehicle (RV).
18.20.965  Recreational vehicle parks.
18.20.966  Recreation, indoor.
18.20.967  Recreation, outdoor.
18.20.970 Recyclable material.
18.20.972 Reference evapotranspiration (Eto).
18.20.973 Regional road maintenance guidelines.
18.20.975 Repealed.
18.20.980 Regional utility corridor.
18.20.985 Relocatable facilities cost per student.
18.20.990 Relocatable facility.
18.20.995 Relocation facilities.
18.20.997 Repair.
18.20.998 Replace.
18.20.999 Reseller.
18.20.999.5 Residence.
18.20.1000 Restoration.
18.20.1005 Retail, comparison.
18.20.1010 Retail, convenience.
18.20.1010.3 Retail trade and services.
18.20.1011 Retaining wall.
18.20.1012 Road amenities.
18.20.1012.5 Roadway.
18.20.1013 Runoff.
18.20.1015 Salmonid.
18.20.1016 Salmonid migration barrier.
18.20.1020 School bus base.
18.20.1025 School district.
18.20.1030 School district support facility.
18.20.1033  Schools, compulsory.

18.20.1035  Schools, elementary, and middle/junior high.

18.20.1040  Schools, secondary or high school.

18.20.1042  Scour.

18.20.1045  Seismic hazard areas.

18.20.1050  Self-service storage facility.

18.20.1055  Sending site.

18.20.1060  Senior citizen.

18.20.1062  Senior citizen assisted housing.

18.20.1065  Repealed.

18.20.1068  Service area.

18.20.1070  Setback.

18.20.1072  Shelter, animal.

18.20.1075  Shelters for temporary placement.

18.20.1080  Shooting range.

18.20.1083  Shoreline.

18.20.1084  Side channel.

18.20.1085  Sign.

18.20.1090  Sign, awning.

18.20.1095  Sign, changing message center.

18.20.1100  Sign, community bulletin board.

18.20.1105  Sign, directional.

18.20.1110  Sign, freestanding.

18.20.1115  Sign, fuel price.
18.20.1120  Sign, incidental.
18.20.1125  Sign, indirectly illuminated.
18.20.1130  Sign, monument.
18.20.1135  Sign, off-premises directional.
18.20.1140  Sign, on-premises.
18.20.1145  Sign, permanent residential development identification.
18.20.1150  Sign, portable.
18.20.1155  Sign, projecting.
18.20.1160  Sign, time and temperature.
18.20.1165  Sign, wall.
18.20.1166  Significant gap in service, wireless communications.
18.20.1167  Significant tree.
18.20.1170  Site.
18.20.1172  Site area.
18.20.1175  Site cost per student.
18.20.1177  SITUS file.
18.20.1178  Slope.
18.20.1185  Soil recycling facility.
18.20.1190  Source-separated organic material.
18.20.1195  Special use permit.
18.20.1200  Specialized instruction school.
18.20.1210  Sporting goods store.
18.20.1215  Sports club.
18.20.1220  Stable.
18.20.1225  Standard of service, school districts.
18.20.1230 Steep slope hazard areas.
18.20.1231 Stormwater.
18.20.1232 Stormwater management facility.
18.20.1233 Stormwater manuals.
18.20.1235 Stream functions.
18.20.1240 Stream.
18.20.1245 Street.
18.20.1250 Street frontage.
18.20.1252 Street wall.
18.20.1255 Structure.
18.20.1256 Structure, electrical transmission.
18.20.1257 Structured parking.
18.20.1260 Student factor.
18.20.1265 Submerged land.
18.20.1266 Substantial improvement.
18.20.1267.3 Surface water.
18.20.1267.5 Repealed.
18.20.1268 Surface water discharge.
18.20.1268.5 System improvements.
18.20.1269 TDC.
18.20.1270 TDC amenities.
18.20.1271 TDC bank fund.
18.20.1272 TDC conversion ratio.
18.20.1273 TDC executive board.
18.20.1274 Temporary lodging/hotel.
18.20.1275 Temporary use permit.
18.20.1277 Theater.
18.20.1278 Theatrical production services.
18.20.1280 Tightline sewer.
18.20.1282 Tower, guy.
18.20.1283 Tower, lattice.
18.20.1283.5 Tower, monopole.
18.20.1284 Tower, wireless communication facility.
18.20.1284.5 Tower-mounted facilities.
18.20.1285 Trails.
18.20.1290 Transfer station.
18.20.1295 Transit base.
18.20.1305 Transitional housing facilities.
18.20.1315 Transmission line booster station.
18.20.1330 Transportation system management (TSM).
18.20.1331 Tree, hazard.
18.20.1332 Trough subsidence.
18.20.1335 Ultimate roadway section.
18.20.1340 Undeveloped parcel.
18.20.1345 Use.
18.20.1347 Utility corridor.
18.20.1348 Utility facility.
18.20.1349 Utility facility, major.
18.20.1350 Utility facility, minor.
18.20.1351 Utility pole.
18.20.1352 Vactor waste.
18.20.1353 Vactor waste receiving facility.
18.20.1355 Variance.
18.20.1360 Vegetation.
18.20.1365 Vocational school.
18.20.1375 Warehousing and wholesale trade.
18.20.1380 Wastewater treatment facility.
18.20.1382 Repealed.
18.20.1385 Water dependent use.
18.20.1390 Wet meadow, grazed or tilled.
18.20.1393 Wetland complex.
18.20.1394 Wetland creation.
18.20.1395 Wetland edge.
18.20.1397 Wetland enhancement.
18.20.1400 Wetland, forested.
18.20.1405 Wetland functions.
18.20.1410 Wetland, isolated.
18.20.1415 Wetland.
18.20.1416 Wetland reestablishment.
18.20.1417 Wetland rehabilitation.
18.20.1418 Wetland vegetation class.
18.20.1420 Wetpond.
18.20.1422 Wildlife.
18.20.1423  Wildlife habitat conservation area.

18.20.1424  Wildlife habitat network.

18.20.1425  Wildlife shelter.

18.20.1426  Wireless communication facility.

18.20.1427  Wireless communication facility, building-mounted.

18.20.1428  Wireless communication facility, concealed facility.

18.20.1429  Wireless communication facility equipment enclosure.

18.20.1429.1  Wireless communication facility equipment compound.

18.20.1429.2  Wireless communication facility, feed lines or coaxial cables.

18.20.1429.3  Wireless telecommunication carrier.

18.20.1430  Work release facility.

18.20.1432  Wrecked, dismantled or inoperative vehicle.

18.20.1435  Yard or organic waste processing facility.

18.20.005 Scope of chapter.
This chapter contains definitions of technical and procedural terms used throughout the code and definitions of land uses listed in tables in Chapter 18.25 CMC. The definitions in this chapter supplement the Standard Industrial Classification Manual (SIC). See Chapter 18.10 CMC for rules on interpretation of the code, including use of these definitions. Development standards are found in Chapters 18.30 through 18.100 CMC. (Ord. 05-15 § 1 (Exh. A); Ord. 42-02 § 2 (21A.06.005))

18.20.007 Abandoned vehicle.
An “abandoned vehicle” means any vehicle left upon the property of another without the consent of the owner of such property for a period of 24 hours or longer, except that a vehicle shall not be considered abandoned if its owner or operator is unable to remove it from the place where it is located and so notifies law enforcement officials and requests assistance. (Ord. 42-02 § 2 (21A.06.007))

18.20.010 Accessory living quarters.
“Accessory living quarters” means living quarters in an accessory building for the use of the occupant or persons employed on the premises, or for temporary use of guests of the occupant. Such quarters have no kitchen and are not otherwise used as a separate dwelling unit. (Ord. 42-02 § 2 (21A.06.010))
18.20.015 Accessory use, commercial/industrial.
"Accessory use, commercial/industrial" means:

(1) A use that is subordinate and incidental to a commercial or industrial use, including but not limited to the following uses:

   (a) Administrative offices;
   
   (b) Employee exercise facilities;
   
   (c) Employee food service facilities;
   
   (d) Incidental storage of raw materials and finished products sold or manufactured on-site;
   
   (e) Business owner or caretaker residence;
   
   (f) Cogeneration facilities;
   
   (g) Ground maintenance facilities; and
   
   (h) Electric vehicle charging stations.

(2) Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval. (Ord. 19-11 § 1 (Exh. 1); Ord. 42-02 § 2 (21A.06.015))

18.20.020 Accessory use, residential.
"Accessory use, residential" means:

(1) A use, structure, or activity which is subordinate and incidental to a residence including but not limited to the following uses:

   (a) Accessory living quarters and dwellings;
   
   (b) Fallout/bomb shelters;
   
   (c) Keeping household pets;
   
   (d) On-site rental office;
   
   (e) Pools, private docks, piers;
   
   (f) Antennas for private telecommunication services;
   
   (g) Storage of yard maintenance equipment;
   
   (h) Storage of private vehicles, e.g., motor vehicles, boats, trailers or planes;
(i) Greenhouses; or
(j) Electric vehicle charging stations.

(2) Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval. (Ord. 19-11 § 1 (Exh. 1); Ord. 42-02 § 2 (21A.06.020))

18.20.025 Accessory use, resource.
“Accessory use, resource” means:

(1) A use, structure, or part of a structure, which is customarily subordinate and incidental to a resource use including, but not limited to, the following uses:

(a) Housing of agricultural workers; or
(b) Storage of agricultural products or equipment used on site.

(2) Some accessory uses within the scope of this section may be defined separately to enable the code to apply different conditions of approval. (Ord. 42-02 § 2 (21A.06.025))

18.20.026 Active recreation space.
“Active recreation space” means recreation space that recognizes a higher level of public use than passive recreation space, and that will be developed for organized or intense recreation. Active recreation space includes both the active recreation uses and all necessary support services and facilities. (Ord. 42-02 § 2 (21A.06.026))

18.20.027 Adjustment factor.
“Adjustment factor” means a factor that, when applied to the reference evapotranspiration, adjusts for plant factors and irrigation efficiently. (Ord. 42-02 § 2 (21A.06.027))

18.20.035 Adult entertainment business.
“Adult entertainment business” means an adult club, adult arcade or adult theater as those terms are defined in the adult entertainment licensing provisions in CMC Title 5. (Ord. 42-02 § 2 (21A.06.035))

18.20.039 Agricultural drainage.
“Agricultural drainage” means any stream, ditch, tile system, pipe or culvert primarily used to drain fields for horticultural or livestock activities. (Ord. 14-05 § 3)

18.20.040 Agricultural product sales.
“Agricultural product sales” means the retail sale of items resulting form the practice of agriculture, including crops such as fruits, vegetables, grains, seed, feed, and plants, or animal products such as eggs, milk, and meat. (Ord. 42-02 § 2 (21A.06.040))
18.20.042 Agriculture training facility.
"Agriculture training facility" means an establishment developed for use by the property owner, its employees, and/or agricultural trainees for training activities which are related to or supportive of the agricultural use of the property and surrounding agricultural activities. Agriculture training facilities may include overnight lodging, meeting rooms, and educational activities. (Ord. 42-02 § 2 (21A.06.042))

18.20.050 Airport/heliport.
"Airport/heliport" means any runway, landing area or other facility, excluding facilities for the primary use of the individual property owner which are classified as helistops, designed or used by public carriers or private aircraft for the landing and taking off of aircraft, including the following associated facilities:

(1) Taxiways;
(2) Aircraft storage and tie-down areas;
(3) Hangars;
(4) Servicing; and
(5) Passenger and air freight terminals. (Ord. 42-02 § 2 (21A.06.050))

18.20.055 Alley.
"Alley" means an improved thoroughfare or right-of-way, whether public or private, usually narrower than a street, that provides vehicular access to an interior boundary of one or more lots, and is not designed for general traffic circulation. (Ord. 42-02 § 2 (21A.06.055))

18.20.056 Alteration.
"Alteration" means any human activity that results or is likely to result in an impact upon the existing condition of a critical area or its buffer. "Alteration" includes, but is not limited to, grading, filling, dredging, channelizing, applying herbicides or pesticides or any hazardous substance, discharging pollutants except storm water, grazing domestic animals, paving, constructing, applying gravel, modifying topography for surface water management purposes, cutting, pruning, topping, trimming, relocating or removing vegetation or any other human activity that results or is likely to result in an impact to existing vegetation, hydrology, fish or wildlife or their habitats. "Alteration" does not include passive recreation such as walking, fishing or any other similar activities. (Ord. 14-05 § 3)

18.20.057 Alternative water sources.
"Alternative water sources" means stored rainwater, or treated or recycled wastewater of a quality suitable for uses such as landscape irrigation. Such water is not considered potable. (Ord. 42-02 § 2 (21A.06.057))
18.20.059 Amenity area.
“Amenity area” means the portion of the street right-of-way between the curb and the clear walk zone of the sidewalk where trees, lighting, and street furnishings are often located. (Ord. 10-10 § 3 (Exh. C))

18.20.060 Amusement arcades.
“Amusement arcades” means a building or part of a building in which five or more pinball machines, video games, or other such player-operator amusement devices (excluding juke boxes or gambling-related machines) are operated. (Ord. 42-02 § 2 (21A.06.060))

18.20.062 Ancillary wireless communication facility.
“Ancillary wireless communication facilities” means any facilities, component, part, equipment, mounting hardware, feed lines, or appurtenance associated with, attached to, or a part of a tower, pole, antenna, ancillary structures, equipment enclosures, or facilities equipment compound, and located within, above, or below the facilities equipment compound. Also includes any form of development associated with a wireless communications facility, including but not limited to foundations, concrete slabs on grade, guy anchors and transmission cable supports. (Ord. 09-12 § 2 (Exh. B))

18.20.065 Animal, domestic.
“Animal, domestic” means any animal other than livestock that lives and breeds in a tame condition including, but not limited to: dogs, cats, small birds, hares, rabbits, hamsters, guinea pigs, nonvenomous reptiles and amphibians, and other animals normally associated with a dwelling unit which are kept as household pets. (Ord. 05-15 § 1 (Exh. A); Ord. 42-02 § 2 (21A.06.065))

18.20.066 Animal unit.
“Animal unit” means one equine or bovine, two ponies, or five small livestock. (Ord. 05-15 § 1 (Exh. A))

18.20.067 Antenna(s).
“Antenna(s)” means any exterior system of electromagnetically tuned wires, poles, rods, reflecting disks, or similar devices used to transmit or receive electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, or other communication signals between terrestrial and/or orbital based points, including without limitation: directional antennas (also known as “panel” antennas) that transmit and receive radio frequency signals in a specific directional pattern of less than 360 degrees; omnidirectional antennas (also known as “whip” antennas) that transmit and receive radio frequency signals in a 360-degree radial pattern, but does not include antennas utilized specifically for television reception; and parabolic antennas (also known as “dish” antennas) that are bowl-shaped devices for the reception and/or transmission of radio frequency communication signals in a specific directional pattern. (Ord. 09-12 § 2 (Exh. B); Ord. 42-02 § 2 (21A.06.067))
18.20.068 Antenna(s) array.
“Antenna(s) array” means one or more antennas and their associated ancillary facilities that share a common attachment device, such as a mounting frame or mounting support. (Ord. 09-12 § 2 (Exh. B))

18.20.068.5 Antenna(s), flush-mounted.
“Antennas, flush-mounted” are antennas or antenna array attached directly to the face of the tower, pole, or building, such that no portion of the antenna extends above the height of the tower, pole, or building. Where a maximum flush mounting distance is given, that distance shall be measured from the outside edge of the support structure or building to the inside edge of the antenna. (Ord. 09-12 § 2 (Exh. B))

18.20.070 Applicant.
“Applicant” means a property owner, a public agency or a public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such an easement under RCW 8.08.040, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.070))

18.20.072 Application rate.
“Application rate” means the depth of water applied to an area expressed in inches per hour. (Ord. 42-02 § 2 (21A.06.072))

18.20.072.5 Aquatic area.
“Aquatic area” means any nonwetland water feature including all shorelines of the State, rivers, streams, marine waters, inland bodies of open water including lakes and ponds, reservoirs and conveyance systems and impoundments of these features if any portion of the feature is formed from a stream or wetland and if any stream or wetland contributing flows is not created solely as a consequence of storm water pond construction. “Aquatic area” does not include water features that are entirely artificially collected or conveyed storm or wastewater systems or entirely artificial channels, ponds, pools or other similar constructed water features. (Ord. 14-05 § 3)

18.20.072.8 Articulate.
“Articulate” means to give emphasis to or distinctly identify a particular building element. An articulated facade would be the emphasis of elements on the face of a wall including a change in setback, materials, texture, color, roof pitch, or height. (Ord. 10-10 § 3 (Exh. C))

18.20.073 Artist studio.
“Artist studio” means an establishment providing a place solely for the practice or rehearsal of various performing or creative arts including, but not limited to, acting, dancing, singing, drawing, painting and sculpting. (Ord. 42-02 § 2 (21A.06.073))

18.20.074 Asphalt plant.
“Asphalt plant” means any facility involved in the manufacturing and/or distribution of asphalt concrete and similar products. (Ord. 10-10 § 3 (Exh. C))

18.20.075 Auction house.
“Auction house” means an establishment where the property of others is sold by a broker or auctioneer to persons who attend scheduled sales periods or events. (Ord. 42-02 § 2 (21A.06.075))

18.20.077 Bank stabilization.
“Bank stabilization” means an action taken to minimize or avoid the erosion of materials from the banks of rivers and streams. (Ord. 14-05 § 3)

18.20.080 Base flood.
“Base flood” means a flood having a one percent chance of being equaled or exceeded in any given year, often referred to as the “100-year flood.” (Ord. 42-02 § 2 (21A.06.080))

18.20.085 Base flood elevation.
“Base flood elevation” means the water surface elevation of the base flood in relation to the National Geodetic Vertical Datum of 1929. (Ord. 42-02 § 2 (21A.06.085))

18.20.087 Basement.
“Basement” means for purposes of development proposals in a flood hazard area, any area of a building where the floor subgrade is below ground level on all sides. (Ord. 14-05 § 3)

18.20.088 Basin plan.
“Basin plan” means a plan and all implementing regulations and procedures including, but not limited to, capital projects, public education activities and land use management regulations adopted by ordinance for managing surface and stormwater within the basin. (Ord. 26-16 § 12)

18.20.089.3 Battery charging station.
“Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meet or exceed any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 19-11 § 1 (Exh. 1))

18.20.089.6 Battery exchange station.
“Battery exchange station” means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 19-11 § 1 (Exh. 1))

18.20.090 Bed and breakfast guesthouse.
“Bed and breakfast guesthouse” means a dwelling unit or accessory building within which bedrooms
are available for paying guests. (Ord. 42-02 § 2 (21A.06.090))

18.20.095 Beehive.
Repealed by Ord. 05-15. (Ord. 42-02 § 2 (21A.06.095))

18.20.096 Belt course.
“Belt course” means a molding or projecting course running horizontally along the face of a building. A course may be comprised of stone, tile, brick, or other material. (Ord. 10-10 § 3 (Exh. C))

18.20.097 Berm.
“Berm” means a mound or raised area used for the purpose of screening a site or operation. (Ord. 08-13 § 3 (Exh. A); Ord. 42-02 § 2 (21A.06.097))

18.20.098 Best management practice.
“Best management practice” means a schedule of activities, prohibitions of practices, physical structures, maintenance procedures and other management practices undertaken to reduce pollution or to provide habitat protection or maintenance. (Ord. 14-05 § 3)

18.20.100 Billboard.
“Billboard” means a sign, including both the supporting structural framework and attached billboard faces, used principally for advertising a business activity, use, product, or service unrelated to the primary use or activity of the property on which the billboard is located, excluding off-premises directional or temporary real estate signs. (Ord. 42-02 § 2 (21A.06.100))

18.20.105 Bioengineering.
“Bioengineering” means the use of vegetation and other natural materials such as soil, wood and rock to stabilize soil, typically against slides and stream flow erosion. When natural materials alone do not possess the needed strength to resist hydraulic and gravitational forces, “bioengineering” may consist of the use of natural materials integrated with human-made fabrics and connecting materials to create a complex matrix that joins with in-place native materials to provide erosion control. (Ord. 14-05 § 3)

18.20.110 Biologist, qualified.
“Qualified biologist” means a person with training and experience in the scientific discipline, and who is a qualified scientific expert with expertise in streams, wetlands or lakes subject matter in accordance with WAC 365-195-905(4). A qualified professional must have obtained a bachelor of science degree in the biological sciences from an accredited college or university or who has equivalent educational training and professional experience related to the subject of habitat or species. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.110))

18.20.112 Bog.
“Bog” means a wetland that has no significant inflows or outflows and supports acidophilic mosses, particularly sphagnum. (Ord. 14-05 § 3)
18.20.115 Book, stationery, video and art supply store.
"Book, stationery, video and art supply store" means an establishment engaged in the retail sale of books and magazines, stationery, records and tapes, video and art supplies and is classified as a retail trade and service. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.115))

18.20.120 Broadleaf tree.
"Broadleaf tree" means a tree characterized by leaves that are broad in width and may include both deciduous and evergreen species. (Ord. 42-02 § 2 (21A.06.120))

18.20.122 Buffer, critical area.
"Buffer" means a designated area contiguous to a steep slope or landslide hazard area intended to protect slope stability, attenuation of surface water flows and landslide hazards, or a designated area contiguous to and intended to protect and be an integral part of an aquatic area or wetland. (Ord. 10-10 § 3 (Exh. C); Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.122))

18.20.123 Buffer and transition zone, downtown.
"Buffer and transition zone" means an area provided to reduce impacts between two different land uses in the downtown zones. Buffer and transition zones are intended to mitigate undesirable views, noises or glare. They include but are not limited to plant materials, walls, fences and/or significant land area to separate uses. (Ord. 10-10 § 3 (Exh. C))

18.20.125 Building.
"Building" means any structure having a roof. (Ord. 42-02 § 2 (21A.06.125))

18.20.135 Building envelope.
"Building envelope" means area of a lot that delineates the limits of where a building may be placed on the lot. (Ord. 42-02 § 2 (21A.06.135))

18.20.140 Building facade.
"Building facade" means that portion of any exterior elevation of a building extending from the grade of the building to the top of the parapet wall or eaves, for the entire width of the building elevation. (Ord. 42-02 § 2 (21A.06.140))

18.20.145 Building, hardware and garden materials store.
"Building, hardware and garden materials store" means an establishment engaged in selling lumber and other building materials, feed, or lawn and garden supplies including, but not limited to, uses located in SIC Major Group No. 52 – Building materials, hardware, garden supply, excluding mobile home dealers. (Ord. 42-02 § 2 (21A.06.145))

18.20.146 Building height.
"Building height" means the height of a structure measured from the average finished grade at a point five feet from the average building face to the finished roof surface, excluding parapets, equipment rooms, equipment enclosures, equipment penthouses, towers, window washing
equipment, stairway penthouses and similar areas. (Ord. 10-10 § 3 (Exh. C))

18.20.150 Bulk gas storage tanks.
“Bulk gas storage tanks” means a tank from which illuminating, heating, or liquefied gas is distributed by piping directly to individual users. (Ord. 42-02 § 2 (21A.06.150))

18.20.155 Bulk retail.
“Bulk retail” means an establishment offering the sale of bulk goods to the general public, including limited sales to wholesale customers. These establishments offer a variety of lines of merchandise including but not limited to: food, building, hardware and garden materials, dry goods, apparel and accessories, home furnishings, housewares, drugs, auto supplies, hobby, toys, games, photographic, and electronics. (Ord. 42-02 § 2 (21A.06.155))

18.20.157 Business services.
“Business services” means goods and services provided by specialized firms to other firms, including, but not limited to, accounting, design, maintenance, printing, and supply of temporary personnel, etc. (Ord. 10-10 § 3 (Exh. C))

18.20.160 Campground.
“Campground” means an area of land developed for recreational use in temporary occupancy, such as: tents or recreational vehicles without hook-up facilities. (Ord. 42-02 § 2 (21A.06.160))

18.20.162 Canopy.
“Canopy” means an architectural projection that provides weather protection, identity or decoration and is supported by the building to which it is attached. A canopy is comprised of a rigid structure over which a rigid covering is attached. (Ord. 10-10 § 3 (Exh. C))

18.20.165 Capacity, school.
“Capacity, school” means the number of students a school district’s facilities can accommodate district-wide, based on the district’s standard of service, as determined by the school district. (Ord. 42-02 § 2 (21A.06.165))

18.20.170 Capital facilities plan, school.
“Capital facilities plan, school” means a district’s facilities plan adopted by the Kent School District school board. (Ord. 16-16 § 4; Ord. 42-02 § 2 (21A.06.170))

18.20.171 Capital facilities plan, transportation.
“Capital facilities plan, transportation” means the transportation capital facilities plan adopted by the City of Covington’s comprehensive plan. (Ord. 16-16 § 5)

18.20.172 Catastrophic collapse.
“Catastrophic collapse” means the collapse of the ground surface by overburden caving into underground voids created by mining. Catastrophic collapse does not include the effects from
trough subsidence. (Ord. 42-02 § 2 (21A.06.172))

18.20.175 Cattery.
“Cattery” means a place where adult cats are temporarily boarded for compensation, whether or not for training. An adult cat is of either sex, altered or unaltered, that has reached the age of six months. (Ord. 42-02 § 2 (21A.06.175))

18.20.180 Cemetery, columbarium or mausoleum.
“Cemetery, columbarium or mausoleum” means land or structures used for interment of the dead or their remains. For purposes of the code, pet cemeteries are considered a subclassification of this use. (Ord. 42-02 § 2 (21A.06.180))

18.20.181 Channel.
“Channel” means a feature that contains and was formed by periodically or continuously flowing water confined by banks. (Ord. 14-05 § 3)

18.20.181.5 Channel edge.
“Channel edge” means the outer edge of the water’s bankfull width or, where applicable, the outer edge of the associated channel migration zone. (Ord. 14-05 § 3)

18.20.182 Channel relocation and stream meander areas.
“Channel relocation and stream meander areas” means those areas subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion, and shifts in the location of stream channels. (Ord. 42-02 § 2 (21A.06.182))

18.20.183 Channel migration hazard area, moderate.
“Channel migration hazard area, moderate” means a portion of the channel migration zone, as shown on King County’s channel migration zone maps, that lies between the severe channel migration hazard area and the outer boundaries of the channel migration zone. (Ord. 14-05 § 3)

18.20.184 Channel migration hazard area, severe.
“Channel migration hazard area, severe” means a portion of the channel migration zone, as shown on Covington’s channel migration zone maps when adopted, that includes the present channel. The total width of the severe channel migration hazard area equals 100 years times the average annual channel migration rate, plus the present channel width. The average annual channel migration rate as determined in the technical report is the basis for each channel migration zone map. (Ord. 14-05 § 3)

18.20.184.5 Channel migration zone.
“Channel migration zone” means those areas within the lateral extent of likely stream channel movement that are subject to risk due to stream bank destabilization, rapid stream incision, stream bank erosion and shifts in the location of stream channels, as shown on Covington’s channel migration zone maps. “Channel migration zone” means the corridor that includes the present
channel, the severe channel migration hazard area and the moderate channel migration hazard area. “Channel migration zone” does not include areas that lie behind an arterial road, a public road serving as a sole access route, a State or Federal highway or a railroad. “Channel migration zone” may exclude areas that lie behind a lawfully established flood protection facility that is likely to be maintained by existing programs for public maintenance consistent with designation and classification criteria specified by public rule. When a natural geologic feature affects channel migration, the channel migration zone width will consider such natural constraints. (Ord. 14-05 § 3)

18.20.184.8 Charging levels.
“Charging levels” means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms 1, 2, and 3 are the most common EV charging levels, and include the following specifications:

(1) Level 1 is considered slow charging.

(2) Level 2 is considered medium charging.

(3) Level 3 is considered fast or rapid charging. (Ord. 19-11 § 1 (Exh. 1))

18.20.185 Church, synagogue or temple.
“Church, synagogue or temple” means a place where religious services are conducted, including those uses located in SIC Industry No. 866 and including accessory uses in the primary or accessory buildings such as religious education, reading rooms, assembly rooms, and residences for nuns and clergy. This definition does not include facilities for training of religious orders. (Ord. 42-02 § 2 (21A.06.185))

18.20.190 Classrooms, school.
“Classrooms, school” means educational facilities of the district required to house students for its basic educational program. The classrooms are those facilities the district determines are necessary to best serve its student population. Specialized facilities as identified by the district, including but not limited to gymnasiums, cafeterias, libraries, administrative offices, and childcare centers, shall not be counted as classrooms. (Ord. 42-02 § 2 (21A.06.190))

18.20.195 Clearing.
“Clearing” means the limbing, pruning, trimming, tipping, cutting, or removal of vegetation or other organic plant matter by physical, mechanical, chemical or other means. (Ord. 08-13 § 3 (Exh. A); Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.195))

18.20.205 Cogeneration.
“Cogeneration” means the sequential generation of energy and useful heat from the same primary source or fuel for industrial, commercial, or residential heating or cooling purposes. (Ord. 42-02 § 2 (21A.06.205))
18.20.207 Commercial recreation.
"Commercial recreation" means any recreational activity whose main purpose is to provide the general public with indoor or outdoor amusement or entertainment activities, tickets are sold or fees collected, and the sale or consumption of alcoholic beverages is not permitted. This includes, but is not limited to, skating rinks, pool halls, water slides, miniature golf courses, arcades, bowling alleys, go-carts, batting cages, laser tag, concessions, skate park, basketball, street hockey, etc. (Ord. 42-02 § 2 (21A.06.207))

18.20.210 Communication facility, major.
"Major communication facility" means a communication facility for transmission and reception of:

1. UHF and VHF television signals; or
2. FM or AM radio signals. (Ord. 42-02 § 2 (21A.06.210))

18.20.215 Communication facility, minor.
"Minor communication facility" means a communication facility for transmission and reception of:

1. Two-way and/or citizen band (CB) radio signals;
2. Point-to-point microwave signals;
3. Cellular radio signals;
4. Signals through FM radio translators; or
5. Signals through FM radio boosters under 10 watts effective radiated power (ERP). (Ord. 42-02 § 2 (21A.06.215))

18.20.217 Community identification sign.
"Community identification sign" means a sign identifying the location of a community or geographic area such as unincorporated activity centers or rural towns designated by the comprehensive plan or communities recognized and delineated by a recognized unincorporated area Council. (Ord. 42-02 § 2 (21A.06.217))

18.20.220 Community residential facility (CRF).
"Community residential facility (CRF)" means living quarters meeting applicable Federal and State standards that function as a single housekeeping unit and provide supportive services, including but not limited to counseling, rehabilitation and medical supervision, excluding drug and alcohol detoxification which is classified in CMC 18.25.050 as health services. CRFs are further classified as follows:

1. CRF-I: means nine to 10 residents and staff;
2. CRF-II: 11 or more residents and staff.
If staffed by nonresident staff, each 24 staff hours per day equals one full-time residing staff member for purposes of subclassifying CRFs. (Ord. 42-02 § 2 (21A.06.220))

18.20.223 Commuter parking lot.
“Commuter parking lot” means vehicle parking specifically for the purpose of access to a public transit system or for users of carpools or vanpools. (Ord. 42-02 § 2 (21A.06.223))

18.20.225 Compensatory storage.
“Compensatory storage” means new, excavated storage volume equivalent to any flood storage which is eliminated by building filling or grading within the floodplain. For the purpose of this definition, equivalent flood storage capacity is that which is replaced by equal volume between corresponding one-foot contour intervals which are hydraulically connected to the floodway through their entire depth. (Ord. 42-02 § 2 (21A.06.225))

18.20.230 Conditional use permit.
“Conditional use permit” means a permit granted by the City to locate a permitted use on a particular property subject to conditions placed on the permitted use to ensure compatibility with nearby land uses. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.230))

18.20.235 Conference center.
“Conference center” means an establishment developed primarily as a meeting facility, including only facilities for recreation, overnight lodging, and related activities provided for conference participants. (Ord. 42-02 § 2 (21A.06.235))

18.20.240 Confinement area.
“Confinement area” is any open land area in which livestock are kept where the forage does not meet the definition of a grazing area. (Ord. 42-02 § 2 (21A.06.240))

18.20.245 Consolidation.
“Consolidation” means the relocation to a consolidated transmission structure of the main transmit antennas of two or more FCC broadcast licensees which prior to such relocation utilized transmission structures located within a 1,500-foot radius of the center of the consolidated transmission structure to support their main transmit antennas. (Ord. 42-02 § 2 (21A.06.245))

18.20.247 Construction and trades.
“Construction and trades” means establishments that provide services related to construction of buildings and infrastructure, and other improvements to property. Such establishments include, SIC Major Group Nos. 15 through 17, and SIC Industry Group No. 078 – Landscape and horticultural services. (Ord. 42-02 § 2 (21A.06.247))

18.20.250 Construction cost per student, school.
“Construction cost per student, school” means the estimated cost of construction of a permanent school facility in the district for the grade span of school to be provided, as a function of the
district’s facilities standard per grade span and taking into account the requirements of students with special needs. (Ord. 42-02 § 2 (21A.06.250))

18.20.252 Conversion factor.
“Conversion factor” means a number that converts the water budget allowance from acre-inches per acre per year to gallons per square foot per year or cubic feet per year. (Ord. 42-02 § 2 (21A.06.252))

18.20.252.3 Cornice.
“Cornice” means the molded and projecting horizontal member that crowns an architectural composition. (Ord. 10-10 § 3 (Exh. C))

18.20.252.5 Craft sales.
“Craft sales” means the sale of art and craft items crafted by the artist or crafter with his or her own hands, and sold directly by the artist or crafter. Such items do not include commercial kits, molds, patterns, plans, prefabricated forms, or mass-produced items. Craft sales shall be accessory to farmers’ and public markets; provided, that the items are produced in the State of Washington. (Ord. 09-09 § 3)

18.20.253 Critical aquifer recharge area.
“Critical aquifer recharge area” means an area designated on the critical aquifer recharge area map adopted by CMC 13.37.020 that has a high susceptibility to ground water contamination or an area of medium susceptibility to ground water contamination that is located within a sole source aquifer or within an area approved in accordance with Chapter 246-290 WAC as a wellhead protection area for a municipal or district drinking water system, or an area over a sole source aquifer for a private potable water well in compliance with Department of Ecology and Public Health standards. Susceptibility to ground water contamination occurs where there is a combination of permeable soils, permeable subsurface geology and ground water close to the ground surface. (Ord. 14-05 § 3)

18.20.254 Critical area.
“Critical area” means any area that is subject to natural hazards or a land feature that supports unique, fragile or valuable natural resources including fish, wildlife or other organisms or their habitats or such resources that carry, hold or purify water in their natural state. “Critical area” includes the following areas:

(1) Aquatic areas;

(2) Critical aquifer recharge area;

(3) Erosion hazard areas;

(4) Flood hazard areas;
(5) Landslide hazard areas;

(6) Steep slope hazard areas;

(7) Wetlands; and

(8) Wildlife habitat conservation areas. (Ord. 14-05 § 3)

18.20.255 Critical drainage area.
“Critical drainage area” means an area which has been formally determined by the City of Covington Surface Water Management Department to require more restrictive regulation than County-wide standards afford in order to mitigate severe flooding, drainage, erosion or sedimentation problems which result from the cumulative impacts of development and urbanization. (Ord. 42-02 § 2 (21A.06.255))

18.20.260 Critical facility.
Repealed by Ord. 10-10. (Ord. 14-05 § 2; Ord. 06-05 § 1; Ord. 23-04 § 9; Ord. 42-02 § 2 (21A.06.260))

18.20.262 Daily care.
“Daily care” means medical procedures, monitoring and attention that are necessarily provided at the residence of the patient by the primary provider of daily care on a 24-hour basis. (Ord. 42-02 § 2 (21A.06.262))

18.20.265 Day care.
“Day care” means an establishment for group care of nonresident adults or children.

(1) Day care shall include only SIC Industry No. 835 – Child day care services, SIC Industry No. 8322 – Adult day care centers, and the following:

(a) Adult day care, such as adult day health centers or social day care as defined by the Washington State Department of Social and Health Services;

(b) Nursery schools for children under minimum age for education in public schools;

(c) Privately conducted kindergartens or prekindergartens when not a part of a public or parochial school; and

(d) Programs covering after-school care for school children.

(2) Day care establishments are subclassified as follows:

(a) Day care I – a maximum of 12 adults or children in any 24-hour period; and

(b) Day care II – over 12 adults or children in any 24-hour period. (Ord. 42-02 § 2
18.20.270 Deciduous.
“Deciduous” means a plant species with foliage that is shed annually. (Ord. 42-02 § 2 (21A.06.270))

18.20.275 Density credit, transfer (TDC).
“Density credit, transfer (TDC)” means the ability to transfer potentially buildable dwelling units from an eligible sending site to an eligible receiving site as provided in this code. (Ord. 42-02 § 2 (21A.06.275))

18.20.280 Department.
“Department” means the City of Covington Department of Community Development, Public Works or its successor agency. (Ord. 10-10 § 3 (Exh. C); Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.280))

18.20.285 Department and variety store.
“Department and variety store” means an establishment engaged in the retail sale of a variety of lines of merchandise, such as dry goods, apparel and accessories, home furnishings, housewares, including only uses located in SIC Major Group and Industry Nos.:

(1) 53 – General merchandise;

(2) 5947 – Gift, novelty, and souvenir shops; and

(3) 5948 – Luggage and leather goods stores. (Ord. 42-02 § 2 (21A.06.285))

18.20.290 Destination resort.
“Destination resort” means an establishment for resource-based recreation and intended to utilize outdoor recreational opportunities, including related services, such as food, overnight lodging, equipment rentals, entertainment and other conveniences for guests of the resort. (Ord. 42-02 § 2 (21A.06.290))

18.20.295 Developer or applicant.
“Developer” or “applicant” means the person or entity who owns or holds purchase options or other development control over property for which development activity is proposed. (See Applicant, CMC 18.20.070.) (Ord. 42-02 § 2 (21A.06.295))

18.20.300 Development activity.
“Development activity” means any residential construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land that creates additional demand on public infrastructure. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.300))

18.20.305 Development agreement.
“Development agreement” means a recorded agreement between an applicant and City of Covington which incorporates the site plans, development standards, and/or other features of a
development proposal. (Ord. 42-02 § 2 (21A.06.305))

18.20.310 Development proposal.
"Development proposal" means any activities requiring a permit or other approval from the City of Covington relative to the use or development of land. (Ord. 42-02 § 2 (21A.06.310))

18.20.315 Development proposal site.
"Development proposal site" means the legal boundaries of the parcel or parcels of land for which an applicant has or should have applied for authority from City of Covington to carry out a development proposal. (Ord. 42-02 § 2 (21A.06.315))

18.20.320 Direct traffic impact.
"Direct traffic impact" means any increase in vehicle traffic generated by a proposed development, which results in additional daily vehicle trips on any roadway or intersection. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.320))

18.20.325 Director.
"Director" means the Director of City of Covington Department of Community Development, or his or her designee. (Amended at request of department 2/08; Ord. 42-02 § 2 (21A.06.325))

18.20.327 Ditch.
"Ditch" means an artificial open channel used or constructed for the purpose of conveying water. (Ord. 14-05 § 3)

18.20.329 Dormer.
"Dormer" means a structural element of a building that protrudes from the plane of a sloping roof surface. Dormers are used, either in original construction or as later additions, to create usable space in the roof of a building by adding headroom and usually also by enabling addition of windows. (Ord. 10-10 § 3 (Exh. C))

18.20.330 Dormitory.
"Dormitory" means a residential building that provides sleeping quarters, but not separate dwelling units, and may include common dining, cooking and recreation or bathing facilities. (Ord. 42-02 § 2 (21A.06.330))

18.20.331 Draft flood boundary work map.
"Draft flood boundary work map" means a floodplain map prepared by a mapping partner, reflecting the results of a flood study or other floodplain mapping analysis. The draft flood boundary work map depicts floodplain boundaries, regulatory floodway boundaries, base flood elevations and flood cross sections, and provides the basis for the presentation of this information on a preliminary flood insurance rate map or flood insurance rate map. (Ord. 14-05 § 3)

18.20.331.5 Drainage.²
“Drainage” means the collection, conveyance, containment or discharge, or any combination thereof, of surface and stormwater runoff. (Ord. 26-16 § 13)

18.20.332 Drainage basin.
“Drainage basin” means a drainage area that drains to the Green River or other drainage area that drains directly to Puget Sound. (Ord. 14-05 § 3)

18.20.333 Drainage facility.
Drainage Facility. See definition for “stormwater management facility.” (Ord. 26-16 § 14; Ord. 14-05 § 3)

18.20.334 Drainage sub-basin.
“Drainage sub-basin” means a drainage area identified as a drainage sub-basin in a City approved basin plan or, if not identified, a drainage area that drains to a body of water that is named and mapped and contained within a drainage basin. (Ord. 14-05 § 3)

18.20.334.3 Drive-through.
“Drive-through” means any use that provides goods and services using a window or microphone while customers remain in their vehicle. (Ord. 10-10 § 3 (Exh. C)

18.20.335 Drop box facility.
“Drop box facility” means a facility used for receiving solid waste and recyclable from off-site sources into detachable solid waste containers, including the adjacent areas necessary for entrance and exit roads, unloading and vehicle turnaround areas. Drop box facilities normally service the general public with loose loads and may also include containers for separated recyclable. (Ord. 42-02 § 2 (21A.06.335))

18.20.340 Drug store.
“Drug store” means an establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics and related supplies, including only uses located in SIC Industry Group and Industry Nos.:

(1) 591 – Drug stores and proprietary stores;

(2) 5993 – Tobacco stores and stands; and

(3) 5999 – Cosmetics stores. (Ord. 42-02 § 2 (21A.06.340))

18.20.345 Dwelling unit.
“Dwelling unit” means one or more rooms designed for occupancy by a person or family for living and sleeping purposes, containing kitchen facilities and rooms with internal accessibility, for use solely by the dwelling’s occupants; dwelling units include but are not limited to bachelor, efficiency and studio apartments, factory-built housing and mobile homes. (Ord. 42-02 § 2 (21A.06.345))
18.20.350 Dwelling unit, accessory.
“Dwelling unit, accessory” means a separate, complete dwelling unit attached to or contained within the structure of the primary dwelling, or contained within a separate structure that is accessory to the primary dwelling unit on the premises. (Ord. 42-02 § 2 (21A.06.350))

18.20.355 Dwelling unit, multifamily.
“Dwelling unit, multifamily” means a dwelling unit contained in a building consisting of two or more dwelling units which may be stacked, or one or more dwellings included in a structure with nonresidential uses. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.355))

18.20.365 Dwelling unit, single-family attached.
“Dwelling unit, single-family attached” means a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other dwelling units by common walls. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.370). Formerly 18.20.370)

18.20.370 Dwelling unit, single-family detached.
“Dwelling unit, single-family detached” means a detached building containing one dwelling unit. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.365). Formerly 18.20.365)

18.20.375 Earth station.
“Earth station” means a communication facility which transmits and/or receives signals to and from an orbiting satellite using satellite dish antennas. (Ord. 42-02 § 2 (21A.06.375))

18.20.377 Ecosystem.
“Ecosystem” means the complex of a community of organisms and its environment functioning as an ecological unit. (Ord. 14-05 § 3)

18.20.380 Effective radiated power.
“Effective radiated power” means the product of the antenna power input and the numerical antenna power gain. (Ord. 42-02 § 2 (21A.06.380))

18.20.385 Electric scooters and motorcycles.
“Electric scooters and motorcycles” means any two-wheel vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries and produces zero emissions or pollution when stationary or operating. (Ord. 19-11 § 1 (Exh. 1))

18.20.385.3 Electric vehicle.
“Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on-board for motive purpose. “Electric vehicle” includes: (1) a battery electric vehicle; (2) a plug-in hybrid electric vehicle; (3) a neighborhood electric vehicle; and (4) a medium-speed electric vehicle. (Ord. 19-11 § 1 (Exh. 1))

18.20.385.6 Electric vehicle charging station.
“Electric vehicle charging station” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use. (Ord. 19-11 § 1 (Exh. 1))

18.20.385.9 Electric vehicle charging station – Restricted.
“Electric vehicle charging station – restricted” means an electric vehicle charging station that is (1) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking) or (2) publicly owned and restricted (e.g., fleet parking with no access to the general public). (Ord. 19-11 § 1 (Exh. 1))

18.20.385.12 Electric vehicle charging station – Public.
“Electric vehicle charging station – public” means an electric vehicle charging station that is (1) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking) or (2) privately owned and publicly available (e.g., shopping center parking, non-reserved parking in multifamily parking lots). (Ord. 19-11 § 1 (Exh. 1))

18.20.385.15 Electric vehicle infrastructure.
“Electric vehicle infrastructure” means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations. (Ord. 19-11 § 1 (Exh. 1))

18.20.385.18 Electric vehicle parking space.
“Electric vehicle parking space” means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle. (Ord. 19-11 § 1 (Exh. 1))

18.20.390 Electrical substation.
“Electrical substation” means a site containing equipment for the conversion of high voltage electrical power transported through transmission lines into lower voltages transported through distribution lines and suitable for individual users. (Ord. 42-02 § 2 (21A.06.390))

18.20.392 Emergency.
“Emergency” means an occurrence during which there is imminent danger to the public health, safety and welfare, or that poses an imminent risk of property damage or personal injury or death as a result of a natural or human-made catastrophe, as determined by the Director. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.392))

18.20.393 Emergency care facility.
“Emergency care facility” means any facility providing 24-hour emergency medical care. (Ord. 10-10 § 3 (Exh. C))

18.20.395 Energy resource recovery facility.
“Energy resource recovery facility” means an establishment for recovery of energy in a usable form from mass burning or refuse-derived fuel incineration, pyrolysis or any other means of using the heat of combustion of solid waste. (Ord. 42-02 § 2 (21A.06.395))

18.20.397 Engineer, civil, geotechnical and structural.
“Engineer, civil, geotechnical and structural” means:

(1) “Civil engineer” means an engineer who is licensed as a professional engineer in the branch of civil engineering by the State of Washington under Chapter 18.43 RCW;

(2) “Engineering geologist” means a licensed professional by the State of Washington meeting the requirements of Chapter 18.220 RCW; and

(3) “Structural engineer” means an engineer who is licensed as a professional engineer in the branch of structural engineering by the State of Washington under Chapter 18.43 RCW. (Ord. 14-05 § 3)

18.20.400 Enhancement.
“Enhancement” means for the purposes of critical area regulation, an action that improves the processes, structure and functions of ecosystems and habitats associated with critical areas or their buffers. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.400))

18.20.405 Equipment, heavy.
“Equipment, heavy” means high-capacity mechanical devices for moving earth or other materials, and mobile power units including, but not limited to:

(1) Carryalls;

(2) Graders;

(3) Loading and unloading devices;

(4) Cranes;

(5) Drag lines;

(6) Trench diggers;

(7) Tractors;

(8) Augers;

(9) Bulldozers;

(10) Concrete mixers and conveyers;
(11) Harvesters;

(12) Combines; or

(13) Other major agricultural equipment and similar devices operated by mechanical power as distinguished from manpower. (Ord. 42-02 § 2 (21A.06.405))

18.20.410 Erosion.
“Erosion” means the wearing away of the ground surface as the result of the movement of wind, water or ice. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.410))

18.20.415 Erosion hazard area.
“Erosion hazard area” means an area underlain by soils that is subject to severe erosion when disturbed. These soils include, but are not limited to, those classified as having a severe to very severe erosion hazard according to the United States Department of Agriculture Soil Conservation Service, the 1973 King County Soils Survey or any subsequent revisions or addition by or to these sources such as any occurrence of river wash (“Rh”) and any of the following when the soils occur on slopes inclined at 15 percent or more:

(1) The Alderwood gravelly sandy loam ("AgD");

(2) The Alderwood and Kitsap soils ("AkF");

(3) The Beausite gravelly sandy loam ("BeD" and "BeF");

(4) The Kitsap silt loam ("KpD");

(5) The Ovall gravelly loam ("OvD" and "OvF");

(6) The Ragnar fine sandy loam ("RaD"); and

(7) The Ragnar-Indianola Association ("RdE"). (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.415))

18.20.418 Essential public facility.
“Essential public facility” means a facility necessary to protect the public health, safety and welfare, including, but not limited to, a facility defined under the occupancy categories of “essential facilities,” “hazardous facilities,” “critical facilities” and “special occupancy structures” in the structural forces chapter or succeeding chapter in CMC Title 15. Critical facilities also include nursing and personal care facilities, schools, senior citizen assisted housing, public roadway bridges and sites that produce, use or store hazardous substances or hazardous waste, not including the temporary storage of consumer products containing hazardous substances or hazardous waste intended for household use or for retail sale on the site. (Ord. 10-10 § 3 (Exh. C))

18.20.420 Evergreen.
“Evergreen” means a plant species with foliage that persists and remains green year-round. (Ord.
18.20.425 Examiner.
“Examiner” means the Hearing Examiner as established by Chapter 2.25 CMC. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.425))

18.20.427 Expansion.
“Expansion” means the act or process of increasing the size, quantity or scope. (Ord. 14-05 § 3)

18.20.430 Fabric shop.
“Fabric shop” means an establishment engaged in the retail sale of sewing supplies and accessories, including only uses located in SIC Industry Nos.:

(1) 5949 – Sewing, needlework, and piece goods stores; and

(2) Awning shops, banner shops, and flag shops found in 5999. (Ord. 42-02 § 2 (21A.06.430))

18.20.433 Facade.
“Facade” means the portion of any exterior elevation of the building extending from grade to the top of the parapet, wall or eaves and extending the entire length of the building. (Ord. 10-10 § 3 (Exh. C))

18.20.435 Facilities standard.
“Facilities standard” means the space required by grade span, and taking into account the requirements of students with special needs, which is needed in order to fulfill the educational goals of the school district as identified in the district’s capital facilities plan. (Ord. 42-02 § 2 (21A.06.435))

18.20.440 Factory-built commercial building.
“Factory-built commercial building” means any structure that is either entirely or substantially prefabricated or assembled at a place other than a building site; and designed or used for nonresidential human occupancy. (Ord. 42-02 § 2 (21A.06.440))

18.20.445 Fairground.
“Fairground” means a site permanently designated and improved for holding a County fair, as provided in Chapters 15.76 and 36.37 RCW, or for holding similar events, including, but not limited to:

(1) Carnivals;

(2) Circuses;

(3) Expositions;

(4) Animal shows; and
(5) Exhibitions and/or demonstrations of farm and home products with accompanying entertainment and amusements. (Ord. 42-02 § 2 (21A.06.445))

18.20.450 Family.
“Family” means an individual; two or more persons related by blood or marriage; a group of two or more disabled residents protected under the Federal Housing Act Amendments, who are not related by blood or marriage, living together as a single housekeeping unit; a group of eight or fewer residents, who are not related by blood or marriage, living together as a single housekeeping unit; or a group living arrangement where eight or fewer residents receive supportive services such as counseling, foster care, or medical supervision at the dwelling unit by resident or nonresident staff. For purposes of this definition, minors living with parent shall not be counted as part of the maximum number of residents. (Ord. 42-02 § 2 (21A.06.450))

18.20.451.5 Farmers’ market.
“Farmers’ market” means a site where farmers sell locally grown, produced, caught, or gathered fruits, vegetables, herbs, nuts, honey, dairy products, eggs, poultry, mushrooms, meats, fish, flowers, nursery stock, and plants. One hundred percent of the items for sale under this definition must be grown, produced, caught, or gathered in the State of Washington. Up to 30 percent of a farmers’ market’s total number of vendor spaces may consist of resellers and/or accessory uses. (Ord. 09-09 § 3)

18.20.452 Feasible.
“Feasible” means capable of being done or accomplished. (Ord. 14-05 § 3)

18.20.455 Federal Emergency Management Agency (FEMA) floodway.
“Federal Emergency Management Agency floodway” means the channel of the stream and that portion of the adjoining floodplain that is necessary to contain and discharge the base flood flow without increasing the base flood elevation more than one foot. (Ord. 14-05 § 3 [18.20.462]; Ord. 42-02 § 2 (21A.06.455))

18.20.460 Feed store.
“Feed store” means an establishment engaged in retail sale of supplies directly related to the day to day activities of agricultural production. (Ord. 42-02 § 2 (21A.06.460))

“Federal Emergency Management Agency” means the independent Federal agency that, among other responsibilities, oversees the administration of the National Flood Insurance Program. (Ord. 14-05 § 3)

18.20.463 Fen.
“Fen” means a wetland that receives some drainage from surrounding mineral soil and includes peat formed mainly from Carex and marsh-like vegetation. (Ord. 14-05 § 3)
18.20.465 Fence.
“Fence” means a barrier for the purpose of enclosing space or separating lots, composed of:

(1) Masonry or concrete walls, excluding retaining walls; or

(2) Wood, metal or concrete posts connected by boards, rails, panels, wire or mesh. (Ord. 42-02 § 2 (21A.06.465))

18.20.467 Financial guarantee.
“Financial guarantee” means a form of financial security posted to ensure timely and proper completion of improvements, to ensure compliance with the City of Covington Municipal Code, and/or to warranty materials, workmanship of improvements, and design. Financial guarantees include assignments of funds, cash deposit, and surety bonds, and or other forms of financial security acceptable to the Director. For the purposes of this title, the terms performance guarantee, maintenance guarantee, and defect guarantee are considered subcategories of financial guarantee. (Ord. 42-02 § 2 (21A.06.467))

18.20.470 Flood fringe, zero-rise.
“Zero-rise flood fringe” means that portion of the floodplain outside of the zero-rise floodway. The zero-rise flood fringe is generally associated with standing water rather than rapidly flowing water. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.470))

18.20.475 Flood hazard area.
“Flood hazard area” means any area subject to inundation by the base flood or risk from channel migration including, but not limited to, an aquatic area, wetland or closed depression. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.475))

18.20.477 Flood hazard boundary map.
“Flood hazard boundary map” means the initial insurance map issued by FEMA that identifies, based on approximate analyses, the areas of the one percent annual chance, 100-year, flood hazard within the community. (Ord. 14-05 § 3)

18.20.478 Flood hazard data.
“Flood hazard data” means data or any combination of data available from Federal, State or other sources including, but not limited to, maps, critical area studies, reports, historical flood hazard information, channel migration zone maps or studies or other related engineering and technical data that identify floodplain boundaries, regulatory floodway boundaries, base flood elevations, or flood cross sections. (Ord. 14-05 § 3)

18.20.480 Flood insurance rate map.
“Flood insurance rate map” means the insurance and floodplain management map produced by FEMA that identifies, based on detailed or approximate analysis, the areas subject to flooding during the base flood. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.480))
18.20.485 Flood insurance study for Covington.
“Flood insurance study for Covington” means the official report provided by FEMA that includes flood profiles and the flood insurance rate map. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.485))

18.20.490 Flood protection elevation.
“Flood protection elevation” means an elevation that is one foot above the base flood elevation. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.490))

18.20.492 Flood protection facility.
“Flood protection facility” means a structure that provides protection from flood damage. Flood protection facility includes, but is not limited to, the following structures and supporting infrastructure:

1) Dams or water diversions, regardless of primary purpose, if the facility provides flood protection benefits;

2) Flood containment facilities such as levees, dikes, berms, walls and raised banks, including pump stations and other supporting structures; and

3) Bank stabilization structures, often called revetments. (Ord. 14-05 § 3)

18.20.495 Floodplain.
“Floodplain” means the total area subject to inundation by the base flood. (Ord. 42-02 § 2 (21A.06.495))

18.20.500 Floodproofing, dry.
“Dry floodproofing” means adaptations that make a structure that is below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components capable of and with sufficient strength to resist hydrostatic and hydrodynamic loads including buoyancy. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.500))

18.20.505 Floodway, zero-rise.
“Zero-rise floodway” means the channel of a stream and that portion of the adjoining floodplain that is necessary to contain and discharge the base flood flow without any measurable increase in base flood elevation.

1) For the purpose of this definition, “measurable increase in base flood elevation” means a calculated upward rise in the base flood elevation, equal to or greater than 0.01 feet, resulting from a comparison of existing conditions and changed conditions directly attributable to alterations of the topography or any other flow obstructions in the floodplain. “Zero-rise floodway” is broader than that of the FEMA floodway but always includes the FEMA floodway.

2) “Zero-rise floodway” includes the entire floodplain unless a critical areas report demonstrates
18.20.507 Floor area ratio (FAR).
“Floor area ratio (FAR)” means the gross floor area of all buildings permitted on a lot divided by the area of the lot. The permitted building floor area is calculated by multiplying the maximum FAR specified by the zoning district by the total area of the parcel. (Ord. 10-10 § 3 (Exh. C))

18.20.510 Florist shop.
“Florist shop” means an establishment engaged in the retail sale of flowers and plants, including only uses located in SIC Industry Nos.:

(1) 5992 – Florists; and

(2) 5999 – Artificial flowers. (Ord. 42-02 § 2 (21A.06.510))

18.20.512 Footprint.
“Footprint” means the area encompassed by the foundation of a structure including building overhangs if the overhangs do not extend more than 18 inches beyond the foundation and excluding uncovered decks. (Ord. 14-05 § 3)

18.20.513 Footprint, development.
“Footprint, development” means the area encompassed by the foundations of all structures including paved and impervious surfaces. (Ord. 14-05 § 3)

18.20.515 Forest land.
“Forest land” means land devoted primarily to growing and harvesting forest and timber products and designated as a forest production district by the City of Covington comprehensive plan. (Ord. 42-02 § 2 (21A.06.515))

18.20.520 Forest practice.
“Forest practice” means any forest practice as defined in RCW 79.06.020. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.520))

18.20.521 Forest practice, Class IV-G nonconversion.
“Forest practice, Class IV-G nonconversion” means a Class IV general forest practice, as defined in WAC 222-16-050, on a parcel for which there is a City-approved long-term forest management plan. (Ord. 14-05 § 3)

18.20.525 Forest product sales.
“Forest product sales” means the sale of goods produced, extracted, consumed, gathered or harvested from a forest including, but not limited to:

(1) Trees;
(2) Wood chips;

(3) Logs;

(4) Fuel wood;

(5) Cones;

(6) Christmas trees;

(7) Berries;

(8) Herbs; or

(9) Mushrooms. (Ord. 42-02 § 2 (21A.06.525))

18.20.530 Forest research.
“Forest research” means the performance of scientific studies relating to botany, hydrology, silviculture, biology and other branches of science in relation to management of forest lands, including only uses located in SIC Industry Nos.:

(1) 8731 – Commercial physical and biological research;

(2) 8733 – Noncommercial research organizations; and

(3) 8734 – Testing laboratories. (Ord. 42-02 § 2 (21A.06.530))

18.20.531 Fowl.
“Fowl” means domesticated Anseriformes (such as ducks, geese, swans, and similar) and Galliformes (such as chickens, turkeys, pheasants, and similar) which are legally held in captivity. (Ord. 05-15 § 1 (Exh. A))

18.20.532 Fully accessible.
“Fully accessible” means a building, structure or facility (public or private) that is in compliance with the Federal provisions of the Americans with Disabilities Act, including the supplemental Accessibility Guidelines for Buildings and Facilities. (Ord. 42-02 § 2 (21A.06.533))

18.20.533 Fully contained community (FCC).
“Fully contained community (FCC)” means a site-specific development project consisting of conceptual site plan(s), development standards, processing and other elements, and which is consistent with the criteria provided in RCW 36.70A.350. (Ord. 42-02 § 2 (21A.06.533))

18.20.535 Furniture and home furnishings store.
“Furniture and home furnishings store” means an establishment engaged in the retail sale of household furniture and furnishings for the home, including only uses located in SIC Major Group and Industry Nos.:
(1) 57 – Home furniture, furnishings, and equipment stores, except Industry Group No. 573; and

(2) Baby carriages, cake decorating supplies, hot tubs, picture frames (ready-made), swimming pools (above-ground, not site-built), telephone stores and typewriter stores found in 5999. (Ord. 42-02 § 2 (21A.06.535))

18.20.536 Gable roof.
“Gable roof” means a double sloping roof with a ridge and a triangular wall section, i.e., a gable, at each end bounded by the two roof slopes. (Ord. 10-10 § 3 (Exh. C))

18.20.537 Gambling.
“Gambling” means staking or risking something of value upon the outcome of a contest of chance or a future contingent event not under the person’s control or influence, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome. Gambling does not include fishing derbies as defined by State law, pari-mutuel betting as authorized by Chapter 67.16 RCW, bona fide business transactions valid under the law of contracts including, but not limited to, contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance including, but not limited to, contracts of indemnity or guarantee and life, health, or accident insurance. In addition, a contest of chance which is specifically excluded from the definition of lottery under this chapter shall not constitute gambling. (Ord. 42-02 § 2 (21A.06.537))

18.20.540 General business service.
“General business service” means an establishment engaged in providing services to businesses or individuals, with no outdoor storage or fabrication, including only uses located in SIC Major Group Nos.:

(1) 60 – Depository institutions;

(2) 61 – Nondepository credit institutions;

(3) 62 – Security and commodity brokers, dealers, exchanges, and services;

(4) 63 – Insurance carriers;

(5) 65 – Real estate, except 653 (real estate agents and directors);

(6) 67 – Holding and other investment offices;

(7) 7299 – Miscellaneous personal services, not elsewhere classified;

(8) 73 – Business services, except Industry Group and Industry Nos.:

(a) 7312 – Outdoor advertising services; and
(9) Membership organizations, including administrative offices of organized religions found in 8661, but excluding churches and places of worship. (Ord. 42-02 § 2 (21A.06.540))

18.20.545 Geologist.
“Geologist” means a person who holds a current license from the Washington State Geologist Licensing Board. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.545))

18.20.550 Geotechnical engineer.
“Geotechnical engineer” means a practicing geotechnical/civil engineer licensed as a professional civil engineer by the State of Washington who has at least four years of professional employment as a geotechnical engineer. (Ord. 42-02 § 2 (21A.06.550))

18.20.555 Golf course facility.
“Golf course facility” means a recreational facility, under public or private ownership, designed and developed for golf activities with accessory uses including, but not limited to:

1. A driving range;
2. Miniature golf;
3. Pro shops;
4. Caddyshack buildings;
5. Swimming pools, tennis courts and other related recreational facilities;
6. Restaurants;
7. Office and meeting rooms; and
8. Related storage facilities. (Ord. 42-02 § 2 (21A.06.555))

18.20.556 Government services.
“Government services” means a use or facility of any unit of government that provides a direct service to people. This definition excludes jails, parks, transit centers, park and rides, utility yards, sewage treatment plants, schools, golf courses and airports. (Ord. 10-10 § 3 (Exh. C))

18.20.557 Grade.
“Grade” means the elevation of the ground surface.

“Existing grade,” “finish grade” and “rough grade” are defined as follows:

1. “Existing grade” means the grade before grading;
2. “Finish grade” means the final grade of the site that conforms to the approved plan; and
4. Rough grade” means the grade that approximately conforms to the approved plan. (Ord. 14-05 § 3)

18.20.560 Grade span.
“Grade span” means the categories into which a district groups its grades of students; i.e., elementary, middle or junior high school, and high school. (Ord. 42-02 § 2 (21A.06.560))

18.20.565 Grading.
“Grading” means any excavation, filling, removing the duff layer or any combination thereof. (Ord. 42-02 § 2 (21A.06.565))

18.20.570 Grazing area.
“Grazing area” means any open land area used to pasture livestock in which suitable forage is maintained over 80 percent of the area at all times of the year. (Ord. 42-02 § 2 (21A.06.570))

18.20.575 Ground cover.
“Ground cover” means living plants designed to grow low to the ground (generally one foot or less) and intended to stabilize soils and protect against erosion. (Ord. 42-02 § 2 (21A.06.575))

18.20.575.5 Groundwater.
“Groundwater” means water in a saturated zone or stratum beneath the surface of the land or below a surface water body. (Ord. 26-16 § 15)

18.20.576 Group assembly.
“Group assembly” means any facility that provides for the regular assembly of individuals for entertainment or social purposes. (Ord. 10-10 § 3 (Exh. C))

18.20.577 Habitat.
“Habitat” means the locality, site and particular type of environment occupied by an organism at any stage in its life cycle. (Ord. 14-05 § 3)

18.20.578 Habitat, fish.
“Habitat, fish” means habitat that is used by fish at any life stage at any time of the year including potential habitat likely to be used by fish. “Fish habitat” includes habitat that is upstream of, or landward of, human-made barriers that could be accessible to, and could be used by, fish upon removal of the barriers. This includes off-channel habitat, flood refuges, channels, streams and wetlands. (Ord. 14-05 § 3)

18.20.580 Hazardous household substance.
“Hazardous household substance” means a substance as defined in RCW 70.105.010. (Ord. 42-02 § 2 (21A.06.580))

18.20.582 Hazardous liquid and gas transmission pipeline.
“Hazardous liquid and gas transmission pipeline” means hazardous liquid and gas transmission
pipelines as defined by RCW 81.88.040 and WAC 480-93-005. (Ord. 42-02 § 2 (21A.06.582))

18.20.585 Hazardous substance.
“Hazardous substance” means a substance as defined in RCW 70.105.010. (Ord. 42-02 § 2 (21A.06.585))

18.20.590 Heavy equipment and truck repair.
“Heavy equipment and truck repair” means the repair and maintenance of self-powered, self-propelled or towed mechanical devices, equipment and vehicles used for commercial purposes, such as tandem axle trucks, graders, backhoes, tractor trailers, cranes, lifts, but excluding automobiles and pick-up trucks under 10,000 pounds, recreational vehicles, boats and their trailers. (Ord. 42-02 § 2 (21A.06.590))

18.20.595 Helistop.
“Helistop” means an area on a roof or on the ground used for the takeoff and landing of helicopters for the purpose of loading or unloading passengers or cargo but not including fueling service, hangers, maintenance or overhaul facilities. (Ord. 42-02 § 2 (21A.06.595))

18.20.596 Hip roof.
“Hip roof” means a roof that slopes down to the eaves on all four sides without gables. (Ord. 10-10 § 3 (Exh. C))

18.20.597 Historic resource.
“Historic resource” means a district, site, building, structure or object significant in national, State or local history, architecture, archaeology, and culture. (Ord. 42-02 § 2 (21A.06.597))

18.20.598 Historic resource inventory.
“Historic resource inventory” means an organized compilation of information on historic resources considered to be potentially significant according to the criteria listed in CMC 18.47.040(1). The historic resource inventory is kept on file by the historic preservation officer and is updated from time to time to include newly eligible resources and to reflect changes to resources. (Ord. 42-02 § 2 (21A.06.598))

18.20.599 Historical flood hazard information.
“Historical flood hazard information” means information that identifies floodplain boundaries, regulatory floodway boundaries, base flood elevations, or flood cross-sections including, but not limited to, photos, video recordings, high water marks, survey information or news agency reports. (Ord. 14-05 § 3)

18.20.599.5 Hive.
“Hive” means a manufactured receptacle or container prepared for the use of bees that includes movable frames, combs, and substances deposited into the hive by bees. (Ord. 05-15 § 1 (Exh. A))
18.20.600 Hobby, toy, and game shop.
“Hobby, toy, and game shop” means an establishment engaged in the retail sale of toys, games, hobby and craft kits, including only uses located in SIC Industry Nos.:

(1) 5945 – Hobby, toy and game shops; and

(2) 5999 – Autograph and philatelist supply stores, coin shops, and stamps, philatelist-retail (except mail order). (Ord. 42-02 § 2 (21A.06.600))

18.20.605 Home industry.
“Home industry” means a limited-scale sales, service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or residential accessory building, or in a barn or other resource accessory building and is subordinate to the primary use of the site as a residence. (Ord. 42-02 § 2 (21A.06.605))

18.20.610 Home occupation.
“Home occupation” means a limited-scale service or fabrication activity undertaken for financial gain, which occurs in a dwelling unit or accessory building and is subordinate to the primary use of the site as a residence. (Ord. 42-02 § 2 (21A.06.610))

18.20.611 Hospital.
“Hospital” means a building designed and used for medical or surgical diagnosis, treatment and housing of persons under the care of doctors and nurses and including ancillary uses such as cafeterias, florists and patient- and visitor-related services. Rest homes, nursing homes, convalescent homes and clinics are not included. (Ord. 10-10 § 3 (Exh. C))

18.20.613 Hotel.
“Hotel” means an establishment in which temporary lodging or temporary boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all guest rooms are made through an inside lobby or office. Guest rooms must be accessed from an interior hallway. The use may include ancillary uses, such as, but not limited to, a restaurant, lounge, meeting rooms, banquet rooms, swimming pool, and convention facilities. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A))

18.20.615 Household pets.
“Household pets” means small animals that are kept within a dwelling unit. (Ord. 42-02 § 2 (21A.06.615))

18.20.620 Hydroelectric generation facility.
“Hydroelectric generation facility” means an establishment for the generation of electricity using water sources. (Ord. 42-02 § 2 (21A.06.620))

18.20.621 Impact fee.
“Impact fee” means a payment of money authorized by State law and this code to be imposed upon development as a condition of development approval to pay for public facilities needed to serve new growth and development. Impact fees include, but are not limited to, transportation impact fees, park mitigation payment fees (fee-in-lieu of) and school impact fees. “Impact fees” do not include fees imposed to cover the costs of processing applications, inspecting and reviewing plans or other information required to be submitted for purpose of evaluation of an application, or inspecting or monitoring development activity. (Ord. 10-10 § 3 (Exh. C); Ord. 20-07 § 66; Ord. 43-02 § 2 (27.04.025). Formerly 14.55.090)

18.20.622 Impacts.
“Impacts” means the effects or consequences of actions. “Environmental impacts” are effects upon the elements of the environment listed in WAC 197-11-444. (Ord. 20-07 § 113; Ord. 14-05 § 3. Formerly 18.20.621)

18.20.625 Impervious surface.
“Impervious surface” means a nonvertical surface artificially covered or hardened so as to prevent or impede the percolation of water into the soil mantle at natural infiltration rates including, but not limited to, roofs, swimming pools and areas that are paved, graveled or made of packed or oiled earthen materials such as roads, walkways or parking areas. “Impervious surface” does not include landscaping and surface water flow control and water quality treatment facilities. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.625))

18.20.627 Impoundment.
“Impoundment” means a body of water collected in a reservoir, pond or dam or collected as a consequence of natural disturbance events. (Ord. 14-05 § 3)

18.20.630 Improved public roadways.
“Improved public roadways” means public road rights-of-way that have been improved with at least two travel lanes and are maintained by either City of Covington or the State of Washington. (Ord. 42-02 § 2 (21A.06.630))

18.20.632 Improvement.
“Improvement” means a permanent, manmade, physical change to land or real property including, but not limited to, buildings, streets, driveways, sidewalks, crosswalks, parking lots, water mains, sanitary and storm sewers, drainage facilities, and landscaping. (Ord. 26-16 § 16)

18.20.635 Individual transportation and taxi.
“Individual transportation and taxi” means an establishment engaged in furnishing individual or small group transportation by motor vehicle, including only uses located in SIC Industry Group and Industry Nos.:

(1) 412 – Taxicabs; and
(2) 4119 – Local passenger transportation, not elsewhere classified. (Ord. 42-02 § 2 (21A.06.635))

18.20.636 Industrial, light.
“Industrial, light” means any use engaged in small-scale production, manufacturing, fabrication or
distribution, and considered less intensive because such uses do not result in noise, odor, toxic
chemicals or other activities posing a hazard to public health and safety. May also include
supporting office and retail activities. (Ord. 10-10 § 3 (Exh. C))

18.20.637 Infiltration rate.
“Infiltration rate” means the rate of water entry into the soil expressed in inches per hour. (Ord. 42-
02 § 2 (21A.06.637))

18.20.638 Instream structure.
“Instream structure” means anything placed or constructed below the ordinary high water mark,
including, but not limited to, weirs, culverts, fill and natural materials and excluding dikes, levees,
revetments and other bank stabilization facilities. (Ord. 14-05 § 3)

18.20.640 Interim recycling facility.
“Interim recycling facility” means a site or establishment engaged in collection or treatment of
recyclable materials, which is not the final disposal site, and including:

(1) Drop boxes;

(2) Source-separated, organic waste processing facilities; and

(3) Collection, separation and shipment of glass, metal, paper or other recyclables. (Ord. 42-02 § 2
(21A.06.640))

18.20.641 Interlocal agreement.
“Interlocal agreement,” for purposes of Chapter 18.75 CMC, means any agreement between the
City and the County or any municipal utility district or school district or any other City or
governmental agency. (Ord. 42-02 § 2 (21A.06.641))

18.20.641.5 Invasive vegetation.
“Invasive vegetation” means a plant species listed as obnoxious weeds on the noxious weed list
adopted King County or State of Washington. (Ord. 14-05 § 3)

18.20.642 Irrigation efficiency.
“Irrigation efficiency” means is the coefficient of the amount of water beneficially used divided by
the amount of water applied. This coefficient is derived from actual measurements and an
evaluation of the general characteristics of the type of irrigation system and management practices
proposed. (Ord. 42-02 § 2 (21A.06.642))

18.20.645 Jail.
“Jail” means a facility operated by a governmental agency; designed, staffed and used for the incarceration of persons for the purposes of punishment, correction and rehabilitation following conviction of an offense. (Ord. 42-02 § 2 (21A.06.645))

18.20.650 Jail farm.
“Jail farm” means a farm or camp on which persons convicted of minor law violations are confined and participate in agriculture and other work activities of the facility. (Ord. 42-02 § 2 (21A.06.650))

18.20.655 Jewelry store.
“Jewelry store” means an establishment engaged in the retail sale of a variety of jewelry products, including only uses located in SIC Industry Nos.:

(1) 5944 – Jewelry stores; and

(2) Gem stones and rock specimens found in 5999. (Ord. 42-02 § 2 (21A.06.655))

18.20.658 Joint use driveway.
“Joint use driveway” means a jointly owned and/or maintained vehicular access to two residential or commercial properties. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.658))

18.20.659 Joint use parking.
“Joint use parking” or “shared parking” means required parking stalls shared by two or more uses with the approval of the City. Joint use parking can be appropriate when different operational characteristics of the land uses allow the parking stalls to be available for each use when there is demand. (Ord. 10-10 § 3 (Exh. C))

18.20.660 Kennel.
“Kennel” means a place where adult dogs are temporarily boarded for compensation, whether or not for training. An adult dog is one of either sex, altered or unaltered, that has reached the age of six months. (Ord. 42-02 § 2 (21A.06.660))

18.20.661 Kick plate.
“Kick plate” means a plate applied to the face of the lower rail of a door or sidelight to protect against abrasion or impact loads. (Ord. 10-10 § 3 (Exh. C))

18.20.662 Kitchen or kitchen facility.
“Kitchen” or “kitchen facility” means an area within a building intended for the preparation and storage of food and containing:

(1) An appliance for the refrigeration of food;

(2) An appliance for the cooking or heating of food; and

(3) A sink. (Ord. 42-02 § 2 (21A.06.662))
18.20.665 Landfill.
“Landfill” means a disposal site or part of a site at which refuse is deposited. (Ord. 42-02 § 2 (21A.06.665))

18.20.667 Landscape water features.
“Landscape water features” means a pond, pool or fountain used as a decorative component of a development. (Ord. 42-02 § 2 (21A.06.667))

18.20.670 Landscaping.
“Landscaping” means live vegetative materials required for a development. Said materials provided along the boundaries of a development site is referred to as perimeter landscaping. (Ord. 42-02 § 2 (21A.06.670))

18.20.675 Landslide.
“Landslide” means episodic downslope movement of a mass including, but not limited to, soil, rock or snow. (Ord. 42-02 § 2 (21A.06.675))

18.20.680 Landslide hazard area.
“Landslide hazard area” means an area subject to severe risk of landslide, such as:

(1) An area with a combination of:
   (a) Slopes steeper than 15 percent of inclination;
   (b) Impermeable soils, such as silt and clay, frequently interbedded with granular soils, such as sand and gravel; and
   (c) Springs or ground water seepage;

(2) An area that has shown movement during the Holocene epoch, which is from 10,000 years ago to the present, or that is underlain by mass wastage debris from that epoch;

(3) An area potentially unstable as a result of rapid stream incision, stream bank erosion or undercutting by wave action;

(4) An area that shows evidence of or is at risk from snow avalanches; or

(5) An area located on an alluvial fan, presently or potentially subject to inundation by debris flows or deposition of stream-transported sediments. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.680))

18.20.682 Large format retail trade and services.
“Large format retail” means a retail establishment greater than 100,000 square feet for all structures that offers the sale of goods to the general public, including limited sales to wholesale customers. These uses typically require high parking to building floor area ratios and serve a regional market. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.682))
18.20.683A Letter of map amendment.
“Letter of map amendment” means an official determination by FEMA that a property has been inadvertently included in an area subject to inundation by the base flood as shown on a flood hazard boundary map or flood insurance rate map. (Ord. 14-05 § 3)

18.20.683B Letter of map revision.
“Letter of map revision” means a letter issued by FEMA to revise the flood hazard boundary map or flood insurance rate map and flood insurance study for a community to change base flood elevations, and floodplain and floodway boundary delineation. (Ord. 14-05 § 3)

18.20.685 Level of service (LOS), traffic.
“Level of service (LOS), traffic” means a quantitative measure of traffic congestion identified by a declining letter scale (A-F) as calculated by the methodology contained in the 1985 Highway Capacity Manual Special Report 209, or current edition, or as calculated by another method approved by the Department of Community Development. LOS “A” indicates free flow of traffic with no delays while LOS “F” indicates jammed conditions or extensive delay. (Amended at request of department 2/08; Ord. 42-02 § 2 (21A.06.685))

18.20.690 Light equipment.
“Light equipment” means hand-held tools and construction equipment, such as chain saws, wheelbarrows and post-hole diggers. (Ord. 42-02 § 2 (21A.06.690))

18.20.695 Livestock.
“Livestock” means any domestic equines, sheep, goats, bovines, llamas, alpacas, emus, ostriches, and swine, or similar animals. (Ord. 05-15 § 1 (Exh. A); Ord. 42-02 § 2 (21A.06.695))

18.20.697 Livestock facility.
“Livestock facility” means an accessory building used to house livestock. (Ord. 05-15 § 1 (Exh. A))

18.20.700 Livestock, large.
“Livestock, large” means livestock with a weight of 200 pounds or more. (Ord. 05-15 § 1 (Exh. A); Ord. 42-02 § 2 (21A.06.700))

18.20.705 Livestock sales.
“Livestock sales” means the sale of livestock, but not including auctions. (Ord. 42-02 § 2 (21A.06.710))

18.20.710 Livestock, small.
“Livestock, small” means livestock weighing less than 200 pounds. (Ord. 05-15 § 1 (Exh. A); Ord. 42-02 § 2 (21A.06.705))

18.20.715 Loading space.
“Loading space” means a space for the temporary parking of a vehicle while loading or unloading.
18.20.720 Log storage.
“Log storage” means a facility for the open or enclosed storage of logs, which may include repair
facilities for equipment used on-site or operations offices. (Ord. 42-02 § 2 (21A.06.720))

18.20.725 Lot.
“Lot” means a physically separate and distinct parcel of property, which has been created pursuant
to CMC Title 17, Subdivisions. (Ord. 42-02 § 2 (21A.06.725))

18.20.727 Lot frontage.
“Lot frontage” means the shortest distance between the sides of the lot along the boundary abutting
the street or private road. (Ord. 10-10 § 3 (Exh. C))

18.20.730 Lot line, interior.
“Lot line, interior” means lot lines that delineate property boundaries along those portions of the
property which do not abut a street. (Ord. 42-02 § 2 (21A.06.730))

18.20.732 Low impact development.
“Low impact development (LID)” is a stormwater management, site design, and engineering
approach that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration,
storage, evaporation, and transpiration by emphasizing conservation, use of on-site natural
features, site planning, and distributed stormwater management practices that are integrated into a
project design. Specific LID practices and standards are identified and referenced in Chapter 13.25
CMC and CMC Titles 12 and 18. (Ord. 26-16 § 17; Ord. 10-10 § 3 (Exh. C))

18.20.733 Maintenance.
“Maintenance” means the usual acts to prevent a decline, lapse or cessation from a lawfully
established condition without any expansion of or significant change from that originally established
condition. Activities within landscaped areas within areas subject to native vegetation retention
requirements may be considered “maintenance” only if they maintain or enhance the canopy and
understory cover. “Maintenance” includes repair work but does not include replacement work.
When maintenance is conducted specifically in accordance with the Regional Road Maintenance
Endangered Species Act Program Guidelines, the definition of “maintenance” in the glossary of
those guidelines supersedes the definition of “maintenance” in this section. (Ord. 14-05 § 3)

18.20.735 Manufactured home.
“Manufactured home” means a structure, transportable in one or more sections, that in the traveling
mode is eight body feet or more in width or 32 body feet or more in length; or when erected on site,
is 300 square feet or more in area; which is built on a permanent chassis and is designated for use
with or without a permanent foundation when attached to the required utilities; which contains
plumbing, heating, air-conditioning and electrical systems; and shall include any structure that
meets all the requirements of this section, or of Chapter 296-150M WAC, except the size
requirements for which the manufacturer voluntarily complies with the standards and files the certification required by the Federal Department of Housing and Urban Development. The term “manufactured home” does not include a “recreational vehicle.” (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.755))

18.20.740 Manufactured home park.
“Manufactured home park” means a development with two or more improved pads or spaces designed to accommodate mobile homes. (Ord. 42-02 § 2 (21A.06.760))

18.20.741 Manufacturing, heavy.
“Manufacturing, heavy” means land uses characterized by larger size facilities engaged in the processing of raw materials or parts into finished products. Such facilities may have a higher degree of negative environmental impacts due to the processes employed and operations. (Ord. 10-10 § 3 (Exh. C))

18.20.742 Manufacturing, light.
“Manufacturing, light” means land uses characterized by small size facilities where no heavy manufacturing or specialized industrial processes takes place. Typical light manufacturing activities include printing, material testing, and assembly components. Such facilities usually employ less than 100 persons. (Ord. 10-10 § 3 (Exh. C))

18.20.743 Mapping partner.
“Mapping partner” means any organization or individual that is involved in the development and maintenance of a draft flood boundary work map, preliminary flood insurance rate map or flood insurance rate map. (Ord. 14-05 § 3)

18.20.744 Marijuana.
“Marijuana” shall have the meaning established pursuant to RCW 69.50.101(v), as currently adopted and hereafter amended. (Ord. 12-16 § 5)

18.20.744.1 Marijuana processor.
“Marijuana processor” shall have the meaning established pursuant to RCW 69.50.101(x), as currently adopted and hereafter amended. (Ord. 12-16 § 5)

18.20.744.2 Marijuana producer.
“Marijuana producer” shall have the meaning established pursuant to RCW 69.50.101(y), as currently adopted and hereafter amended. (Ord. 12-16 § 5)

18.20.744.3 Marijuana retail outlet.
“Marijuana retail outlet” shall have the meaning established pursuant to RCW 69.50.101(oo), as currently adopted and hereafter amended. (Ord. 12-16 § 5)

18.20.744.4 Marijuana retailer.
“Marijuana retailer” shall have the meaning established pursuant to RCW 69.50.101(bb), as currently adopted and hereafter amended. (Ord. 12-16 § 5)

**18.20.744.5 Marijuana-infused products.**
“Marijuana-infused products” shall have the meaning established pursuant to RCW 69.50.101(cc), as currently adopted and hereafter amended. (Ord. 12-16 § 5)

**18.20.744.6 Marijuana, useable.**
“Marijuana, useable” or “useable marijuana” shall have the meaning established pursuant to RCW 69.50.101(tt), as currently adopted and hereafter amended. (Ord. 12-16 § 5)

**18.20.745 Marina.**
“Marina” means an establishment providing docking, moorage space and related activities limited to the provisioning or minor repair of pleasure boats and yachts, and accessory facilities including, but not limited to:

(1) Showers;

(2) Toilets; and

(3) Self-service laundries. (Ord. 42-02 § 2 (21A.06.735))

**18.20.748 Market manager.**
“Market manager” means one who oversees the general operations of a farmers’ or public market, which may include: acting as the applicant for a required temporary use permit; acting as the main contact with the City; ensuring compliance with State and municipal law and health regulations; overseeing the setup, operation, and closing of the market each day; recruiting vendors; collecting payment; and promoting the market. (Ord. 09-09 § 3)

**18.20.749 Mass.**
“Mass” means the physical volume or bulk of a solid body. The mass of a building is its three-dimensional form, bulkiness and relationship to exterior spaces. During the design process, massing is one of many aspects of form considered by an architect or designer and can be the result of both exterior and interior design considerations. Architectural massing can be used to identify a building entry, denote a stairway or simply create visual depth to soften the visual mass of the overall structure. (Ord. 10-10 § 3 (Exh. C))

**18.20.750 Material error.**
“Material error” means substantive information upon which a permit decision is based that is submitted in error or is omitted at the time of permit application. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.740))

**18.20.750.5 Medical office.**
“Medical office” means a facility that provides diagnosis and outpatient care on a routine basis but
is unable to provide prolonged in-house medical or major surgical care. Medical clinics are included in this definition. (Ord. 10-10 § 3 (Exh. C))

18.20.751 Microwave.
“Microwave” means electromagnetic waves with a frequency range of 300 megahertz (MHz) to 300 gigahertz (GHz). (Ord. 42-02 § 2 (21A.06.745))

18.20.752 Mitigation.
“Mitigation” means an action taken to compensate for adverse impacts to the environment resulting from a development activity or alteration. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.750))

18.20.753 Mitigation bank.
“Mitigation bank” means a property that has been protected in perpetuity and approved by appropriate County, State and Federal agencies expressly for the purpose of providing compensatory mitigation in advance of authorized impacts through any combination of restoration, creation or enhancement of wetlands and, in exceptional circumstances, preservation of adjacent wetlands and wetland buffers or protection of other aquatic or wildlife resources. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.751))

18.20.755 Mitigation banking.
“Mitigation banking” means a system for providing compensatory mitigation in advance of authorized wetland impacts of development in City of Covington in which credits are generated through restoration, creation, and/or enhancement of wetlands, and in exceptional circumstances, preservation of adjacent wetlands, wetland buffers, and/or other aquatic resources. (Ord. 42-02 § 2 (21A.06.752))

18.20.757 Maximum extent practical.
“Maximum extent practical” means the highest level of effectiveness that can be achieved through the use of best available science or technology. In determining what the “maximum extent practical is” the City shall consider, at a minimum, the effectiveness, engineering feasibility, commercial availability, safety and cost of the measures. (Ord. 14-05 § 3)

18.20.760 Mixed-use development.
“Mixed-use development” means a combination of residential and nonresidential uses within the same building or site as part of an integrated development project with functional interrelationships and coherent physical design. (Ord. 42-02 § 2 (21A.06.753))

18.20.765 Monitoring.
“Monitoring” means evaluating the impacts of development proposals on biologic, hydrologic and geologic systems and assessing the performance of required mitigation through the collection and analysis of data for the purpose of understanding and documenting changes in natural ecosystems, functions and features including, but not limited to, gathering baseline data. (Ord. 42-02 § 2 (21A.06.765))
18.20.770 Monuments, tombstones, and gravestones sales.
“Monuments, tombstones, and gravestones sales” means the retail sale of custom stonework products including only uses located in SIC Industry No. 5599 – Monuments, finished to custom order, tombstones and gravestones finished. (Ord. 42-02 § 2 (21A.06.770))

18.20.775 Motor vehicle and bicycle manufacturing.
“Motor vehicle and bicycle manufacturing” means fabricating or assembling complete passenger automobiles, trucks, commercial cars and buses, motorcycles, and bicycles, including only uses located in SIC Industry Group Nos.:

(1) 371 – Motor vehicles and motor vehicle equipment; and

(2) 375 – Motorcycles, bicycles, and parts. (Ord. 42-02 § 2 (21A.06.780))

18.20.780 Motor vehicle, boat and mobile home dealer.
“Motor vehicle, boat and mobile home dealer” means an establishment engaged in the retail sale of new and/or used automobiles, motor homes, motorcycles, trailers, boats or mobile homes, including only uses located in SIC Major Group and Industry Group Nos.:

(1) 55 – Automotive dealers and gasoline service stations except:

   (a) 553 – Auto and home supply stores;

   (b) 554 – Gasoline service stations; and

(2) Aircraft dealers found in 5599:

   (a) 527 – Mobile home dealers; and

   (b) Yacht brokers found in 7389. (Ord. 42-02 § 2 (21A.06.775))

18.20.782 Mulch.
“Mulch” means any material such as leaves, bark, straw left loose and applied to the soil surface to reduce evaporation. (Ord. 42-02 § 2 (21A.06.782))

18.20.783 Museum.
“Museum” means any establishment open to the public where works of art, scientific specimens, or other objects of permanent value are kept and displayed. (Ord. 10-10 § 3 (Exh. C))

18.20.785 Municipal water production.
“Municipal water production” means the collection and processing of surface water through means of dams or other methods of impoundment for municipal water systems. (Ord. 42-02 § 2 (21A.06.785))
18.20.790 Native vegetation.
“Native vegetation” means plant species indigenous to the Puget Sound region that reasonably could be expected to naturally occur on the site. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.790))

18.20.795 Naturalized species.
“Naturalized species” means nonnative species of vegetation that are adaptable to the climatic conditions of the coastal region of the Pacific Northwest. (Ord. 42-02 § 2 (21A.06.795))

18.20.797 Net buildable area.
“Net buildable area” means the “site area” less the following areas:

1. Areas within a project site that are required to be dedicated for public rights-of-way in excess of 60 feet in width;

2. Critical areas and their buffers to the extent they are required by Chapter 18.65 CMC to remain undeveloped;

3. Areas required for storm water control facilities other than facilities that are completely underground, including, but not limited to, retention or detention ponds, biofiltration swales and setbacks from such ponds and swales;

4. Areas required to be dedicated or reserved as on-site recreation areas;

5. Regional utility corridors; and

6. Other areas, excluding setbacks, required to remain undeveloped. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.797))

18.20.800 Nonconformance.
“Nonconformance” means any use, improvement or structure established in conformance with City of Covington rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site’s current zone or to the current development standards of the code due to changes in the code or its application to the subject property. (Ord. 42-02 § 2 (21A.06.800))

18.20.805 Nonhydroelectric generation facility.
“Nonhydroelectric generation facility” means an establishment for the generation of electricity by nuclear reaction, burning fossil fuels, or other electricity generation methods. (Ord. 42-02 § 2 (21A.06.805))

18.20.810 Non-ionizing electromagnetic radiation (NIER).
“Non-ionizing electromagnetic radiation (NIER)” means electromagnetic radiation of low photon energy unable to cause ionization. (Ord. 42-02 § 2 (21A.06.810))
18.20.815 Noxious weed.

“Noxious weed” means a plant species that is highly destructive, competitive or difficult to control by cultural or chemical practices, limited to any plant species listed on the State noxious weed list in Chapter 16-750 WAC, regardless of the list’s regional designation or classification of the species. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.815))

18.20.816 Nursing and personal care facility.

“Nursing and personal care facility” means any facility which provides convalescent or chronic care for 24 consecutive hours for three or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity are unable to properly care for themselves. (Ord. 10-10 § 3 (Exh. C))

18.20.817 Off-street required parking lot.

“Off-street required parking lot” means parking facilities constructed to meet the off-street parking requirements of Chapters 18.31 and/or 18.50 CMC for land uses located on a lot separate from the parking facilities. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.817))

18.20.819 Open space.

“Open space” means areas left predominately in a natural state to create urban separators and greenbelts, sustain native ecosystems, connect and increase protective buffers for environmentally sensitive areas, provide a visual contrast to continuous development, reinforce community identity and aesthetics, or provide links between important environmental or recreational resources. (Ord. 42-02 § 2 (21A.06.819))

18.20.820 Open-work fence.

“Open-work fence” means a fence in which the solid portions are evenly distributed and constitute no more than 50 percent of the total surface area. (Ord. 42-02 § 2 (21A.06.820))

18.20.825 Ordinary high water mark.

“Ordinary high water mark” means the mark found by examining the bed and banks of a stream, lake, pond water and ascertaining where the presence and action of waters are so common and long maintained in ordinary years as to mark upon the soil a vegetative character distinct from that of the abutting upland. In an area where the ordinary high water mark cannot be found, the line of mean high water in areas adjoining freshwater is the “ordinary high water mark.” In an area where neither can be found, the top of the channel bank is the “ordinary high water mark.” In braided channels and alluvial fans, the ordinary high water mark or line of mean high water includes the entire water or stream feature. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.825))

18.20.827 Outdoor commercial.

“Outdoor commercial” means a commercial use where the majority of activity occurs outside a permanent structure. “Outdoor commercial” does not include “farmers’ markets” defined in CMC 18.20.451.5 or “public market” as defined in CMC 18.20.940.5. (Ord. 04-12 § 1 (Exh. A); Ord. 10-10
§ 3 (Exh. C))

18.20.829 Outdoor performance center.
“Outdoor performance center” means an establishment for the performing arts with open-air seating for audiences. Such establishments may include related services such as food and beverage sales and other concessions. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.830). Formerly 18.20.830)

18.20.830 Outpatient clinic.
“Outpatient clinic” means a building designed and used for medical or surgical diagnosis, and treatment of persons under the care of doctors and nurses. No housing of patients is provided at such a facility. (Ord. 10-10 § 3 (Exh. C))

18.20.831 Overburden-cover-to-seam-thickness ratio.
“Overburden-cover-to-seam-thickness ratio” means the thickness as measured from the ground surface to the top of the abandoned mine working divided by the extracted thickness of the coal seam, expressed as a ratio. A 10-foot extracted coal seam will have a 10:1 overburden-cover-to-seam-thickness ratio at a depth of 100 feet and a 15:1 overburden-cover-to-seam-thickness ratio at a depth of 150 feet. (Ord. 42-02 § 2 (21A.06.831))

18.20.832 Overspray.
“Overspray” means irrigation water applied beyond the landscape area. (Ord. 42-02 § 2 (21A.06.832))

18.20.833 Parapet.
A parapet is a low wall projecting from the edge of a platform, terrace, or roof. Parapets may rise above the cornice of a building. (Ord. 10-10 § 3 (Exh. C))

18.20.834 Parcel.
“Parcel” means the smallest separately segregated unit or plot of land having an identified owner, boundaries, and surface area which is documented for property tax purposes and given a tax lot number by the King County Assessor. (Ord. 26-16 § 18)

18.20.835 Park.
“Park” means a site designed or developed for recreational use by the public including, but not limited to:

1. Indoor facilities, such as:
   a. Gymnasiums;
   b. Swimming pools; or
   c. Activity centers;
(2) Outdoor facilities, such as:
   (a) Playfields;
   (b) Fishing areas;
   (c) Picnic and related outdoor activity areas; or
   (d) Approved campgrounds;

(3) Areas and trails for:
   (a) Hikers;
   (b) Equestrians;
   (c) Bicyclists; or
   (d) Off-road recreational vehicle users;

(4) Recreation space areas required under CMC 18.35.150;

(5) Play areas required under CMC 18.35.170; and

(6) Facilities for on-site maintenance. (Ord. 42-02 § 2 (21A.06.835))

18.20.840 Park service area.
“Park service area” means established by the Department, within which the dedications of land and fees received from new residential developments for the benefit of residents within such service area. (Ord. 42-02 § 2 (21A.06.840))

18.20.845 Parking lot aisle.
“Parking lot aisle” means that portion of the off-street parking area used exclusively for the maneuvering and circulation of motor vehicles and in which parking is prohibited. (Ord. 42-02 § 2 (21A.06.845))

18.20.850 Parking lot unit depth.
“Parking lot unit depth” means the linear distance within which one parking aisle is flanked by accessible rows of parking stalls as measured perpendicular to the parking aisle. (Ord. 42-02 § 2 (21A.06.850))

18.20.855 Parking space.
“Parking space” means an area accessible to vehicles, improved, maintained and used for the sole purpose of parking a motor vehicle. (Ord. 42-02 § 2 (21A.06.855))

18.20.860 Parking space angle.
“Parking space angle” means the angle measured from a reference line, generally the property line or center line of an aisle, at which motor vehicles are to be parked. (Ord. 42-02 § 2 (21A.06.860))

18.20.865 Party of record (POR).
“Party of record (POR)” means a person who has submitted written comments, testified, asked to be notified or is the sponsor of a petition entered as part of the official City record on a specific development proposal. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.865))

18.20.870 Peak hour.
“Peak hour” means the hour during the morning or afternoon when the most critical level of service occurs for a particular roadway or intersection. (Ord. 42-02 § 2 (21A.06.870))

18.20.872 Pedestrian orientation.
“Pedestrian orientation” means designing the built environment with the needs of humans who are walking in mind. Key elements include building height, bulk and placement; streetscape, sidewalk design and connections; and mix and type of land uses. The result should be a walkable community that reinforces urban design goals for the neighborhood. (Ord. 10-10 § 3 (Exh. C))

18.20.873 Pedestrian walkway.
“Pedestrian walkway” means a surfaced walkway, separate from the traveled portion of a right-of-way or parking lot/driving aisle. (Ord. 10-10 § 3 (Exh. C))

18.20.874 Performing arts center.
“Performing arts center” means any facility consisting of stages and seating for the live performance of theatrical or musical works. Ancillary uses such as concessions and gift shops may be included in this use. (Ord. 10-10 § 3 (Exh. C))

18.20.875 Permanent school facilities.
“Permanent school facilities” means facilities of a school district with a fixed foundation which are not relocatable facilities. (Ord. 42-02 § 2 (21A.06.875))

18.20.875.5 Person.
“Person” means any individual, firm, association, co-partnership, corporation, governmental agency or political subdivision, whether acting by themselves or as a servant, agent or employee. (Ord. 26-16 § 19)

18.20.876 Personal service.
“Personal service” means any use that provides services involving the care of a person or of a person’s apparel. (Ord. 10-10 § 3 (Exh. C))

18.20.880 Personal medical supply store.
“Personal medical supply store” means an establishment engaged in the retail sale of eyeglasses, contact lenses, hearing aids, and artificial limbs, including only uses located in SIC Industry Nos.:
18.20.885 Pet shop.
“Pet shop” means an establishment engaged in the retail sale of pets, small animals, pet supplies, or grooming of pets, including only uses located in SIC Industry No. 5999 – Pet shops. (Ord. 42-02 § 2 (21A.06.885))

18.20.890 Photographic and electronic shop.
“Photographic and electronic shop” means an establishment engaged in the retail sale of cameras and photographic supplies, and a variety of household electronic equipment, including only uses located in SIC Industry Nos.:

1. 5946 – Camera and photographic supply stores;
2. 5999 – Binoculars and telescopes;
3. 5731 – Radio, television, and consumer electronics stores; and
4. 5734 – Computer and computer software stores. (Ord. 42-02 § 2 (21A.06.890))

18.20.893 Physical fitness/recreation club.
“Physical fitness/recreation club” means a private facility including uses such as, but not limited to, game courts, exercise equipment, gym, exercise rooms, locker rooms, swimming pool, sauna, steam room, showers, and tanning salons. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A))

18.20.895 Plant associations of infrequent occurrence.
“Plant associations of infrequent occurrence” means one or more plant species of a landform type which does not often occur in City of Covington because of the rarity of the habitat and/or the species involved or for other botanical or environmental reasons. (Ord. 42-02 § 2 (21A.06.895))

18.20.897 Plant factor.
“Plant factor” means a factor which when multiplied by reference evapotranspiration, estimates the amount of water used by plants. (Ord. 42-02 § 2 (21A.06.897))

18.20.898 Preliminary flood insurance rate map.
“Preliminary flood insurance rate map” means the initial map issued by FEMA for public review and comment that delineates areas of flood hazard. (Ord. 14-05 § 3)

18.20.899 Potable water.
“Potable water” means water suitable for human consumption. (Ord. 42-02 § 2 (21A.06.899))

18.20.899.3 Preapplication.
“Preapplication” means the meeting(s) or form(s) used by an applicant for a development permit to
present initial project intentions to the Department of Community Development or its successor agency. “Preapplication” does not mean application. (Ord. 26-16 § 20)

18.20.899.5 Preliminary flood insurance study.
“Preliminary flood insurance study” means the preliminary report provided by FEMA for public review and comment that includes flood profiles, text, data tables and photographs. (Ord. 14-05 § 3)

18.20.899.6 Premises.
“Premises” means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips. (Ord. 26-16 § 21)

18.20.899.7 Prepared food sales.
“Prepared food sales” means the sale of freshly made foods, available for sale and immediate consumption on site. Prepared food sales shall be accessory to farmers’ and public markets. (Ord. 09-09 § 3)

18.20.900 Private.
“Private” means solely or primarily for the use of residents or occupants of the premises; e.g., a noncommercial garage used solely by residents or their guests is a private garage. (Ord. 42-02 § 2 (21A.06.900))

18.20.905 Private storm water management facility.
“Private storm water management facility” means a surface water control structure installed by a project proponent to retain, detain or otherwise limit runoff from an individual or group of developed sites specifically served by such structure. (Ord. 42-02 § 2 (21A.06.905))

18.20.908 Processed food sales.
“Processed food sales” means the sale of fresh food products that have been personally prepared and processed by a seller on property that they own or lease. Processed foods shall include meats, seafood, ciders, baked goods, jams, etc., that have value added through hands-on processing. Processed food sales shall be accessory to farmers’ and public markets, provided they have been prepared in the State of Washington. (Ord. 09-09 § 3)

18.20.910 Professional office.
“Professional office” means an office used as a place of business by licensed professionals or persons in other generally recognized professions which use training or knowledge of a technical, scientific or other academic discipline as opposed to manual skills, and which does not involve outside storage or fabrication, or on-site sale or transfer of commodities. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.910))

18.20.912 Proportionate share.
“Proportionate share” means that portion of the cost of public facility improvements and facilities that are reasonably related to the service demands and needs of new development. (Ord. 16-16
§ 6)

18.20.915 Public agency.
“Public agency” means any agency, political subdivision or unit of local government of this State including, but not limited to, municipal corporations, special purpose districts and local service districts, any agency of the State of Washington, the United States or any State thereof or any Indian tribe recognized as such by the Federal government. (Ord. 42-02 § 2 (21A.06.915))

18.20.920 Public agency animal control facility.
“Public agency animal control facility” means a facility for the impoundment and disposal of stray or abandoned small animals. (Ord. 42-02 § 2 (21A.06.920))

18.20.925 Public agency archive.
“Public agency archive” means a facility for the enclosed storage of public agency documents or related materials, excluding storage of vehicles, equipment, or similar materials. (Ord. 42-02 § 2 (21A.06.925))

18.20.930 Public agency or utility office.
“Public agency or utility office” means an office for the administration of any governmental or utility activity or program, with no outdoor storage and including, but not limited to uses located in SIC Major Group, Industry Group and Industry Nos.:

(1) 91 – Executive, legislative, and general government, except finance;

(2) 93 – Public finance, taxation, and monetary policy;

(3) 94 – Administration of human resource programs;

(4) 95 – Administration of environmental quality and housing program;

(5) 96 – Administration of economic programs;

(6) 972 – International affairs;

(7) 9222 – Legal counsel and prosecution; and

(8) 9229 – Public order and safety. (Ord. 42-02 § 2 (21A.06.930))

18.20.935 Public agency or utility yard.
“Public agency or utility yard” means a facility for open or enclosed storage, repair, and maintenance of vehicles, equipment, or related materials, excluding document storage. (Ord. 42-02 § 2 (21A.06.935))

18.20.940 Public agency training facility.
“Public agency training facility” means an establishment or school for training State and local law
enforcement, fire safety, National Guard or transit personnel and facilities including but not limited to:

(1) Dining and overnight accommodations;

(2) Classrooms;

(3) Shooting ranges;

(4) Auto test tracks; and

(5) Fire suppression simulations. (Ord. 42-02 § 2 (21A.06.940))

18.20.940.5 Public market.
“Public market” means a site where farmers and/or resellers sell not less than 50 percent locally grown, produced, caught, or gathered fruits, vegetables, herbs, nuts, honey, dairy products, eggs, poultry, mushrooms, meats, fish, flowers, nursery stock, and plants. Up to 50 percent of a public market's total number of vendor spaces may consist of resellers and/or accessory uses. (Ord. 09-09 § 3)

18.20.941 Public road right-of-way structure.
“Public road right-of-way structure” means the existing, maintained, improved road right-of-way or railroad prism and the roadway drainage features including ditches and the associated surface water conveyance system, flow control and water quality treatment facilities and other structures that are ancillary to those facilities including catch-basins, access holes and culverts. (Ord. 14-05 § 3)

18.20.942 Public street.
“Public street” means any public or private road or access easement intended to provide public access to any lot/development, but excluding any service road or internal driving aisles (e.g., within parking lots). “Public street” includes the street and all other improvements inside the publicly owned right-of-way. (Ord. 10-10 § 3 (Exh. C))

18.20.943 Public transportation amenities.
“Public transportation amenities” means transfer of development credits (TDC) amenities financed by public transportation funds that shall provide transportation improvement or programs. (Ord. 42-02 § 2 (21A.06.943))

18.20.945 Radio frequency.
Repealed by Ord. 09-12. (Ord. 42-02 § 2 (21A.06.945))

18.20.947 Rapid charging station.
“Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards,
codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540. (Ord. 19-11 § 1 (Exh. 1))

18.20.950 Reasonable use.
“Reasonable use” means a legal concept articulated by Federal and State courts in regulatory taking cases. (Ord. 42-02 § 2 (21A.06.950))

18.20.955 Receiving site.
“Receiving site” means land for which allowable residential density is increased over the base density permitted by the underlying zone, by virtue of permanently securing and dedicating to the City of Covington, or another qualifying agency, the development potential of an associated sending site. (Ord. 42-02 § 2 (21A.06.955))

18.20.957 Reclamation.
“Reclamation” means the final grading and restoration of a site to reestablish the vegetative cover, soil stability and surface water conditions to accommodate and sustain all permitted uses of the site and to prevent and mitigate future environmental degradation. (Ord. 14-05 § 3)

18.20.960 Recreational vehicle (RV).
“Recreational vehicle (RV)” means a motorized vehicle designed primarily for recreational camping, travel, or seasonal use which has its own motive power or is mounted on or towed by another vehicle, including but not limited to:

(1) Travel trailers;
(2) Camping trailers;
(3) Tent trailers;
(4) Truck campers;
(5) Camper vans;
(6) Motor homes; and
(7) Multi-use vehicles. (Ord. 05-16 § 1 (Exh. A); Ord. 42-02 § 2 (21A.06.960))

18.20.965 Recreational vehicle parks.
“Recreational vehicle parks” means the use of land upon which two or more recreational vehicle sites, including hook up facilities, are located for occupancy by the general public of recreational vehicles as temporary living quarters for recreation or vacation purposes. (Ord. 42-02 § 2 (21A.06.965))

18.20.966 Recreation, indoor.
“Recreation, indoor” means indoor skating rinks, bowling alleys, gymnasiums not accessory to an
18.20.967 Recreation, outdoor.
“Recreation, outdoor” means golf courses, tennis courts, athletic fields, pools, skate parks, and similar uses. “Recreation, outdoor” does not include “shooting range” as defined in CMC 18.20.1080. (Ord. 01-12 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C))

18.20.970 Recyclable material.
“Recyclable material” means a nontoxic, recoverable substance that can be reprocessed for the manufacture of new products. (Ord. 42-02 § 2 (21A.06.970))

18.20.972 Reference evapotranspiration (Eto).
“Reference evapotranspiration (Eto)” means a standard measurement of environmental parameters which affect the water use of plants. (Ord. 42-02 § 2 (21A.06.972))

18.20.973 Regional road maintenance guidelines.
“Regional road maintenance guidelines” means the National Marine Fisheries Service-published Regional Road Maintenance Endangered Species Act Program Guidelines. (Ord. 14-05 § 3)

18.20.975 Regional storm water management facility.
*Repealed by Ord. 26-16.* (Ord. 42-02 § 2 (21A.06.975))

18.20.980 Regional utility corridor.
“Regional utility corridor” means a right-of-way tract or easement other than a street right-of-way which contains transmission lines or pipelines for utility companies. Right-of-way tracts or easements containing lines serving individual lots or developments are not regional utility corridors. (Ord. 42-02 § 2 (21A.06.980))

18.20.985 Relocatable facilities cost per student.
“Relocatable facilities cost per student” means the estimated cost of purchasing and siting a relocatable facility in a school district for the grade span of school to be provided, as a function of the district’s facilities standard per grade span and taking into account the requirements of students with special needs. (Ord. 42-02 § 2 (21A.06.985))

18.20.990 Relocatable facility.
“Relocatable facility” means any factory-built structure, transportable in one or more sections, that is designed to be used as an education space and is needed to prevent the overbuilding of school facilities, to meet the needs of service areas within a district or to cover the gap between the time that families move into new residential developments and the date that construction is completed on permanent school facilities. (Ord. 42-02 § 2 (21A.06.990))
18.20.995 Relocation facilities.
“Relocation facilities” means housing units within City of Covington that provide housing to persons who have been involuntarily displaced from other housing units within City of Covington as a result of conversion of their housing unit to other land uses. (Ord. 42-02 § 2 (21A.06.995))

18.20.997 Repair.
“Repair” means to fix or restore to sound condition after damage. “Repair” does not include replacement of structures or systems. (Ord. 14-05 § 3)

18.20.998 Replace.
“Replace” means to take or fill the place of a structure, fence, deck or paved surface with an equivalent or substitute structure, fence, deck or paved surface that serves the same purpose. “Replacement” may or may not involve an expansion. (Ord. 14-05 § 3)

18.20.999 Reseller.
“Reseller” means one who buys fruits, vegetables, herbs, nuts, honey, dairy products, eggs, poultry, mushrooms, meats, fish, flowers, nursery stock, and plants directly from the farmer that grew, produced, caught, or gathered the item, transports it to a market, and resells it directly to the consumer. (Ord. 09-09 § 3)

18.20.999.5 Residence.
“Residence” means a building designed and/or used to house a single family. The definition of “residence” shall include trailers on an individual lot and multifamily and condominium units. (Ord. 26-16 § 22)

18.20.1000 Restoration.
“Restoration” means, for purposes of critical areas regulation, an action that reestablishes the structure and functions of a critical area or any associated buffer that has been altered. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1000))

18.20.1005 Retail, comparison.
“Retail, comparison” provides for the sale of comparison good and services and is centrally located in the community or region. (Ord. 42-02 § 2 (21A.06.1005))

18.20.1010 Retail, convenience.
“Retail, convenience” provides for daily living goods, is easy to access and use and is close to residential neighborhoods. (Ord. 42-02 § 2 (21A.06.1010))

18.20.1010.3 Retail trade and services.
“Retail trade and services” means any use that provides for the sale of goods and services for both local and regional markets. (Ord. 10-10 § 3 (Exh. C))

18.20.1011 Retaining wall.
"Retaining wall" means any wall used to resist the lateral displacement of any material. (Ord. 42-02 § 2 (21A.06.1011))

18.20.1012 Road amenities.
"Road amenities" means transfer of development credits (TDC) amenities financed by road CIP or operating funds that shall provide transportation improvements or programs. (Ord. 42-02 § 2 (21A.06.1011A))

18.20.1012.5 Roadway.
"Roadway" means the maintained areas cleared and graded within a road right-of-way or railroad prism. For a road right-of-way, "roadway" includes all maintained and traveled areas, shoulders, pathways, sidewalks, ditches and cut and fill slopes. For a railroad prism, "roadway" includes the maintained railbed, shoulders, and cut and fill slopes. "Roadway" is equivalent to the "existing, maintained, improved road right-of-way or railroad prism" as defined in the regional road maintenance guidelines. (Ord. 14-05 § 3)

18.20.1013 Runoff.
"Runoff" means that portion of water originating from rainfall and other precipitation that flows over the surface or just below the surface from where it fell and is found in drainage facilities, rivers, streams, springs, seeps, ponds, lakes and wetlands as well as shallow groundwater. (Ord. 26-16 § 23; Ord. 42-02 § 2 (21A.06.1012))

18.20.1015 Salmonid.
"Salmonid" means a member of the fish family Salmonidae, including, but not limited to:

(1) Chinook, coho, chum, sockeye and pink salmon;

(2) Rainbow, steelhead and cutthroat salmon, which are also known as trout;

(3) Brown trout;

(4) Brook, bull trout, which is also known as char, and Dolly Varden char;

(5) Kokanee; and

(6) Pygmy whitefish. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1015))

18.20.1016 Salmonid migration barrier.
"Salmonid migration barrier" means an in-stream blockage that consists of a natural gradient drop (no human influence) with an uninterrupted slope greater than 100 percent (45-degree angle and height in excess of 11 vertical feet) with anadromous salmon-bearing waters or a height of three vertical feet within resident trout-only bearing waters. Culverts and weirs meet the definition, yet are subject to the Director’s determination of whether the barrier must be removed or may remain, based on factors including impacts to existing systems and significant expense. (Ord. 14-05 § 3)
18.20.1020 School bus base.
“School bus base” means an establishment for the storage, dispatch, repairs and maintenance of coaches and other vehicles of a school transit system. (Ord. 42-02 § 2 (21A.06.1020))

18.20.1025 School district.
“School district” means the Kent School District. (Ord. 42-02 § 2 (21A.06.1025))

18.20.1030 School district support facility.
“School district support facility” means uses (excluding schools and bus bases) that are required for the operation of a school district. This term includes school district administrative offices, centralized kitchens, and maintenance or storage facilities. (Ord. 42-02 § 2 (21A.06.1030))

18.20.1033 Schools, compulsory.
“Schools, compulsory” means institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the state of Washington, including associated meeting rooms, auditoriums and athletic facilities. (Ord. 10-10 § 3 (Exh. C))

18.20.1035 Schools, elementary, and middle/junior high.
“Schools, elementary, and middle/junior high” means institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades kindergarten through nine, including associated meeting rooms, auditoriums and athletic facilities. (Ord. 42-02 § 2 (21A.06.1035))

18.20.1040 Schools, secondary or high school.
“Schools, secondary or high school” means institutions of learning offering instruction in the several branches of learning and study required by the Education Code of the State of Washington in grades nine through 12, including associated meeting rooms, auditoriums and athletic facilities. (Ord. 42-02 § 2 (21A.06.1040))

18.20.1042 Scour.
“Scour” means the erosive action of running water in streams, which excavates and carries away material from the bed and banks. “Scour” includes earth and solid rock material. (Ord. 14-05 § 3)

18.20.1045 Seismic hazard areas.
“Seismic hazard areas” means those areas in City of Covington subject to severe risk of earthquake damage as a result of soil liquefaction in areas underlain by cohesionless soils of low density and usually in association with a shallow ground water table or of other seismically induced settlement. (Ord. 42-02 § 2 (21A.06.1045))

18.20.1050 Self-service storage facility.
“Self-service storage facility” means an establishment containing separate storage spaces that are leased or rented as individual units. (Ord. 42-02 § 2 (21A.06.1050))
18.20.1055 Sending site.
“Sending site” means land designated in Chapter 18.95 CMC as capable of providing a public benefit if permanently protected by virtue of having its zoned development potential transferred to another property. (Ord. 42-02 § 2 (21A.06.1055))

18.20.1060 Senior citizen.
“Senior citizen” means a person aged 62 or older. (Ord. 42-02 § 2 (21A.06.1060))

18.20.1062 Senior citizen assisted housing.
“Senior citizen assisted housing” means housing in a building consisting of two or more dwelling units or sleeping units restricted to occupancy by at least one senior citizen per unit, and may include the following support services, as deemed necessary:

(1) Food preparation and dining areas;
(2) Group activity areas;
(3) Medical supervision; and
(4) Similar activities. (Ord. 42-02 § 2 (21A.06.1062))

18.20.1065 Sensitive areas.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.06.1065))

18.20.1068 Service area.
“Service area” means the incorporated areas of the City of Covington. (Ord. 26-16 § 24)

18.20.1070 Setback.
“Setback” means the minimum required distance between a structure and a specified line such as a lot, easement or buffer line that is required to remain free of structures. (Ord. 42-02 § 2 (21A.06.1070))

18.20.1072 Shelter, animal.
“Shelter, animal” means a facility that is used to house or contain stray, homeless, abandoned or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization or person devoted to the welfare, protection, and humane treatment of animals. (Ord. 05-15 § 1 (Exh. A))

18.20.1075 Shelters for temporary placement.
“Shelters for temporary placement” means housing units within City of Covington that provide housing to persons on a temporary basis for a duration not to exceed four weeks. (Ord. 42-02 § 2 (21A.06.1075))
18.20.1080 Shooting range.
“Shooting range” means a facility designed to provide a confined space for safe target practice with firearms, archery equipment, or other weapons whether open to the public, open only to private membership, open to organizational training such as law enforcement, or any combination thereof. (Ord. 01-12 § 1 (Exh. 1); Ord. 42-02 § 2 (21A.06.1080))

18.20.1083 Shoreline.
“Shoreline” means those lands defined as shorelines of the State in the Shorelines Management Act of 1971, Chapter 90.58 RCW, as amended or updated. (Ord. 14-05 § 3)

18.20.1084 Side channel.
“Side channel” means a channel that is secondary to and carries water to or from the main channel of a stream or the main body of a lake, including a back-watered channel or area and oxbow channel that is still connected to a stream by one or more above-ground channel connections or by inundation at the base flood. (Ord. 14-05 § 3)

18.20.1085 Sign.
“Sign” means any device, structure, fixture, or placard that is visible from a public right-of-way or surrounding properties and uses graphics, symbols, or written copy for the purpose of advertising or identifying any establishment, product, goods, or service. (Ord. 42-02 § 2 (21A.06.1085))

18.20.1090 Sign, awning.
“Sign, awning” means a sign painted on or attached directly to and supported by an awning. An awning may be constructed of rigid or nonrigid materials and may be retractable or nonretractable. (Ord. 42-02 § 2 (21A.06.1090))

18.20.1095 Sign, changing message center.
“Sign, changing message center” means an electrically controlled sign that contains advertising messages which changes at intervals of three minutes or greater. (Ord. 42-02 § 2 (21A.06.1095))

18.20.1100 Sign, community bulletin board.
“Sign, community bulletin board” means a permanent sign used to notify the public of community events and public services, and which contains no commercial advertising. (Ord. 42-02 § 2 (21A.06.1100))

18.20.1105 Sign, directional.
“Sign, directional” means a sign designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience, and may include incidental graphics such as trade names and trademarks. (Ord. 42-02 § 2 (21A.06.1105))

18.20.1110 Sign, freestanding.
“Sign, freestanding” means a sign standing directly upon the ground or having one or more supports standing directly upon the ground, and being detached from any building or fence. (Ord. 42-02 § 2
18.20.1115 Sign, fuel price.
“Sign, fuel price” means a sign utilized to advertise the price of gasoline and/or diesel fuel. (Ord. 42-02 § 2)

18.20.1120 Sign, incidental.
“Sign, incidental” means a sign, emblem or decal designed to inform the public of goods, facilities, or services available on the premises, and may include but is not limited to signs designating:

1. Restrooms;
2. Hours of operation;
3. Acceptable credit cards;
4. Property ownership or management;
5. Phone booths; and
6. Recycling containers. (Ord. 42-02 § 2)

18.20.1125 Sign, indirectly illuminated.
“Sign, indirectly illuminated” means a sign that is illuminated entirely from an external artificial source. (Ord. 42-02 § 2)

18.20.1130 Sign, monument.
“Sign, monument” means a freestanding sign that is above ground level and is anchored to the ground by a solid base, with no open space between the sign and the ground. (Ord. 42-02 § 2)

18.20.1135 Sign, off-premises directional.
“Sign, off-premises directional” means a sign which contains no advertising of a commercial nature which is used to direct pedestrian or vehicular traffic circulation to a facility, service or business located on other premises within 660 feet of the sign. (Ord. 42-02 § 2)

18.20.1140 Sign, on-premises.
“Sign, on-premises” means a sign which displays a message which is incidental to and directly associated with the use of the property on which it is located. (Ord. 42-02 § 2)

18.20.1145 Sign, permanent residential development identification.
“Sign, permanent residential development identification” means a permanent sign identifying the residential development upon which the sign is located. (Ord. 42-02 § 2)

18.20.1150 Sign, portable.
“Sign, portable” means a sign which is capable of being moved and is not permanently affixed to the ground, a structure or building. (Ord. 42-02 § 2 (21A.06.1150))

18.20.1155 Sign, projecting.
“Sign, projecting” means any sign which is attached to and supported by the exterior wall of a building with the exposed face of the sign on a plane perpendicular to the wall of the building; projecting more than one foot from the wall of a building and vertical to the ground. (Ord. 42-02 § 2 (21A.06.1155))

18.20.1160 Sign, time and temperature.
“Sign, time and temperature” means an electrically controlled sign that contains messages for date, time, and temperature, which changes at intervals of one minute or less. (Ord. 42-02 § 2 (21A.06.1160))

18.20.1165 Sign, wall.
“Sign, wall” means any sign painted on, or attached directly to and supported by, a building or structure, with the exposed face of the sign on a plane parallel to the portion of the building or structure to which it is attached, projecting no more than one foot from the building or structure, including window signs which are permanently attached. (Ord. 42-02 § 2 (21A.06.1165))

18.20.1166 Significant gap in service, wireless communications.
“Significant gap in service, wireless communications” means a large geographic area within a service area(s) of the applicant in which a large number of applicant’s remote user subscribers are unable to connect or maintain a connection to the national telephone network through applicant’s wireless telecommunications network. A “dead spot” (defined as small areas within a service area where the field strength is lower than the minimum level for reliable service) does not constitute a significant gap in service. (Ord. 09-12 § 2 (Exh. B))

18.20.1167 Significant tree.
“Significant tree” means an existing healthy tree that is not a hazard tree (i.e., a tree that does not have a high probability of imminently falling due to a debilitating disease or structural defect) and that when measured has a minimum diameter of six inches DBH or larger. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.1167))

18.20.1170 Site.
“Site” means a single lot, or two or more contiguous lots that are under common ownership or documented legal control, used as a single parcel for a development proposal in order to calculate compliance with the standards and regulations of this title. (Ord. 42-02 § 2 (21A.06.1170))

18.20.1172 Site area.
“Site area” means the total horizontal area of a project site. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1172))
18.20.1175 Site cost per student.
“Site cost per student” means the estimated cost of a site in the district for the grade span of school to be provided, as a function of the district’s facilities standard per grade span and taking into account the requirements of students with special needs. (Ord. 42-02 § 2 (21A.06.1175))

18.20.1177 SITUS file.
“SITUS file” means information on an individual parcel of land, including its size, known extent of existing development, known environmental constraints, approval conditions and other site-specific information, contained in the computerized permitting and land parcel data base of the Department of Public Works or its successor agencies. (Amended at request of department 2/08; Ord. 42-02 § 2 (21A.06.1177))

18.20.1178 Slope.
“Slope” means an inclined ground surface, the inclination of which is expressed as a ratio of vertical distance to horizontal distance. (Ord. 14-05 § 3)

18.20.1185 Soil recycling facility.
“Soil recycling facility” means an establishment engaged in the collection, storage and treatment of contaminated soils to remove and re-use organic contaminants. (Ord. 42-02 § 2 (21A.06.1185))

18.20.1190 Source-separated organic material.
“Source-separated organic material” means vegetative material, scrap lumber or wood, or other materials that provide a source for recycled or composted products. This does not include chemically treated wood products and/or toxic organic substances. (Ord. 42-02 § 2 (21A.06.1190))

18.20.1195 Special use permit.
“Special use permit” means a permit granted by the City to locate a regional land use at a particular location, subject to conditions placed on the proposed use to ensure compatibility with adjacent land uses. (Ord. 42-02 § 2 (21A.06.1195))

18.20.1200 Specialized instruction school.
“Specialized instruction school” means establishments engaged in providing specialized instruction in a designated field of study, rather than a full range of courses in unrelated areas; including, but not limited to:

(1) Art;
(2) Dance;
(3) Music;
(4) Cooking;
(5) Driving; and
18.20.1210 Sporting goods store.
“Sporting goods store” means an establishment engaged in the retail sale of sporting goods and equipment, including only uses located in SIC Industry Nos.:

(1) 5941 – Sporting goods stores and bicycle shops; and

(2) 5999 – Tent shops and trophy shops. (Ord. 42-02 § 2 (21A.06.1210))

18.20.1215 Sports club.
“Sports club” means an establishment engaged in operating physical fitness facilities and sports and recreation clubs, including only uses located in SIC Industry Nos.:

(1) 7991 – Physical fitness facilities; and

(2) 7997 – Membership sports and recreation clubs. (Ord. 42-02 § 2 (21A.06.1215))

18.20.1220 Stable.
“Stable” means a structure or facility in which horses or other livestock are kept for:

(1) Boarding;

(2) Training;

(3) Riding lessons;

(4) Breeding;

(5) Rental; or

(6) Personal use. (Ord. 42-02 § 2 (21A.06.1220))

18.20.1225 Standard of service, school districts.
“Standard of service, school districts” means the standard adopted by each school district which identifies the program year, the class size by grade span and taking into account the requirements of students with special needs, the number of classrooms, the types of facilities the district believes will best serve its student population, and other factors as identified by the school district. The district’s standard of service shall not be adjusted for any portion of the classrooms housed in relocatable facilities which are used as transitional facilities or for any specialized facilities housed in relocatable facilities. Except as otherwise defined by the school board pursuant to a board resolution, transitional facilities shall mean those facilities that are used to cover the time required for the construction of permanent facilities; provided, that the “necessary financial commitments” as defined in Chapter 18.75 CMC are in place to complete the permanent facilities called for in the capital plan. (Ord. 42-02 § 2 (21A.06.1225))
18.20.1230 Steep slope hazard areas.
“Steep slope hazard area” means an area on a slope of 40 percent inclination or more within a vertical elevation change of at least 20 feet. For the purpose of this definition, a slope is delineated by establishing its toe and top and is measured by averaging the inclination over at least 10 feet of vertical relief. Also for the purpose of this definition:

(1) The “toe” of a slope means a distinct topographic break in slope that separates slopes inclined at less than 40 percent from slopes inclined at 40 percent or more. Where no distinct break exists, the “toe” of a slope is the lowermost limit of the area where the ground surface drops 10 feet or more vertically within a horizontal distance of 25 feet; and

(2) The “top” of a slope is a distinct topographic break in slope that separates slopes inclined at less than 40 percent from slopes inclined at 40 percent or more. Where no distinct break exists, the “top” of a slope is the uppermost limit of the area where the ground surface drops 10 feet or more vertically within a horizontal distance of 25 feet. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1230))

18.20.1231 Stormwater.
“Stormwater” means runoff during and following precipitation and snowmelt events, including surface runoff and drainage. (Ord. 26-16 § 25)

18.20.1232 Stormwater management facility.
“Stormwater management facility” means constructed facilities that collect, convey, treat, detain or retain stormwater runoff. Stormwater management facilities may include, but are not limited to, such elements as concrete gutters, catch basins, manholes, storm pipe, ditches, swales, low impact development best management practices, water quality and flow control structures, and other facilities as approved by the city’s stormwater management program. (Ord. 26-16 § 27)

18.20.1233 Stormwater manuals.
“Stormwater manuals” means the manuals, regulations, and standards adopted in CMC Title 13. (Ord. 26-16 § 28)

18.20.1235 Stream functions.
“Stream functions” means natural processes performed by streams including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species, maintaining the availability and quality of water, such as purifying water, acting as recharge and discharge areas for ground water aquifers, moderating surface and storm water flows and maintaining the free flowing conveyance of water, sediments and other organic matter. (Ord. 42-02 § 2 (21A.06.1235))

18.20.1240 Stream.
“Stream” means an aquatic area where surface water produces a channel, not including a wholly artificial channel, unless it is:
(1) Used by salmonids;

(2) Used to convey a stream that occurred naturally before construction of the artificial channel; or

(3) A route that conveys surface water that can be classified as a Type S, F, Np or Ns in the Washington State Water Typing System in accordance with Chapter 222-16 WAC. (Ord. 13-09 § 25; Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1240))

18.20.1245 Street.
“Street” means a public or recorded private thoroughfare providing pedestrian and vehicular access through neighborhoods and communities and to abutting property. (Ord. 42-02 § 2 (21A.06.1245))

18.20.1250 Street frontage.
“Street frontage” means any portion of a lot or combination of lots which directly abut a public right-of-way. (Ord. 42-02 § 2 (21A.06.1250))

18.20.1252 Street wall.
“Street wall” means the frontage of a development proposal site that abuts a public street. (Ord. 10-10 § 3 (Exh. C))

18.20.1255 Structure.
“Structure” means anything permanently constructed in or on the ground, or over the water; excluding fences six feet or less in height, decks less than 18 inches above grade, paved areas, and structural or nonstructural fill. (Ord. 42-02 § 2 (21A.06.1255))

18.20.1256 Structure, electrical transmission.
“Structure, electrical transmission” means any facility (including a pole or a tower) owned by an electric utility that supports electrical lines that carry a voltage of at least 115kV. (Ord. 09-12 § 2 (Exh. B))

18.20.1257 Structured parking.
“Structured parking” means providing parking within a structure below, at or above grade in a manner such that vehicles are not visible from the public street. (Ord. 10-10 § 3 (Exh. C))

18.20.1260 Student factor.
“Student factor” means the number derived by a school district to describe how many students of each grade span are expected to be generated by a dwelling unit. Student factors shall be based on district records of average actual student generated rates for new developments constructed over a period of not more than five years prior to the date of the fee calculation; if such information is not available in the district, data from adjacent districts, districts with similar demographics, or County-wide averages must be used. Student factors must be separately determined for single-family and multifamily dwelling units, and for grade spans. (Ord. 42-02 § 2 (21A.06.1260))
18.20.1265 Submerged land.
“Submerged land” means any land at or below the ordinary high water mark of an aquatic area.
(Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1265))

18.20.1266 Substantial improvement.
“Substantial improvement” means:

(1) (a) Any maintenance, repair, structural modification, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

   (i) Before the improvement or repair is started; or

   (ii) If the structure has been damaged and is being restored, before the damage occurred.

   (b) For purposes of this definition, the cost of any improvement is considered to begin when the first alteration of any wall, ceiling, floor or other structural part of the building begins, whether or not that alteration affects the external dimensions of the structure; and

(2) Does not include either:

   (a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to ensure safe living conditions; or

   (b) Any alteration of a structure listed on the State or local inventory of historic resources.
(Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1270))

18.20.1267.3 Surface water.
“Surface water” means all water naturally open to the atmosphere (rivers, lakes, reservoirs, streams, impoundments, seas, estuaries, etc.) and all springs, wells, or other collectors which are directly influenced by surface water. (Ord. 26-16 § 29)

18.20.1267.5 Surface water conveyance system.
Repealed by Ord. 26-16. (Ord. 13-09 § 26; Ord. 14-05 § 3)

18.20.1268 Surface water discharge.
“Surface water discharge” means the flow of surface water into receiving water or another discharge point. (Ord. 14-05 § 3)

18.20.1268.5 System improvements.
“System improvements” means public facilities that are included in the City’s capital facilities plan and are designed to provide service to service areas within the City, in contrast to project improvements. (Ord. 16-16 § 7)
18.20.1269 TDC.
“TDC” means transfer of development credits. (Ord. 42-02 § 2 (21A.06.1273))

18.20.1270 TDC amenities.
“TDC amenities” means improvements or programs that are implemented to facilitate increased densities on or near receiving sites inside cities or in the urban unincorporated area. (Ord. 42-02 § 2 (21A.06.1273A))

18.20.1271 TDC bank fund.
“TDC bank fund” means the fund established under Chapter 18.95 CMC. (Ord. 42-02 § 2 (21A.06.1273B))

18.20.1272 TDC conversion ratio.
“TDC conversion ratio” means the ratio by which development credits purchased from a sending site are converted into additional development capacity for use on a receiving site. (Ord. 42-02 § 2 (21A.06.1273C))

18.20.1273 TDC executive board.
“TDC executive board” means the board established under Chapter 18.95 CMC. (Ord. 42-02 § 2 (21A.06.1273D))

18.20.1274 Temporary lodging/hotel.
“Temporary lodging/hotel” means an establishment that provides temporary sleeping accommodations, and may also include ancillary uses such as restaurant, lounge, banquet rooms and convention facilities. (Ord. 10-10 § 3 (Exh. C))

18.20.1275 Temporary use permit.
“Temporary use permit” means permit to allow a use of limited duration and/or frequency, or to allow multiple related events over a specified period. (Ord. 42-02 § 2 (21A.06.1275))

18.20.1277 Theater.
“Theater” means an establishment primarily engaged in the indoor exhibition of motion pictures or of live theatrical presentations. (Ord. 42-02 § 2 (21A.06.1277))

18.20.1278 Theatrical production services.
“Theatrical production services” means an establishment engaged in uses located in SIC Industry No. 792 – Theatrical producers (except motion picture), bands, orchestras, and entertainers, except establishments primarily engaged in providing live theatrical presentations, such as road companies and summer theaters. (Ord. 42-02 § 2 (21A.06.1278))

18.20.1280 Tightline sewer.
“Tightline sewer” means a sewer trunk line designed and intended specifically to serve only a particular facility or place, and whose pipe diameter should be sized appropriately to ensure service
only to that facility or place. It may occur outside the local service area for sewers, but does not amend the local service area. (Ord. 42-02 § 2 (21A.06.1280))

18.20.1282 Tower, guy.
“Tower, guy” means a tower that is supported with cable and ground anchors to secure and steady the tower. (Ord. 09-12 § 2 (Exh. B))

18.20.1283 Tower, lattice.
“Tower, lattice” means a tapered style of tower that consists of vertical and horizontal supports with multiple legs and cross-bracing and metal crossed strips or bars to support antennas or similar antenna devices. (Ord. 09-12 § 2 (Exh. B))

18.20.1283.5 Tower, monopole.
“Tower, monopole” means a freestanding tower that is composed of a single shaft, usually composed of two or more hollow sections that are in turn attached to a foundation. This type of tower is designed to support itself without the use of guy wires or other stabilization devices. These facilities are mounted to a foundation that rests on or in the ground. (Ord. 09-12 § 2 (Exh. B))

18.20.1284 Tower, wireless communication facility.
“Tower, wireless communication facility” means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self supporting lattice towers, guy towers or monopoles. The term includes, without limitation, radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, and alternative tower structures. (Ord. 09-12 § 2 (Exh. B))

18.20.1284.5 Tower-mounted facilities.
“Tower-mounted facilities” means a wireless communication facility that is mounted to a tower. (Ord. 09-12 § 2 (Exh. B))

18.20.1285 Trails.
“Trails” means manmade pathways designed and intended for use by pedestrians, bicyclists, equestrians, and/or recreational users. (Ord. 42-02 § 2 (21A.06.1285))

18.20.1290 Transfer station.
“Transfer station” means a staffed collection and transportation facility used by private individuals and route collection vehicles to deposit solid waste collected off-site into larger transfer vehicles for transport to permanent disposal sites, and may also include recycling facilities involving collection or processing for shipment. (Ord. 42-02 § 2 (21A.06.1290))

18.20.1295 Transit base.
“Transit base” means an establishment for the storage, dispatch, repair and maintenance of coaches, light rail trains, and other vehicles of a public transit system. (Ord. 42-02 § 2 (21A.06.1295))
18.20.1305 Transitional housing facilities.
"Transitional housing facilities" means housing units within City of Covington owned by public housing authorities, nonprofit organizations or other public interest groups that provide housing to persons on a temporary basis for a duration not to exceed 24 months in conjunction with job training, self sufficiency training, and human services counseling; the purpose of which is to help persons make the transition from homelessness to placement in permanent housing. (Ord. 42-02 § 2 (21A.06.1305))

18.20.1315 Transmission line booster station.
"Transmission line booster station" means an establishment containing equipment designed to increase voltage of electrical power transported through transmission and/or distribution lines to compensate for power loss due to resistance. (Ord. 42-02 § 2 (21A.06.1315))

18.20.1330 Transportation system management (TSM).
"Transportation system management (TSM)" means low-cost projects that can be implemented in a short time frame designed to increase the efficiency of existing transportation facilities. This also includes transit and/or ride sharing measures to decrease single occupancy vehicle trips. (Ord. 42-02 § 2 (21A.06.1330))

18.20.1331 Tree, hazard.
"Tree, hazard" means any tree with a structural defect, combination of defects or disease resulting in structural defect that, under the normal range of environmental conditions at the site, will result in the loss of a major structural component of that tree in a manner that will:

1. Damage a residential structure or accessory structure, place of employment or public assembly or approved parking for a residential structure or accessory structure or place of employment or public assembly;

2. Damage an approved road or utility facility; or

3. Prevent emergency access in the case of medical hardship. (Ord. 14-05 § 3)

18.20.1332 Trough subsidence.
"Trough subsidence" means a readily predictable or historically observed surface depression phenomena caused by coal extraction which is generally characterized by a gentle and continuous dish shape which may extend beyond the subsurface area in which coal mining has occurred. (Ord. 42-02 § 2 (21A.06.1332))

18.20.1335 Ultimate roadway section.
"Ultimate roadway section" means a designation by City of Covington that the maximum roadway or intersection capacity has been reached and further right-of-way acquisition and/or improvements are not feasible to increase peak hour vehicle capacity. (Ord. 42-02 § 2 (21A.06.1335))
18.20.1340 Undeveloped parcel.
“Undeveloped parcel” means any parcel which has not been altered from its natural state by the construction, creation or addition of impervious surface. (Ord. 26-16 § 31)

18.20.1345 Use.
“Use” means activity or function carried out on an area of land, or in a building or structure located thereon. Any use subordinate or incidental to the primary use on a site is considered an accessory use. (Ord. 42-02 § 2 (21A.06.1345))

18.20.1347 Utility corridor.
“Utility corridor” means a narrow strip of land containing underground or above-ground utilities and the area necessary to maintain those utilities. A “utility corridor” is contained within and is a portion of any utility right-of-way or dedicated easement. (Ord. 14-05 § 3)

18.20.1348 Utility facility.
“Utility facility” means a facility for the distribution or transmission of services, including:

(1) Telephone exchanges;

(2) Water pipelines, pumping or treatment stations;

(3) Electrical substations;

(4) Water storage reservoirs or tanks;

(5) Municipal ground water well-fields;

(6) Regional surface water flow control and water quality facilities;

(7) Natural gas pipelines, gate stations and limiting stations;

(8) Propane, compressed natural gas and liquefied natural gas storage tanks serving multiple lots or uses from which fuel is distributed directly to individual users;

(9) Wastewater pipelines, lift stations, pump stations, regulator stations or odor control facilities; and

(10) Communication cables, electrical wires and associated structural supports. (Ord. 10-10 § 3 (Exh. C); Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1350). Formerly 18.20.1350)

18.20.1349 Utility facility, major.
“Utility facility, major” means large scale facilities that serve a regional need, have major above-ground visual impacts and/or result in noise, odors, or other activities that are incompatible with residential and other less intensive uses. Such facilities may include sewage treatment plants, transfer stations, electrical substations, high voltage transmission lines, regional water storage
tanks and reservoirs, storage yards and regional sewer collectors and interceptors. This definition does not include wireless communication facilities. (Ord. 01-11 § 1)

**18.20.1350 Utility facility, minor.**
“Utility facility, minor” means a small scale facility serving primarily local distribution needs within the City, including underground power lines, water distribution lines, sewer lift stations, and storm water conveyance pipes, fiber optic cable, pump stations and hydrants, switching boxes, and other structures normally found in a street right-of-way to serve adjacent properties. (Ord. 01-11 § 1)

**18.20.1351 Utility pole.**
“Utility pole” is any facility owned by an electric utility that supports electrical lines that carry a voltage of less than 115kV, or other public utility, such as coaxial cables for cable and fiber optic cable for telephone lines. (Ord. 09-12 § 2 (Exh. B))

**18.20.1352 Vactor waste.**
“Vactor waste” means liquid or solid waste material collected from catch basins, retention/detention facilities or drainage pipes. (Ord. 42-02 § 2 (21A.06.1352))

**18.20.1353 Vactor waste receiving facility.**
“Vactor waste receiving facility” means a facility where vactor waste is brought for treatment and storage prior to final disposal. (Ord. 42-02 § 2 (21A.06.1353))

**18.20.1355 Variance.**
“Variance” means an adjustment in the application of standards of a zoning code to a particular property. (Ord. 42-02 § 2 (21A.06.1355))

**18.20.1360 Vegetation.**
“Vegetation” means any and all plant life growing at, below or above the soil surface. (Ord. 42-02 § 2 (21A.06.1360))

**18.20.1365 Vocational school.**
“Vocational school” means establishments offering training in a skill or trade to be pursued as a career. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.06.1365))

**18.20.1375 Warehousing and wholesale trade.**
“Warehousing and wholesale trade” means establishments involved in the storage and/or sale of bulk goods for resale or assembly, excluding establishments offering the sale of bulk goods to the general public which is classified as a retail use in CMC 18.25.070. These establishments shall include only SIC Major Group Nos. 50 and 51 and SIC Industry Group Nos. 422 and 423. (Ord. 42-02 § 2 (21A.06.1375))

**18.20.1380 Wastewater treatment facility.**
“Wastewater treatment facility” means a plant for collection, decontamination and disposal of
sewage, including residential, industrial and agricultural liquid wastes, and including any physical improvement within the scope of the definition of “water pollution control facility” set forth in WAC 173-90-015(4) as amended. (Ord. 42-02 § 2 (21A.06.1380))

18.20.1382 Water budget.  
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.06.1382))

18.20.1385 Water dependent use.  
“Water dependent use” means a land use which can only exist when the interface between wet meadows, grazed land and water provides the biological or physical conditions necessary for the use. (Ord. 42-02 § 2 (21A.06.1385))

18.20.1390 Wet meadow, grazed or tilled.  
“Wet meadow, grazed or tilled” means an emergent wetland that has grasses, sedges, rushes or other herbaceous vegetation as its predominant vegetation and has been previously converted to agricultural activities. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1390))

18.20.1393 Wetland complex.  
“Wetland complex” means a grouping of two or more wetlands, not including grazed wet meadows, which meet the following criteria:

(1) Each wetland included in the complex is within 500 feet of the delineated edge of at least one other wetland in the complex;

(2) The complex includes at least:

   (a) One wetland classified Category I or II;

   (b) Three wetlands classified Category III; or

   (c) Four wetlands classified Category IV;

(3) The area between each wetland and at least one other wetland in the complex is predominately vegetated with shrubs and trees; and

(4) There are not any barriers to migration or dispersal of amphibian, reptile or mammal species that are commonly recognized to exclusively or partially use wetlands and wetland buffers during a critical life cycle stage, such as breeding, rearing or feeding. (Ord. 14-05 § 3)

18.20.1394 Wetland creation.  
“Wetland creation” means, for purposes of wetland mitigation, the manipulation of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site, where a wetland did not previously exist. Activities to create a wetland typically involve excavation of upland soils to elevations that will produce a wetland hydroporiod, create hydric soils and support
the growth of hydrophytic plant species. Wetland creation results in a gain in wetland acres. (Ord. 14-05 § 3)

18.20.1395 Wetland edge.
“Wetland edge” means the line delineating the outer edge of a wetland, consistent with the wetland delineation manual required by RCW 36.70A.175. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1395))

18.20.1397 Wetland enhancement.
“Wetland enhancement” means the manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify or improve specific functions or to change the growth state or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention or wildlife habitat. Wetland enhancement activities typically consist of planting vegetation, controlling nonnative or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods or some combination of these. Wetland enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. (Ord. 14-05 § 3)

18.20.1400 Wetland, forested.
“Wetland, forested” means a wetland that is dominated by mature woody vegetation or a wetland vegetation class that is characterized by woody vegetation at least 20 feet tall. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1400))

18.20.1405 Wetland functions.
“Wetland functions” means natural processes performed by wetlands including functions which are important in facilitating food chain production, providing habitat for nesting, rearing and resting sites for aquatic, terrestrial and avian species, maintaining the availability and quality of water, acting as recharge and discharge areas for ground water aquifers and moderating surface and storm water flows, as well as performing other functions including, but not limited to, those set forth in 33 CFR 320.4(b)(2), 1988. (Ord. 42-02 § 2 (21A.06.1405))

18.20.1410 Wetland, isolated.
“Wetland, isolated" means a wetland which has a total size less than 2,500 square feet excluding buffers or, if within the urban area is less than 5,000 square feet excluding buffers, which is hydrologically isolated from other wetlands or streams does not have permanent open water, and is determined to be of low function. (Ord. 42-02 § 2 (21A.06.1410))

18.20.1415 Wetland.
“Wetland” means an area that is not an aquatic area and that is inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and under normal circumstances supports, a prevalence of vegetation typically adapted for life in saturated soil conditions or purposes of this definition:
Where the vegetation has been removed or substantially altered, “wetland” is determined by the presence or evidence of hydric soil, by other documentation such as aerial photographs of the previous existence of wetland vegetation or by any other manner authorized in the wetland delineation manual required by RCW 36.70A.175; and

Except for artificial features intentionally made for the purpose of mitigation, “wetland” does not include an artificial feature made from a nonwetland area, which may include, but is not limited to:

- A surface water conveyance for drainage or irrigation;
- A grass-lined swale;
- A canal;
- A flow control facility;
- A wastewater treatment facility;
- A farm pond;
- A wetpond;
- Landscape amenities; or
- A wetland created after July 1, 1990, that was unintentionally made as a result of construction of a road, street or highway. (Ord. 14-05 § 2; Ord. 42-02 § 2 (21A.06.1415))

18.20.1416 Wetland reestablishment.
“Wetland reestablishment” means, for purposes of wetland mitigation, the manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Activities to reestablish a wetland include removing fill material, plugging ditches, or breaking drain tiles. Wetland reestablishment results in a gain in wetland acres. (Ord. 14-05 § 3)

18.20.1417 Wetland rehabilitation.
“Wetland rehabilitation” means, for purposes of wetland mitigation, the manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded wetland. Activities to rehabilitate a wetland include breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland. Wetland rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. (Ord. 14-05 § 3)

18.20.1418 Wetland vegetation class.
“Wetland vegetation class” means a wetland community classified by its vegetation including aquatic bed, emergent, forested and shrub-scrub. To constitute a separate wetland vegetation class, the vegetation must be at least partially rooted within the wetland and must occupy the
uppermost stratum of a contiguous area or comprise at least 30 percent areal coverage of the entire wetland. (Ord. 14-05 § 3)

18.20.1420 Wetpond.
“Wetpond” means an artificial water body constructed as a part of a surface water management system. (Ord. 42-02 § 2 (21A.06.1420))

18.20.1422 Wildlife.
“Wildlife” means birds, fish and animals that are not domesticated and are considered to be wild. (Ord. 14-05 § 3)

18.20.1423 Wildlife habitat conservation area.
“Wildlife habitat conservation area” means an area for a species whose habitat the Covington or King County Comprehensive Plan requires the City or County to protect that includes an active breeding site and the area surrounding the breeding site that is necessary to protect breeding activity. (Ord. 14-05 § 3)

18.20.1424 Wildlife habitat network.
“Wildlife habitat network” means the official wildlife habitat network defined and mapped in the King County Comprehensive Plan that links wildlife habitat with critical areas, critical area buffers, priority habitats, trails, parks, open space and other areas to provide for wildlife movement and alleviate habitat fragmentation. (Ord. 14-05 § 3)

18.20.1425 Wildlife shelter.
“Wildlife shelter” means a facility for the temporary housing of sick, wounded or displaced wildlife. (Ord. 42-02 § 2 (21A.06.1425))

18.20.1426 Wireless communication facility.
“Wireless communication facility” means any tower, antenna, ancillary structure or facility, or related equipment or component thereof, that is used for the transmission of radio frequency signals through electromagnetic energy for the purpose of providing phone, internet, video, information services, specialized mobile radio, enhanced specialized mobile radio, paging, wireless digital data transmission, broadband, unlicensed spectrum services utilizing part 15 devices, or other similar services that currently exist or that may in the future be developed. (Ord. 09-12 § 2 (Exh. B))

18.20.1427 Wireless communication facility, building-mounted.
“Wireless communication facility, building-mounted” means a wireless communication facility that is attached to an existing commercial, industrial, residential, or institutional building. (Ord. 09-12 § 2 (Exh. B))

18.20.1428 Wireless communication facility, concealed facility.
“Wireless communication facility, concealed facility” means a wireless communication facility that
is not readily identifiable as such and is designed to be aesthetically and architecturally compatible
with the existing building(s) on a site; or a wireless communication facility disguised, hidden, or
integrated with an existing structure that is not a monopole or tower; or a wireless communication
facility that is placed within an existing or proposed structure or tower or mounted within trees, so
as to be significantly screened from view or camouflaged to appear as a nonantenna structure or
tower (i.e., tree, light pole, clock tower, flagpole with flag, church steeple). (Ord. 09-12 § 2 (Exh. B))

18.20.1429 Wireless communication facility equipment enclosure.
“Wireless communication facility equipment enclosure” means any structure above or below
ground, including without limitation cabinets, shelters, pedestals and other devices or structures,
that is used exclusively to contain radio or other equipment necessary for the transmission and/or
reception of wireless communication signals including, without limitation, air conditioning units and
generators. (Ord. 09-12 § 2 (Exh. B))

18.20.1429.1 Wireless communication facility equipment compound.
“Wireless communication facility equipment compound” means an outdoor fenced area occupied by
all the towers, antennas, ancillary structure(s), ancillary facilities, and equipment enclosures, but
excluding parking and access ways. (Ord. 09-12 § 2 (Exh. B))

18.20.1429.2 Wireless communication facility, feed lines or coaxial cables.
“Wireless communication facility, feed lines or coaxial cables” means cables used as the
interconnection media between the transmission/receiving base station and the antenna. (Ord. 09-
12 § 2 (Exh. B))

18.20.1429.3 Wireless telecommunication carrier.
“Wireless telecommunication carrier” means any person or entity that directly or indirectly owns,
controls, operates, or manages any plant, equipment, structure, or property within the City for the
purpose of offering wireless telecommunication service within the City. (Ord. 09-12 § 2 (Exh. B))

18.20.1430 Work release facility.
“Work release facility” means a facility which allows the opportunity for convicted persons to be
employed outside of the facility, but requires confinement within the facility when not in the place of
employment. (Ord. 42-02 § 2 (21A.06.1430))

18.20.1432 Wrecked, dismantled or inoperative vehicle.
“Wrecked, dismantled or inoperative vehicle” means a motor vehicle or the remains or remnant
parts of a motor vehicle which is mechanically inoperative and cannot be made operative without
the addition of vital parts or mechanisms or the application of a substantial amount of labor and is
certified by the Department of Community Development as meeting at least three of the following
requirements:

(1) Is three years old or older;
(2) Is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor, or transmission;

(3) Is apparently inoperable;

(4) Has an approximate fair market value equal only to the approximate value of the scrap in it. 
(Amended at request of department 2/08; Ord. 42-02 § 2 (21A.06.1432))

18.20.1435 Yard or organic waste processing facility.
“Yard or organic waste processing facility” means a site where yard and garden wastes, including wood and land clearing debris, are processed into new products such as soil amendments and wood chips. (Ord. 42-02 § 2 (21A.06.1435))

1 Code reviser’s note: Ord. 10-10 added this section as CMC 18.20.147. This section has been editorially renumbered to preserve alphabetization.

2 Code reviser’s note: Ord. 26-16 adds this section as CMC 18.20.332.5. It has been editorially renumbered to preserve alphabetization.

3 Code reviser’s note: Ord. 26-16 adds this section as CMC 18.20.875.5. It has been editorially renumbered to preserve alphabetization.

4 Code reviser’s note: Ord. 10-10 adds this section as CMC 18.20.1023. This section has been editorially renumbered to preserve alphabetization.

5 Code reviser’s note: Ord. 26-16 adds this section as CMC 18.20.1267.3. It has been editorially renumbered to preserve alphabetization.
Chapter 18.25
PERMITTED USES

Sections:
18.25.010 Establishment of uses.
18.25.020 Interpretation of land use tables.
18.25.025 Land use tables within R, CC, NC and I zones.
18.25.030 Residential land uses.
18.25.040 Recreational/cultural land uses.
18.25.050 General services land uses.
18.25.060 Government/business services land uses.
18.25.070 Retail land uses.
18.25.080 Manufacturing land uses.
18.25.090 Resource land uses.
18.25.100 Regional land uses.
18.25.105 Repealed.
18.25.110 Applicability – Ordinance.

18.25.010 Establishment of uses.
The use of a property is defined by the activity for which the building or lot is intended, designed, arranged, occupied, or maintained. The use is considered permanently established when that use will or has been in continuous operation for a period exceeding 60 days. A use which will operate for less than 60 days is considered a temporary use, and subject to the requirements of Chapter 18.85 CMC. (Ord. 42-02 § 2 (21A.08.010))

18.25.020 Interpretation of land use tables.
(1) The land use tables in this chapter determine whether a use is allowed in a zone district. The zone district is located on the vertical column and the use is located on the horizontal row of these tables.

(2) If no symbol appears in the box at the intersection of the column and the row, the use is not allowed in that district, except for certain temporary uses.

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

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

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

(6) If more than one letter-number combination appears in the box at the intersection of the column and the row, the use is allowed in that zone subject to different sets of limitation or conditions depending on the review process indicated by the letter, the general requirements of the code and the specific conditions indicated in the development condition with the corresponding number immediately following the table.

(7) All applicable requirements shall govern a use whether or not they are cross-referenced in a section. (Ord. 10-10 § 3 (Exh. C); Ord. 20-07 § 114; Ord. 42-02 § 2 (21A.08.020))

18.25.025 Land use tables within R, CC, NC and I zones.
The land use tables set forth in CMC 18.25.030 through 18.25.100, inclusive, shall not apply to any property within any designated downtown zone. The permitted land use table for property located within any downtown zone is set forth in CMC 18.31.110. (Ord. 10-10 § 3 (Exh. C); Ord. 32-05 § 1)

18.25.030 Residential land uses.
A. Table.

<table>
<thead>
<tr>
<th>Key</th>
<th>P – Permitted Use</th>
<th>C – Conditional Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIC #</td>
<td>SPECIFIC LAND USE</td>
<td>M</td>
</tr>
<tr>
<td>*</td>
<td>DWELLING UNITS, TYPES:</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Single detached</td>
<td>P</td>
</tr>
</tbody>
</table>

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
**GROUP RESIDENCES**

<table>
<thead>
<tr>
<th>*</th>
<th>C</th>
<th>C</th>
<th>C</th>
<th>C</th>
<th>C</th>
<th>P3</th>
<th>P3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community residential facility-I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Community residential facility-II</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Senior citizen assisted housing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

**ACCESSORY USES:**

<table>
<thead>
<tr>
<th>*</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential accessory uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TEMPORARY LODGING**

<table>
<thead>
<tr>
<th>*</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast guesthouse</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Development Conditions.

1. For all single-family preliminary plats of 20 lots or more, 18 percent of the units must be constructed as multiple-family dwelling units. The City will consider a reduction in the required number of multiple-family units if an agreement can be reached to assure the affordable housing income figures mandated by the comprehensive plan can be achieved. This condition shall not apply within the Lakepoint Urban Village subarea.

2. Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in Condition No. 6.

3. Only as part of a mixed-use/integrated development subject to the conditions of Chapter 18.35 CMC.

4. Permitted only in the R-18 zone.

5. Must be in accord with Chapter 18.35 CMC.
(6) Accessory Dwelling Units.

(a) Only one accessory dwelling per primary single detached dwelling unit;

(b) Only in the same building as the primary dwelling unit on an urban lot that is less than 10,000 square feet in area, on a rural lot that is less than the minimum lot size, or on a lot containing more than one primary dwelling;

(c) The primary dwelling unit or the accessory dwelling unit shall be owner-occupied;

(d) One of the dwelling units shall not exceed a floor area of 1,000 square feet except when one of the dwelling units is wholly contained within a basement or attic;

(e) When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;

(f) One additional off-street parking space shall be provided;

(g) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied;

(h) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the Department with the Records and Elections Division which identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the Department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, either the original lot or the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone; and

(i) Must be in accord with Chapter 18.35 CMC.

(7) Only as an accessory to the permanent residence of the operator, provided:

(a) Serving meals to paying guests shall be limited to breakfast; and

(b) The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards of the International Building Code for R-1 occupancies may accommodate up to 10 persons per night.

(8) On-street electric vehicle charging stations are not permitted in the R-1 through R-18 zones. Individual electric vehicle charging stations for a single-family residence shall follow the Installation Guide for Charging Stations, prepared by Puget Sound Regional Council, and as amended.
Within the Lakepoint Urban Village\textsuperscript{2} subarea, single-family detached residences shall not be allowed around or abutting the pond.

Within the Lakepoint Urban Village\textsuperscript{1} subarea, townhouses shall not abut the pond except as part of a mixed-use development, unless otherwise separated from the pond by a public trail, park, green space or street. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 06-05 § 1; Ord. 23-04 § 10; Ord. 42-02 § 2 (21A.08.030))

**18.25.040** Recreational/cultural land uses.

A. Table.

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>PARK/RECREATION:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Park</td>
<td>P1</td>
<td>P</td>
<td>P</td>
<td>P1</td>
<td>P1</td>
<td>P1</td>
<td>P</td>
<td>P</td>
<td>P1</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Trails</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>AMUSEMENT/ENTERTAINMENT:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Adult entertainment businesses (2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>793</td>
<td>Bowling center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Golf facility</td>
<td>P3</td>
<td>P3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7999(4)(6)</td>
<td>Amusement and recreation services</td>
<td>P5</td>
<td>P5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Commercial recreation</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Physical fitness/recreation clubs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Theaters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
B. Development Conditions.

(1) Lighting for structures and fields shall be directed away from residential areas through the use of exterior full cut-off shields or through optics within the fixture.

(2) Adult entertainment businesses shall be prohibited within 550 feet of any property zoned R or containing schools, licensed day care centers, public parks or trails, community centers, public libraries or churches. In addition, adult entertainment businesses shall not be located closer than 3,000 feet to any other adult entertainment business. These distances shall be measured from the property line of the parcel or parcels proposed to contain the adult entertainment business to the property line of the parcels zoned R or that contain the uses identified in this subsection.

(3) Clubhouses, maintenance buildings, equipment storage areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for practice greens and driving range ball impact areas shall be directed away from adjoining residential zones. Applications shall comply with adopted best management practices for golf course development. Ancillary facilities associated with a golf course are limited to practice putting greens, maintenance buildings and other structures housing administrative offices or activities that provide convenience services to players. These convenience services are limited to a pro shop, food services and dressing facilities and shall occupy a total of no more than 10,000 square feet.

(4) Excluding amusement and recreational uses classified elsewhere in this chapter.

(5) A conditional use permit is required unless the use is an accessory to a park or in a building listed on the National Register as a historic site or designated as a King County landmark subject to Chapter 18.47 CMC.

(6) The operation of an indoor shooting range, as defined in CMC 18.20.1080, is not permitted. Outdoor shooting ranges are not permitted. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 01-12 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.08.040))
<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>PERSONAL SERVICES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>General personal service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7216</td>
<td>Dry cleaning plants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7218</td>
<td>Industrial launderers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7261</td>
<td>Funeral home/crematory</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Cemetery, columbarium or mausoleum (5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Day care I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Day care II</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>074</td>
<td>Veterinary clinic or animal shelter (12)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>753</td>
<td>Automotive repair (1) (12)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>754</td>
<td>Automotive service (2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>Miscellaneous repair</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>866</td>
<td>Churches, synagogue, temple</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>Social services</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60/81/872</td>
<td>Legal/financial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8748</td>
<td>Business</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
<table>
<thead>
<tr>
<th></th>
<th>consulting services</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Kennel or cattery</td>
<td>P</td>
<td>C</td>
<td></td>
<td>P12</td>
</tr>
<tr>
<td>*</td>
<td>Artist studios</td>
<td></td>
<td></td>
<td>P9</td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Interim recycling facility</td>
<td></td>
<td></td>
<td>P10</td>
<td></td>
</tr>
</tbody>
</table>

**HEALTH SERVICES:**

| * | Medical/dental office/outpatient clinic | | | P9 | | P13, 15 | P | P | P | P |

805 Nursing and personal care facilities

807 Medical/dental lab

808 – 809 Miscellaneous health

**EDUCATIONAL SERVICES:**

| | Schools: Elementary, middle/junior high, secondary or high school | | | P | P | P | P |
|---|---|---|---|---|---|---|---|---|
| | Vocational school | C | C | C | C | | | P |
| | Specialized instruction school | C | C | C | C | P | | P |
| | School district support facility | P11 | P11 | P11 | P11 | C | | P |

B. Development Conditions.

(1) Except SIC Industry No. 7534 – Tire retreading; see manufacturing permitted use table.
(2) Not abutting or taking access from SE 270th Place.

(3) A conditional use permit is required unless a columbarium is an accessory to a church.

(4) Only as an accessory to a cemetery.

(5) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(6) Only as an accessory to residential use, and:

   (a) Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and

   (b) Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.

(7) Permitted as an accessory use. See commercial/industrial accessory uses, CMC 18.25.060.

(8) Only as a re-use of a public school facility subject to Chapter 18.85 CMC, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, and:

   (a) Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet;

   (b) Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

   (c) Direct access to a developed arterial street shall be required in any residential zone; and

   (d) Hours of operation may be restricted to assure compatibility with surrounding development.

(9) Permitted only in existing single-family structures.

(10) Limited to source-separated yard or organic waste processing facilities.

(11) Only if adjacent to an existing or proposed school.

(12) (a) No burning of refuse or dead animals is allowed;

   (b) The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and

   (c) The provisions of Chapter 18.80 CMC relative to animal keeping are met.
(13) Limited to 3,000 square feet of gross floor area, unless located in a multi-story, mixed-use building in which case the limitation does not apply.

(14) Excluding banks.

(15) Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises. (Ord. 05-15 § 1 (Exh. A); Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.08.050))

18.25.060 Government/business services land uses.

A. Table.

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>GOVERNMENT SERVICES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Public agency or utility office</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Public agency or utility yard</td>
<td>P5</td>
<td>C3</td>
<td>P8</td>
<td>P8</td>
<td>C3</td>
<td>P8</td>
<td>P8</td>
<td>P8</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Public agency archives</td>
<td>P5</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>921</td>
<td>Court</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9221</td>
<td>Police facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9224</td>
<td>Fire facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Utility facility</td>
<td>P4</td>
<td>C14</td>
<td>P4</td>
<td>C14</td>
<td>P4</td>
<td>C14</td>
<td>P4</td>
<td>C14</td>
<td>P10</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Commuter parking lot</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td></td>
<td></td>
<td></td>
<td>P17</td>
<td>P</td>
</tr>
</tbody>
</table>

B. BUSINESS SERVICES:

| * | Construction and trade |       |       | P    |       |
| * | Individual             |       |       | P    |       |

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>P10,18</th>
<th>P10,16</th>
<th>P10</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>421</td>
<td>Trucking and courier service</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Transportation service</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>473</td>
<td>Freight and cargo service</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Communication offices</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>482</td>
<td>Telegraph and other communications</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>735</td>
<td>Miscellaneous equipment rental (12)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>751</td>
<td>Automotive rental and leasing</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>873</td>
<td>Research, development, and testing</td>
<td>P2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>751</td>
<td>Automotive rental and leasing</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>873</td>
<td>Research, development, and testing</td>
<td>P2</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ACCESSORYUSES:**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>P10,18</th>
<th>P10,16</th>
<th>P10</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>421</td>
<td>Trucking and courier service</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Transportation service</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>473</td>
<td>Freight and cargo service</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48</td>
<td>Communication offices</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>482</td>
<td>Telegraph and other communications</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>735</td>
<td>Miscellaneous equipment rental (12)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>751</td>
<td>Automotive rental and leasing</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>873</td>
<td>Research, development, and testing</td>
<td>P2</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B. Development Conditions.

(1) Except self-service storage.
(2) Except SIC Industry No. 8732 – Commercial economic, sociological, and educational research, see general business service/office.

(3) A conditional use permit is not required if the use is:

(a) A re-use of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter 18.85 CMC; or

(b) An accessory to a fire facility and the office is no greater than 1,500 square feet of floor area.

(4) Excluding bulk gas storage tanks.

(5) Subject to industrial criteria.

(6) (a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;

(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street;

(c) No outdoor storage.

(7) Limited to “storefront” police offices. Such offices shall not have:

(a) Holding cells;

(b) Suspect interview rooms (except in the NC zone); or

(c) Long-term storage of stolen properties.

(8) (a) Utility yards only on sites with utility district offices; or

(b) Public agency yards are limited to material storage for road maintenance facilities.

(9) Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.

(10) Provided, that all material and/or equipment of any kind is stored in a fully enclosed building.

(11) Permitted only in existing single-family structures.

(12) Not abutting or taking access from SE 270th Place.

(13) Limited to new commuter parking lots designed for 30 or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting; provided, that the new or existing lot
is adjacent to a designated arterial that has been improved to a standard acceptable to the Department of Transportation.

(14) Limited to bulk gas storage tanks which pipe to individual residences but excluding liquefied natural gas storage tanks.

(15) Electric vehicle charging stations are permitted in accordance with CMC 18.50.170.

(16) Gasoline service stations and battery exchange stations are limited to the community commercial (CC) zone and subject to the following conditions:

(a) A gasoline service station shall be limited to four pumps and eight price gauges to service no more than eight vehicles.

(b) A battery exchange station shall provide a minimum of three stacking spaces.

(c) Stacking spaces and drive-through facilities shall be designed in accordance with CMC 18.50.080.

(d) Any associated materials, equipment storage, outdoor storage tanks and battery exchange activities shall be within a fully enclosed structure, unless otherwise determined by the Director.

(17) Limited to park-and-ride facilities associated with a public or private transit facility provider. Any such commuter parking lot shall not exceed 125 surface spaces. Parking stalls in excess of this amount shall be located within a parking structure.

(18) Limited to 3,000 square feet of gross floor area unless located in a multi-story, mixed-use building, in which case the limitation does not apply. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 08-07 § 1; Ord. 16-05 § 1; Ord. 08-05 § 1; Ord. 24-04 § 1; Ord. 42-02 § 2 (21A.08.060))

18.25.070 Retail land uses.
A. Table.

<table>
<thead>
<tr>
<th>Key</th>
<th>P – Permitted Use</th>
<th>C – Conditional Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIC #</td>
<td>SPECIFIC LAND USE</td>
<td>M US R4-8 R-12 R-18 MR CC NC RCMU I</td>
</tr>
</tbody>
</table>

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
| * | Building, hardware and garden materials | | P2 | P1 | P1, 7 |
| * | Department and variety stores | | P | P | P |
| 54 | Food stores | P2 | P | P2 | P | P2 |
| 56 | Apparel and accessory stores | | P | P | P |
| 58 | Eating and drinking places | P6 | P | P | P |
| 592 | Liquor stores | | P | P | P |
| * | Book, stationery, video and art supply stores | | P2 | P | P |
| * | Hobby, toy, game shops | | P2 | P | P |
| * | Photographic and electronic shops | | P | P | P |
| * | Fabric shops | | P2, 7 | P | P | P |
| * | Florist shops | | P2, 7 | P | P | P |
| * | Farmers’ and public markets | | P5 | P5 | P5 | P5 |
| | Laundromat/dry cleaner | | P2 | P | P |
| | Commercial printing and publishing | | P2 | P | P |

B. Development Conditions.

(1) Only hardware and garden materials stores shall be permitted; provided, that all material and/or equipment of any kind is stored in a fully enclosed building.

(2) Limited to a maximum of 3,000 square feet of gross floor area, unless located in a multi-story, mixed-use building, in which case the limitation does not apply.
(3) Reserved.

(4) Permitted only in existing single-family structures.

(5) Farmers’ and public markets are permitted. Temporary markets require a temporary use permit in accordance with CMC 18.85.125.

(6) Limited to a maximum of 8,000 square feet of gross floor area, and drive-through facilities are not permitted.

(7) Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 09-09 § 4; Ord. 06-06 § 1; Ord. 42-02 § 2 (21A.08.070))

18.25.080 Manufacturing land uses.
A. Table.

<table>
<thead>
<tr>
<th>Key</th>
<th>P – Permitted Use</th>
<th>C – Conditional Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SIC #</strong></td>
<td><strong>SPECIFIC LAND USE</strong></td>
<td><strong>M</strong></td>
</tr>
<tr>
<td>205</td>
<td>Bakeries</td>
<td>C3</td>
</tr>
<tr>
<td>20</td>
<td>Food and kindred products (except 205)</td>
<td></td>
</tr>
<tr>
<td>2082/2084</td>
<td>Winery/brewery</td>
<td>C3</td>
</tr>
<tr>
<td>22</td>
<td>Textile mill products</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Apparel and other textile products</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Wood products, except furniture</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Furniture and fixtures</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Paper and allied products</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Printing and publishing</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Chemicals and allied</td>
<td></td>
</tr>
</tbody>
</table>

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>2911</td>
<td>Petroleum refining and related industries</td>
<td>C</td>
</tr>
<tr>
<td>30</td>
<td>Rubber and miscellaneous plastics products</td>
<td>C</td>
</tr>
<tr>
<td>31</td>
<td>Leather and leather goods</td>
<td>P</td>
</tr>
<tr>
<td>32</td>
<td>Stone, clay, glass, and concrete products</td>
<td>P</td>
</tr>
<tr>
<td>33</td>
<td>Primary metal industries</td>
<td>C</td>
</tr>
<tr>
<td>34</td>
<td>Fabricated metal products</td>
<td>P</td>
</tr>
<tr>
<td>35</td>
<td>Industrial and commercial machinery</td>
<td>P</td>
</tr>
<tr>
<td>351 – 355</td>
<td>Heavy machinery and equipment</td>
<td>C</td>
</tr>
<tr>
<td>357</td>
<td>Computer and office equipment</td>
<td>P</td>
</tr>
<tr>
<td>36</td>
<td>Electronic and other electric equipment</td>
<td>P</td>
</tr>
<tr>
<td>374</td>
<td>Railroad equipment</td>
<td>C</td>
</tr>
<tr>
<td>376</td>
<td>Guided missile and space vehicle parts</td>
<td>C</td>
</tr>
<tr>
<td>379</td>
<td>Miscellaneous transportation vehicles</td>
<td>C</td>
</tr>
<tr>
<td>38</td>
<td>Measuring and controlling instruments</td>
<td>P</td>
</tr>
<tr>
<td>39</td>
<td>Miscellaneous light manufacturing</td>
<td>P</td>
</tr>
</tbody>
</table>
### B. Development Conditions.

1. Except slaughterhouses.

2. Limited to photocopying and printing services offered to the general public.

3. Limited to 3,000 square feet of gross floor area unless located in a multi-story, mixed-use building, in which case the limitation does not apply. (Ord. 12-16 § 6; Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.08.080))

### 18.25.090 Resource land uses.

#### A. Table.

<table>
<thead>
<tr>
<th>Key</th>
<th>PERMITTED USE</th>
<th>CONDITIONAL USE</th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>C</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Agriculture training facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**FORESTRY:**

| Growing and harvesting forest product | P4 | P | P | P |     |     |     | P | |

| * | Forest research |     |     |     |     |     |     |     |     | P |
### 18.25.100 Regional land uses.

#### A. Table.

<table>
<thead>
<tr>
<th>Code</th>
<th>Use</th>
<th>Key</th>
</tr>
</thead>
<tbody>
<tr>
<td>0921</td>
<td>Hatchery/fish preserve (1)</td>
<td></td>
</tr>
<tr>
<td>0273</td>
<td>Aquaculture (1)</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Wildlife shelters</td>
<td></td>
</tr>
</tbody>
</table>

**MINERAL:**

<table>
<thead>
<tr>
<th>Code</th>
<th>Use</th>
<th>Key</th>
</tr>
</thead>
<tbody>
<tr>
<td>10, 12, 14</td>
<td>Mineral extraction and processing</td>
<td>P</td>
</tr>
<tr>
<td>2951, 3271, 3273</td>
<td>Asphalt/concrete mixtures and block</td>
<td>P5</td>
</tr>
</tbody>
</table>

**ACCESSORY USES:**

<table>
<thead>
<tr>
<th>Code</th>
<th>Use</th>
<th>Key</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Resource accessory uses</td>
<td>P3</td>
</tr>
</tbody>
</table>

#### B. Development Conditions.

1. May be further subject to Chapter 16.05 CMC, Shoreline Management Plan.
2. Excluding housing for agricultural workers.
3. Limited to either maintenance or storage facilities, or both, in conjunction with mineral extraction or processing operation.
4. Only in conjunction with a mineral extraction site plan approved in accordance with Chapter 18.60 CMC.
5. Only as accessory to a primary mineral extraction use, or as a continuation of a mineral processing use established prior to the effective date of or consistent with this title. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.08.090))

---

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Jail</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Work release facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Public agency animal control facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Public agency training facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C1</td>
</tr>
<tr>
<td>*</td>
<td>Nonhydroelectric generation facility</td>
<td>C6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C6</td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Wireless communication facility (4)</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Earth station</td>
<td>C2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P3</td>
<td>C2</td>
</tr>
<tr>
<td>*</td>
<td>Energy resource recovery facility</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Soil recycling facility</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Transfer station</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Wastewater treatment facility</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Fairground</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>8422</td>
<td>Zoo/wildlife exhibit</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>7941</td>
<td>Stadium/arena</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>8221, 8222</td>
<td>College/university (1)</td>
<td>P5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P5</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Secure community transition facility (SCTS)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
</tr>
</tbody>
</table>

B. Development Conditions.
(1) Shooting ranges, either indoor or outdoor, associated with educational programs are not permitted.

(2) Limited to no more than three satellite dish antennas.

(3) Limited to one satellite dish antenna.

(4) Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use. WCFs may be located (a) on any residential structure or undeveloped site in R-18, MHO, TC or GC zone districts; or (b) on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.), or in public rights-of-way in any residential zone district. Chapter 18.70 CMC, Wireless Communication Facilities, outlines the approval and review process. In the event of a conflict between the requirements of Chapter 18.70 CMC and the requirements of this chapter, Chapter 18.70 CMC shall govern.

(5) Permitted as a re-use of a public school facility subject to Chapter 18.85 CMC. A conditional use permit is required if the use is a re-use of a surplus nonresidential facility subject to Chapter 18.85 CMC.

(6) Limited to cogeneration facilities for on-site use only.

(7) Conditional use permit required subject to meeting conditions for siting SCTFs in compliance with the requirements of Chapter 71.09 RCW and CMC 18.125.040. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 09-12 § 2 (Exh. B); Ord. 01-12 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 16-05 § 2; Ord. 42-02 § 2 (21A.08.100))
Chapter 18.30
DEVELOPMENT STANDARDS – DENSITY AND DIMENSIONS

Sections:
18.30.010   Purpose.
18.30.020   Interpretation of tables.
18.30.045   Repealed.
18.30.050   Repealed.
18.30.060   Minimum residential density.
18.30.070   Calculations – Allowable dwelling units, lots or floor area.
18.30.080   Calculations – Site area used for base density and maximum density floor area calculations.
18.30.090   Calculations – Site area used for minimum density calculations.
18.30.100   Repealed.
18.30.110   Lot area – Prohibited reduction.
18.30.120   Lot area – Minimum lot area for construction.
18.30.140   Setbacks – Specific building or use.
18.30.150   Setbacks – Livestock buildings and manure storage areas.
18.30.160   Setbacks – Modifications.
18.30.170   Setbacks – From regional utility corridors.
18.30.180   Setbacks – From alley.
18.30.190   Setbacks – Required modifications.
18.30.200   Setbacks – Projections and structures allowed.
18.30.210   Height – Exceptions to limits.
18.30.220 Height – Limits near airports.

18.30.230 Lot or site divided by zone boundary.

18.30.240 Sight distance requirements.

18.30.250 Nonresidential land uses in residential zones.

18.30.260 Personal services and retail uses in R-4 through R-18 zones – Neighborhood commercial.

18.30.010 Purpose.
The purpose of this chapter is to establish basic dimensional standards for development relative to residential density and as well as specific rules for general application. The standards and rules are established to provide flexibility in project design, and maintain privacy between adjacent uses.
(Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.12.010))

18.30.020 Interpretation of tables.

(1) CMC 18.30.030 and 18.30.040 contain general density and dimension standards for the various zones and limitations specific to a particular zone(s). Additional rules, exceptions, and methodologies are set forth in CMC 18.30.060 through 18.30.240.

(2) The density and dimension tables are arranged in a matrix format on two separate tables and are delineated into two general land use categories:

(a) Residential; and

(b) Resource and commercial/industrial.

(3) Development standards are listed down the left side of both tables, and the zones are listed at the top. The matrix cells contain the minimum dimensional requirements of the zone. The parenthetical numbers in the matrix identify specific requirements applicable either to a specific use or zone. A blank box indicates that there are no specific requirements. If more than one standard appears in a cell, each standard will be subject to any applicable parenthetical footnote following the standard.
(Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.12.020))


A. Table.

<table>
<thead>
<tr>
<th>STANDARDS</th>
<th>ZONES</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1 (14) Urban Separator</td>
<td>R-4</td>
</tr>
</tbody>
</table>

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
<table>
<thead>
<tr>
<th><strong>Base density: dwelling units/acre (15)</strong></th>
<th>1 du/ac</th>
<th>4 du/ac</th>
<th>6 du/ac</th>
<th>8 du/ac</th>
<th>12 du/ac</th>
<th>18 du/ac</th>
<th>24 du/ac</th>
<th>50 du/ac</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum density: dwelling unit/acre (1)</strong></td>
<td>6 du/ac</td>
<td>9 du/ac</td>
<td>12 du/ac</td>
<td>18 du/ac</td>
<td>24 du/ac</td>
<td>50 du/ac</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minimum density (2) (15)</strong></td>
<td>85% (12)</td>
<td>85% (12)</td>
<td>85% (12)</td>
<td>85% (12)</td>
<td>85% (12)</td>
<td>85% (12)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minimum lot area (13)</strong></td>
<td>2,500 sf</td>
<td>2,500 sf</td>
<td>2,500 sf</td>
<td>2,500 sf (3)</td>
<td>2,500 sf (3)</td>
<td>2,500 sf (3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minimum lot width (3)</strong></td>
<td>35 ft (7)</td>
<td>30 ft</td>
<td>30 ft</td>
<td>30 ft</td>
<td>30 ft</td>
<td>30 ft</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minimum street setback (3)</strong></td>
<td>20 ft (7)</td>
<td>10 ft (8)</td>
<td>10 ft (8)</td>
<td>10 ft (8)</td>
<td>10 ft (8)</td>
<td>10 ft</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Minimum interior setback (3) (13) (20)</strong></td>
<td>7 ft 6 inches (7)</td>
<td>7 ft 6 inches</td>
<td>7 ft 6 inches</td>
<td>7 ft 6 inches</td>
<td>5 ft (19)</td>
<td>10 ft</td>
<td>5 ft (19)</td>
<td></td>
</tr>
<tr>
<td><strong>Base height (4)</strong></td>
<td>35 ft</td>
<td>35 ft</td>
<td>35 ft</td>
<td>35 ft</td>
<td>35 ft</td>
<td>35 ft</td>
<td>35 ft</td>
<td>60 ft</td>
</tr>
<tr>
<td><strong>Maximum impervious surface: percentage (5)</strong></td>
<td>30% (16)</td>
<td>55%</td>
<td>70%</td>
<td>75%</td>
<td>75% (3)</td>
<td>75%</td>
<td>80% (3)</td>
<td></td>
</tr>
</tbody>
</table>

**B. Development Conditions.**

(1) This maximum density may be achieved only through the application of residential density incentives in accordance with Chapter 18.90 CMC or transfers of density credits in accordance with Chapter 18.95 CMC, or any combination of density incentive or density transfer. Maximum density may only be exceeded in accordance with CMC 18.90.040(6)(a)(vii). Within the Lakepoint Urban Village\(^1\) subarea, this condition shall not apply.

(2) Also see CMC 18.30.060.

(3) These standards may be modified under the provisions for zero-lot-line and townhouse developments.

(4) Height limits may be increased if portions of the structure that exceed the base height limit
provide one additional foot of street and interior setback for each foot above the base height limit, but the maximum height may not exceed 75 feet. Wireless communication facilities, including licensed amateur (HAM) radio stations and citizen band stations, shall not exceed the zone's base height limit unless allowed pursuant to the provisions of Chapter 18.70 CMC or a height modification is granted pursuant to CMC 18.70.150. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the additional interior setback requirements but the maximum height shall not exceed 75 feet.

(5) Applies to each individual lot. Impervious surface area standards for:

(a) Regional uses shall be established at the time of permit review;

(b) Nonresidential uses in residential zones, except those located within the MR zone, shall comply with CMC 18.30.140 and 18.30.250;

(c) Individual lots in the R-4 through R-6 zones that are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone; and

(d) A lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

(6) Mobile home parks shall be allowed a base density of six dwelling units per acre.

(7) The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.

(8) At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the street property line or back of sidewalk if any portion of the sidewalk has been included in an easement. The linear distance shall be measured along the center line of the driveway from the access point to such garage, carport or fenced area to the street property line.

(9) Intentionally left blank.

(10) Intentionally left blank.

(11) The base height to be used only for projects as follows:

(a) In R-6, R-8 and R-12 zones, a building with a footprint built on slopes exceeding a 15 percent finished grade.

(12) Density applies only to dwelling units and not to sleeping units.

(13) Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a joint use driveway is located to provide a straight line length of at least 26 feet as measured from the center line of the garage, carport or fenced parking area, from the
access point to the opposite side of the joint use driveway.

(14) (a) All subdivisions and short subdivisions in the R-1 zone shall be required to be clustered if the property is located within or contains:

(i) A floodplain;

(ii) A critical aquifer recharge area;

(iii) A regionally or locally significant resource area;

(iv) Existing or planned public parks or trails, or connections to such facilities;

(v) A Class I or II stream or wetland;

(vi) A steep slope; or

(vii) A greenbelt/urban separator or wildlife corridor area designated by the comprehensive plan or a community plan.

(b) The development shall be clustered away from sensitive areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and the open space shall be placed in a separate tract that includes at least 50 percent of the site. Open space tracts shall be permanent and shall be dedicated to a homeowners’ association or other suitable organization, as determined by the Director, and meet the requirements in CMC 18.35.040. On-site sensitive area and buffers, wildlife habitat networks, required habitat and buffers for protected species and designated urban separators shall be placed within the open space tract to the extent possible. Passive recreation (with no development of recreational facilities) and natural-surface pedestrian and equestrian trails are acceptable uses within the open space tract.

(15) See CMC 18.30.090.

(16) All subdivisions and short subdivisions in the R-1 zone shall have a maximum impervious surface area of eight percent of the gross acreage of the plat. Distribution of the allowable impervious area among the platted lots shall be recorded on the face of the plat. Impervious surface of roads need not be counted towards the allowable impervious area. Where both lot- and plat-specific impervious limits apply, the more restrictive shall be required.

(17) Intentionally left blank.

(18) Except cottage housing, which may have a base density of 12 du/acre.

(19) Minimum interior setback for underground parking structures is zero feet.

(20) See CMC 18.30.200 for projections and structures allowed within interior setbacks. (Ord. 03-16

A. Table.

<table>
<thead>
<tr>
<th>STANDARDS</th>
<th>RESOURCE</th>
<th>COMMERCIAL/INDUSTRIAL/MIXED-USE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M</td>
<td>CC</td>
</tr>
<tr>
<td>Base density: dwelling units/acre (5)</td>
<td>8 du/ac</td>
<td>8 du/ac (1)</td>
</tr>
<tr>
<td></td>
<td>(1)</td>
<td>18 du/ac</td>
</tr>
<tr>
<td>Maximum density: dwelling unit/acre (5)</td>
<td>12 du/ac</td>
<td>12 du/ac (2)</td>
</tr>
<tr>
<td></td>
<td>(2)</td>
<td>50 du/ac</td>
</tr>
<tr>
<td>Minimum street setback</td>
<td>(6)</td>
<td>0 ft (3)</td>
</tr>
<tr>
<td></td>
<td>(3)</td>
<td>0 ft (3)</td>
</tr>
<tr>
<td></td>
<td>(3)</td>
<td>0 ft (3)</td>
</tr>
<tr>
<td></td>
<td>(3)</td>
<td>25 ft</td>
</tr>
<tr>
<td>Minimum interior setback</td>
<td>(6)</td>
<td>20 ft (4)(8)</td>
</tr>
<tr>
<td></td>
<td>(8)</td>
<td>20 ft (4)(8)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td>20 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4)</td>
</tr>
<tr>
<td>Base height (9)</td>
<td>35 ft</td>
<td>35 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td>35 ft (10)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>60 ft</td>
</tr>
<tr>
<td></td>
<td></td>
<td>45 ft</td>
</tr>
<tr>
<td>Maximum impervious surface: percentage (7)</td>
<td>85%</td>
<td>85%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>80%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>90%</td>
</tr>
<tr>
<td>Maximum building size (gross square feet)</td>
<td>30,000 sf</td>
<td>5,000 sf (11)(12)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NA</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NA</td>
</tr>
</tbody>
</table>

B. Development Conditions.

1. These densities are allowed only through the application of mixed-use/integrated development standards. Except for senior housing, no less than 60 percent of the ground floor of a mixed-use/integrated project shall be established for commercial use.

2. These densities may only be achieved through the application of residential density incentives or transfer of density credits in mixed-use developments.

3. Gas station pump islands shall be placed no closer than 15 feet to any property line. Gas islands and their associated canopy structures may not be placed on a street corner in accord with the requirements of the design manual.

4. Required on property lines adjoining residential zones.

5. The floor-to-lot ratio for mixed-use developments shall conform to Chapter 18.35 CMC. Floor-to-lot ratios shall not apply in the Lakepoint Urban Village subarea.
(6) See CMC 18.60.060 for setback requirements in the mineral zone.

(7) The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

(8) Required on property lines adjoining residential zones unless a stand-alone townhouse development is proposed to be located adjacent to property upon which an existing townhouse development is located.

(9) Structures in excess of the base height limitation may be increased upon approval of a conditional use permit.

(10) Structures within 150 feet of R-zoned lands shall have sloped roofs with a pitch at least as steep as that of the roofs of the closest single-family structure.

(11) The maximum footprint of any structure is 5,000 square feet. A building’s gross floor area may exceed this figure if the structure includes second or third floors.

(12) The total area of the collective footprints of all structures on a site may not exceed 10,000 square feet per acre of lot area. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 06-06 § 2; Ord. 42-02 § 2 (21A.12.040))

18.30.045 Downtown building form and site design standards.
Repealed by Ord. 10-10. (Ord. 21-08 §§ 3, 4; Ord. 20-07 § 115; Ord. 34-05 § 1)

18.30.050 Measurement methods.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.12.050))

18.30.060 Minimum residential density.
Minimum density for residential development shall be based on the tables in CMC 18.30.030, adjusted as provided in CMC 18.30.070 through 18.30.080.

(1) A proposal may be phased, if compliance with the minimum density requirement results in noncompliance with Chapter 18.75 CMC, if the overall density of the proposal is consistent with this section.

(2) Minimum density requirements may be waived by the City of Covington if the applicant demonstrates one or more of the following:

(a) The proposed layout of the lots in a subdivision or the buildings in a multiple dwelling development will not preclude future residential development consistent with the minimum density of the zone;

(b) The nonsensitive area of the parcel is of a size or configuration that results in lots that
cannot meet the minimum dimensional requirements of the zone;

(c) The site contains a national, State or County historic landmark.

(3) A proposal to locate a single residential unit on a lot shall be exempt from the minimum density requirement provided the applicant either pre-plans the site by demonstrating that the proposed single residence would be located in a manner compatible with future division of the site in a manner that would meet the minimum density requirements, or locates the dwelling within 15 feet of one or more of the site’s interior lot lines. (Ord. 42-02 § 2 (21A.12.060))

18.30.070 Calculations – Allowable dwelling units, lots or floor area.
Permitted number of units, or lots or floor area shall be determined as follows:

(1) The allowed number of dwelling units or lots (base density) shall be computed by multiplying the site area specified in CMC 18.30.080 by the applicable residential base density number;

(2) The maximum density (unit or lot) limits shall be computed by adding the bonus or transfer units authorized by Chapter 18.90 or 18.95 CMC to the base units computed under subsection (1) of this section;

(3) The allowed floor area, which excludes structured or underground parking areas and areas housing mechanical equipment, shall be computed by applying the floor-to-lot area ratio to the project site area specified in CMC 18.30.080;

(4) If calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

(a) Fractions of 0.50 or above shall be rounded up; and

(b) Fractions below 0.50 shall be rounded down. (Ord. 42-02 § 2 (21A.12.070))

18.30.080 Calculations – Site area used for base density and maximum density floor area calculations.
(1) All site areas may be used in the calculation of base and maximum allowed residential density or project floor area except as outlined under the provisions of subsection (2) of this section.

(2) Submerged lands shall not be credited toward base and maximum density or floor area calculations. (Ord. 42-02 § 2 (21A.12.080))

18.30.090 Calculations – Site area used for minimum density calculations.
Minimum density shall be determined by:

(1) Multiplying the base density (dwelling units/acre) as set forth in CMC 18.30.030(A) by the net buildable area of the project site; and then
(2) Multiplying the resulting product by the minimum density percentage set forth in CMC 18.30.030(A) or as adjusted pursuant to the provisions of CMC 18.30.100. (Ord. 42-02 § 2 (21A.12.085))

18.30.100 Minimum density adjustments for moderate slopes.  
*Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.12.087))*

18.30.110 Lot area – Prohibited reduction.  
Any portion of a lot that was used to calculate compliance with the standards and regulations of this title shall not be subsequently subdivided or segregated from such lot. (Ord. 42-02 § 2 (21A.12.090))

18.30.120 Lot area – Minimum lot area for construction.  
Except as provided for nonconformances in Chapter 18.85 CMC:

(1) In the R zones no construction shall be permitted on a lot that contains an area of less than 2,500 square feet or that does not comply with the applicable minimum lot width, except for townhouse developments zero-lot-line subdivisions, or lots created prior to adoption of this code. (Ord. 42-02 § 2 (21A.12.100))

(1) Interior Setback. The interior setback is measured from the interior lot line to a line parallel to and measured perpendicularly from the interior lot lines at the depth prescribed for each zone.

(2) Street Setback. The street setback is measured from the street right-of-way to a line parallel to and measured perpendicularly from the street right-of-way or the edge of the surface improvement at the depth prescribed for each zone. (Ord. 42-02 § 2 (21A.12.110))

18.30.140 Setbacks – Specific building or use.  
When a building or use is required to maintain a specific setback from a property line or other building, such setback shall apply only to the specified building or use. (Ord. 42-02 § 2 (21A.12.120))

18.30.150 Setbacks – Livestock buildings and manure storage areas.  
(1) The minimum interior setback for any building used to house, confine or feed swine shall be 90 feet.

(2) The minimum interior setback for any building used to house, confine or feed any other livestock shall be 25 feet.

(3) The minimum interior setback for any manure storage area shall be 35 feet. (Ord. 42-02 § 2 (21A.12.122))

18.30.160 Setbacks – Modifications.
The following setback modifications are permitted:

(1) When the common property line of two lots is covered by a building(s), the setbacks required by this chapter shall not apply along the common property line; and

(2) When a lot is located between lots having nonconforming street setbacks, the required street setback for such lot may be the average of the two nonconforming setbacks or 60 percent of the required street setback, whichever results in the greater street setback. (Ord. 42-02 § 2 (21A.12.130))

**18.30.170 Setbacks – From regional utility corridors.**

(1) In subdivisions and short subdivisions, areas used as regional utility corridors shall be contained in separate tracts.

(2) In other types of land development permits, easements shall be used to delineate regional utility corridors.

(3) All structures shall maintain a minimum distance of five feet from property or easement lines delineating the boundary of regional utility corridors, except for utility structures necessary to the operation of the utility corridor or when structures are allowed by mutual agreement in the utility corridor.

(4) Any structure designed for human occupancy, except for utility structures not normally occupied that are necessary for the operation of the pipeline or a minor communication facility, shall maintain a minimum distance of 100 feet from a hazardous liquid or gas transmission pipeline located within a regional utility corridor. The setback distance may be modified if the applicant demonstrates the following:

(a) A 100-foot setback would deny all reasonable use of the property; or

(b) That the structure would be protected from radiant heat of an explosion by berming or other physical barriers; or

(c) That a 100-foot setback would be impractical or unnecessary due to existing geographical features, streets, lot lines, or easements; or

(d) That no other practical alternative exists to meet the demand for service; and

(e) That the applicant will construct a hazardous liquid or gas transmission containment system or other mitigating actions if the City finds that leakage could accumulate within 100 feet of the pipeline. Any containment system or other mitigating actions required by this section shall meet all applicable Federal, State and local regulations. (Ord. 42-02 § 2 (21A.12.140))
18.30.180 Setbacks – From alley.
(1) Structures may be built to a property line abutting an alley, except as provided in subsection (2) of this section.

(2) Vehicle access points from garages, carports or fenced parking areas shall be set back from the alley property line to provide a straight line length of at least 26 feet, as measured from the center line of the garage, carport or fenced parking area, from the access point to the opposite edge of the alley. No portion of the garage or the door in motion may cross the property line. (Ord. 42-02 § 2 (21A.12.150))

18.30.190 Setbacks – Required modifications.
The following setback modifications are required:

(1) In addition to providing the standard street setback, a lot adjoining a half-street or designated arterial shall provide an additional width of street setback sufficient to accommodate construction of the planned half-street or arterial; and

(2) Where the standard setback for a property is modified within an adopted subarea or neighborhood plan area zoning, the applicable setback shall be that specified therein. (Ord. 42-02 § 2 (21A.12.160))

18.30.200 Setbacks – Projections and structures allowed.
Provided that the required setbacks from regional utility corridors of CMC 18.30.170, the adjoining half-street or designated arterial setbacks of CMC 18.30.190 and the sight distance requirements of CMC 18.30.240 are maintained, structures may extend into or be located in required setbacks, including setbacks as required by CMC 18.30.250(2), as follows:

(1) Fireplace structures, bay or garden windows, enclosed stair landings, closets, or similar structures may project into any setback, provided such projections are:

    (a) Limited to two per facade;

    (b) Not wider than 10 feet; and

    (c) Not more than 24 inches into an interior setback or 30 inches into a street setback;

(2) Detached residential accessory structures, including tool and storage sheds, gazebos, trellises, play equipment and similar structures, with a floor area not exceeding 200 square feet each may be located in required interior setback areas pursuant to the following conditions:

    (a) No portion of any accessory structure shall be closer than three feet from any interior property line; and

    (b) No portion of any accessory structure located within an interior setback shall exceed 12
feet in height; and

(c) No portion of any accessory structure located within an interior setback shall be located within six feet of any other accessory structure or primary structure; and

(d) No storage of material or debris, overgrown vegetation, or any other obstruction that restricts passage is allowed in the area between the accessory structure and property line; and

(e) An accessory structure requiring a City building permit shall not be located within an interior setback; and

(f) Accessory structures shall not be located within interior setback areas that contain utility easements and/or critical area setbacks; and

(g) Structures and confinement areas used for the keeping of domestic animals, fowl, livestock, and bees are not permitted within interior setbacks, unless specifically allowed by Chapter 18.80 CMC;

(3) Building siding materials and trim boards; provided, that the siding materials and trim boards do not extend further than six inches into said setback;

(4) Uncovered porches and decks are allowed within interior setbacks pursuant to the following conditions:

   (a) No portion of an uncovered porch or deck that is 18 inches or less in height above the finished grade shall be closer than three feet from any interior property line; and

   (b) No portion of an uncovered porch or deck which exceeds 18 inches in height above the finished grade shall encroach more than 18 inches into an interior setback;

(5) Eaves may not project more than:

   (a) Eighteen inches into an interior setback;

   (b) Twenty-four inches into a street setback; or

   (c) Eighteen inches across a lot line in a zero-lot-line development;

(6) Fences with a height of six feet or less may project into or be located in any setback;

(7) Rockeries, retaining walls and curbs may project into or be located in any setback, provided these structures are in accord with the International Building Code and International Residential Code, and:

   (a) Do not exceed a height of six feet in R-1 through R-18; and
(b) Do not exceed the building height for the zone in commercial/industrial zones, measured in accordance with the codified standards;

(8) Fences located on top of rockeries, retaining walls or berms are subject to the requirements of CMC 18.35.210;

(9) Telephone, power, light and flag poles may project to property lines;

(10) The following may project into or be located within a setback and shall maintain a minimum five-foot setback from any interior property line:

(a) Sprinkler systems, air conditioners, heat pumps, generators, electrical and cellular equipment cabinets and other similar utility boxes and vaults;

(b) Security system access controls;

(c) Structures, except for buildings, associated with trails and on-site recreation spaces and play areas required in CMC 18.35.150 and 18.35.170 such as benches, picnic tables and drinking fountains;

(11) Mailboxes and newspaper boxes may project into or be located within street setbacks;

(12) Fire hydrants and associated appendages;

(13) Metro bus shelters may be located within street setbacks;

(14) Unless otherwise allowed in Chapter 18.55 CMC, freestanding and monument signs four feet or less in height, with a maximum sign area of 20 square feet, may project into or be located within street setbacks; and

(15) Stormwater conveyance and control facilities, both above and below ground, provided such projections are:

(a) Consistent with setback, easement and access requirements specified in the stormwater manuals adopted in Chapter 13.25 CMC; or

(b) In the absence of said specifications, not within five feet of the property line. (Ord. 03-16 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 13-09 § 27; Ord. 06-05 § 1; Ord. 23-04 § 11; Ord. 60-03 § 1; Ord. 57-03 § 1; Ord. 42-02 § 2 (21A.12.170))

18.30.210 Height – Exceptions to limits.
The following structures may be erected above the height limits of CMC 18.30.030 through 18.30.040:

1. Roof structures housing or screening elevators, stairways, tanks, ventilating fans or similar
equipment required for building operation and maintenance; and

(2) Fire or parapet walls, skylights, flagpoles, chimneys, smokestacks, church steeples, crosses, spires, utility line towers and poles, and similar structures. (Ord. 09-12 § 2 (Exh. B); Ord. 42-02 § 2 (21A.12.180))

18.30.220 Height – Limits near airports.
No building or structure shall be erected nor shall any tree be allowed to grow to a height in excess of the height limit established by the local airport height maps. (Ord. 42-02 § 2 (21A.12.190))

18.30.230 Lot or site divided by zone boundary.
When a lot or site is divided by a zone boundary, the following applies:

(1) If a lot or site contains both residential and nonresidential zoning, the zone boundary between the zones shall be considered a lot line for determining permitted building height and required setbacks on the site.

(2) If a lot or site contains residential zones of varying density:

(a) Any residential density transfer within the lot or site shall be allowed the density, as a result of moving dwelling units from one lot to another lot within a site or across zone lines within a single lot, does not exceed 150 percent of the base density on any of the lots or portions of a lot to which the density is transferred;

(i) The transfer does not reduce the minimum density achievable on the lot or site;

(ii) The transfer enhances the efficient use of needed infrastructure;

(iii) The transfer does not result in significant adverse impacts to the low density portion of the lot or site;

(iv) The transfer contributes to preservation of environmentally sensitive areas, wildlife corridors, or other natural features; and

(v) The transfer does not result in significant adverse impacts to adjoining lower density properties;

(b) Residential density transfers shall not be allowed to a lot or portion of a lot zone urban separator (R-1);

(c) Compliance with the criteria in this subsection (2) of this section shall be evaluated during review of any development proposals in which such a transfer is proposed; and

(d) Residential density transfers from one lot to another lot within a site or from one portion of a lot to another portion of a lot across a zone line shall not, in of itself, be considered
development above the base density for purposes of requiring a conditional use permit for apartments or townhouses in the R-1 (urban separator) through R-8 zones.

(3) Uses on each portion of the lot shall only be those permitted in each zone in accordance with Chapter 18.25 CMC. (Ord. 42-02 § 2 (21A.12.200))

18.30.240 Sight distance requirements.
Except for utility poles and traffic control signs, the following sight distance provisions shall apply to all intersections and site access points:

(1) A sight distance triangle area as determined by subsection (2) of this section shall contain no fence, berm, vegetation, on-site vehicle parking area, signs or other physical obstruction between 42 inches and eight feet above the existing street grade;

Note: The area of a sight distance triangle between 42 inches and eight feet above the existing street grade shall remain open.

(2) The sight distance triangle at:

(a) A street intersection shall be determined by measuring 15 feet along both street property lines beginning at their point of intersection. The third side of the triangle shall be a line connecting the endpoints of the first two sides of the triangle; or

(b) A site access point shall be determined by measuring 15 feet along the street lines and 15 feet along the edges of the driveway beginning at the respective points of intersection. The third side of each triangle shall be a line connecting the endpoints of the first two sides of each triangle; and

(3) The Director may require modification or removal of structures or landscaping located in required street setbacks, if:
(a) Such improvements prevent adequate sight distance to drivers entering or leaving a driveway; and

(b) No reasonable driveway relocation alternative for an adjoining lot is feasible. (Ord. 42-02 § 2 (21A.12.210))

18.30.250 Nonresidential land uses in residential zones.

Except for utility facilities, uses listed in CMC 18.25.100, and nonresidential uses regulated by CMC 18.30.260, all nonresidential uses located in the R zones shall be subject to the following requirements:

(1) Impervious surface coverage shall not exceed:

   (a) Seventy percent of the site in the R-1 through R-18 zones.

(2) Buildings and structures, except fences and wire or mesh backstops, shall not be closer than 30 feet to any property line, except as provided in subsection (3) of this section.

(3) Single detached dwelling allowed as accessory to a church or school shall conform to the setback requirements of the zone.

(4) Parking areas are permitted within the required setback area from property lines, provided such parking areas are located outside of the required landscape area.

(5) Sites shall abut or be accessible from at least one public street functioning at a level consistent with the City of Covington road design standards. New high school sites shall abut or be accessible from a public street functioning as an arterial per the City of Covington road standards.

(6) The base height shall conform to the zone in which the use is located.

(7) Building illumination and lighted signs shall be designed so that no direct rays of light are projected into neighboring residences or onto any street right-of-way. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.12.220))

18.30.260 Personal services and retail uses in R-4 through R-18 zones – Neighborhood commercial.

The general personal service use (SIC No. 72 except 7216, 7218 and 7261) listed in CMC 18.25.050 and the retail uses listed in CMC 18.25.070 which are located in the R-4 through R-18 zones shall be subject to the following requirements:

(1) Each individual establishment shall not exceed 3,000 square feet of gross floor area;

(2) Establishments shall not be located less than one mile from another commercial establishment, unless located with other establishments meeting the criteria in subsection (1) of this section;
(3) Establishment sites shall abut an intersection of two public streets, each of which is designated as a neighborhood collector or arterial and which has improved pedestrian facilities for at least one-quarter mile from the site;

(4) The maximum on-site parking ratios for establishments and sites shall be two per 1,000 square feet and required parking shall not be located between the building(s) and the street;

(5) Buildings shall comply with the building facade modulation and roofline variation requirements in CMC 18.35.070 and 18.35.080 and at least one facade of the building shall be located within five feet of the sidewalk;

(6) If the personal service or retail use is located in a building with multifamily uses, then the commercial use shall be on the ground floor and shall not exceed 25 percent of the total floor area of the building;

(7) Sign and landscaping standards for the use apply. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.12.230))

1 Code reviser’s note: “Hawk Property” was renamed “Lakepoint Urban Village” with the adoption of the Comprehensive Plan by Ordinance 02-16.

2 Code reviser’s note: “Hawk Property” was renamed “Lakepoint Urban Village” with the adoption of the Comprehensive Plan by Ordinance 02-16.
Chapter 18.31  
DOWNTOWN DEVELOPMENT AND DESIGN STANDARDS

Sections:

18.31.010 General.
18.31.015 City of Covington downtown design guidelines and standards.
18.31.020 Design review.
18.31.030 Nonconforming development.
18.31.040 Supplemental town center review criteria.
18.31.050 Downtown zoning districts map.
18.31.060 Downtown zoning districts street types map.
18.31.070 Downtown zoning districts established.
18.31.080 Permitted land uses.
18.31.085 Permitted land use determination process.
18.31.090 Downtown zoning districts density and dimension standards.
18.31.100 Maximum floor area ratio (FAR) – Bonus features.
18.31.110 Parking, access and circulation standards.
18.31.120 Public space requirements.
18.31.130 Landscaping requirements.
18.31.140 Sign requirements.

18.31.100 General.

(1) This chapter applies and establishes development and design standards for the Covington downtown zone, as defined in CMC 18.15.080 and 18.31.050.

(2) In the event of a conflict between the regulations of this chapter and other standards contained in the Covington Municipal Code, the regulations of this chapter shall control.

(3) The purpose and intent of these regulations is to:

   (a) Promote a downtown with a diverse mix of retail, housing, office and civic land uses and a
genuine sense of place;

(b) Encourage development that is pedestrian oriented and human in scale and an aesthetically attractive, energy efficient, easily accessible and economically healthy environment;

(c) Include diverse retail and service uses, higher density residential housing, a network of pedestrian oriented streets and a high degree of connectivity for all modes of travel; and

(d) Include a central public gathering place at its heart.

(4) Unless otherwise specified by the requirements of this chapter or by the administration and review authority provisions set forth in CMC 18.10.080, the Director of Community Development, hereafter referred to as the Director, shall be responsible for the review of all standards and decisions specified by this chapter.

(5) All development located within the downtown zone shall comply with the standards as set forth in this chapter. Relief from development standards shall be granted in accordance with the design review process in CMC 18.31.020. (Ord. 10-10 § 1 (Exh. A))

18.31.015 City of Covington downtown design guidelines and standards.
(1) The City of Covington downtown design guidelines and standards, as hereafter may be amended, is hereby adopted. Compliance with all standards contained in the design guidelines and standards is required for all development in the downtown zone unless specifically noted as wholly or partially exempt under this chapter.

(2) The City of Covington downtown design guidelines and standards are referenced throughout this chapter. These references are intended to assist the applicant with navigating the City of Covington downtown design guidelines and standards and do not preclude the applicant from complying with applicable guidelines and standards provided in other sections of the document.

(3) The City of Covington downtown design guidelines and standards includes both specific requirements and general guidelines. Where a standard is prefaced by the word “shall,” compliance with that standard is mandatory. Where the word “should” is used, the applicant, Director and Hearing Examiner are requested to give strong consideration to that guideline. (Ord. 10-10 § 1 (Exh. A))

18.31.020 Design review.
(1) Design review for projects or portions of projects which conform to the City of Covington downtown design guidelines and standards shall be approved administratively by the Director. Specific requirements shall be met by choosing from a list of options stated under the general guidelines.

(2) An applicant requesting modification to the City of Covington downtown design guidelines and
standards shall apply for a design departure pursuant to a Type 2 land use decision in accordance with Chapter 14.30 CMC subject to the following criteria:

(a) The proposed modification meets the design intent as stated in the standard equal to or better than would compliance with the standard; and

(b) In evaluating whether a proposed modification is an equal or better solution to the prescribed standard, the City may consider the goals and policies set forth in the City of Covington Comprehensive Plan Downtown Element.

(3) A permit applicant wishing to waive any of the standards requirements in this chapter due to a hardship created by the unique physical circumstances, not including financial hardship, relating to the specific property may apply for a variance pursuant to a Type 3 land use decision in accordance with Chapter 14.30 CMC and subject to the variance criteria in CMC 18.125.030.

(4) Applications for design departures from the City of Covington downtown design guidelines and standards and variances from this chapter shall be subject to fees as set forth in the current fee resolution. (Ord. 10-10 § 1 (Exh. A))

18.31.030 Nonconforming development.
(1) Any lot, structure or use located in the downtown zone that was constructed in compliance with the applicable codes in place at the time the structure was constructed, that became nonconforming as a result of the passage of the ordinance codified in this chapter or subsequent amendments, shall be considered a legal nonconforming structure.

(2) All new development, additions and remodels within the downtown zone are subject to the standards and/or guidelines contained in this chapter, provided the following shall be partially or wholly exempt from certain standards contained in this chapter. Reconstruction, structural alteration or enlargement of a legal nonconforming structure or expansion of a nonconforming use shall be allowed as provided in Chapter 18.85 CMC, except as otherwise provided as follows:

(a) If intentional reconstruction, alteration or enlargement of a legal nonconforming structure exceeds 75 percent of the replacement cost, the proposal shall comply with all standards contained in this chapter.

(b) In the event of a catastrophic loss, where the replacement cost exceeds 75 percent, a legal nonconforming structure may be placed in the same location and footprint as previously existed prior to the loss. With the exception of those standards that would involve repositioning the building or reconfiguring the site, the proposal shall meet all other standards contained in this chapter.

(c) All modifications with a value that exceeds 50 percent of the value of the existing structure, as determined by the Director, shall be designated as “major modifications.” All
requirements which do not involve repositioning the building or reconfiguring site development shall apply to major exterior modifications, providing any addition shall in no way expand the nonconformance and be sited and designed in a manner to increase conformance with these standards.

(d) All modifications with a value less than 50 percent of the building valuation shall be considered “minor modifications.” Minor modifications are only required to meet those standards determined by the Director to be reasonable related to or impacted by the proposed improvement.

(e) The design standards do not apply to modifications that do not change the exterior appearance of the building or site. If a project involves both exterior and interior improvements, then the project valuation shall include both exterior and interior improvements, and design standards shall apply. (Ord. 10-10 § 1 (Exh. A))

18.31.040 Supplemental town center review criteria.

(1) The purpose of this section is to establish a supplemental review process for proposed development in the town center district. The intent is to ensure that development in the town center proceeds in an orderly fashion with coordinated infrastructure and public amenities, appropriate intensities and mutually compatible development in accordance with the vision in the City of Covington Comprehensive Plan Downtown Element.

(2) Compliance with the supplemental town center review criteria shall be required for all development in the town center, other than the reuse, modification or expansion of an existing structure.

(3) The Director has the authority to determine if the applicant is required to hold a public meeting, separate from any required public hearings, due to the scope, scale and location of a project in the town center district. The public meeting shall occur after a commercial site development permit application has been submitted and prior to issuance of a final land use decision.

(a) The applicant shall provide at least two weeks’ advance notice.

(b) Notice of the public meeting shall be published in the city’s designated paper and mailed to property owners within 500 feet of the proposed site. The notice shall at a minimum include a brief description of the proposal, the location, and a photo or sketch of the proposed facility.

(c) Costs associated with holding the public meeting shall be the sole responsibility of the applicant.

(4) The Director shall issue a decision on the commercial site development permit application pursuant to Chapter 18.110 CMC as Type 2 land use decision in accordance with Chapter 14.30 CMC based on the following review criteria:
(a) The proposal is consistent with the Goals and Policies of the Comprehensive Plan.

(b) The proposal will substantially implement the town center vision, including a development pattern, street grid and central public plaza that is similar to or meets the design intent of that shown in Figure 4.2 of the City of Covington Comprehensive Plan Downtown Element and the mix of uses and pedestrian development character articulated in Section 4.5.2 of the City of Covington Comprehensive Plan Downtown Element.

(c) The proposed development can be achieved without compromising options for circulation, infrastructure and open space improvements on surrounding properties.

(d) Infrastructure and circulation can be constructed to serve other properties in the area in a manner consistent with the City of Covington Comprehensive Plan Downtown Element.

(5) The following additional review criteria shall be submitted with the commercial site development permit application to ensure that the proposed development will not limit or prohibit future development goals within the town center. These documents are conceptual and are for the purpose of reviewing future densities, compatibility of development on the proposed site, and infrastructure needs in the town center. These documents are not subject to the land use decision review process.

(a) Site plan depicting the maximum development intensity of any future planned or conceptual development to be located on the proposed site; and

(b) Building elevations, description and depiction of any future planned or conceptual land uses, known information relating to the location of public infrastructure and the total area devoted to public amenities, including public spaces and plazas.

(6) Development amenities shown on a future planned or conceptual site plan do not relieve the applicant from complying with the requirements of this chapter for the proposed development, as submitted with the commercial site development permit application.

(7) The required application materials for the commercial site development permit are provided in CMC 18.110.030. Additional materials may be required to demonstrate compliance with the decision criteria as set forth in subsection (4) of this section. (Ord. 10-10 § 1 (Exh. A))


(1) The purpose of this section is to establish a process for allowing deviations to the development standards within the downtown zoning, town center (TC) district only, through a development agreement process consistent with Chapter 36.70B RCW, Chapter 18.114 CMC, Development Agreements, and as further outlined in this chapter.

(2) Unless otherwise provided herein, all development in the downtown zoning districts shall comply with all applicable codes. Deviations from the following development standards shall be authorized
only within the town center (TC) district on single or contiguous combined parcels three acres or greater.

(a) Medical office uses greater than two stories shall have a minimum of 60 percent ground floor retail trade and services and 40 percent business and professional services when fronting onto 171st Ave. SE, as conditioned in CMC 18.31.080(4)(8)(b).

(b) Mixed-use structures greater than one story shall provide 60 percent of the ground floor as retail, restaurant, or professional services, as conditioned in CMC 18.31.080(4)(23).

(c) Multifamily residential dwelling units shall be located in a minimum three-story mixed-use structure. Sixty percent or more of the ground floor abutting a street, public space, public plaza, and/or public green space shall be occupied by one or more of the following permitted uses: retail, restaurant, or personal services as conditioned in CMC 18.31.080(4)(26)(b).

(d) All schools: compulsory, vocational, and higher education located on the upper floors of a mixed-use building and including commercial uses, as conditioned in CMC 18.31.080(4)(13).

(e) Time limitation of permit approval if the proposed development combines two or more distinct land use categories that are permitted in the town center district and is located on single or contiguous combined parcel of six acres or more.

(3) A development agreement shall not eliminate the requirement to provide ground floor retail, restaurant, or personal services for structures greater than one story as conditioned in CMC 18.31.080(4)(23).

(4) A development agreement shall not reduce the required retail, trade, services, and personal services uses to less than 30 percent along each street frontage. Required business and professional services shall not be reduced to less than 20 percent. The director may recommend flexibility in the combination of the required retail, restaurant, business, and professional service space if the aggregate is located along SE 276th Street and 171st Ave. SE and the total requirement is met through the combination.

(5) Deviations shall be supported by the goals and policies in the City’s Comprehensive Plan. If goals and policies of the Comprehensive Plan required amendments to support an applicant’s request for a deviation, then the goals and policies shall be amended and approved through the City’s annual Comprehensive Plan amendment docketing process prior to submitting a development proposal and requesting a development agreement.

(6) A development agreement authorized under this section shall provide a level of public benefit or mitigation proportionate to the deviation and that exceeds those required under the standard regulations. A development agreement shall require completion, acquisition, contribution, or a combination thereof, as approved by the City as follows:
(a) Transportation, park, or other improvement projects, including nonmotorized improvements identified in the City’s Comprehensive Plan or six-year Capital Improvement Program.

(b) Additional accessible public space equivalent to a minimum of two and one-half percent of the gross floor area of all the structures.

(c) Exterior public art or a contribution to the art fund equivalent to a minimum of one percent of the total value of the project’s construction cost.

(d) A project that the City finds will provide mitigation and/or public benefit, as identified in the City’s Comprehensive Plan or six-year Capital Improvement Program. (Ord. 06-13 § 2 (Exh. A))

18.31.050 Downtown zoning districts map.

18.31.060 Downtown zoning districts street types map.

(1) The following downtown zoning districts street map is conceptual and not intended to define the
exact alignment of future streets. Streets shall be designed in accordance with the City of Covington Design and Construction Standards, adopted by reference in Chapter 12.60 CMC. Modifications to these standards shall be in accordance with Chapter 14.30 CMC as a Type 2 land use decision by the City Engineer.

(2) Where a street type is not designated on the downtown zoning districts street type map for a proposed street, the Director shall have the authority to determine the street type designation of the proposed street based on the type designation of adjacent or nearby streets and upon the purpose and intent of the downtown zoning, development, and design regulations as stated in CMC 18.31.010. An applicant requesting modification to a Director’s determination of a street type designation shall apply for a downtown design departure as stated in CMC 14.30.040, pursuant to a Type 2 land use decision. (Ord. 10-11 § 6 (Exh. F); Ord. 02-11 § 1; Ord. 10-10 § 1 (Exh. A))

18.31.070 Downtown zoning districts established.
The following zoning districts are established within the downtown zone to protect the public health, safety and general welfare by implementing the goals and policies adopted in the City of Covington Comprehensive Plan Downtown Element. The district intent statements define the specific purpose of each district. They shall be the policies of the City of Covington Comprehensive Plan Downtown Element; serve as a guide for determining the appropriate location of uses; help determine appropriate conditions for development within the downtown zone; and help the Director interpret
the standards and provisions of this chapter.

(1) The town center district (TC) is the pedestrian-oriented core of downtown and allows the most intensive level of development. The emphasis of this district is on mixed-use development that includes pedestrian-oriented retail, high density residential development, and civic uses. The development of a walkable street grid and a central public gathering space are key objectives of this district. To meet goals for a pedestrian-oriented town center, limited large-format retail uses are permitted, and such uses are subject to a conditional use permit and additional design criteria provided in CMC 18.31.040.

(2) The mixed commercial district (MC) is applied to the majority of the Covington downtown zone. This district encourages a mix of commercial and multi-story residential uses, public uses, and allows for large-format and auto-oriented retail, provided they meet pedestrian-oriented design standards that are more flexible than those applied to the town center district. Achieving a high level of connectivity with new and improved streets and trails is a major goal in this district.

(3) The general commercial district (GC) is applied to a limited area of the downtown and is intended to allow the widest range of uses, coupled with more limited design standards than other areas of downtown. Permitted uses include commercial and light industrial uses, offices, major transportation and utility facilities, and residential uses that are appropriately buffered to ensure compatibility. Development and design standards are less prescriptive and provide greater flexibility to accommodate the intended uses.

(4) The mixed housing/office district (MHO) is applied to areas where infill development and redevelopment of low intensity areas with multifamily housing and office is encouraged. Residential uses that are encouraged in this district include townhouses, cottages, and low-rise multifamily. Office development and limited intensity neighborhood retail is also permitted. Development and design standards applied to this district require buffers, lower height limits and building scale that is appropriate to the size of the lot. Trail connections are also emphasized in this district. (Ord. 10-10 § 1 (Exh. A))

18.31.080 Permitted land uses.

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

(2) Explanation of Permitted Use Table.

(a) The permitted use table in this chapter determines whether a use is allowed in a district. The name of the district is located on the vertical column and the use is located on the horizontal row of these tables.
(b) If the letters “NP” appear in the box at the intersection of the column and the row, the use is not permitted in that district, except for certain temporary uses.

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

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

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

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

(3) Permitted Use Table.

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>Town Center (TC)23</th>
<th>Mixed Commercial (MC)</th>
<th>General Commercial (GC)</th>
<th>Mixed Housing Office (MHO)1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dwelling Unit, Accessory</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>p2</td>
</tr>
<tr>
<td>Dwelling Unit, Multifamily</td>
<td>p26</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Dwelling Unit, Single-Family Attached, Detached or Cottage Housing21, 27</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>p2</td>
</tr>
<tr>
<td>Senior Citizen Assisted Housing</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult Entertainment</td>
<td>NP</td>
<td>p3</td>
<td>p3</td>
<td>NP</td>
</tr>
<tr>
<td>Business Services19</td>
<td>p5</td>
<td>P</td>
<td>P</td>
<td>p4,5</td>
</tr>
<tr>
<td>Activity描述</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>-------------</td>
<td>----</td>
<td>---</td>
<td>---</td>
<td>----</td>
</tr>
<tr>
<td>Drive-Through Use</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farmers’ Markets and Public Markets</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gambling and Card Rooms</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Occupation and Live/Work</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Clinics (SIC 074), Animal Shelters, Kennels, and Catteries</td>
<td>NP</td>
<td></td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Outdoor Commercial</td>
<td>NP</td>
<td></td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Personal and Beauty Services</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private Electric Vehicle Parking Facility (Primary Use)</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Private Parking Facility (Primary Use)</td>
<td>NP</td>
<td></td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Professional Office</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Retail Trade and Services – 100,000 sq. ft. or less for all structures</td>
<td>p^5</td>
<td></td>
<td>P</td>
<td>p^10</td>
</tr>
<tr>
<td>Retail Trade and Services – greater than 100,000 sq. ft. for all structures</td>
<td>c^5,9,18</td>
<td>P</td>
<td>P^10</td>
<td>NP</td>
</tr>
<tr>
<td>Shooting Ranges</td>
<td>NP</td>
<td></td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Storage/Self Storage</td>
<td>NP</td>
<td></td>
<td>p^5</td>
<td>P</td>
</tr>
<tr>
<td>Temporary Lodging/Hotel</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>c^22</td>
</tr>
<tr>
<td>Marijuana Retailer and Retail Outlets</td>
<td>NP</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Cultural/Recreation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cinema, Performing Arts and Museums</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>NP</td>
</tr>
<tr>
<td>Meeting Hall/Other Group Assembly</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Recreation, Indoor or Outdoor</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Religious</td>
<td>c^7</td>
<td>P</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Health Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>C</td>
<td>P</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---</td>
<td>----</td>
<td>----</td>
<td>----</td>
</tr>
<tr>
<td>Emergency Care Facility</td>
<td>C&lt;sup&gt;9.18&lt;/sup&gt;</td>
<td>P</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Hospital</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Medical Office/Outpatient Clinic</td>
<td>P&lt;sup&gt;8&lt;/sup&gt;</td>
<td>P</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>Nursing/Personal Care Facility</td>
<td>NP</td>
<td>P</td>
<td>NP</td>
<td>C</td>
</tr>
<tr>
<td>Industrial/Manufacturing</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Asphalt Plants</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Light Industrial/Manufacturing</td>
<td>NP</td>
<td>NP</td>
<td>P&lt;sup&gt;10&lt;/sup&gt;</td>
<td>NP</td>
</tr>
<tr>
<td>Government/Institutional&lt;sup&gt;11&lt;/sup&gt;</td>
<td>NP</td>
<td>NP</td>
<td>C</td>
<td>NP</td>
</tr>
<tr>
<td>Essential Public Facilities</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P&lt;sup&gt;12&lt;/sup&gt;</td>
</tr>
<tr>
<td>Government Services</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P&lt;sup&gt;12&lt;/sup&gt;</td>
</tr>
<tr>
<td>Major Utility Facility</td>
<td>C&lt;sup&gt;14&lt;/sup&gt;</td>
<td>C</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Minor Utility Facility</td>
<td>P&lt;sup&gt;15&lt;/sup&gt;</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Schools: Compulsory, Vocational and Higher Education</td>
<td>C&lt;sup&gt;13&lt;/sup&gt;</td>
<td>P</td>
<td>NP</td>
<td>C</td>
</tr>
<tr>
<td>Wireless Communication Facilities&lt;sup&gt;16&lt;/sup&gt;</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>Antenna, Collocation on an Existing Structure&lt;sup&gt;17&lt;/sup&gt;</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

(4) Permitted Use Conditions.

1. a. Unless the use can be accommodated within an existing structure, development and/or redevelopment in the Covington Firs and Covington Township subdivisions shall be a minimum of two acres;
   
   b. Be contiguous to a non-single-family use of two acres or more to be eligible to redevelop to a new use; and
   
   c. Successive development cannot isolate existing single-family residential lots less than two acres (as a group) between developments.

2. a. No new subdivision of land is permitted for single-family homes except for townhouses and cottage developments. The exception is a binding site plan for commercial uses.
b. New single-family homes are allowed on existing single-family lots.

c. An accessory dwelling unit is allowed as an accessory to a single-family detached unit subject to the development standards in CMC 18.25.030(7).

3. Adult entertainment uses are prohibited within certain locations pursuant to the development standards provided in Chapter 5.20 CMC and CMC 18.25.040(2).

4. This use is restricted to a maximum of 5,000 gross square feet within the MHO district.

5. Services and operations other than customer parking shall be fully contained within a structure.

6. Temporary farmers' and public markets shall be permitted in accordance with CMC 18.85.125.

7. The development shall not occupy more than one acre for the total of the site development, including any planned phases and/or expansions.

8. a. Buildings greater than four stories shall provide 80 percent of required parking within a structure. Structured parking shall not front onto 171st Ave. SE.

   b. Medical office uses greater than two stories shall have a minimum of 60 percent ground floor retail trade and services and 40 percent business and professional services when fronting onto 171st Ave. SE, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045.

9. The development shall be located west of the proposed 171st Ave. SE road alignment with frontage onto 168th Pl. SE or the planned SE 276th St. alignment.

10. All structures shall meet the required setbacks, landscaping and all other standards contained in this chapter. Equipment storage, manufacturing activities, and wrecked, dismantled and/or inoperative vehicles shall be enclosed in a structure or fully screened from public right-of-way, including SE 272nd St. and Covington Way with Type I landscaping in accordance with CMC 18.40.040.

11. Maintenance yards, substations and solid waste transfer stations are not permitted in the TC, MC, or MHO downtown zoning districts.

12. Transit stations and park and ride facilities, not including bus stops, shall be reviewed by a conditional use permit pursuant to CMC 18.125.040.

13. All schools for compulsory, vocational and higher education shall be located on the upper floors of a mixed-use building that includes ground floor commercial uses, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045.
14. All facilities shall not occupy more than one acre of a site and the facility shall be screened with Type I landscaping in accordance with CMC 18.40.040.

15. Minor utility facilities, such as telecom, fiber optics, Internet and similar facilities, shall be located within a fully enclosed structure, unless otherwise determined by the Director.

16. Chapter 18.70 CMC, Wireless Communication Facilities, outlines the approval and review process. In the event of a conflict between the requirements of Chapter 18.70 CMC and the requirements of this chapter, Chapter 18.70 CMC shall govern.

17. All antennas and ancillary wireless communication facilities shall be concealed facilities and mounted on an existing building or structure or placed underground as provided for in Chapter 18.70 CMC.

18. a. Emergency care facilities shall not occupy more than four acres for the total of the site development including any planned phases and/or expansions of the emergency care use;
   b. Shall not exceed 50,000 square feet of total building square footage; and
   c. Shall not exceed more than two stories or 35 feet whichever is greater.

19. Gasoline service stations and battery exchange stations are limited to the general commercial and mixed commercial districts and subject to the following conditions:
   a. A gasoline service station shall be limited to eight pumps and 16 price gauges to service no more than 16 vehicles.
   b. A battery exchange station shall provide a minimum of three stacking spaces.
   c. Stacking spaces and drive-through facilities shall be designed in accordance with CMC 18.50.080.
   d. Any associated materials, equipment storage, outdoor storage tanks and battery exchange activities shall be within a fully enclosed structure, unless otherwise determined by the Director.

20. a. No burning of refuse or dead animals is allowed;
   b. The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas shall be surrounded by an eight-foot-high solid wall and surfaced with concrete or other impervious material;
   c. Subject to animal keeping provisions of Chapter 18.80 CMC;
   d. Prior to issuance of a development permit, documentation shall be provided by a qualified acoustical consultant, for approval by the Community Development Director, verifying that the
expected noise to be emanating from the site complies with the standards set forth in WAC 173-60-040(1) for a Class B source property and a Class A receiving property;

e. Not permitted in any subdivision containing dwelling units; and

f. May only treat domestic animals on premises.

21. Day care I is allowed only as an accessory to a single-family detached unit.

22. Except bed and breakfasts, guesthouses are permitted outright and do not require a conditional use permit.

23. Mixed-use structures greater than one story shall provide ground floor retail, restaurant, or personal services along 60 percent of the building facade, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045. Permitted uses under the headings of cultural/recreation and governmental/institutional in subsection (3) of this section are exempt from this provision.

24. Parking facilities shall be fully screened from the public right-of-way with Type 1 landscaping in accordance with CMC 18.40.040.

25. a. The indoor shooting range, including its plans, rules, procedures, management and staff, shall comply with the applicable safety guidelines and provisions in the latest edition of “the Range Source Book” (National Rifle Association of America: Fairfax, Virginia) or its successor, as appropriate to the type of facility involved.

b. Any new development proposal and/or business license application for an indoor shooting range shall be accompanied by a notarized letter by the shooting facility operator that the facility complies with Federal and State regulations, meets commonly accepted shooting facility safety and design practices, and will be operated in a manner that protects the safety of the general public.

c. Outdoor shooting ranges are not permitted.

26. a. Multifamily residential dwellings in the TC zone shall be located in a minimum three-story mixed-use structure; and

b. Sixty percent or more of the ground floor abutting a street, public space, public plaza and/or public green space shall be occupied by one or more of the following permitted uses: retail, restaurant or personal services, unless otherwise allowed through the development agreement process in Chapter 18.114 CMC and further specified in CMC 18.31.045. Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use.
27. New and existing single-family attached and detached dwellings within commercial zones shall abide by the density and dimension standards for the R-8 zone provided in CMC 18.30.030.

28. Subject to the applicable 1,000-foot and 500-foot sensitive use buffers outlined in CMC 18.33.050. (Ord. 12-16 § 7; Ord. 03-16 § 1 (Exh. A); Ord. 05-15 § 1 (Exh. A); Ord. 06-13 § 2 (Exh. A); Ord. 14-12 § 2 (Exh. B); Ord. 09-12 § 2 (Exh. B); Ord. 04-12 § 1 (Exh. A); Ord. 01-12 § 1 (Exh. 1); Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 1 (Exh. A))

18.31.085 Permitted land use determination process.
(1) A use determination process shall be applied to any proposed use that does not clearly fit within the permitted use table in CMC 18.31.080(3) or contains multiple uses, e.g., retail and light manufacturing, processing or assembling, or an accessory use that is more than 25 percent of the floor area of the primary use.

(2) If the Director determines that a use determination process is required, the request for a use determination shall be submitted and a decision issued prior to submittal of the underlying land use application.

(3) If a land use application has been submitted, the Director shall issue a land use determination prior to the issuance of application completeness in accordance with CMC 14.35.030.

(4) The Director shall require information describing the use or uses on the site, their location and operational characteristics. The Director may approve, deny, or approve with conditions a land use determination within any downtown district based on all of the following criteria:

(a) The primary use is determined by the Director to be reasonably similar and related to one of the permitted use categories in a downtown district;

(b) The use is consistent with the district’s purpose statement and the comprehensive plan policies;

(c) The use can be accommodated in the existing structure in which it is proposed without requiring substantial modification to the form of the structure;

(d) The use does not have noxious impacts (excessive noise, odor, vibration, dust, etc.) on other nearby properties and uses; and

(e) The use will not result in significant transportation impacts that would not be mitigated by the required development standards.

(5) Applications for a land use determination shall be subject to review and approval procedures for a Type 2 land use decision process and shall be subject to fees as set forth in the current fee resolution. (Ord. 10-10 § 1 (Exh. A))
### 18.31.090 Downtown zoning districts density and dimension standards.

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

<table>
<thead>
<tr>
<th>Standards</th>
<th>Town Center (TC)</th>
<th>Mixed Commercial (MC)</th>
<th>General Commercial (GC)</th>
<th>Mixed Housing Office (MHO)</th>
<th>Exceptions and Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Building Height</td>
<td>75 feet</td>
<td>60 feet</td>
<td>55 feet</td>
<td>45 feet</td>
<td>Maximum height shall be 45 feet within 50 feet of any zone outside of the downtown zone. In the MHO district, the 35 feet maximum height shall also apply within 50 feet of another MHO property.</td>
</tr>
<tr>
<td>Maximum Residential Density (if ground floor is commercial)</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>Unlimited</td>
<td>24 D.U./acre</td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR)</td>
<td>4:1</td>
<td>3:1</td>
<td>3:1</td>
<td>2:1, 1.25:1 east of</td>
<td>Refer to CMC 18.31.100 for bonus features.</td>
</tr>
<tr>
<td>with Bonus Features</td>
<td>Wax Road</td>
<td>No minimum FAR. Development within the Jenkins Creek Corridor shall utilize low impact development (LID) techniques as adopted in CMC 13.25.020.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>---------------------</td>
<td>----------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Floor Area Ratio (FAR) without Bonus Features</td>
<td>1.5:1</td>
<td>1:1; .75:1 east of Wax Road</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maximum Impervious Surface</td>
<td>80%</td>
<td>70%; 50% east of Wax Road and south of SE 272nd St.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Frontage Occupied by a Building</td>
<td>Type I Street – 80%</td>
<td>None</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Type II Street – 50%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Type III Street – 50%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Type IV Street – 40%</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum</td>
<td></td>
<td>Except in the TC and</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
<table>
<thead>
<tr>
<th>Setbacks within District</th>
<th>None</th>
<th>None</th>
<th>20 feet</th>
<th>10 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Setbacks to Adjoining Downtown District</td>
<td>10 feet where adjoining the MHO District only</td>
<td>10 feet</td>
<td>N/A</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Setbacks to Zones Outside the Downtown Zone</td>
<td>0</td>
<td>20 feet</td>
<td>20 feet</td>
<td>20 feet</td>
</tr>
</tbody>
</table>

MC districts, a minimum of 5 feet setback shall be provided from any public property other than a street.

In districts other than the MHO, no setback shall be required for mixed-use development or commercial building less than 50,000 square feet, with no significant outside storage or sales.

Refer to Design Standards Section B(1)(g) – Buffers and Transitions. No setback is required where a zone is separated from another zone by a street.

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

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

(b) CMC 18.30.130 through 18.30.200 for measurement of setbacks and allowed projections into the setbacks. (Ord. 14-12 § 2 (Exh. B); Ord. 10-10 § 1 (Exh. A))

18.31.100 Maximum floor area ratio (FAR) – Bonus features.

(1) Developments in the downtown districts are eligible to earn increased FAR, and the maximum incentive to be earned by each bonus feature is set forth in CMC 18.31.090. The FAR incentive is expressed as additional bonus FAR earned per amount of bonus feature provided.

(2) Floor area ratio (FAR) is a ratio of the area of interior square footage of a structure to the site area. For example, a two-story building occupying half of a site would have an FAR of 1:1, or expressed as one. A four-story building occupying half a site would have an FAR of two. The
definition of floor area ratio is further defined in CMC 18.20.507.

(3) Bonus FAR may be earned through any combination of the following listed bonus features.

<table>
<thead>
<tr>
<th>Bonus Feature</th>
<th>FAR Bonus</th>
<th>Description, Additional Requirements and Limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Significant Public Plaza or Public Green Space</td>
<td>2.0</td>
<td>(a) Permitted only in the town center district at the discretion of the Director. (b) Location and design shall be consistent with City of Covington Comprehensive Plan Downtown Element and complimentary to any planned public plaza or development. (c) Shall be a minimum of 4% of the interior floor area of the development and no less than 1,000 square feet. (d) This bonus shall be in addition to the minimum public space requirement in CMC 18.31.120. Refer to Section B(1)(i) of the Downtown Design Guidelines and Standards.</td>
</tr>
<tr>
<td>2. LEED Platinum Certification</td>
<td>1.0</td>
<td>(a) As certified by the USGBC. (b) Applicant is responsible for providing LEED pre-certification submittal documentation and annotated checklist to the City. City will review documentation at the applicant’s expense. (c) Any approvals shall be a condition of approval and applied to any subsequent building permit for the development.</td>
</tr>
<tr>
<td>3. Structure Parking, below grade</td>
<td>1.0</td>
<td>At least 80% of the parking shall be contained within a structure that is below grade.</td>
</tr>
<tr>
<td>4. Other Public Plaza or Public Green Space</td>
<td>1.0</td>
<td>(a) Location and design shall be consistent with City of Covington Comprehensive Plan Downtown Element and any planned public plaza or development. (b) Shall be a minimum of 2% of the interior floor area of the development and no less than 500 square feet. (c) This bonus shall be in addition to the minimum public space requirement in CMC 18.31.120.</td>
</tr>
</tbody>
</table>
| 5. Affordable Housing | 1.0 | (a) For all new development within the downtown districts, total square footage may be increased by 2.0 square feet for every 1.0 square foot of affordable housing (for a maximum of 1.0 FAR), provided an affordable housing plan (AHP) is developed and submitted to the Director for review and approval.  
(b) The developer shall commit to implementing the AHP as a part of a signed agreement with the City. This agreement shall be reviewed by ARCH, or similar housing authority, with recommendations made to the Director prior to implementation of an agreement. |
| 6. Structured Parking, at Grade or Above Grade | 0.75 | (a) At least 80% of the parking shall be contained within a structure. The structure may be part of the building or a separate structure.  
(b) The structure shall be designed so that parked cars are not visible from the street and a commercial or residential use shall occupy the street level. |
| 7. Through Block Connection or Alley Enhancement | 0.75 | (a) A pedestrian walkway and accompanying landscaping that shall be at least 15 feet wide and extend along a property line; or  
(b) A pedestrian walkway that extends through a site to allow the public to pass from one street to another street or an alley.  
(c) The surface shall consist of stone, unit pavers or textured concrete, with pedestrian scale lighting spaced no more than 50 feet apart. |
| 8. Multi-Modal Pathway | 0.5 | A pathway for the movement of pedestrians and bicyclists that is consistent with the City of Covington Comprehensive Plan Downtown Element, the City’s PROS Plan and approved by the Director. |
| 9. Public Meeting Room | 0.5 | (a) Permitted in the town center district only.  
(b) A room available to the community for meetings and events. The size shall be a minimum of 300 square feet, with windows on at least one side and shall be directly accessible. |
from the outside or by a controlled lobby that allows public access.
(c) There shall be no fees imposed on user groups.

10. LEED Gold Certification 0.5
(a) As certified by the USGBC.
(b) Applicant is responsible for providing LEED pre-certification submittal documentation and annotated checklist to the City. City will review documentation at the applicant’s expense.
(c) Any approvals shall be a condition of approval and applied to any subsequent building permit for the development.

11. Water Feature 0.5
(a) A decorative water feature shall be equivalent to at least 1% of the project’s construction cost.
(b) Shall be directly accessible and visible to the public by being adjacent to a plaza, sidewalk, pathway or through-block connection.
(c) Documentation shall be provided verifying the construction value and the cost of the water feature prior to approval of engineering phase plans.

12. Exterior Art Element 0.5
(a) Exterior art element shall be equivalent to at least 1% of the total value of the project’s construction cost. Such elements include but are not limited to sculptures, bas-reliefs, metal work and murals.
(b) Documentation shall be provided verifying the construction value and the value of the art as appraised by an art appraiser.
(c) Art elements shall be visible to the public at all times and will be reviewed and approved by an arts body designated by the City.

(Ord. 06-13 § 2 (Exh. A); Ord. 10-10 § 1 (Exh. A))

18.31.110 Parking, access and circulation standards.
(1) Developments in the downtown zone shall be designed with surface and/or structured parking to allow drivers and pedestrians to move safely on and off the site, provide adequate off-street parking, reduce on-street parking, increase traffic safety, maintain smooth traffic flow, and reduce
the visual impact of parking lots.

(2) Parking design standards are outlined in the City of Covington Downtown Design Guidelines and Standards Sections B(1)(b), C(2)(d)(iii), and C(3)(d)(iii). These standards shall be incorporated into the design and location of any surface and structured parking.

(3) Surface Parking Location and Structured Parking Requirements Table.

<table>
<thead>
<tr>
<th>Surface Parking Location</th>
<th>Town Center (TC)</th>
<th>Mixed Commercial (MC)</th>
<th>General Commercial (GC)</th>
<th>Mixed Housing/Office (MHO)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear of principal building</td>
<td>Permitted</td>
<td>Permitted</td>
<td>Permitted</td>
<td>Permitted</td>
</tr>
<tr>
<td>Side of principal building</td>
<td>Permitted, but lot frontage requirements apply by street type</td>
<td>Permitted, but lot frontage requirements apply by street type</td>
<td>Permitted, but lot frontage requirements apply by street type</td>
<td>Permitted</td>
</tr>
<tr>
<td>Between principal building and street</td>
<td>Not Permitted</td>
<td>Not Permitted</td>
<td>Permitted, but lot frontage requirements apply on Type IV streets</td>
<td>Permitted</td>
</tr>
<tr>
<td>Street corner</td>
<td>Not Permitted</td>
<td>Not Permitted</td>
<td>Permitted</td>
<td>Permitted</td>
</tr>
<tr>
<td>Adjacent to park or open space</td>
<td>Not Permitted</td>
<td>Not Permitted</td>
<td>Permitted</td>
<td>Permitted</td>
</tr>
<tr>
<td>At street terminus</td>
<td>Not Permitted</td>
<td>Permitted</td>
<td>Permitted</td>
<td>Permitted</td>
</tr>
</tbody>
</table>

Structured Parking Location and Design

| All Locations | Permitted, ground-level retail required if fronting a Type I or Type II street | Permitted, ground-level retail required if fronting a Type I or Type II street | Permitted | Permitted |
## (4) Minimum Parking Requirements Table.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Dwelling unit, multifamily:</td>
<td></td>
</tr>
<tr>
<td>Studio and one-bedroom units</td>
<td>1.0 per dwelling unit*</td>
</tr>
<tr>
<td>Two-bedroom units</td>
<td>1.5 per dwelling unit*</td>
</tr>
<tr>
<td>Three-bedroom units</td>
<td>2.0 per dwelling unit*</td>
</tr>
<tr>
<td>Dwelling unit, single-family attached</td>
<td>2.0 per dwelling unit (tandem spaces allowed)</td>
</tr>
<tr>
<td>Dwelling unit, single-family detached</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Dwelling unit, accessory or cottage housing</td>
<td>1.0 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>*Plus one extra space for every 10 dwelling units rounded upward to the nearest multiple of 10.</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
</tr>
<tr>
<td>Retail trade and services (non-food)</td>
<td>2 per 1,000 square feet</td>
</tr>
<tr>
<td>Nonfood retail in mixed-use development, less than 5,000 square feet and less than 40% of the gross floor area of the development</td>
<td>No off-street parking required**</td>
</tr>
<tr>
<td>Food stores, in mixed-use development, less than 15,000 square feet and less than 40% of the gross floor area of the development</td>
<td>3 per 1,000 square feet**</td>
</tr>
<tr>
<td>Food stores, other than above</td>
<td>4 per 1,000 square feet, plus additional parking as provided below for eating establishment</td>
</tr>
<tr>
<td>Eating and drinking establishment, other than above</td>
<td>1 per 100 square feet in dining, lounge and customer ordering area</td>
</tr>
<tr>
<td>Professional office</td>
<td>2 per 1,000 square feet</td>
</tr>
<tr>
<td>Gasoline service stations/Battery exchange stations</td>
<td>3 per facility plus 1 per 300 square feet of store</td>
</tr>
<tr>
<td>Temporary lodging/Hotel</td>
<td>1.1 per bedroom</td>
</tr>
<tr>
<td>Business Services</td>
<td>3 per 1,000 square feet</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>Home occupation including live/work</td>
<td>1 stall in addition to requirement for primary use</td>
</tr>
<tr>
<td>** The applicant may demonstrate through a traffic study that on-street parking is adequate to wholly or partially fulfill this parking requirement.</td>
<td></td>
</tr>
<tr>
<td>Industrial/Manufacturing</td>
<td></td>
</tr>
<tr>
<td>Light Industrial/Manufacturing</td>
<td>1 per 1,000 square feet, plus additional parking for office or retail areas as noted elsewhere in this table</td>
</tr>
<tr>
<td>Recreation/Culture</td>
<td></td>
</tr>
<tr>
<td>Theater</td>
<td>1 per 3 fixed seats, plus 2 spaces for every 3 employees</td>
</tr>
<tr>
<td>Group assembly</td>
<td>1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes</td>
</tr>
<tr>
<td>Park/playfield/plaza</td>
<td>Director decision</td>
</tr>
<tr>
<td>Health Club</td>
<td>Director decision</td>
</tr>
<tr>
<td>Health Services</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>1 per bed</td>
</tr>
<tr>
<td>Medical Office</td>
<td>5 per 1,000 square feet</td>
</tr>
<tr>
<td>Nursing and personal care facility</td>
<td>1 per 4 beds</td>
</tr>
<tr>
<td>Emergency care facility</td>
<td>5 per 1,000 square feet</td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Utility</td>
<td>Director decision</td>
</tr>
<tr>
<td>Government office</td>
<td>3 per 1,000 square feet</td>
</tr>
<tr>
<td>All other</td>
<td>Director decision</td>
</tr>
<tr>
<td>Bicycle Parking</td>
<td></td>
</tr>
<tr>
<td>In the downtown districts one bicycle parking space shall be provided for every 15 vehicle parking spaces. Bicycle parking shall be located within 50 feet of the principal building and directly adjacent to a sidewalk or pedestrian walkway that connects directly to the building entrance(s).</td>
<td></td>
</tr>
<tr>
<td>Car Share Parking</td>
<td></td>
</tr>
<tr>
<td>Within the downtown districts the total number of parking spaces provided within</td>
<td></td>
</tr>
</tbody>
</table>
residential developments containing more than 30 units may be reduced by three spaces for each one dedicated car share space. A signed agreement between the property owner and car share provider shall be submitted to the Director for approval.

### Electric Vehicle Charging Station

All developments that require off-street parking shall be subject to the provisions of the electric vehicle charging stations requirements in CMC 18.50.160 through 18.50.180.

### Reduction for Joint-Use Parking

Developments which submit an approved parking management plan as noted in subsection (5) of this section may receive a reduction in required parking of between 0% and 20%. The Director may increase the percentage of the reduction where compelling evidence is provided in the applicant’s traffic report that the proposed reduction is warranted. Refer to subsection (6) of this section.

(5) Parking for a specific use shall be limited to no more than 50 percent greater than the minimum parking requirement required by subsection (2) of this section. Exceptions to this parking maximum include:

(a) Parking spaces are provided above or below grade.

(b) If the Director determines additional off-street parking spaces are warranted based on a traffic study. The Director shall consider whether the proposal is consistent with the stated purposes, objectives, goals or policies established in the City of Covington Comprehensive Plan Downtown Element.

(c) The Director shall have the authority to restrict parking for a specific use to an amount that is less than the maximum amount allowed in this section if the proposal would substantially conflict with the stated purposes, objectives, goals or policies contained in the City of Covington Comprehensive Plan Downtown Element.

(6) Developments that contain more than 30,000 square feet of commercial area and/or more than 100 units of housing are required to submit a parking management plan that responds to the vision in the City of Covington Comprehensive Plan Downtown Element. A parking management plan shall address the following:

(a) Integration and connection with adjacent parking areas associated with other developments.

(b) A joint use parking strategy or documentation that demonstrates why such a strategy is not feasible.
(c) A joint use parking strategy is appropriate when all of the following criteria are met:

   (i) The total parking area exceeds 8,000 square feet;

   (ii) The uses sharing parking facilities are of different use categories or have different
        hours of operation; and

   (iii) The parking facilities are designed and developed as a single on-site common parking
        facility, or as a system of on-site and off-site facilities, if all facilities are connected with
        improved pedestrian facilities and no building or use is more than 800 feet from the most
        remote joint-use facility.

(7) The amount of off-street parking required in subsection (4) of this section may be reduced by no
    more than 20 percent, as determined by the Director, when shared facilities for two or more uses
    are proposed, provided:

    (a) The normal hours of operation of each use are separated by at least two hours; or

    (b) A parking demand study is prepared by a professional traffic engineer and submitted by
        the applicant documenting that the hours of actual parking demand for the proposed uses will
        not conflict, and that uses will be served by adequate parking if shared parking reductions are
        authorized.

(8) The total number of parking spaces requested for shared parking shall not be less than the
    minimum required spaces for any single use.

(9) A covenant or other contract for shared parking between the cooperating property owners is
    approved by the Director. This covenant or contract shall by recorded with the King County
    Department of Records and Election Division as a deed restriction on all properties and cannot be
    modified or revoked without the consent of the Director.

(10) If requirements for shared parking are violated, the affected property owners shall provide a
    remedy satisfactory to the Director or provide the full amount of required off-street parking for each
    use, in accordance with the requirements of this chapter.

(11) Additional Parking Requirements and Parking Design Standards Referenced in This Title.

    (a) CMC 18.50.050 through 18.50.180 for other applicable standards.

(12) Additional parking lot screening, landscaping and curb cut spacing requirements shall be
    incorporated into the design and layout of any proposed parking as provided in the City of
    Covington Downtown Design Guidelines and Standards Sections C(2)(b), C(3)(b) and C(4)(b). (Ord.
    19-11 § 1 (Exh. 1); Ord. 10-10 § 1 (Exh. A))
(1) New development within the town center (TC) and mixed commercial (MC) districts shall meet the public space requirement.

(2) All new development shall provide accessible public space equivalent to one and one-half percent of the gross floor area of all structures. The design and location of public spaces shall consider the design and location of public spaces on adjacent properties and shall be oriented and connected to those spaces.

(3) If the applicant can demonstrate to the satisfaction of the Director that a required public space is adjacent to, integrated with and can be accessed from a public space on an adjoining property, this requirement may be reduced to one percent of gross floor area.

(4) All required public spaces shall be oriented toward, and have direct connections (both physical and visual) to, a public street.

(5) Where public spaces are integrated into new development, or where new development abuts an existing or planned public plaza, the primary building entrance shall be oriented toward the public space or plaza.

(6) All development that abuts the main public space envisioned in the City of Covington Comprehensive Plan Downtown Element shall be oriented and connected to that public space.

(7) Additional public space design standards in the City of Covington Downtown Design Guidelines and Standards Section B(1)(i) shall be included in the design of any public space requirements.

(Ord. 10-10 § 1 (Exh. A))

18.31.130 Landscaping requirements.

(1) Landscape Area Requirement.

(a) In addition to the landscape standards contained in this chapter, five percent of the total area between the building facade and the curb shall be landscaped. This shall be in addition to street trees and landscaping provided in public spaces and parking lots that are required in other subsections.

(b) Required landscaping may be planted within planting areas surrounding trees, in raised planters, and on vegetative walls mounted to the ground-level building facade.

(c) Where a building or portion of a building is located more than 10 feet from a public sidewalk or useable public space, all areas between the building and the public sidewalk that is not used for vehicle or pedestrian access, circulation, parking or seating shall be landscaped.

(d) Potted landscape material may be substituted for required landscaping in areas designed for outdoor eating with the approval of the Director.

(Ord. 10-10 § 1 (Exh. A))
(e) Additional landscape requirements in the City of Covington Downtown Design Guidelines and Standards Sections B(1)(a), C(2)(d)(ii), C(3)(d)(ii), C(4)(d)(iii) and C(5)(d)(ii) shall be included in the landscaping for the development.

(2) A minimum of 15 percent of the total area of a public space, such as a courtyard or plaza, shall be landscaped. Additional provisions are detailed in the City of Covington Downtown Design Guidelines and Standards Section B(1)(i) and are based on street type.

(3) Landscape Buffers – Standards and When Required.

(a) Downtown development that abuts zones outside of the downtown districts shall have a minimum 20-foot-wide landscaped buffer within the required setback.

(b) Any development that abuts the MHO district shall provide a minimum of 10-foot-wide landscaped buffer within the required setback.

(c) For cottage housing, CMC 18.37.050(5) and 18.37.110 shall apply.

(d) Refer to the City of Covington Downtown Design Guidelines and Standards Section B(1)(g) for applicable design standards for buffer and zone transition requirements.

(4) Additional Landscaping Requirements Referenced in This Title.

(a) CMC 18.40.100, 18.40.110, 18.40.130, 18.40.140, and 18.40.150 for additional applicable standards.

(b) CMC 18.40.080(3), (4), (5) and (6) for parking area landscaping requirements.

(c) Chapter 18.45 CMC, Tree Preservation and Protection.

   (i) The Director shall have the authority to reduce the required tree replacement ratio where such requirement would conflict with the urban design intent of the downtown design guidelines and standards.

   (ii) The Director shall ensure that representative native vegetation is retained or replanted totaling at least five percent of the site area and that enhanced landscaping is provided in excess of the requirements contained in this chapter. (Ord. 04-12 § 1 (Exh. A); Ord. 10-10 § 1 (Exh. A))

18.31.140 Sign requirements.

(1) The requirements of Chapter 18.55 CMC shall apply in the downtown zone, except as provided in this section. Where sign regulations in this section conflict with sign regulations in Chapter 18.55 CMC, the sign regulations in this section shall control.

(2) Special Requirements for the Town Center District.
(a) Freestanding signs are prohibited on Type I streets. Freestanding signs shall be placed a minimum of 100 feet from the Type I streets.

(b) Signs shall be building-mounted.

(c) Freestanding signs (where allowed) shall be located a minimum of 300 feet from other multi-tenant freestanding signs located on the same side of the public right-of-way.

(d) Tenant directory signs shall be located internal to the site and oriented towards drive aisles and/or sidewalks/walkways, not the public right-of-way.

(e) No sign shall project above the roofline of the exposed building face to which it is attached.

(f) Freestanding signs shall not exceed a height of eight feet and a total area of 120 square feet, with no one sign face exceeding 60 square feet.

(g) Window signs shall not exceed 20 percent of the total window area of any facade.

(h) Freestanding secondary entrance signs shall not exceed a height of six feet and a total area of 120 square feet per entrance.

(3) In the town center district, the total sign area of building-mounted signs for each business or tenant, excluding under canopy blade signs, shall not exceed 10 percent of the exposed building face to which it is attached. No individual sign shall exceed 200 square feet, and every applicant is entitled to a minimum sign area of 30 square feet.

(4) Maximum Number of Signs in Town Center District.

(a) Two building-mounted signs per business or tenant.

(b) No more than one freestanding sign shall be allowed along the street frontage of any property.

(c) Where a property has a secondary entrance from a parking lot or public right-of-way, it is allowed to have one building-mounted or freestanding sign.

(5) Additional Sign Requirements Referenced in This Title.

(a) Chapter 18.55 CMC for other applicable standards.

(6) Refer to the City of Covington Downtown Design Guidelines and Standards Section B(3) for additional sign design requirements. (Ord. 10-10 § 1 (Exh. A))
Chapter 18.33
MARIJUANA-RELATED USES

Sections:
18.33.010 Definitions.
18.33.020 Marijuana-related uses – Generally.
18.33.030 Marijuana producers and processors.
18.33.040 Marijuana retailers.
18.33.050 Sensitive use buffers.
18.33.060 Enforcement – Penalty.
18.33.070 Legal nonconforming uses.

18.33.010 Definitions.
Unless the context clearly indicates otherwise the terms within this chapter shall have the meanings established pursuant to Chapter 18.20 CMC. Any terms not defined in Chapter 18.20 CMC shall have meanings established pursuant to RCW 69.50.101. (Ord. 12-16 § 4)

18.33.020 Marijuana-related uses – Generally.
(1) The production, processing, and retailing of marijuana is and remains illegal under Federal law. Nothing in this chapter is an authorization to circumvent Federal law or provide permission to any person or entity to violate Federal law.

(2) This chapter incorporates the requirements and procedures set forth in Chapter 69.50 RCW and Chapter 314-55 WAC. Except as otherwise specifically provided herein, in the event of any conflict between the provisions of this chapter and the provisions of Chapter 69.50 RCW or Chapter 314-55 WAC, the more restrictive provision shall control.

(3) The regulations under Chapter 69.50 RCW and Chapter 314-55 WAC, now or as may hereafter be amended, shall apply to all marijuana producers, processors, retailers, and retail outlets in addition to the provisions of this chapter.

(4) Only marijuana producers, marijuana processors, and marijuana retailers licensed by the Washington State Liquor and Cannabis Board may locate in the City and then only pursuant to the license issued by the Washington State Liquor and Cannabis Board.

(5) Marijuana producers, marijuana processors, and marijuana retailers are required to acquire all additional necessary business licenses and permits, and comply with all other applicable City ordinances and regulations.
(6) The City may, prior to issuance of any license or permit, perform an inspection of the proposed
premises to determine compliance with any applicable requirements of this chapter and all other
applicable City ordinances and regulations. (Ord. 12-16 § 4)

18.33.030 Marijuana producers and processors.
Marijuana producers and marijuana processors licensed by the Washington State Liquor and
Cannabis Board are permitted only in the industrial (I) zone, subject to the requirements and other
general provisions as set forth in this title, except where modified by this chapter.

(1) Marijuana producers and marijuana processors shall not operate as an accessory to a primary
use or as a home occupation.

(2) All marijuana production and processing activities shall occur within an enclosed structure and
the facility shall be designed, located, constructed, and buffered to blend in with its surroundings
and mitigate significant adverse impacts on adjoining properties and the community. Special
attention shall be given to minimizing odor, noise, light, glare, and traffic impacts. (Ord. 12-16 § 4)

18.33.040 Marijuana retailers.
Marijuana retailers licensed by the Washington State Liquor and Cannabis Board are permitted only
in the general commercial (GC) and mixed commercial (MC) zones, subject to the requirements
and other general provisions as set forth in this title, except where modified by this chapter.

(1) Marijuana retailers shall not operate as an accessory to a primary use or as a home occupation.

(2) Any marijuana odor shall be contained within the marijuana retail outlet so that the odor of
marijuana cannot be detected from any abutting use or property by a person with a normal sense of
smell. If any marijuana odor can be smelled from any abutting use or property, the marijuana
retailer shall be required to implement measures necessary to contain the odor, including, but not
limited to, installation of ventilation equipment.

(3) In addition to the security requirements in Chapter 315-55 WAC, during business hours, all
marijuana retailers shall store all useable marijuana, marijuana-infused product, and cash in a safe
or in a substantially constructed and locked cabinet. The safe or cabinet shall be incorporated into
the building structure or securely attached thereto. For useable marijuana products that must be
kept refrigerated or frozen, these products must be stored in a locked refrigerator or freezer
container in a manner approved by the Director, provided the container is affixed to the building
structure. (Ord. 12-16 § 4)

18.33.050 Sensitive use buffers.
(1) Marijuana producers and marijuana processors shall not locate within 1,000 feet of the following
uses or any use included in Chapter 314-55 WAC now or as hereafter may be amended, unless
otherwise regulated in State law:
(a) Public or private elementary or secondary school, or any facility owned or operated by such school;

(b) Childcare center, preschool, nursery school, or other childcare facility;

(c) Public park, trail, or playground;

(d) Any real property designated in the Capital Improvement Plan for future park use;

(e) Recreation center or facility;

(f) Church, temple, synagogue, mosque, or chapel;

(g) Public transit center;

(h) Public library;

(i) Any game arcade admission to which is not restricted to persons aged 21 years or older.

(2) Marijuana retailers and marijuana retail outlets shall not locate:

(a) Within 1,000 feet of the following uses:

   (i) Public or private elementary or secondary school, or any facility owned or operated by such school; or

   (ii) Childcare center, preschool, nursery school, or other childcare facility.

(b) Within 500 feet of the following uses or any use included in Chapter 314-55 WAC now or as hereafter may be amended, unless otherwise required in applicable State law:

   (i) Public park, trail, or playground;

   (ii) Any real property designated in the Capital Improvement Plan for future park use;

   (iii) Recreation center or facility;

   (iv) Church, temple, synagogue, mosque, or chapel;

   (v) Public transit center;

   (vi) Public library;

   (vii) Any game arcade admission to which is not restricted to persons aged 21 years or older.

(3) The buffer restrictions in subsections (1) and (2) of this section shall be measured by following a straight line from the nearest point of the property parcel upon which the proposed use is to be
located to the nearest point of the parcel of property from which the proposed land use is to be separated. (Ord. 12-16 § 4)

18.33.060 Enforcement – Penalty.
(1) Any violation of this chapter is declared to be a public nuisance per se and, in addition to any other remedy provided by law or equity, may be abated by the City under applicable provisions of this code or State law.

(2) No person or entity may violate or fail to comply with any provision of this chapter. Each person or entity commits a separate offense for each and every day they commit, continue, or permit a violation of any provision of this chapter. (Ord. 12-16 § 4)

18.33.070 Legal nonconforming uses.
No use that constitutes or purports to be a marijuana producer, marijuana processor, or marijuana retailer as those terms are defined in this title that was engaged in that activity prior to the enactment of the ordinance codified in this chapter shall be deemed to have been a legally established use under the provisions of the Covington Municipal Code and that use shall not be entitled to claim legal nonconforming use status. (Ord. 12-16 § 4)
Chapter 18.35
DEVELOPMENT STANDARDS – DESIGN REQUIREMENTS

Sections:
18.35.005  Applicability.
18.35.010  Purpose.
18.35.020  General layout standards.
18.35.030  Lot segregations – Zero-lot-line development.
18.35.040  Lot segregations – Clustered development.
18.35.050  Townhouse development.
18.35.060  Attached dwellings and group residences – Applicability.
18.35.070  Attached dwellings and group residences – Vehicular access and parking location.
18.35.080  Attached dwellings and group residences – Building facade modulation.
18.35.090  Repealed.
18.35.100  Mixed-use development in the CC and NC zones – Design features.
18.35.110  Repealed.
18.35.120  Manufactured home parks – Standards for existing parks.
18.35.130  Manufactured home parks – Standards for new parks.
18.35.140  Manufactured home parks – Alternative design standards.
18.35.150  On-site recreation – Space required.
18.35.160  Recreation space – Fees in lieu of.
18.35.170  On-site recreation – Play areas required.
18.35.180  On-site recreation – Financial guarantees for construction.
18.35.190  On-site recreation – Maintenance of recreation space or dedication.
18.35.200  Storage space, loading areas, and collection points for recyclables and refuse.
18.35.210  Fences.

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
18.35.220 Hazardous liquid and gas transmission pipelines.

18.35.230 Trail corridors – Applicability.

18.35.240 Trail corridors – Design standards.

18.35.250 Trail corridors – Maintenance of trail corridors/improvements.

18.35.260 Wildlife habitat corridors – Applicability.

18.35.270 Wildlife habitat corridors – Design standards.

18.35.280 Short subdivisions or short subdivision alterations – Adequacy of access – Right-of-way use permits.

18.35.290 Proposed formal subdivisions, short subdivisions or binding site plans – Railroad buffer strips.

18.35.300 Preliminary subdivision and short subdivision approval – Maintenance of private streets, easements and utilities required.

18.35.310 Lakepoint Urban Village subarea.¹

18.35.005 Applicability.
The standards contained in this chapter shall apply to all zones other than the downtown zone.
(Ord. 10-10 § 3 (Exh. C))

18.35.010 Purpose.
The purpose of this chapter is to improve the quality of development by providing building and site design standards that:

(1) Reduce the visual impact of large residential buildings from adjacent streets and properties;

(2) Enhance the aesthetic character of large residential buildings;

(3) Contain sufficient flexibility of standards to encourage creative and innovative site and building design;

(4) Meet the on-site recreation needs of project residents;

(5) Enhance aesthetics and environmental protection through site design; and

(6) Allow for continued or adaptive re-use of historic resources while preserving their historic and architectural integrity. (Ord. 42-02 § 2 (21A.14.010))

18.35.020 General layout standards.
For residential developments in the R zones:

(1) The maximum length of blocks shall be 1,320 feet; and

(2) Except for corner lots, lots for single detached dwellings shall not have street frontage along two sides unless one of said streets is a neighborhood collector street or an arterial street. (Ord. 42-02 § 2 (21A.14.020))

18.35.030 Lot segregations – Zero-lot-line development.
In any R zone or in the CN zone, interior setbacks may be modified during subdivision or short subdivision review as follows:

(1) If a building is proposed to be located within a normally required interior setback:

   (a) An easement shall be provided on the abutting lot of the subdivision that is wide enough to ensure a 10-foot separation between the walls of structures on adjoining lots, except as provided for common wall construction;

   (b) The easement area shall be free of permanent structures and other obstructions that would prevent normal repair and maintenance of the structure’s exterior;

   (c) Buildings utilizing reduced setbacks shall not have doors that open directly onto the private yard areas of abutting property. Windows in such buildings shall not be oriented toward such private yard areas unless they consist of materials such as glass block, textured glass, or other opaque materials, and shall not be capable of being opened, except for clerestory-style windows or skylights; and

   (d) The final plat or short plat shall show the approximate location of buildings proposed to be placed in a standard setback area.

(2) In the R zones, setbacks on existing individual lots may be modified; provided, that the standards set forth in subsection (1)(a) of this section are met. (Ord. 42-02 § 2 (21A.14.030))

18.35.040 Lot segregations – Clustered development.
If residential lot clustering is proposed, the following provisions shall be met:

(1) In the R zones, any designated open space tract resulting from lot clustering shall not be altered or disturbed except as specified on recorded documents creating the open space. Open spaces may be retained under ownership by the subdivider, conveyed to residents of the development, or conveyed to a third party. If access to the open space is provided, the access shall be located in a separate tract;

   (a) Clusters containing two or more lots of less than two and one-half acres, whether in the same or adjacent developments, shall be separated from similar clusters by at least 120 feet;
(b) The overall amount and the individual degree of clustering shall be limited to a level that can be adequately served by rural facilities and services, including, but not limited to, on-site sewage disposal systems with all setbacks and land use restrictions required by the Washington State Department of Ecology and Washington State Department of Health, and rural roadways;

(c) A 50-foot Type II landscaping screen, as defined in CMC 18.40.040, shall be provided along the frontage of all public roads. The planting materials shall consist of species that are native to the Puget Sound region. Preservation of existing healthy vegetation is encouraged and may be used to augment new plantings to meet the requirements of this section. (Ord. 13-09 § 28; Ord. 42-02 § 2 (21A.14.040))

18.35.050 Townhouse development.
In the R-1 through R-18 zones and in the NC zone, a building that contains a grouping of attached townhouse units shall not exceed a 200-foot maximum length without a separation of at least 10 feet from other groupings or rows of townhouses. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.14.060))

18.35.060 Attached dwellings and group residences – Applicability.
The standards of CMC 18.35.070 and 18.35.080 shall apply to all new apartment developments exceeding four dwelling units, new townhouse development and new group residences except Class I community residential facilities (CRF-I). Expansions of existing development that involve four or more dwelling units shall be subject to compliance with CMC 18.35.070 and 18.35.080. (Ord. 42-02 § 2 (21A.14.070))

18.35.070 Attached dwellings and group residences – Vehicular access and parking location.
(1) On sites abutting an alley constructed to a width of at least 20 feet, apartment and townhouse development and all group residences except Class I community residential facilities (CRF-I) shall have parking areas placed to the rear of buildings with primary vehicular access via the alley, except when waived by the Director due to physical site limitations.

(2) When alley access is provided, no additional driveway access from the public street shall be allowed except as necessary to access parking under the structure or for fire protection.

(3) When the number of uncovered common parking spaces for attached dwellings and group residences exceed 30 spaces and when there is alley access, no more than 50 percent of these uncovered parking spaces shall be permitted between the street property line and any building, except when authorized by the Director due to physical site limitations. (Ord. 42-02 § 2 (21A.14.080))

18.35.080 Attached dwellings and group residences – Building facade modulation.
Apartment and townhouse developments and all group residences shall provide horizontal and vertical building facade modulation on facades exceeding 60 feet and facing abutting streets or
properties zoned R-1 (urban separator) through R-4. The following standards shall apply:

(1) The maximum wall length without modulation shall be 30 feet; and

(2) The sum of the modulation depth and the modulation width shall be no less than eight feet. Neither the modulation depth nor the modulation width shall be less than two feet.

(3) Any other technique approved by the Director or listed in the design manual that achieves the intent of this section. (Ord. 42-02 § 2 (21A.14.090))

18.35.090 Mixed-use development – Percentages of commercial uses.  
Repealed by Ord. 06-13. (Ord. 42-02 § 2 (21A.14.110))

18.35.100 Mixed-use development in the CC and NC zones – Design features.  
Mixed-use development permitted by Chapter 18.25 CMC shall incorporate the following design features:

(1) Residential and nonresidential uses proposed for mixed-use development shall be only those uses permitted in the CC and NC zones, as established by Chapter 18.25 CMC.

(2) If residential and nonresidential uses are proposed for the same structure, nonresidential uses shall occupy no less than 60 percent of the ground floor. The Director may waive this requirement under the following circumstances:

   (a) If the structure is located on a sloping lot that provides access from upper levels or from multiple levels. In such cases, the nonresidential use may be located on the levels that exit onto the primary pedestrian streets; or

   (b) If views from the upper levels are valuable amenities that would help assure success of the nonresidential uses, such as a restaurant;

   (c) Senior housing developments need not include commercial uses.

(3) Mixed-use development shall provide off-street parking behind or to the side of buildings, or enclosed within buildings consistent with CMC 18.50.030. Relief from this requirement may be granted by the Director only if the applicant can demonstrate that there is no practical site design to meet this requirement. The Director may allow only the number of parking spaces that cannot be accommodated to the rear or sides of buildings, or enclosed within buildings, to be located to the front of buildings. A 20 percent reduction of required parking is allowed if a mixed-use development meets the criteria of CMC 18.50.040 for shared parking. (Ord. 06-13 § 2 (Exh. A); Ord. 42-02 § 2 (21A.14.135))

18.35.110 Mixed-use development – Phasing – Required plans, requirements, covenants, recordings – Review and approval.
18.35.120 Manufactured home parks – Standards for existing parks.
(1) Manufactured home parks established prior to the effective date of the ordinance codified in this title shall continue to be governed by all standards relating to density, setbacks, landscaping and off-street parking in effect at the time they were approved.

(2) Placement of new accessory structures and replacement mobile homes, either standard or nonstandard, in these manufactured home parks shall be governed by the dimensional standards in effect when the parks were approved, unless two or more replacement mobile homes are proposed to be installed adjacent to each other under the flexible setback option set forth in CMC 18.35.140. Where internal setbacks are not specified, the average of the prevailing setbacks on the pads to either side of the proposed new or replacement structure shall apply.

(3) No spaces or pads in an existing manufactured home park shall be used to accommodate recreational vehicles (RVs), except when the spaces or pads were specifically for RVs at the time the park was established.

(4) An existing manufactured home park may be enlarged, provided the proposed enlargement meets the standards set forth in CMC 18.35.130 and 18.35.140.

(5) Both insignia and non-insignia mobile homes may be installed in established parks; provided, that all mobile homes supported by piers shall be fully skirted, and that nonstandard mobile homes shall meet the minimum livability and safety requirements set forth in CMC Title 15, Buildings and Construction. (Ord. 42-02 § 2 (21A.14.150))

18.35.130 Manufactured home parks – Standards for new parks.
New manufactured home parks shall be developed subject to the following standards:

(1) A manufactured home park shall be at least three acres in area;

(2) Residential densities in a manufactured home park shall be as follows:

   (a) Must not exceed a density of 25 percent over the base density; and

   (b) Manufactured home parks shall be eligible to achieve the maximum density permitted in the zone by providing the affordable housing benefit for manufactured home parks set forth in Chapter 18.90 CMC;

(3) Both insignia and non-insignia mobile homes may be installed in manufactured home parks; provided, that non-insignia mobile homes shall meet the minimum livability and safety requirements set forth in CMC Title 15, Buildings and Construction;

(4) A manufactured home park shall be exempt from impervious surface limits set forth in Chapter
(5) At least one of the off-street parking spaces required for each mobile home shall be located on or adjacent to each mobile home pad;

(6) Internal roads and sidewalks shall provide access to each mobile home space and shall be constructed in accordance with the adopted City of Covington road standards for residential minor access streets;

(7) There shall be a minimum of 10 feet of separation maintained between all mobile homes on the site, unless the flexible setback option set forth in CMC 18.35.140 is used. Accessory structures shall be located no closer than:

   (a) Ten feet to mobile homes on adjacent spaces, unless constructed of noncombustible materials, in which case the minimum setback shall be five feet;

   (b) Five feet to accessory structures of mobile homes on adjacent spaces; and

   (c) Five feet to the mobile home or other accessory structures on the same space, except a carport or garage may be attached to the mobile home, and the separation may be waived when such structures are constructed of noncombustible materials;

(8) All mobile homes and RVs supported by piers shall be fully skirted; and

(9) A manufactured home park may include a storage area for RVs owned by residents of the park, provided the storage area contains no utility hook-ups and no RV within the storage area shall be used as living quarters. (Ord. 42-02 § 2 (21A.14.160))

18.35.140 Manufactured home parks – Alternative design standards.

As an alternative to the building separation and internal street standards of CMC 18.35.130:

(1) Building separation requirements or setbacks between mobile homes and accessory structures on adjacent spaces may be modified, provided:

   (a) The common walls meet the fire protection standards set forth in the International Building Code and the standards set forth in the International Fire Code for duplexes, multifamily and condominium developments, as applicable; and

   (b) Rental agreement clauses, by-laws or other legal mechanisms stipulate maintenance responsibilities for structures, fences and yards;

(2) Private streets may be used with a minimum driving surface of 22 feet in width, provided:

   (a) The streets comply in all other respects with the road standards;

   (b) All required parking is located off-street and as specified in CMC 18.35.130(5); and
(c) Such streets shall not:

(i) Directly connect two or more points of vehicular access to the park; or

(ii) Serve over 100 dwelling units within the park. (Ord. 06-05 § 1; Ord. 23-04 § 12; Ord. 42-02 § 2 (21A.14.170))

18.35.150 On-site recreation – Space required.

(1) Residential developments in the R and MR zones, stand-alone townhouse developments in the R, MR, CC, NC, and RCMU zones, and mixed-use developments, if more than four units, shall provide fully accessible recreation space for leisure, play and sport activities as follows:

(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.

(2) Recreation space shall be placed in a designated recreation space tract if part of a subdivision. The tract shall be dedicated to a homeowners’ association or other workable organization acceptable to the Director, to provide continued maintenance of the recreation space tract consistent with CMC 18.35.190.

(3) Any recreation space located outdoors shall:

(a) Be of a grade and surface suitable for recreation;

(b) Be on the site of the proposed development;

(c) 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;

(d) Be centrally located with good visibility of the site from roads and sidewalks;

(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, townhouses and apartment developments would be better served by multiple areas developed with recreation or play facilities;

(g) 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;

(h) Be fully accessible and convenient to all residents within the development (ADA); and

(i) 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;

(j) 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.

(4) 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.

(5) Play equipment or age-appropriate facilities shall be provided within dedicated recreation space areas according to the following requirements:

(a) For developments of five dwelling units or more, or 10 units or more in the R-18 zone, a tot lot or children’s play area, which includes age-appropriate play equipment and benches, shall be provided consistent with CMC 18.35.170;

(b) For developments of five to 25 dwelling units, or between 10 and 25 units in the R-18 zone, one of the following recreation facilities shall be provided in addition to the tot lot or children’s play area:

   (i) Playground equipment;

   (ii) Sport court;

   (iii) Sport field;

   (iv) Tennis court; or

   (v) Any other recreation facility proposed by the applicant and approved by the Director;
(c) For developments of 26 to 50 dwelling units, at least two or more of the recreation facilities listed in subsection (5)(b) of this section shall be provided in addition to the tot lot or children’s play area;

(d) For developments of more than 50 dwelling units, one or more of the recreation facilities listed in subsection (5)(b) of this section shall also be provided for every 25 dwelling units in addition to the tot lot or children’s play area. If calculations result in a fraction, the fraction shall be rounded to the nearest whole number as follows:

(i) Fractions of 0.50 or above shall be rounded up; and

(ii) Fractions below 0.50 shall be rounded down.

(6) A recreation space plan shall be submitted to the Department and reviewed and approved with engineering plans. The recreation space plans shall address all portions of the site that will be used to meet recreation space requirements of this section, including storm water facilities. The plans shall show dimensions, finished grade, equipment, landscaping, irrigation, lighting and other improvements, as required by the Director, to demonstrate that the requirements of the on-site recreation space in this section and play areas in CMC 18.35.170 have been met. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 13-09 § 29; Ord. 42-02 § 2 (21A.14.180))

18.35.160 Recreation space – Fees in lieu of.

(1) 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 18.35.150, 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.

(2) Fees shall be determined annually by the Department of Community Development on the basis of the projected market value of the required recreation space land area after development and the estimated value of the improvements, which would have been required. Any recreational space provided by the applicant shall be credited toward the required fees. (Ord. 10-10 § 3 (Exh. C); amended at request of department 2/08; Ord. 42-02 § 2 (21A.14.185))

18.35.170 On-site recreation – Play areas required.

(1) All single detached subdivisions, apartment, townhouse and mixed-use developments, excluding age restricted senior citizen housing, of more than four units, shall provide children play areas within the recreation space on-site, when provided, or pay a fee in lieu of the value of the required improvements. This would include all associated improvements and installation.
(2) Play area (tot lot) designs shall:

(a) Provide at least 45 square feet per dwelling unit, with a minimum size of 900 square feet;

(b) Be adjacent to main pedestrian paths or near building entrances;

(c) Be approved by the Department;

(d) Meet the requirements of CMC 18.35.150; and

(e) 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. (Ord. 42-02 § 2 (21A.14.190))

18.35.180 On-site recreation – Financial guarantees for construction.
Financial guarantees for construction of recreation facilities required under CMC 18.35.150 and 18.35.170 shall be provided consistent with CMC Title 14. (Ord. 20-07 § 116; Ord. 42-02 § 2 (21A.14.195))

18.35.190 On-site recreation – Maintenance of recreation space or dedication.
(1) Recreation space that meets the criteria in CMC 18.35.150(3) may, at the discretion of the Director, be dedicated as a park open to the public in lieu of providing the on-site recreation required under CMC 18.35.150 if the following criteria are met:

(a) The dedicated area is at least two 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 mile of the project site.

(2) Unless the recreation space is dedicated to the City in accordance with subsection (1) of 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. (Ord. 42-02 § 2 (21A.14.200))
18.35.200 Storage space, loading areas, and collection points for recyclables and refuse.
Developments shall provide storage space for the collection of recyclables as follows:

(1) The storage space shall be provided at the following rates, calculated based on any new dwelling unit in multiple-dwelling developments and any new square feet of building gross floor area in any other developments:

(a) One and one-half square feet per dwelling unit in multiple-dwelling developments except where the development is participating in a County-sponsored or approved direct collection program in which individual recycling bins are used for curbside collection;

(b) Two square feet per every 1,000 square feet of building gross floor area in office, educational and institutional developments;

(c) Three square feet per every 1,000 square feet of building gross floor area in manufacturing and other nonresidential developments; and

(d) Five square feet per every 1,000 square feet of building gross floor area in retail developments.

(2) The storage space for residential developments shall be apportioned and located in collection points as follows:

(a) The required storage area shall be dispersed in collection points throughout the site when a residential development comprises more than one building.

(b) There shall be one collection point for every 30 dwelling units.

(c) Collection points may be located within residential buildings, in separate buildings/structures without dwelling units, or outdoors.

(d) Collection points located in separate buildings/structures or outdoors shall be no more than 200 feet from a common entrance of a residential building.

(e) Collection points shall be located in a manner so that the swing of any collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or that the gate swing or any hauling truck does not project into any public right-of-way.

(3) The storage space for nonresidential developments shall be apportioned and located in collection points as follows:

(a) Storage space may be allocated to a centralized collection point.

(b) Outdoor collection points shall not be located in any required setback areas.

(c) Collection points shall be located in a manner so that the swing of any collection point gate
(c) Collection points shall be located in a manner so that the swing of any collection point gate does not obstruct pedestrian or vehicle traffic or access to parking or that the gate swing or any hauling truck does not project into any public right-of-way.

(d) Access to collection points may be limited, except during regular business hours and/or specified collection hours.

(4) The collection points shall be designed as follows:

(a) Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.

(b) Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.

(c) Collection points shall be identified by signs not exceeding two square feet.

(d) A six-foot wall or fence shall enclose any outdoor collection point, excluding collection points located in industrial developments that are greater than 100 feet from residentially zoned property. All screening shall include the use of landscape material.

(e) Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12 feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12 feet.

(f) Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.

(g) Loading areas within 50 feet and visible from an adjacent street or sidewalk shall be screened by a fence or wall. Collection points shall be fully enclosed.

(5) Only recyclable materials generated on-site shall be collected and stored at such collection points. Except for initial sorting of recyclables by users, all other processing of such materials shall be conducted off site.

(6) The Director may waive or modify specific storage space and collection point requirements set forth in this section if the Director finds, in writing, that an alternate recycling program design proposed by the applicant meets the needs of the development and provides an equivalent or better level of storage and collection for recyclables. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 42-02 § 2 (21A.14.210))
(1) Fences exceeding a height of six feet shall comply with the applicable street and interior setbacks of the zone in which the property is located, except:

(a) Fences located on a rockery, retaining wall, or berm within a required setback area are permitted subject to the following requirements:

(i) Except for City of Covington public works projects in R-1 through R-18 zones and the resource zones:

(A) The total height of the fence and the rockery, retaining wall or berm upon which the fence is located shall not exceed a height of 10 feet. This height shall be measured from the top of the fence to the ground on the low side of the rockery, retaining wall or berm; and

(B) The total height of the fence itself, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet.

(ii) In the commercial/industrial zones, the height of the fence, measured from the top of the fence to the top of the rockery, retaining wall or berm, shall not exceed six feet.

(iii) Any portion of the fence above a height of eight feet, measured to include both the fence and the rockery, retaining wall, or berm (as described in subsection (1)(a)(i)(A) of this section), shall be an open-work fence.

(2) Fences located on a rockery, retaining wall or berm outside required setback areas shall not exceed the building height for the zone, measured in accordance with the standards established in the International Building Code.

(3) Electric fences shall:

(a) Be permitted only on properties that abut an agricultural use;

(b) Comply with the following requirements:

(i) An electric fence using an interrupted flow of current at intervals of about one second on and two seconds off shall be limited to 2,000 volts at 17 milliamp;

(ii) An electric fence using continuous current shall be limited to 1,500 volts at seven milliamp;

(iii) All electric fences in the R-4 through R-8 zones shall be posted with permanent signs a minimum of 36 square inches in area at 50-foot intervals stating that the fence is electrified; and

(iv) Electric fences sold as a complete and assembled unit can be installed by an owner if
the controlling elements of the installation are certified by an ANSI approved testing agency; and

(4) Except as specifically required for the necessary security related to a nonresidential use, no barbed or razor-wire fence shall be located in any R-4 through R-8 zone. (Ord. 10-10 § 3 (Exh. C); Ord. 06-05 § 1; Ord. 23-04 § 13; Ord. 42-02 § 2 (21A.14.220))

18.35.220 Hazardous liquid and gas transmission pipelines.

(1) Tracts and easements containing hazardous liquid and gas transmission pipelines and required setbacks from such pipelines may include the following uses, subject to other regulations applicable to each use and approval of the holder of the easement: utility structures not normally occupied necessary for the operation of the pipeline, landscaping, trails, parks, open space, keeping of animals, agriculture, forestry, commercial signage, minor communication facilities and the utility structures not normally occupied necessary for the operation of the minor communication facility, and other compatible uses as specified on the face of the recorded plat or short plat; provided, that structures designed for human occupancy shall never be allowed within pipeline tracts, easements or setbacks.

(2) Hazardous liquid and gas transmission pipelines shall not be located in aquifer recharge areas, landslide hazard areas or erosion hazard areas. When it is impractical to avoid such areas, special engineering precautions should be taken to protect public health, safety and welfare. (Ord. 42-02 § 2 (21A.14.225))

18.35.230 Trail corridors – Applicability.

Trail easements or dedications shall be provided by any development, except for single detached residential permits, when such developments are located within any community or regional trail corridor identified by an adopted functional plan or community plan identifying community and/or regional trail systems. The residents or tenants of the development shall be provided access to the trail easement. The area of the trail easement shall be counted as part of the site for purposes of density and floor area calculations. (Ord. 42-02 § 2 (21A.14.230))

18.35.240 Trail corridors – Design standards.

Trail design shall be reviewed by the Department of for consistency with adopted standards for:

(1) Width of the trail corridor;

(2) Location of the trail corridor on the site and signage;

(3) Paved surfacing improvements and trail amenities;

(4) Use(s) permitted within the corridor;

(5) Lighting (where applicable). (Ord. 42-02 § 2 (21A.14.240))
18.35.250 Trail corridors – Maintenance of trail corridors/improvements.
Maintenance of any trail corridor or improvements, 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 Parks Department. (Ord. 42-02 § 2 (21A.14.250))

18.35.260 Wildlife habitat corridors – Applicability.
Habitat corridors shall be set aside and protected along any designated wildlife habitat network
adopted by the comprehensive plan as follows:

(1) Wildlife habitat corridors shall apply to the following development activities on parcels which
include a portion of a designated wildlife habitat corridor:

   (a) All urban planned developments, fully contained communities, subdivisions, short
       subdivisions and binding site plans;

   (b) All building permits on individual lots created prior to adoption of this code.

(2) Habitat corridors shall be identified and protected in one of the following ways:

   (a) Urban planned developments, binding site plans, subdivisions and short subdivisions shall
       either place the corridor in a contiguous permanent open space tract with all developable lots
       sited on the remaining portion of the project site, or shall design the lots so that conservation
       easements on individual lots can form a contiguous easement covering the corridor;

   (b) Individual lots shall place the corridor in a conservation easement.

(3) All tracts or conservation easements shall be configured to meet the design standards in CMC
18.35.270. (Ord. 42-02 § 2 (21A.14.260))

18.35.270 Wildlife habitat corridors – Design standards.
Corridor design shall be reviewed by the Department for consistency with the following standards:

(1) The wildlife habitat corridor shall be sited on the property in order to meet the following
conditions:

   (a) Forms one contiguous tract that enters and exits the property at the points the designated
       wildlife habitat network crosses the property boundary;

   (b) Maintains a width, wherever possible, of 300 feet. The network width shall not be less than
       150 feet wide at any point; and

   (c) Be contiguous with and may include sensitive area tracts and their buffers.

(2) When feasible, the wildlife habitat corridor shall be sited on the property in order to meet the
following conditions:

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
(a) Connect isolated sensitive areas or habitat; and

(b) Connect with wildlife habitat corridors, open space tracts or wooded areas on adjacent properties, if present.

(3) The wildlife corridor tract shall be permanently marked consistent with the methods contained in CMC 18.65.160. Conservation easements are exempt from the permanent marking requirement.

(4) A management plan for the wildlife corridor contained within a tract or tracts shall be prepared which specifies the permissible extent of recreation, forestry or other uses compatible with preserving and enhancing the wildlife habitat value of the tract or tracts. The management plan shall be reviewed and approved by the Department. The approved management plan for an urban planned development or subdivision shall be contained within and recorded with the covenants, conditions and restrictions (CCRs). If the wildlife corridor is contained in a conservation easement, a management plan is not required, but may be submitted to the Department for review and approval, and recorded with the conservation easement.

(5) Clearing within the wildlife corridor contained in a tract or tracts shall be limited to that allowed by the management plan. No clearing shall be allowed within a wildlife corridor contained within a conservation easement on individual lots, unless the property owner has an approved management plan.

(6) A homeowners’ association or other entity capable of long-term maintenance and operation shall be established to monitor and assure compliance with the management plan.

(7) Wildlife corridors set aside in tracts or conservation easements shall meet the provisions of this code.

(8) The permanent open space tract containing the wildlife corridor may be credited toward the recreation space requirement of CMC 18.35.150, provided the proposed uses within the tract are compatible with preserving and enhancing the wildlife habitat value. Restrictions on other uses within the wildlife corridor tract shall be clearly identified in the management plan.

(9) At the discretion of the Director, these standards may be waived or reduced for public facilities such as schools, fire stations, parks, and public road projects. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.14.270))

18.35.280 Short subdivisions or short subdivision alterations – Adequacy of access – Right-of-way use permits.

(1) Each lot within the short subdivision or short subdivision alteration shall have acceptable access to a street conforming to City street standards or to a lower level of improvement acceptable to the Director of Community Development. Individual lots may be served by access panhandles established either by fee ownership or easement, subject to approval of the
Department. In order to assure safe and adequate access, the Director of Community Development:

(a) May approve private streets consistent with City street standards;

(b) May limit direct access to certain streets and require on-site public or private streets in lieu of individual driveways or access panhandles, in accordance with the City street standards;

(c) Shall require off-site improvements to public or private streets needed to provide access from the short subdivision to a street acceptable to the Director of Community Development; and

(d) Shall assure that the number of lots to be served by the street system complies with the adopted street standards.

(2) Short subdivisions involving construction within City right-of-way shall obtain a right-of-way use permit. (Amended at request of department 2/08; Ord. 42-02 § 2 (21A.14.300))

18.35.290 Proposed formal subdivisions, short subdivisions or binding site plans – Railroad buffer strips.
Where railroads abut proposed formal subdivisions, short subdivisions or binding site plans, measures to provide a physical separation between the two uses shall be required. These measures may include the use: grade separations, setbacks or barriers such as walls and fences. (Ord. 42-02 § 2 (21A.14.310))

18.35.300 Preliminary subdivision and short subdivision approval – Maintenance of private streets, easements and utilities required.
As a condition of preliminary subdivision and short subdivision approval, all private streets, easements, community utilities and properties shall be maintained by the owners of the property served by them and kept in good repair at all times. In order to ensure continued good repair, it must be demonstrated to the Department prior to plat recording that:

(1) There is a workable organization to guarantee maintenance with a committee or group to administer the organizational functions; and

(2) There is a means for assessing maintenance costs equitably to property owners served by the private streets, easements, community utilities and properties. (Ord. 42-02 § 2 (21A.14.320))

18.35.310 Lakepoint Urban Village\(^2\) subarea.
(1) Where standards in this section conflict with other standards in this title, the standards in this section shall supersede other standards for the Lakepoint Urban Village\(^*\) subarea.

(2) An interconnected system of pedestrian and bicycle facilities shall provide access to all areas
of the community, to adjacent neighborhoods, and to regional trails.

(3) The main arterial connecting SR 18 and 204th Ave SE shall attenuate traffic speeds through the community, support active street-level uses, and enhance pedestrian comfort and safety. An interconnected system of pedestrian and bicycle facilities shall provide access to all areas of the community, to adjacent neighborhoods, and to regional trails.

(a) Sixty percent or more of the length of each block frontage in the MR and RCMU zoning districts shall be occupied by a building unless more than 40 percent of the length of a block frontage is occupied, individually or collectively, by zoning setbacks, a park, plaza, open space, driveway, or critical area, in which case the building frontage requirement shall be reduced accordingly. This requirement does not apply where all or a portion of a block frontage is not deep enough for a building.

(b) Fifty percent or more of the length of each block frontage on both sides of all streets in other zoning districts shall be occupied by a building unless 50 percent or more of the length of a block frontage is occupied, individually or collectively, by zoning setbacks, a park, plaza, open space, driveway, or critical area, in which case the building frontage requirement shall be reduced accordingly. This requirement does not apply where all or a portion of a block frontage is not deep enough for a building.

(c) On lots or parcels with multiple buildings, pedestrian circulation routes shall interconnect all buildings.

(4) Buildings.
(a) CMC 18.35.050 and 18.35.080 shall apply only to townhouse developments.

(b) CMC 18.35.100 shall not apply to commercial, mixed-use, or integrated developments.

(c) A minimum of 60 percent of the street-level frontage of commercial and mixed-use buildings should be devoted to commercial uses.

(d) The main entrance for all buildings along a street frontage, including single-family residences and townhouses, shall be accessed from a public sidewalk or a pedestrian walkway connected to a public sidewalk.

(e) At least one public entrance for a commercial use shall be accessed from a public sidewalk or a pedestrian walkway connected to the public sidewalk.
(f) Overhead weather protection shall be provided continuously along 75 percent or more of the length of a commercial or mixed-use building frontage adjacent to a sidewalk or a pedestrian walkway connected to a sidewalk. Overhead weather protection may be composed of marquees, awnings, canopies, a building projection or other permanent structural element and must cover at least five feet of the width of the adjacent public walkway or sidewalk. This requirement applies only to building frontages containing street-level commercial uses.

(g) The use of sustainably harvested salvaged, recycled or reused products is encouraged.

(5) Pond Area.

(a) The area abutting the pond shall contain a continuous route devoted to public access. Public access includes, but is not limited to, parks, plazas, promenades, sidewalks, and multipurpose trails. Sidewalks shall be a minimum of eight feet wide and shall be designed to be compliant with the standards of the Americans with Disabilities Act (ADA).
(b) When buildings containing commercial uses are located around the pond, at least 60 percent of the length of the pond-facing ground-level building frontage should be devoted to commercial uses. Multi-story buildings located around the pond should include residential uses.

(c) Public access corridors leading to the pond should be located at intervals of approximately 500 feet, unless not feasible due to topography. Access corridors include, but are not limited to, parks, streets, pedestrian ways, and passive open space.

(d) A least one public gathering place of at least one-half acre shall be provided to serve as a major public amenity.
(6) Gathering Places.

(a) In the RCMU zoning district, at least one public gathering place of at least one-half acre shall be provided that is an integral element of the commercial area and suitable for special events and celebrations.

(b) Outside of the RCMU zoning district and the pond area, at least one park shall be provided that is sufficient in size to include a range of active recreational uses for residents of varying ages and interests.

(c) All public gathering places shall be linked physically and visually to adjacent sidewalks or trails.
(7) Blank Walls, Mechanical and Utility Equipment.

(a) Any building facade with a blank wall greater than 200 square feet adjacent to a sidewalk, pedestrian walkway, parking lot, trail, park, plaza or other public space shall be treated architecturally and/or with landscape elements.
(b) Roof-mounted mechanical equipment visible from adjacent properties, sidewalks on an adjacent street or from an adjacent park or trail shall be screened from view by integrated building elements, such as walls, landscaped planters, or enclosures.

(c) Building- or ground-mounted utility meters or equipment shall be visually screened from an adjacent sidewalk or trail by a fence, wall, or landscaping.

(8) Gateways.

(a) Visual "gateways" shall be located in the area of the entrances to the subarea from SR 18 and from 204th Avenue SE.

(b) Gateways can consist of elements as varied as signage, special but significant landscaping, an identifying structure, sculpture or other artwork, a water feature, or some other distinctive element.
(9) The Director may approve alternatives to the standards in this section; provided, that the alternatives provide a comparable benefit or functional equivalent to the standard. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A))

1. Code reviser’s note: “Hawk Property” was renamed “Lakepoint Urban Village” with the adoption of the Comprehensive Plan by Ordinance 02-16.

2. Code reviser’s note: “Hawk Property” was renamed “Lakepoint Urban Village” with the adoption of the Comprehensive Plan by Ordinance 02-16.
Chapter 18.37
DEVELOPMENT STANDARDS AND DESIGN REQUIREMENTS FOR COTTAGE HOUSING

Sections:
18.37.010 Purpose.
18.37.020 Applicability.
18.37.030 Definitions.
18.37.040 General development standards for cottages (Table 1).
18.37.050 Site requirements.
18.37.060 Building requirements.
18.37.070 Parking and access.
18.37.080 Accessory structures.
18.37.090 Community buildings.
18.37.100 Private and common open space.
18.37.110 Landscaping and vegetation.
18.37.120 Other design requirements.
18.37.130 Ownership options.

18.37.010 Purpose.
The purpose of this chapter is to establish standards for cottage housing development as an alternative housing choice in order to:

(1) Respond to the region’s changing household demographics;
(2) Provide opportunities for more affordable housing;

(3) Encourage creation of functional usable open space in residential communities;

(4) Promote neighborhood interaction and safety through design;

(5) Ensure compatibility with neighboring uses; and

(6) Provide opportunities for infill development consistent with the goals of the Growth Management Act. (Ord. 10-09 § 1 (Exh. A))

18.37.020 Applicability.
Cottage housing developments are allowed in those areas of the City designated DN-MHO and R-18 zones. Applications for cottage housing developments shall be reviewed under the subdivision or binding site plan process set forth in Chapter 17.30 CMC. Where a conflict arises, the provisions of this chapter shall control. (Ord. 10-10 § 3 (Exh. C); Ord. 10-09 § 1 (Exh. A))

18.37.030 Definitions.
“Carriage house unit” means a small residential or guest unit usually located on the second story of a garage or community building, similar to a studio unit suitable for one resident or two guests.

“Community building” means a building owned in common by the cottage housing homeowners, and designated for multi-purpose uses by the cottage housing community. It should be consistent with the design and scale of the cottages, and its use should clearly be accessory to the cottage housing development. Part of the building may be used for a carriage house unit or for storage for residents.

“Cottage” means a detached or attached dwelling that is small in scale and typically no more than one and a half stories in height, and is developed in a cluster.

“Cottage housing development” means a type of development made up of a minimum of four cottages clustered around a common open space with garages and parking located behind or away from the houses. A cottage development may include two-unit attached residences as well as
detached cottages.

“Two-unit home” means a structure containing two dwelling units, designed to look like a detached single-family home. (Ord. 10-09 § 1 (Exh. A))

**18.37.040 General development standards for cottages (Table 1).**

Table 1 provides the basic design standards for cottage housing development in the City of Covington.

**18.37.040: TABLE 1: COTTAGE HOUSING STANDARDS**

<table>
<thead>
<tr>
<th>STANDARDS FOR COTTAGES</th>
<th>CONDITIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum number of stories</td>
<td>One and one-half</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>18’ (maximum of 25’ at roof ridge with minimum roof slope of 6:12)</td>
</tr>
<tr>
<td>Maximum impervious surface percentage</td>
<td>50% of gross lot area</td>
</tr>
<tr>
<td>Maximum lot coverage for all principal and accessory structures in development</td>
<td>35% of gross lot area</td>
</tr>
<tr>
<td>Maximum building footprint</td>
<td>1,000 square feet per unit, excluding attached garage</td>
</tr>
<tr>
<td>Maximum unit size (total floor area)</td>
<td>1,600 square feet excluding an attached garage</td>
</tr>
<tr>
<td>Density</td>
<td>12 du/ac. See CMC</td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
<td>Parking requirements</td>
</tr>
<tr>
<td><strong>Open and common space</strong></td>
<td>Minimum of 400 square feet per unit of common open space and a minimum of 250 square feet per unit of usable private open space (excluding side setbacks, but may include decks and patios)</td>
</tr>
<tr>
<td><strong>Affordability incentives</strong></td>
<td>See CMC 18.90.030 and 18.90.040 for details of affordable housing incentives. Bonuses of up to one and one-half times base density are possible, or two times base density if all units are affordable.</td>
</tr>
<tr>
<td><strong>Green building incentives</strong></td>
<td>Bonus of one and one-half times base density allowed if cottages and community building are built to LEED Gold, or Built Green™ 4 Star or 5 Star standards*</td>
</tr>
</tbody>
</table>

*See www.builtgreen.net for details of Built Green™ program, and
18.37.050 Site requirements.

(1) Arrangement.

(a) Cottage housing developments shall contain a minimum of four cottages arranged on at least two sides of a common open space on a minimum lot of 8,000 square feet.

(b) A development may have several clusters with clear separation.

(c) Cottage housing developments should promote a sense of community both within the development and with respect to the larger community. It should not “turn its back” on the larger community. Units along the public right-of-way should have an inviting facade such as a primary or secondary entrance facing the right-of-way.

(d) All other units shall be arranged around the central common area and have their primary entry facing that common space.

(e) Attached structures containing two units shall be allowed as part of a cottage development but they shall be similar in design to the detached cottages. The number of attached units in a development shall not be more than one-third of the total number of units.
(2) Base Density and Density Bonuses for Affordable Units and Green Development.

(a) Cottages shall be built at a maximum base density of 12 du/acre.

(b) Increased density shall be allowed if the units meet certain affordability criteria described in CMC 18.90.030 and 18.90.040.

(c) Under certain conditions stipulated in those sections, each unit affordable to households earning under 50 percent and under 80 percent of median income (known as “benefit units”) allow the construction of up to one and one-half bonus units up to 150 percent of the base density allowed in the zone.

(d) If all the units in the development meet the affordability criteria, then two times the base density is allowed.

(e) Increased density shall be allowed if the cottage development achieves Built Green™ four-star or five-star certification or LEED for Homes certification at the Gold level. One and one-half times the base density shall be allowed for a development which meets either of these standards.

(f) Affordable housing and green building density bonuses may be combined up to a maximum density of no more than two times the base density.*

(3) Clustering. Critical area buffers may count toward the gross lot area, allowing for clustering of development, and providing a maximum of 50 percent of the common open space requirement.

(4) Lot Coverage. Principal and accessory structures in the development shall account for no more than 35 percent of the gross lot area.

(5) Setbacks.

(a) Setbacks shall be 10 feet from the public right-of-way and from the property line.

(b) There shall be a minimum of five feet side yard, allowing a minimum of 10 feet of space between adjacent buildings.
(c) Front and back yards shall be a minimum of five feet from common areas, structures or internal driveway.

(6) Impervious Surface. No more than 50 percent of the gross lot area may be covered with impervious surface. Use of pervious paving materials is encouraged. (Ord. 10-10 § 3 (Exh. C); Ord. 10-09 § 1 (Exh. A))

*A “benefit unit” is an affordable unit. “Bonus units” are the extra units that are added to the base density. (Base density = underlying density in the zone, such as 12 du/acre in DN-7B).

Depending on the affordable income level and whether there is a covenant binding the home to 15-year or 30-year affordability, more or less bonus units can be earned, ranging from .75 bonus units (no covenant required) to one bonus unit (15-year affordability) to one and one-half bonus units (30-year affordability). The maximum bonus units earned can be no more than 150 percent of the base density, or 200 percent if all the units are affordable. For green development, the whole development (including all bonus units) must meet the certification requirements. If it does, then 150 percent of the base density is allowed. If the base density is 12 du/acre, then a “Built Green™” development could build up to 18 du/acre. By also building six affordable units with 15-year affordability, the developer would gain six more bonus units, up to the maximum of 24 units allowed (two times base density of 12).

18.37.060 Building requirements.

(1) Building Footprint.

(a) Cottage units shall have a maximum building footprint of 1,000 square feet.

(b) The footprint of an attached one-car garage is not included in this maximum, but shall not exceed 200 square feet per unit.

(c) Two-unit attached structures shall not exceed a building footprint of 2,000 square feet for one-story units or 1,800 square feet for either one-and-a-half or two-story units.

(2) Floor Area. The maximum total floor area of cottage units shall be 1,600 square feet. An additional 200 square feet is permitted for an attached garage.

(3) Building Height. The maximum building height shall be 18 feet, with a maximum of 25 feet allowed to the roof ridge and a minimum roof slope of 6:12.

(4) Stories.

(a) Cottages may have a second partial or full story, providing that the floor area of the second story is no more than 0.6 of the square footage of the main floor. E.g., a cottage with an 800-square-foot building footprint (main floor) could have a second floor of 480 square feet, for a total floor area of 1,280 square feet.
(b) A below-grade partial story may be allowed, but habitable space on that story shall count toward the total floor area of the cottage.

(5) Two-Unit Structures.

(a) Attached two-unit structures should be similar in appearance to detached cottages and have one primary entry facing the common open space.

(b) The number of attached units in a cottage development may not exceed one-third of the total number of units.

(6) Porches. Attached, covered porches are required with a minimum of 64 square feet per unit and a minimum of seven feet on all sides.

(7) Fences.

(a) Fences around dwelling units or on the street frontage shall not exceed 36 inches in height.

(b) Fences along nonfrontage property line shall not exceed six feet in height.

(8) Existing Dwellings on the Site. Existing dwellings may be incorporated into the development as a residence or community building, and may be nonconforming to standards. Noncompliance may not be increased.

(9) Renovation and Expansion.

(a) Renovations shall be in keeping with the size and architectural character of the new development.

(b) A covenant restricting any increases in unit size after initial construction beyond the maximum allowed by this section shall be recorded against the property. (Ord. 10-09 § 1 (Exh. A))

18.37.070 Parking and access.

(1) Parking.

(a) Parking spaces required for a cottage housing development shall be 1.3 spaces for studio or one-bedroom units, 1.5 spaces for two-bedroom units, and 1.8 spaces for three-bedroom units.

(i) This provides for no less than one assigned space per unit plus extra spaces for visitors or second vehicles.

(ii) Since cottages are designed for small households, it is expected that only the larger units (3 BR) would require a second assigned space.
(iii) The parking requirement may be reduced to one space per unit if the location is within .3 miles (about 1,600 feet) of a public transit stop which has a.m. and p.m. peak headways of 30 minutes or less. Other parking requirements and reductions specified in Chapter 18.50 CMC shall apply.

(b) Parking and/or garage structures shall be located behind or to the side of the residential area and open space. When feasible they should be accessed from the back of the cottages.

(c) Parking areas and garages shall be screened from common space and public streets by landscaping or architectural screening.

(2) Shared Access and Connectivity.

(a) Whenever possible, shared access with adjacent properties shall be encouraged, and in some cases, it shall be required.

(b) The site shall be designed for future connectivity with adjacent lots. (Ord. 10-09 § 1 (Exh. A))

18.37.080 Accessory structures.

(1) Accessory structures such as garages, carports, storage or tool sheds shall not exceed 200 square feet per unit, or 1,000 square feet per structure for a shared garage providing space for up to five vehicles. More than one such structure is allowed proportionate to the size of the development and number of parking spaces required. Storage space may be included in a garage structure, but vehicle space may not be used for storage or uses other than parking.

(2) The design of garages, carports, and other accessory structures must be similar or compatible with that of the cottages in the development. (Ord. 10-09 § 1 (Exh. A))

18.37.090 Community buildings.

(1) Uses.

(a) Community buildings are intended as an amenity for the use of the cottage housing residents and to help promote the sense of community. They may include a multi-purpose entertainment space, a small kitchen, library, or similar amenities.

(b) Guest quarters, storage space, or a carriage unit could be included as part of a community building.
(2) Design.

(a) The community building should be of similar scale, design, and height as the cottages, with a maximum footprint of 1,000 square feet and with the second floor not to exceed 0.6 square footage of the first floor.

(b) Commercial uses are prohibited in the community building. Day care I may be allowed if all building code and health code requirements are met. (Ord. 10-09 § 1 (Exh. A))

18.37.100 Private and common open space.

(1) Common Open Space.

(a) Common open space is a defining characteristic of a cottage housing development. A minimum of 400 square feet per unit of common open space shall be provided.

(b) Up to 50 percent of the common open space requirement may be provided in an area constrained from development such as a critical area buffer, steep slope, or forested area; provided, that its use by residents respects the environmental constraints and regulations.

(c) Common space should be in one contiguous area, or no more than two separate areas.

(d) Each area should have a minimum dimension of 20 feet on all sides.

(e) The primary entry and porches of the cottages shall be oriented toward the common open space whenever feasible (with the exception of units adjacent to the public right-of-way which should have an entry on the right-of-way).

(2) Private Open Space.

(a) A minimum of 250 square feet of usable private open space shall be provided adjacent to each unit.

(b) Side setbacks shall not apply to the calculation of this private open space.

(c) Front or back yards, porches or decks, or additional side yard beyond the five-foot setback may be included in the calculation of private open space. (Ord. 10-09 § 1 (Exh. A))
18.37.110 Landscaping and vegetation.

1) The provisions of the Covington tree preservation ordinance (Chapter 18.45 CMC) for commercial development shall apply. Native and drought-resistant vegetation is preferred.

2) Cottage developments shall be designed around significant trees. Where feasible, existing mature trees which do not pose a safety hazard should be retained.

3) Areas within a critical area or critical area buffer or within the shoreline management area shall abide by vegetation regulations for those areas.

4) Landscaping located in common open space areas shall be designed to allow for easy access and use of the space by all residents, and to facilitate maintenance needs. (Ord. 10-09 § 1 (Exh. A))

18.37.120 Other design requirements.
Cottage housing units shall contain a variety of designs that include articulation of facades; changes in materials, texture, color, and window treatments; and other architectural features so all units do not appear identical. (Ord. 10-09 § 1 (Exh. A))

18.37.130 Ownership options.
Ownership may be fee simple lots with a homeowner’s association holding common areas, or condominium ownership of the whole development. (Ord. 10-09 § 1 (Exh. A))
Chapter 18.40
DEVELOPMENT STANDARDS – LANDSCAPING

Sections:
18.40.010 Purpose.
18.40.020 Application.
18.40.030 Repealed.
18.40.040 Landscaping – Screen types and description.
18.40.050 Landscaping – Street frontages.
18.40.060 Landscaping – Interior lot lines.
18.40.070 Landscaping – Building perimeter.
18.40.080 Landscaping – Surface parking areas.
18.40.090 Landscaping – Adjacent to freeway rights-of-way.
18.40.100 Landscaping – General standards for all landscape areas.
18.40.110 Landscaping – Additional standards for required landscape areas.
18.40.120 Landscaping – Alternative options.
18.40.130 Landscaping – Plan design, design review, and installation.
18.40.140 Maintenance.
18.40.150 Financial guarantees.
18.40.160 Repealed.
18.40.170 Repealed.
18.40.180 Repealed.
18.40.190 Repealed.
18.40.200 Repealed.
18.40.210 Repealed.
18.40.220 Repealed.
18.40.230 Repealed.

18.40.010 Purpose.
The purpose of this chapter is to preserve the aesthetic character of communities, to improve the aesthetic quality of the built environment, to promote retention and protection of existing vegetation; to promote water efficiency, to promote native wildlife, to reduce the impacts of development on drainage systems and natural habitats, and to increase privacy for residential zones by:

(1) Providing visual relief from large expanses of parking areas and reduction of perceived building scale;

(2) Providing physical separation between residential and nonresidential areas;

(3) Providing visual screens and barriers as a transition between differing land uses;

(4) Retaining existing vegetation and significant trees by incorporating them into the site design;

(5) Providing increased areas of permeable surfaces to allow for:

   (a) Infiltration of surface water into ground water resources;

   (b) Reduction in the quantity of storm water discharge; and

   (c) Improvement in the quality of storm water discharge;

(6) Encouraging the use of native plant species by their retention or use in the landscape design;

(7) Requiring water use efficiency through water budgeting and efficient irrigation design standards;

(8) Encouraging the use of a diversity of plant species, which promote native wildlife habitat. (Ord. 42-02 § 2 (21A.16.010))

18.40.020 Application.
(1) All development shall be subject to the landscaping provisions of this chapter; provided, that specific landscaping and tree retention provisions for uses established through a subdivision, short subdivision, commercial site development permit, or conditional use permit application shall be determined during the applicable review process.

(2) Landscaping standards referenced in Chapter 18.31 CMC shall be applicable within the downtown zone. Where all other standards in this chapter may conflict with Chapter 18.31 CMC, the standards contained in Chapter 18.31 CMC shall apply. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.16.020))

18.40.030 Land use grouping.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.030))
18.40.040 Landscaping – Screen types and description.
The three types of landscaping screens are described and applied as follows:

(1) Type I Landscaping Screen.

(a) Type I landscaping is a full screen that functions as a visual barrier. This landscaping is typically found adjacent to freeways and between residential and nonresidential areas.

(b) Type I landscaping shall minimally consist of:

(i) A mix of primarily evergreen trees and shrubs generally interspersed throughout the landscape strip and spaced to form a continuous screen;

(ii) Between 70 and 90 percent evergreen trees;

(iii) Repealed by Ord. 10-10;

(iv) Evergreen shrubs provided at the rate of one per linear four feet of landscape strip and spaced no more than eight feet apart on center; and

(v) Ground cover pursuant to CMC 18.40.110.

(2) Type II Landscaping Screen.

(a) Type II landscaping is a filtered screen that functions as a visual separator. This landscaping is typically found between commercial and industrial uses; between differing types of residential development; and to screen industrial uses from the street;

(b) Type II landscaping shall minimally consist of:

(i) A mix of evergreen and deciduous trees and shrubs generally interspersed throughout the landscape strip spaced to create a filtered screen;

(ii) At least 50 percent deciduous trees and at least 30 percent evergreen trees;

(iii) Repealed by Ord. 10-10;

(iv) Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and

(v) Ground cover pursuant to CMC 18.40.110.

(3) Type III Landscaping Screen.

(a) Type III landscaping is a see-through screen that functions as a partial visual separator to soften the appearance of parking areas and building elevations. This landscaping is typically found along street frontage or between apartment developments;
(b) Type III landscaping shall minimally consist of:

(i) A mix of evergreen and deciduous trees generally interspersed throughout the landscape strip and spaced to create a continuous canopy;

(ii) At least 70 percent deciduous trees;

(iii) Repealed by Ord. 10-10;

(iv) Shrubs provided at the rate of one per four linear feet of landscape strip and spaced no more than eight feet apart on center; and

(v) Ground cover pursuant to CMC 18.40.110. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.16.040))

18.40.050 Landscaping – Street frontages.
The average width of perimeter landscaping along street frontages shall be provided as follows:

(1) Twenty feet of Type II landscaping shall be provided for an institutional use, excluding playgrounds and playfields;

(2) Ten feet of Type II landscaping shall be provided for an industrial development;

(3) Ten feet of Type II landscaping shall be provided for an above-ground utility facilities development, excluding distribution and transmission corridors, located outside a public right-of-way;

(4) Ten feet of Type III landscaping shall be provided for a commercial or attached/group residence development if not placed adjacent to the property line in conformance with the design manual; and

(5) For all development:

(a) Trees shall be planted at the rate of one tree for every 35 feet of frontage along all public/private streets;

(b) The trees shall be:

   (i) Located within the street right-of-way or utility easement, as specified in the City’s street standards, adopted by reference in Chapter 12.60 CMC;

   (ii) Maintained by the adjacent landowner unless part of a City maintenance program;

   (iii) A species approved by the City and compatible with overhead utility lines, if present;

(c) The trees may be spaced at irregular intervals to accommodate sight distance
requirements for driveways and intersections. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.16.050))

18.40.060 Landscaping – Interior lot lines.
The average width of perimeter landscaping along interior lot lines shall be provided as follows:

1. Twenty feet of Type I landscaping shall be included in a commercial or industrial development along any portion adjacent to a residential development;

2. Five feet of Type II landscaping shall be included in an attached/group residence development, except that along portions of the development adjacent to property developed with single detached residences or vacant property that is zoned R-1 through R-8, the requirement shall be 10 feet of Type II landscaping;

3. Ten feet of Type II landscaping shall be included in an industrial development along any portion adjacent to a commercial or institutional development; and

4. Ten feet of Type II landscaping shall be included in an institutional use, excluding playgrounds and playfields, or an above-ground utility facility, except distribution or transmission corridors when located outside a public right-of-way. (Ord. 42-02 § 2 (21A.16.060))

18.40.070 Landscaping – Building perimeter.
The average width of perimeter landscaping along any building/structure parameter shall be provided as follows:

1. Building frontage placed adjacent to a public right-of-way in conformance with the adopted design manual shall be exempt from this provision.

2. Five feet of Type III landscaping shall be provided.

3. Potted landscape material may be substituted for the requirements of subsection (2) of this section in areas designed for outdoor eating with the approval of the Department.

4. Shrubs may be substituted for a portion of the required trees as prescribed in CMC 18.40.040 as approved by the Department. (Ord. 42-02 § 2 (21A.16.065))

18.40.080 Landscaping – Surface parking areas.
Parking area landscaping shall be provided within surface parking areas with 10 or more parking stalls for the purpose of improving air quality, reducing surface water runoff, providing shade and diminishing the visual impacts of large paved areas as follows:

1. Residential developments with common parking areas shall provide planting areas at the rate of 20 square feet per parking stall;

2. Commercial, industrial or institutional developments shall provide landscaping at a rate of:
(a) Twenty square feet per parking stall if 10 to 30 parking stalls are provided; and
(b) Twenty-five square feet per parking stall if 31 or more parking stalls are provided;

(3) Parking islands shall be provided and distributed throughout the parking area as follows:
   (a) Parking islands shall be provided at intervals not greater than 10 parking spaces;
   (b) Parking islands shall be provided at the end of every parking row;

(4) Permanent curbs or structural barriers shall be provided to protect the plantings from vehicle overhang;

(5) Landscaping around the perimeter of a site that is in addition to the perimeter landscaping required by CMC 18.40.050, and CMC 18.31.130 in the downtown zones, may count toward 10 percent of the required surface parking area landscaping if it is adjacent to the parking area; and

(6) Parking area landscaping shall consist of:
   (a) Canopy-type deciduous trees, evergreen trees, evergreen shrubs and ground covers planted in islands or strips;
   (b) Shrubs that do not exceed a maintained height of 42 inches;
   (c) Plantings contained in planting islands or strips having an area of at least 100 square feet and with a narrow dimension of no less than five feet or as required by the design manual;
   (d) Ground cover in accordance with CMC 18.40.110; and
   (e) At least 70 percent of trees are deciduous. (Ord. 04-12 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.16.070))

18.40.090 Landscaping – Adjacent to freeway rights-of-way.
(1) All residential developments shall provide a minimum average width of 20 feet of Type I landscaping adjacent to freeway rights-of-way.

(2) All other developments shall provide a minimum average width of 20 feet of Type III landscaping adjacent to freeway rights-of-way. (Ord. 42-02 § 2 (21A.16.080))

18.40.100 Landscaping – General standards for all landscape areas.
All new landscape areas proposed for a development shall be subject to the following provisions:

(1) Berms shall not exceed a slope of two horizontal feet to one vertical foot.

(2) All new turf areas, except all-weather, sand-based athletic fields shall:
(a) Be augmented with a three-inch layer of organic material cultivated a minimum of six inches deep; or

(b) Have an organic content of five percent or more to a depth of six inches as shown in a soil sample analysis. The soil analysis shall include:

(i) Determination of soil texture, indicating percentage of organic matter;

(ii) An approximated soil infiltration rate (either measured or derived from soil/texture/infiltration rate tables). A range of infiltration rates shall be noted where appropriate; and

(iii) Measure Ph value.

(3) Except as specifically outlined for turf areas in subsection (2) of this section, the organic content of soils in any landscape area shall be as necessary to provide adequate nutrient and moisture-retention levels for the establishment of plantings.

(4) Landscape areas, except turf or areas of established ground cover, shall be covered with at least two inches of mulch to minimize evaporation.

(5) Plants having similar water use characteristics shall be grouped together in distinct hydrozones.

(6) Plant selection shall consider adaptability to climatic, geologic, and topographical conditions of the site. Preservation of existing vegetation is encouraged. (Ord. 42-02 § 2 (21A.16.085))

18.40.110 Landscaping – Additional standards for required landscape areas.
In addition to the general standards of CMC 18.40.100, landscape areas required pursuant to CMC 18.40.050 through 18.40.090 shall conform to the following standards:

(1) All plants shall conform to American Association of Nurserymen (AAN) grades and standards as published in the “American Standard for Nursery Stock” manual; provided, that existing healthy vegetation used to augment new plantings shall not be required to meet the standards of this manual;

(2) Single-stemmed trees required pursuant to this chapter shall at the time of planting conform to the following standards:

(a) In parking area landscaping and in street rights-of-way:

(i) Deciduous trees shall have a minimum caliper of 1.75 inches and a height of 10 feet; and

(ii) Coniferous and broadleaf evergreens shall be at least five feet in height;

(b) In all other required landscape areas:
(i) Deciduous trees shall have a minimum caliper of 1.75 inches and a height of 10 feet; and

(ii) Coniferous and broadleaf evergreen trees shall be at least five feet in height.

(c) All trees shall have watering tubes installed per the approved City detail or be watered by an approved irrigation system;

(3) Multiple-stemmed trees shall be permitted as an option to single-stemmed trees; provided, that such multiple-stemmed trees are:

(a) At least six feet in height; and

(b) Not allowed within street rights-of-way;

(4) When the width of any landscape strip is 20 feet or greater, the required trees shall be staggered in two or more rows;

(5) Shrubs shall be:

(a) At least an AAN Container Class No. 2 size at time of planting in Type II, III and parking area landscaping;

(b) At least 24 inches in height at the time of planting for Type I landscaping; and

(c) Maintained at a height not exceeding 42 inches when located in Type III or parking area landscaping;

(6) Ground covers shall be planted and spaced to result in total coverage of the majority of the required landscape area within three years;

(7) All fences shall be placed on the inward side of any required perimeter landscaping along the street frontage;

(8) Required street landscaping may be placed within City of Covington street rights-of-way subject to the City road design standards, provided adequate space is maintained along the street line to replant the required landscaping should subsequent street improvements require the removal of landscaping within the rights-of-way;

(9) Required street landscaping may be placed within Washington State rights-of-way subject to permission of the Washington State Department of Transportation;

(10) New landscape material provided within areas of undisturbed vegetation or within the protected area of significant trees shall give preference to utilizing indigenous plant species. (Ord. 42-02 § 2 (21A.16.090))
18.40.120 Landscaping – Alternative options.
The following alternative landscape options may be allowed, subject to approval by the Department, only if they accomplish equal or better levels of screening, or when existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures or utilities would render application of this chapter ineffective or result in scenic view obstruction:

(1) The amount of required landscape area may be reduced to ensure that the total area for required landscaping and/or the area remaining undisturbed for the purpose of wildlife habitat or corridors does not exceed 15 percent of the net developable area of the site. For the purpose of this subsection, the net developable area of the site shall not include areas deemed unbuildable due to their location within sensitive areas and any associated buffers;

(2) The average width of the perimeter landscape strip may be reduced up to 25 percent along any portion where:

   (a) Berms at least three feet in height or architectural barriers at least six feet in height are incorporated into the landscape design; or

   (b) The landscape materials are incorporated elsewhere on-site;

(3) In pedestrian district overlays, street perimeter landscaping may be waived provided a site plan, consistent with the applicable adopted area zoning document, is approved that provides street trees and other pedestrian-related amenities;

(4) Where a local or subarea plan with design guidelines has been adopted, the Director shall base the landscaping modifications on the policies and guidelines of such plan;

(5) When an existing structure precludes installation of the total amount of required site perimeter landscaping, such landscaping material shall be incorporated on another portion of the site;

(6) Single-stemmed deciduous tree species that cannot generally be planted and established in larger sizes may have a caliper of less than 1.75 inches; and

(7) The Department shall develop and maintain an advisory listing of trees recommended for new plantings. Such list shall describe their general characteristics and suitability, and provide guidelines for their inclusion within required landscape areas. (Ord. 42-02 § 2 (21A.16.100))

18.40.130 Landscaping – Plan design, design review, and installation.
(1) The landscape plan submitted to the Department shall be drawn on the same base map as the development plans and shall identify the following:

   (a) Total landscape area and separate hydrozones;

   (b) Landscape materials botanical/common name and applicable size;
(c) Property lines;

(d) Impervious surfaces;

(e) Natural or manmade water features or bodies;

(f) Existing or proposed structures, fences, and retaining walls;

(g) Natural features or vegetation left in natural state;

(h) Designated recreational open space areas; and

(i) Decorative and street lighting locations.

(2) The proposed landscape plan shall be certified by a Washington State registered landscape architect, Washington State certified nurseryman, or Washington State certified landscaper.

(3) An affidavit signed by an individual specified in subsection (2) of this section, certifying that the landscaping has been installed consistent with the approved landscaping plan, shall be submitted to the Department within 30 days of installation completion, unless the installed landscaping has been inspected and accepted by the Department.

(4) The required landscaping shall be installed no later than three months after issuance of a certificate of occupancy for the project or project phase. However, the time limit for compliance may be extended to allow installation of such required landscaping during the next appropriate planting season. A financial guarantee shall be required prior to issuance of the certificate of occupancy, if landscaping is not installed and inspected prior to occupancy. (Ord. 20-07 § 117; Ord. 42-02 § 2 (21A.16.115))

18.40.140 Maintenance.

(1) All landscaping shall be maintained for the life of the project.

(2) All landscape materials shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure.

(3) With the exception of dead, diseased or damaged trees specifically retained to provide wildlife habitat; other dead, diseased, damaged or stolen plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season.

(4) Landscape areas shall be kept free of trash. (Ord. 42-02 § 2 (21A.16.180))

18.40.150 Financial guarantees.

Financial guarantees shall be required consistent with the provisions of CMC Title 14.

(1) Prior to receiving a temporary or permanent occupancy certificate for any building or structure for which landscaping is required, an applicant shall provide a performance guarantee adequate to
secure the completion and improvement of required landscaping, in accordance with the approved
site plan, within three months following issuance of the building or buildings temporary or
permanent occupancy certificate, whichever comes first.

(2) Performance guarantees for landscaping shall be sufficient to cover the cost of conformance
with conditions of the permit, and shall be required for a period of two years after the planting or
transplanting of vegetation to insure proper installation, establishment and maintenance. This time
period may be extended by one year by the Director, if necessary to cover a planting and growing
season.

(3) The Director may extend the time limit for compliance with the above landscaping requirement
up to one year after issuance of the occupancy certificate if circumstances beyond the control of
the applicant warrant an extension. The request for an extension shall be in writing, accompanied
by a fee for the extension request as set forth in the current fee resolution, and a schedule for
completion of remaining work.

(4) Fees. Landscaping installation inspections, performance guarantee release inspections, and
requests for extensions are subject to fees as set forth in the current fee resolution. (Ord. 20-07
§§ 85, 118; Ord. 43-02 § 2; Ord. 42-02 § 2 (21A.16.190). Partially from former 14.110.070)

18.40.160 Water use – Applicability of water budget for landscape areas.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.300))

18.40.170 Water use – Irrigation water budget calculated.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.310))

18.40.180 Water use – Estimated water use calculated.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.320))

18.40.190 Water use – Irrigation efficiency goals and system design standards.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.330))

18.40.200 Water use – Irrigation system design, design review and audit at installation.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.340))

18.40.210 Water use – Irrigation design plan contents.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.350))

18.40.220 Water use – Irrigation schedules.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.360))

18.40.230 Water use – Irrigation system maintenance.
Repealed by Ord. 10-10. (Ord. 42-02 § 2 (21A.16.370))
Chapter 18.45
TREE PRESERVATION AND PROTECTION

Sections:
18.45.010 Short title.
18.45.020 Purpose and intent.
18.45.030 Definitions.
18.45.040 Applicability of regulations.
18.45.050 Exemptions from tree permits.
18.45.060 Permits and permit requirements.
18.45.070 Permit standards and conditions for all minor tree removal and major tree clearing.
18.45.080 Tree preservation, tree tracts and tree replacement requirements.
18.45.090 Heritage tree(s).
18.45.100 Tree maintenance standards and best pruning practices.
18.45.110 Tree preservation modification and departure options.
18.45.120 Performance guarantees, liability, insurance and licensing.
18.45.130 Enforcement, violations and penalties.
18.45.140 Appeals.
18.45.150 Severability.

18.45.010 Short title.
This chapter shall be known and may be cited as the tree preservation ordinance of the City of Covington. (Ord. 04-08 § 2)

18.45.020 Purpose and intent.
The intent of this chapter is to establish regulations and procedures for preservation of trees, to preserve the character of the community, to successfully retain desirable trees on developing and redeveloping sites, and to maintain a viable tree canopy for the City of Covington. Specifically the regulations contained in this chapter are intended to accomplish the following goals and objectives:

(1) Promote the public health, safety and general welfare of the citizens of Covington;
(2) Implement the purposes of the State Growth Management Act relating to conservation of natural resources;

(3) Support and implement the City of Covington Comprehensive Plan and its Environmental Element;

(4) Implement the goals of the State Environmental Policy Act (SEPA);

(5) Improve the aesthetic quality of the built environment by reducing impacts on wetlands, streams and the natural environment;

(6) Minimize erosion, siltation, water pollution, and surface and ground water runoff;

(7) Preserve significant trees for the reduction of noise and air pollution, wind protection, animal habitat, slope stabilization and retention of ground water;

(8) Assist with removing hazardous trees;

(9) Provide for delivery of reliable utility services, for reasonable development of property, for reasonable preservation or enhancement of property values, and for increases in privacy for residential sites;

(10) Promote building and site planning practices that are consistent with the City’s natural topography, soils, and vegetation features;

(11) Provide an appropriate amount and quality of tree retention related to future land uses;

(12) Provide for increased areas of permeable surfaces that allow for infiltration of surface water into ground water resources, reduction in the quantity of storm water discharge, and improvement in the quality of storm water discharge; and

(13) Provide for regulations that are clear, understandable, user friendly, easy to administer, and cost effective to enforce. (Ord. 04-08 § 2)

18.45.030 Definitions.
Unless otherwise clearly indicated by the context, certain words and phrases used in this chapter shall have the following meanings. Words used in the singular include the plural, and words used in the plural, include the singular. Words used in the masculine gender include the feminine.

“Arborist” means an individual trained in the art and science of planting, caring for, and maintaining individual trees, and is currently certified by the International Society of Arboriculture.

“Brushing” means an allowed practice of removing ground cover, shrubs and vegetation not defined as a tree to create better visibility on a site for purposes of public safety, surveying or marketing.

“Caliper” means the diameter of a tree trunk, applied only to new or replacement nursery-grown
trees, measured six inches above the ground for up to and including four-inch caliper size trees and 12 inches above the ground for larger sizes.

“City” means the City of Covington, King County, Washington.

“Clearing” or “land clearing,” for purposes of this chapter, means the direct and indirect removal of trees, including topping and limbing, from any public or private undeveloped, partially developed, or developed lot, public lands, public right-of-way, or utility easement. This shall also include any destructive or inappropriate activity applied to a tree that will result in its death or effectively destroy the functionality. “Clearing” shall not include landscape maintenance, brushing, or pruning consistent with accepted horticultural practices which does not impair the health, survival or function of trees.

“Critical root zone” is the area where the tree’s roots are located and is the area surrounding a tree measured at a radial distance from the trunk equal to one foot for every one-inch diameter of tree.

“DBH” means diameter at breast height. DBH is a tree’s diameter in inches at four and one-half feet above the ground at the lowest point surrounding the trunk, and is used to measure existing trees on a site. On multi-stemmed or multi-trunked trees, the diameter shall be the diameter equivalent to the sum of trunk areas measured at DBH.

“Department” means the City of Covington Department of Community Development or its successor agency.

“Director” means the Community Development Director of the City of Covington or his or her duly authorized designee.

“Drip line” of a tree means an imaginary line on the ground created by the vertical projection of the foliage at its greatest circumference.

“Grading,” for purposes of this chapter, is any excavation, filling or combination thereof.

“Ground cover” means any living plant material normally terrestrial, growing low to the ground, or other small trees less than four inches in DBH and not defined as a tree, all of which are intended to stabilize soils and protect erosion.

“Hazard tree,” for purposes of this chapter, means any tree determined by an arborist to have a structural defect, combination of defects, or disease, resulting in the loss of a major structural component of that tree in a manner that will:

(1) Damage a residential structure or accessory structure, place of employment or public assembly, or approved parking for a residential structure or accessory structure or place of employment or public assembly;
(2) Damage an approved road or utility facility; or

(3) Prevent emergency access in the case of medical hardship.

“Heritage tree(s)” means any tree, or grove of trees, that has historical significance to a person, place or event; has attained significant size in height, caliper or canopy spread for its age and species to be a specimen tree; has special aesthetic qualities for its species to be unique or rare; is visible to the public and has exceptional value to the residents of the community; and is not a hazard as defined herein.

“ISA” means International Society of Arboriculture.

“Landscape architect” means an individual currently licensed by the State of Washington as a landscape architect.

“Land use application” means an application, supplied by the Department, which must be completed and accompany any submittal packet for the desired development permit.

“Normal and routine maintenance” means the standard practice and care of trees and vegetation normally required to maintain life, including watering, feeding or fertilizing, spraying, pruning and trimming according to best management practices, and removing of dead or unhealthy branches.

“Parks and Recreation Commission” means the named advisory commission that oversees the community parks, recreation, and forestry programs, and reports to the City Council.

“Person” means any individual, organization, society, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, governmental agency, public or private utility, cooperative, interstate body or other legal entity.

“Pruning” means cutting back of limbs larger than one and one-half inches in diameter.

“Significant tree,” for purposes of this chapter, means any healthy tree of six inches DBH or larger.

“Tree” means any woody plant characterized by one main stem or trunk and many branches, or multi-stemmed trunks which have a diameter individually or cumulatively of four inches DBH or larger.

“Tree appraisal” is a method of calculating the value of a tree, which shall be based on the “trunk formula method” as set forth in “The Guide for Plant Appraisal” authored by the Council of Tree and Landscape Appraisers.

“Tree enhancement plan” means a plan prepared by a certified arborist, licensed landscape architect, or certified forester and required of all commercial or industrial properties greater than two acres in size when any tree removal or tree clearing takes place. The tree enhancement plan shall combine tree preservation of existing trees to the extent feasible along with tree replacement
and replanting equal to at least 15 percent of the number of significant trees existing on the site prior to any tree removal. The tree enhancement plan shall incorporate trees in as many areas as feasible such as tree tracts, boundary trees, perimeter landscaping, parking lot landscaping, street and driveway trees, facade landscaping, or other viable stands of trees, considering the type of commercial or industrial development.

“Tree harvesting” means tree logging, felling, cutting, or taking of trees, standing or down, on privately or publicly owned land for sale or for commercial, industrial, or other use, governed under RCW 76.09.470.

“Tree inventory” means a detailed list of all trees of four inches DBH or larger, located on a site for which a tree permit is required, and which is prepared by a certified arborist, licensed landscape architect, certified forester, or other qualified tree professional. A tree inventory shall be included on a site plan drawn to scale, and provide the number, size, approximate height, specific location, and tree species of all trees of four inches DBH or larger, with a summary of all significant trees in sufficient detail for the City to review.

“Tree owner” means the owner of the real property where 51 percent or more of the diameter of the trunk of the tree at ground level is located.

“Tree topping” is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree’s crown to such a degree so as to remove the normal canopy and disfigure the tree.

“Tree tract” is a separate portion of land, specifically set aside for the preservation, retention or protection of existing trees or the planting of new trees to maintain a beneficial tree canopy in a subdivision or on a development site and that meets minimum tree preservation requirements of this code. The tree tract shall be a separate designated lot(s) or tract(s) shown on the subdivision plat map, site development plan, or binding site plan and shall be recorded with appropriate description of purposes and restrictions. Restrictions applied to the tree tract will reserve the tract for the protection and preservation of trees in perpetuity. Tree tracts can be used for other open space uses when such use is compatible with trees and will not impact tree health. The tract shall be dedicated to, and owned and maintained by, the home owner(s), property owners association, or comparable entity.

“Vegetation” means any and all organic plant life growing at, below or above the soil surface.

(Amended at request of department 2/08; Ord. 04-08 § 2)

18.45.040 Applicability of regulations.

(1) These regulations shall not be applicable to:

(a) Any single-family or multifamily lot one acre or less in size;
(b) Any commercial or industrial lot two acres or less in size; or

(c) Any lot or tract with less than 20 “significant trees” as defined.

(2) These regulations shall apply to the following parcels of land unless further exempted in CMC 18.45.050:

(a) Any residentially zoned parcel of land between one acre and two acres in size that is subdivided regardless of the number of lots created, and which contains 20 significant trees. (See CMC 18.45.060(1), Minor Tree Removal Permits, and CMC 18.45.080, Tree preservation, tree tracts and tree replacement requirements.)

(b) Any residentially zoned parcel of land between one acre and two acres in size that is not subdivided but is either vacant of structures, or contains existing structures proposed for demolition, replacement, expansion or development, and which contains 20 significant trees where tree removal and/or land clearing is undertaken individually by itself or in conjunction with any required building or land use permit. (See CMC 18.45.060(1), Minor Tree Removal Permits, and CMC 18.45.080, Tree preservation, tree tracts and tree replacement requirements.)

(c) Any parcel of land two acres or greater in size that is subdivided regardless of the number of lots created, and which contains 20 significant trees. (See CMC 18.45.060(2), Major Tree Clearing Permits, and CMC 18.45.080, Tree preservation, tree tracts and tree replacement requirements.)

(d) Any parcel of land two acres or greater in size that is not subdivided but is either vacant of structures or contains existing structures proposed for demolition, replacement, expansion or development, and which contains at least 20 significant trees where any tree removal and/or land clearing is undertaken individually by itself or in conjunction with any required building or land use permit. (See CMC 18.45.060(2), Major Tree Clearing Permits, and CMC 18.45.080, Tree preservation, tree tracts and tree replacement requirements.) (Ord. 04-08 § 2)

18.45.050 Exemptions from tree permits.
The following activities are exempt from both the minor tree removal permit and major tree clearing permit requirements of CMC 18.45.060, 18.45.070, and 18.45.080, unless they disturb any critical area or critical area buffer, or identified shoreline jurisdiction, or unless they cause a major adverse impact to runoff and diversion of storm water or streams, erosion, risk of landslide, infiltration of pollution into ground water, or major adverse impacts to safety and security of adjacent properties, as determined by the Director:

(1) Sites with 20 Significant Trees or Less. Any site, proposed for subdivision, development, redevelopment or building construction, regardless of size, which does not contain at least 20 significant trees as defined herein.
(2) Emergency Removal of a Hazard Tree or Trees. Emergency removal of hazard tree(s) as defined in order to prevent imminent danger to persons or structures. Such removal shall be reported to the City within 10 days of removal on a form provided by the City. This exemption shall not apply to existing trees located within designated tree tracts.

(3) Normal and Routine Maintenance of Existing Trees. Any normal and routine maintenance of existing trees, but not to include utility easements; provided, that said maintenance does not involve removal of healthy trees and is not detrimental to the health of any trees. Trenching or digging to a depth of greater than one foot within the critical root zone and tree topping is not allowed.

(4) Commercial and Wholesale Nurseries and Tree Farms. Removal of trees which are being grown within commercial and wholesale nurseries or tree farms to be sold as landscape or Christmas trees.

(5) Tree Harvesting with a Forest Practices Permit. Any harvesting with a forest practices permit issued by the Washington State Department of Natural Resources under RCW 76.09.470.

(6) Residential Sites One Acre or Less and Commercial or Industrial Sites Two Acres or Less. Removal of trees, brushing and ground cover from single-family or multifamily residential lots of one acre or less, and commercial or industrial lots of two acres or less, as long as no critical area or its buffer is disturbed, and no land clearing, grading or filling is involved.

(7) Any Site in the Commercial or Industrial Zones, Provided a Tree Enhancement Plan is Submitted and Approved. Any site, tract, lot or subdivision located in the DN, CC, CN, or I zones, provided such sites, as part of their subdivision, development or redevelopment permit, submit a tree enhancement plan to replant trees as outlined in CMC 18.45.080(7).

(8) Removal of Trees on City-Owned Property for Installation of Utilities and Public Facilities and Maintenance of Property. Removal of trees on any city-owned right-of-way or tract for installation of any public infrastructure, including streets, utilities or public facilities, or for maintenance and operation of any existing facilities.

(9) Partial Exemption for Developed Single Family and Multifamily Lots. On existing developed single-family and multifamily lots greater than one acre in size, removal of trees without a permit is allowed within an existing or proposed building footprint and within 30 feet of such building footprint. In addition, no permit is required for tree removal within 15 feet from all accessory structures, roads, driveways or utility easements associated with such building footprints. Exempted areas for tree removal are measured from the edge of a building wall, road, drive, or easement out to the critical root zones of any tree. (That portion of the lot or tract outside of the aforementioned area, which is exempted from tree removal permits, shall be treated as undeveloped and unplatted property for the purposes of this chapter and shall be governed by requirements for a major tree.
clearing permit, and preservation of trees in a tree tract, tree conservation easement or tree enhancement plan and tree replanting as outlined in CMC 18.45.060, 18.45.070, and 18.45.080.)

(10) Partial Exemption for Developed Commercial and Industrial Lots. On developed commercial or industrial lots greater than two acres in size, removal of trees without a permit is allowed within an existing or proposed building footprint and within 30 feet of such building footprint. In addition no permit is required for tree removal within 15 feet from all accessory structures, roads, driveways or utility easements associated with any primary building footprints. Exempted areas for tree removal are measured from the edge of a building wall, road, drive, or easement out to the critical root zones of any tree. (That portion of the lot or tract greater than the aforementioned area exempted from tree removal permits shall be treated as undeveloped and unplatted property for the purposes of this chapter and shall be governed by requirements for a major tree clearing permit and preservation of trees in a tree tract, tree conservation easement or tree enhancement plan and tree replanting as outlined in CMC 18.45.060, 18.45.070, and 18.45.080.)

(11) Limited Exemption for Firewood Removal. Removal of up to four trees annually for personal use as firewood, not resale, from any residentially zoned parcel of land between one and 10 acres, provided the property owner does not remove trees below the minimum 20-tree threshold for tree preservation as required in CMC 18.45.080. (Ord. 04-08 § 2)

18.45.060 Permits and permit requirements.

Unless exempted under CMC 18.45.050, any person engaged in removal of trees or tree clearing in the City shall first obtain either a minor tree removal permit or major tree clearing permit as outlined below and shall meet the prescribed tree preservation or tree enhancement requirements. If any future development or construction is anticipated, such permits shall be reviewed and issued in conjunction with any required land use permit, engineering design permit, site development permit, binding site plan, subdivision, or building permit. A separate permit shall be required for each individual site on which the tree removal or land clearing is proposed. Individual tree removal or tree clearing permits may be applied for, reviewed, and issued according to this section as a separate, freestanding permit, if no development or construction is currently anticipated.

(1) Minor Tree Removal Permits.

(a) Minor tree removal permits are those permits involving removal of trees on lots greater than one acre and less than two acres in size, or on property or easements granted to public utilities, unless the activity falls within an exemption listed in CMC 18.45.050, in which case no permit is required;

(b) The minor tree removal permit required by this subsection shall be in addition to any other permit(s) which will or have been issued by the City or any other governmental agency with jurisdiction over all or part of the proposed activity or land which is part of the activity;

(c) A minor tree removal permit, with prescribed fee, shall require an application and site plan
with two copies on a form to be provided by the Director, in accordance with permit submission requirements outlined in subsection (3) of this section;

(d) The Director shall review the minor tree removal permit and accompanying site plan and take action to approve, approve with conditions, or deny the permit. The City may ask for more detailed submittal information to meet the requirements of this code;

(e) A minor tree removal permit shall be a Type I permit governed by Chapter 14.30 CMC;

(f) A minor tree removal permit may be applied for as a freestanding permit by itself or in conjunction with any other associated land use application, engineering design permit, site development permit, binding site plan, subdivision, or building permit application.

(2) Major Tree Clearing Permits.

(a) Major tree clearing permits are those permits involving any removal of trees, clearing and grading of land with trees, shrubs, or other ground cover on sites two acres in size or greater, unless the activity falls within an exemption listed in CMC 18.45.050, in which no permit is required;

(b) The major tree clearing permit required by this subsection shall be in addition to any other permit(s) which will or have been issued by the City or any other governmental agency with jurisdiction over all or part of the proposed activity or land which is part of the activity;

(c) A major tree clearing permit, with prescribed fee, shall require an application and site plan with two copies on a form provided by the Director, in accordance with permit submission requirements outlined in subsection (3) of this section;

(d) The Director shall review the major tree clearing permit and accompanying site plans and take action to approve, approve with conditions, or deny the permit. The City may ask for more detailed submittal information to meet the requirements of this code;

(e) A major tree clearing permit shall be a Type II permit governed by Chapter 14.30 CMC;

(f) A major tree clearing permit may be applied for as a freestanding permit by itself or in conjunction with any other associated land use application, engineering design permit, site development permit, binding site plan, subdivision, or building permit application.

(3) Permit and Application Submission Requirements.

(a) Minor Tree Removal Permit Submission Requirements. Minor tree removal permits shall be submitted on application forms provided by the Administrator and shall contain the following information outlined below:

   (i) Completed application form, with one copy and appropriate fee;
(ii) The legal description or tax parcel number, and street address for the site;

(iii) A scaled site plan, with property lines, structures, north arrow and date;

(iv) A tree inventory, identifying the species type, size, approximate height, location, and number of both existing trees and those specific trees to be removed;

(v) A statement explaining the scope of work and time schedule for tree removal;

(vi) Information showing the location of existing and proposed improvements, if any, including but not limited to structures, roads, utilities, driveways and trails;

(vii) The approximate location of all critical areas and critical area buffers, and shoreline jurisdiction areas; and

(viii) Any other information, such as erosion and sediment control plans, if applicable, which the Director deems necessary and reasonable for an effective evaluation of the application for a minor tree removal permit.

(b) Major Tree Clearing Permit Submission Requirements. Major tree clearing permits shall be submitted on application forms provided by the Director, with any land use application, engineering design permit, site development permit, binding site plan, subdivision, or building permit on the same site; or by itself as a freestanding permit for any major tree clearing, land clearing or grading permit when no land use or building permit is anticipated. Permit submissions shall contain the following information:

(i) Completed application form with three copies and appropriate fee;

(ii) The legal description or tax parcel number, and street address for the site;

(iii) If critical areas and their buffers, as defined in Chapter 18.65 CMC, exist on the property, then their exact location shall be identified on a topography map showing contours at not greater than five-foot intervals, as determined by a land surveyor. Included shall be any proposed tree cutting, land clearing, landscaping, and replanting activity, within or near such critical areas;

(iv) A scaled site plan, with property lines, north arrow and date, showing the location of existing and proposed improvements;

(v) A tree inventory with date of inventory, north arrow and scale, showing the location, number, size, height, species, and condition of existing trees, and a designation of any trees to be removed and proposed scope of work;

(vi) The location, number, height, caliper, and species of any replanted trees pursuant to
any tree replanting or tree enhancement plan requirements;

(vii) Erosion and sediment control plans and mitigation;

(viii) A tree protection plan with fencing details during construction;

(ix) A proposed time schedule for tree clearing, replanting, land restoration, and implementation of erosion control measures;

(x) A discussion and calculations demonstrating that the conditions and standards set forth in CMC 18.45.070 and 18.45.080 are satisfied;

(xi) A performance guarantee quantity worksheet consistent with CMC 18.45.120; and

(xii) Any other information which the Director deems necessary for an effective evaluation of the application for a major tree clearing permit.

(4) Permit Review – Administrative Provisions and Authority.

(a) Decision Types. Minor tree removal permits are a Type I decision, and major tree clearing permits are a Type II decision as defined in Chapter 14.30 CMC.

(b) Extent of Authority Within Permit Review Process. The Director shall have the authority to approve, modify, approve with conditions, or deny such permits in accordance with the intended purposes of this chapter as well as the standards and requirements set forth in CMC 18.45.060, 18.45.070, and 18.45.080. If the Director determines that the application complies with all criteria and standards set forth in this chapter, then a minor tree removal or major tree clearing permit shall be issued.

(c) Length of Permit Validity. Permits granted hereunder as a freestanding permit and not associated with another land use or building permit shall be valid for 180 days. One 180-day extension is allowed by the Director for reasonable, extenuating circumstances, and must be requested in writing prior to the expiration date. Otherwise a new permit shall be required. Permits granted hereunder which are associated with and accompany another land use, site development, or building permit shall be valid for the length of time associated with the accompanying land use permit, engineering design permit, site development permit, binding site plan, subdivision, or building permit.

(d) Suspension or Revocation Allowed. Permits may be suspended or revoked by the Director if granted on the basis of inaccurate or misleading information or upon the violation of any provision of this chapter.

(5) Tree Protection and Tree Fencing Standards. The following tree protection, fencing, and tree care standards shall be implemented and followed prior to, during, and subsequent to any
subdivision, development, redevelopment, construction, tree clearing, or tree replacement as part of the conditions of any permit on land greater than one acre:

(a) No tree clearing shall be allowed on a site until all required permits have been obtained;

(b) An area of prohibited disturbance, generally corresponding to the critical root zone of a significant tree, shall be identified during the construction stage, and temporary fencing in accordance with subsection (5)(d) of this section shall be established prior to any tree clearing and/or grading. Fencing shall remain throughout construction. If any sign of disturbance is observed by the City within the tree protection area, a stop work order may be issued until corrections are made and any damage is restored;

(c) No impervious surfaces, fill, excavation, or storage of construction materials shall be permitted within tree protection zones as defined by such fencing or stakes;

(d) Construction fencing shall be placed along the boundary of the tree’s critical root zone or tree tract. The location and material of the fence must be shown on the approved tree enhancement plan, tree clearing permit or clearing and grading plan. The fence material must be in place before any clearing, grading, tree cutting, or construction begins on the site and must remain in place until construction and final inspection are complete. The fence must meet one of the following standards:

   (i) Five-foot high, orange, plastic, secured to the ground with seven-foot metal posts or T-posts; or

   (ii) Five-foot high, steel or chain link, attached to concrete blocks.

The fence must be maintained in satisfactory condition throughout construction and repaired immediately if damaged, and failure to maintain said fence may result in a stop work order being issued until such time as the tree protection fence is repaired;

(e) A tree designated for preservation shall not have the soil grade altered within its critical root zone or within six feet of its trunk, whichever is greater. The grade may be lowered if a certified arborist with the concurrence of the Director determines the impact of lowering the grade within the area described in this subsection will not adversely affect the health of the tree;

(f) Trees shall not be designated for preservation if they are dead, diseased, or a hazard tree;

(g) Grade level changes described in subsection (5)(e) of this section shall be done according to a plan prepared by a certified arborist that includes measures to reduce adverse impacts on trees;

(h) No work shall be allowed within the critical root zone unless approved by the Director with
appropriate mitigation measures;

(i) Any trees which are staked at the time of planting shall have stakes removed when appropriate for stability, but in no case longer than three years after planting, unless new staking measures are approved by the Director; and

(j) Alternative tree protection methods may be used if determined by the Director to provide equal or greater tree protection.

(6) Permit Fees. Fees for minor tree removal permits and major tree clearing permits shall be as specified in a fee resolution or by another method approved by the Covington City Council.

(7) Tree Removal Surrounding Existing or Proposed Building Footprints. Any existing residential lot or site greater than one acre in size or any existing commercial, or industrial lot or site greater than two acres in size, either of which is not subdivided, shall be allowed to remove trees without a tree permit, within a proposed building footprint, within 20 feet of the existing or proposed building footprint, and within 10 feet of any roadway, driveway, or utility easement, as described in CMC 18.45.050. Exemptions from tree permits, when such removal is undertaken with a valid building permit. Removal of any trees outside of these exempt areas, measured from the existing or proposed building footprint, and without a valid building permit, shall be required to obtain a minor tree removal permit or major tree clearing permit in accordance with this section.

(8) Additional Permit Restrictions or Requirements.

(a) Bald Eagle and Other Federal and State Requirements. All entities must comply with all applicable federal and state laws, rules and regulations, including, without limitation, the Endangered Species Act, the Bald Eagle Protection Act, and the Migratory Bird Treaty Act, as now existing or hereinafter adopted or amended.

(b) Reporting Requirements for Removal of Hazard Tree(s). Emergency removal of hazard tree(s), as defined, without a permit, and as allowed in this title, shall be reported to the City within 10 days of removal on a form provided by the Director.

(c) Permits and Written Reports for Public Utilities Pruning or Removal of Trees. Pruning for above ground utility facilities and lines are allowed, but such utilities and/or its contractors shall submit a written statement to the City, in lieu of a permit, prior to tree pruning, indicating that no trees will be removed during pruning, and that any tree pruning will not cause significant structural defect to the trees. If trees are to be removed, the minor tree removal permit procedures shall apply, but replanting with appropriate trees for ROW or utility easement locations shall be required of the public utility, unless the Director determines in writing such replanting is inappropriate.

(d) Critical Areas and Shoreline Jurisdiction Exceptions and Limitations. Provisions of this
chapter shall not apply to any critical area or critical area buffers, or any shoreline jurisdiction. Any removal or clearing of trees, ground cover, or other vegetation for these areas shall be governed by Chapters 16.05 and 18.65 CMC, and must comply with all limitations and restrictions for alterations of critical areas and critical area buffers in CMC 18.65.050 through 18.65.070 and shoreline jurisdiction areas in Chapter 16.05 CMC, as now existing or hereinafter adopted or amended.

(e) Permits Required for Removal of Trees in Tree Tracts, Tree Conservation Easements or as Part of Tree Enhancement Plans. Any trees required as part of any tree tract, tree conservation easement or tree enhancement plan under provisions of this chapter shall remain permanently unless a minor tree removal permit or major tree clearing permit under this section is obtained and replacement trees are planted in accordance with standards of this chapter. (Ord. 04-08 § 2)

18.45.070 Permit standards and conditions for all minor tree removal and major tree clearing. Unless otherwise approved by the Director pursuant to any applicable exemptions, all minor tree removal and major tree clearing permits within the City shall conform to the following standards and conditions and be governed by such criteria for their issuance or denial:

(1) The tree clearing activity shall not significantly create or contribute to blowdowns, landslides, accelerated soil creep, settlement, subsidence or other hazards associated with strong ground motion and soil liquefaction;

(2) No topping of trees as defined herein is allowed as part of any regulated activity;

(3) The tree clearing activity shall not create or contribute to flooding, erosion or increased turbidity, siltation or other forms of pollution in any waters of the State;

(4) Tree clearing activity shall be conducted so as to expose the smallest practical area of soil to erosion for the least possible time, consistent with the anticipated construction schedule;

(5) Timber harvesting and conversion of forested lands to non-forestry use within the City of Covington shall not be permitted until such time as a valid forest practices application, permit and notification, under the State Forest Practices Act and Rules, has been submitted, evaluated and issued by the Washington State Department of Natural Resources. If, prior to tree harvesting or conversion of forested lands to non-forestry use, a lot owner has not received a permit for future conversion of the site to some non-forestry use or other permitted land use activity, the City shall prohibit application for any land use, development or engineering permit(s) for that site for a period of 10 years. This condition applies to the site, not site owner. All landowners of timbered or forested lands falling within applicable regulations of RCW 76.09.470 shall notify the City of Covington and the State Department of Natural Resources (DNR) and show proof of full compliance with RCW 76.09.470. Upon being contacted by a landowner under RCW 76.09.470, the City of Covington shall notify the State DNR and ensure compliance with such regulations; and
(6) To assure protection of the critical root zone, visual marking of the critical root zone with fencing shall be installed and remain in place throughout any construction. Those trees or ground cover designated for preservation shall not be damaged by scarring, grade changes, dumping or storage of materials, back filling or compaction of soil around trees, or by any other activity that can damage roots or trunks. Land clearing equipment and machinery shall at all times remain outside the critical root zone of any tree designated for retention, except where such area encompasses any road or constructed pathway, during which approved mitigation will be required for encroachment into such critical root zone. (Ord. 04-08 § 2)

18.45.080 Tree preservation, tree tracts and tree replacement requirements.

(1) Tree Preservation Methods for Residential Zones. The following tree preservation methods apply to all residential zoned lands on sites greater than one acre in size.

(a) When land greater than one acre in size is subdivided, regardless of the number of lots created, if at least 20 significant trees exist on the site prior to subdivision, trees shall be preserved in one or more tree tracts and subject to a tree preservation plan, prepared by a certified arborist, landscape architect, or forester, and submitted and approved as part of either a minor tree removal permit or a major tree clearing permit. Any site with at least 20 significant trees, but which cannot meet the tree preservation requirements with existing trees, shall be required to supplement any required tree tract with tree plantings at least two inches in caliper from the published City list of Pacific Northwest native trees as outlined in subsection (9) of this section. Cutting of significant trees on a site and proposing replanting of trees when the tracts do not contain the required minimum 20 significant trees is not allowed without specific review and approval of the Director after the tree tracts are proposed. As many significant trees as practical shall be preserved and identified in the required tree preservation plan.

(b) When land is proposed for development, redevelopment, construction or demolition, on sites greater than one acre in size, without a subdivision of land, involving removal of trees, if at least 20 significant trees exist on the site prior to development, trees outside of any proposed building footprint or partially exempted tree removal area outlined in CMC 18.45.060(7) shall be preserved and protected with a tree conservation easement filed with the County. Future subdivision of such land may modify any required conservation easement as long as applicable tree preservation requirements are met. Any site with at least 20 significant trees but which cannot meet the tree preservation requirements with existing trees shall be required to supplement any required tree conservation easement with tree plantings at least two inches in caliper from the published City list of Pacific Northwest native trees as outlined in subsection (9) of this section. Cutting of significant trees on a site and proposing replanting of trees when the tracts do not contain the required minimum 20 significant trees is not allowed without specific review and approval of the Director after the tree tracts are proposed. As many significant trees as practical shall be preserved and identified in the required tree preservation plan.
(2) Tree Preservation Methods for Commercial and Industrial Zones. The following standards apply to commercial and industrial sites greater than two acres in size, whether part of a formal subdivision or part of any development, redevelopment, construction or building permit:

   (a) Trees shall be preserved through a tree enhancement plan, submitted and approved with the engineering design permit and approved by the Director. There is no minimum size or percentage of land required to be devoted to tree preservation or tree enhancement. Instead, all commercial and industrial development must prepare and submit a tree enhancement plan which combines preservation of existing trees and tree replanting that will best provide tree enhancement within and/or surrounding any proposed commercial and industrial development. Up to 15 percent of the existing significant trees on site prior to development should be retained within the tree enhancement plan, or they shall be replanted at a two-to-one ratio. Such tree enhancement plan shall be prepared by a certified arborist, licensed landscape architect or qualified forester. Replanting shall be from the published City list of Pacific Northwest native trees as outlined in subsection (9) of this section.

   (b) The Director shall have the authority to reduce the required tree replacement ratio where such requirement would conflict with the urban design intent of Chapter 18.31 CMC. In such cases the Director shall ensure that representative native vegetation is retained or replanted totaling at least five percent of the site area and that enhanced landscaping is provided in excess of the requirements contained in CMC 18.31.130.

(3) Tree Preservation Standards for Residentially Zoned Properties Greater Than One Acre in Size. The following standards apply to sites greater than one acre in size for all residentially zoned properties, whether part of a formal subdivision or any development or redevelopment permit, where trees shall be preserved in tree tracts or a tree conservation easement, regardless of the size or number of lots. Tree tract or tree conservation easement size and percentage of sites devoted to tree preservation shall meet the following standards, and multiple tree tracts are allowed:

   (a) For sites between one acre and five acres, the total area devoted to tree tracts or tree conservation easements shall be five percent of the total land within the subdivision or on the site of any development, less any critical areas. The minimum size of a tree tract shall be 2,178 square feet.

   (b) For sites five acres or greater, up to 30 acres, the total area devoted to tree tracts or tree conservation easements shall be seven percent of the total land within the subdivision or on the site of any development, less any critical areas. The minimum size of a tree tract shall be 7,000 square feet.

   (c) For sites 30 acres or greater, the total area devoted to tree tracts or tree conservation easements shall be nine percent of the total land within the subdivision or on the site of any development, less any critical areas. The minimum size of a tree tract shall be 9,000 square feet.
easements shall be nine percent of the total land within the subdivision or on the site of any
development, less any critical areas. The minimum size of a tree tract shall be 15,000 square
feet.

(d) Tree Tract or Tree Conservation Easement Boundary. The tree tract or easement boundary
shall be at least five feet from the critical root zone of any trees to be protected and preserved
within the tract or easement.

(e) Location of Tree Tract or Tree Conservation Easement. Tree tracts or easements should
be located according to the priority location list in subsection (5) of this section.

(f) Alternative Tree Canopy Plan. As an alternative to the above prescriptive standards for
minimum size and number of tree tracts or easements, and minimum percentage of significant
trees to be saved, an applicant may accomplish required tree preservation within any
proposed subdivision by preserving 20 percent of the total existing tree canopy in tree tracts
on the site. The exact amount of existing tree canopy on the site prior to subdivision shall be
satisfactorily demonstrated on ortho-photo maps, flown and verified within the last three years,
and supplied by the applicant as part of a major tree clearing permit and required “tree
preservation plan.”

(4) Tree Preservation Percent Requirements for Significant Trees in Residential Zones. In
accordance with subsection (3) of this section, a minimum number of significant trees shall be
preserved within all tree tracts or tree conservation easements in residential zones. The total land
area devoted to tree tracts or easements as required under this chapter shall contain significant
trees equal to at least 15 percent of the number of identified significant trees on the site prior to
subdivision or development, but in no case less than 20 significant trees.

(5) Priority Location of Tree Tracts and Concurrent Reduction in Percent Requirements for Land
Devoted to Tree Tracts in Residential Zones. Placement of tree tracts is encouraged in certain
areas to enhance their viability and to complement natural and environmental features of the
property. The following priority locations are encouraged for placement of all trees in designated
tree tracts. When such tree tracts are located according to the following priority, a subdivision or
development is eligible for up to a one percent reduction in the percent requirements for land
devoted to tree tracts. For example, if a 10-acre site is required to set aside seven percent of the
total site area for tree preservation in tree tracts according to subsection (3)(b) of this section, and
those tracts are located adjacent to an identified critical area, then a reduction to six percent of the
total site area for tree tracts may be allowed by the Director.

(a) Priority Locations for Tree Tracts.

(i) Adjacent to identified critical areas and critical area buffers.

(ii) Adjacent to existing public or private parks.
(iii) Adjacent to existing trails or trail systems.

(iv) Adjacent to existing stands of significant trees on adjacent property boundaries.

(v) Adjacent to existing storm water retention systems.

(vi) Adjacent to significant wildlife habitat areas.

(vii) Adjacent to contrasting land uses where establishing a tree buffer will enhance both properties and reduce potential impacts of dissimilar land uses.

(6) Reduction of Size of Tree Tracts for Preserving Multiple Significant Trees. A one percent reduction in the percent requirements for land devoted to tree tracts may be granted if the required tree tract contains at least 10 native coniferous trees greater than 12 inches DBH. Such trees must be documented as healthy and likely to resist “blowdowns” in a wind storm by a certified arborist as part of the tree plans submitted with any subdivision or development application. This one percent reduction in area devoted to tree tracts shall not be combined with other percent reductions allowed in subsection (5) of this section. Total required land amounts devoted to tree tracts may only be reduced up to a maximum of one percent either by priority location incentives in subsection (5) of this section or by multiple significant tree preservation incentives in this subsection (6).

(7) Replanting Standards for Sites Deficient in Trees and Not Able to Meet Tree Tract Requirements For Sites Proposed For Subdivision, Development, or Redevelopment. Any residential site greater than one acre in size, or commercial/industrial site greater than two acres in size, which contains a minimum of 20 significant trees, but still lacks significant trees sufficient to meet required standards after proposed development, as determined by the Director and as outlined in this section, shall be required to supplement any existing significant trees with new plantings of trees up to the required significant tree minimum. Tree species for new tree plantings shall be selected from a list of Pacific Northwest native trees published by the City. At least 60 percent must be coniferous. All trees shall be at least two inches in caliper. Replanting of trees to bring a tree tract up to the 20 tree minimum shall be at a ratio of two to one for the deficient number of significant trees less than the required 20 tree minimum.

(8) Maintenance of Tree Tracts. All tree tracts required under this code shall require a permanent maintenance agreement to be approved by the City on forms provided by the Director, which designates the private home owner association, property owner association, or other private entity responsible for said maintenance of trees. All tree tracts shall provide a guarantee for reasonable accessibility for future tree maintenance.

(9) Pacific Northwest Native Trees Required. Any tree(s) to be planted as part of the requirements of this chapter to fulfill tree tract, tree conservation easement, tree preservation or tree enhancement plan standards for residential, commercial or industrial property, when sufficient trees do not exist on site, shall be Pacific Northwest native trees on the City-published list. In addition
they shall be at least two-inch caliper and shall contain a mix of at least 60 percent coniferous trees.

(10) Three-Year Survivability. Any original or replanted trees required under a tree tract requirement, tree conservation easement or tree enhancement plan as part of the provisions of this chapter shall survive at a rate of 90 percent of the required trees for at least three years from either the date of issuance of the freestanding tree removal permit or tree clearing permit, the date of acceptance of final construction in a subdivision plat, the date of final occupancy for any development or redevelopment permit, or the date of final occupancy for any building permit, whichever is applicable. Required trees that do not meet the 90 percent survival rate for three years shall be replanted at the property owner’s expense. Such replanted trees shall then be required to again survive for three years or be replanted at the owner’s expense. A financial guarantee for all planting or replanting of required trees under this chapter shall be required on forms acceptable to the City as prescribed in CMC 18.45.120(1). Tree planting or replanting shall occur between October 1st and May 1st of each year, unless written approval is granted by the Director and reasonable provisions are made for irrigation and survivability of replanted trees. Tree planting may be deferred to the next appropriate planting season upon written request and approval by the Director. (Ord. 10-10 § 3 (Exh. C); Ord. 04-08 § 2)

18.45.090 Heritage tree(s).

A heritage tree(s) may be voluntarily designated within the City as outlined in this section following specific criteria herein. In addition, if designated, specific requirements will apply for cutting or removal of such designated heritage tree(s). Removal or cutting of designated heritage tree(s) may also require mitigation as prescribed herein.

(1) Designation of Heritage Tree(s).

(a) The City may inventory and maintain a register of heritage tree(s). The inventory shall be the responsibility of the Parks and Recreation Commission.

(b) A property owner may propose to the City that a heritage tree(s) located on such property be designated as a heritage tree(s). Any city resident may propose that a heritage tree(s) located on public property be designated as such. No tree(s) may be designated without the approval of the property owner(s) on which the tree(s) or any portion of the tree’s branches or canopy, is located. Once approval is given, however, it may not subsequently be withdrawn by the property owner or by a subsequent property owner without a subsequent permit action by the City to remove and mitigate said removal.

(c) If the Director determines the tree(s) satisfies the definition of heritage tree and approves the proposed heritage tree(s) designation, it shall be memorialized in a covenant signed by the City and the property owner(s) and in a form acceptable to the City. The covenant shall require that the heritage tree(s) be maintained in a manner that is consistent with the
provisions of this section. The covenant shall be recorded by the county. The City shall pay recording fees. The covenant and designation shall be effective from the date of recording until such time as a tree permit has been issued for the removal or cutting of the heritage tree(s).

(d) Upon request of a property owner, the City shall provide reasonable advice and consultation on maintenance of any heritage tree(s) without charge to the property owner.

(2) Heritage Tree(s) Permit Removal Requirements.

(a) A tree permit to remove a heritage tree(s) as a result of construction work will be granted only if the applicant has used reasonable best efforts to design and locate the project so as to avoid having to remove the heritage tree(s).

(b) A tree permit to remove a heritage tree(s) other than as a result of construction work will be granted only if the applicant demonstrates that the tree removal is necessary for safety, removal of hazardous trees, removal of diseased or dead branches or trees, or if retention of the tree(s) will have a material, adverse and unavoidable detrimental impact on the use of the property.

(3) Heritage Tree(s) Selection Criteria. For any individual tree(s) to be listed as a heritage tree(s), such tree(s) must be in a healthy growing condition, and one or more of the following shall exist:

(a) The tree has a DBH of 18 inches or greater;

(b) The tree has a distinctive size, shape, or location, or is of a distinctive species or age which warrants heritage tree status;

(c) The tree is distinctive due to a functional or aesthetic relationship to a natural resource, such as trees located along stream banks or trees located along ridge lines;

(d) The tree has a documented association with a historical figure, property, or significant historical event; or

(e) The tree serves significant benefit for wildlife habitat such as nesting or feeding.

(4) Mitigation Required for Removal of Heritage Tree(s).

(a) Heritage Tree(s) Development Review. When development is proposed for property which contains a heritage tree(s), and the Director determines that the proposed development may affect a heritage tree(s), the property owner must have a heritage tree preservation plan prepared by an ISA certified arborist demonstrating how the heritage tree(s) will be protected and preserved. A heritage tree(s) shall be preserved unless the Parks and Recreation Commission determines that the tree may be removed based on the criteria for heritage tree removal found in subsections (2) and (4) of this section.
(b) A tree preservation plan shall be composed of the following:

(i) A site plan indicating the location of proposed heritage tree(s).

(ii) The methods to be used to preserve the heritage tree(s).

(iii) If a heritage tree(s) is proposed for removal, a narrative statement outlining the reasons why the heritage tree(s) should be removed.

(iv) A mitigation plan indicating the replacement trees or additional new trees to be placed on the site. The mitigation plan should demonstrate, to the extent possible, that the character of the site will not substantially change as a result of the development.

(c) Site design adjustments may be allowed in some cases, as follows:

(i) The Director may grant a variance to front, side, and/or rear yard setback standards by up to 20 percent to retain a heritage tree(s). The adjustment shall be the minimum necessary to accomplish preservation of heritage tree(s) on-site and shall not conflict with the International Building Code or any other permit conditions placed on the property.

(ii) The Director may grant a 10 percent variance to the lot size and/or a 10 percent variance to the lot width and/or lot depth standards in approving a short plat or other land division if necessary to retain heritage tree(s). The Director may accept a preliminary plat application and recommend approval to the hearing body of a plat which provides for similar variance to lot size, width and depth standards if necessary to retain heritage tree(s). (Ord. 04-08 § 2)

18.45.100 Tree maintenance standards and best pruning practices.
The Director shall prepare and distribute educational materials describing any required, recommended, or accepted tree maintenance and tree care standards for any tree tracts, preservation or enhancement trees, or replacement trees required under this chapter and any best pruning practices, policies, techniques, and procedures for any trees required under this chapter. (Ord. 04-08 § 2)

18.45.110 Tree preservation modification and departure options.
(1) The purpose of this section is to provide an opportunity for departure or modification of the prescribed tree tract standards or tree enhancement plans under a major tree clearing permit when the specific prescriptive standards of the code are difficult to meet, yet still encourage creative or unique design of viable tree stands in the preservation of trees and tree tracts on all regulated sites greater than two acres in size. The Director shall have authority, consistent with the special conditions stated herein, to modify specific requirements and/or impose alternative standards and requirements in unique or special circumstances to assure the fulfillment of the stated purpose of this chapter and to allow for flexibility and creative design of viable tree stands in preservation of
significant trees.

(2) In order to grant a specific modification or departure from prescribed requirements for tree preservation or tree tracts, an applicant, through an alternative tree preservation and mitigation plan, must: (a) demonstrate reasonable efforts to save as many trees as possible, (b) submit a tree preservation and mitigation plan, prepared by a certified arborist, that adequately mitigates for the loss of trees from proposed development, and (c) indicate how the alternative tree preservation and mitigation plan equally or better meets the intent and purpose of this chapter and its tree preservation goals. Alternative options for preservation and mitigation of trees shall include a combination of new tree planting and preservation of a reasonable number of existing significant trees on site, when feasible.

(3) A departure or modification of the prescriptive standards for tree preservation or tree tracts shall be allowed when existing regulations seriously restrict development of the site, in the opinion of the Director, and only if tree tracts detract from the site’s ability to accomplish at least two of the following special site conditions:

(a) The ability to preserve natural or native plant areas;

(b) The ability to preserve unique wildlife habitat;

(c) The ability to preserve large numbers of significant or heritage trees;

(d) Opportunities to support the value and functions of critical areas or critical area buffers;

(e) Instances where insufficient significant trees exist on a site that has a unique size, shape or topography;

(f) Instances where the only significant trees are isolated, scattered throughout a site, and/or not able to be concentrated in viable tree tracts;

(g) A site must comply with special vegetation or view easements or corridors; or

(h) Instances where provision of required infrastructure and public safety access requires removal of significant trees. (Ord. 04-08 § 2)

18.45.120 Performance guarantees, liability, insurance and licensing.

(1) Performance Guarantees.

(a) Prior to the issuance of a major tree clearing permit pursuant to CMC 18.45.060, the applicant shall post with the City a form of performance guarantee/financial security, in the amount of 150 percent of the estimated cost of replacing and planting trees consistent with the tree preservation requirements, but in any event not less than $3,000. Said financial security shall be executed by the owner and/or applicant and a corporate surety authorized to do
business in the State of Washington as a surety. All guarantees shall be in a form approved by
the City Attorney and shall include penalty provisions consistent with this chapter for failure to
comply with the conditions of the permit.

(b) The City shall withhold issuance of a major tree clearing permit until the required
performance guarantee/financial security is approved by the City Attorney and filed with the
City. The City may enforce said guarantees according to their terms and pursuant to any and
all legal and equitable remedies.

(c) The performance guarantee shall be released pursuant to a prescribed timeline in the
agreement to assure survival of any trees preserved or replanted.

(2) Liability. The owner of private property for which a major tree clearing permit application is
submitted may be required to provide a hold harmless/indemnification agreement and covenant not
to sue approved by the City and recorded with King County prior to the issuance of the permit. Said
agreements shall be negotiated and in a form approved by the City Attorney, and shall run with the
land and be binding on the applicant and his/her successors, heirs and assigns for such period of
time as shall be determined appropriate by the City. Nothing in this chapter shall be deemed to
impose any liability upon the City or upon any of its officers or employees, or to relieve the owner
or occupant of any private property from the duty to keep in safe and healthy condition the trees
upon their property.

(3) Insurance. Prior to issuing a permit or approving an application, the City may require the
applicant to provide a certificate of general liability insurance, with limits of liability in an amount
acceptable to the City Attorney, from an insurance company authorized to do business in
Washington State, insuring against injury to persons and damage to property, and may require that
the City be named as an additional insured.

(4) Licensing. Any person, individual, or corporation, unless an employee or direct agent operating
under authority of the City, involved in any tree removal, tree clearing, or tree replanting as part of
tree preservation or enhancement related to this chapter, shall first have obtained a valid and
current business license from the City of Covington. (Ord. 04-08 § 2)

18.45.130 Enforcement, violations and penalties.

(1) Enforcement, Interpretation and Administration. It shall be the duty of the Director to enforce
and interpret the provisions of this chapter. The Director shall have authority to interpret the intent,
purpose, provisions, conditions, and standards contained herein; to issue permits and impose
conditions on such permits; to enforce the provisions and requirements of this chapter; to establish
administrative procedures and guidelines necessary to administer the provisions of this chapter; to
conduct inspections; and to prepare the forms necessary to carry out the purposes of this chapter.

(2) Authorized Actions. In addition to other remedies, the City may bring injunctive, declaratory or
other actions to enforce this chapter.

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
(3) Stop Work Orders/Permit Revocation. The Director may suspend work or revoke a permit, as appropriate, if it is found that:

(a) Land clearing or tree removal is not authorized by a valid permit;

(b) Inaccurate information was used to obtain a permit;

(c) The permittee is not complying with any terms of the permit or approved plans;

(d) Work, in the Director’s judgment, is a hazard to property or public safety, is adversely affecting or about to adversely affect adjacent property or rights-of-way, a drainage way, watercourse, environmentally critical area, or storm water facility, or is otherwise adversely affecting the public health, safety, or welfare;

(e) Adverse weather is causing significant problems on- or off-site;

(f) Any land clearing or tree removal is being done prior to or outside of other required land use, engineering, building, or site development permits; or

(g) The required project surety has been expended to the point that it no longer provides assurance of the completion of the project in compliance with the terms of the permit.

The Director may issue the permittee/violator a written stop work order specifying the nature of the violation which must be remedied prior to resuming any work on the project. If the permittee does not comply with the order within the time specified, the Director may enter the project site and perform the required work. All costs incurred by the City in performing such work shall be drawn against any financial guarantee posted by the permittee to ensure the enforcement of the provisions of this chapter. In the absence of sufficient financial guarantee or surety, the City may place a lien against the property in the amount of funds expended to perform the required work and any corrective action.

(4) Mitigation and Restoration Plan. Violators of this chapter or a permit issued hereunder shall be responsible for restoring unlawfully damaged areas in conformance with a plan, approved by the Director, which provides for mitigation, repair of any tree damage, and restoration of the site, and which results in a site condition that, to the greatest extent practical, equals the site condition that would have existed in the absence of the violation(s). Violators shall be liable for environmental damage caused thereby and shall be required to mitigate such damage as follows:

(a) Mitigation and Assessment of Tree Value.

(i) In assessing the environmental damage resulting from a violation of this chapter, the Director shall determine the amount and value of the trees and/or ground cover improperly removed or damaged, the cost of replacing said trees and vegetation, and the
extent and value of any other environmental damage occasioned by any violation. To
determine those values, the Director shall utilize the recommendations of the International
Society of Arboriculture.

(ii) In assessing the environmental damage resulting from a violation of this chapter, a
certified arborist shall prepare and submit to the Director a report describing the likely
condition of the site had the land clearing activities been conducted in compliance with
the requirements of this chapter.

(iii) The Director may also estimate the probable worth of trees and/or ground cover
removed by analyzing the best case growing capability of the site, taking into
consideration the soil conditions, the health of surrounding tree stands and the type of
species believed to have been removed, or whatever resources are available to
determine environmental damage.

(iv) Under no circumstances shall environmental damage be less than cost of planting
and maintenance to comply with the minimum tree preservation or replanting
requirements.

(b) Restoration and Timely Compliance.

(i) When the Director has determined the value of the environmental damage by a
violation of this chapter, the Director shall have a comprehensive plan prepared for the
restoration of the site which shall include a time schedule for compliance. The cost of
preparing such plan shall be assessed against the violator. Said plan shall provide for the
rehabilitation of the site and for the installation of new trees and/or ground cover whose
value is commensurate to the value of the environmental damage.

(ii) If the Director determines that the cost of restoring the site is less than the value of
environmental damage occasioned to the site, then the City may utilize said funds for
planting trees, shrubs or other native vegetation in other areas of the City.

(iii) Within the time established in the plan for completion of the mitigation, the applicant
and/or property owner shall complete all restoration required therein, including
maintenance of trees for three years.

(iv) In the event the violator does not timely implement the restoration plan, the City shall
implement the plan by utilizing City employees or by employing a private contractor. Upon
completion of said work, the costs thereof shall be due and owing to the City from the
violator and the surety, if any, as a joint and separate liability. In addition, the City may
seek restitution from the violator through liens or any other available legal means. The
violator and the surety shall be jointly and severally responsible for any restoration costs
and attorneys’ fees incurred by the City.
(5) Prohibition of Further Approvals. The City shall not accept, process, or approve any application for a subdivision or any other land use, building or development permit, or issue a certificate of occupancy for property on which a violation of this chapter has occurred until the violation is cured by restoration or other means accepted by the Director and by payment of any penalty imposed for the violation.

(6) Penalties.

(a) Criminal. Any person, firm, or corporation who knowingly violates or fails to comply with any term or provision of a tree removal or major tree clearing permit in this chapter shall be deemed to have committed a misdemeanor, and if found guilty, shall be subject to a fine not to exceed $1,000, or imprisonment not to exceed 90 days or both such fine and imprisonment. Each day shall be a separate offense. In the event of a repeated and/or continuing violations or failure to comply, subsequent violations shall constitute a gross misdemeanor punishable by a fine not to exceed $5,000 or imprisonment not to exceed 365 days or both such fine and imprisonment. Continuing violation shall mean the same type of violation which is committed within a year of the initial violation.

(b) Civil. As an additional concurrent penalty, it shall be a civil infraction for a person, firm, or corporation to violate or fail to comply with any term or provision of this chapter. Each day shall be a separate infraction. A person, firm, or corporation found to have committed a civil infraction shall be assessed a monetary penalty in accordance Chapter 1.30 CMC.

(c) Revocation of Business License and Prohibition of Future Tree Removal or Tree Clearing Activity. Any person who commits, participates in, assists or maintains such violation of this chapter shall also be guilty of a misdemeanor and may have their Covington business license revoked for one year and may be prohibited from conducting any tree removal, land clearing or grading activities for a period of one year.

(7) Public Nuisance. Any violation of the provisions of this chapter or a violation of a permit issued hereunder is declared to be a public nuisance and may be abated through proceeding for injunctive or similar relief in superior court or other court of competent jurisdiction. (Ord. 04-08 § 2)

18.45.140 Appeals.

(1) Minor Tree Removal Permits (Type I Decision). Minor tree removal permits are Type I decisions with no administrative appeal as specified in Chapter 14.30 CMC.

(2) Major Tree Clearing Permits (Type II Decision). Major tree clearing permits are Type II decisions and may be appealed to the Hearing Examiner as specified in Chapters 2.25 and 14.45 CMC.

(3) Appeal of Director’s Interpretation and Determination of This Chapter. The Director’s determination or interpretation while administering or enforcing any and all provisions of this chapter.
chapter, including issuance, conditioning or denial of any permit, or tree preservation plan, or tree enhancement plan, may be appealed to the City’s Hearing Examiner in accordance with Chapters 2.25 and 14.45 CMC.

(4) Hearing Examiner Modification of Director’s Decision. The City’s Hearing Examiner may modify or amend the Director’s determination or interpretation based on the following criteria:

(a) Whether the violation involved tree removal for monetary gain;

(b) Whether the appellant has previously violated or intentionally violated provisions of this chapter;

(c) Whether the Director’s determination or interpretation substantially exceeds or understates the actual intent and purpose of this chapter; or

(d) Whether the violation was intended or was in reckless disregard of provisions of this chapter.

(5) Appeals Involving Determination of Environmental Damages. For any appeals involving determination of environmental damage as outlined in CMC 18.45.130(4)(a), the Hearing Examiner shall not reduce the Director’s valuation of any environmental damage if said amount does not exceed the actual cost of restoring the site pursuant to said restoration plan. If an appeal involves determination of environmental damages as outlined in CMC 18.45.130(4)(a), and if the Hearing Examiner determines that the Director’s valuation of environmental damage should be reduced, then the Examiner shall compute the amount of said reduction based upon the following factors:

(a) Whether the appellant voluntarily cooperated with the City’s efforts to view and restore the site;

(b) Whether the appellant demonstrated due diligence and/or substantial progress in implementing the site restoration plan; and

(c) Whether the appellant has presented a genuine issue pertaining to the interpretation of any provision of this chapter. (Ord. 02-09 § 12; Ord. 04-08 § 2)

18.45.150 Severability.
If any section, paragraph, subsection, clause or phrase of this chapter is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this chapter. (Ord. 04-08 § 2)
Chapter 18.50
DEVELOPMENT STANDARDS – PARKING AND CIRCULATION

Sections:
18.50.010 Purpose.
18.50.020 Authority and application.
18.50.030 Computation of required off-street parking spaces.
18.50.040 Shared parking requirements.
18.50.050 Exceptions for community residential facilities (CRFs) and senior citizen assisted housing.
18.50.060 Parking for the disabled.
18.50.070 Loading space requirements.
18.50.080 Stacking spaces and restrictions for drive-through facilities.
18.50.090 Transit and rideshare provisions.
18.50.100 Pedestrian and bicycle circulation and access.
18.50.110 Off-street parking plan design standards.
18.50.120 Off-street parking construction standards.
18.50.130 Compact car allowance requirements.
18.50.140 Internal circulation street standards.
18.50.150 Trail improvements and connections.
18.50.160 Electric vehicle charging station requirements – Downtown zones.
18.50.170 Electric vehicle charging station requirements – R-18, MR, NC, CC, RCMU, and I zones.
18.50.180 Electric vehicle charging station design standards.
18.50.190 Recreational vehicles – Parking, storage, and habitation.

18.50.010 Purpose.
The purpose of this chapter is to provide adequate parking for all uses allowed in this title; to reduce demand for parking by encouraging alternative means of transportation including public...
transit, rideshare and bicycles; and to increase pedestrian mobility in urban areas by:

(1) Setting minimum off-street parking standards for different land uses that assure safe, convenient and adequately sized parking facilities within activity centers;

(2) Providing incentives to rideshare through preferred parking arrangements;

(3) Providing for parking and storage of bicycles;

(4) Providing safe direct pedestrian access from public rights-of-way to structures and between developments;

(5) Requiring uses which attract large numbers of employees or customers to provide transit stops; and

(6) Ensure compliance with the Covington design manual. (Ord. 42-02 § 2 (21A.18.010))

18.50.020 Authority and application.

(1) Before an occupancy permit may be granted for any new or enlarged building or for a change of use in any existing building, the use shall be required to meet the provisions of this chapter. Downtown zones shall be subject to the parking access and circulation standards in accordance with Chapter 18.31 CMC unless otherwise specified by Chapter 18.31 CMC.

(2) If this chapter does not specify a parking requirement for a land use, the Director shall establish the minimum requirement based on a study of anticipated parking demand. Transportation demand management actions taken at the site shall be considered in determining anticipated demand. In the study the applicant shall provide sufficient information to demonstrate that the parking demand for a specific land use will be satisfied. Parking studies shall be prepared by a professional engineer with expertise in traffic and parking analyses, or an equally qualified individual as authorized by the Director.

(3) If the required amount of off-street parking has been proposed to be provided off-site, the applicant shall provide written contracts with affected landowners showing that required off-street parking shall be provided in a manner consistent with the provisions of this chapter. The contracts shall be reviewed by the Director for compliance with this chapter, and if approved, the contracts shall be recorded with the County Records and Elections Division as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the Director. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.18.020))

18.50.030 Computation of required off-street parking spaces.

(1) Except as modified in CMC 18.50.070(2) and (3), off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as a number of spaces per square feet mean the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building
maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of one-half or greater rounding up and fractions below one-half rounding down.

(2) Minimum off-street parking requirements for the downtown zones are subject to the provisions of Chapter 18.31 CMC.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential (CMC 18.25.030):</strong></td>
<td></td>
</tr>
<tr>
<td>Single detached/townhouse</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Apartment:</td>
<td></td>
</tr>
<tr>
<td>Studio units (8)</td>
<td>1.2 per dwelling unit</td>
</tr>
<tr>
<td>One-bedroom units (8)</td>
<td>1.5 per dwelling unit</td>
</tr>
<tr>
<td>Two-bedroom units (8)</td>
<td>1.7 per dwelling unit</td>
</tr>
<tr>
<td>Three-bedroom units or larger</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Mobile home park</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Senior citizen assisted</td>
<td>1 per 2 dwelling or sleeping units</td>
</tr>
<tr>
<td>Community residential facilities</td>
<td>1 per two bedrooms</td>
</tr>
<tr>
<td>Dormitory, including religious</td>
<td>1 per two bedrooms</td>
</tr>
<tr>
<td>Bed and breakfast guesthouse</td>
<td>1 per guest room, plus 2 per facility</td>
</tr>
<tr>
<td><strong>Recreation/Cultural (CMC 18.25.040):</strong></td>
<td></td>
</tr>
<tr>
<td>Recreation/culture</td>
<td>1 per 400 square</td>
</tr>
<tr>
<td>uses</td>
<td>feet</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>Exceptions:</td>
<td></td>
</tr>
<tr>
<td>Bowling center</td>
<td>5 per lane</td>
</tr>
<tr>
<td>Golf course</td>
<td>3 per hole, plus 1 per 300 square feet of club house facilities</td>
</tr>
<tr>
<td>Tennis club</td>
<td>4 per tennis court plus 1 per 300 square feet of clubhouse facility</td>
</tr>
<tr>
<td>Golf driving range</td>
<td>1 per tee</td>
</tr>
<tr>
<td>Park/playfield</td>
<td>Director decision</td>
</tr>
<tr>
<td>Theater</td>
<td>1 per 3 fixed seats</td>
</tr>
<tr>
<td>Conference center</td>
<td>1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces</td>
</tr>
</tbody>
</table>

**General Services (CMC 18.25.050):**

<p>| General services uses (9)     | 1 per 400 square feet                     |
| Exceptions:                  |                                           |
| Funeral home/crematory       | 1 per 50 square feet of chapel area       |
| Day care I                   | 2 per facility                            |</p>
<table>
<thead>
<tr>
<th>Activity</th>
<th>Per Unit or Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Day care II</td>
<td>2 per facility, plus 1 space for each 20 children</td>
</tr>
<tr>
<td>Church, synagogue, temple</td>
<td>1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes</td>
</tr>
<tr>
<td>Outpatient and veterinary clinic offices</td>
<td>1 per 400 square feet of office, labs and examination rooms</td>
</tr>
<tr>
<td>Nursing and personal care facilities</td>
<td>1 per 4 beds</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 per bed</td>
</tr>
<tr>
<td>Elementary schools</td>
<td>1 per classroom, plus 1 per 50 students</td>
</tr>
<tr>
<td>Secondary schools:</td>
<td></td>
</tr>
<tr>
<td>Middle/junior high schools</td>
<td>1 per classroom, plus 1 per 50 students</td>
</tr>
<tr>
<td>High schools</td>
<td>1 per classroom, plus 1 per 10 students</td>
</tr>
<tr>
<td>High schools with stadiums</td>
<td>Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium</td>
</tr>
<tr>
<td>Vocational schools</td>
<td>1 per classroom, plus 1 per five students</td>
</tr>
<tr>
<td>Specialized instruction schools</td>
<td>1 per classroom, plus 1 per two students</td>
</tr>
<tr>
<td>Artist studios</td>
<td>0.9 per 1,000 square feet of area used for studios</td>
</tr>
<tr>
<td><strong>Government/Business Services (CMC 18.25.060):</strong></td>
<td></td>
</tr>
<tr>
<td>Government/business services uses</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td><strong>Exceptions:</strong></td>
<td></td>
</tr>
<tr>
<td>Public agency yard</td>
<td>1 per 400 square feet of offices, plus 0.9 per 1,000 square feet of indoor storage or repair areas</td>
</tr>
<tr>
<td>Public agency archives</td>
<td>0.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas</td>
</tr>
<tr>
<td>Courts</td>
<td>3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas</td>
</tr>
<tr>
<td>Police facility</td>
<td>Director decision</td>
</tr>
<tr>
<td>Fire facility</td>
<td>Director decision</td>
</tr>
<tr>
<td>Construction and trade</td>
<td>1 per 300 square feet of office, plus 1 per 3,000</td>
</tr>
<tr>
<td>Service</td>
<td>Requirements</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Warehousing and storage</td>
<td>1 per 300 square feet of office, plus 0.9 per 1,000 square feet of storage area</td>
</tr>
<tr>
<td>Self-service storage</td>
<td>1 per 3,500 square feet of storage area, plus 2 for any resident Director’s unit</td>
</tr>
<tr>
<td>Outdoor advertising services</td>
<td>1 per 400 square feet of office, plus 0.9 per 1,000 square feet of storage area</td>
</tr>
<tr>
<td>Heavy equipment repair</td>
<td>1 per 400 square feet of office, plus 0.9 per 1,000 square feet of indoor repair areas</td>
</tr>
<tr>
<td>Office</td>
<td>1 per 400 square feet</td>
</tr>
</tbody>
</table>

**Retail/Wholesale (CMC 18.25.070):**

<p>| Retail trade uses (9)        | 1 per 400 square feet                                                       |
| Exceptions                   |                                                                             |
| Farmers’ and public markets  | 2 per vendor space                                                          |
| Food stores, less than 15,000 square feet (9)  | 3 plus 1 per 400 square feet                                                |</p>
<table>
<thead>
<tr>
<th>Service Type</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gasoline service stations without grocery</td>
<td>3 per facility, plus 1 per service bay</td>
</tr>
<tr>
<td>Gasoline service stations with grocery, no service bays</td>
<td>1 per facility, plus 1 per 400 square feet of store</td>
</tr>
<tr>
<td>Restaurants</td>
<td>1 per 75 square feet in dining or lounge areas</td>
</tr>
<tr>
<td>Wholesale trade uses</td>
<td>0.9 per 1,000 square feet</td>
</tr>
<tr>
<td>Retail and wholesale trade mixed-use</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td>Manufacturing (CMC 18.25.080)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing uses</td>
<td>0.9 per 1,000 square feet</td>
</tr>
<tr>
<td>Winery/brewery (9)</td>
<td>0.9 per 1,000 square feet, plus 1 per 50 square feet of tasting area</td>
</tr>
<tr>
<td>Resources (CMC 18.25.090)</td>
<td></td>
</tr>
<tr>
<td>Resource uses</td>
<td>Director decision</td>
</tr>
<tr>
<td>Regional (CMC 18.25.100)</td>
<td></td>
</tr>
<tr>
<td>Regional uses</td>
<td>Director decision</td>
</tr>
</tbody>
</table>

(3) An applicant may request a modification of the minimum required number of parking spaces by providing that parking demand can be met with a reduced parking requirement. In such cases, the Director may approve a reduction of up to 50 percent of the minimum required number of spaces.

(4) When the City has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses results in different parking requirements, the Director will establish the amount of parking based on a likely range of uses.
(5) Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.

(6) In any development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.

(a) Off-street parking areas shall contain at least one bicycle parking space for every 12 spaces required for motor vehicles except as follows:

(i) The Director may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.

(ii) The Director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include but not be limited to the following uses:

(A) Park/playfield;

(B) Library/museum/arboretum;

(C) Elementary/secondary school;

(D) Sports club; or

(E) Retail business (when located along a developed bicycle trail or designated bicycle route).

(b) Bicycle facilities for patrons shall be located within 50 feet of the building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.

(c) All bicycle parking and storage shall be located in safe, visible areas that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

(d) When more than 10 people are employed on site, enclosed locker-type parking facilities for employees shall be provided. The Director shall allocate the required number of parking spaces between bike rack parking and enclosed locker-type parking facilities.

(e) One indoor bicycle storage space shall be provided for every two dwelling units in townhouse and apartment residential uses, unless individual garages are provided for every unit. The Director may reduce the number of bike rack parking spaces if indoor storage facilities are available to all residents.

(7) All developments that require off-street parking shall be subject to the provisions of the electric
vehicle charging station requirements in CMC 18.50.160 through 18.50.180.

(8) In the MR and RCMU zones, the following standards shall apply to residential units in a mixed-use or multifamily building:

(a) Studio and one-bedroom units: 1.0 per dwelling unit.

(b) Two-bedroom units: 1.5 per dwelling unit.

(c) Three-bedroom units: 2.0 per dwelling unit.

(d) One visitor space for every 10 dwelling units rounded upward to the nearest multiple of 10.

(e) On-street parking on streets along the lot frontage can be used to meet a portion of the required number of parking spaces with an approved parking study.

(9) In the MR and RCMU zones, on-street parking on streets adjacent to the lot frontage can be used to meet all or a portion of the required number of parking spaces with an approved parking study. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 09-09 § 6; Ord. 42-02 § 2 (21A.18.030))

18.50.040 Shared parking requirements.
The amount of off-street parking required by CMC 18.50.030 may be reduced by an amount determined by the Director when shared parking facilities for two or more uses are proposed, provided:

(1) The total parking area exceeds 8,000 square feet;

(2) The parking facilities are designed and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian facilities and no building or use involved is more than 800 feet from the most remote shared facility;

(3) The amount of the reduction shall not exceed 20 percent for each use, unless:

(a) The normal hours of operation for each use are separated by at least one hour; or

(b) A parking demand study is prepared by a professional traffic engineer and submitted by the applicant documenting that the hours of actual parking demand for the proposed uses will not conflict and those uses will be served by adequate parking if shared parking reductions are authorized;

(c) The Director will determine the amount of reduction subject to subsection (4) of this section;

(4) The total number of parking spaces in the common parking facility is not less than the minimum required spaces for any single use;
(5) A covenant or other contract for shared parking between the cooperating property owners is approved by the Director. This covenant or contract must be recorded with King County Records and Elections Division as a deed restriction on both properties and cannot be modified or revoked without the consent of the Director; and

(6) If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the Director or provide the full amount of required off-street parking for each use, in accordance with the requirements of this chapter, unless a satisfactory alternative remedy is approved by the Director. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.18.040))

18.50.050 Exceptions for community residential facilities (CRFs) and senior citizen assisted housing.
(1) The minimum requirement of one off-street parking space per two bedrooms for CRFs and one off-street parking space per two senior citizen assisted housing units may be reduced by up to 50 percent, as determined by the Director based on the following considerations:

   (a) Availability of private, convenient transportation services to meet the needs of the CRF residents;

   (b) Accessibility to and frequency of public transportation; and

   (c) Pedestrian access to health, medical, and shopping facilities.

(2) If a CRF or senior citizen assisted housing is no longer used for such purposes, additional off-street parking spaces shall be required in compliance with this chapter prior to the issuance of a new certificate of occupancy. (Ord. 42-02 § 2 (21A.18.050))

18.50.060 Parking for the disabled.
Off-street parking and access for physically disabled persons shall be provided in accordance with the regulations adopted pursuant to Chapter 19.27 RCW, State Building Code, and Chapter 70.92 RCW, Public Buildings – Provisions for Aged and Disabled. (Ord. 42-02 § 2 (21A.18.060))

18.50.070 Loading space requirements.
(1) Every nonresidential building engaged in retail, wholesale, manufacturing or storage activities, excluding self-service storage facilities, shall provide loading spaces in accordance with the standards listed below:

<table>
<thead>
<tr>
<th>Gross Floor Area (square feet)</th>
<th>Required Number of Loading Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000 to 16,000</td>
<td>1</td>
</tr>
</tbody>
</table>
For each additional 36,000

(2) Every building engaged in hotel, office building, restaurant, hospital, auditorium, convention hall, exhibition hall, sports arena/stadium or other similar use shall provide loading spaces in accordance with the standards listed below:

<table>
<thead>
<tr>
<th>Gross Floor Area (square feet)</th>
<th>Required Number of Loading Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>40,000 to 60,000</td>
<td>1</td>
</tr>
<tr>
<td>60,001 to 160,000</td>
<td>2</td>
</tr>
<tr>
<td>160,001 to 264,000</td>
<td>3</td>
</tr>
<tr>
<td>264,001 to 388,000</td>
<td>4</td>
</tr>
<tr>
<td>388,001 to 520,000</td>
<td>5</td>
</tr>
<tr>
<td>520,001 to 652,000</td>
<td>6</td>
</tr>
<tr>
<td>652,001 to 784,000</td>
<td>7</td>
</tr>
<tr>
<td>784,001 to 920,000</td>
<td>8</td>
</tr>
<tr>
<td>For each additional 140,000</td>
<td>1 additional</td>
</tr>
</tbody>
</table>

(3) Each loading space required by this section shall be a minimum of 10 feet wide, 30 feet long, and have an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Loading spaces shall be located so that trucks shall not obstruct pedestrian or vehicle traffic movement or project into any public right-of-way. All loading space areas shall be separated from parking areas and shall be designated as truck loading spaces. All loading areas shall be screened from public view and oriented away from any public right-of-way when possible.
(4) Any loading space located within 100 feet of areas zoned for residential use shall be screened and operated as necessary to reduce noise and visual impacts. Noise mitigation measures may include architectural or structural barriers, beams, walls, or restrictions on the hours of operation.

(5) Multi-story self-service storage facilities shall provide two loading spaces, and single story facilities one loading space, adjacent to each building entrance that provides common access to interior storage units. Each loading berth shall measure not less than 25 feet by 12 feet with an unobstructed vertical clearance of 14 feet six inches, and shall be surfaced, improved and maintained as required by this chapter. Any floor area additions or structural alterations to a building shall be required to provide loading space or spaces as set forth in this chapter. (Ord. 42-02 § 2 (21A.18.070))

18.50.080 Stacking spaces and restrictions for drive-through facilities.
(1) A stacking space shall be an area measuring eight feet by 20 feet with direct forward access to a service window of a drive-through facility. A stacking space shall be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas. Stacking spaces for drive-through or drive-in uses may not be counted as required parking spaces.

(2) Uses providing drive-up or drive-through services shall provide vehicle stacking spaces as follows:

   (a) For each drive-through lane of a bank/financial institution, business service, or other drive-through use not listed, a minimum of five stacking spaces shall be provided; and

   (b) For each drive-through lane of a restaurant, a minimum of seven stacking spaces shall be provided.

(3) Restrictions on the Location of Drive-Through Facilities.

   (a) In the commercial zones, drive-up windows shall not face a public right-of-way.

   (b) Stacking spaces for an approved drive-up window shall be screened from public view through the use of architectural or structural barriers, beams, walls, or landscape material.

   (c) In the neighborhood commercial zone, drive-up windows are limited to espresso and pharmacy uses. (Ord. 42-02 § 2 (21A.18.080))

18.50.090 Transit and rideshare provisions.
(1) All land uses listed in CMC 18.25.060 (government/business services) and in CMC 18.25.080 (manufacturing), hospitals, high schools, vocational schools, universities and specialized instruction schools shall be required to reserve one parking space of every 20 required spaces for rideshare parking as follows:
(a) The parking spaces shall be located closer to the primary employee entrance than any other employee parking except disabled;

(b) Reserved areas shall have markings and signs indicating that the space is reserved; and

(c) Parking in reserved areas shall be limited to vanpools and carpools established through rideshare programs by public agencies and to vehicles meeting minimum rideshare qualifications set by the employer;

(2) The Director may reduce the number of required off-street parking spaces when one or more scheduled transit routes provide service within 660 feet of the site. The amount of reduction shall be based on the number of scheduled transit runs between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. each business day up to a maximum reduction as follows:

   (a) Four percent for each run serving land uses for government/business services and manufacturing up to a maximum of 40 percent; and

   (b) Two percent for each run serving land uses for recreation/culture, general services and retail/wholesale up to a maximum of 20 percent; and

(3) All uses which are located on an existing transit route and are required under the computation for required off-street parking spaces in CMC 18.50.030(1) to provide more than 200 parking spaces may be required to provide transit shelters, bus turnout lanes or other transit improvements as a condition of permit approval. Uses which reduce required parking under subsection (2) of this section shall provide transit shelters if transit routes adjoin the site. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.18.090))

18.50.100 Pedestrian and bicycle circulation and access.

(1) Pedestrian and bicycle parking standards for the downtown zones are provided in Chapter 18.31 CMC.

(2) All permitted nonresidential uses in the community and neighborhood commercial zones shall provide pedestrian and bicycle access within and onto the site. Access points onto the site shall be provided:

   (a) Approximately every 300 feet along existing and proposed perimeter sidewalks and walkways; and

   (b) At all arrival points to the site, including abutting street intersections, crosswalks, and transit stops. In addition, access points to and from adjacent lots shall be coordinated to provide circulation patterns between developments.

(3) Residential Uses.
(a) All permitted residential uses of five or more dwelling units shall provide pedestrian and bicycle access within and onto the site. Access points onto the site shall be provided:

(i) Approximately every 800 to 1,000 feet along existing and proposed perimeter sidewalks and walkways; and

(ii) At all arrival points to the site, including abutting street intersections, crosswalks, and transit and school bus stops. In addition, access points to and from adjacent lots shall be coordinated to provide circulation patterns between sites.

(b) Residential uses of five or more dwelling units shall provide for nonmotorized circulation between cul-de-sacs or groups of buildings to allow pedestrian and bicycle access within and through the development to adjacent activity centers, parks, common tracts, dedicated open space intended for active recreation, schools or other public facilities, transit and school bus stops, and public streets.

(c) Access shall only be required to school bus stops that are within or adjacent to a proposed residential use of five or more dwelling units and that are identified by the affected school district in response to a notice of application. In order to allow school districts to identify school bus stops, the Department shall send a notice of application to affected school districts on all applications for residential uses of five or more dwelling units.
Walkways Running Parallel to Parking

(4) Walkways shall form an on-site circulation system that minimizes the conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. Walkways shall be provided when the pedestrian access point onto the site, or any parking space, is more than 75 feet from the building entrance or principal on-site destination and as follows:

(a) All developments which contain more than one building shall provide walkways between the principal entrances of the buildings;

(b) All nonresidential buildings set back from the public right-of-way shall provide for direct pedestrian access from the building to buildings on adjacent lots; and

(c) Walkways across parking areas shall be located as follows:

(i) Walkways running parallel to the parking rows shall be provided for every six rows. Rows without walkways shall be landscaped or contain barriers or other means to encourage pedestrians to use the walkways; and

(ii) Walkways running perpendicular to the parking rows shall be no further than 20 parking spaces. Landscaping, barriers or other means shall be provided between the parking rows to encourage pedestrians to use the walkways;
(5) Pedestrian and bicycle access and walkways shall meet the following minimum design standards:

(a) Access and walkways shall be well lit and physically separated from driveways and parking spaces by landscaping, berms, barriers, grade separation or other means to protect pedestrians from vehicular traffic;

(b) Access and walkways shall be a minimum of five feet of unobstructed width and meet the surfacing standards of the City of Covington road standards for walkways or sidewalks and the provisions of the design manual;

(c) The minimum standard for walkways required to be accessible for persons with disabilities shall be designed and constructed to comply with the current State Building Code regulations for barrier-free accessibility;

(d) A crosswalk shall be required when a walkway crosses a driveway or a paved area accessible to vehicles.

(6) Blocks in excess of 460 feet shall be provided with a crosswalk at the approximate midpoint of the block.

(7) The Director may waive or modify the requirements of this section when:

(a) The standards conflict with specific design requirements for development in the downtown zone, as provided in Chapter 18.31 CMC;

(b) Existing or proposed improvements would create an unsafe condition or security concern;

(c) There are topographical constraints, or existing or required structures effectively block access;

(d) The land use would not generate the need for pedestrian or bicycle access; or

(e) The public is not allowed access to the subject land use.

The Director’s waiver may not be used to modify or waive the requirements of this section relating to sidewalks and safe walking conditions for students. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.18.100))

18.50.110 Off-street parking plan design standards.
(1) Off-street parking areas shall not be located more than 600 feet from the building they are required to serve, unless approved by the Director, for all uses except those specified as follows; where an off-street parking area does not abut the building it serves, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:
(a) For all single detached dwellings, the parking spaces shall be located on the same lot they are required to serve;

(b) For all other residential dwellings, at least a portion of parking areas shall be located within 150 feet from the building or building(s) they are required to serve;

(c) For all nonresidential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve;

(d) In designated activity, community business and neighborhood business centers, parking lots shall be located to the rear or sides of buildings. Relief from this subsection (1)(d) may be granted by the Director only if the applicant can demonstrate that there is no practical site design to meet this requirement. The Director may allow only the number of parking spaces that cannot be accommodated to the rear or sides of buildings to be located to the front of buildings;

(e) Parking lots shall be so arranged as to permit the internal circulation of vehicles between parking aisles without re-entering adjoining public streets;

(f) Parking for the disabled shall be provided in accordance with CMC 18.50.060; and

(g) In the MR and RCMU zones, off-street surface parking shall be separated from a street by a building except when:

   (i) Parking is located adjacent to a building facade that is not oriented to a street frontage; or

   (ii) Parking is located in the driveway of a single-family detached residence or townhouse; or

   (iii) Parking is located in a park; or

   (iv) Parking is located along up to 20 percent of the applicable street frontage and is screened by landscaping or other physical barrier, such as a berm, wall or sight-obscuring fence.
(2) The minimum parking space and aisle dimensions for the most common parking angles are shown on the table in this subsection. For parking angles other than those shown on the chart, the minimum parking space and aisle dimensions shall be determined by the Director. Regardless of the parking angle, one-way aisles shall be at least 10 feet wide, and two-way aisles shall be at least 20 feet wide. If dead end aisles are used in the parking layout, they shall be constructed as two-way aisles. Parking plans for angle parking shall use space widths no less than eight feet six inches for a standard parking space design and eight feet for a compact car parking space design.

---

Minimum Parking Stall and Aisle Dimensions*
<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking Angle</td>
<td>Stall Width</td>
<td>Curb Length</td>
<td>Stall Depth</td>
<td>Aisle Width 1-Way</td>
<td>Aisle Width 2-Way</td>
</tr>
<tr>
<td>0</td>
<td>8.0* Min. 8.5 Desired 9.0</td>
<td>20.0* Min. 8.5</td>
<td>8.0 8.5</td>
<td>12.0 20.0</td>
<td>**</td>
</tr>
<tr>
<td>30</td>
<td>8.0* Min. 8.5 Desired 9.0</td>
<td>16.0* Min. 8.5</td>
<td>15.0 16.5</td>
<td>10.0 20.0</td>
<td>**</td>
</tr>
<tr>
<td>45</td>
<td>8.0* Min. 8.5 Desired 9.0</td>
<td>11.5* Min. 8.5</td>
<td>17.0 17.0</td>
<td>12.0 20.0</td>
<td>**</td>
</tr>
<tr>
<td>60</td>
<td>8.0* Min. 8.5 Desired 9.0</td>
<td>9.6* Min. 8.5</td>
<td>18.0 20.0</td>
<td>18.0 20.0</td>
<td>**</td>
</tr>
<tr>
<td>90</td>
<td>8.0* Min. 8.5 Desired 9.0</td>
<td>8.0* Min. 8.5</td>
<td>16.0* 18.0</td>
<td>24.0 24.0</td>
<td>**</td>
</tr>
</tbody>
</table>

* For compact stalls only.
** Variable with compact and standard combinations.
(3) Any parking spaces abutting a required landscaped area on the driver or passenger side of the vehicle shall provide an additional 18 inches above the minimum space width requirement to provide a place to step other than in the landscaped area. The additional width shall be separated from the adjacent parking space by a parking space division stripe.

(4) The parking space depth may be reduced if vehicles overhang a walkway or landscaping under the following conditions:

(a) Wheel stops or curbs are installed;

(b) The remaining walkway provides a minimum of 48 inches of unimpeded passageway for pedestrians;

(c) The amount of space depth reduction is limited to a maximum of 18 inches; and

(d) Landscaping is designed in accordance with CMC 18.40.080(5).
(5) Driveways providing ingress and egress between off-street parking areas and abutting streets shall be designed, located and constructed in accordance with the provisions of Chapter 12.60 CMC, City of Covington Street Standards. Driveways for single detached dwellings, no more than 20 feet in width, may cross required setbacks or landscaped areas to provide access between the off-street parking areas and the street, provided no more than 15 percent of the required landscaping or setback area is eliminated by the driveway. Joint use driveways may be located within required landscaping or setback areas. Driveways for all other developments may cross or be located within required setbacks or landscaped areas to provide access between the off-street parking areas and the street, if no more than 10 percent of the required landscaping is displaced by the driveway and the driveway is located no closer than five feet from any property line except where intersecting the street.

(6) Parking spaces required under this title shall be located as follows:

   (a) For single detached dwelling units the required parking spaces shall be outside of any required setbacks or landscaping, but driveways crossing setbacks and required landscaping may be used for parking. However, if the driveway is a joint use driveway, no vehicle parked on the driveway shall obstruct any joint user’s access to the driveway or parking spaces;

   (b) For all other developments parking spaces may be permitted by the Director in setback areas in accordance with an approved landscape plan; and

   (c) For nonresidential uses in residential zones, parking is permitted in setback areas in accordance with CMC 18.30.250.

(7) Lighting shall be provided for safety of traffic and pedestrian circulation on the site. It shall be designed to minimize direct illumination of abutting properties and adjacent streets.

(8) Tandem or end-to-end parking is allowed in residential developments. Apartment or townhouse developments may have tandem parking areas for each dwelling unit but shall not combine parking for separate dwelling units in tandem parking areas.

(9) All vehicle parking and storage for single detached dwellings must be in a garage, carport or on an approved impervious surface. Any impervious surface used for vehicle parking or storage must have direct and unobstructed driveway access.

(10) The total number of vehicles parked or stored outside of a building on a single-family lot in the R-4 through R-8 zones, excluding recreational vehicles and trailers, shall not exceed six vehicles on lots 12,500 square feet or less and eight vehicles on lots greater than 12,500 square feet.

(11) Vanpool or carpool parking areas shall meet the following minimum design standards:

   (a) A minimum vertical clearance of seven feet three inches shall be provided to
accommodate van vehicles if designated vanpool or carpool parking spaces are located in a parking structure; and

(b) A minimum turning radius of 26 feet four inches with a minimum turning diameter, curb to curb, of 52 feet five inches shall be provided from parking aisles to adjacent carpool or vanpool parking spaces.

(12) Direct access from the street right-of-way to off-street parking areas shall be subject to CMC 18.75.070.

(13) No dead end alley may provide access to more than eight off-street parking spaces. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.18.110))

18.50.120 Off-street parking construction standards.
(1) Off-street parking areas shall have dust-free, all-weather surfacing and lighting. Typical approved sections are illustrated below. Frequently used (at least five days a week) off-street parking areas shall conform to the standards shown in A below or an approved equivalent. If the parking area is to be used more than 30 days per year but less than five days a week, then the standards to be used shall conform to the standards shown in B below or an approved equivalent. An exception to these surfacing requirements may be made for certain uses that require intermittent use of their parking facilities less than 30 days per year. Any surface treatment other than those graphically illustrated below must be approved by the Director.

Minimum Surfacing Requirements
(Landscape improvements not shown)

(2) Grading work for parking areas shall meet the requirements of Chapter 15.05 CMC. Drainage and erosion/sedimentation control facilities shall be provided in accordance with Chapter 13.25 CMC.

(3) Asphalt or concrete surfaced parking areas shall have parking spaces marked by surface paint lines or suitable substitute traffic marking material in accordance with the Washington State Department of Transportation Standards. Wheel stops are required where a parked vehicle would encroach on adjacent property, pedestrian access or circulation areas, right-of-way or landscaped areas. Typically approved markings and wheel stop locations are illustrated below.
18.50.130 Compact car allowance requirements.

In any development containing more than 20 parking spaces, up to 50 percent of the total number of spaces may be sized to accommodate compact cars, subject to the following:

(1) Each space shall be clearly identified as a compact car space by painting the word “COMPACT” in capital letters, a minimum of eight inches high, on the pavement at the base of the parking space and centered between the striping;

(City of Covington 3-2001)

(Ord. 42-02 § 2 (21A.18.120))
(2) Aisle widths shall conform to the standards set for standard size cars; and

(3) Apartment developments with less than 20 parking spaces may designate up to 40 percent of the required parking spaces as compact spaces. (Ord. 42-02 § 2 (21A.18.130))

18.50.140 Internal circulation street standards.
Internal access roads to off-street parking areas shall conform with the surfacing and design requirements for private commercial roads set forth in Chapter 12.60 CMC, City of Covington Street Standards. (Ord. 42-02 § 2 (21A.18.140))

18.50.150 Trail improvements and connections.
Any development providing trail connections in accord with Chapter 18.35 CMC shall improve those segments to the following standards:

(1) All trail segments shall be fully accessible in accord with the provisions of the Americans with Disability Act (ADA).

(2) All segments shall be paved to a minimum width of 10 feet. Additional width may be required as determined by the Department.

(3) All paved improvements shall be consistent to approved City standards.

(4) Signage shall be provided at each trail entrance, crossing and intersection. Signage shall be consistent to approved City standards.

(5) Lighting shall be provided to ensure the safe use of all trail facilities where appropriate and consistent with approved City standards. (Ord. 42-02 § 2 (21A.18.150))

18.50.160 Electric vehicle charging station requirements – Downtown zones.
This section applies to all electric vehicle charging stations located in off-street parking facilities or parking garages in the TC, MC, GC, and MHO zones.

(1) New development located in the TC and GC zones shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 100 vehicle parking spaces.

(2) New commercial development located in the MC and MHO zones shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 50 vehicle parking spaces.

(3) Any new government services (CMC 18.31.080) shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station regardless of the number of vehicle parking stalls required for the site. If the number of required off-street vehicle parking stalls exceed the provisions of subsections (1) and (2) of this section, then those regulations shall apply. (Ord. 19-11 § 1 (Exh. 1))

18.50.170 Electric vehicle charging station requirements – R-18, MR, NC, CC, RCMU, and I
zones.
This section applies to all electric vehicle charging stations located in off-street parking facilities or parking garages in the R-18, MR, NC, CC, RCMU and I zones.

(1) New development located in the R-18 and MR zones shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 30 vehicle parking stalls.

(2) New development located in the NC, CC and I zones shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 50 vehicle parking stalls. New development located in the RCMU zone shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 100 vehicle parking stalls.

(3) Any new park (CMC 18.25.040) that is publicly owned and maintained and any new government services (CMC 18.25.060) shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station regardless of the number of vehicle parking stalls required for the site. If the number of required off-street vehicle parking stalls exceeds the provisions of subsections (1) and (2) of this section, then those regulations shall apply. (Ord. 03-14 § 1; Ord. 01-14 § 1 (Exh. A); Ord. 19-11 § 1 (Exh. 1))

18.50.180 Electric vehicle charging station design standards.
(1) An electric vehicle charging station may be included in the calculation for minimum required parking spaces as required in CMC 18.31.110(4) and 18.50.030.

(2) The Director may reduce or waive the requirement for the installation of electric vehicle charging stations if the applicant can demonstrate:

   (a) That a shared parking facility provides access to an adjacent parking facility with a minimum of two existing electric vehicle charging stations; or

   (b) That the proposed parking facility is providing cross-access to an adjacent parking facility with a minimum of two existing electric vehicle charging stations; and

   (c) The applicant has a contract for the shared use of the above-required electric vehicle charging stations between the appropriate property owners. The contract shall be recorded with King County Records and Elections as a deed restriction that cannot be modified or revoked without approval by the Director.

(3) Where electric vehicle charging stations are required in parking lots or parking garages, accessible vehicle charging stations shall be provided.

   (a) Accessible electric vehicle charging stations should be located in close proximity to the building or facility entrance and shall connect to a barrier-free accessible route of travel. It is not required to designate the charging station exclusively for the use of disabled persons.
(4) The provision of electric vehicle parking will vary based on the design and use of the primary parking lot. The following required and additional location and design criteria are provided in recognition of the various parking lot layout options. Where provided, parking for electric vehicle charging purposes shall include the following:

(a) Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operation shall be included if time limits or tow away provisions are to be enforced. Refer to the 2009 Manual on Uniform Traffic Control Devices (MUTCD) for electric vehicle and parking signs, specifically D9-11b, D9-11bP, R7-2, and R7-108, and as amended.

(b) Charging station equipment shall be maintained, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or when other problems are encountered.

(c) Where charging station equipment is provided within an adjacent pedestrian circulation area, such as a sidewalk or accessible route to the building entrance, the charging equipment shall be located so as not to interfere with ADA accessibility requirements.

(d) Where charging station equipment is installed, adequate site lighting shall exist, unless charging is for daytime purposes only.

(e) Charging station outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the surface where mounted, and shall contain a retraction device or a place to hang permanent cords and connectors sufficiently above the ground or paved surface.

(f) Except for parallel parking stalls, adequate equipment protection, such as wheel stops or concrete-filled steel bollards, shall be used. Curbing may be used in lieu of wheel stops or bollards if equipment is set back a minimum of 24 inches from the face of the curb.

(5) Parking for electric vehicles should also consider the following:

(a) Information on the charging station identifying voltage and amperage levels and any time of use, fees, or safety information.

(b) Installation of directional signs at the parking lot entrance and at appropriate decision points to guide motorists to the charging station space(s). Refer to the 2009 Manual on Uniform Traffic Control Devices (MUTCD) for electric vehicle and directional signs, specifically D9-11b, D9-11bP and M6-1, and as amended.

(6) To allow for maintenance and notification, the owner of any private new electric vehicle infrastructure station that will be publicly available shall be required to provide information on the
station’s geographic location, date of installation, equipment type and model, and owner contact information.

(7) On-street electric vehicle charging stations shall conform to the following:

(a) On-street electric vehicle charging stations are not permitted in the R-1 through R-18 zones.

(b) On-street electric vehicle charging stations in the TC, MC, GC and MHO zone shall be installed at either end of designated on-street parking.

(c) Subsequent on-street electric vehicle charging stations should be installed adjacent to existing stations.

(d) Charging station equipment shall be installed in a well-lit area, on a hard surface, near the front of the designated parking space and should provide a minimum of 24 inches’ clearance from the face of the curb and not impede the required minimum ADA accessible route on the sidewalk. (Ord. 19-11 § 1 (Exh. 1))

18.50.190 Recreational vehicles – Parking, storage, and habitation.

(1) The parking or storage of recreational vehicles, except for loading and unloading activities completed within a three-day period within any given two-week period, is not permitted unless there is compliance with the following:

(a) The recreational vehicle is housed within a vented garage or within a carport which is sight-screened from abutting properties by solid board fencing or sight-obscuring landscaping at least six feet in height.

(b) The recreational vehicle may be located within a side or rear yard if in compliance with setback requirements applicable to accessory structures and sight-screened from abutting properties by solid board fencing or sight-obscuring landscaping at least six feet in height. The recreational vehicle does not need to be parked on an approved impervious surface if parked within a side or rear yard.

(c) If there is no reasonable access to a rear or side yard, one recreational vehicle may be located in the front yard driveway as follows:

   (i) In the driveway perpendicular to the right-of-way, provided setback requirements applicable to the primary structure are met.

   (ii) A recreational vehicle stored under this subsection (1)(c) must be licensed and operable.

(2) For purposes of this section, all sides of a property which abut a right-of-way constitute a front
yard.

(3) It is a violation of this section to sleep in, or use for any other habitation or residential purposes, a recreation vehicle or boat parked, placed, or situated on private property for more than 14 days in any 90-day period, except as allowed by subsections (4), (5), and (6) of this section. Should there be any discrepancy between the provisions of subsections (4), (5), and (6) of this section and Chapter 18.85 CMC, Nonconformance, Temporary Uses, and Re-Use of Facilities, the provisions of subsections (4), (5), and (6) of this section shall prevail.

(4) One recreational vehicle may be used as a temporary dwelling on a lot already containing another dwelling unit for a period not to exceed 30 days upon issuance of a temporary use permit by the City pursuant to the provisions of this subsection and CMC 18.85.100.

(a) The temporary use permit issued must be affixed to the recreational vehicle in such a manner that it is prominently displayed and visible, to the extent possible, from a public right-of-way.

(b) Recreational vehicles meeting the requirements of this subsection may be parked within a front yard driveway, need not be sight-screened, and need not comply with accessory structure setback requirements for the effective period of the temporary use permit.

(c) No more than one temporary use permit may be granted for a given property within any six-month period.

(5) As to recreational vehicles only, the requirements of this section shall not apply to a residence if one or more occupants thereof has a current windshield placard or special license plate issued to them by the State of Washington as a qualified disabled person in accordance with RCW 46.19.010. Persons claiming this exemption shall apply to the Director for approval thereof. The Director shall establish procedures and standards for acting on exemption requests hereunder. Only one recreational vehicle per residence may be exempted under this provision.

(6) Based on a written request, the Director may permit a recreational vehicle of any size to be used as a temporary dwelling on a single-family residential lot where the primary dwelling unit is unsafe to occupy by reason of disaster or accident such as fire, wind, earthquake, or other similar circumstance, provided:

(a) The recreational vehicle may be occupied for a maximum of 12 months from the date the primary dwelling was damaged. One 12-month extension may be granted by the Director based on demonstration of continuing hardship and documented good faith efforts to complete construction.

(b) Occupancy of the recreational vehicle shall cease within 30 days of issuance of a certificate of occupancy for reconstruction of the primary dwelling unit at the property.
(c) The recreational vehicle may be located within the required front yard setback but may not obstruct sight distance at driveways and intersections. The recreational vehicle may not be in required side or rear yard setbacks.

(d) Generators shall not be utilized.

(e) The Director’s approval is revocable at any time if the requirements of this section are not met.

(f) The Director shall provide a copy of the approval letter to the applicant, property owner (if different from the applicant), and all adjoining property owners. (Ord. 05-16 § 1 (Exh. A))
Chapter 18.60
DEVELOPMENT STANDARDS – MINERAL EXTRACTION

Sections:

18.60.010 Purpose.
18.60.020 Exemptions.
18.60.030 Extractive operations.
18.60.035 Repealed.
18.60.040 Nonconforming extractive operations.
18.60.050 Periodic review.
18.60.060 Site design standards.
18.60.070 Operating standards.
18.60.080 Reclamation.
18.60.090 Repealed.

18.60.010 Purpose.
The purpose of this chapter is to establish standards which minimize the impacts of grading and extractive operations upon surrounding properties by:

(1) Ensuring adequate review of operating aspects of extractive sites;

(2) Requiring periodic review of extractive and processing operations to ensure compliance with the most current operating standards. (Ord. 08-13 § 3 (Exh. A); Ord. 20-07 § 121; Ord. 42-02 § 2 (21A.22.010))

18.60.020 Exemptions.
The provisions of this chapter shall not apply to uses or activities specifically exempted in Chapter 18.45 CMC. (Ord. 08-13 § 3 (Exh. A); Ord. 42-02 § 2 (21A.22.020))

18.60.030 Extractive operations.
Extractive operations shall commence only after issuance of a grading permit pursuant to Chapter 14.60 CMC. (Ord. 08-13 § 3 (Exh. A); Ord. 20-07 § 122; Ord. 42-02 § 2 (21A.22.030))

18.60.035 Fees.
Repealed by Ord. 08-13. (Ord. 20-07 § 68; Ord. 43-02 § 2 (27.12.010). Formerly 14.60.010)

18.60.040 Nonconforming extractive operations.
To the extent determined feasible by the City, nonconforming extractive operations shall be brought into conformance with the operating standards of CMC 18.60.070. (Ord. 20-07 § 123; Ord. 42-02 § 2 (21A.22.040))

18.60.050 Periodic review.
Unless a more frequent review is required, periodic review of extractive and processing operations shall be provided as follows:

(1) All extractive operations shall be subject to a review of development and operating standards at five-year intervals;

(2) The periodic review shall be:
   (a) Conducted by the Director or his/her designee pursuant to the review process outlined in CMC Title 14; and
   (b) Used to determine that the site is operating consistent with the most current standards and to establish other conditions as necessary to mitigate identifiable environmental impacts;
   (c) The cost of any review by the City shall be the responsibility of the operator of the extractive operation. (Ord. 08-13 § 3 (Exh. A); Ord. 42-02 § 2 (21A.22.050))

18.60.060 Site design standards.
Except as provided for nonconforming extractive operations in CMC 18.60.040, all extractive and processing operations shall at minimum comply with the following standards:

(1) The minimum site area of an extractive operation shall be 10 acres;

(2) Extractive operations on sites larger than 20 acres shall occur in phases to minimize environmental impacts. The size of each phase shall be determined during the review process;

(3) Fences and screening shall be:
   (a) Provided in a manner which screens the use from public view and discourages access to safety hazards which may arise on areas of the site where:
      (i) Active extracting, processing, stockpiling and loading of materials is occurring;
      (ii) Any unstable slope or any slope exceeding a grade of 40 percent is present; or
      (iii) Any settling pond or other storm water facility is present;
   (b) At least six feet in height above the grade measured at a point five feet from the outside of the fence;
   (c) Installed with lockable gates at all openings or entrances;
(d) No more than four inches from the ground to fence bottom;

(e) Maintained in good repair; and

(f) Screening shall include the use of landscape material in accord with Chapter 18.40 CMC;

(4) Warning and trespass signs advising of the extractive operation shall be placed on the perimeter of the site adjacent to R zones at intervals no greater than 200 feet along any unfenced portion of the site where the items noted in subsection (3)(a)(i) through (iii) of this section are present;

(5) Structural setbacks from property lines shall be as follows:

(a) Buildings or structures used in the processing of materials shall be no closer than:

   (i) One hundred feet from any R zoned properties except that the setback may be reduced to 50 feet when the grade where such building or structures are proposed is 50 feet or greater below the grade of said R zoned property; or

   (ii) Twenty feet from any other zoned property, except when adjacent to another extractive site; or

   (iii) Twenty-five feet from any public street;

(b) Offices, scale facilities, equipment storage buildings and stockpiles shall not be closer than 20 feet from any property line except when adjacent to another extractive site;

(6) No clearing, grading or excavation, excluding that necessary for roadway or storm drainage facility construction, shall be permitted within 20 feet of any property line except along any portion of the perimeter adjacent to another extractive operation; provided, that such activities may be pursuant to an approved reclamation plan;

(7) Landscaping as required pursuant to Chapter 18.40 CMC shall be provided along any portion of the site perimeter where disturbances such as site clearing and grading, or mineral extraction or processing is performed, except where adjacent to another extractive operation; and

(8) Lighting shall:

   (a) Be limited to that required for security, lighting of structures and equipment, and vehicle operations; and

   (b) Not direct glare onto surrounding properties. (Ord. 42-02 § 2 (21A.22.060))

18.60.070 Operating standards.
All operating standards shall be as specified in Chapter 18.45 CMC except:
(1) Noise levels produced by an extractive operation shall not exceed levels specified by the City of Covington noise ordinance, Chapter 8.20 CMC;

(2) Blasting shall be conducted:

   (a) Consistent with the methods specified in the Office of Surface Mining, 1987 Blasting Guidance Manual;

   (b) During daylight hours; and

   (c) According to a time schedule that:

      (i) Features regular or predictable times, except in the case of an emergency; and

      (ii) Is provided to residents within one-half mile of the site;

(3) Dust and smoke produced by extractive operations shall not substantially increase the existing levels of suspended particulates at the perimeter of the site and shall be controlled by watering of the site and equipment or other methods specified by the County;

(4) The applicant shall provide for measures to prevent transport of rocks, dirt and mud from trucks onto public roadways;

(5) Traffic control measures such as flagmen or warning signs as determined by the City shall be provided by the applicant during all hours of operation; and

(6) The applicant shall be responsible for cleaning of debris or repairing of damage to roadways caused by the operation. (Ord. 42-02 § 2 (21A.22.070))

18.60.080 Reclamation.
A reclamation plan approved pursuant to the requirements of RCW 78.44.090 shall be submitted prior to the effective date of a rezone approval. (Ord. 08-13 § 3 (Exh. A); Ord. 42-02 § 2 (21A.22.080))

18.60.090 Financial guarantees.
Repealed by Ord. 08-13. (Ord. 20-07 § 124; Ord. 42-02 § 2 (21A.22.090))
Chapter 18.70
WIRELESS COMMUNICATION FACILITIES

Sections:

18.70.010 Purpose.
18.70.020 Exemptions.
18.70.030 Applicability, review, and permits required.
18.70.040 Types of permits – Priority – Preferences – Restrictions.
18.70.050 General requirements.
18.70.060 Landscaping/screening.
18.70.070 Electrical transmission structure collocation – Specific development standards.
18.70.080 Adding antennas to an existing wireless communication facility tower – Specific development standards.
18.70.090 Utility pole collocation – Specific development standards.
18.70.100 Building-mounted concealed facility – Specific development standards.
18.70.110 Request to use nonconcealed facilities attached to a building in lieu of a concealed building attachment.
18.70.120 Nonconcealed building-mounted specific development standards.
18.70.130 Requests for new towers.
18.70.140 Tower-specific development standards.
18.70.150 Height modification.
18.70.160 Setback modification.
18.70.170 Expiration.
18.70.180 Removal of abandoned wireless communication facilities.

18.70.010 Purpose.
The purpose of this chapter is to regulate the placement, construction and modification of wireless communication facilities in order to protect the health, safety, and welfare of the public while not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the City of Covington. The purpose of this chapter will be achieved through

The Covington Municipal Code is current through Ordinance 01-17, passed February 28, 2017.
adherence to the following objectives:

(1) Encourage the location of wireless communication facilities in nonresidential areas;

(2) Allow wireless communications facilities in residential areas when necessary to meet the functional requirements of the telecommunications industry;

(3) Minimize the total number of wireless communication facilities throughout the community;

(4) Protect residential areas and land uses from potential adverse impacts that wireless communication facilities might create, including, but not limited to, impacts on aesthetics, environmentally sensitive areas, historic resources, flight corridors, and health and safety of persons and property;

(5) Require cooperation between competitors and, as a primary option, encourage the joint use of new and existing wireless communication facility sites and structures to the greatest extent possible in order to reduce cumulative negative impact upon the City;

(6) Allow wireless communication companies to use City property for the placement of wireless facilities, where consistent with other public needs, as a means to generate revenue for the City;

(7) Encourage providers of wireless communication facilities to locate these facilities in areas where the adverse impact on the community is minimal;

(8) Ensure wireless communication facilities are configured in a way that minimizes the adverse visual impact of the wireless communication facilities, as viewed from different vantage points, through careful design landscape screening, minimal impact siting options and camouflaging techniques, and through assessment of technology, current location options, siting, future available locations, innovative siting techniques, and siting possibilities beyond the jurisdictional boundaries of the City;

(9) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently;

(10) Provide for the removal of wireless communication facilities that are abandoned or no longer inspected for safety concerns and building code compliance, and provide a mechanism for the City to cause these abandoned wireless communication facilities to be removed to protect citizens from imminent harm and danger;

(11) Avoid potential damage to adjacent properties from tower failure through engineering, careful siting, and maintenance of wireless communication facilities;

(12) Provide a means for public input on major wireless communication facility placement, construction, and modification; and
(13) Establish clear and nondiscriminatory local regulations concerning wireless telecommunications providers and services that are consistent with Federal and State laws and regulations pertaining to telecommunications providers. (Ord. 09-12 § 1 (Exh. A))

18.70.020 Exemptions.
The following are exempt from the provisions of this chapter:

(1) Antennas and related equipment no more than three feet in height that are being stored, shipped, or displayed for sale.

(2) Radar systems for military and civilian communication and navigation.

(3) Any wireless internet facility that is owned and operated by a Federal, State, or local government.

(4) Antennas for the receiving and sending of licensed amateur (HAM) radio stations and citizen band stations; provided, that the antennas do not exceed the base height requirements of the applicable zoning district and are owned and operated by a Federally licensed amateur radio station operator or are used exclusively for receive-only antennas. In order to reasonably accommodate licensed amateur radio operators as required by Federal Code of Regulations 47 CFR Part 97, as amended, and Order and Opinion (PRB-1) of the Federal Communications Commission of September 1985 and RCW 35A.21.260, a licensed amateur radio operator may locate a tower not to exceed the base height requirements of the applicable zoning district, provided the following requirements are met for such towers located in a single-family residentially zoned district:

(a) The tower and any antennas located thereon shall not have any lights of any kind on them and shall not be illuminated either directly or indirectly by any artificial means;

(b) The color of the tower and any antennas located thereon shall all be the same and such that they blend into the sky to the extent allowed under the requirements set forth by the Federal Aviation Administration;

(c) No signs shall be used in conjunction with the tower, except for one sign no larger than eight and one-half inches high and 11 inches wide, or as required by Federal regulations;

(d) No advertising logo, trademark, figurine, or other similar marking or lettering shall be placed on the tower or any wireless communication facilities mounted or otherwise attached thereto or any building used in conjunction therewith;

(e) A telescoping tower and any antennas may exceed the base height of the underlying zoning district when fully extended, up to a maximum 75 feet in height, if the tower and any antennas attached do not exceed the base height of the zoning district when it is retracted; when the antenna is not in use it must be fully retracted (nested);
(f) The tower shall be located a distance equal to or greater than its height, at full extension, from any existing residential structure located on adjacent parcels of property, including any attached accessory structures;

(g) A tower shall be located a distance at least three-quarters of its height, at full extension, from any property line on the parcel of property on which it is located, unless a licensed engineer certifies that the tower will not collapse or that it is designed in such a way that, in the event of collapse, it falls within itself, and, in that event, it shall be located at least one-third of its height, at full extension, from any property line;

(h) Towers shall not be leased or rented to commercial users and shall not otherwise be used for commercial purposes; and

(i) All towers shall meet all applicable State and Federal statutes, rules, and regulations, including obtaining a building permit from the City, if necessary.

(5) An antenna that is designed to receive or send direct broadcast satellite service and/or broadband signals, or other means for providing internet service including direct-to-home satellite services, and that is 3.28 feet (one meter) or less in diameter or diagonal measurement, and the antenna is attached to the residence or business that is utilizing the service.

(6) An antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and that is 3.28 feet (one meter) or less in diameter or diagonal measurement.

(7) An antenna that is designed to receive television broadcast signals.

(8) Routine maintenance or repair of wireless communication facilities, excluding structural work or changes in height or dimensions of antennas, towers, or buildings; provided, that the wireless communication facility received approval from the City of Covington or King County for the original placement, construction, or subsequent modification. Changing of antennas on wireless communication facilities is permitted, provided the new antennas have the same area or less of those removed. The total number of antennas must remain the same. Additional ground equipment shall be placed within an approved equipment enclosure, provided the height of the equipment does not extend above the screen fence.

(9) Emergency communications equipment during a declared public emergency when the equipment is owned and operated by an appropriate public agency. In the event a building permit is required for any emergency maintenance, reconstruction, repair, or replacement, filing of the building permit application shall occur within 30 days after the commencement of such emergency activities. The work performed must constitute a true emergency. Scheduled replacement or repair work does not constitute an emergency. In the event a building permit is required for nonemergency maintenance,
reconstruction, repair, or replacement, filing of the building permit application shall be required prior to the commencement of such nonemergency activities.

(10) Antennas and related equipment used by electric utility providers for the noncommercial communication, operation, and monitoring of their utility system may be collocated on their transmission structures or utility poles, provided the color of the antennas and equipment shall be the same as the pole or structure they are located on or a color that blends into the sky. (Ord. 09-12 § 1 (Exh. A))

18.70.030 Applicability, review, and permits required.
The standards and process requirements of this chapter shall apply to the placement, construction, or modification of all wireless communication facilities, except as specifically exempted in CMC 18.70.020.

(1) No person may place, construct, or modify a wireless communication facility subject to this chapter without first obtaining the required permit(s), issued in accordance with this chapter. Except as otherwise provided herein, the requirements of this chapter are in addition to the applicable requirements of CMC Title 18.

(2) Any land use or other permit application submitted pursuant to this chapter shall be reviewed and evaluated by the Director for all wireless communication facility projects located on public or private property.

(3) The applicant shall be responsible for obtaining any necessary local, State, and Federal permits and approvals for the project, and is responsible for complying with any conditions of approval placed on the application by local or other State or Federal permits or approvals.

(4) No provisions of this chapter shall be interpreted to allow the installation of a wireless communication facility to reduce the minimum parking or landscaping requirements on a site.

(5) Wireless communication facilities that are governed under this chapter shall not be eligible for variances under CMC 18.125.030, development conditions under CMC 18.30.030(B)(4), or exceptions to height limits under CMC 18.30.210. Any request to deviate from this chapter shall be based on the modifications set forth in this chapter.

(6) The City may, at its discretion, contract with an independent engineering and technical review consultant to review the land use or other permit application. The applicant shall be responsible for actual costs charged by the consultant, in addition to any base fees and application fees set forth in the City’s fee resolution. Based on the results of the independent technical review, the City may require changes or request additional information to complete the application review. The technical review shall address the following:

(a) The accuracy and completeness of the application;
(b) The applicability of analysis techniques and methodologies;

(c) The validity of conclusions reached;

(d) The viability of other sites in the City for the use intended by the applicant; and

(e) Any specific engineering or technical issues designated by the City.

(7) No alterations or changes shall be made to an approved wireless communications land use permit. Modifications which exceed the conditions of approval will require a new wireless communications land use permit and shall be reviewed based on the laws and rules in effect at the time of application. The Director has sole discretion to approve or deny any request for modifications to the land use approval. (Ord. 09-12 § 1 (Exh. A))

18.70.040 Types of permits – Priority – Preferences – Restrictions.

(1) Applications will be reviewed based on the type of wireless communication facility requested to be permitted. Each wireless communication facility requires a specific type of project review as provided for in the table in subsection (2) of this section.

(2) Table.

<table>
<thead>
<tr>
<th>Type of Permit Required Based on Type of Wireless Communication (WC) Facility</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of WC Facility</strong></td>
</tr>
<tr>
<td>--------------------------</td>
</tr>
<tr>
<td><strong>Residential</strong></td>
</tr>
<tr>
<td>R-4, R-6, R-8, R-18</td>
</tr>
<tr>
<td>Transmission tower collocation</td>
</tr>
<tr>
<td>Adding antennas to an existing tower</td>
</tr>
<tr>
<td>Utility pole collocation</td>
</tr>
<tr>
<td>Concealed building attached</td>
</tr>
<tr>
<td>Nonconcealed building attached</td>
</tr>
<tr>
<td>New tower or height modification</td>
</tr>
</tbody>
</table>
(1) Provided, that the height of the tower does not increase and the square footage of the enclosure area does not increase. If the enclosure area is increased it shall be a Type 2 review.

(2) An applicant may request to install a nonconcealed building-attached facility under CMC 18.70.110.

(3) In the event of uncertainty on the type of wireless facility, the Director shall have the authority to determine how a proposed facility is incorporated into Table 18.70.040(2) and the type of permit required.

(3) Priorities. The priorities for the type of wireless communication facility shall be based upon their placement in subsection (2) of this section; most desirable facilities are located toward the top of the table and the least desirable facilities toward the bottom. An application for a wireless communication facility shall follow the hierarchy provided in subsection (2) of this section. For example, an applicant shall demonstrate, by engineering evidence, that collocation on an electrical transmission structure is not feasible before moving to a utility pole collocation, and so forth, with the last possible siting option being a new wireless communication facility tower or height modification request.

(4) Preferences. The City’s preferences for locating new wireless communications facilities are as follows:

(a) Place antennas on existing structures, such as buildings, wireless communication facility towers, water towers, utility poles, or electrical transmission structures.

(b) Place wireless communication facilities in nonresidentially zoned districts and on nonresidential property.

(c) Place wireless communication facilities on public property and on appropriate rights-of-way; provided, that no obligation is created herein for the City to allow the use of City property or public right-of-way for this purpose. The placement of personal wireless communication facilities on City-owned property and public right-of-way will be subject to other applicable sections of the Covington Municipal Code and review by other City departments. A wireless communication facility mounted to any City-owned property, utility pole, or other structure shall be removed if the City deems removal is necessary for the undergrounding of utilities, the sale, development, or redevelopment of City-owned property, or the demolition or alteration of a City-owned building or other structure. The wireless communication facility shall be removed at no expense to the City.
(5) Restrictions on Light Poles and Standards. Light poles and light standards located within the public rights-of-way are prohibited from use as a wireless communication facility or for the attachment of an antenna.

(6) Application Procedure. The applicant shall submit a completed application in a form established by the Director along with the initial application fee as set forth in the City’s current fee resolution. The application shall contain such information as the Director may deem necessary or useful, and shall include:

(a) Type 1 Permit Requirements.

   (i) A written description outlining the proposed project and an evaluation of how the proposal meets the City’s code requirements;

   (ii) Applicants who are not the property owner of record of the land and/or structure on which a wireless communication facility is to be located are required to have the application co-signed by the property owner(s) and provide a signed statement by the property owner(s) and/or building or structure owner(s) (if different) authorizing the submittal of the application by the applicant;

   (iii) Plan sets prepared by a design professional that include a vicinity map, site map, architectural elevations, method of attachment, proposed screening, location of proposed antennas, and all other information which accurately depicts the proposed project and existing conditions or as otherwise determined necessary by the Director;

   (iv) Written statement from a radio frequency engineer that demonstrates that the facility meets Federal Communications Commission requirements for allowed radio frequency emissions;

   (v) A vicinity map depicting the proposed extent of the service area;

   (vi) Critical areas study and proposed mitigation (if required);

   (vii) If an outdoor generator is proposed, a report prepared by an acoustical engineer demonstrating compliance with Chapter 8.20 CMC, Noise Control; and

   (viii) SEPA application (if required).

(b) Type 2. The applicant shall submit all of the information required for a Type 1 application, plus the following:

   (i) Photo simulations that depict the existing and proposed view of the proposed facility;

   (ii) Data sheet depicting the materials, textures, and colors proposed for use;
(iii) Landscaping plan prepared by a Washington State-licensed landscape architect (if required);

(iv) Service coverage area map (radio frequency (RF) modeling);

(v) If the facility is located within a residential zone, a report from a radio frequency engineer explaining the need for the proposed wireless communication facility. Additionally, the applicant shall provide detailed discussions on why the wireless communication facility cannot be located within a commercial or industrial/resource zone; and

(vi) Mailing labels for all property owners and tenants/residents within 500 feet of the subject property.

(c) Type 3. The applicant shall submit all of the information required for Type 1 and Type 2 applications, plus the following:

(i) All information required for new towers under CMC 18.70.130 and 18.70.140;

(ii) All information required for a height modification or setback modification request under CMC 18.70.150 and 18.70.160 respectively (if applicable);

(iii) The radio frequency engineer report shall include a discussion of the information required under CMC 18.70.050. The report shall also explain why a tower must be used instead of any of the other location options outlined in the table in subsection (2) of this section;

(iv) Engineering plans for the proposed tower, including a letter of certification by a licensed engineer that the proposed height and equipment comply with the requirements of this chapter;

(v) Evidence that the tower has been designed to meet the minimum structural standards for wireless communication facilities for a minimum of three providers of voice, video, or data transmission services, including the applicant, and including a description of the number and types of antennas the tower can accommodate;

(vi) A graphic simulation showing the appearance of the proposed tower and ancillary structures and ancillary facilities from five points within the impacted vicinity. Such points are to be mutually agreed upon by the Director and applicant. All plans and photo simulations shall include the maximum build-out of the proposed facility; and

(vii) Evidence of compliance with Federal Aviation Administration standards for height and lighting and certificates of compliance from all affected agencies. (Ord. 09-12 § 1 (Exh. A))
18.70.050 General requirements.
The following shall apply to all wireless communication facilities regardless of the type of facility:

(1) Noise. Any facility that requires a generator or other device that will create noise must demonstrate compliance with Chapter 8.20 CMC, Noise Control. A noise report prepared by an acoustical engineer shall be submitted with any application to construct and operate a wireless communication facility that will have a generator or similar device. The City may require that the report be reviewed by an independent technical expert at the sole expense of the applicant.

(2) Business License Requirement. Any person, corporation, or entity that operates a wireless communication facility within the City shall obtain and maintain a valid Covington business license, issued annually by the City. Any person, corporation, or other business entity that owns a tower is also required to obtain and maintain a valid Covington business license.

(3) Signage. Only safety signs or those mandated by other public agencies may be located on wireless communication facilities. No other types of signs are permitted on wireless communication facilities.

(4) Parking. Any application must demonstrate that there is sufficient space for temporary parking for regular maintenance of the proposed facility.

(5) Finish. A tower shall either maintain a galvanized steel finish or, subject to the applicable standards of the FAA or FCC, be painted a neutral color so as to reduce its visual obtrusiveness.

(6) Design. Wireless communication facilities shall be screened or camouflaged by employing the best available technology. The design of all antennas, towers, support structures, buildings, and ancillary structures shall use materials, colors, textures, screening, and landscaping that will blend the tower facilities with the natural setting and built environment.

(7) Color. All antennas and ancillary wireless communication facilities located on buildings or structures other than towers shall be of a neutral color that is identical to or closely compatible with the color of the supporting structure so as to make the antenna and ancillary facilities as visually unobtrusive as possible.

(8) Lighting. Wireless communication facilities shall not be artificially lighted unless required by the FAA, FCC, or other applicable government authority. If lighting is required, the reviewing authority shall review the lighting alternatives and approve the design that would cause the least disturbance to the surrounding areas. No strobe lighting of any type is permitted on any tower.

(9) Advertising. No advertising is permitted at wireless communication facility sites or on any ancillary structures or facilities equipment compound.

(10) Ancillary Wireless Communication Facilities. All ancillary wireless communication facilities shall meet the underlying zoning district’s setback requirements unless a zoning setback
shall meet the underlying zoning district's setback requirements unless a zoning setback modification is granted pursuant to CMC 18.70.160.

(11) Equipment Enclosures. If feasible, equipment enclosures shall be located within existing buildings or located underground. If some other placement is proposed the applicant shall demonstrate to the satisfaction of the City that it is not feasible to locate the equipment below ground. All equipment and cabinets that will be visible to the traveling public, workers, or residents shall be as small and unobtrusive as is practicable and designed to blend in with existing surrounds. The applicant shall size any equipment enclosure and other facilities to minimize visual clutter. Each applicant shall be limited to an equipment enclosure of 360 square feet at each site. However, this size restriction shall not apply to enclosures located within an existing commercial, industrial, residential, or institutional building.

(12) Owner Approval. At the time of application the applicant must submit proof that they have contacted and received approval for the placement of the antenna at the specified location from the support structure owner (e.g., building, water tower, utility pole, electrical transmission structure, monopole) and, if different, the land owner upon which the structure is located.

(13) Building Standards. Wireless communication support structures shall be constructed so as to meet or exceed the most recent Electronic Industries Association/Telecommunications Industries Association (EIA/TIA) 222 Revision Standard entitled: “Structural Standards for Steel Antenna Towers and Antenna Supporting Structures” (or equivalent), and as it may be updated or amended. Utility poles and transmission structures that are owned and/or maintained by the serving electric utility shall be designed to meet the National Electric Safety Code. Prior to issuance of a building permit the Building Official shall be provided with an engineer’s certification that the support structure’s design meets or exceeds the preceding applicable standards.

(14) Maintenance. Wireless communication carriers shall maintain their wireless communication facility in a good and safe condition. They shall preserve its original appearance and concealment, disguise, or camouflage elements incorporated into the design at the time of approval and in a manner which complies with all applicable Federal, State, and local requirements. Such maintenance shall include, but not be limited to, such items as painting, repair of equipment, and maintenance of landscaping.

(15) Critical Areas. Wireless communication facilities shall not be allowed in designated critical areas (except aquifer recharge areas) unless they are collocated on existing facilities.

(16) Radio Frequency Emissions. The applicant shall demonstrate that the wireless communication facility will comply with the radio frequency emission standards adopted by the Federal Communications Commission (FCC).

(17) State or Federal Requirements. All wireless communication facilities must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the State or Federal government with the authority to regulate towers and antennas. If such standards and
regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling State or Federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner’s expense. (Ord. 09-12 § 1 (Exh. A))

18.70.060 Landscaping/screening.
(1) The visual impacts of wireless communication facilities shall be mitigated and softened through landscaping or other screening materials at the base of the tower, equipment compounds, equipment enclosures, and ancillary structures, with the exception of wireless communication facilities located on electrical transmission structures, or if the antenna is mounted flush on an existing building or camouflaged as part of the building and ancillary equipment is housed inside an existing structure. The use of appropriate native plant species is encouraged. The Director or Hearing Examiner, as appropriate, may reduce or waive the standards for those sides of the wireless communication facility that are not in public view and when a combination of existing vegetation, topography, walls, decorative fences or other features achieve the same degree of screening as the required landscaping; or in locations where large wooded lots and natural growth around the property perimeter may be sufficient buffer.

(2) Landscaping shall be installed on the outside of fences associated with wireless communication facility equipment compounds and around equipment enclosures located at ground level. Existing vegetation shall be preserved to the maximum extent practicable and may be used as a substitute for or as a supplement to landscaping or screening requirements. The following requirements apply:

(a) Screening landscaping shall be placed around the perimeter of the equipment compound, except that a maximum 10-foot portion of the fence may remain without landscaping in order to provide access to the enclosure.

(b) The landscaping area shall be Type 1 landscaping as described in CMC 18.40.040(1) and a minimum of eight feet in depth around the perimeter of the enclosure in all zoning districts; except that Type II landscaping as defined in CMC 18.40.040(2) may be used in residential zoning districts and shall be a minimum of 10 feet in depth.

(c) The applicant shall utilize evergreens that shall be a minimum of six feet tall at the time of planting, unless located in a transmission or utility corridor where clearance requirements apply; then landscaping that will be appropriate in size at maturity so as not to grow into the clear zone shall be planted.

(3) The applicant shall replace any unhealthy or dead plant materials in conformance with the approved landscaping development proposal plan and shall maintain all landscaping materials in a healthy growing condition for the life of the facility. Landscape areas shall be kept free of trash.
18.70.070 Electrical transmission structure collocation – Specific development standards.
The following requirements shall apply to collocation of antennas on an existing electrical transmission structure (as defined in CMC 18.20.1256):

(1) Height. The height requirements for antennas that are collocated on electrical transmission structures is limited to 12 feet above the existing tower or pole height. If a replacement electrical transmission structure is proposed, the maximum height shall be no greater than 12 feet above the original electrical transmission structure’s height.

(2) Antenna Aesthetics. There are no restrictions on the type of antenna(s) that may be collocated on the electrical transmission structure. The antenna(s) must be painted to match the color of the electrical transmission tower/pole.

(3) Antenna Intensity. There is no limit on the number of antennas that may be collocated on an electrical transmission structure.

(4) Feed Lines and Coaxial Cables. Feed lines and coaxial cables shall be attached to the existing pole or to one of the legs of the electrical transmission tower. The feed lines and cables must be painted to match the color of the electrical transmission structure. If a replacement structure is proposed the feed lines and coaxial cables shall be located within the structure or in a covered raceway of similar color and material to the tower or pole.

(5) Equipment Enclosures. Cabinet equipment shall be located directly under the electrical transmission tower where the antennas are located, or in a concealed location.

(6) Setbacks. Setback requirements shall not apply to wireless communication facilities collocated on an existing electrical transmission structure. (Ord. 09-12 § 1 (Exh. A))

18.70.080 Adding antennas to an existing wireless communication facility tower – Specific development standards.
The following requirements shall apply to adding antennas to existing wireless communication facility tower(s) (as defined in CMC 18.20.1284):

(1) Height. The height of the antenna(s) must not exceed what was approved under the original application to construct the tower. If the proposed antenna(s) height shall exceed what was originally approved, a variance approval as a Type 3 decision is required.

(2) Antenna Aesthetics. Antenna(s) shall be painted to match the color scheme of the tower. Antenna mounts shall be flush-mounted onto the existing tower; unless it is demonstrated through radio frequency (RF) propagation analysis that flush-mounted antennas will not meet the network coverage objective.
(3) Antenna Intensity. There is no limit on the number of antennas that may be located on an existing tower.

(4) Feed Lines and Coaxial Cables. Feed lines and coaxial cables shall be located within the tower. Any exposed feed lines or coaxial cables (such as when extended out of the tower to connect to the antennas) must be painted to match the tower.

(5) Equipment Enclosures. Any new cabinet or equipment shall be located within the equipment enclosure that was approved as part of the original application. If the applicant wishes to expand the equipment enclosure or compound from what was approved by the City or County under a previous application, the application shall seek a wireless communication facility (Type 2) application for only the equipment enclosure increase.

(6) Setbacks. Setback requirements shall not apply when an applicant installs new antennas on an existing tower and uses an existing equipment enclosure. If the equipment enclosure is increased it must meet the setback requirements for the underlying zoning district and may not exceed the total area restrictions for equipment enclosures as set forth in CMC 18.70.050. (Ord. 09-12 § 1 (Exh. A))

18.70.090 Utility pole collocation – Specific development standards.
The following requirements shall apply to all wireless communication facilities collocated on a utility pole (as defined in CMC 18.20.1351):

(1) Height. The antenna height of a utility pole collocation is limited to 12 feet above the existing utility pole and may not be greater than 50 feet in total height in residential zones.

(2) Antenna Aesthetics. The first preference for any collocation is to utilize flush-mounted antennas. If the utility pole collocation includes an antenna array, the array shall be painted to match the support structure and shall be flush mounted within six inches of the support structure. If it is demonstrated through RF propagation analysis that six-inch flush-mounted antennas will not meet the network coverage objective, then the distance may be increased up to 12 inches or may be contained in a canister that is a continuation of the diameter of the support structure.

(3) Replacement Pole. An existing utility pole may be removed and replaced with a new utility pole so long as the replacement pole is of similar color and material as the existing, and adjacent, pole(s) and is located within 10 feet of the existing pole (measured from the center point of the existing pole to the center point of the replacement pole). The replaced utility pole must be used by the owner of the utility pole to support its utility lines. A replacement utility pole shall be designed such that coaxial cables and feed lines can be located within the pole or in a covered raceway of similar color and material as the pole.

(4) Coaxial Cables and Feed Lines. Coaxial cables limited to one-half-inch diameter may be attached directly to an existing utility pole. Coaxial cables greater than one-half inch must be placed within the utility pole or within a covered raceway of similar color and material as the existing pole.
The size of the cables is the total size of all coaxial cables being utilized on the utility pole.

(5) Pedestrian Impact. The proposed wireless communications facility collocation shall not result in a significant change in the pedestrian environment or preclude the City from making pedestrian improvements. If a utility pole is being replaced, consideration must be made to improve the pedestrian environment, if necessary.

(6) Equipment Enclosures. Unless approved by the Director of Public Works, all equipment enclosures must be placed outside of the City right-of-way. Equipment enclosures shall be located underground consistent with CMC 18.70.050(11).

(7) Setbacks. Any portion of the wireless communication facilities located within City right-of-way is not required to meet setback requirements if it is located underground. The City will evaluate setback modifications on private property under the setback requirements set forth in CMC 18.70.160. (Ord. 09-12 § 1 (Exh. A))

18.70.100 Building-mounted concealed facility – Specific development standards.
The following requirements shall apply to wireless communication facilities that are attached to an existing building and concealed from view (as defined in CMC 18.20.1428):

(1) Height. The proposed concealed wireless communication facility must meet the height requirement of the underlying zoning district. Antennas may be located in existing church spires, clock towers, chimneys, water towers, elevator towers, mechanical equipment rooms, or other similar rooftop appurtenances usually required to be placed above the roof level and not intended for human occupancy or the provision of additional floor area. Stand-alone antennas or towers shall not qualify as rooftop appurtenances.

(2) Antennas Aesthetics. Antennas must be concealed from view by blending with the architectural style of the building. This could include, but not be limited to, steeple-like structures and parapet walls. The screening must be made out of the same material and be the same color as the building. Antennas shall be painted to match the color scheme of the building(s).

(3) Feed Lines and Coaxial Cables. Feed lines and coaxial cables shall be located below the parapet of the rooftop.

(4) Cabinet Enclosure. If a cabinet enclosure cannot be located within the building where the wireless communication facilities will be located, then the City’s first preference is for the wireless telecommunication carrier to locate the equipment on the roof of the building. If the equipment can be screened by placing the equipment below the parapet walls, no additional screening is required. If screening is required, the proposed screening must be consistent with the existing building in terms of color, design, architectural style, and material. If the cabinet equipment cannot be located on the roof or within the building then it shall be located underground consistent with CMC 18.70.050.
(5) Setbacks. The proposed wireless communication facilities must meet the setback requirements of the applicable zoning category where the facility is to be located. (Ord. 09-12 § 1 (Exh. A))

18.70.110 Request to use nonconcealed facilities attached to a building in lieu of a concealed building attachment.

The use of concealed building facilities shall have first priority in all residential and commercial zones. However, an applicant may request to construct a nonconcealed building-attached wireless communication facility in lieu of a concealed wireless communication facility. The Director will use the following criteria to determine whether to allow this request:

(1) Due to the size of the building and the proposed location of the antennas, the visual impact of the exposed antennas will be minimal in relation to the building.

(2) Cables are concealed from view and any visible cables are reduced in visibility by sheathing or painting to match the building where they are located.

(3) Equipment enclosure is adequately screened from view.

(4) Due to the style or design of the building the use of a concealed facility would reduce the visual appearance of the building.

(5) The proposal meets the development standards of CMC 18.70.120. (Ord. 09-12 § 1 (Exh. A))

18.70.120 Nonconcealed building-mounted specific development standards.

The following requirements shall apply to wireless communication facilities that are attached to an existing building and not concealed from view (as defined in CMC 18.20.1427):

(1) Height. The proposed facility must meet the height requirement of the underlying zoning category. If the building where the facility is located is at or above the maximum height requirements, the nonconcealed antennas are permitted to extend a maximum of three feet above the existing roof line.

(2) Antenna Aesthetics. The first preference for any proposed facility is to utilize flush-mounted antennas. Nonflush-mounted antennas may be used when their visual impact will be negated by the scale of the antennas to the building. Shrouds, canisters or other visually opaque, radio-frequency transparent materials which hide the wireless antennas from public view are not required unless they provide a better visual appearance than exposed antennas. Antennas shall be painted to match the color scheme of the building(s).

(3) Feed Lines and Coaxial Cables. Feed lines and coaxial cables should be located below the parapet of the rooftop. If the feed lines and cables must be visible they must be painted to match the color scheme of the building(s).

(4) Equipment Enclosures. If cabinet equipment cannot be located within the building where the
wireless communication facilities will be located, then the City’s first preference is to locate the
equipment on the roof of the building. If the equipment can be screened by placing the equipment
below the parapet walls, no additional screening is required. If screening is required, the proposed
screening must be consistent with the existing building in terms of color, design, architectural style,
and material. If the equipment enclosure cannot be located within the building or on the roof and is
located on the ground, the enclosure shall be fenced with a six-foot-tall fence. The fence shall
include slats, wood panels, or other materials to screen the equipment from view. (Ord. 09-12 § 1
(Exh. A))

18.70.130 Requests for new towers.
(1) New towers are not permitted within the City unless the Hearing Examiner finds that the
applicant has demonstrated by a preponderance of the evidence that:

(a) Coverage Objective. There exists an actual (not theoretical) significant gap in service and
the proposed wireless communication facility will eliminate such significant gap in service; and

(b) Alternates. No existing tower, structure, other feasible site, or other alternative
technologies not requiring a new tower in the City can accommodate the applicant’s proposed
wireless communication facility; and

(c) Least Intrusive. The proposed new wireless communication facility is designed and located
to remove the significant gap in service in a manner that is, in consideration of the goals,
policies, objectives, standards and regulations set forth in this chapter, CMC Title 18, and the
comprehensive plan, the least intrusive upon the surrounding area.

(2) The Hearing Examiner is the reviewing body on the application to construct a new tower and
shall determine whether or not each of the above requirements is met. Examples of evidence the
applicant shall provide demonstrating the foregoing requirements include, but are not limited to, the
following:

(a) That the tower height is the minimum necessary in order to achieve the coverage
objective;

(b) That no existing towers or structures or alternative sites are located within the geographic
area required to meet the applicant’s engineering requirements to meet its coverage objective
(regardless of the geographical boundaries of the City);

(c) That the existing towers or structures are not of a sufficient height or could not feasibly be
extended to a sufficient height to meet the applicant’s engineering requirements to meet its
coverage objective;

(d) That the existing structures or towers do not have sufficient structural strength to support
the applicant’s proposed antenna and ancillary facilities;
(e) That the applicant’s proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing structure would cause interference with the applicant’s proposed antenna;

(f) That an alternative technology that does not require the use of a new tower, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireless system, is unsuitable. Costs of alternative technology that exceed the new tower or antenna development shall not be presumed to render the technology unsuitable; and

(g) The applicant demonstrates other limiting factors that render existing towers and structures or other sites or alternative technologies unsuitable.

(3) The Hearing Examiner, after holding a public hearing, shall approve, approve with conditions, or deny the application, or remand the application back to staff for further investigation in a manner consistent with the Hearing Examiner’s order. (Ord. 09-12 § 1 (Exh. A))

18.70.140 Tower-specific development standards.
The following requirements shall apply to all wireless communication towers (as defined in CMC 18.20.1284):

(1) Height. Any proposed tower with antennas shall meet the height standards of the zoning district where the tower will be located. A height modification may be applied for under CMC 18.70.150.

(2) Antenna and Tower Aesthetics. The applicant shall utilize a concealed facility as defined in CMC 18.20.1428. The choice of concealing the wireless communication facility must be consistent with the overall use of the site. For example, having a tower appear like a flagpole would not be consistent if there are no buildings on the site. If a flag or other wind device is attached to the pole, it must be appropriate in scale to the size and diameter of the tower.

(3) Setbacks. The proposed wireless communication facilities must meet the setback requirements of the underlying zoning district. If a height modification is granted under CMC 18.70.150, the setback of the proposed wireless communication facility shall increase two feet for every foot in excess of the maximum permitted height in the zoning district.

(4) Color. The color of the tower shall be based on the surrounding land uses and type of concealment proposed.

(5) Feed Lines and Coaxial Cables. All feed lines and coaxial cables must be located within the tower. Feed lines and coaxial cables connecting the tower to the equipment enclosure, which are not located within the wireless communication facility equipment compound, must be located underground.

(6) Tower Design. Any new tower constructed shall be designed to meet the minimum structural standards for future collocation of wireless communication facilities by a minimum of three
providers (including the applicant) of voice, video, or data transmission services. (Ord. 09-12 § 1 (Exh. A))

18.70.150 Height modification.
(1) Where the Hearing Examiner finds that extraordinary hardships, practical difficulties, or unnecessary and unreasonable expense would result from strict compliance with the height limitations of the underlying zoning district, or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve a height modification to the zoning code height limit; provided the applicant demonstrates that the modification will meet the goals, policies, objectives, standards, and requirements of this chapter, CMC Title 18, and the comprehensive plan, and demonstrates the following:

(a) The granting of the height modification will not be detrimental to public safety, health, or welfare, or injurious to other property, and will promote the public’s interest; and

(b) A particular and identifiable hardship exists or a specific circumstance warrants the granting of a modification. Factors to be considered in determining the existence of a hardship shall include, but not be limited to:

(i) Topography and other site features;

(ii) Availability of alternative site locations;

(iii) Geographic location of property; and

(iv) Size/magnitude of the project being evaluated and availability of collocation.

(2) In approving the height modification request, the Hearing Examiner may impose such conditions as he deems appropriate to substantially secure the goals, policies, objectives, standards, and requirements of this chapter, CMC Title 18, and the comprehensive plan.

(3) A request for any such modification shall be submitted in writing by the applicant with the application for Hearing Examiner review. The applicant shall state fully the grounds for the modification and all of the facts relied upon by the applicant. (Ord. 09-12 § 1 (Exh. A))

18.70.160 Setback modification.
(1) Wireless communication facilities must meet the setback requirements of the underlying zoning district.

(2) The Director or Hearing Examiner, depending on the type of application, may permit modifications to be made to setback requirements when:

(a) An applicant for a wireless communication facility can demonstrate that placing the facility on certain portions of a property within the required setback will provide better screening and
aesthetic considerations than provided under the existing setback requirements; or

(b) The modification will aid in retaining open space and trees on the site; or

(c) The proposed location allows for the wireless communication facility to be located at a greater distance from residentially zoned properties.

(3) Zoning setback modifications shall not be used to reduce any setback required under the State Building Code or Fire Code. (Ord. 09-12 § 1 (Exh. A))

18.70.170 Expiration.
Any application to install or operate a wireless communication facility shall expire exactly one year from the date of issuance of the Director or Hearing Examiner’s decision, unless significant progress has been made to construct the facility. The City may extend the expiration period by up to one additional year due to circumstances outside of the control of the applicant. However, the City shall not issue an extension if any revisions have occurred to the City’s Municipal Code that would affect the wireless communication facility approved. (Ord. 09-12 § 1 (Exh. A))

18.70.180 Removal of abandoned wireless communication facilities.
Any antenna or tower that, after the initial operation of the facility, is not used for the purpose for which it was intended at the time of filing the application for a continuous period of 12 months shall be considered abandoned. The wireless telecommunication carrier of such abandoned antenna or tower and ancillary wireless communication facilities shall remove the same within 90 days of receipt of a notice from the City notifying the owner or operator of such abandonment. Whenever a facility is abandoned or ceases operation, the entire facility shall be removed, including, but not limited to, all antennas, antenna supports, feeder lines, base stations, electronic equipment, and the concrete pad upon which the structure is located. Failure to remove such an abandoned facility shall result in declaring the antenna and/or tower a public nuisance. If there are two or more users of a single tower, then this section shall not become effective until all users cease using the tower. (Ord. 09-12 § 1 (Exh. A))
Chapter 18.75
DEVELOPMENT STANDARDS – ADEQUACY OF PUBLIC FACILITIES
AND SERVICES

Sections:
18.75.010  Purpose.
18.75.020  General requirements.
18.75.030  Adequate sewage disposal.
18.75.040  Adequate water supply.
18.75.050  Surface water management.
18.75.060  Adequate streets.
18.75.070  Adequate vehicular access.
18.75.080  Adequate fire protection.
18.75.090  School concurrency – Applicability and relationship to fees.
18.75.100  Findings, recommendations, and decisions regarding school capacities.
18.75.110  Submission of district capital facilities plan and data.
18.75.120  School concurrency standard.
18.75.130  Credit for improvements.

18.75.010  Purpose.
The purpose of this chapter is to ensure that public facilities and services necessary to support
development are adequate or will be provided in a timely manner consistent with the public facilities
and services planning goal of the Washington State Growth Management Act of 1990 by:

(1) Specifying the on-site and off-site facilities and services that must be in place or otherwise
assured of timely provision prior to development;

(2) Allocating the cost of those facilities and services fairly; and

(3) Providing a general framework for relating development standards and other requirements of
this code to:

(a) Adopted service level standards for public facilities and services;

(b) Procedural requirements for phasing development projects to ensure that services are
provided as development occurs; and

(c) The review of development permit applications. (Ord. 42-02 § 2 (21A.28.010))

18.75.020 General requirements.
(1) All new development proposals including any use, activity or structure allowed by Chapter 18.25 CMC that requires City of Covington approval shall be adequately served by the following facilities and services prior to the time of occupancy, recording or other land use approval, as further specified in this chapter:

(a) Sewage disposal;

(b) Water supply;

(c) Surface water management;

(d) Roads and access;

(e) Fire protection service; and

(f) Schools.

(2) All new development proposals for building permits, plats, short plats, urban planned developments, fully contained communities and binding site plans, that will be served by a sewer or water district, shall include a certificate of water availability and a certificate of sewer availability to demonstrate compliance with this chapter and other provisions of the City of Covington Municipal Code, the City of Covington comprehensive plan and the Growth Management Act.

(3) Regardless of the number of sequential permits required, the provisions of this chapter shall be applied only once to any single development proposal. If changes and modifications result in impacts not considered when the proposal was first approved, the City shall consider the revised proposal as a new development proposal. (Ord. 42-02 § 2 (21A.28.020))

18.75.030 Adequate sewage disposal.
All new development shall be served by an adequate public or private sewage disposal system, including both collection and treatment facilities 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 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. (Ord. 01-09 § 19; Ord. 42-02 § 2 (21A.28.030))

18.75.040 Adequate water supply.
All new development 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 approval or other land use approval, 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. (Ord. 42-02 § 2 (21A.28.040))

18.75.050 Surface water management.
All new development shall be served by an adequate surface water management system as follows:

(1) The proposed system is adequate if the development proposal site is served by a surface water management system approved by the Department as being consistent with the design, operating and procedural requirements of the adopted stormwater manuals and CMC Title 13;

(2) A design deviation or design variance request from the requirements of the stormwater manuals and CMC Title 13 shall be reviewed as set forth in CMC Title 13. (Ord. 26-16 § 32; Ord. 13-09 § 37; Ord. 42-02 § 2 (21A.28.050))

18.75.060 Adequate streets.
(1) All new development shall be served by adequate streets. Streets are adequate if the development’s traffic impacts on surrounding public streets are acceptable under the level-of-service standards and the compliance procedures established in CMC Title 12.

(2) The issuance of a new permit for existing uses constitutes a new development proposal if it will generate additional traffic above that currently generated by the use. Mitigation may be required under CMC Titles 12 and 19 to offset level-of-service impacts as a result of additional traffic.

(3) A design deviation or design variance request from the requirements of CMC Title 12 and the Design and Construction Standards shall be reviewed as set forth in Chapter 12.60 CMC. (Ord. 27-16 § 13; Ord. 42-02 § 2 (21A.28.060))

18.75.070 Adequate vehicular access.
All new development shall be served by adequate vehicular access as follows:

(1) The property upon which the development proposed is to be located has direct access to:

   (a) A public street that meets the City Design and Construction Standards as adopted in Chapter 12.60 CMC;

   (b) The property has access to such a street over a private driveway approved by the City;

(2) The proposed circulation system for a development proposal shall intersect with existing and anticipated streets abutting the site at safe and convenient locations, as determined by the Department and the City Engineer, and in accordance with the Design and Construction Standards; and

(3) Every lot upon which one or more buildings are proposed to be erected or traffic-generating use is proposed to be established shall establish safe access as follows:

   (a) Safe passage from the street right-of-way to building entrances for transit patrons and other pedestrians, in accordance with the City design and construction standards set forth in Chapter 18.31 CMC, as applicable, and Chapter 18.50 CMC;

   (b) Direct access from the street right-of-way, fire lane or a parking space to any part of the property as needed to provide public services in accordance with adopted City Design and Construction Standards (e.g., fire protection, emergency medical service, mail delivery, trash collection, etc.); and

   (c) Direct access from the street right-of-way, driveway, alley or other means of ingress/egress approved by the City of Covington to all required off-street parking spaces on the premises. (Ord. 27-16 § 14; Ord. 42-02 § 2 (21A.28.120))

18.75.080 Adequate fire protection.
All new development shall be served by adequate fire protection as set forth below:

(1) The site of the development proposed is served by a water supply system that provides at least minimum fire flow and a road system or fire lane system that provides life safety/rescue access, and other fire protection requirements for buildings as required by CMC Title 15, Buildings and Construction;

(2) For a zone reclassification or urban planned development, the timing of installation of required fire protection improvements shall be stated in the approving ordinance, secured with a bond or similar security, and deposited with the City of Covington; and

(3) A variance request from the requirements established by CMC Title 15, Fire Code, shall be reviewed as set forth in CMC Title 15, and/or in Article 2 of the currently adopted edition of the International Fire Code and does not require a variance from this title unless relief is requested from a building height, setback, landscaping or other development standard set forth in Chapters 18.30 through 18.80 CMC. (Ord. 06-05 § 1; Ord. 23-04 § 17; Ord. 42-02 § 2 (21A.28.130))

18.75.090 School concurrency – Applicability and relationship to fees.
(1) The school concurrency standard set out in CMC 18.75.120 shall apply to applications for preliminary plat or urban planned development (UPD) approval, mobile home parks, requests for multifamily zoning, and building permits for multifamily housing projects which have not been previously evaluated for compliance with the concurrency standard.

(2) The City’s finding of concurrency shall be made at the time of preliminary plat or UPD approval, at the time that a request to actualize potential multifamily zoning is approved, at the time a mobile home park site plan is approved, or prior to building permit issuance for multifamily housing projects which have not been previously established for compliance with the concurrency standard. Once such a finding has been made, the development shall be considered as vested for purposes of the concurrency determination.

(3) Excluded from the application of the concurrency standard are:

(a) Building permits for individual single-family dwellings;

(b) Any form of housing exclusively for senior citizens, including nursing homes and retirement centers;

(c) Shelters for temporary placement, relocation facilities and transitional housing facilities;

(d) Replacement, reconstruction or remodeling of existing dwelling units;

(e) Short subdivisions;

(f) Building permits for residential units in recorded planned unit developments approved
pursuant to this code that have not yet expired;

(g) Any residential building permit for any development proposal for which a concurrency
determination has already been made pursuant to the terms of this title.

(4) All of the development activities which are excluded from the application of the concurrency
standard are subject to school impact fees imposed pursuant to CMC Title 19.

(5) The assessment and payment of impact fees are governed by and shall be subject to the
provisions in CMC Title 19 addressing school impact fees.

(6) A certification of concurrency for a school district shall not preclude the City from collecting
impact fees for the district. Impact fees may be assessed and collected as long as the fees are
used to fund capital and system improvements needed to serve the new development, and as long
as the use of such fees is consistent with the requirements of Chapter 82.02 RCW and this chapter.
Pursuant to Chapter 82.02 RCW, impact fees may also be used to recoup capital and system
improvement costs previously incurred by a school district to the extent that new growth and
development will be served by the previously constructed improvements or incurred costs. (Ord.
16-16 § 3; Ord. 20-07 § 129; Ord. 42-02 § 2 (21A.28.140))

18.75.100 Findings, recommendations, and decisions regarding school capacities.
(1) In making a threshold determination pursuant to SEPA, the Director and/or the Hearing
Examiner, in the course of reviewing proposals for residential development including applications
for plats or UPDs, mobile home parks, or multifamily zoning, and multifamily building permits, shall
consider the school district’s capital facilities plan as adopted by the Council.

(2) Documentation which the district is required to submit pursuant to CMC 18.75.110 or CMC Title
14, Division I, shall be incorporated into the record in every case without requiring the district to
offer such plans and data into the record. The school district is also authorized to present testimony
and documents demonstrating a lack of concurrency in the district and the inability of the district to
accommodate the students to be generated by a specific development.

(3) Based upon a finding that the impacts generated by the plat, manufactured home park or the
multifamily development were generally not anticipated at the time of the last Council review and
approval of a school district capital plan and were not included in the district’s long-range forecast,
the Director may require or recommend phasing or provision of the needed facilities and/or sites as
appropriate to address the deficiency or deny or condition approval, consistent with the provisions
of this chapter, the State Subdivision Act, and the State Environmental Policy Act.

(4) Determinations of the Examiner or Director regarding concurrency can be appealed only
pursuant to the provisions for appeal of the development permit process for which the determination
has been made. Where no other administrative appeal process is available, an appeal may be taken
to the Hearing Examiner using the appeal procedures for variances. Any errors in the formula
identified as a result of an appeal should be referred to the Council for possible modifications.

(5) Where the Council has not adopted an impact fee ordinance for a particular school district, the language of this section shall not affect the authority or duties of the Examiner or the Director pursuant to the State Environmental Policy Act or the State Subdivision Act. (Ord. 42-02 § 2 (21A.28.150))

18.75.110 Submission of district capital facilities plan and data.
(1) On an annual basis, each school district shall submit the following materials to the City:

(a) The district’s capital facilities plan adopted by the school board, which is consistent with the Growth Management Act.

(b) The district’s enrollment projections over the next six years, its current enrollment and the district’s enrollment projections and actual enrollment from the previous year.

(c) The district’s standard of service.

(d) An inventory and evaluation of district facilities which address the district’s standard of service.

(e) The district’s overall capacity over the next six years, which shall be a function of the district’s standard of service as measured by the number of students which can be housed in district facilities.

(2) To the extent that the district’s standard of service reveals a deficiency in its current facilities, the district’s capital facilities plan must demonstrate a plan for achieving the standard of service, and must identify the sources of funding for building or acquiring the necessary facilities to meet the standard of service.

(3) Facilities to meet future demand shall be designed to meet the adopted standards of service. If sufficient funding is not projected to be available to fully fund a capital plan which meets the standard of service, the district’s capital plan should document the reason for the funding gap.

(4) If an impact fee ordinance has been adopted on behalf of a school district, the district shall also submit an annual report to the City showing the capital improvements which were financed in whole or in part by the impact fees. (Ord. 42-02 § 2 (21A.28.152))

18.75.120 School concurrency standard.
(1) Schools shall be considered to have been provided concurrently with the development which will impact the schools if:

(a) The permanent and interim improvements necessary to serve the development are planned to be in place at the time the impacts of development are expected to occur; or
(b) The necessary financial commitments are in place to assure the completion of the needed improvements to meet the district’s standard of service within three years of the time that the impacts of development are expected to occur. Necessary improvements are those facilities identified by the district in its capital facilities plan as reviewed and adopted by the City of Covington.

(2) Any combination of the following shall constitute the “necessary financial commitments” for the purposes of subsection (1) of this section.

(a) The district has received voter approval of and/or has bonding authority;

(b) The district has received approval for Federal, State, or other funds;

(c) The district has received a secured commitment from a developer that the developer will construct the needed permanent school facility, and the school district has found such facility to be acceptable and consistent with its capital facilities plan; and/or

(d) The district has other assured funding, including but not limited to school impact fees which have been paid.

(3) Compliance with this concurrency requirement of this section shall be sufficient to satisfy the provisions of RCW 58.17.060 and 58.17.110. (Ord. 42-02 § 2 (21A.28.160))

18.75.130 Credit for improvements.
Whenever a development is granted approval subject to a condition that the development proponent actually provide a school facility acceptable to the district, the development proponent shall be entitled to a credit for the actual cost of providing the facility, against the fee that would be chargeable under the formula provided by CMC Title 14, Division II. The cost of construction shall be estimated at the time of approval, but must be documented and the documentation confirmed after the construction is completed to assure that an accurate credit amount is provided. If construction costs are less than the calculated fee amount, the difference remaining shall be chargeable as a school impact fee. (Ord. 42-02 § 2 (21A.28.180))
Chapter 18.80
DEVELOPMENT STANDARDS – ANIMALS, HOME OCCUPATION, HOME INDUSTRY

Sections:
18.80.010 Purpose.

18.80.015 General requirements.

18.80.017 Other requirements, nuisances and enforcement.

18.80.018 Amortization requirements.

18.80.020 –

18.80.090 Repealed.

18.80.100 Home occupation.

18.80.110 Home industry.

18.80.120 Protection of agricultural uses.

18.80.010 Purpose.
The purpose of this chapter is to enhance and preserve the compatibility between neighboring properties by regulating the scope and intensity of accessory uses or activities. (Ord. 05-15 § 1 (Exh. A); Ord. 42-02 § 2 (21A.30.010))

18.80.015 General requirements.
The keeping of domestic animals, livestock, fowl, and bees is permitted outright as an accessory use to any primary use, in each case subject to all of the following requirements.

(1) Domestic animals which are kept indoors as household pets in aquariums, terrariums, cages or similar containers are permitted in all zoning districts and shall not be limited in number, except as provided in Chapter 6.05 CMC. Other domestic animals kept indoors or outdoors shall be limited to five, of which not more than three may be unaltered cats or dogs.

(2) Kennels and catteries within the City must comply with the following, in addition to the provisions adopted under Chapter 6.05 CMC and CMC 18.25.050 and 18.31.080.

(a) For kennels located on residential zoned sites:

   (i) The minimum site area shall be five acres; and

   (ii) Structures housing animals and outdoor animal runs shall be a minimum distance of 100 feet from property lines abutting residential zones; and
(iii) The maximum number of adult dogs shall be 10;

(b) For kennels located on nonresidential zoned sites, run areas shall be completely surrounded by an eight-foot solid wall or fence and are subject to the requirements in Section 11.04.060 King County Code and CMC 18.25.050 and 18.31.080; and

(c) Catteries shall be on sites of 35,000 square feet or more, and buildings used to house cats shall be a minimum distance of 50 feet from property lines abutting residential zones.

(3) Fowl are permitted in all zoning districts, except the town center district, with no required minimum lot size, subject to the following:

(a) Five fowl are allowed on lots less than 16,000 square feet. One additional fowl is allowed for every additional 4,000 square feet of lot size.

(b) Structures and confinement areas housing fowl shall be located a minimum of 10 feet from all property lines and 20 feet away from any dwelling unit on an adjacent lot.

(c) Roosters and peafowl are not permitted.

(4) Livestock is permitted in all zoning districts, except the town center district, subject to the following:

(a) The minimum lot size for keeping livestock is 20,000 square feet for the first animal, and 15,000 square feet for each additional animal unit;

(b) All livestock facilities and outdoor confinement areas shall be located a minimum of 10 feet from all property lines and a minimum of 30 feet from any dwelling unit on an adjacent property and shall be subject to the following additional restrictions:

(i) Grazing areas may project to property lines;

(ii) Swine shall not be kept within 50 feet of all property lines and dwelling units, with the exception of miniature potbelly pigs in accordance with subsection (8) of this section; and

(iii) Doorways and other openings to the livestock facilities and outdoor confinement shall be oriented away from neighboring properties unless no alternative location exists that does not create an impact to neighbors.

(5) All livestock facilities, structures housing fowl, confinement areas, and grazing areas shall be cleaned of manure or refuse on a regular basis. The director shall have the authority to require more frequent cleaning if the manure or refuse becomes a nuisance.

(6) No portion of a livestock facility, structure housing fowl, confinement area, and/or grazing area shall be located within a critical area and/or critical area buffer unless permitted pursuant to
Chapter 18.65 CMC:

(a) A farm conservation plan prepared by the King Conservation District shall be submitted to the City for any livestock facilities, structures housing fowl, confinement areas, and/or grazing areas located on properties with critical areas and critical area buffers. The farm conservation plan shall be prepared in accordance with Chapter 18.65 CMC, Section 21A.30.045(A), (B), (C), and (D) King County Code, and Section 21.30.060 King County Code.

(b) All existing livestock facilities, structures housing fowl, confinement areas, and grazing areas located within critical areas or critical area buffers shall provide a farm conservation plan to the City within two years of the adoption of this chapter.

(7) All livestock and fowl shall be kept within an enclosure or a fence of sufficient strength and construction to prevent the escape of or injury to the livestock and fowl.

(8) Miniature potbelly pigs, commonly known as Vietnamese, Chinese, or Asian potbelly pigs (Sus scrofa bittatus), may be kept as domestic animals in accordance with subsection (1) of this section; provided, each potbelly pig is not greater than 22 inches in height at the shoulder or no more than 150 pounds in weight. Swine that exceed these limitations shall be considered livestock and shall meet setback requirements in subsection (4) of this section. The maximum number of potbelly pigs kept as domestic animals shall be two per household.

(9) Bees may be kept subject to the following regulations:

(a) Properties housing bees shall be a minimum of 10,000 square feet in area.

(b) Two hives are permitted if the subject property is less than 20,000 square feet in area. One additional hive is allowed for each additional 10,000 square feet in lot size.

(c) Hives shall be a minimum of 25 feet from each property line, with the hive(s) entrance(s) facing away from the nearest property line.

(d) All hives shall be registered with the Washington State Department of Agriculture, pursuant to RCW 15.60.021, prior to April of each year in which they are kept.

(10) The keeping of domestic animals, livestock, fowl, and bees for any for-profit venture shall comply with the requirements of Chapter 5.10 CMC and CMC 18.80.100 and 18.80.110.

(11) The keeping of domestic animals, livestock, fowl, and bees is permitted on properties without a primary use if two or more lots are conjoined and owned by the same landowner, and one of the properties contains a primary use. (Ord. 05-15 § 1 (Exh. A))

18.80.017 Other requirements, nuisances, and enforcement.

(1) The raising and keeping of domestic animals, livestock, fowl or bees is also subject to Chapters
6.05, 8.20, and 8.30 CMC.

(2) The following domestic animal, livestock, fowl, or bee uses under this chapter shall also be considered nuisances:

(a) Causes damages to the property of anyone other than its owner;

(b) Is vicious in nature;

(c) Causes unreasonable and continuous odor at the adjacent property line;

(d) Causes unsanitary conditions in enclosures or surroundings; provided, however, that this subsection is not violated if the alleged nuisance occurs by the accumulation of expected amounts of manure, urine, or other animal waste products and the manure is not allowed to stockpile, but is either composted, tilled into the ground or hauled away from the premises;

(e) Barks, whines, howls or other disturbing noises are made in an excessive, continuous, or untimely fashion;

(f) Is determined by the King County Health Department to be a public nuisance by virtue of being offensive or dangerous to the public health, welfare or safety.

(3) Except as otherwise provided in this chapter, any violation of any provision of this chapter constitutes a civil code violation subject to and enforced pursuant to the provisions of Chapter 1.30 CMC. (Ord. 05-15 § 1 (Exh. A))

18.80.018 Amortization requirements.

Except for as provided in CMC 18.80.015(6), the following amortization requirements shall apply to prior legal nonconforming animal uses under this chapter:

(1) Any prior legal nonconforming animal uses must be discontinued or brought into conformance with CMC 18.80.015(1), (3), (7), (8), (9), and (10) within three months of the effective date of the ordinance codified in this chapter.

(2) Any prior legal nonconforming animal uses must be discontinued or brought into conformance with CMC 18.80.015(2), (4), and (6) within one year of the effective date of the ordinance codified in this chapter.

(a) An extension or exemption from the amortization requirements in this subsection (2), only, may be applied for by the owner of the property on which the prior legal nonconforming animal use exists. An application for an amortization exemption or extension may be approved, or approved with modification, by the Director if it satisfies all of the following criteria:

(i) The use is compatible with the subject property;
(ii) The use substantially complies with the requirements of the code for the land use
district in which it is located. Minor deviations from these code provisions may be
approved by the Director if he or she concludes that the use is compatible with the
character of the primary structures on the subject property and with the structures and
uses on surrounding properties;

(iii) The enforcement of this code would result in a substantial hardship to the applicant
due to the size, shape, topography, location, or surroundings of the subject property and
such hardship was not created by any action of the applicant;

(iv) The use is consistent with the City’s comprehensive plan; and

(v) The use is consistent with and does not endanger the public health, safety and
welfare.

The decision to issue an amortization extension or exemption under this subsection shall
be made in the sole discretion of the Director, and such decision shall be final.

(3) Any prior legal nonconforming animal uses must comply with all other provisions of this chapter
not enumerated above immediately upon the effective date of the ordinance codified in this chapter.

(4) Any and all new animal uses shall be subject to the provisions of this chapter. (Ord. 05-15 § 1
(Exh. A))

18.80.020 Animal regulations – Small animals.
Repealed by Ord. 05-15. (Ord. 42-02 § 2 (21A.30.020))

18.80.030 Animal regulations – Livestock – Purpose.
Repealed by Ord. 05-15. (Ord. 42-02 § 2 (21A.30.030))

Repealed by Ord. 05-15. (Ord. 42-02 § 2 (21A.30.040))

18.80.050 Animal regulations – Livestock – Farm management plans.
Repealed by Ord. 05-15. (Amended at request of department 2/08; Ord. 42-02 § 2 (21A.30.045))

18.80.060 Animal regulations – Livestock – Management standards.
Repealed by Ord. 05-15. (Ord. 42-02 § 2 (21A.30.060))

18.80.070 Animal regulations – Livestock – Building requirements.
Repealed by Ord. 05-15. (Ord. 06-05 § 1; Ord. 23-04 § 18; Ord. 42-02 § 2 (21A.30.062))

18.80.080 Animal regulations – Livestock – Education and enforcement.
Repealed by Ord. 05-15. (Ord. 10-07 § 13; Ord. 42-02 § 2 (21A.30.066))
18.80.090 Existing livestock operations.
Repealed by Ord. 05-15. (Ord. 42-02 § 2 (21A.30.070))

18.80.100 Home occupation.
Residents of a dwelling unit may conduct one or more home occupations as accessory activities, provided:

1. The total area devoted to all home occupation(s) shall not exceed 20 percent of the floor area of the dwelling unit. Areas with attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home occupation area but may be used for storage of goods associated with the home occupation;

2. In urban residential zones, all the activities of the home occupation(s) shall be conducted indoors, except for those related to growing or storing of plants used by the home occupation(s);

3. One full-time or full-equivalent nonresident may be employed and work in the dwelling unit where the home occupation is located. A home occupation may have additional nonresident employees if the employees work off-site and do not visit the premises except as otherwise allowed in this section;

4. The home occupation shall not be used as a headquarters or meeting location for the assembly of employees or subcontractors, including staging or dispatch of employees or subcontractors to other locations, except that meetings with off-site employees of the home occupation may occur up to four times in a calendar year;

5. The following activities, as a home occupation, shall be prohibited in urban residential zones only:
   
   (a) Repair of automobiles, trucks, watercraft, recreation vehicles, other motor vehicles, heavy equipment, and devices with internal combustion engines;
   
   (b) Body work or painting of automobiles, trucks, watercraft, recreation vehicles, other motor vehicles, heavy equipment, and devices with internal combustion engines;
   
   (c) Parking and storage of automobiles, trucks, watercraft, recreation vehicles, heavy equipment, and devices with internal combustion engines; and
   
   (d) Storage of building materials for use on other properties;

6. In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
   
   (a) One stall for a nonresident employed by the home occupation(s); and
   
   (b) One stall for patrons when services are rendered on-site;
(7) Sales shall be limited to:
   (a) Mail order sales; and
   (b) Telephone sales with off-site delivery;

(8) Services to patrons shall be arranged by appointment or provided off-site;

(9) The home occupation(s) may use or store a vehicle for pickup of materials used by the home occupation(s) or the distribution of products from the site, provided:
   (a) No more than one such vehicle shall be allowed;
   (b) Such vehicle shall not park within any required setback areas of the lot or on adjacent streets; and
   (c) Such vehicle shall not exceed a weight capacity of one ton;

(10) The home occupation(s) shall not use electrical or mechanical equipment that results in:
   (a) A change to the occupancy type of the structure(s) used for the home occupation(s);
   (b) Visual or audible interference in radio or television receivers, or electronic equipment located off-premises; or
   (c) Fluctuations in line voltage off-premises.

(11) Home occupations shall be permitted to continue as a legal nonconforming use so long as the use continues to comply with the criteria that were in effect at the time of original approval and so long as the business complies with local and state regulations, including renewal of a required business license as set forth in Chapter 5.10 CMC.

(12) A home occupation shall not be transferable to any other person, nor shall a home occupation be valid at any address other than the one appearing on the issued permit.

(13) Uses not allowed as home occupations may be allowed as a home industry pursuant to CMC 18.80.110. (Ord. 15-09 § 1 (Exh. 1); Ord. 42-02 § 2 (21A.30.080))

18.80.110 Home industry.
A resident may establish a home industry as an accessory activity, provided:

(1) The site area shall be no less than one acre;

(2) The area of the home industry shall not exceed 50 percent of the floor area of the dwelling unit. Areas within attached garages and storage buildings shall not be considered part of the dwelling unit for purposes of calculating allowable home industry area but may be used for storage of goods
associated with the home occupation;

(3) No more than four nonresidents shall be employed in a home industry;

(4) In addition to required parking for the dwelling unit, on-site parking shall be provided as follows:
   (a) One stall for each nonresident employee of the home industry; and
   (b) One stall for customer parking;

(5) Additional customer parking shall be calculated for areas devoted to the home industry at the rate of one stall per:
   (a) One thousand square feet of building floor area; and
   (b) Two thousand square feet of outdoor work or storage area;

(6) Sales shall be limited to items produced on-site, except for items collected, traded and occasionally sold by hobbyists, such as coins, stamps, and antiques;

(7) Ten feet of Type I landscaping shall be provided around portions of parking and outside storage areas which are otherwise visible from adjacent properties or public rights-of-way; and

(8) The Director shall ensure compatibility of the home industry by:
   (a) Limiting the type and size of equipment used by the home industry to those which are compatible with the surrounding neighborhood;
   (b) Providing for setbacks or screening as needed to protect adjacent residential properties;
   (c) Specifying hours of operation;
   (d) Determining acceptable levels of outdoor lighting; and
   (e) Requiring sound level tests for activities determined to produce sound levels which may be in excess of those set forth in the Covington noise ordinance, Chapter 8.20 CMC. (Ord. 42-02 § 2 (21A.30.090))

18.80.120 Protection of agricultural uses.
(1) Agricultural uses, having long-term commercial significance and existing at the time of adoption of this code, may request that any approval of a development permit, on abutting property, be required to take reasonable steps to protect the existing agricultural use. The determination of long-term commercial significance must first be made by the City Council. The Council, in making such determination, will consider the following:
   (a) The property owner, requesting such determination, must submit written verification that
the property is in active agricultural production. Such verification may include, but not be limited to, income tax statements showing that the agricultural land is primarily devoted to the commercial production of agricultural uses listed in RCW 36.70A.030(2), and that the property has long-term commercial significance for agricultural production.

(2) The property owner of the long-term agricultural use desiring protection, upon receipt of a notice of a proposed development, must submit, in writing, verified, detailed information what adverse impacts the proposed development will have on the agricultural use and what specific protective measures are needed to protect the agricultural use from such impacts.

(3) In reviewing development permit applications, where an agricultural property owner has requested protection of the agricultural use, the reviewing agency will take the following into consideration:

(a) The unique need(s) of the agricultural use.

(b) The protective measure will be the minimum necessary to provide for the continued operation of the agricultural use, while not adversely impacting the rights of the abutting property owners.

(c) The verified information that the agricultural use is subject to adverse impacts. (Ord. 42-02 § 2 (21A.30.095))
Chapter 18.85
NONCONFORMANCE, TEMPORARY USES, AND RE-USE OF FACILITIES

Sections:

18.85.010 Purpose.

18.85.020 Nonconformance – Applicability.

18.85.030 Nonconformance – Creation, continuation, and forfeiture of nonconformance status.

18.85.040 Nonconformance – Abatement of illegal use, structure or development.

18.85.050 Nonconformance – Re-establishment of discontinued nonconforming use, or damaged or destroyed nonconforming structure or site improvement.

18.85.060 Nonconformance – Modifications to nonconforming use, structure, or site improvement.

18.85.070 Nonconformance – Expansions of nonconforming uses, structures, or site improvements.

18.85.080 Nonconformance – Required findings.

18.85.090 Nonconformance – Residences.

18.85.100 Temporary use permits – Uses requiring permits.

18.85.110 Temporary use permits – Exemptions to permit requirement.

18.85.120 Temporary use permits – Duration and frequency.

18.85.125 Temporary use permits – Farmers’ markets and public markets.

18.85.130 Temporary use permits – Parking.

18.85.140 Temporary use permits – Traffic control.

18.85.150 Temporary construction buildings.

18.85.160 Temporary construction residence.

18.85.170 Temporary mobile home for medical hardship.

18.85.180 Temporary real estate offices.

18.85.190 Temporary school facilities.
18.85.200 Re-use of facilities – General standards.

18.85.210 Re-use of facilities – Re-establishment of closed public school facilities.

18.85.220 Re-use of facilities – Standards for conversion of historic buildings.

18.85.010 Purpose.
The purposes of this chapter are to:

(1) Establish the legal status of a nonconformance by creating provisions through which a nonconformance may be maintained, altered, reconstructed, expanded or terminated;

(2) Provide for the temporary establishment of uses that are not otherwise permitted in a zone and to regulate such uses by their scope and period of use; and

(3) Encourage the adaptive re-use of existing public facilities, which will continue to serve the community, and to ensure public review of redevelopment plans by allowing:

   (a) Temporary re-uses of closed public school facilities retained in school district ownership, and the reconversion of a temporary re-use back to a school use;

   (b) Permanent re-use of surplus nonresidential facilities (e.g., schools, fire stations, government facilities) not retained in school district ownership; or

   (c) Permanent re-use of historic structures listed on the National Register or designated as City landmarks by the City Historian and accepted by the City Council. (Ord. 42-02 § 2 (21A.32.010))

18.85.020 Nonconformance – Applicability.
(1) With the exception of nonconforming extractive operations identified in Chapter 18.60 CMC, all nonconformances shall be subject to the provisions of this chapter.

(2) Nonconformance standards referenced in Chapter 18.31 CMC shall be applicable within the downtown zone. Where all other standards in this section may conflict with Chapter 18.31 CMC, the standards contained in Chapter 18.31 CMC shall apply.

(3) The provisions of this chapter do not supersede or relieve a property owner from compliance with:

   (a) The requirements of the International Building and Fire Codes; or

   (b) The provisions of this code beyond the specific nonconformance addressed by this chapter. (Ord. 10-10 § 3 (Exh. C); Ord. 06-05 § 1; Ord. 23-04 § 19; Ord. 42-02 § 2 (21A.32.020))
18.85.030 Nonconformance – Creation, continuation, and forfeiture of nonconformance status.
Once created pursuant to CMC 18.20.800, a nonconformance may be continued in a manner consistent with the provisions of this chapter. However, nonconformance status is forfeited if the nonconformance is discontinued beyond the provisions of CMC 18.85.050. Once nonconformance status is forfeited, the nonconformance shall not be re-established. (Ord. 42-02 § 2 (21A.32.025))

18.85.040 Nonconformance – Abatement of illegal use, structure or development.
Any use, structure or other site improvement not established in compliance with use and development standards in effect at the time of establishment shall be deemed illegal and shall be discontinued or terminated and subject to removal pursuant to the provisions of Chapter 1.30 CMC. (Ord. 10-07 § 14; Ord. 42-02 § 2 (21A.32.040))

18.85.050 Nonconformance – Re-establishment of discontinued nonconforming use, or damaged or destroyed nonconforming structure or site improvement.
A nonconforming use which has been discontinued or a nonconforming structure or site improvement which has been damaged or destroyed may be re-established or reconstructed if:

(1) The nonconforming use, structure, or site improvement, which previously existed, is not expanded;

(2) A new nonconformance is not created; and

(3) The use has not been discontinued for more than 12 months prior to its re-establishment, or the nonconforming structure or site improvement is reconstructed pursuant to a complete permit application submitted to the Department within 12 months of the occurrence of damage or destruction. (Ord. 42-02 § 2 (21A.32.045))

18.85.060 Nonconformance – Modifications to nonconforming use, structure, or site improvement.
Modifications to a nonconforming use, structure, or site improvement may be reviewed and approved by the Department pursuant to the code compliance review process of Chapter 14.30 CMC; provided, that:

(1) The modification does not expand any existing nonconformance; and

(2) The modification does not create a new type of nonconformance. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.32.055))

18.85.070 Nonconformance – Expansions of nonconforming uses, structures, or site improvements.
A nonconforming use, structure, or site improvement may be expanded as follows:

(1) The Department may review and approve, pursuant to the Type I process of Chapter 14.30
CMC, an expansion of a nonconformance; provided, that:

(a) The expansion shall conform to all other provisions of this title, except that the extent of
the project-wide nonconformance in each of the following may be increased up to 10 percent:

(i) Building square footage;

(ii) Impervious surface;

(iii) Parking; or

(iv) Building height.

(b) No subsequent expansion of the same nonconformance shall be approved under this
subsection if the cumulative amount of such expansion exceeds the percentage prescribed in
subsection (1)(a) of this section.

(2) A special use permit shall be required for expansions of a nonconformance within a
development authorized by an existing special use or unclassified use permit if the expansions are
not consistent with the provisions of subsection (1) of this section.

(3) A conditional use permit shall be required for expansions of a nonconformance:

(a) Within a development authorized by an existing planned unit development approval; or

(b) Not consistent with the provisions of subsections (1) and (2) of this section. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.32.065))

18.85.080 Nonconformance – Required findings.
Modifications or expansions approved by the Department shall be based on written findings that the
proposed:

Modification or expansion of a nonconformance located within a development governed by an
existing conditional use permit, special use permit, unclassified use permit, or planned unit
development shall provide the same level of protection for and compatibility with adjacent land uses
as the original land use permit approval. (Ord. 42-02 § 2 (21A.32.075))

18.85.090 Nonconformance – Residences.
Any residence nonconforming relative to use may be expanded, after review and approval through
the Type I process of Chapter 14.30 CMC, subject to all other applicable codes besides those set
forth in this chapter for nonconformances. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.32.085))

18.85.100 Temporary use permits – Uses requiring permits.
Except as provided by CMC 18.85.110 and CMC 18.85.125, a temporary use permit shall be
required for:
(1) Uses not otherwise permitted in the zone that can be made compatible for periods of limited duration and/or frequency; or

(2) Limited expansion of any use that is otherwise allowed in the zone but which exceeds the intended scope of the original land use approval.

Applications for temporary use permits shall be accompanied by the required fee as set forth in the current fee resolution. (Ord. 09-09 § 7; Ord. 20-07 § 130; Ord. 42-02 § 2 (21A.32.100))

18.85.110 Temporary use permits – Exemptions to permit requirement.
(1) The following uses shall be exempt from requirements for a temporary use permit when located in the TC, MC, GC, MHO, CC, NC, or I zones for the time period specified below:

(a) Uses not to exceed a total of 30 days each calendar year:

   (i) Christmas tree lots;

   (ii) Fireworks stands; and

   (iii) Produce stands.

(b) Uses not to exceed a total of 14 days each calendar year:

   (i) Amusement rides, carnivals, or circuses;

   (ii) Community festivals; and

   (iii) Parking lot sales.

(2) Any use not exceeding a cumulative total of two days each calendar year shall be exempt from requirements for a temporary use permit.

(3) Any community event held in a park and not exceeding a period of seven days shall be exempt from requirements for a temporary use permit. (Ord. 05-16 § 1 (Exh. A); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.32.110))

18.85.120 Temporary use permits – Duration and frequency.
Temporary use permits shall be limited in duration and frequency as follows:

(1) The temporary use permit shall be effective for no more than 180 days from the date of the first event;

(2) The temporary use shall not exceed a total of 60 days; provided, that this requirement applies only to the days that the event(s) actually take place;

(3) Temporary use permits for recreational vehicles shall not exceed the duration and frequency as
outlined in CMC 18.50.190(4);

(4) The temporary use permit shall specify a date upon which the use shall be terminated and removed; and

(5) A temporary use permit shall not be granted for the same temporary use on a property more than once per calendar year; provided, that a temporary use permit may be granted for multiple events during the approval period. (Ord. 05-16 § 1 (Exh. A); Ord. 42-02 § 2 (21A.32.120))

18.85.125 Temporary use permits – Farmers’ markets and public markets.

A temporary use permit shall be required for each location of a temporary farmers’ market or temporary public market. The following additional requirements shall apply for these uses:

(1) Application. Application shall be made by the market manager or his/her designee. The manager and/or designee shall provide a vendor register with contact information for all vendors, to be updated when new vendors are added.

(2) Permit Duration. The temporary use permit shall be effective for no more than 180 days from the date of the first event.

(3) Days of Operation. Markets may operate any day of the week at any time of the year, subject to an approved 180-day temporary use permit. Markets that sell food items other than produce, or that prepare foods, are subject to permanent food establishment guidelines under the King County Board of Health Code.

(4) Hours of Operation. Sales are permitted from 9:00 a.m. to 6:00 p.m. between November 1st and April 30th, and from 9:00 a.m. to 9:00 p.m. between May 1st and October 31st. Vendors must assemble and disassemble their spaces during these hours. The market manager or his/her designee shall be on site at all times of market operation.

(5) Tents/Canopies.

(a) The arrangement of tents/canopies to create vendor spaces shall meet all building and fire code requirements.

(b) A vendor space shall be a maximum of 120 square feet (e.g., a 10-foot by 12-foot tent), with no side being less than six feet in length.

(c) All tents and other market items shall be dismantled and stored safely on site or removed from the site at the end of each selling day, unless the structure is approved through a City-issued building permit. A structure requiring a building permit that is not used for two or more consecutive days, or is not used five or more days per week, shall be dismantled and removed from the site.
(6) Accessory Uses. Crafts sales, processed food sales, and prepared food sales shall be accessory uses to farmers’ and public markets.

(7) Vendors. Up to 30 percent of the vendors of a farmers’ market and up to 50 percent of the vendors of a public market may consist of resellers and other accessory uses allowed for that use. A single vendor using multiple spaces shall count as multiple vendors for the purpose of calculating primary to accessory vendors (e.g., a single vendor selling crafts that is using three spaces counts as three craft vendors).

(8) Signs. Two temporary signs advertising the market itself are permitted. Such signs shall be no more than six square feet in area and may be placed within 300 feet of the market entrance, excluding the public right-of-way. Individual vendor space signs shall be located only on vendor tables or tent structures. Vendor signs shall not project above the roofline of a tent.

(9) Parking. Two on-site parking spaces are required for each vendor space. Two bicycle parking spaces are required for markets with 10 or more vendor spaces; one additional bicycle parking space is required for every additional 10 vendor spaces.

(10) Revocation of Permit. A temporary use permit for a farmers’ market or public market issued pursuant to this section shall be revoked upon a finding that the market no longer complies with the terms of this section and all other applicable sections of the Covington Municipal Code. A market manager or his/her designee may appeal a revocation to the hearing examiner in accordance with Chapter 14.45 CMC. (Ord. 09-09 § 8)

18.85.130 Temporary use permits – Parking.
Parking and access for proposed temporary uses shall be approved by the City. (Ord. 42-02 § 2 (21A.32.130))

18.85.140 Temporary use permits – Traffic control.
The applicant for a proposed temporary use shall provide any parking/traffic control attendants as specified by the City of Covington Police Department. (Ord. 42-02 § 2 (21A.32.140))

18.85.150 Temporary construction buildings.
Temporary structures for storage of tools and equipment or for supervisory offices may be permitted for construction projects; provided, that such structures are:

(1) Allowed only during periods of active construction; and

(2) Removed within 30 days of project completion or cessation of work. (Ord. 42-02 § 2 (21A.32.150))

18.85.160 Temporary construction residence.
(1) A mobile home may be permitted on a lot as a temporary dwelling for the property owner, provided a building permit for a permanent dwelling on the site has been obtained.
(2) The temporary mobile home permit shall be effective for a period of 12 months. The permit may be extended for one additional period of 12 months if the permanent dwelling is constructed with a finished exterior by the end of the initial approval period.

(3) The mobile home shall be removed within 90 days of:

(a) The expiration of the temporary mobile home permit; or

(b) The issuance of a certificate of occupancy for the permanent residence, whichever occurs first. (Ord. 42-02 § 2 (21A.32.160))

18.85.170 Temporary mobile home for medical hardship.
(1) A mobile home may be permitted as a temporary dwelling on the same lot as a permanent dwelling, provided:

(a) The mobile home together with the permanent residence shall meet the setback, height, building footprint, and lot coverage provisions of the applicable zone; and

(b) The applicant submits with the permit application a notarized affidavit that contains the following:

(i) Certification that the temporary dwelling is necessary to provide daily care, as defined in Chapter 18.20 CMC;

(ii) Certification that the primary provider of such daily care will reside on-site;

(iii) Certification that the applicant understands the temporary nature of the permit, subject to the limitations outlined in subsections (2) and (3) of this section;

(iv) Certification that the physician’s signature is both current and valid; and

(v) Certification signed by a physician that a resident of the subject property requires daily care, as defined in Chapter 18.20 CMC.

(2) Temporary mobile home permits for medical hardships shall be effective for 12 months. Extensions of the temporary mobile home permit may be approved in 12-month increments subject to demonstration of continuing medical hardship in accordance with the procedures and standards set forth in subsection (1) of this section.

(3) The mobile home shall be removed within 90 days of:

(a) The expiration of the temporary mobile home permit; or

(b) The cessation of provision of daily care. (Ord. 42-02 § 2 (21A.32.170))
18.85.180 Temporary real estate offices.
One temporary real estate office may be located on any new residential development; provided, that activities are limited to the initial sale or rental of property or units within the development. The office use shall be discontinued within one year of recording of a short subdivision or issuance of a final certificate of occupancy for an apartment development, and within two years of the recording of a formal subdivision. (Ord. 42-02 § 2 (21A.32.180))

18.85.190 Temporary school facilities.
Temporary school structures may be permitted during construction of new school facilities or during remodeling of existing facilities; provided, that such structures:

1. Are allowed only during periods of active construction or remodeling;
2. Do not expand the student capacity beyond the capacity under construction or remodeling; and
3. Are removed within 30 days of project completion or cessation of work. (Ord. 42-02 § 2 (21A.32.190))

18.85.200 Re-use of facilities – General standards.
The interim or permanent re-use of surplus nonresidential facilities in residential zoned areas shall require that no more than 50 percent of the original floor area be demolished for either permanent or interim re-use of facilities. (Ord. 42-02 § 2 (21A.32.200))

18.85.210 Re-use of facilities – Re-establishment of closed public school facilities.
The re-establishment or reconversion of an interim nonschool use of school facilities back to school uses shall require a site plan and the issuance of a change of use permit, and is subject to payment of a fee as set forth in the current fee resolution. (Ord. 20-07 § 131; Ord. 42-02 § 2 (21A.32.210))

18.85.220 Re-use of facilities – Standards for conversion of historic buildings.
In order to ensure that significant features of the property are protected pursuant to Chapter 18.47 CMC, the following standards shall apply to conversion of historic buildings:

1. Gross floor area of building additions or new buildings required for the conversion shall not exceed 20 percent of the gross floor area of the historic building, unless allowed by the zone;
2. Conversions to apartments shall not exceed one dwelling unit for each 3,600 square feet of lot area, unless allowed by the zone; and
3. Any construction required for the conversion shall require certification of appropriateness from the City of Covington Historian in accord with Chapter 18.47 CMC. (Ord. 42-02 § 2 (21A.32.220))
Chapter 18.105
APPLICATION REQUIREMENTS/NOTICE METHODS

(Repealed by Ord. 10-10)
Chapter 18.110
COMMERCIAL SITE DEVELOPMENT PERMITS

Sections:
18.110.010 Purpose.
18.110.020 Applicability.
18.110.030 Complete application.
18.110.040 Public comments.
18.110.050 Application of development standards.
18.110.060 Approval.
18.110.070 Financial guarantees.
18.110.080 Limitation of permit approval.
18.110.090 Modification to an approved permit.
18.110.100 Administrative rules.

18.110.010 Purpose.
(1) The purpose of this chapter is to establish a comprehensive site review process of proposed commercial, industrial, mineral or multifamily development, excluding single-family residences, resulting in a permit which can combine any or all of the following:

(a) Site development requirements specified prior to building and/or grading permit applications.

(b) Site review and application of rules and regulations generally applied to the whole site without regard to existing or proposed internal lot lines.

(c) Site development coordination and project phasing occurring over a period of years.

(d) Evaluation of commercial, industrial, mineral and multifamily zoned property for the creation or alteration of lots when reviewed concurrently with a binding site plan application.

(2) Review and approval procedures shall be in accordance with applicable Washington State and City of Covington laws, rules and regulations, including permit processing procedures required by Chapter 14.35 CMC, and shall be subject to fees as set forth in the current fee resolution.

(3) Compliance with the supplemental town center criteria, pursuant to CMC 18.31.040, shall be required for all development within the town center district of the downtown zone, other than the
reuse, modification, or expansion of any existing development. The supplemental town center criteria are in addition the requirements of this chapter.

(4) The Director has the authority to determine if an applicant is required to hold a public meeting after a commercial site development application has been submitted for development within the town center district of the downtown zone. (Ord. 10-10 § 3 (Exh. C); Ord. 02-09 § 15; Ord. 20-07 § 132; Ord. 42-02 § 2 (21A.41.010))

18.110.020 Applicability.
(1) An application for commercial site development permit shall be submitted for all commercial, industrial or multifamily development projects on sites consisting of one or more contiguous lots legally created and zoned to permit the proposed uses.

(2) A commercial site development permit is separate from and does not replace other required permits such as conditional use permits or shoreline substantial development permits. A commercial site development permit may be combined and reviewed concurrently with other permits. (Ord. 42-02 § 2 (21A.41.020))

18.110.030 Complete application.
A complete application for site development review must include, but not be limited to, the items listed in subsections (1) through (9) of this section:

(1) A completed application on a form supplied by the Department.

(2) A water and sewer availability certificates as provided by the appropriate service purveyor.

(3) A transportation concurrency certificate as provided by the Director of Community Development.

(4) A completed environmental checklist, unless categorically exempt.

(5) A list of names and mailing addresses of property owners of all property within 500 feet of the exterior boundaries of the subject site and any contiguous property under the same ownership.

(6) A property owner declaration.

(7) Affidavit concerning sensitive area compliance.

(8) Legal description.

(9) The following drawings, with dimensions, at a scale of one inch equals 30 feet, unless otherwise approved by the Director:

(a) Site Review.

   (i) Site plan showing the location and size of all proposed structures, and existing
structures to remain, buffer areas, setbacks, open spaces, common areas or plazas, walkways and parking areas, all abutting streets, contours at five-foot intervals, a north arrow and the scale.

(ii) Pedestrian circulation plan showing the location and dimensions of all sidewalks, walkways, plazas and pedestrian areas, including disabled accessibility routes of travel. Indicate likely pedestrian-oriented trip origins and destinations and indicate methods of connection.

(iii) Building elevations of all structures including, but not limited to, elevations, trim details, dimensions, the materials proposed for the roof, siding and windows.

(iv) Paving plan describing all pedestrian and vehicular paving materials, including type, color, texture, and the locations of travel detectable warnings as required by Washington State barrier free requirements.

(b) Engineering Review.

(i) Clearing, grading and drainage plan including, but not limited to, the location of all trees having a diameter of four inches or more and indicating which trees are to be retained. The plan must also show all streams, marshes and other natural features; cuts and fills; retaining walls; and the method of retaining all surface water on site, in accordance with the stormwater manuals adopted pursuant to Chapter 13.25 CMC.

(ii) Utility plan showing the existing/proposed location of all utility lines necessary to serve the development, and their relation to landscape and buffer areas and natural features.

(iii) Contour map at two-foot intervals indicating existing and proposed grades, unless waived by the Department.

(iv) Parking plan.

(v) Landscape plan listing the type, size, species and spacing of all landscaping to remain and all new landscaping pursuant to all City landscape, tree and design ordinances.

(vi) Irrigation plan showing the method of irrigation of all vegetation.

(vii) Exterior lighting plan showing the location of all existing/proposed lighting features other than those to be installed on the structure.

(viii) Utility screening plan showing the type, color, location and specifications of all fencing and landscape screening.

(ix) Outdoor furniture and accessory plan showing the type, color and location of all
outdoor furniture, trash receptacles and other outdoor accessories.

(x) Master sign plan showing the approximate size, height, location, color, material, etc., of all existing/proposed signs.

(xi) Fire protection system locations and access including proposed fire lanes, fire hydrants, fire Department connections, building construction type and sprinkler system designation. (Ord. 10-10 § 3 (Exh. C); Ord. 13-09 § 39; Amended at request of department 2/08; Ord. 04-08 § 5; Ord. 42-02 § 2 (21A.41.030))

18.110.040 Public comments.
All public notification and comment periods shall be in accord with the provisions of Chapter 14.40 CMC. (Ord. 02-09 § 16; Ord. 42-02 § 2 (21A.41.050))

18.110.050 Application of development standards.
(1) An application for site development permit shall be reviewed pursuant, but not limited, to this section, Chapter 43.21C RCW, SEPA, as implemented by Chapter 197-11 WAC; Chapter 13.25 CMC, Surface and Stormwater; Chapter 12.60 CMC, City of Covington Street Standards; design and construction standards; Chapter 14.60 CMC, clearing and grading; Chapter 15.20 CMC, Fire Code; Chapter 16.10 CMC, State Environmental Policy Act; CMC Title 18, Zoning; Chapter 16.05 CMC, Shoreline Management Plan; administrative rules; City tree ordinance; City approved utility plans; and compliance with Chapter 18.31 CMC.

(2) Lot-based standards, such as internal circulation, landscaping signage and setback requirements, are typically applied to each individual lot within the site. However, the Director may approve an application for commercial site development where such standards have been applied to the site as if it consisted of one parcel. Lot-based regulations shall not be waived altogether.

(3) The Director may modify lot-based or lot line requirements contained within the building, fire and other similar uniform codes adopted by the City, provided the site is being reviewed concurrently with a binding site plan application. (Ord. 27-16 § 15; Ord. 10-10 § 3 (Exh. C); Ord. 20-07 § 133; Ord. 42-02 § 2 (21A.41.060))

18.110.060 Approval.
(1) The Director may approve, deny, or approve with conditions an application for a commercial site development (Type II). The decision shall be based on the following factors:

(a) Conformity with adopted City and State rules and regulations in effect on the date the complete application was filed, including but not limited to those listed in CMC 18.110.050.

(b) Consideration of the recommendations or comments of interested parties and those agencies having pertinent expertise or jurisdiction, consistent with the requirements of this title.
(2) Subsequent permits for the subject site shall be issued only in compliance with the approved commercial site development plan. Additional site development conditions and site review will not be required for subsequent permits provided the approved plan is not altered.

(3) Approval of the proposed site development permit shall not provide the applicant with a vested right to build without regard to subsequent changes in the building and fire codes.

(4) The Director shall mail a copy of the decision to the applicant and any other person who has presented written comment to the Department. (Ord. 42-02 § 2 (21A.41.070))

18.110.070 Financial guarantees.
Performance guarantees consistent with the provisions of CMC Title 14 may be required to assure that development occurs according to the approved plan. If required, said guarantees, including type and amount, are subject to review and approval by the Finance Director and City Attorney. (Ord. 20-07 § 134; Ord. 42-02 § 2 (21A.41.080))

18.110.080 Limitation of permit approval.
(1) A site development permit approved without a phasing plan shall be null and void if the applicant fails to file a complete building permit application(s) for all buildings within three years of the approval date, or by a date specified by the Director; and fails to have all valid building permits issued within three years of the site development permit approval date.

(2) A site development permit approved with a phasing plan shall be null and void if the applicant fails to meet the conditions and time schedules specified in the approved phasing plan, unless otherwise approved through a development agreement pursuant to Chapter 18.114 CMC.

(3) A site development permit approved without a building permit shall be null and void if the applicant fails to meet the conditions and time schedules specified in the approved plan. If no time schedule is specified in the approved plan, then the applicant has one year to obtain a valid business license.

(4) The Director may approve one two-year extension of the above stated limits if the applicant can show good faith progress, a justifiable basis for delay not occasioned by the applicant’s own action or failure to act, and that the extension is reasonably necessary to complete the project. Requests for extension must be submitted in writing to the Director at least 14 days prior to the permit expiration date. Said request shall explain in detail the circumstances surrounding the request.

(5) Commercial site development permits associated with an approved and valid development agreement shall be subject to the terms and extension requirements in Chapter 18.114 CMC. (Ord. 06-13 § 2 (Exh. A); Ord. 06-11 § 1; Ord. 42-02 § 2 (21A.41.100))

18.110.090 Modification to an approved permit.
(1) A subsequent building permit application may contain minor modifications to an approved
commercial site development plan provided a modification does not:

(a) Increase the building floor area by more than 10 percent;

(b) Increase the number of dwelling units;

(c) Increase the total impervious surface area; provided, that relocatable facilities for schools shall be exempt from this restriction;

(d) Result in an insufficient amount of parking and/or loading;

(e) Locate buildings outside an approved building envelope; provided, that relocatable facilities for schools shall be exempt from this restriction;

(f) Change the number of ingress and egress points to the site;

(g) Significantly increase the traffic impacts of peak hour trips to and from the site;

(h) Significantly increase the quantity of imported or exported materials or increase the area of site disturbance.

(2) The Director has sole discretion to approve, deny or modify any request. Modifications which exceed the conditions of approval as stated in this section and require a new review as determined by the Director shall only be accomplished by applying for a new commercial site development permit for the entire site. The new application shall be reviewed according to the laws and rules in effect at the time of application.

(3) Commercial site development permits associated with an approved and valid development agreement shall be subject to the development agreement procedures in Chapter 18.114 CMC.

18.110.100 Administrative rules.
The Director may promulgate administrative rules and regulations to implement the provisions and requirements of this chapter. (Ord. 42-02 § 2 (21A.41.120))
Chapter 18.114
DEVELOPMENT AGREEMENTS

Sections:
18.114.010 Purpose.
18.114.020 Authority.
18.114.040 Processing procedure for development agreements.
18.114.050 No deadline for final decision, form of agreement, term, recording.
18.114.060 Judicial appeal.

18.114.010 Purpose.
A development agreement provides the opportunity for the City and a developer to agree on the scope and timing of a project, applicable regulations and requirements, mitigation requirements, and other matters relating to the development process. A development agreement promotes the general welfare by balancing public and private interests, providing reasonable certainty for a development project, and addressing other matters, including reimbursement over time for the financing of public facilities. Development agreements may provide public benefits such as affordable housing, pedestrian-oriented communities, mixed-use development, and creation of public amenities such as parks and open spaces. (Ord. 06-13 § 1 (Exh. A))

18.114.020 Authority.
(1) The execution of a development agreement is a proper exercise of the City’s police power and contract authority. The City may consider, and enter into, a development agreement with a person having ownership or control of real property within the City limits. The City may consider a development agreement for real property outside of the City limits but within the urban growth area (“UGA”), as defined in RCW 36.70A.030(15), or as designated by the County pursuant to RCW 36.70A.110 as part of a proposed annexation or a service agreement.

(2) A development agreement may obligate a party to fund or provide services, infrastructure, or other facilities. A development agreement shall be consistent with applicable development regulations adopted by the City under Chapter 36.70A RCW.

(3) A development agreement shall reserve authority to impose new or different regulations to the extent required by serious threat to public health and safety. (Ord. 06-13 § 1 (Exh. A))

(1) Comprehensive Plan. A development agreement shall be consistent with the applicable policies and goals of the City of Covington’s Comprehensive Plan.
(2) Development Standards. A development agreement shall be consistent with all applicable development regulations; provided, a development agreement may extend the durations of approval of project permits and allow phasing plans different from those otherwise imposed under the Covington Municipal Code.

(a) A development agreement related to property in the Covington downtown zone, town center district (TC), may allow further deviations from development regulations imposed under Chapter 18.31 CMC for the following reasons:

   (i) To provide flexibility to achieve public benefits; or

   (ii) To respond to changing community needs; or

   (iii) To encourage deviations that provide the functional equivalent or adequately achieve the purposes of otherwise applicable City standards.

(b) A development agreement may not authorize deviations from development regulations governing the uses, minimum and maximum densities, maximum gross floor area, or maximum structure height.

(c) A development agreement may not authorize deviations from the requirements of CMC Title 15, Buildings and Construction. Building permit applications shall be subject to the building codes in effect when a complete building permit application is submitted.

(d) A development agreement may not authorize deviations from the minimum requirements of CMC Title 16, Environment, and Chapter 18.65 CMC, Critical Areas.

(e) Any deviation from development standards in the Covington Municipal Code shall not require any further rezone, variance from City standards, or other City approval apart from development agreement approval by the City Council. Deviations from development standards as approved through a development agreement shall apply to and govern the development and implementation of each covered property in lieu of any conflicting or different standards or requirements elsewhere in the Covington Municipal Code.

(f) Subsequent amendments to the development standards in the Covington Municipal Code that differ from those deviations approved by the City Council in a development agreement shall apply to the covered property only where necessary to address imminent public health and safety hazards or where the development agreement specifies a time period or phase after which certain identified standards can be modified.

(3) As a minimum, the development agreement shall specify the following:

   (a) Project components that define and describe the permitted uses, residential densities, nonresidential densities, and intensities or building sizes;
(b) The amount and payment of impact fees imposed or agreed to in accordance with any applicable provisions of State law, any reimbursement provisions, other financial contributions by the property owner, inspection fees, or dedications;

(c) Mitigation measures, development conditions, and other requirements of Chapter 43.21C RCW, State Environmental Policy Act;

(d) Design standards such as architectural treatment, maximum heights, setbacks, landscaping, drainage and water quality requirements, and other development features;

(e) Provisions for affordable housing, if applicable;

(f) Parks and common open space preservation;

(g) Signage;

(h) Parking;

(i) Phasing;

(j) Financial guarantees for performance and maintenance of public improvements;

(k) Maintenance and operation standards for public improvements;

(l) A build-out or vesting period for applicable standards;

(m) Duration of agreement; and

(n) Any other appropriate development requirement or procedure that is based upon a City policy, rule, regulation, or standard.

(4) As provided in RCW 36.70B.170, the development agreement shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety. (Ord. 06-13 § 1 (Exh. A))

18.114.040 Processing procedure for development agreements.

A proposed development agreement shall accompany and be processed in conjunction with the associated underlying land use application, approval, or annexation request. The type of land use application or other approval shall control the type of application set forth in CMC 14.30.040.

(1) A proposed development agreement associated with a legislative action, such as a Comprehensive Plan amendment or area-wide rezone, shall be processed in accordance with the procedures established in this title and pursuant to the noticing requirements set forth in CMC 14.30.060. The Planning Commission shall make a recommendation to the City Council on any proposed development agreement relating to legislative action. The City Council shall hold a public
hearing on the proposed development agreement and, if approved, shall authorize the City Manager to execute the development agreement on behalf of the City.

(2) A proposed development agreement associated with a land use application shall be processed in accordance with the permit application procedures established in Chapter 14.35 CMC and as further provided in this title as follows:

(a) If the underlying land use application is a Type 2 final decision by the Director, then the Director shall consider both the land use application and the proposed development agreement together. The Director shall make a recommendation to the City Council on the proposed development agreement. The Director’s final decision on the underlying land use application shall not be made until the City Council holds a public hearing on the proposed development agreement and subsequently approves or rejects the proposed development agreement. If the City Council approves the development agreement, the City Council shall authorize the City Manager to execute the development agreement on behalf of the City. Nothing in this section obligates the Director to forward a recommendation to the City Council for further consideration of a proposed development agreement if the Director denies the underlying land use application.

(b) If the underlying land use application is a Type 3 final decision by the Hearing Examiner, then the Hearing Examiner shall consider both the land use application and the proposed development agreement together during the required public hearing for a Type 3 land use application. The Hearing Examiner shall make a recommendation to the City Council on the proposed development agreement. The Hearing Examiner’s final decision on the underlying land use application shall not be made until the City Council holds a public hearing on the proposed development agreement and subsequently approves or rejects the proposed development agreement. If the City Council approves the development agreement, the City Council shall authorize the City Manager to execute the development agreement on behalf of the City. Nothing in this section obligates the Hearing Examiner to forward a recommendation to the City Council for further consideration of a proposed development agreement if the Hearing Examiner denies the underlying land use application.

(c) If a final decision on an underlying land use application has been previously made by the Hearing Examiner or Director, and the application was approved, the Director shall make a recommendation to the City Council on the proposed development agreement. The City Council shall hold a public hearing on the proposed development agreement. If the City Council approves the development agreement, the City Council shall authorize the City Manager to execute the development agreement on behalf of the City.

(3) Public Notice. All public meetings and public hearings on a development agreement shall be noticed pursuant to underlying land use type as set forth in Chapter 14.40 CMC. (Ord. 06-13 § 1 (Exh. A))
18.114.050 No deadline for final decision, form of agreement, term, recording.

(1) Pursuant to RCW 36.70B.020, development agreements are not land use applications and are not subject to processing deadlines. A signed written waiver of the deadline to issue a final decision on any land use application for the covered property shall accompany a request for a development agreement.

(2) No proposed development agreement shall be presented to the decision-making body unless in a form approved by the City Attorney. Prior to any public hearing held for the purpose of authorizing execution of the development agreement, a development agreement shall be signed by the property owner and all other parties with a substantial beneficial interest in the property that is the subject of the development agreement.

(3) Term.

   (a) A development agreement may be approved up to a maximum period of 20 years.

   (b) In determining the appropriate term for a development agreement, the City Council should consider the type, size, and location of development and phasing, if proposed. The City Council may consider shorter terms with extensions.

   (c) Extensions. If extensions are authorized in a development agreement, an applicant must request the extension at least 60 days prior to expiration of the development agreement. For a development agreement associated with a land use application, the Director may grant an extension for up to five years, not to exceed a total of 25 years, if the applicant can satisfactorily show that at least 50 percent of the gross floor area is constructed. All other requests for extensions shall be reviewed by the City Council unless another process is expressly provided for in the development agreement.

(4) Recording. A development agreement shall be recorded against the property in the real property records of the King County Assessor’s office. Recording costs shall be paid by the applicant as provided for in the current fee schedule. During the term of the development agreement the agreement is binding on the parties and their successors, including the property owners in any area that is annexed to the City. (Ord. 06-13 § 1 (Exh. A))

18.114.060 Judicial appeal.

If the development agreement relates to a land use application, the provisions of Chapter 36.70C RCW shall apply to the appeal of the decision on the development agreement and in accordance with the appeal procedures in Chapter 14.45 CMC for a Type 4 decision type. (Ord. 06-13 § 1 (Exh. A))
Chapter 18.115
REVIEW PROCEDURES/NOTICE REQUIREMENTS

(Repealed by Ord. 10-10)
Chapter 18.120
SCHOOL IMPACT FEES

(Repealed by Ord. 11-15)
Chapter 18.125
DECISION CRITERIA

Sections:
18.125.010 Purpose.
18.125.020 Temporary use permit.
18.125.030 Variance.
18.125.040 Conditional use permit.
18.125.045 Expiration or renewal.
18.125.050 Modifications and expansions of a conditional use permit – When use is not permitted outright.
18.125.060 Modifications or expansions of a conditional use permit authorized by existing land use permits – Required findings.
18.125.070 Modifications and expansions – Uses or development authorized by existing conditional use, or unclassified use permits.

18.125.010 Purpose.
The purposes of this chapter are to allow for consistent evaluation of land use applications and to protect nearby properties from the possible effects of such requests by:

(1) Providing clear criteria on which to base a decision;

(2) Recognizing the effects of unique circumstances upon the development potential of a property;

(3) Avoiding the granting of special privileges;

(4) Avoiding development, which may be unnecessarily detrimental to neighboring properties;

(5) Requiring that the design, scope and intensity of development is in keeping with the physical aspects of a site and adopted land use policies for the area; and

(6) Providing criteria, which emphasize protection of the general character of neighborhoods. (Ord. 42-02 § 2 (21A.44.010))

18.125.020 Temporary use permit.
A temporary use permit shall be granted by the City only if the applicant submits an application and application fee as set forth in the current fee resolution, demonstrating that:

(1) The proposed temporary use will not be materially detrimental to the public welfare;
(2) The proposed temporary use is compatible with existing land uses in the immediate vicinity in terms of noise and hours of operation;

(3) The proposed temporary use, if located in a resource zone, will not be materially detrimental to the use of the land for resource purposes and will provide adequate off-site parking if necessary to protect against soil compaction;

(4) Adequate public off-street parking and traffic control for the exclusive use of the proposed temporary use can be provided in a safe manner; and

(5) The proposed temporary use is not otherwise permitted in the zone in which it is proposed.

(Ord. 20-07 § 141; Ord. 42-02 § 2 (21A.44.020))

18.125.030 Variance.

(1) Variance Authority. The Hearing Examiner shall have the authority to grant a variance from the terms of this title. The Hearing Examiner may impose conditions or restrictions on an existing or proposed use or structure in order to ensure that a requested variance will conform to the required findings below.

(2) Required Findings. The Hearing Examiner shall not grant a variance from the development standards of this title unless the Hearing Examiner finds that the variance request meets all of the following criteria and the Hearing Examiner makes written findings to that effect:

   (a) The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;

   (b) The variance is necessary because of the unique size, shape, topography, or location of the subject property;

   (c) The subject property is deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and under an identical zone;

   (d) The variance does not create health and safety hazards, is not materially detrimental to the public welfare or is not unduly injurious to property or improvements in the vicinity;

   (e) The variance does not relieve an applicant from any of the procedural provisions of this title;

   (f) The variance does not relieve an applicant from any standard or provision that specifically states that no variance from such standard or provision is permitted;

   (g) The variance does not relieve an applicant from conditions established during prior permit review or from provisions enacted pursuant to Chapter 18.100 CMC, Property-Specific Development Standards/Special District Overlays;
(h) The variance does not allow establishment of a use that is not otherwise permitted in the zone in which the proposal is located;

(i) The variance does not allow the creation of lots or densities that exceed the base residential density for the zone by more than 10 percent;

(j) The variance is the minimum necessary to grant relief to the applicant;

(k) The variance from setback or height requirements does not infringe upon or interfere with easement or covenant rights or responsibilities;

(l) The variance does not relieve an applicant from any provisions of Chapter 18.65 CMC, Critical Areas, except for the required buffer widths and building setbacks set forth in CMC 18.65.200, 18.65.280, 18.65.310, 18.65.320, or 18.65.360; and

(m) The variance is not eligible for wireless communication facilities that are governed under Chapter 18.70 CMC, Wireless Communication Facilities.

(3) Granting of a Use Variance Is Not Authorized. The Hearing Examiner shall not grant a variance which establishes a use otherwise prohibited within a zoning district.

(4) Applications for variances under this section shall require payment of an application fee to cover the costs of review. Such fees shall be set forth in the current fee resolution. (Ord. 09-12 § 2 (Exh. B); Ord. 10-10 § 3 (Exh. C); Ord. 20-07 § 142; Ord. 42-02 § 2 (21A.44.030))

18.125.040 Conditional use permit.

(1) Conditional Use Permit Authority. The Hearing Examiner shall have the authority to issue a conditional use permit. When considering a request for a conditional use permit, the Hearing Examiner shall consider the applicable standards, criteria, intent and policies established by this title and the comprehensive land use plan as they pertain to the proposed use.

(2) The Hearing Examiner may impose specific conditions upon the use, including an increase in the standards of this title, which will enable the Hearing Examiner to make the required findings below. The Hearing Examiner may impose conditions which include, but are not limited to, restrictions in hours of operations; location restrictions for structures and uses; structural requirements, including safety, noise reduction, view protection, and aesthetics; and increased buffering requirements, including open space, berms, fencing and landscaping.

(3) Required Findings. The Hearing Examiner shall not grant a conditional use permit unless the Hearing Examiner finds that the conditional use permit request meets all of the following criteria and the Hearing Examiner makes written findings to that effect:

(a) The conditional use is designed in a manner which is compatible with the character and appearance of an existing or proposed development in the vicinity of the subject property;
(b) The location, size and height of buildings, structures, walls and fences, and screening vegetation for the conditional use shall not hinder neighborhood circulation or discourage the permitted development or use of neighboring properties;

(c) The conditional use is designed in a manner that is compatible with the physical characteristics of the subject property;

(d) Requested modifications to standards are limited to those which will mitigate impacts in a manner equal to or greater than the standards;

(e) The conditional use is not in conflict with the health and safety of the community;

(f) The conditional use is such that pedestrian and vehicular traffic associated with the use will not be hazardous or conflict with existing and anticipated traffic in the neighborhood;

(g) The conditional use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding area or conditions can be established to mitigate adverse impacts on such facilities; and

(h) The proposed use is consistent with the goals and policies of the comprehensive plan.

(4) Applications for a conditional use permit under this section shall require payment of an application fee to cover the costs of review. Such fees shall be set forth in the current fee resolution. (Ord. 10-10 § 3 (Exh. C); Ord. 20-07 § 143; Ord. 42-02 § 2 (21A.44.040))

18.125.045 Expiration or renewal.

(1) A variance or conditional use permit shall automatically expire in accordance with the approval timeframe specified for the underlying land use application for subdivisions, short plats, binding site plan, commercial site development permit applications or other land use process specified in Chapter 14.20 CMC, CMC Title 17 and/or this title.

(2) Variances from development standards associated with a building permit, tenant improvement, or reuse shall expire within one year from date of issuance, or time specified by the Hearing Examiner.

(3) The Hearing Examiner may grant one renewal for a variance or conditional use permit if the party seeking renewal can demonstrate extraordinary circumstances or conditions which were not known or foreseeable at the time of original application. A renewed variance or conditional use permit shall be substantially acted upon within six months or the variance or permit shall automatically expire. (Ord. 10-10 § 3 (Exh. C))

18.125.050 Modifications and expansions of a conditional use permit – When use is not permitted outright.

Proposed modifications or expansions to a use or development authorized by an existing land use
permit shall not require an amendment to the existing land use permit if the use is now permitted outright in the zone in which it is located. (Ord. 10-10 § 3 (Exh. C))

18.125.060 Modifications or expansions of a conditional use permit authorized by existing land use permits – Required findings.
Modifications or expansions approved by the Department shall be based on written findings that the proposed modifications or expansions provide the same level of protection for and compatibility with adjacent land uses as the original land use permit. (Ord. 10-10 § 3 (Exh. C))

18.125.070 Modifications and expansions – Uses or development authorized by existing conditional use, or unclassified use permits.
(1) The Department may review and approve pursuant to the Type I process in Title 14.30 CMC an expansion of a use or development authorized by an existing conditional use permit; provided, that it meets one of the following:

(a) The expansion shall conform to all provisions of this title and the original land use permit, except that the project-wide amount of each of the following may be increased up to 10 percent:

(i) Building square footage;

(ii) Impervious surface;

(iii) Parking; or

(iv) Building height.

(b) No subsequent expansions shall be approved under this subsection (1) if the cumulative amount of such expansion exceeds the percentage prescribed in subsection (1)(a) of this section.

(2) A conditional use permit shall be required for expansions within a use or development authorized by an existing conditional use permit if the expansions are not consistent with the provisions of subsection (1) of this section.

(3) This section shall not apply to modifications or expansions of telecommunication facilities, the provisions for which are set forth in CMC 18.70.130, or to modifications or expansions of nonconformities, the provisions for which are set forth in CMC 18.85.070. (Ord. 10-10 § 3 (Exh. C))
Exhibit C
ORDINANCE NO 04-14

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the City Council finds that adopting this Ordinance is in the public interest and will advance the public health, safety, and welfare;
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON DOES HEREBY
ORDAIN AS FOLLOWS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I. The City provided several opportunities for meaningful public involvement and review in the Hawk
   Property Subarea Plan and Planned Action EIS processes, including a community meeting consistent with RCW
   43.21C.440; has considered all comments received; and, as appropriate, has modified the proposal or mitigation
   measures in response to comments.
J. Essential public facilities as defined in RCW 36.70A.200 are excluded from the Planned Action as designated herein and are not eligible for review or permitting as Planned Action Projects unless they are accessory to or part of a project that otherwise qualifies as a Planned Action Project.

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

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

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

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

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

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

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

1. Qualifying Land Uses.
   (a) Planned Action Categories: The following general categories/types of land uses are defined in the Hawk Property Subarea Plan and can qualify as Planned Actions:
      i. Single Family dwelling units
      ii. Townhome dwelling units
      iii. Multi-family dwelling units
      iv. Commercial
      v. Large Format Retail
      vi. Iconic/Local Retail
      vii. Open Space, Parks, Plazas, Trails, Gathering Spaces
      viii. Park and Ride
   (b) Planned Action Project Land Uses: A primary land use can qualify as a Planned Action Project land use when:
      i. it is within the Planned Action Area as shown in Exhibit A of this Ordinance;
      ii. it is within one or more of the land use categories described in Subsection III.D(1)(a) above; and
iii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

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

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

(2) Development Thresholds:

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

<table>
<thead>
<tr>
<th>Feature</th>
<th>Minimum Urban Village Proposal</th>
<th>Maximum Urban Village Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Dwellings (units)</td>
<td>1,000</td>
<td>1,500</td>
</tr>
<tr>
<td>Commercial Square Feet</td>
<td>680,000</td>
<td>850,000</td>
</tr>
</tbody>
</table>

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

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

(3) Transportation Thresholds:

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

<table>
<thead>
<tr>
<th>PM PEAK HOUR TRIPS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Alternative 2 – Minimum Urban Village</strong></td>
</tr>
<tr>
<td>Daily PM Peak Hour</td>
</tr>
<tr>
<td>In</td>
</tr>
<tr>
<td>21,950</td>
</tr>
</tbody>
</table>

Source: Heffron Transportation, April 2013.

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

(c) Traffic Impact Mitigation. Traffic impact fees shall be paid consistent with Chapter 12.105 CMC. Transportation mitigation shall also be provided consistent with mitigation measures in Exhibit B, Attachment B-1 of this Ordinance and the calculation of additional transportation mitigation fees per PM peak hour trip in Exhibit D of this Ordinance, attached hereto and incorporated by this reference.
(d) The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection III.D(3)(a) are not exceeded, that the project meets the concurrency and intersection standards of Subsection III.D(3)(b), and that the project has mitigated impacts consistent with Subsection III.D (3)(c).

(e) Discretion.

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

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

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

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

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

E. Planned Action Project Review Criteria.

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

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

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

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

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

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

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

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

(h) the project is not an essential public facility as defined by RCW 36.70A.200, unless the essential public facility is accessory to or part of a development that is designated as a Planned Action Project under this Ordinance.
(2) The City shall base its decision to qualify a project as a Planned Action Project on review of the Subarea SEPA Checklist form included in Exhibit B to this Ordinance and review of the Planned Action Project submittal and supporting documentation, provided on City required forms.

F. Effect of Planned Action Designation.

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

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

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

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

(2) Applications for Planned Action Projects shall:
   (a) be made on forms provided by the City;
   (b) include the Subarea SEPA checklist included in Exhibit B of this Ordinance;
   (c) include a conceptual site plan pursuant to Subsection III.G(3) of this Ordinance; and
   (d) meet all applicable requirements of the Covington Municipal Code and this Ordinance.

(3) A conceptual site plan shall be submitted for proposed Planned Action Projects. The purpose of the conceptual site plan process is to assess overall project concepts and phasing as well as to review how the major project elements work together to implement requirements of this Ordinance, the consistency of the Planned Action Project application with Planned Action EIS alternative concept plans included in Exhibit E of this Ordinance attached hereto and incorporated by this reference, the Covington Comprehensive Plan, the Hawk Property Subarea Plan, the Covington Municipal Code, and the City of Covington Design and Construction standards. The conceptual site plan shall contain and/or identify:
   (a) Name of proposed project;
   (b) Date, scale, and north arrow oriented to the top of the paper/plan sheet;
   (c) Drawing of the subject property with all property lines dimensioned and names of adjacent streets;
   (d) A legend listing all of the following information on one of the sheets:
      • Total square footage of the site
      • Square footage of each individual building and/or use
      • Total estimated square footage of all buildings (including footprint of each building)
      • Percentage estimate of the total lot covered by buildings and by total impervious area
      • Square footage estimate of all landscaping (total and parking lots)
• Allowable and proposed building height
• Building setbacks proposed and required by the CMC
• Parking analysis, including estimated number, size, and type of stalls required, by use; and number of stalls provided by use;

(e) Phasing of development;

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

(g) Critical areas;

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

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

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

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

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

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

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

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

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

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

(c) Upon issuance of the Determination of Inconsistency, the City’s SEPA Responsible Official shall prescribe a SEPA review procedure for the non-qualifying project that is consistent with the City’s SEPA regulations and the requirements of state law.
(d) A project that fails to qualify as a Planned Action Project may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet the non-qualifying project’s SEPA requirements. The City’s SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

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

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

Section IV. Monitoring and Review.

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

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

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

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

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

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

[Signature]
Mayor Margaret Harto

ATTESTED:

[Signature]
Sharon Scott, City Clerk

PUBLISHED: February 14, 2014
EFFECTIVE: February 24, 2014

APPROVED AS TO FORM:

[Signature]
Sara Springer, City Attorney
INTRODUCTION

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

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

MITIGATION DOCUMENT

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

APPLICABLE PLANS AND REGULATIONS

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

This environmental checklist below asks you to describe some basic information about your proposal. The City will use this checklist to determine whether the project is consistent with the analysis in the Hawk Property Planned Action EIS and qualifies as a Planned Action Project, or would otherwise require additional environmental review under SEPA. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information.

A. PROPOSAL DESCRIPTION

<table>
<thead>
<tr>
<th>Date:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant:</td>
<td>Name/Company:</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>Email Address:</td>
</tr>
<tr>
<td>Property Owner:</td>
<td>Name/Company:</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>Email Address:</td>
</tr>
<tr>
<td>Property Address</td>
<td>Street:</td>
</tr>
<tr>
<td>Parcel Information</td>
<td>Assessor Parcel Number:</td>
</tr>
</tbody>
</table>

Give a brief, complete description of your proposal.
<table>
<thead>
<tr>
<th>Property Zoning</th>
<th>District Name:</th>
<th>Building Type:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permits Requested (list all that apply)</td>
<td>□ Land Use:</td>
<td>□ Engineering:</td>
</tr>
<tr>
<td></td>
<td>□ Building:</td>
<td>□ Other:</td>
</tr>
<tr>
<td>All Applications Deemed Complete? Yes ___ No ___</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Explain:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Are there pending governmental approvals of other proposals directly affecting the property covered by your proposal? Yes ___ No ___</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Explain:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Land Use</td>
<td>Describe Existing Uses on the Site:</td>
<td></td>
</tr>
<tr>
<td>Proposed Land Use – Check and Circle All That Apply</td>
<td>□ Single Family dwelling units</td>
<td>□ Large Format Retail</td>
</tr>
<tr>
<td></td>
<td>□ Townhouse dwelling units</td>
<td>□ Iconic/Local Retail</td>
</tr>
<tr>
<td></td>
<td>□ Multi-family dwelling units</td>
<td>□ Open Space, Parks, Plazas, Trails, Gathering Spaces</td>
</tr>
<tr>
<td></td>
<td>□ Commercial</td>
<td>□ Park and Ride</td>
</tr>
<tr>
<td>Dwellings</td>
<td>□ Existing Dwelling Units:</td>
<td>□ Proposed Dwelling Units:</td>
</tr>
<tr>
<td># Existing Dwelling Units:</td>
<td># Proposed Dwelling Units:</td>
<td>Proposed Density (du/ac):</td>
</tr>
<tr>
<td># ______ Dwelling Type ________</td>
<td># ______ Type ________</td>
<td></td>
</tr>
<tr>
<td># ______ Dwelling Type ________</td>
<td># ______ Type ________</td>
<td></td>
</tr>
<tr>
<td>Dwelling Threshold Total in Ordinance: 1,000 to 1,500</td>
<td>Dwelling Bank Remainder as of _______ 20 ___________ dwellings</td>
<td></td>
</tr>
<tr>
<td>Non-residential Uses: Building Square Feet</td>
<td>Existing Square Feet:</td>
<td>Proposed Square Feet:</td>
</tr>
<tr>
<td>Employment Square Feet in Ordinance: 680,000 to 850,000 square feet</td>
<td>Proposed Stories:</td>
<td>Square Feet Remainder as of _______ 20 ___________ square feet</td>
</tr>
<tr>
<td>Type of Employment:</td>
<td>Proposed Height in feet:</td>
<td></td>
</tr>
<tr>
<td>□ Large Format Retail Square Feet ________ SF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Iconic/Local Retail ________ SF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Commercial Office ________ SF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>□ Other (describe): ________ SF</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Building Height</td>
<td>Existing Stories:</td>
<td></td>
</tr>
<tr>
<td>Existing Height in feet:</td>
<td>Existing Height in feet:</td>
<td></td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>Existing:</td>
<td>Proposed:</td>
</tr>
<tr>
<td>PM Peak Hour Weekday Vehicle Trips</td>
<td>Existing Estimated Trips Total:</td>
<td>Future Estimated Trips Total:</td>
</tr>
<tr>
<td>Maximum net new primary PM peak hour trips in Ordinance: 1,965 to 2,578</td>
<td>Trip Bank Remainder as of _______ 20 ___________ dwellings</td>
<td></td>
</tr>
<tr>
<td>Source of Trip Rate: ITE Manual ___ Other ___</td>
<td>Transportation Impacts Determined Consistent with Ordinance Subsection III.D(3):</td>
<td></td>
</tr>
<tr>
<td>Yes ___ No ___</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

February 2014
<table>
<thead>
<tr>
<th>Impervious Surfaces</th>
<th>Existing Square Feet or Acres:</th>
<th>Proposed Square Feet or Acres:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed timing or schedule (including phasing).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Describe plans for future additions, expansion, or further activity related to this proposal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>List any available or pending environmental information directly related to this proposal.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**B. ENVIRONMENTAL CHECKLIST AND MITIGATION MEASURES**

**Earth Checklist and Mitigation Measures**

1. **Description of Conditions**
   - A. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____________
   - B. What is the steepest slope on the site (approximate percent slope)? _____________
   - C. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? _____________

2. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**

3. **Has any part of the site been classified as a "geologically hazardous" area? (Check all that apply)**
   - [ ] Landslide Hazards
   - [ ] Erosion Hazards
   - [ ] Seismic Hazards
   - [ ] Liquefaction Hazards
   - [ ] Other: ____________________________
   
   Describe: ____________________________

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

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

   The application includes mitigation measures as required in Attachment B-1 Mitigation Required for Development Applications, and Attachment B-2 Applicable Regulations and Commitments, including all relevant city plans and codes in effect at the time of application (check all that apply):
   - Site Specific Study
   - Ground improvement and foundation support requirements
   - Temporary Erosion and Sedimentation Control (TESC) measures and Best Management Practices to control erosion as required under the NPDES construction permit
   - Other: __________________________________________________________________________

<table>
<thead>
<tr>
<th>Surface Water and Groundwater Resources Checklist</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)?</td>
</tr>
<tr>
<td>If yes, describe type of surface water body, including their name(s), stream classification, and whether there is a 100-year floodplain.</td>
</tr>
<tr>
<td>If appropriate, state what stream or river the surface water body flows into.</td>
</tr>
</tbody>
</table>
| 7. Will the proposal require or result in (check all that apply and describe below):
   - any work over, in, or adjacent to (within 200 feet) the described waters?
   - fill and dredge material that would be placed in or removed from surface water or wetlands?
   - surface water withdrawals or diversions?
   - discharges of waste materials to surface waters?
   - groundwater withdrawal or discharge?
   - waste materials entering ground or surface waters?
   Describe: ________________________________________________________________________ |
| 8. Describe the source of runoff (including storm water) and method of collection, treatment, and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. |

February 2014
9. Is the area designated a critical aquifer recharge area? If so, please describe:

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

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

   The application includes mitigation measures as required in Attachment B-1 Mitigation Required for Development Applications, and Attachment B-2 Applicable Regulations and Commitments, including all relevant City plans and codes in effect at the time of application (check all that apply):
   - Low Impact Development (LID) techniques
   - Stormwater Manual Basic Water Quality menu
   - Stormwater Manual Enhanced Basic Water Quality menu
   - Stormwater Infiltration and pretreatment
   - Construction refueling containment measures
   - Wells decommissioned or property constructed
   - Best Management Practices (BMP) Plan
   - Native species landscaping
   - Demonstrate compliance with the 2008 City of Kent Draft Water System Plan Chapter 8: Wellhead Protection Program

   Other: ___________________________________________________________________________________

Air Quality/GHG Checklist and Mitigation Measures

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

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

   The application includes mitigation measures as required in Attachment B-1 Mitigation Required for Development Applications, and Attachment B-2 Applicable Regulations and Commitments, including all relevant City plans and codes in effect at the time of application (check all that apply):
   - Air Quality Control Plans
   - Puget Sound Clean Air Agency Approval of Burning Slash
   - Greenhouse Gas Reduction Measures
   - Other: ___________________________________________________________________________________

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

#### Plants and Habitat Checklist

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>14.</strong> Check or circle types of vegetation found on the site:</td>
<td><strong>STAFF COMMENTS:</strong></td>
</tr>
<tr>
<td>☐ Deciduous tree: Alder, maple, aspen, other ____________</td>
<td></td>
</tr>
<tr>
<td>☐ Evergreen tree: Fir, cedar, pine, other</td>
<td></td>
</tr>
<tr>
<td>☐ Shrubs</td>
<td></td>
</tr>
<tr>
<td>☐ Grass</td>
<td></td>
</tr>
<tr>
<td>☐ Pasture</td>
<td></td>
</tr>
<tr>
<td>☐ Crop or grain</td>
<td></td>
</tr>
<tr>
<td>☐ Wet soil plants: Cattail, buttercup, bullrush, skunk cabbage, other</td>
<td></td>
</tr>
<tr>
<td>☐ Water plants: Water lily, eelgrass, milfoil, other ____________</td>
<td></td>
</tr>
<tr>
<td>☐ Other types of vegetation:</td>
<td></td>
</tr>
</tbody>
</table>

| **15.** Are there wetlands on the property? Please describe their acreage and classification. |   |

| **16.** Is there riparian habitat on the property? |   |

| **17.** What kind and amount of vegetation will be removed or altered? |   |

| **18.** List threatened or endangered species known to be on or near the site. |   |

| **19.** Is the proposal consistent with critical area regulations? Please describe. |   |
20. Proposed landscaping, use of native plants, buffers, or other measures to preserve or enhance vegetation on the site:

The application includes mitigation measures as required in Attachment B-1 Mitigation Required for Development Applications, and Attachment B-2 Applicable Regulations and Commitments, including all relevant City plans and codes in effect at the time of application (check all that apply):

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

Describe: ____________________________

| Staff Comments: |

---

**Fish and Wildlife**

21. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

- Birds: Hawk, heron, eagle, songbirds, other: ____________________________
- Mammals: Deer, bear, elk, beaver, other: ____________________________
- Fish: Bass, salmon, trout, herring, shellfish, other: ____________________________

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

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

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

The application includes mitigation measures as required in Attachment B-1 Mitigation Required for Development Applications, and Attachment B-2 Applicable Regulations and Commitments, including all relevant City plans and codes in effect at the time of application (check all that apply):

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

Describe: ____________________________
### Noise Checklist and Mitigation Measures

25. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

26. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

**Staff Comments:**

---

The application includes mitigation measures as required in Attachment B-1 mitigation required for development applications, and Attachment B-2 applicable regulations and commitments, including all relevant city plans and codes in effect at the time of application (check all that apply):

- Chapter 8.20 of the Covington Municipal Code, Noise Control
- Washington State Noise Control Act of 1974 (WAC 173-60)
- Noise control plans
- Construction noise reduction measures
- Noise field measurements
- Appropriate site design. For example, based on the Planned Action EIS analysis, with a 35-foot minimum setback to residential buildings or residential outdoor use areas, the modeled traffic noise levels at new dwellings would be less than the impact criteria.
- Building materials and design (e.g. double pane windows) if exterior noise levels exceed local, state, or federal thresholds as studied in the Planned Action EIS.
- Other: 

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

February 2014
<table>
<thead>
<tr>
<th><strong>Transportation Checklist</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>35.</strong> Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.</td>
</tr>
<tr>
<td><strong>36.</strong> Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?</td>
</tr>
<tr>
<td><strong>37.</strong> How many parking spaces would the completed project have? How many would the project eliminate?</td>
</tr>
<tr>
<td><strong>38.</strong> Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).</td>
</tr>
<tr>
<td><strong>39.</strong> How many PM peak hour vehicular trips per day would be generated by the completed project? Attach appropriate documentation.</td>
</tr>
<tr>
<td><strong>40.</strong> Proposed measures to reduce or control transportation impacts, if any:</td>
</tr>
</tbody>
</table>

THE APPLICATION INCLUDES MITIGATION MEASURES AS REQUIRED IN ATTACHMENT B-1 MITIGATION REQUIRED FOR DEVELOPMENT APPLICATIONS, AND ATTACHMENT B-2 APPLICABLE REGULATIONS AND COMMITMENTS, INCLUDING ALL RELEVANT CITY PLANS AND CODES IN EFFECT AT THE TIME OF APPLICATION (CHECK ALL THAT APPLY):
- Trips in Ordinance Subsection III.D(3)[a] are not exceeded, the project meets the Concurrency and Intersection Standards of Subsection III.D(3)[b], and that the project has mitigated impacts consistent with Subsection III.D(3)[c].
- Installation of required improvements necessitated by development or that are part of Planned Action (e.g. spine road and associated intersection improvements).
- Fair share contribution to improvements at City concurrency intersections and roads.
- Other measures to reduce or control transportation impacts: ____________________________

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

February 2014
### Public Services and Utilities Checklist

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>41.</td>
<td>Police Protection: Would the project increase demand for police services? Can City levels of service be met?</td>
</tr>
<tr>
<td>42.</td>
<td>Fire and Emergency Services: Would the project increase demand for fire and/or emergency services? Can levels of services be met?</td>
</tr>
<tr>
<td>43.</td>
<td>Schools: Would the project result in an increase in demand for school services? Can levels of services be met? Is an impact fee required?</td>
</tr>
<tr>
<td>44.</td>
<td>Parks and Recreation: Would the project require an increase in demand for parks and recreation? Can levels of services be met? Are parks and trails provided consistent with the Planned Action EIS Alternatives? Is an impact fee required?</td>
</tr>
<tr>
<td>45.</td>
<td>Water Supply: Would the project result in an increased need for water supply or fire flow pressure? Can levels of service be met?</td>
</tr>
<tr>
<td>46.</td>
<td>Wastewater: Would the project result in an increased need for wastewater services? Can levels of service be met?</td>
</tr>
<tr>
<td>47.</td>
<td>Other Public Services and Utilities: Would the project require an increase in demand for other services and utilities? Can levels of services be met?</td>
</tr>
<tr>
<td>48.</td>
<td>Proposed measures to reduce or control direct impacts on public services.</td>
</tr>
</tbody>
</table>

The application includes mitigation measures as required in Attachment B-1 Mitigation Required for Development Applications, and Attachment B-2 Applicable Regulations and Commitments, including all relevant City plans and codes in effect at the time of application (check all that apply):

- Police Services: Adequate levels of service available to serve development (verified by levels of service studied in the Planned Action EIS and City contract with King County Sheriff Office).
- Fire Services: Mitigation agreement between the developer and Kent Regional Fire Authority.
- Parks and Recreation: Park space and trails are provided to be consistent with both the LOS standards of the Parks and Recreation Element of the Comprehensive Plan and with the requirements of CMC 18.35.150 and this Planned Action Ordinance.
- Water and Wastewater: Adequate service at the time of development.
- Other Measures to reduce or control public services and utilities impacts: __________________________________________________________

Describe:
### ADDITIONAL ENVIRONMENTAL TOPICS

<table>
<thead>
<tr>
<th>Historic and Cultural Preservation</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>49. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.</td>
<td></td>
</tr>
<tr>
<td>50. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.</td>
<td></td>
</tr>
<tr>
<td>51. Proposed measures to reduce or control impacts to historic or cultural resources, if any:</td>
<td></td>
</tr>
<tr>
<td>The application includes mitigation measures as required in Attachment B-1 Mitigation Required for Development Applications, and Attachment B-2 Applicable Regulations and Commitments, including all relevant City plans and codes in effect at the time of application (check all that apply):</td>
<td></td>
</tr>
<tr>
<td>□ Condition to stop construction if remains of historic or archeological significance are found.</td>
<td></td>
</tr>
<tr>
<td>□ Consultation with the Washington State Department of Archaeology and Historic Preservation.</td>
<td></td>
</tr>
<tr>
<td>□ Where project is proposed on or immediately surrounding a site containing an archaeological resource a study is conducted by a qualified professional archaeologist</td>
<td></td>
</tr>
<tr>
<td>Describe:</td>
<td></td>
</tr>
</tbody>
</table>

### C. APPLICANT SIGNATURE

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE CORRECT AND COMPLETE. I UNDERSTAND THAT THE LEAD AGENCY IS RELYING ON THEM TO MAKE ITS DECISION.

<table>
<thead>
<tr>
<th>Signature:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
</tr>
</tbody>
</table>
D. REVIEW CRITERIA

Review Criteria

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

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Describe how your application and proposed development meets the criteria.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) The proposal is located within the Planned Action area identified in Exhibit A.</td>
<td></td>
</tr>
<tr>
<td>(b) The proposed uses and densities are consistent with those described in the Planned Action EIS and Subsection III.D of this Ordinance.</td>
<td></td>
</tr>
<tr>
<td>(c) The proposal is within the Planned Action thresholds and other criteria of Subsection III.D of this Ordinance.</td>
<td></td>
</tr>
<tr>
<td>(d) The proposal is consistent with the Hawk Property Subarea Plan and the Covington Comprehensive Plan.</td>
<td></td>
</tr>
<tr>
<td>(e) The proposal’s significant adverse environmental impacts were identified in the Planned Action EIS.</td>
<td></td>
</tr>
<tr>
<td>(f) The proposal’s significant adverse impacts have been mitigated by the application of the measures identified in this Exhibit B, Subsection III.D of this Ordinance, and other applicable city regulations, together with any modifications or variances or special permits that may be required.</td>
<td></td>
</tr>
<tr>
<td>(g) The proposal complies with all applicable local, state, and/or federal laws and regulations and the SEPA Responsible Official determines that these constitute adequate mitigation.</td>
<td></td>
</tr>
<tr>
<td>Criteria</td>
<td>Describe how your application and proposed development meets the criteria.</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>(h) The proposal is not an essential public facility as defined by RCW 36.70A.200(1) unless an essential public facility is accessory to or part of a development that is designated a Planned Action Project under Subsection III.E of this Ordinance.</td>
<td></td>
</tr>
</tbody>
</table>

**Determination Criteria**

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

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

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

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

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

| SEPA Responsible Official Signature: | 
| Date: | 

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


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

| SEPA Process Prescribed: | 
| SEPA Responsible Official Signature: | 
| Date: |
ATTACHMENT B-1

Mitigation Required for Development Applications

INTRODUCTION

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

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

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

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

MITIGATION MEASURES

<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Earth</td>
</tr>
<tr>
<td>1.</td>
<td>GEOLOGIC HAZARDS</td>
</tr>
</tbody>
</table>

   The City shall condition Planned Action Projects to be consistent with City codes and to limit impacts from geologic hazards and provide sufficient foundation support.

   - Specific foundation support systems to be used for onsite improvements will be determined as part of the specific design and permitting of infrastructure and individual buildings associated with future site development.

   - Site-specific studies and evaluations shall be conducted in accordance with Covington Municipal Code requirements and the provisions of the 2012 International Building Code (IBC) or current version in effect at the time of development application.

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

- Ground improvement and foundation support requirements shall be determined as part of the design and permit approval process for each future onsite development project. The site-specific evaluation by a licensed geotechnical engineer shall identify additional techniques to reduce liquefaction impacts. Several methods of ground improvement are available, including stone columns, vibro-compaction, vibro-replacement, deep soil mixing, compaction grouting, and others. Selection of the appropriate deep foundation or ground improvement technique is location-specific at the site and would depend on a number of factors that would be considered during design and permitting of the future structures.

5. **STRUCTURE SETTLEMENT UNDER STATIC LOADS**

At the time of application, Planned Action Projects shall demonstrate to the City’s SEPA Responsible Official’s satisfaction that the completed reclamation has implemented high quality, well-compacted crushed rock or gravel fill material to reduce the potential for future structure settlement.

- Site structures will require site-specific geotechnical studies by a licensed geotechnical engineer in order to design appropriate foundation systems under the City’s building permit process.

- Although not associated with a specific environmental hazard, structure settlement shall be mitigated during the design and permitting for individual future structures. For multi-story structures, total and differential settlements could be accommodated by founding the structures on deep foundations or by implementing ground improvement techniques. Soil preloading/surcharging could likely be used to reduce total and differential settlements to within tolerable levels for utilities and single-story structures. Alternatively, lightly loaded structures could potentially be founded on mat foundations with flexible utility connections that would limit the potential adverse effect of differential settlement. Deep foundation options include driven piles and drilled shafts.

**Surface Water Resources**

6. **STORMWATER QUALITY: BASIC WATER QUALITY MENU**

Planned Action Projects shall avoid or minimize direct discharge to surface water bodies as required by the City’s SEPA Responsible Official.

- As required, Planned Action Projects shall accomplish, at a minimum, water quality treatment using the Basic Water Quality menu from 2012 Stormwater Management Manual for Western Washington, or the manual in effect at the time of development applications; at the City’s SEPA Responsible Official’s discretion, the Enhanced Water Quality menu in Mitigation Measure 7 herein may instead be employed to minimize potential water quality impacts of Planned Action development.

- The goal of this treatment is to remove 80% of total suspended solids (TSS) for influent concentrations that are greater than 100 mg/l, but less than 200 mg/l. Ecology encourages the design and operation of treatment facilities that engage a bypass at flow rates higher than the water quality design flow rate as long as the reduction in TSS loading exceeds that achieved with initiating bypass at the water quality design flow rate. There are several options for the basic water quality menu, and a biofiltration swale is the most likely option to be implemented due to its cost effectiveness and aesthetics to satisfy the basic water quality protection requirement. Biofilters are vegetated treatment systems (typically grass) that remove pollutants by means of sedimentation, filtration, soil absorption, and/or plant uptake. They are typically configured as swales or flat filter strips and designed to remove low concentrations and
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>quantities of TSS, heavy metals, petroleum hydrocarbons, and/or nutrients from stormwater (SMMWW 2012). A biofilter can be used as a basic treatment BMP for contaminated stormwater runoff from roadways, driveways, parking lots, and highly impervious ultra-urban areas, or as the first stage of a treatment train. In cases where hydrocarbons, high TSS, or debris would be present in the runoff, such as high-use sites, a pretreatment system for those components would be necessary. Diagram B-1.1. below shows the typical swale section (SMMWW 2012).</td>
</tr>
</tbody>
</table>

**Diagram B-1.1. Typical Swale Section**

<table>
<thead>
<tr>
<th></th>
<th>Stormwater Quality: Enhanced Basic Water Quality Menu</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.</td>
<td>Consistent with the 2012 Stormwater Management Manual for Western Washington, or the manual in effect at the time of development applications, where the development is more intensive, such as a park and ride, commercial, and multifamily areas, or when required by the City’s SEPA Responsible Official to reduce water quality impacts of any type of Planned Action Project pursuant to Mitigation Measure 6 herein, the Enhanced Basic Water Quality menu shall be applied to this project site, where an enhanced level of treatment is required for those development sites or portions thereof that generate the highest concentrations of metals in stormwater runoff.</td>
</tr>
</tbody>
</table>

- Based on a review of dissolved metals removal of basic treatment options, a “higher rate of removal” is currently defined as greater than 30% dissolved copper removal and greater than 60% dissolved zinc removal. For the enhanced treatment menu, there are a couple options that will satisfy the enhanced treatment requirements, such as: infiltration, large sand filter, stormwater treatment wetland, compost-amended vegetated filter strip, two facility treatment trains, bioretention, media filter drain, and emerging stormwater treatment technologies. |

<table>
<thead>
<tr>
<th></th>
<th>Groundwater Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.</td>
<td>Refueling and Secondary Containment</td>
</tr>
<tr>
<td></td>
<td>During site construction, equipment refueling shall be located in a specific designated location and include secondary containment in the event of a spill, including spill kits and associated equipment.</td>
</tr>
</tbody>
</table>

- Fuel storage shall not occur on-site during construction. |

- In the event of an on-site spill, contractors shall provide notification to the Washington State Department of Ecology, the City of Covington, and City of Kent, identifying that the spill area is located adjacent to an aquifer protection area. |

| 9.  | Infiltration |
|     | Potential impacts due to reduced recharge shall be mitigated by stormwater detention and infiltration design and construction considerations per Surface Water Resources Mitigation Measures 6 and 7 herein. |

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

- Use water sprays or other non-toxic dust control methods on unpaved roadways.
- Minimize vehicle speed while traveling on unpaved surfaces.
- Prevent track-out of mud onto public streets.
- Cover soil piles when practical.
- Minimize work during periods of high winds when practical.

The following mitigation measures shall be used by Planned Action Project construction contractors to minimize air quality and odor issues caused by tailpipe emissions:

- Maintain the engines of construction equipment according to manufacturers’ specifications.
- Minimize idling of equipment while the equipment is not in use.

If there is heavy traffic during some periods of the day, Planned Action Project construction contractors shall schedule haul traffic during off-peak times that would have the least effect on traffic and would minimize indirect increases in traffic related emissions.

Burning of slash or demolition debris shall not be permitted by Planned Action Project construction contractors without express approval from PSCAA.

The City shall require Planned Action Project applicants to implement additional trip-reduction measures and energy conservation measures in Planned Action Projects to reduce greenhouse gas (GHG) emissions. The City shall require Planned Action Project applicants to evaluate the GHG reduction measures shown in Table B-1.1 below for their projects and to document, to the satisfaction of the City’s SEPA Responsible Official, which measures are incorporated and which measures are infeasible and not incorporated.

Table B-1.1 below lists a variety of mitigation measures that could reduce GHG emissions caused by transportation facilities, building construction, space heating, and electricity usage (Ecology 2008b) and where the emission reductions might occur.

<table>
<thead>
<tr>
<th>Reduction Measures</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site Design</td>
<td></td>
</tr>
<tr>
<td>Retain and enhance vegetated open spaces.</td>
<td>Retains or increases sequestration by plants.</td>
</tr>
<tr>
<td>Plant trees and vegetation near structures to shade buildings.</td>
<td>Reduces on-site fuel combustion emissions and purchased electricity, and enhances carbon sinks.</td>
</tr>
<tr>
<td>Minimize building footprint.</td>
<td>Reduces on-site fuel combustion emissions and purchased electricity consumption, materials used, maintenance, land disturbance, and direct construction emissions.</td>
</tr>
<tr>
<td>No.</td>
<td>Topic and Mitigation Measure</td>
</tr>
<tr>
<td>-----</td>
<td>-----------------------------</td>
</tr>
<tr>
<td></td>
<td>Design water efficient landscaping.</td>
</tr>
<tr>
<td></td>
<td>Minimize energy use through building orientation.</td>
</tr>
<tr>
<td></td>
<td><strong>Building Design and Operations</strong></td>
</tr>
<tr>
<td></td>
<td>Apply LEED standards (or equivalent) for design and operations.</td>
</tr>
<tr>
<td></td>
<td>Purchase Energy Star equipment and appliances for public agency use.</td>
</tr>
<tr>
<td></td>
<td>Incorporate on-site renewable energy production, including installation of photovoltaic cells or other solar options.</td>
</tr>
<tr>
<td></td>
<td>Design street lights to use energy-efficient bulbs and fixtures.</td>
</tr>
<tr>
<td></td>
<td>Construct “green roofs” and use high-albedo roofing materials.</td>
</tr>
<tr>
<td></td>
<td>Install high-efficiency HVAC systems.</td>
</tr>
<tr>
<td></td>
<td>Eliminate or reduce use of refrigerants in HVAC systems.</td>
</tr>
<tr>
<td></td>
<td>Maximize interior day lighting through floor plates, increased building perimeter and use of skylights, celestaries, and light wells.</td>
</tr>
<tr>
<td></td>
<td>Incorporate energy efficiency technology such as super insulation motion sensors for lighting and climate-control-efficient, directed exterior lighting.</td>
</tr>
<tr>
<td></td>
<td>Use water-conserving fixtures that surpass building code requirements.</td>
</tr>
<tr>
<td></td>
<td>Reuse gray water and/or collect and reuse rainwater.</td>
</tr>
<tr>
<td></td>
<td>Use recycled building materials and products.</td>
</tr>
<tr>
<td></td>
<td>Use building materials that are extracted and/or manufactured within the region.</td>
</tr>
<tr>
<td></td>
<td>Use rapidly renewable building materials.</td>
</tr>
<tr>
<td></td>
<td>Conduct third-party building commissioning to ensure energy performance.</td>
</tr>
<tr>
<td></td>
<td>Track energy performance of building and develop strategy to maintain efficiency.</td>
</tr>
<tr>
<td></td>
<td><strong>Transportation</strong></td>
</tr>
<tr>
<td></td>
<td>Size parking capacity to not exceed local parking requirements and, where possible, seek reductions in parking supply through special permits or waivers.</td>
</tr>
<tr>
<td></td>
<td>Develop and implement a marketing/information program that includes posting and distribution of ridesharing/transit information.</td>
</tr>
</tbody>
</table>
No. | Topic and Mitigation Measure | Reduction
--- | --- | ---
1. | Subsidize transit passes. Reduce employee trips during peak periods through alternative work schedules, telecommuting, and/or flex time. Provide a guaranteed-ride-home program. | Reduces employee VMT.
2. | Provide bicycle storage and showers/changing rooms. | Reduces employee VMT.
3. | Use traffic signalization and coordination to improve traffic flow and support pedestrian and bicycle safety. | Reduces transportation emissions and VMT.
4. | Apply advanced technology systems and management strategies to improve operational efficiency of local streets. | Reduces emissions from transportation by minimizing idling and maximizing transportation routes/systems for fuel efficiency.
5. | Develop shuttle systems around business district parking garages to reduce congestion and create shorter commutes. | Reduces idling fuel emissions and direct and indirect VMT.

Source: Ecology 2008b
LEED = Leadership in Energy and Environmental Design; HVAC = heating, ventilation, and air-conditioning

### 21. ADDITIONAL GREENHOUSE GAS REDUCTION MEASURES

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

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

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

February 2014
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
<th>Details</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>f.</td>
<td>Pedestrian barriers minimized</td>
<td>Site design and building placement minimize barriers to pedestrian access and interconnectivity. Physical barriers such as walls, berms, landscaping, and slopes between residential and non-residential uses that impede bicycle or pedestrian circulation are eliminated.</td>
<td>1.0</td>
</tr>
<tr>
<td>g.</td>
<td>Bus shelter for existing transit service</td>
<td>Bus or Streetcar service provides headways of one hour or less for stops within 1/4 mile; project provides safe and convenient bicycle/pedestrian access to transit stop(s) and provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting).</td>
<td>0.25-1.0</td>
</tr>
<tr>
<td>h.</td>
<td>Bus shelter for planned transit service</td>
<td>Project provides transit stops with safe and convenient bicycle/pedestrian access. Project provides essential transit stop improvements (i.e., shelters, route information, benches, and lighting) in anticipation of future transit service.</td>
<td>0.25</td>
</tr>
<tr>
<td>i.</td>
<td>Traffic calming</td>
<td>Project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming features.</td>
<td>0.25-1.0</td>
</tr>
<tr>
<td></td>
<td><strong>Parking Measures</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>j.</td>
<td>Paid parking</td>
<td>Employee and/or customer paid parking system</td>
<td>1.0-7.2</td>
</tr>
<tr>
<td>k.</td>
<td>Parking cash out</td>
<td>Employer provides employees with a choice of forgoing subsidized parking for a cash payment equivalent to the cost of the parking space to the employer.</td>
<td>0.6-4.5</td>
</tr>
<tr>
<td>l.</td>
<td>Minimum parking</td>
<td>Provide minimum amount of parking required. Special review of parking required.</td>
<td>0.1-6.0</td>
</tr>
<tr>
<td>m.</td>
<td>Parking reduction beyond code</td>
<td>Provide parking reduction less than code. Special review of parking required. Recommend a Shared Parking strategy.</td>
<td>0.1-12</td>
</tr>
<tr>
<td>n.</td>
<td>Pedestrian pathway through parking</td>
<td>Provide a parking lot design that includes clearly marked and shaded pedestrian pathways between transit facilities and building entrances.</td>
<td>0.5</td>
</tr>
<tr>
<td>o.</td>
<td>Off street parking</td>
<td>Parking facilities are not adjacent to street frontage.</td>
<td>0.1-1.5</td>
</tr>
<tr>
<td></td>
<td><strong>Site Design Measures</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>p.</td>
<td>Office/Mixed-use density</td>
<td>Project provides high density office or mixed-use proximate to transit.</td>
<td>0.1-2.0</td>
</tr>
<tr>
<td>q.</td>
<td>Orientation to existing transit, bikeway, or pedestrian corridor</td>
<td>Project is oriented towards existing transit, bicycle, or pedestrian corridor. Setback distance is minimized.</td>
<td>0.5</td>
</tr>
<tr>
<td>r.</td>
<td>Orientation toward planned transit, bikeway, or pedestrian corridor</td>
<td>Project is oriented towards planned transit, bicycle, or pedestrian corridor. Setback distance is minimized.</td>
<td>0.25</td>
</tr>
<tr>
<td>s.</td>
<td>Residential density</td>
<td>Project provides high-density residential development.</td>
<td>1.0-12</td>
</tr>
<tr>
<td>t.</td>
<td>Street grid</td>
<td>Multiple and direct street routing (grid style).</td>
<td>1.0</td>
</tr>
<tr>
<td>No.</td>
<td>Topic and Mitigation Measure</td>
<td>Description</td>
<td>Score</td>
</tr>
<tr>
<td>-----</td>
<td>--------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>u.</td>
<td>Neighborhood electric vehicle access</td>
<td>Make physical development consistent with requirements for neighborhood electric vehicles.</td>
<td>0.5-1.5</td>
</tr>
<tr>
<td>v.</td>
<td>Affordable housing component</td>
<td>Residential development projects of 5 or more dwelling units provide a deed-restricted low-income housing component on-site.</td>
<td>0.6-4.0</td>
</tr>
</tbody>
</table>

**Mixed-use Measures**

| w.  | Urban mixed-use                                                                         | Development of projects predominantly characterized by properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with functional interrelationships and a coherent physical design. | 3.0-9.0 |
| x.  | Suburban mixed-use                                                                      | Have at least three of the following on site and/or offsite within ¼ mile: Residential Development, Retail Development, Park, Open Space, or Office.                                                          | 3.0    |
| y.  | Other mixed-use                                                                          | All residential units are within ¼ mile of parks, schools or other civic uses.                                                                                                                               | 1.0    |

**Building Component Measures**

| z.  | No fireplace                                                                           | Project does not feature fireplaces or wood burning stoves.                                                                                                                                                  | 1.0    |
| aa. | Reserved for future measure                                                            |                                                                                                                                                                                                           |        |
| bb. | Energy Star roof                                                                       | Install Energy Star labeled roof materials.                                                                                                                                                                  | 0.5-1.0 |
| cc. | Onsite renewable energy system                                                         | Project provides onsite renewable energy system(s).                                                                                                                                                         | 1.0-3.0 |
| dd. | Solar orientation                                                                       | Orient 75 or more percent of homes and/or buildings to face either north or south (within 30 degrees of N/S).                                                                                               | 0.5    |
| ee. | Non-roof surfaces                                                                       | Provide shade (within 5 years) and/or use light-colored/high-albedo materials (reflectance of at least 0.3) and/or open grid pavement for at least 30% of the site’s non-roof impervious surfaces, including parking lots, walkways, plazas, etc.; OR place a minimum of 50% of parking spaces underground or covered by structured parking; OR use an open-grid pavement system (less than 50% impervious) for a minimum of 50% of the parking lot area. Unshaded parking lot areas, driveways, fire lanes, and other paved areas have a minimum albedo of .3 or greater. | 1.0    |
| ff. | Green roof                                                                             | Install a vegetated roof that covers at least 50% of roof area.                                                                                                                                              | 0.5    |

**TDM and Miscellaneous Measures**

| gg. | Transportation Management Association membership | Include permanent TMA membership and funding requirement. Funding to be provided by non-revocable funding mechanism.                                                                                       | 5.0    |

February 2014
ATTACHMENT B-1 TO EXHIBIT B

HAWK PROPERTY PLANNED ACTION ORDINANCE

<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>hh.</td>
<td>Electric lawnmower</td>
</tr>
<tr>
<td></td>
<td>Other</td>
</tr>
</tbody>
</table>

Source: SMAQMD, 2010

Plants and Animals

22. WATER QUALITY AND BASE FLOW

In addition to the mitigation measures identified in the Surface Water and Groundwater sections herein, Planned Action Projects shall implement the following to avoid aquatic habitat degradation:

- Runoff shall be captured, treated, and, where feasible, infiltrated to prevent poor water quality spikes. Untreated urban runoff contains metals and polycyclic aromatic hydrocarbons (PAHs), which has been shown to adversely affect salmon, particularly Coho salmon (Feist, B. et al 2011; McIntyre, J. et al. 2012).

- To further reduce impacts to base flow and salmonids, the City shall limit impervious surface increases based on zoning standards.

- Planned Action Projects shall follow the 2012 Ecology Stormwater Manual, including LID practices, or successor manual in effect at the time of the development application.

23. CRITICAL AREAS—RIPARIAN CORRIDOR/WETLAND

Consistent with Planned Action EIS Alternatives illustrated in Exhibit E of this Ordinance, Planned Action Project applicants shall demonstrate that the riparian corridor, including Jenkins Creek and associated wetlands, are retained and, where appropriate, enhanced and that the Planned Action Project is consistent with adopted critical area regulations.

- To further protect the wetland/riparian corridor, critical areas shall be put under a protective easement or non-buildable tract, dedicated to the City or a conservation organization approved by the City.

- Planned Action Project applicants shall demonstrate consistency with Hawk Property Subarea Plan policies to minimize tree removal in critical areas and their buffers for the purposes of trails, utility corridors, and similar infrastructure through application of mitigation sequencing and consistency with critical area regulation standards. New utilities shall follow the 204th Avenue SE Connector road alignment to the extent feasible.

- Once the baseline impacts necessary for construction of the arterial street, trails, and other infrastructure, such as utilities, are determined, the modified buffer shall be placed in an easement or a non-buildable tract, dedicated to the City or a conservation organization approved by the City, to effectively protect it in perpetuity and to prevent future incremental impacts as adjacent land is developed. The non-buildable tract shall be recorded with King County and dedicated to the City of Covington or an approved conservation group. Additional buffer protection shall be provided by applying the wider King County buffer to Wetland A (which is contiguous with Jenkins Creek) following annexation.

February 2014
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.</td>
<td>STEWARDSHIP PROGRAM</td>
</tr>
<tr>
<td></td>
<td>A stewardship program for natural open spaces and critical areas shall be created by Planned Action Project applicants at the time easements or tracts are approved for the site and prior to development occurring within 500 feet of the onsite critical areas.</td>
</tr>
<tr>
<td></td>
<td>• The stewardship program shall set forth five-year goals and requirements to be implemented by the Planned Action Project developer and long-term goals for the agency assuming responsibility for the protective easement or non-buildable tracts required in Mitigation Measure 23 herein. Elements such as removing non-native and invasive plants, native revegetation, removing garbage, and trail maintenance shall be included.</td>
</tr>
<tr>
<td></td>
<td>• The stewardship program shall include stewardship goals and objectives for the care of the Jenkins Creek natural corridor as well as five-year and overall, long-term goals for the ecological health and habitat value of Jenkins Creek and associated wetland and buffer areas. Long-term goals and allowed maintenance practices for critical areas/non-buildable tract(s) shall be incorporated into a vegetation management plan (CMC 18.65.150).</td>
</tr>
<tr>
<td>25.</td>
<td>PLANTS</td>
</tr>
<tr>
<td></td>
<td>A. Upland vegetation removed during construction shall be replaced to the extent possible by Planned Action Project applicants and contractors to the satisfaction of the City's SEPA Responsible Official.</td>
</tr>
<tr>
<td></td>
<td>B. Public landscaped areas, stormwater bioswales, and other green space areas provided with redevelopment shall be planted by Planned Action Project applicants and contractors with native grasses, groundcovers, trees and shrubs wherever possible to maximize wildlife habitat and minimize needed maintenance, to the satisfaction of the City of Covington SEPA Responsible Official.</td>
</tr>
<tr>
<td>26.</td>
<td>STEEP SLOPES AND WETLAND IMPACTS</td>
</tr>
<tr>
<td></td>
<td>To avoid impacts to steep slopes and wetlands:</td>
</tr>
<tr>
<td></td>
<td>A. All clearing and grading construction by Planned Action Project contractors shall be in accordance with specific permit conditions, codes, ordinances, and standards applied by the City of Covington or other agencies with jurisdiction.</td>
</tr>
<tr>
<td></td>
<td>• Temporary sedimentation control measures such as silt fencing shall be installed by Planned Action Project contractors as needed and disturbed soils should be covered with straw, hydroseeded, or otherwise revegetated with sod or native plants as soon after construction as possible.</td>
</tr>
<tr>
<td></td>
<td>B. As part of any platting or subdivision, or prior to the start of construction, a wetland and stream delineation is required to be prepared by Planned Action Project applicants to the satisfaction of the City's SEPA Responsible Official to precisely map the critical area and quantify any impacts.</td>
</tr>
<tr>
<td></td>
<td>• This level of detail will be needed to prepare a compensatory mitigation plan.</td>
</tr>
<tr>
<td></td>
<td>• Based on existing site conditions and current plans, there appears to be more than enough intact forest continuous with the standard buffer that could be expanded as necessary to off-set any buffer losses.</td>
</tr>
</tbody>
</table>
### No. 27. WILDLIFE

To avoid impacts identified wildlife, Planned Action Projects shall avoid critical areas and buffers through mitigation sequencing, and Planned Action Project applicants shall place buffers in a protected easement or non-buildable tract, dedicated to the City or a conservation organization approved by the City.

- The new 204th Avenue SE Connector shall be planned to bisect as little of the vegetated areas as is practicable.
- One ponded mining area will be preserved as an open water feature consistent with conceptual plans in Exhibit E of this Ordinance. Planting native vegetation and installing snags and other habitat features on the pond fringe shall be considered in Planned Action Project landscape plans to enhance the pond area for wildlife. Construction timing restrictions shall be implemented as needed and required to protect priority species. Landscaping and park spaces may incorporate native planting, snags, logs, and other special habitat features to improve habitat functions and values. Preserving and establishing native trees, shrubs, and groundcovers around the perimeter of the open water feature would improve the habitat value of this feature by creating refuge, foraging, and nesting opportunities for wildlife.

### No. 28. INTERPRETIVE SIGNAGE & PET WASTE

A. At the time of development, Planned Action Project applicants and contractors shall place interpretive signage along proposed trails and/or within park spaces. Signage shall be designed and installed to educate the public about the functions and values of critical areas and urban habitats.

B. Pet waste bags and trash cans shall be installed to help limit water quality impacts. Public park rules or homeowner association rules shall establish leash rules to limit wildlife disturbances.

### No. 29. WILDLIFE CROSSING

To reduce habitat fragmentation between the Jenkins Creek corridor and habitat patches to the south and west, a wildlife crossing shall be incorporated into the new arterial street design by Planned Action Project applicants to the satisfaction of the City’s SEPA Responsible Official.

- A crossing could potentially be established in the southeast corner of the Planned Action Area, approaching the connection with 204th Avenue.
- In addition to providing safe crossing for elk, a wildlife corridor could also benefit invertebrates and small mammals that are likely to access the open water feature (Hansen et al. 2005). Even mobile species, such as songbirds, exhibit a preference for travel through wooded corridors compared to open gaps (Desrochers and Hannon 1997).

### No. 30. RECLAMATION COMPLIANCE

Prior to completion of reclamation and upon any amendment to the current reclamation permit (e.g. to resize the lake), Planned Action Project applicants shall consult with the lead federal agency regarding compliance with state and federal laws—including the State Hydraulic Code, Sections 401 and 404 of the Clean Water Act, and Section 7 of the Endangered Species Act—and provide documentation of the consultation to the satisfaction of the City’s SEPA Responsible Official.

### Noise

### CONSTRUCTION NOISE ABATEMENT

Based on site-specific considerations at the time of construction permit review, the City shall require all Planned Action Project construction contractors to implement noise control plans for daytime construction activities in the study area. See CMC 8.20.020[2](l). Nighttime construction activities shall not be allowed without a waiver.
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>from the City Manager, pursuant to the CMC.</td>
</tr>
<tr>
<td>32.</td>
<td><strong>CONSTRUCTION NOISE REDUCTION</strong></td>
</tr>
<tr>
<td></td>
<td>A. Construction noise shall be reduced by Planned Action Project construction contractors by using enclosures or walls to surround noisy stationary equipment, installing mufflers on engines, substituting quieter equipment or construction methods, minimizing time of operation, and locating equipment as far as practical from sensitive receivers.</td>
</tr>
<tr>
<td></td>
<td>B. To reduce construction noise at nearby receivers, the following mitigation measures shall be incorporated into construction plans and contractor specifications to the satisfaction of the City’s SEPA Responsible Official:</td>
</tr>
<tr>
<td></td>
<td>• Locate stationary equipment away from receiving properties.</td>
</tr>
<tr>
<td></td>
<td>• Erect portable noise barriers around loud stationary equipment located near sensitive receivers.</td>
</tr>
<tr>
<td></td>
<td>• Limit construction activities to between 7:00 a.m. and 8:00 p.m. on weekdays and between 9:00 a.m. and 6:00 p.m. on weekends and holidays to avoid sensitive nighttime hours.</td>
</tr>
<tr>
<td></td>
<td>• Turn off idling construction equipment.</td>
</tr>
<tr>
<td></td>
<td>• Require contractors to rigorously maintain all equipment.</td>
</tr>
<tr>
<td></td>
<td>• Train construction crews to avoid unnecessarily loud actions (e.g., dropping bundles of rebar onto the ground or dragging steel plates across pavement) near noise-sensitive areas (e.g. critical areas, open spaces, residences).</td>
</tr>
<tr>
<td>33.</td>
<td><strong>TRAFFIC NOISE MITIGATION</strong></td>
</tr>
<tr>
<td></td>
<td>The City shall require Planned Action Projects to install noise control measures at the new dwellings along the proposed new section of 204th Avenue SE within the development. The Planned Action EIS screening-level traffic noise study indicated the potential for traffic noise impacts at future dwellings to be constructed adjacent to the proposed new section of 204th Avenue SE within the Planned Action Area. Noise mitigation measures shall include:</td>
</tr>
<tr>
<td></td>
<td>• Requiring developers to perform noise field measurements as a condition of engineering approvals once the ultimate roadway alignment, width, and final grade has been designed.</td>
</tr>
<tr>
<td></td>
<td>• Require developers to conduct site-specific traffic noise studies to confirm the number and location of dwellings that would be impacted by traffic noise.</td>
</tr>
<tr>
<td></td>
<td>• Appropriate site design, based on the noise study and specific alignment. For example, with a 35-foot minimum setback, the modeled traffic noise levels at new dwellings would be less than the WSDOT’s noise guidelines applied as Planned Action EIS impact criteria.</td>
</tr>
<tr>
<td></td>
<td>• Double-pane glass windows or other building insulation measures designed in accordance with the Washington State Energy Code (4-5-040). These would reduce indoor noise levels, but would not reduce exterior noise at outdoor use areas.</td>
</tr>
<tr>
<td></td>
<td>• Installation of noise barrier walls to shield outdoor use areas facing the street.</td>
</tr>
</tbody>
</table>

**Transportation**

| 34. | **PROJECTS INCLUDED IN PLANNED ACTION** |
|     | A. Planned Action Projects shall demonstrate consistency with Planned Action EIS Alternatives 2 and 3 that include a new 2-to-3-lane arterial between SE 256th Street and SE 272nd Street. |
|     | • The 204th Avenue SE Connector is required to be built as part of the redevelopment of the Hawk Property. The 204th Avenue SE Connector will serve as the spine of the site’s internal roadway circulation system, will provide a second major roadway connection to the site from the east, and will also provide an additional emergency vehicle access point. This roadway was included as part of Alternatives 2 and 3 and it was assumed in the Planned Action EIS analysis to be in place in the future. |
transportation analyses for each of these alternatives.

- If the Planned Action Project applicant proposes to not implement this connection, or to delay or reduce its extent, the City shall require a supplemental transportation analysis to be completed demonstrating to the City's SEPA Responsible Official's satisfaction that no adverse transportation impacts will result and that all City transportation standards shall be met.

B. Planned Action Projects shall demonstrate consistency with Planned Action EIS Alternatives 2 and 3 that include a local roadway connection between 191st Avenue SE and the local internal roadway system at the south end of the Planned Action Area. The local access connection shall be designed with traffic calming measures such as on-street parking, landscaping, and/or devices such as traffic circles to limit access to the local neighborhood and discourage cut-through traffic.

- The local roadway connection between 191st Avenue SE is required to be built as part of the redevelopment of the Hawk Property. This local connection was included as part of Alternatives 2 and 3, and it is assumed to be in place in the future transportation analyses for each of these alternatives. The purpose of this roadway is to provide a direct connection between the Planned Action Area and residential development located to the south and to provide an additional emergency vehicle access point. This connection is not intended to serve trips generated outside of the local neighborhood.

- If the Planned Action Project applicant proposes to not implement this local connection, the City shall require a supplemental transportation analysis to be completed demonstrating to the City's SEPA Responsible Official's satisfaction that no adverse transportation impacts will result and that all City transportation standards shall be met.

35. OTHER ROADWAY CAPACITY IMPROVEMENTS
A. The City's SEPA Responsible Official shall require that Planned Action Projects mitigate transportation impacts by implementing Roadway Capacity Improvements consistent with the Planned Action EIS and this Ordinance. Table B-1.3 below summarizes the roadway capacity improvements that have been identified to mitigate intersection operation impacts of Planned Action EIS Alternatives 2 and 3, along with planning-level estimates of each project's cost.

- For projects that include new lanes or turn-pockets, planning level cost-estimates take into account the length of lane that would be needed to accommodate typical vehicle queues that would occur during the PM peak hour (typically the most congested time of day) under projected future conditions.

- For each intersection location, an "X" indicates whether the identified measure would be required for each alternative.

- For Planned Action EIS Alternatives 2 and 3, Table B-1.3 also summarizes the proportionate share of total PM peak hour trips through each intersection that build-out of the proposed project is expected to contribute.
<table>
<thead>
<tr>
<th>No.</th>
<th>Intersection</th>
<th>Measure (1)</th>
<th>Jurisdiction</th>
<th>Estimated Cost</th>
<th>Alt 1 No Action</th>
<th>Alt 2 Min Village</th>
<th>Alt 3 Max Village</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Project % Share</td>
<td>Project % Share</td>
</tr>
<tr>
<td>21</td>
<td>SE 272nd St/Covington Way</td>
<td>None Identified (2)</td>
<td>Covington, WSDOT</td>
<td>(2) X X &lt;1%</td>
<td>X 1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>SE 272nd St (SR 516)/164th Ave SE</td>
<td>None Identified (2)</td>
<td>Covington, WSDOT</td>
<td>(2) X X 1%</td>
<td>X 2%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>SE 272nd St (SR 516)/Westbound SR 18 Ramps</td>
<td>None Identified (2)</td>
<td>Covington, WSDOT</td>
<td>(2) X 3%</td>
<td>X 4%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>SE 272nd St/168th Ave SE</td>
<td>None Identified (2)</td>
<td>Covington, WSDOT</td>
<td>(2) X X &lt;1%</td>
<td>X 1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>SE 272nd St/172nd Ave SE</td>
<td>None Identified (2)</td>
<td>Covington, WSDOT</td>
<td>(2) X X -2%</td>
<td>X -1%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>SE 272nd St (SR 516)/SE Wax Rd</td>
<td>None Identified (2)</td>
<td>Covington, WSDOT</td>
<td>(2) X X -4%</td>
<td>X -4%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>SE 272nd St/216th Ave SE</td>
<td>Add eastbound through lane, add eastbound receiving lane. (from Maple Valley Comprehensive Plan) (3)</td>
<td>Maple Valley, WSDOT</td>
<td>(3) X X 10%</td>
<td>X 12%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>310</td>
<td>SE 231st St/SR 169</td>
<td>Add westbound through lane (from Maple Valley Comprehensive Plan) (3)</td>
<td>Maple Valley, WSDOT</td>
<td>(3) X X 1%</td>
<td>X 2%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>313</td>
<td>SE 240th St/SR 169</td>
<td>Add eastbound right-turn lane (from Maple Valley Comprehensive Plan)</td>
<td>Maple Valley, WSDOT</td>
<td>(3) X X 1%</td>
<td>X 2%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>314</td>
<td>SR 516/Witte Rd SE</td>
<td>Add eastbound through lane, convert westbound right-turn lane to right-though, add northbound right-turn lane, add eastbound and westbound receiving lane. (3)</td>
<td>Maple Valley, WSDOT</td>
<td>(3) X X 1%</td>
<td>X 2%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ This table excludes locations 8 and 17 regarding Roundabouts at SE 256th St/164th Ave SE and SE 267th Place/SE Wax Rd/180th Ave SE. In the roundabout analyses presented in the Draft EIS, coding errors were discovered in the analysis files that resulted in overestimation of delay. With correction made to the coding, all three roundabouts are projected to operate well within City level of service standards through 2035, and no future impacts are expected to result under any of the alternatives.
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
<th>Maple Valley, WSDOT</th>
<th>X</th>
<th>X</th>
<th>1%</th>
<th>X</th>
<th>1%</th>
</tr>
</thead>
<tbody>
<tr>
<td>315</td>
<td>SR 516/SR 169 Convert westbound right-turn lane to right-though, add westbound receiving lane.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All-Way Stop-Control</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>SE 240th St/196th Ave SE Add eastbound left-turn lane.</td>
<td>Covington</td>
<td>$900,000</td>
<td>X</td>
<td>X</td>
<td>6%</td>
<td>X</td>
</tr>
<tr>
<td>5</td>
<td>SE Wax Rd/ 180th Ave SE In traffic impact fee program, CIP 1149</td>
<td>Covington In traffic impact fee program, #1149</td>
<td>X</td>
<td>X</td>
<td>11%</td>
<td>X</td>
<td>12%</td>
</tr>
<tr>
<td>51</td>
<td>SE 240th St/164th Ave SE Add eastbound left-turn lane, add westbound left-turn lane, add traffic signal.</td>
<td>Covington, King County</td>
<td>$1,850,000</td>
<td>X</td>
<td>X</td>
<td>4%</td>
<td>X</td>
</tr>
<tr>
<td>One- or Two-Way Stop Control</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>SE 240th St/180th Ave SE Add traffic signal.</td>
<td>Covington</td>
<td>$650,000</td>
<td>X</td>
<td>X</td>
<td>9%</td>
<td>X</td>
</tr>
<tr>
<td>3</td>
<td>SE 240th St/SE Wax Rd/200th Ave SE Add traffic signal.</td>
<td>Covington, King County</td>
<td>$300,000</td>
<td>X</td>
<td>X</td>
<td>6%</td>
<td>X</td>
</tr>
<tr>
<td>6</td>
<td>SE 256th St/148th Ave SE Add westbound right-turn lane and eastbound left-turn lane (CIP #1041), add traffic signal.</td>
<td>Covington In traffic impact fee program, CIP #1041</td>
<td>X</td>
<td>X</td>
<td>4%</td>
<td>X</td>
<td>5%</td>
</tr>
<tr>
<td>13</td>
<td>SE 261st St/180th Ave SE Add traffic signal.</td>
<td>Covington</td>
<td>$450,000</td>
<td>X</td>
<td>X</td>
<td>-12%</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Add eastbound left-turn lane.</td>
<td>Covington</td>
<td>$1,650,000</td>
<td>X</td>
<td>-15%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>SE 268th Place/164th Ave SE Add traffic signal.</td>
<td>Covington</td>
<td>$450,000</td>
<td>X</td>
<td>X</td>
<td>-4%</td>
<td>X</td>
</tr>
<tr>
<td>20</td>
<td>SE 272nd St/156th Pl SE In traffic impact fee program, CIP 1063</td>
<td>Covington, WSDOT In traffic impact fee program, #1063</td>
<td>X</td>
<td>X</td>
<td>&lt;1%</td>
<td>X</td>
<td>1%</td>
</tr>
<tr>
<td>36</td>
<td>SE 272nd St/204th Ave SE Add southbound left-turn lane, add traffic signal.</td>
<td>Covington, WSDOT</td>
<td>$1,350,000</td>
<td>X</td>
<td>X</td>
<td>10%</td>
<td>X</td>
</tr>
<tr>
<td>39</td>
<td>SE 275th St/SE Wax Rd In traffic impact fee program, CIP 1085</td>
<td>Covington In traffic impact fee program, #1085</td>
<td>X</td>
<td>X</td>
<td>2%</td>
<td>X</td>
<td>3%</td>
</tr>
<tr>
<td>50</td>
<td>SE 240th St/156th Ave SE Add traffic signal.</td>
<td>Covington, King County</td>
<td>$750,000</td>
<td>X</td>
<td>X</td>
<td>6%</td>
<td>X</td>
</tr>
<tr>
<td>55</td>
<td>SE 272nd St/156th Ave SE Add traffic signal.</td>
<td>Kent, Covington</td>
<td>$450,000</td>
<td>X</td>
<td>X</td>
<td>1%</td>
<td>X</td>
</tr>
<tr>
<td>58</td>
<td>SE 272nd St/186th Ave SE In traffic impact fee program, CIP 1128</td>
<td>Covington In traffic impact fee program, #1128</td>
<td>X</td>
<td></td>
<td>-17%</td>
<td>X</td>
<td>-16%</td>
</tr>
<tr>
<td>No.</td>
<td>Topic and Mitigation Measure</td>
<td>Option A</td>
<td>Option B</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----</td>
<td>------------------------------</td>
<td>----------</td>
<td>----------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>300</td>
<td>SE 256th St/Westbound SR 18 Ramps</td>
<td>Add traffic signal. Add eastbound left-turn lane. Coordinate signal timing/phasing with new signal at the northbound SR 18 ramp intersection.</td>
<td>Add traffic signal. Add eastbound and southbound left-turn lanes. Coordinate signal timing/phasing with new signal at the northbound SR 18 ramp intersection.</td>
<td>Covington, King County, WSDOT</td>
<td>$1,050,000</td>
<td>X 49%</td>
<td>Covington, King County, WSDOT</td>
</tr>
<tr>
<td>301</td>
<td>SE 256th St/Eastbound SR 18 Ramps</td>
<td>Add traffic signal. Add traffic signal.</td>
<td>Add a roundabout with one lane on the north side and two lanes on the south side. Add a second eastbound approach lane, and a right turn lane on the southbound approach.</td>
<td>Covington, King County, WSDOT</td>
<td>$450,000</td>
<td>X</td>
<td>Covington, King County, WSDOT</td>
</tr>
</tbody>
</table>
No.  | Topic and Mitigation Measure
--- | ---
Option B  | Add a one-lane roundabout. Add right-turn lanes on the northbound and westbound approaches.
Covington, King County, WSDOT  | $3,350,000  | X   | 69%  | X   | 72%


1. The roadway improvement measures that have been identified would improve operation to meet local level of service standards under projected 2035 conditions with build-out of local and regional land use plans, with the three alternatives. Projects located at Covington concurrency intersections are being added to the City’s 2035 Capital Improvement Program as part of the Comprehensive Plan update. However, if regional development growth occurs to the extent projected, it is possible that other measures could be identified to address the impact at the time the need for improvement is triggered.

2. No mitigation measures have been identified at these intersections. For projected 2035 conditions, SE 272nd Street is assumed to be a five-lane section throughout Covington, with additional turn-lanes at high volume intersections. If growth occurs to the degree reflected in the model projections, it is likely that the City of Covington would reevaluate its long-term plan for the corridor, and determine if widening is warranted, or if it would be warranted to reexamine level of service standards and allow this section to operate lower than LOS D. The two Action alternatives do not significantly affect this outcome.

3. Analysis indicates that with projected 2035 volumes and any of the three alternatives, SR 516 would need to be widened to 5 lanes between 216th Avenue SE and SR 169 in order to meet City of Maple Valley concurrency standards. If growth occurs to the degree reflected in the model projections, it is likely that the City of Maple Valley would reevaluate its long-term plan for the corridor and determine if widening is warranted or if it would be warranted to reexamine level of service standards and allow this section to operate lower than LOS D. This issue is identified for the 2035 No Action alternative, and the two Action alternatives do not significantly affect this outcome.

4. See traffic impact fee program, project CIP 1149 for the improvement.
5. While this intersection is located outside of the Covington city limits in King County, the City of Covington monitors operations at this location.
6. Improvement at this location is assumed in the City’s current traffic impact fee program, in project CIP 1063. See also Note 1.
7. Alternatively, turn movements could be restricted to right-turns only at this intersection. In this case, it is assumed that the projected westbound left-turn movement (180 vehicles in each alternative) would instead turn at 152nd Avenue SE. Phasing changes could be made to allow SE 256th Street/152nd Avenue SE to operate at LOS E in this circumstance, but additional capacity improvements would be needed to improve operation to LOS D.
8. This intersection is located outside of the Covington city limits in the City of Kent. However, Covington monitors operations at this location.
9. This project is included in the City of Maple Valley’s long-range Transportation Improvement Program provided in the City Comprehensive Plan (City of Maple Valley 2011). The City of Maple Valley’s planned improvements would address level of service issues with all three alternatives and no additional improvements would be needed.

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

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

36. ROADWAY CAPACITY PROJECTS REQUIRED CONCURRENT WITH DEVELOPMENT

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

February 2014
ATTACHMENT B-1 TO EXHIBIT B
HAWK PROPERTY PLANNED ACTION ORDINANCE

<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 5</td>
<td>SE Wax Road/SE 180th Street: Increased traffic volumes resulting from Alternative 2 or 3 require additional capacity improvement at this location. Analysis indicates that addition of a northbound right-turn lane would allow the intersection to operate at LOS D or better through 2035. However, space at this location is constrained by a retaining wall located along the east side of the roadway. If it is not feasible to widen the roadway at this location, installation of a traffic signal would also address the impact. This improvement is addressed in the City’s transportation impact fees as of 2013. This City-required improvement is required to be installed concurrent with development consistent with Mitigation Measure 36 herein.</td>
</tr>
<tr>
<td>• 36</td>
<td>SE 272nd Street/204th Avenue SE Connector Roadway require that this intersection be signalized under Alternative 2 or 3. The planned three-lane section will also need to be extended to this intersection, providing a southbound left-turn lane. This City-required improvement is accounted in the mitigation fee in Mitigation Measure 35C herein and is required to be installed concurrent with development consistent with Mitigation Measure 36 herein.</td>
</tr>
<tr>
<td>• 300</td>
<td>SE 256th Street/SR 18 Westbound Ramps:</td>
</tr>
<tr>
<td></td>
<td>o Option A (Signal): Both Alternative 2 and Alternative 3 trigger the need to signalize this intersection and add an eastbound left-turn lane. Alternative 3 also requires the addition of a southbound left-turn lane on the ramp.</td>
</tr>
<tr>
<td></td>
<td>o Option B (Roundabout): Alternatively, for Alternative 2 or 3, level of service impacts can be mitigated by construction of a roundabout that has one lane on the north side and two lanes on the south side. A second eastbound approach lane and a right-turn lane on the southbound approach also need to be added.</td>
</tr>
</tbody>
</table>

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

<p>| • 301 | SE 256th Street/SR 18 Eastbound Ramps: |
| | o Option A (Signal): Addition of a traffic signal at this location is triggered with the No Action alternative, but additional capacity improvements are needed to accommodate traffic volumes generated by Alternatives 2 and 3. In order for the intersection to operate at LOS D or better with both alternatives, it is necessary to add an eastbound left-turn lane on the existing SR 18 overpass. The width of the west leg of this intersection is constrained by the bridge structure; however, it appears there may be adequate curb-to-curb width to accommodate three travel lanes. The addition of a center left-turn lane would require that the existing bicycle lane striping be removed, and bicyclists to be directed to use the sidewalk to cross SR 18. As project-generated trips decrease on the 204th Avenue SE Connector, model projections in the Planned Action EIS indicate that non-project-generated trips would increase. As a result, there is very little difference in the projected eastbound traffic volumes between the two Action alternatives at this location. In addition to the eastbound left-turn lane, a westbound right-turn lane is needed with both Alternative 2 and Alternative 3. Alternative 3 would also need to add a northbound right-turn lane on the ramp. Construction of this improvement would likely require retaining walls to be built on the east side of the intersection. |
| | o Option B (Roundabout): Alternatively for Alternative 2 or 3, level of service impacts could be |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>mitigated by construction of a one-lane roundabout, with right-turn lanes added on the northbound and westbound approaches. Similar to the signal option, construction of this option would require retaining walls to be constructed on the east side of the intersection, but no additional vehicle lanes would be needed across the bridge structure.</td>
</tr>
<tr>
<td></td>
<td>Note: with Alternative 2 or 3, for the SE 256th Street/SR 18 ramp intersections, the same improvement option (Option A – signal, or Option B – roundabout) would need to be chosen for both intersections.</td>
</tr>
<tr>
<td>C.</td>
<td>Planned Action Projects shall implement Project 301 in consultation with Washington State Department of Transportation and King County as appropriate. The planning level cost estimates for the improvements in Mitigation Measure 35 herein depend on the improvement required by agencies with jurisdiction.</td>
</tr>
<tr>
<td>D.</td>
<td>Phasing or Timing. The City shall condition Planned Action Projects to provide required roadway capacity projects concurrent with development. Improvement at the four locations in Paragraph A is triggered by the Hawk Property Planned Action as analyzed in the Planned Action EIS. The expected timing is as follows:</td>
</tr>
<tr>
<td></td>
<td>• At SE Wax Road/SE 180th Street (S), it is estimated that the need for improvement would be triggered when trips generated by the development reach about 92% of the total estimated for the Maximum Village, approximately 2,370 net new primary trips.</td>
</tr>
<tr>
<td></td>
<td>• The other three locations (36, 300, and 301) requiring improvement would become the endpoints of the proposed new 204th Avenue SE Connector, once it is constructed. Therefore, improved traffic control shall be installed at the time that the new roadway is constructed.</td>
</tr>
<tr>
<td></td>
<td>• If it were desired to phase in the intersection improvements at a later date, the Planned Action Project developer shall submit to the City and agencies with jurisdiction a detailed traffic analysis showing that City concurrency standards would still be met.</td>
</tr>
<tr>
<td>E.</td>
<td>Latecomers Agreements. Planned Action Project applicants may request City approval of a Latecomer’s Agreement subject to CMC Chapter 13.45, Latecomer’s Agreements.</td>
</tr>
</tbody>
</table>

37. **Mitigation to Address Short-Term Construction Impacts**
To minimize the potential short-term traffic impacts resulting from construction of the alternatives, a Traffic Control Plan shall be prepared by Planned Action Project applicants to the satisfaction of the City’s SEPA Responsible Official in accordance with City guidelines.

- All building and construction permits shall be reviewed and conditioned to mitigate construction traffic impacts.

- The types of transportation-related measures that could be considered would depend on the type and size of the phase under construction. The Traffic Control Plan shall consider the inclusion of the following measures where applicable:
  - Truck haul-routes to and from the site.
  - Peak hour restrictions for construction truck traffic and how those restrictions would be communicated and enforced.
  - Truck staging areas (e.g., locations where empty or full trucks would wait or stage prior to and during loading or unloading.)
  - Measures to reduce construction worker trips such as rideshare or shuttles.
  - Provision of on-site or nearby parking for construction workers.
  - Road, lane, sidewalk, or bike lane closures that may be needed during utility, street or building construction. A plan detailing temporary traffic control, channelization, flagging, and signage...
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>measures, and possible detour routes, should be provided for affected facilities.</td>
</tr>
<tr>
<td></td>
<td>o Plan to maintain access to residences and businesses at all times.</td>
</tr>
<tr>
<td></td>
<td>o Restoration or repair of the pavement in the road right-of-way in accordance with City standards upon completion of the work.</td>
</tr>
<tr>
<td></td>
<td>o Other elements or details may be required in the Traffic Control Plan as required by the City of Covington. The project developer/owner and the contractor shall be required to incorporate other City requirements into an overall plan, if applicable.</td>
</tr>
</tbody>
</table>

### Public Services

#### 38. Fire Mitigation

The City shall require a mitigation agreement between the Planned Action Project developer and Kent Regional Fire Authority prior to development to address the impacts identified in the Planned Action EIS.

- The mitigation agreement should address impacts to daily and peak hour workload at KFD Station 78 resulting from Planned Action Project development.

- If the mitigation agreement is superseded by an impact fee, Planned Action Projects shall comply with the impact fee requirements and other applicable regulations in place at the time of the application.

#### 39. Parks and Trails

At the time of Planned Action Project application, the City shall review submitted conceptual and detailed site plans to ensure that sufficient park space and trails are provided to be consistent with both the LOS standards of the Parks and Recreation Element of the Comprehensive Plan and with the requirements of CMC 18.35.150.

- Planned Action Project applications shall demonstrate a consistent and compatible network of parks and trails throughout the site similar to Planned Action EIS Alternatives. Pursuant to the requirement to prepare a conceptual site plan with phasing in Subsection III.G(3) of this Ordinance, the Planned Action Project applicant shall identify on-site parks and trails, including trail connections to adjacent sites, to promote the goals and policies of the Hawk Property Subarea Plan regarding walkability, connectivity, and reducing trips.

- Public open space shall be provided consistent with City level of service standards adopted in the Comprehensive Plan.

- Private open space shall be required and installed consistent with the requirements of CMC 18.35.150 to 190.

- Planned Action Project applicants shall provide parks and trail facilities prior to or concurrent with the development. The City may require such facilities to be dedicated to the City.

- At the request of Planned Action Project Applicants, the City may accept fees in lieu of parks and trails facilities where the City anticipates that coordinated implementation of public parks and trails is desired. The fee-in-lieu agreements shall address the responsibility and cost for operation and maintenance of said parks and trails facilities. The fee-in-lieu agreement shall be in a form acceptable to the City and may be developed as a voluntary agreement under RCW 82.02.020.
<table>
<thead>
<tr>
<th>No.</th>
<th>Topic and Mitigation Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cultural Resources</td>
</tr>
<tr>
<td>40.</td>
<td>The City shall condition Planned Action Projects to protect any currently undiscovered historic or archaeological resources in the study area as follows:</td>
</tr>
<tr>
<td></td>
<td>• If construction activities uncover any remains of historic or archaeological significance, construction shall immediately be stopped and all appropriate state and local agencies notified.</td>
</tr>
<tr>
<td></td>
<td>• Projects that entail substantial excavation must enter consultation with DAHP to determine the likelihood of inadvertent discovery of archaeological resources and to establish mitigation procedures. Archaeological surveys and testing may be necessary prior to excavation. The Department of Archaeology and Historic Preservation (DAHP) may recommend archaeological monitoring of construction activities in areas deemed to have a high likelihood of discovery.</td>
</tr>
<tr>
<td></td>
<td>• In the event of an archaeological discovery, future development on property surrounding the archaeological site shall analyze the potential for adverse impacts to the archaeological resource, and, if necessary, engage a qualified professional archaeologist to determine whether the proposed development would negatively affect the archaeological resource.</td>
</tr>
</tbody>
</table>
ATTACHMENT B-2

Advisory Notes to Applicants: Applicable Regulations and Commitments

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

<table>
<thead>
<tr>
<th>Topic</th>
<th>Regulation/Commitment</th>
</tr>
</thead>
</table>
| Earth                  | • The federal government provides seismic information and standards. The 2012 IBC has adopted the seismic recommendations developed by the National Earthquake Hazards Reduction Program (NEHRP) (Federal Emergency Management Agency 2009) using the 2008 probabilistic seismic hazard maps developed by the U.S. Geological Survey for a seismic event with a recurrence interval of 5,000 years. The American Association of State Highway and Transportation Officials (AASHTO) standards rely on the 2002 U.S. Geological Survey probabilistic hazard mapping; however, AASHTO (2012) uses a seismic event with a recurrence interval of 1,000 years as the basis for design.  
• The State of Washington adopted the 2012 edition of the International Building Code (ICC 2012) on July 1, 2013. The IBC applies to the design of continuously occupied buildings, so would apply to residences and most commercial buildings. The types of buildings that would be developed at the Planned Action Area will most likely be designed in accordance with the 2012 IBC or the version of the manual in effect at the time of the development application.  
• State highway projects in Washington are typically designed in accordance with the Washington State Department of Transportation Design Manual (2010) or current version at the time of the permit application, which generally adopts AASHTO standards, with certain additional requirements or guidance.  
• Washington State Department of Ecology implements the National Pollutant Discharge Elimination System (NPDES) Construction Stormwater Permit system, which requires construction contractors to implement erosion and sedimentation control systems at all major construction sites.  
• The City uses the IBC as adopted by the State of Washington and amended by the City of Covington in the Covington Municipal Code. The only critical areas mapped inside the study area (City of Covington 2003) are wetlands along Jenkins Creek, which are discussed in Planned Action EIS Section 3.4. The City also adopted critical areas regulations in the Covington Municipal Code (Chapter 18.65). These regulations do not preclude development within critical areas, but do require permitting and special design and review to show that the proposed development minimizes impacts to critical areas to a satisfactory degree and manages hazards appropriately. |
| Surface Water Resources | Regulations adopted at the time development permits are submitted will be applicable, such as:  
• Department of Ecology, Stormwater Manual for Western Washington  
• City of Covington Surface Water Management Program, CMC 13.25  
• City of Covington Clearing and Grading Regulations, CMC 14.60.120, which require spill prevention and control measures for the maintenance, fueling, and repair of heavy equipment on a construction site  
• City of Covington Design and Construction Standards  
• Low Impact Technical Guidance Manual for Puget Sound  
• Washington State Statutes  
• US Environmental Protection Agency, Clean Water Act |
<table>
<thead>
<tr>
<th>Topic</th>
<th>Regulation/Commitment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groundwater Resources</td>
<td>The Planned Action Area is near, but not within, the Armstrong Springs Aquifer Protection Area, which is documented as Zone 1 in the City of Kent Wellhead Protection Program (Aspect 2008). Critical Aquifer Recharge Areas (CARAs) regulations are intended to protect groundwater; those regulations focus on underground storage tanks, abandoned wells, and stormwater infiltration. Based on geologic mapping the site is primarily characterized as a groundwater discharge site. However, given site proximity to CARAs and the onsite well, the following regulations, in current or amended form, could apply to site development activities.</td>
</tr>
<tr>
<td></td>
<td>- 2012 Stormwater Management Manual for Western Washington</td>
</tr>
<tr>
<td></td>
<td>- City of Covington Standard Plan Notes and Covington Municipal Code, Chapter 13.37</td>
</tr>
<tr>
<td></td>
<td>- Low impact development measures are based on the current version of Washington State Department of Ecology's stormwater manual; the manual in effect at the time of development applications would apply</td>
</tr>
<tr>
<td>Air Quality</td>
<td>- National Ambient Air Quality Standards (NAAQS): The US EPA establishes NAAQS and specifies future dates for states to develop and implement plans to achieve these standards.</td>
</tr>
<tr>
<td></td>
<td>- State Ambient Air Quality Standards: The Washington State Department of Ecology establishes state ambient air quality standards for the same six pollutants that are at least as stringent as the national standards; in the case of SO2, state standards are more stringent.</td>
</tr>
<tr>
<td></td>
<td>- Outdoor Burning: Burning yard waste and land-clearing debris is not allowed at any time in areas of King County. PSCAA enforces state outdoor burning regulations required by RCW 70.94.743.</td>
</tr>
<tr>
<td></td>
<td>- Puget Sound Clean Air Agency Regulations: All construction sites in the Puget Sound region are required to implement rigorous emission controls to minimize fugitive dust and odors during construction, as required by PSCAA Regulation 1, Section 9.15, Fugitive Dust Control Measures. All industrial and commercial air pollutant sources in the Puget Sound region are required to register with PSCAA. Facilities with substantial emissions are required to obtain a Notice of Construction air quality permit before construction is allowed to begin.</td>
</tr>
<tr>
<td></td>
<td>- State of Washington GHG Laws: The Washington Legislature enacted RCW 70.235, Limiting Greenhouse Gas Emissions, into state law. The law sets the following standards:</td>
</tr>
<tr>
<td></td>
<td>o Reduce emissions to 1990 levels by 2020, 25% below 1990 levels by 2035, and 50% below 1990 levels by 2050.</td>
</tr>
<tr>
<td></td>
<td>o Reduce expenditures on fuel imported into Washington State by 20% by 2020.</td>
</tr>
<tr>
<td></td>
<td>o Decrease the annual per capita vehicle miles traveled 18% by 2020, 30% by 2035, and 50% by 2050.</td>
</tr>
<tr>
<td></td>
<td>The state law applies only to actions taken by Washington State agencies and local governments. State regulations on GHG emissions include prerequisites for distribution of capital funds for infrastructure and economic development projects, where projects receiving funding must be evaluated for consistency with state and federal GHG limits and state VMT goals (RCW 20.235.070).</td>
</tr>
<tr>
<td>Plants and Animals</td>
<td>Current local, state, and federal regulations protecting plants and animals include:</td>
</tr>
<tr>
<td></td>
<td>- CMC 18.65, Critical Areas;</td>
</tr>
<tr>
<td></td>
<td>- King County Zoning Code (KCC) 21A.24, Critical Areas (only applicable until annexation is complete);</td>
</tr>
<tr>
<td></td>
<td>- US Army Corps of Engineers (Corps) regulate wetlands under section 404 of the Clean Water Act;</td>
</tr>
<tr>
<td></td>
<td>- Washington State Department of Ecology may require an individual 401 Water Quality Certification and Coastal Zone Management Consistency determination for Corps permits;</td>
</tr>
<tr>
<td></td>
<td>- U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, for federally permitted actions that could affect endangered species (i.e. salmon or bull trout); and</td>
</tr>
<tr>
<td></td>
<td>- No State or federally listed threatened or endangered plant or animal species have been observed on or adjacent to the site. The site does contain habitat that could be used by such species. See mitigation measures for an evaluation and consultation regarding compliance with state and federal laws, including the State Hydraulic Code, Sections 401 and 404 of the Clean Water Act, and Section 7 of the Endangered Species Act.</td>
</tr>
<tr>
<td></td>
<td>- Critical area impacts will be avoided and minimized to the extent possible. Any impacts would be fully mitigated as required by the Covington's critical areas regulations. Temporary critical area impacts, such as disturbance and possible erosion/sedimentation would be addressed by</td>
</tr>
<tr>
<td>Topic</td>
<td>Regulation/Commitment</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Noise</td>
<td><strong>LOCAL: CITY OF COVINGTON NOISE REGULATIONS</strong></td>
</tr>
<tr>
<td></td>
<td>CMC 8.20 establishes regulations to minimize the exposure of citizens to excessive noise. The CMC clearly states the hours during which certain noisy activities are prohibited but does not specify numerical limits for permissible noise levels. The City’s code references state noise regulations.</td>
</tr>
<tr>
<td></td>
<td>The CMC prohibits sounds originating from construction activity between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and 6:00 p.m. and 9:00 a.m. on Saturdays, Sundays, or Federal holidays. However, prohibitions on construction activities may be waived or modified for work involving public utilities within the public right-of-way if approved by the City Manager or his/her designee.</td>
</tr>
<tr>
<td></td>
<td><strong>FEDERAL: FEDERAL HIGHWAY ADMINISTRATION (FHWA) TRAFFIC NOISE REGULATIONS</strong></td>
</tr>
<tr>
<td></td>
<td>Federal FHWA funding, distributed WSDOT, may be used for street improvements associated with this project, and as such, the noise criteria established in Title 23, Part 772 of the Code of Federal Regulations (CFR) may apply. The FHWA Noise Abatement Criteria (NAC) are summarized in Table B-2.2.</td>
</tr>
</tbody>
</table>

**Table B-2.2. Federal Highway Administration Noise Abatement Criteria**

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

**Source:** FHWA, CFR, 2013

**STATE: NOISE CONTROL ACT OF 1974 (WAC 173-60)**

WAC 173-60-040 establishes maximum permissible noise levels for various environments, and construction activities under all alternatives would be subject to these provisions.

**STATE: WASHINGTON DEPARTMENT OF TRANSPORTATION TRAFFIC NOISE REGULATIONS**

WSDOT has adopted the FHWA NAC for evaluating noise impacts and for determining if such impacts are sufficient to justify funding of noise abatement for new roadway construction and roadway widening projects with state funding. The WSDOT traffic noise policy described below meets the federal requirements of 23 CFR 772 described above, so compliance with the WSDOT traffic noise policy will meet FHWA noise requirements. For WSDOT-funded roadway projects, a noise impact occurs when a predicted traffic noise level under the design year conditions approaches within 1 dBA of the FHWA NAC (for example, WSDOT defines a traffic noise impact at a dwelling to be 66 dBA or higher). In addition, WSDOT defines a traffic noise impact to occur when the predicted traffic noise level substantially exceeds the existing noise level. A 10-dBA increase over existing noise levels is considered a substantial increase.

**Land Use Patterns/Plans and Policies**

- Prior to annexation to the City of Covington, the unincorporated portion of the subarea would be subject to the provisions of King County Code Title 21, including the following Chapters:
  - 21A.08: Permitted Uses
  - 21A.12: Development Standards – Density and Dimensions
<table>
<thead>
<tr>
<th>Topic</th>
<th>Regulation/Commitment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>o 21A.14: Development Standards – Design Requirements</td>
</tr>
<tr>
<td></td>
<td>o 21A.16: Development Standards – Landscaping and Water Use</td>
</tr>
<tr>
<td></td>
<td>o 21A.18: Development Standards – Parking and Circulation</td>
</tr>
<tr>
<td></td>
<td>o 21A.20: Development Standards – Signs</td>
</tr>
<tr>
<td></td>
<td>o 21A.22: Development Standards – Mineral Extraction</td>
</tr>
<tr>
<td></td>
<td>o 21A.24: Critical Areas</td>
</tr>
<tr>
<td></td>
<td>• After annexation into the City of Covington, all development in the Planned Action Area will be subject to the provisions of CMC Title 18 – Zoning, including the following Chapters:</td>
</tr>
<tr>
<td></td>
<td>o 18.25: Permitted Uses</td>
</tr>
<tr>
<td></td>
<td>o 18.30: Development Standards – Density and Dimensions</td>
</tr>
<tr>
<td></td>
<td>o 18.35: Development Standards – Design Requirements</td>
</tr>
<tr>
<td></td>
<td>o 18.40: Development Standards – Landscaping</td>
</tr>
<tr>
<td></td>
<td>o 18.50: Development Standards – Parking and Circulation</td>
</tr>
<tr>
<td></td>
<td>o 18.55: Development Standards – Signs</td>
</tr>
<tr>
<td></td>
<td>o 18.65: Critical Areas</td>
</tr>
<tr>
<td>Transportation</td>
<td><strong>CITY OF COVINGTON DESIGN STANDARDS</strong></td>
</tr>
<tr>
<td></td>
<td>For Alternatives 2 and 3, internal roadways, and non-motorized facilities are subject to design standards presented in Covington Design Guidelines (City of Covington 2005) and CMC Chapter 18.50 - Development Standards – Parking and Circulation. The proposed new roadway connections would be subject to the City’s Design and Construction Standards for roadways. (City of Covington 2009)</td>
</tr>
<tr>
<td></td>
<td><strong>CITY OF COVINGTON PARKING CODE</strong></td>
</tr>
<tr>
<td></td>
<td>For Alternatives 2 and 3, the amount of parking supply provided as the subarea develops would be subject to parking requirements defined in CMC Chapter 18.50 - Development Standards – Parking and Circulation.</td>
</tr>
<tr>
<td>Public Services</td>
<td><strong>FIRE</strong></td>
</tr>
<tr>
<td></td>
<td>Implement the City’s adopted fire code at CMC 15.20 Fire Code.</td>
</tr>
<tr>
<td></td>
<td><strong>SCHOOLS</strong></td>
</tr>
<tr>
<td></td>
<td>• Until annexation by the City of Covington, development in the unincorporated portions of the Planned Action Area will be subject to assessment of school impact fees as required by King County Code Chapter 27.44.</td>
</tr>
<tr>
<td></td>
<td>• After annexation by the City of Covington, development in the Planned Action Area will be subject to assessment of school impact fees as required by Covington Municipal Code Chapter 18.120.</td>
</tr>
<tr>
<td>Utilities</td>
<td><strong>Plans and regulations adopted at the time Planned Action Project development permits are submitted will be applicable, such as:</strong></td>
</tr>
<tr>
<td></td>
<td>• Department of Ecology, Stormwater Manual for Western Washington</td>
</tr>
<tr>
<td></td>
<td>• City of Covington Surface Water Management Program, CMC 13.25</td>
</tr>
<tr>
<td></td>
<td>• CMC Title 13 Public Utilities</td>
</tr>
<tr>
<td></td>
<td>• Soos Creek Water and Sewer District Comprehensive Plan</td>
</tr>
<tr>
<td></td>
<td>• Covington Water District Water System Plan</td>
</tr>
</tbody>
</table>
EXHIBIT C

HAWK PROPERTY PLANNED ACTION ORDINANCE

EXHIBIT C

Public Agency Actions and Commitments

INTRODUCTION

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

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

This Exhibit C will be used in the monitoring process established in Section IV of this Ordinance.
## Table C.1
**Public Agency Mitigation Measures**

<table>
<thead>
<tr>
<th>Mitigation Measures</th>
<th>Proposed Synchronous Amendments</th>
<th>Short Term: Next Comp Plan Amendment Cycle or within 5 years</th>
<th>Long Term</th>
<th>Other Agency</th>
<th>Estimated Year of Implementation and Responsible Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>The City could provide neighboring property owners with educational resources to encourage native plant use and backyard habitat projects.</td>
<td></td>
<td>X</td>
<td>Other Agency</td>
<td>Community Development Department</td>
<td>Year: To be determined by City based on available resources. This could be a partnership opportunity such as with a conservation district.</td>
</tr>
<tr>
<td>As part of integrating the Hawk Property Subarea Plan into the Comprehensive Plan, the City should amend land use designations, goals, policies, and capital facility improvements supporting the anticipated growth of the urban village. In addition, the City should make associated housekeeping amendments to update the status of the reclaimed mine site as transforming to an urban village.</td>
<td>X</td>
<td></td>
<td></td>
<td>Community Development / Public Works / Parks Departments 2014</td>
<td></td>
</tr>
<tr>
<td>The City would continue its 5-lane widening of SE 272nd Street to include the segment between 192nd Avenue SE and the east city limits. The estimated cost for widening SE 272nd Street to 5 lanes between 192nd Avenue SE and the east city limits is $40.2 to $55.9 million. This segment of the project should be included in the City's Capital Improvement Program.</td>
<td>X</td>
<td></td>
<td></td>
<td>Community Development / Public Works Departments 2014</td>
<td></td>
</tr>
<tr>
<td>Transportation projects studied in the Planned Action EIS will need to be added to the City's Capital Improvement Program as part of its next Comprehensive Plan update. Additionally, the City's Traffic Impact Fee Program will need to be updated to include these additional projects.</td>
<td>X</td>
<td>X</td>
<td></td>
<td>CFP: Community Development Department 2014 Traffic Impact Fee: Public Works 2015</td>
<td></td>
</tr>
<tr>
<td>Mitigation Measures</td>
<td>Proposed Synchronous Amendments</td>
<td>Short Term: Next Comp Plan Amendment Cycle or within 5 years</td>
<td>Long Term</td>
<td>Other Agency</td>
<td>Estimated Year of Implementation and Responsible Department</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------------</td>
<td>----------------------------------------------------------</td>
<td>-----------</td>
<td>--------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td>If growth occurs to the degree reflected in the model projections, it is likely that the City will reevaluate its long-term plan for the for the SE 272rd corridor, and determine if widening is warranted, or if it is warranted to reexamine level of service standards and allow this section to operate lower than LOS D. Under these circumstances, the City would be required to decide upon one of these options—additional capacity improvements or a level of service policy change—in order to support concurrency.</td>
<td>X</td>
<td></td>
<td></td>
<td>Public Works Ongoing</td>
<td></td>
</tr>
<tr>
<td>If regional land use growth occurs at the rate reflected in the Covington model assumptions through 2035, it is likely that the City of Maple Valley will reevaluate its long-term plan for the for the SE 272rd corridor, and determine if widening is warranted, or if it is warranted to reexamine level of service standards and allow this section to operate lower than LOS D. Under these circumstances, the City of Maple Valley would be required to decide upon one of these options—capacity improvements or a level of service policy change—in order to support concurrency.</td>
<td>X</td>
<td>X</td>
<td></td>
<td>City of Maple Valley Ongoing</td>
<td></td>
</tr>
<tr>
<td>The City should adopt comprehensive plan policies stating that the City will plan cooperatively with WSDOT and neighboring cities to define the ultimate capacity for the SE 272nd Street roadway.</td>
<td>X</td>
<td></td>
<td></td>
<td>Community Development Department/Public Works 2015</td>
<td></td>
</tr>
<tr>
<td>The City could adopt a formal LOS standard for police service and coordinate with the King County Sheriff’s Office on monitoring of call responses to incidents by members of the Covington Police Department.</td>
<td>X</td>
<td></td>
<td></td>
<td>Community Development Department/Police Department 2015</td>
<td></td>
</tr>
<tr>
<td>The City should contract with the King County Sheriff’s Office for the services of additional police officers commensurate with the level of development ultimately approved for the subarea.</td>
<td></td>
<td></td>
<td>X</td>
<td>Police Department Determine through development phasing</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>
This page intentionally blank.
Exhibit D. Transportation Cost Estimates
| Component            | Cost  | Right Turn Lane | Left Turn Lane | Add Through Lane | Add Receiving Lane | Stripping | New Traffic Signal | Modify Traffic Signal | Single Lane Roundabout | Multi-lane Roundabout | Bridge/Culvert Replacement | Significant Walls | Minor ROW | Major ROW | Minor Env | Major Env | Major Utility Relocation |
|----------------------|-------|-----------------|----------------|------------------|-------------------|-----------|---------------------|------------------------|------------------------|------------------------|-------------------------|----------------------|----------|---------|----------|----------|----------|-------------------------|
|                      | $200,000 | $600,000 | $400,000 | $750,000 | $20,000 | $450,000 | $250,000 | $1,500,000 | $2,250,000 | $1,500,000 | $1,500,000 | $400,000 | $200,000 | $500,000 | $100,000 | $300,000 | $100,000 |

**Assumptions:**
This document estimates the cost of each mitigation proposal in Mitigation Measure 3S, except for projects that are outside of Covington, and projects already in the traffic impact fee program. Estimates are conceptual level and are based upon the descriptions in the exhibit and "Google maps" site review. Estimates are based upon recent experience with similar projects by David Evans and Associates consultants. The percent share for each project is shown. The cost per trip is in addition to the city's base impact fee.
SR 516 is identified for improvement in the EIS under No Action conditions. However, Alternative 3 results in a decrease of trips west of 204th which would offset the expected increase in trips east of 204th. Therefore consultants have assumed a zero proportional share (and the project is not included in this matrix).
Exhibit E. Planned Action EIS Conceptual Alternatives
Note: The size, shape, and location of all land uses, trails, and road alignments depicted are conceptual. Final locations and extents will be determined as part of final site plan approval.

Source: Communita, 2013
Alternative 3 Conceptual Land Use Plan

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

Source: Communita, 2013
Exhibit D
LAKEPOINTE
ORIGINAL LEGAL DESCRIPTIONS
TRIAD PROJECT NO. 14-178
JULY 14, 2016

PARCEL A:
THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING SOUTHERLY OF PRIMARY STATE HIGHWAY NO. 2, AS CONVEYED TO THE STATE OF WASHINGTON, BY DEEDS RECORDED UNDER RECORDING NUMBERS 5002384, 5002400, 5005667, 5005666, 5005686 AND 5005687;
EXCEPT THAT PORTION THEREOF CONVEYED TO KING COUNTY FOR ROAD BY DEED RECORDED UNDER RECORDING NUMBER 2929813;
AND EXCEPT THAT PORTION CONVEYED TO KING COUNTY FOR ROAD BY INSTRUMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 8608120403;
EXCEPT THAT PORTION THEREOF CONDEMNED UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 00-2-21259-3;
TOGETHER WITH THAT PORTION OF SAID COLLIER AND LUND REVISION ROAD VACATED BY KING COUNTY ORDINANCE NO. 4404, RECORDED UNDER RECORDING NUMBER 7908150746.

PARCEL B:
THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 29;
THENCE EASTERLY ALONG THE NORTH LINE THEREOF NORTH 89°08'02" EAST 1583.90 FEET, MORE OR LESS, TO THE WESTERLY MARGIN OF THE NORTHWEST GAS PIPE LINE EASEMENT;
THENCE SOUTHWESTERLY ALONG SAID WESTERLY MARGIN SOUTH 24°32'00" WEST 635.22 FEET, MORE OR LESS, TO THE NORTH LINE OF THAT CERTAIN PLAT OF TIMBERLANE ESTATES DIVISION NO. 4, AS RECORDED IN VOLUME 89 OF PLATS, PAGES 3 AND 4, IN SAID COUNTY;
THENCE NORTHWESTERLY, WESTERLY AND SOUTHWESTERLY ALONG SAID NORTH LINE NORTH 65°28'00" WEST 68.56 FEET TO THE MOST NORTHERLY CORNER OF LOT 118 OF SAID PLAT;
THENCE SOUTH 66°30'00" WEST 56.08 FEET;
THENCE SOUTH 78°00'00" WEST 195.00 FEET;
THENCE SOUTH 69°30'00" WEST 154.46 FEET;
THENCE SOUTH 40°00'00" WEST 60.00 FEET;
THENCE NORTH 50°00'00" WEST 21.54 FEET;
THENCE SOUTH 63°04'27" WEST 146.42 FEET;
THENCE NORTH 62°36'42" WEST 62.00 FEET;
THENCE SOUTH 27°32'18" WEST 45.00 FEET;
THENCE NORTH 62°36'42" WEST 150.00 FEET;
THENCE NORTH 27°23'18" EAST 45.00 FEET;
THENCE NORTH 62°36'42" WEST 103.00 FEET;
THENCE SOUTH 86°24'22" WEST 332.91 FEET;
THENCE SOUTH 40°34'04" WEST TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

**PARCEL C:**
THAT PORTION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE INTERSECTION OF THE EAST LINE OF SAID NORTHEAST QUARTER WITH THE NORTHERLY LINE OF TRACT "B", TIMBERLANE ESTATES DIVISION NO. 4, ACCORDING TO THE PLAT THEREOF,Recorded in Volume 89 of Plats, Pages 3 and 4, in King County, Washington;
THENCE SOUTH 40°34'04" WEST TO AN ANGLE POINT IN THE NORTH LINE OF SAID TRACT B;
THENCE SOUTH 20°07'04" WEST 130.00 FEET;
THENCE LEAVING SAID NORTH LINE SOUTH 86°10'00" WEST 1070.00 FEET;
THENCE SOUTH 07°20'00" WEST 130.00 FEET;
THENCE NORTH 85°45'00" WEST 530.00 FEET;
THENCE NORTH 11°10'00" WEST 270.00 FEET;
THENCE NORTH 24°15'00" WEST 366.26 FEET;
THENCE SOUTH 65°00'00" WEST 369.64 FEET;
THENCE NORTH 19°33'18" WEST 688.44 FEET, MORE OR LESS, TO A POINT ON A LINE LYING 260.00 FEET DISTANT, WHEN MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF PRIMARY STATE HIGHWAY NO. 2;
THENCE SOUTHWESTERLY ALONG SAID LINE SOUTH 55°46'43" WEST 36.44 FEET TO THE WEST LINE OF THE NORTHEASTERLY QUARTER OF SAID SECTION 30 AND THE MOST NORTHERLY CORNER OF LOT 2 AS SAID LOT IS SHOWN AND DESIGNATED ON THAT CERTAIN SHORT PLAT RECORDER UNDER RECORDING NUMBER 7712220725, RECORDS OF SAID COUNTY AND THE TERMINUS OF SAID DESCRIBED LINE.
EXCEPT THAT PORTION THEREOF CONDEMNED UNDER KING COUNTY SUPERIOR COURT CAUSE NUMBER 00-2-21259-3.

**PARCEL D:**
THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
EXCEPT THE 60 FOOT STRIP THEREOF LYING WITHIN COLLIER AND LUND REVISION ROAD (ALSO KNOWN AS SOUTHEAST 254TH STREET) AS CONVEYED TO KING COUNTY BY DEED RECORDED UNDER RECORDING NUMBER 2931461;
TOGETHER WITH THAT PORTION OF SAID COLLIER AND LUND REVISION ROAD VACATED BY KING COUNTY ORDINANCE NO. 4404, RECORDED UNDER RECORDING NUMBER 7908150746;
AND
EXCEPT THAT PORTION OF SAID SUBDIVISION CONVEYED TO KING COUNTY FOR COLLIER AND LUND ROAD REVISION BY DEED RECORDED UNDER RECORDING NUMBER 8608120402.

**PARCEL E:**
THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, ALL IN TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON;
EXCEPT RIGHT OF WAY FOR COUNTY ROAD.
EXCEPT THE 60 FOOT STRIP THEREOF LYING WITHIN COLLIER AND LUND REVISION ROAD (ALSO KNOWN AS SOUTHEAST 254TH STREET) AS CONVEYED TO KING COUNTY BY DEED
RECORDED UNDER RECORDING NUMBER 2931461;
TOGETHER WITH THAT PORTION OF SAID COLLIER AND LUND REVISION ROAD VACATED BY
KING COUNTY ORDINANCE NO. 4404, RECORDED UNDER RECORDING NUMBER 7908150746;
AND EXCEPT THAT PORTION OF SAID SUBDIVISION CONVEYED TO KING COUNTY FOR
COLLIER AND LUND ROAD REVISION BY DEED RECORDED UNDER RECORDING NUMBER
8608120402.

PARCEL E:
THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, ALL IN
TOWNSHIP 22 NORTH, RANGE 6 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY,
WASHINGTON;
EXCEPT RIGHT OF WAY FOR COUNTY ROAD.

PARCEL F:
THAT CERTAIN PROPERTY DESCRIBED AS TRACT 3 IN KING COUNTY SUPERIOR COURT
STIPULATED JUDGMENT AND DECREE, CAUSE NO. 00-2-21259-3-KNT, DATED MAY 2, 2001
AND BEING IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30,
TOWNSHIP 22 NORTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, IN KING COUNTY,
WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OPPOSITE HIGHWAY ENGINEER'S STATION (HEREINAFTER
REFERRED TO AS HES) DW 74+24.56 ON THE DW LINE SURVEY OF SR 18, SR 516
INTERCHANGE TO CEDAR RIVER VICINITY AND 66.88 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES DW 76+45 ON SAID LINE SURVEY
AND 39 FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES 77+25 ON SAID LINE SURVEY AND 31
FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHEASTERLY TO A POINT OPPOSITE HES 77+86.705 ON SAID LINE SURVEY AND 61.043
FEET SOUTHWESTERLY THEREFROM;
THENCE SOUTHWESTERLY TO A POINT OPPOSITE 77+63.437 ON SAID LINE SURVEY AND
149.816 FEET SOUTHWESTERLY THEREFROM, SAID POINT BEING ON THE NORTHEASTERLY
LINE OF THE PLAT OF COVINGTON PARK DIVISION 3, ACCORDING TO THE PLAT THEREOF
RECORDED IN VOLUME 114 OF PLATS, PAGES 95 THROUGH 97, INCLUSIVE, IN KING
COUNTY, WASHINGTON;
THENCE NORTH 19°33'18" WEST ALONG THE NORTHEASTERLY OF SAID PLAT TO THE POINT
OF BEGINNING.
Exhibit E
ORDINANCE NO. 01-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON ADOPTING THE HAWK PROPERTY SUBAREA PLAN; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the city has adopted a comprehensive plan consistent with the provisions of the Growth Management Act, RCW 36.70A ("GMA"); and

WHEREAS, the GMA authorizes the preparation of subarea plans; and

WHEREAS, RCW 36.70A.130 exempts subarea plans from the state law requirement limiting comprehensive plan amendments to once per year; and

WHEREAS, the City of Covington has prepared the Hawk Property Subarea Plan after extensive public outreach and participation with the Covington community; from March through November 2013 the planning commission has held workshops, open houses, community meetings, and a public hearing for members of the community to learn more about the Hawk Property Subarea planning process and to provide input on the vision, uses, and impacts of development within the subarea; and

WHEREAS, the City of Covington, as lead agency, issued a Final Planned Action Environmental Impact Statement (FEIS) on November 14, 2013, which identifies the impacts and mitigation measures associated with planned development in the Planned Action Area as identified in the Hawk Property Subarea Plan; the FEIS includes by incorporation the Draft Hawk Property Planned Action Environmental Impact Statement issued on July 26, 2014, (collectively referred to as the Planned Action EIS); and

WHEREAS, appropriate notice was provided and the planning commission conducted a public hearing on November 7, 2013, on the proposed Hawk Property Subarea Plan, and on November 21, 2013, the Planning Commission deliberated and voted to recommend approval of the Hawk Property Subarea Plan to the city council; and

WHEREAS, changes have been made to the recommended planning commission review draft of the subarea plan to the final Hawk Property Subarea Plan and related municipal code amendments to address modifications requested to clarify when townhouses may be permitted around the pond feature; and

WHEREAS, the city has reviewed and identified necessary housekeeping amendments as described initially in Appendix G of the Hawk Property Final Planned Action Environmental Impact Statement; and

WHEREAS, housekeeping corrections have been incorporated into the Hawk Property Subarea Plan and associated comprehensive plan and municipal code amendments to address minor changes necessary to maintain internal consistency, correct identified inaccuracies, and ensure current conditions are accurately reflected; and
WHEREAS, the city council finds that adopting this ordinance is in the public interest and will advance the public health, safety, and welfare;

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

Section 1. The Hawk Property Subarea Plan dated February 11, 2014, and as contained in Exhibit A hereto and incorporated herein by this reference is hereby adopted.

Section 2. Upon the approval of the City Attorney, the City Clerk is authorized to make any necessary corrections to this ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 3. If any provision of this ordinance, or ordinance modified by it, is determined to be invalid or unenforceable for any reason, the remaining provisions of this ordinance and ordinances and/or resolutions modified by it shall remain in force and effect.

Section 4. This ordinance shall be in full force and effect five (5) days after proper posting and publication. 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 on the 11th day of February, 2014.

[Signature]
Mayor Margaret Harto

PUBLISHED: February 14, 2014
EFFECTIVE: February 19, 2014

ATTESTED:
[Signature]
Sharon Scott
City Clerk

APPROVED AS TO FORM:
[Signature]
Sara Springer
City Attorney
TABLE OF CONTENTS

Table of Contents ................................................................. i
Introduction ............................................................................. 1
  Purpose ............................................................................... 1
  Local and Regional Context .................................................. 1
  Community Vision for the Hawk Property Subarea ................. 2
  Anticipated Timeline and Outcomes ...................................... 6
Subarea Sense of Place ............................................................. 7
  Overview ............................................................................ 7
  Key Features ....................................................................... 7
  Land Use and Zoning .......................................................... 10
  Implementation ................................................................... 10
Goals & Policies ........................................................................ 11
  Land Use ........................................................................... 11
  Economic Development ....................................................... 12
  Transportation .................................................................... 12
  Parks & Recreation .............................................................. 13
  Surface Water Resources .................................................... 14
  Vegetation Retention .......................................................... 14
Development Regulations ......................................................... 16
  Definitions ......................................................................... 16
  Zoning Districts .................................................................. 16
  Development Standards ....................................................... 35
INTRODUCTION

Purpose

The purpose of the Hawk Property Subarea Plan is to guide future development in the Hawk Property Subarea of Covington’s Northern Gateway by establishing land use and urban design options consistent with the vision established by the community. This subarea plan is the result of an extensive planning process conducted by the City of Covington to determine the future of the Hawk Property subarea, which has been active as a gravel mine since the 1970’s.

In 2012, the City commissioned the Northern Gateway Area Study, which evaluated the Hawk Property and surrounding area with regard to suitability for urban development and possible annexation to the City for the portion of the Northern Gateway outside city limits. Based on this study, the City refined the boundary of the subarea to focus on the Lakeside gravel mine and has prepared this subarea plan to facilitate the transition of this area from its former use as resource extraction to urban development.

The City is also preparing a Planned Action Environmental Impact Statement (EIS) concurrent with this subarea plan. The EIS establishes several land use alternatives and evaluates the potential environmental impacts of each. If adverse impacts are anticipated under any of the alternatives, the EIS proposes mitigation measures to reduce or eliminate these effects. The City is also considering the adoption of a Planned Action Ordinance for the Hawk Property Subarea. A planned action allows for streamlined environmental review at the development permit stage by evaluating a range of development alternatives in the EIS and then reviewing subsequent development proposals for consistency with the range of alternatives studied. Future development proposals deemed consistent with the planned action ordinance and EIS will not have to undergo a new environmental threshold determination, though they will have to comply with local permit review standards and the development standards established in this subarea plan and the code amendments adopted in the Covington Municipal Code.

Local and Regional Context

The Hawk Property subarea is located in the northern portion of the City abutting SR 18 on its northwest boundary, and contains both land within the Covington city limits and land in unincorporated King County but the entire subarea is located within the city’s Urban Growth Area (UGA). The subarea encompasses approximately 212 acres southeast of SR 18. The Hawk Property Subarea primarily consists of the former Lakeside gravel mine, an asphalt batch plant, vacant land, and a highway interchange. Resource extraction operations at the mine site have ceased, and reclamation is in progress. Approximately 132 acres of this area lies within the City’s corporate limits; the remainder lies within one of the City’s assigned Potential Annexation Areas (PAAs) in the UGA. The subarea comprises the southeastern portion of the area analyzed in phase one of the Covington Northern Gateway Area Study, published by the City in 2012.

At present, structures in the subarea consist of two maintenance facilities, two offices, one concrete plant, one asphalt plant, one rock crusher, and one wash plant. Approximately 8 acres of land along the southern edge of the property have already been reclaimed in accordance with the standards of a Reclamation Plan approved by the Washington State Department of Natural Resources (DNR Surface Mine Reclamation Permit #70-011068 and Federal Mine ID #45-01582) and has moderate to heavy vegetative cover. The northern portion of the subarea consists of undeveloped land and is characterized by a series of wetlands associated with Jenkins Creek.
The Hawk Property subarea is strategically located at the northern gateway to Covington and adjacent to SR 18, a major regional transportation link. The subarea is therefore positioned to take advantage of regional travel patterns and serve as a regional commercial retail and employment hub. Its location at the northern edge of the city makes it more suitable for these regional uses than the Town Center. The Covington Downtown and Zoning Study Final Report, dated September 30, 2009, identifies the downtown, Town Center as a pedestrian-oriented village with limited larger format retail and a greater focus on social and civic uses.

Community Vision for the Hawk Property Subarea

The vision for the Hawk Property Subarea is the creation of an Urban Village at Covington’s northern gateway that provides a mix of commercial development focused on regional uses and a variety of housing types. This village would provide regional shopping and employment opportunities for residents of both Covington and neighboring communities, as well as new housing opportunities for the Covington community. In addition to commercial and residential development, the village would offer public recreational amenities, such as parks, natural open space, a pond, and bicycle and pedestrian trails that link to the regional trail system. The Hawk Property Subarea, while providing both economic and lifestyle benefits would be a secondary center within Covington, providing an experience that is distinct from Covington’s town center, not competing with it.

This vision for the Hawk Property subarea was crafted with the input of area residents and stakeholders. The City hosted a community workshop in March 2013, which was attended by approximately 37 members of the public. In addition to taking comments from the public, the City answered questions
about the subarea plan and the EIS process and engaged attendees in a planning exercise to graphically illustrate their preferred vision for the future of the Hawk Property Subarea. The participants were divided into teams and asked to arrange development types (single family residential, townhomes, multifamily residential, and commercial) on the site, as well as parks, open space, and a trail system. Each team was asked to evaluate both higher and lower-intensity development scenarios. Composites of the participants’ preferred development solutions for the subarea are illustrated in the figures on the following pages.

Covington residents participate in a site planning exercise for the Hawk Property Subarea in March 2013.
A collection of site plan options for the Hawk Property Subarea produced by citizen break-out groups at the community workshop in March 2013.
Anticipated Timeline and Outcomes

The planning process for the Hawk Property Subarea is anticipated to continue through late 2013. This subarea plan and the associated proposed development regulations will undergo public review in the summer/fall of 2013, with revisions in the fall and adoption of the final plan and development regulations in December 2013. Preparation of a development agreement and master site plan is anticipated in 2014. Annexation of the unincorporated portion of the subarea may also occur in 2014. A schematic of the subarea plan and environmental review process is included below.
SUBAREA SENSE OF PLACE

Overview

As described in the Introduction, the community vision for the subarea is an urban village with a mix of commercial, residential, and recreation uses. The specific development goals for the subarea, based on concepts and ideas from the property owners, community residents, and city staff and officials, include the following:

- To plan for future development of the Hawk Property Subarea in Covington’s Northern Gateway area by defining land use options;
- To protect environmentally sensitive areas while fostering economic development;
- To create an urban village for regional and local commercial uses and related employment, a mix of housing types, as well as community gathering and recreation spaces that is unique from and secondary to Covington’s downtown;
- To plan for an orderly transition of the Hawk Property Subarea from a reclaimed mineral extraction site to urban uses appropriate for its location in Covington’s Northern Gateway;
- To improve transportation mobility in the area with a new arterial connection between SR 18 and 204th Avenue SE through the subarea and the connection to SE 272nd Street;
- To provide housing options, such as multifamily, townhomes, and small lot single family homes, that are not widely available in Covington; and
- To provide unique open space amenities such as an on-site pond and parks, and provide access to the regional trail system such as the Tri-City/Covington Highlands Trail.

Designed and developed as urban village, the focus of the Hawk Property Subarea is on convenient access to retail goods and services, housing choice, public amenities and conservation of natural areas. In this way, it is distinct from the city’s Town Center, which serves as the dense social and civic heart of Covington for live, work, play and learning.

Key Features

Key features that define the sense of place for the Hawk Property Subarea urban village include:

- A mixture of large-format retail and local/iconic retail that will provide regional shopping and employment opportunities that will draw visitors from neighboring communities;
- A mixture of high-quality single-family neighborhoods, townhome clusters, and multifamily buildings at varying densities that will provide a range of housing choices and distinct residential experiences within the subarea;
- A central pond feature that will serve as a focal point, with public gathering space and recreational amenities for residents and visitors to the urban village;
- Protected natural features along Jenkins Creek and the steep slope area the southern edge of the subarea; and
- On-site parks and trails that will serve the recreational needs of area residents and provide access to regional recreational resources.

These key features are illustrated in two conceptual site plans on the following pages.
Conceptual Site Plan – Minimum Urban Village Alternative

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

Alternative 2, Minimum Subarea Proposal, Conceptual Illustrative Plan
Conceptual Site Plan – Maximum Urban Village Alternative

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

Alternative 3, Maximum Subarea Proposal, Conceptual Illustrative Plan
Land Use and Zoning

Predominant land uses in the subarea will be large format retail, local and iconic retail, single-family residences, townhomes, and multifamily residential units. Because this represents a mix of uses not commonly found elsewhere in Covington, zoning for the subarea would be a combination of existing and new zoning districts. Three new zoning districts are being proposed for the Hawk Property Subarea to accommodate a mix of uses not commonly found in other zoning districts in Covington. Development in these new zones will be subject to Covington’s existing development standards, as amended, and a new section of Chapter 18.35 specifically for the Hawk Property Subarea.

 Portions of the subarea intended exclusively for single family residences and townhomes would use the proposed new High Density Residential (R-12) zone or the existing R-6 zone, where appropriate. Single family residences, townhomes, and multifamily residences would be accommodated by the new Mixed Residential (MR) zone. The MR zone would also allow those small-scale commercial uses that are supportive of residential areas, such as coffee shops and neighborhood food stores. Large format retail uses and multifamily housing would be allowed in the new Regional Commercial Mixed Use (RCMU) zone.

Implementation

The vision and community design philosophies, will be implemented through a combination of new Comprehensive Plan goals and policies, design standards, zoning code revisions, and potentially a development agreement as applicable between the City of Covington and the property owner of the subarea. These implementation measures are presented in the following sections and are summarized below.

- **Goals and Policies.** New goals and policies will be added to the City’s Comprehensive Plan to create connections between the objectives of the Hawk Property Subarea Plan and the City’s existing policy framework.

- **Zoning Code Revisions.** This section describes changes that will be made to Covington’s Municipal Code (CMC) to implement the vision for the Hawk Property Subarea, including three new zoning districts and associated development regulations governing permitted uses, height, bulk, and density.

- **Design Standards.** A set of design standards in a new section of Chapter 18.35 will inform both site planning and building design in the subarea. These regulations will provide standards for developers and City staff as they review future development proposals.
GOALS & POLICIES

This section contains goals and policies that will be incorporated into the appropriate elements of the City’s Comprehensive Plan. These goals and policies are designed to guide future development in the Hawk Property Subarea, as well as guide the development of future land use plans, zoning, environmental regulations, and capital plans for the area.

Land Use

2.6.12 Hawk Property Subarea (New Section)

The Hawk Property Subarea designation is intended to provide commercial and residential opportunities in an urban village setting with associated recreational and open space amenities. The Hawk Property Subarea should provide both regional and local commercial opportunities, as well as housing options not widely available in Covington, including multifamily, townhome, and small-lot residential development. This designation is appropriate for those properties included in the Hawk Property Subarea, as mapped in the Hawk Property Subarea Plan.

2.8.19 Hawk Property Subarea Urban Village (New Section)

LNG 19.0 Plan for and create a new Urban Village within the Hawk Property Subarea that serves as a safe, vibrant, well-planned commercial and residential center that offers opportunities to live, shop, and recreate in proximity to regional commercial and park and greenspace facilities. (New Goal)

LNP 19.1 Encourage a variety of commercial, residential, and recreational development types. (New Policy)

LNP 19.2 Encourage a variety of housing types at various densities to provide housing choices not currently available in one location within Covington. (New Policy)

LNP 19.3 Adopt design standards for the urban village that facilitate development in the Hawk Property Subarea as the northern entrance to Covington. (New Policy)

LNP 19.4 Ensure that the public realm provides places for a variety of ages, interests, and experiences and is easily accessible. (New Policy)

LNP 19.5 Ensure that the pond serves as a major public amenity with extensive public access and a surrounding area with a mix of residential and commercial uses that offer a place for the community to gather, stroll, dine, shop, and live. (New Policy)

LNP 19.6 Encourage the preservation of a green space buffer, which may include public trails, along the southern border of the Hawk Property Subarea, adjacent to existing residential development. (New Policy)

LNP 19.7 Encourage development of larger public park and greenspace amenities in the Hawk Property Subarea that are accessible to all residents and visitors, as opposed to small, fragmented, private park facilities. (New Policy)
Economic Development

12.5.5 Commercial and Mixed Use Development

EDG 5.0 Encourage commercial retail, service and complementary mixed use development that serves the residents of Covington and nearby communities, attracts visitors, and enhances the City’s tax base while addressing transportation and other public service issues as they arise. (Existing Goal)

EDP 5.8 Encourage regional commercial and employment uses along major transportation corridors to strengthen Covington’s economic position within the region. (New Policy)

12.5.9 Hawk Property Subarea (New Section)

EDG 9.0 Develop a secondary economic center in the Hawk Property Subarea that offers shopping, employment, and residential opportunities without competing with the Town Center. (New Goal)

EDP 9.1 Encourage both regional and local-serving commercial uses that meet community shopping needs and provide jobs. (New Policy)

EDP 9.2 Formulate an image and branding strategy to provide a unique identity distinct from the Covington Town Center, such as a Master Sign Program. (New Policy)

EDP 9.3 Implement land use and zoning standards that will encourage a mix of regional and local commercial uses and housing densities. (New Policy)

EDP 9.4 Encourage commercial development comprised of a mix of regional retail, iconic/local retail and related uses that will serve local residents as well as residents of neighboring communities. (New Policy)

EDP 9.5 Ensure that commercial areas are sensitive to the natural features around them. (New Policy)

Transportation

5.15.5 Transit and TDM Strategies

TRG 5.2 Enhance use of transit and TDM strategies by supporting appropriate land use. (Existing Goal)

TRP 5.8 Encourage the development of higher-density commercial and residential centers that can be efficiently served by transit. (New Policy)

5.15.6 Street Improvement Standards

TRG 6.3 In general, all arterials shall accommodate pedestrian and bicycle movement, as well as automobile and transit traffic. (Existing Goal)

TRP 6.11 Link local street networks through subdivisions to provide efficient local circulation, as appropriate, and provide additional collector arterial access for major residential areas. (Existing Policy)

TRP 6.14 Link SR 18 and 204th Ave SE with an arterial solution that provides efficient circulation while promoting a safe shopping and pedestrian environment. (New Policy)
TRP 6.15 Ensure that the arterial link between SR 18 and 204th Avenue SE is constructed and accessible prior to the opening of any local street connection from the Hawk Property Subarea to 191st Place SE. (New Policy)

TRP 6.16 Provide an interconnected system of streets and non-motorized facilities that minimizes vehicular/bicycle/pedestrian conflicts and promotes pedestrian safety. Employ a grid street pattern where practicable. (New Policy)

TRP 6.17 Implement streetscape improvements that promote walkability and commercial activity. (New Policy)

Parks & Recreation

6.6.3 Parks, Natural Areas, & Trails

PRG 3.0 Acquire and develop a high-quality, diversified system of parks, recreation facilities and open spaces that is attractive, function, accessible and safe — providing equitable access to all residents. (Existing Goal)

PRP 3.12 Encourage large residential and mixed-use developments to include publicly accessible gathering spaces to serve as neighborhood focal points and event venues. (New Policy)

PRG 4.0 Protect and manage the City’s environmentally-sensitive lands, remnant open spaces and natural and cultural resources to highlight their uniqueness and local history. (Existing Goal)

PRP 4.15 Where feasible, encourage use of wetland buffers, stream buffers, and habitat corridors for passive recreational use, such as wildlife viewing and trails, provided that such uses would not have a negative impact upon the protected natural resources. (New Policy)

PRP 4.16 In the Hawk Property Subarea, develop park and greenspace areas as both publicly accessible recreational and habitat amenities. (New Policy)

PRG 5.0 Develop a high-quality system of shared-use park trails and bicycle & pedestrian corridors that connect significant local landscapes, public facilities, neighborhoods and the downtown core. (Existing Goal)

PRP 5.3 Integrate the siting of proposed trail segments into the development review process. Require development projects along designated trail routes to be designed to incorporate the trail as part of the project. (Existing Policy)

PRP 5.5 Require development projects along designated trail routes to be designed to incorporate the trail as part of the project. Sensitive area buffers within proposed subdivisions and short-subdivisions shall be widened to accommodate additional open space and a public easement for future trails. (Existing Policy)

PRP 5.11 In the Hawk Property Subarea create a trail network that connects to the surrounding neighborhoods and regional trail system. At the time of commercial or residential development, trail connections and on-site segments of regional trails should be provided connecting development to surrounding neighborhoods. (New Policy)

PRP 5.12 Development of all or part of the regional trail system within or adjacent to the Hawk Property Subarea shall be phased as commercial and/or residential development occurs and shall be connected to other trails to provide continuous pedestrian routes. (New Policy)
PRP 5.13 In the Hawk Property Subarea create a walkable and safe community with an integrated system of sidewalks and trails. Non-motorized connections should be provided to increase pedestrian safety and reduce overall vehicle trips. (New Policy)

Surface Water Resources

7.5.2 General Water Resources Protection

EVG 2.0 Insure that land use development policies protect the City’s water quality. (Existing Goal)

EVP 2.9 In the Hawk Property Subarea, actively promote the use of Low Impact Development (LID) techniques to reduce stormwater runoff quantity and pollutant loading, particularly in areas adjacent to Jenkins Creek. (New Policy)

EVP 2.10 In the Hawk Property Subarea, transform the existing detention facilities into a unique publicly accessible community amenity, which may continue to serve as a stormwater management facility. (New Policy)

7.5.6 Wetlands

EVG 6.0 Protect wetlands with a standard of no net loss of wetland functions or values within each drainage basin. Wetland functions are natural processes performed by wetlands. Wetlands promote food chain production, provide fish and wildlife habitat, maintain and improve water quality, retain water for recharge and discharge into groundwater aquifers, moderate surface water and stormwater flows. Other functions include, but are not limited to those discussed in U.S. Army Corps of Engineers regulations (33 CFR 320.4(b)(2), 1988). Wetland values are estimates, usually subjective, of the benefits of wetlands to society, and include aesthetics, education, scientific research, and recreation. (Existing Goal)

EVP 6.6 Locate development adjacent to wetlands such that wetland functions are protected, an adequate buffer around the wetlands is provided, and significant adverse impacts to wetlands are prevented. (Existing Policy)

Vegetation Retention

7.5.9 Vegetation

EVG 9.0 Minimize the loss of vegetation as new development occurs. Continue to recognize the value of trees and other vegetation in increasing the livability of the City of Covington. (Existing Goal)

EVP 9.8 Encourage the preservation of a green space buffer which may include public trails along the southern border of the Hawk Property Subarea adjacent to the existing residential development. (New Policy)

EVP 9.9 Within the Hawk Property Subarea, minimize tree removal in critical areas and their buffers for the purposes of trails, utility corridors, and similar infrastructure. Apply mitigation sequencing and critical area regulation standards. (New Policy)
Proposed Comprehensive Plan Future Land Use Map Designation – Hawk Property Subarea
DEVELOPMENT REGULATIONS

This Chapter presents zoning and development regulations for the Hawk Property Subarea. Adoption of this subarea plan would entail amendments to the City’s current zoning code; proposed development regulations are therefore presented in the format of the Covington Municipal Code, using strikethrough text to indicate proposed deletions from the existing code and underline text to indicate proposed additions to the code.

Definitions

The definitions established in Chapter 18.20 of the Covington Municipal Code fully apply within the Hawk Property Subarea. The following additional definitions shall be added to Chapter 18.20.

18.20 Technical Terms and Land Use Definitions

18.20.613 Hotel

“Hotel” means an establishment in which temporary lodging or temporary boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all guest rooms are made through an inside lobby or office. Guest rooms must be accessed from an interior hallway. The use may include ancillary uses, such as, but not limited to, a restaurant, lounge, meeting rooms, banquet rooms, swimming pool, and convention facilities.

18.20.893 Physical Fitness/Recreation Club

“Physical Fitness/Recreation Club” means a private facility including uses such as, but not limited to, game courts, exercise equipment, gym, exercise rooms, locker rooms, swimming pool, sauna, steam room, showers, and tanning salons.

Zoning Districts

Zoning in the Hawk Property Subarea shall consist of the Urban Residential (R), Mixed Residential (MR) and Regional Commercial-Mixed Use (RCMU) districts. The City’s existing zoning code will be amended as follows to implement the goals and policies of the Hawk Property Subarea Plan.
18.15 Zones, Maps and Designations

18.15.010 Zones and Map Designations Established.

In order to accomplish the purposes of this title the following zoning designations and zoning map symbols are established:

<table>
<thead>
<tr>
<th>Zoning Designations</th>
<th>Map Symbol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral</td>
<td>M</td>
</tr>
<tr>
<td>Urban Separator</td>
<td>US (R-1)</td>
</tr>
<tr>
<td>Urban Residential</td>
<td>R (base density in dwellings per acre)</td>
</tr>
<tr>
<td>Neighborhood Commercial</td>
<td>NC</td>
</tr>
<tr>
<td><strong>Mixed Residential</strong></td>
<td>MR</td>
</tr>
<tr>
<td>Community Commercial</td>
<td>CC</td>
</tr>
<tr>
<td>Downtown Zone</td>
<td>DN (further specified by district)</td>
</tr>
<tr>
<td>Town Center District</td>
<td>TC</td>
</tr>
<tr>
<td>Mixed Commercial District</td>
<td>MC</td>
</tr>
<tr>
<td>General Commercial District</td>
<td>GC</td>
</tr>
<tr>
<td>Mixed Housing/Office District</td>
<td>MHO</td>
</tr>
<tr>
<td>Industrial</td>
<td>I</td>
</tr>
<tr>
<td><strong>Regional Commercial-Mixed Use</strong></td>
<td>RCMU</td>
</tr>
</tbody>
</table>
Potential Zoning – Hawk Property Subarea

Proposed zoning boundaries and extents within the Hawk Property Subarea are approximate. Final zoning district boundaries will be established as part of the final site plan approval.
18.15.050 Urban Residential Zone

(1) The purpose of the urban residential zone (R) is to implement comprehensive plan goals and policies for housing quality, diversity and affordability, and to efficiently use urban residential land, public services and energy. These purposes are accomplished by:

(a) Providing, in the R-1 (urban separator) through R-8R-12 zones, for a mix of predominantly single detached dwelling units and other development types, with a variety of densities and sizes;
(b) Providing, in the R-18 (multifamily) zone, a mix of higher densities and greater variety of housing uses;
(c) Allowing only those accessory and complementary nonresidential uses that are compatible with urban residential communities; and
(d) Establishing density designations to facilitate advanced area-wide planning for public facilities and services, and to protect environmentally sensitive sites from overdevelopment; and
(e) Providing, in the MR (Mixed Residential) zone, a variety of housing types at a range of densities not provided by the other Urban Residential zoning districts. These purposes are accomplished by allowing a mixture of residential uses while limiting non-residential uses to neighborhood-serving commercial uses that are complementary and supportive of mixed-density housing development.

(2) Use of this zone is appropriate as follows:

(a) The urban separator (R-1) zone on or adjacent to lands with area-wide environmental constraints where development is required to cluster away from sensitive areas, on lands designated urban separators or wildlife habitat network where development is required to cluster away from the axis of the corridor on critical aquifer recharge areas, and on regionally and locally significant resource areas (RSRAs/LSRAs) or in well-established subdivisions of the same density, which are served at the time of development by public or private facilities and services adequate to support planned densities; and
(b) The R-4 through R-18 zones and the MR zone on lands that are predominantly environmentally unconstrained and are served at the time of development by adequate public sewers, water supply, roads and other needed public facilities and services. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2 (21A.04.080))

18.15.090 Regional Commercial-Mixed Use Zone

(1) The purpose of the Regional Commercial-Mixed Use Zone (RCMU) is to provide regional-scale retail and service uses in a well-designed urban village setting that may include a limited amount of high-density residential uses. These purposes shall be accomplished by:

(a) Concentrating large-scale commercial uses to facilitate efficient provision of public services and to minimize incompatibilities with residential uses;
(b) Encouraging compact development to accommodate integrated open space and natural features, as well as recreational amenities; and
(c) Allowing for both horizontal and vertical mixed-use development, including a mix of commercial and residential uses.
(d) Other public benefits consistent with the Comprehensive Plan policies as approved by the city council.

(2) Use of this zone is appropriate in commercial centers with adequate access to the regional transportation network.
### 18.25 Permitted Uses

#### 18.25.030 Residential Land Uses.

**A. Table**

<table>
<thead>
<tr>
<th>Key</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>DWELLING UNITS, TYPES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Single detached</td>
<td>P</td>
<td>C2</td>
<td>P</td>
<td>P</td>
<td>P4</td>
<td>P9</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>C2</td>
<td>C2</td>
<td>C2</td>
<td>C2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Townhouse</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P10</td>
<td>P3</td>
<td>P3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Multifamily</td>
<td>P4</td>
<td>P</td>
<td></td>
<td></td>
<td>P3</td>
<td>P3</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Manufactured</td>
<td>C8</td>
<td>C8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>home park</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>GROUP RESIDENCES</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Community</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>P3</td>
<td>P3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>facility-I</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Community</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>P3</td>
<td>P3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>facility-II</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Senior citizen</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P3</td>
<td>P3</td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>assisted housing</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>ACCESSORY USES:</td>
<td>P6</td>
<td>P6</td>
<td>P6</td>
<td>P6</td>
<td>P6</td>
<td>P6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>accessory uses</td>
<td>P6</td>
<td>P6</td>
<td>P6</td>
<td>P6</td>
<td>P6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Home occupation</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TEMPORARY LODGING</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Bed and breakfast</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>guesthouse</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Hotel</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**B. Development Conditions**

1. For all single-family preliminary plats of 20 lots or more, 18 percent of the units must be constructed as multiple-family dwelling units. The City will consider a reduction in the required number of multiple-family units if an agreement can be reached to assure the affordable housing income figures mandated by the comprehensive plan can be achieved. **This condition shall not apply within the Hawk Property Subarea.**
(2) Required before approving more than one dwelling on individual lots, except on lots in subdivisions, short subdivisions or binding site plans approved for multiple unit lots, and except as provided for accessory dwelling units in Condition No. 7.

(3) Only as part of a mixed-use/integrated development subject to the conditions of Chapter 18.35 CMC.

(4) Permitted only in the R-18 zone.

(5) Must be in accord with Chapter 18.35 CMC.

(6) Accessory Dwelling Units.
   (a) Only one accessory dwelling per primary single detached dwelling unit;
   (b) Only in the same building as the primary dwelling on an urban lot that is less than 10,000 square feet in area, on a rural lot that is less than the minimum lot size, or on a lot containing more than one primary dwelling;
   (c) The primary dwelling unit or the accessory dwelling unit shall be owner-occupied;
   (d) One of the dwelling units shall not exceed a floor area of 1,000 square feet except when one of the dwelling units is wholly contained within a basement or attic;
   (e) When the primary and accessory dwelling units are located in the same building, only one entrance may be located on each street side of the building;
   (f) One additional off-street parking space shall be provided;
   (g) The accessory dwelling unit shall be converted to another permitted use or shall be removed if one of the dwelling units ceases to be owner occupied;
   (h) An applicant seeking to build an accessory dwelling unit shall file a notice approved by the Department with the Records and Elections Division which identifies the dwelling unit as accessory. The notice shall run with the land. The applicant shall submit proof that the notice was filed before the Department shall approve any permit for the construction of the accessory dwelling unit. The required contents and form of the notice shall be set forth in administrative rules. If an accessory dwelling unit in a detached building in the rural zone is subsequently converted to a primary unit on a separate lot, either the original lot or the new lot may have an additional detached accessory dwelling unit constructed unless the lot is at least twice the minimum lot area required in the zone; and
   (i) Must be in accord with Chapter 18.35 CMC.

(7) Only as an accessory to the permanent residence of the operator, provided:
   (a) Serving meals to paying guests shall be limited to breakfast; and
   (b) The number of persons accommodated per night shall not exceed five, except that a structure which satisfies the standards of the International Building Code for R-1 occupancies may accommodate up to 10 persons per night.

(9) Within the Hawk Property Subarea, single-family detached residences shall not be allowed around or abutting the pond.

(10) Within the Hawk Property Subarea, townhouses shall not be allowed around or abutting the pond except as part of a mixed-use development, unless otherwise separated from the pond by a public trail, park, greenspace or street.
### 18.25.040 Recreational/Cultural Land Uses

#### A. Table

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-B</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RC MU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>PARK/RECREATION:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Park</td>
<td>P1</td>
<td>P</td>
<td>P1</td>
<td>P1</td>
<td>P1</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Trails</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>AMUSEMENT/ENTERTAINMENT:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Adult entertainment businesses (2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>793</td>
<td>Bowling center</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Golf facility</td>
<td>P3</td>
<td>P3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>799</td>
<td>Amusement and recreation services</td>
<td>P5</td>
<td>P5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9(4)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Commercial recreation</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C</td>
</tr>
<tr>
<td>*</td>
<td>Physical Fitness/Recreation Clubs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Theaters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>CULTURAL:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>823</td>
<td>Library</td>
<td>C6</td>
<td>C5</td>
<td>C6</td>
<td>C5</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
<tr>
<td>841</td>
<td>Museum</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>842</td>
<td>Arboretum</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### B. Development Conditions

1. Lighting for structures and fields shall be directed away from residential areas through the use of exterior full cut-off shields or through optics within the fixture.
2. Adult entertainment businesses shall be prohibited within 550 feet of any property zoned R or containing schools, licensed day care centers, public parks or trails, community centers, public libraries or churches. In addition, adult entertainment businesses shall not be located closer than 3,000 feet to any other adult entertainment business. These distances shall be measured from the property line of the parcel or parcels proposed to contain the adult entertainment business to the property line of the parcels zoned R or that contain the uses identified in this subsection.
3. Clubhouses, maintenance buildings, equipment storage areas and driving range tees shall be at least 50 feet from residential property lines. Lighting for practice greens and driving range ball
impact areas shall be directed away from adjoining residential zones. Applications shall comply with adopted best management practices for golf course development. Ancillary facilities associated with a golf course are limited to practice putting greens, maintenance buildings and other structures housing administrative offices or activities that provide convenience services to players. These convenience services are limited to a pro shop, food services and dressing facilities and shall occupy a total of no more than 10,000 square feet.

(4) Excluding amusement and recreational uses classified elsewhere in this chapter.

(5) A conditional use permit is required unless the use is an accessory to a park or in a building listed on the National Register as a historic site or designated as a King County landmark subject to Chapter 18.47 CMC.

(6) The operation of an indoor shooting range, as defined in CMC 18.20.1080, is not permitted. Outdoor shooting ranges are not permitted. (Ord. 01-12 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2(21A.08.040))

18.25.050 General Services Land Uses

A. Table

<table>
<thead>
<tr>
<th>Key</th>
</tr>
</thead>
<tbody>
<tr>
<td>P – Permitted Use</td>
</tr>
<tr>
<td>C – Conditional Use</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>PERSONAL SERVICES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>72</td>
<td>General personal service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>721 6</td>
<td>Dry-cleaning plants</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>721 8</td>
<td>Industrial launderers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>726 1</td>
<td>Funeral home/crematory</td>
<td>C4</td>
<td>C4</td>
<td>C4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Cemetery, columbarium or mausoleum (5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>753</td>
<td>Automotive repair (1) (12)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>754</td>
<td>Automotive service (2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>76</td>
<td>Miscellaneous</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Day care I: P6 P6 P P P P P P7
*Day care II: P8 P8 P P P P P P7

Final Plan | February 11, 2014
<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>866</td>
<td>Churches, synagogue, temple</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td></td>
<td></td>
</tr>
<tr>
<td>83</td>
<td>Social services</td>
<td></td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60/</td>
<td>Legal/financial offices</td>
<td></td>
<td>P9</td>
<td>P13</td>
<td>P</td>
<td>P14</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>81/</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>872</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>874</td>
<td>Business consulting services</td>
<td>P9</td>
<td>P13</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Kennel or cattery</td>
<td>P9</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Artist studios</td>
<td>P9</td>
<td>P10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Interim recycling facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**HEALTH SERVICES:**

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>801</td>
<td>Medical/dental office/outpatient clinic</td>
<td></td>
<td>P9</td>
<td>P13</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>804</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>805</td>
<td>Nursing and personal care facilities</td>
<td>P9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>807</td>
<td>Medical/dental lab</td>
<td>P9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>808</td>
<td>Miscellaneous health</td>
<td>P9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**EDUCATIONAL SERVICES:**

<table>
<thead>
<tr>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schools: Elementary, middle/junior high, secondary or high school</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vocational school</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specialized instruction school</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School district</td>
<td>P11</td>
<td>P11</td>
<td>P11</td>
<td>P11</td>
<td>C</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
B. Development Conditions

(1) Except SIC Industry No. 7534 – Tire retreading; see manufacturing permitted use table.

(2) Not abutting or taking access from SE 270th Place.

(3) A conditional use permit is required unless a columbarium is an accessory to a church.

(4) Only as an accessory to a cemetery.

(5) Structures shall maintain a minimum distance of 100 feet from property lines adjoining residential zones.

(6) Only as an accessory to residential use, and:
   (a) Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet; and
   (b) Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones.

(7) Permitted as an accessory use. See commercial/industrial accessory uses, CMC 18.25.060.

(8) Only as a re-use of a public school facility subject to Chapter 18.85 CMC, or an accessory use to a school, church, park, sport club or public housing administered by a public agency, and:
   (a) Outdoor play areas shall be completely enclosed by a solid wall or fence, with no openings except for gates, and have a minimum height of six feet;
   (b) Outdoor play equipment shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
   (c) Direct access to a developed arterial street shall be required in any residential zone; and
   (d) Hours of operation may be restricted to assure compatibility with surrounding development.

(9) Permitted only in existing single-family structures.

(10) Limited to source-separated yard or organic waste processing facilities.

(11) Only if adjacent to an existing or proposed school.

(12) (a) No burning of refuse or dead animals is allowed;
   (b) The portion of the building or structure in which animals are kept or treated shall be soundproofed. All run areas, excluding confinement areas for livestock, shall be surrounded by an eight-foot solid wall and surfaced with concrete or other impervious material; and
   (c) The provisions of Chapter 18.80 CMC relative to animal keeping are met. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2(21A.08.050))

(13) Limited to 3,000 square feet of gross floor area, unless located in a multi-story, mixed-use building in which case the limitation does not apply.

(14) Excluding banks.

(15) Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.
### 18.25.060 Government/Business Services Land Uses

#### A. Table

<table>
<thead>
<tr>
<th>Key</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>P</td>
<td>Permitted Use</td>
</tr>
<tr>
<td>C</td>
<td>Conditional Use</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>GOVERNMENT SERVICES:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Public agency or utility office</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Public agency or utility yard</td>
<td>P5</td>
<td>C3</td>
<td>P8</td>
<td>P8</td>
<td>P8</td>
<td>P8</td>
<td>P8</td>
<td>P8</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Public agency archives</td>
<td>P5</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>C3</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>921</td>
<td>Court</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>922</td>
<td>Police facility</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P7</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>922</td>
<td>Fire facility</td>
<td>C6</td>
<td>C6</td>
<td>C6</td>
<td>C6</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Utility facility</td>
<td>P4</td>
<td>C4</td>
<td>P4</td>
<td>C4</td>
<td>P4</td>
<td>P4</td>
<td>P4</td>
<td>P4</td>
<td>P10</td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Commuter parking lot</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P13</td>
<td>P17</td>
<td>P</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BUSINESS SERVICES:</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Construction and trade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Individual transportation and taxi</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>421</td>
<td>Trucking and courier service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>Warehousing (1) and wholesale trade</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>47</td>
<td>Transportation service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>473</td>
<td>Freight and cargo service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>48</td>
<td>Communication offices</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
</tbody>
</table>
### HAWK PROPERTY SUBAREA PLAN | DEVELOPMENT REGULATIONS

#### Key

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>482</td>
<td>Telegraph and other communications</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>*</td>
<td>General business service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P10,</td>
<td>P10,</td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>18</td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Professional office</td>
<td></td>
<td></td>
<td>P11</td>
<td></td>
<td>P18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>735</td>
<td>Miscellaneous equipment rental (12)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>751</td>
<td>Automotive rental and leasing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
<tr>
<td>873</td>
<td>Research, development, and testing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P2</td>
</tr>
<tr>
<td>*</td>
<td>Heavy equipment and truck repair</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
</tr>
</tbody>
</table>

#### ACCESSORY USES:

| *     | Commercial/industrial accessory uses      |   |    | P15 | P15 | P9.15 | P15 | P9.15 | P15 |
|       |                                           |   |    | P   | P   | P     | P   | C    | P   |

#### B. Development Conditions

1. Except self-service storage.
2. Except SIC Industry No. 8732 — Commercial economic, sociological, and educational research, see general business service/office.
3. A conditional use permit is not required if the use is:
   - A reuse of a public school facility or a surplus nonresidential facility subject to the provisions of Chapter 18.85 CMC; or
   - An accessory to a fire facility and the office is no greater than 1,500 square feet of floor area.
4. Excluding bulk gas storage tanks.
5. Subject to industrial criteria.
6. (a) All buildings and structures shall maintain a minimum distance of 20 feet from property lines adjoining residential zones;
(b) Any buildings from which fire-fighting equipment emerges onto a street shall maintain a distance of 35 feet from such street;
(c) No outdoor storage.

(7) Limited to “storefront” police offices. Such offices shall not have:
   (a) Holding cells;
   (b) Suspect interview rooms (except in the NC zone); or
   (c) Long-term storage of stolen properties.

(8) (a) Utility yards only on sites with utility district offices; or
    (b) Public agency yards are limited to material storage for road maintenance facilities.

(9) Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.

(10) Provided, that all material and/or equipment of any kind is stored in a fully enclosed building.

(11) Permitted only in existing single-family structures.

(12) Not abutting or taking access from SE 270th Place.

(13) Limited to new commuter parking lots designed for 30 or fewer parking spaces or commuter parking lots located on existing parking lots for churches, schools, or other permitted nonresidential uses which have excess capacity available during commuting; provided, that the new or existing lot is adjacent to a designated arterial that has been improved to a standard acceptable to the Department of Transportation.

(14) Limited to bulk gas storage tanks which pipe to individual residences but excluding liquefied natural gas storage tanks.

(15) Electric vehicle charging stations are permitted in accordance with CMC 18.50.170.

(16) Gasoline service stations and battery exchange stations are limited to the community commercial (CC) zone and subject to the following conditions:
   (a) A gasoline service station shall be limited to four pumps and eight price gauges to service no more than eight vehicles.
   (b) A battery exchange station shall provide a minimum of three stacking spaces.
   (c) Stacking spaces and drive-through facilities shall be designed in accordance with CMC 18.50.080.
   (d) Any associated materials, equipment storage, outdoor storage tanks and battery exchange activities shall be within a fully enclosed structure, unless otherwise determined by the Director. (Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 08-07 § 1; Ord. 16-05 § 1; Ord. 08-05 § 1; Ord. 24-04 § 1; Ord. 42-02 § 2 (21A.08.060))

(17) Limited to Park-and-Ride facilities associated with a public or private transit facility provider. Any such commuter parking lot shall not exceed 125 surface spaces. Parking stalls in excess of this amount shall be located within a parking structure.

(18) Limited to 3,000 square feet of gross floor area unless located in a multi-story, mixed-use building in which case the limitation does not apply.
### 18.25.070 Retail Land Uses

#### A. Table

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R12</th>
<th>R18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Building, hardware and garden materials</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P1, 7</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Department and variety stores</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P1</td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>Food stores</td>
<td></td>
<td></td>
<td></td>
<td>P2</td>
<td>P</td>
<td>P2</td>
<td></td>
<td></td>
<td>P2</td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>Apparel and accessory stores</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>Eating and drinking places</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P1</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>592</td>
<td>Liquor stores</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Book, stationary, video and art supply stores</td>
<td></td>
<td></td>
<td></td>
<td>P2</td>
<td>P</td>
<td>P2</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Hobby, toy, game shops</td>
<td></td>
<td></td>
<td></td>
<td>P2</td>
<td>P</td>
<td>P2</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Photographic and electronic shops</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P1</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Fabric shops</td>
<td></td>
<td></td>
<td></td>
<td>P2, 7</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P2, 7</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Florist shops</td>
<td></td>
<td></td>
<td></td>
<td>P2, 7</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P2, 7</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Farmers’ and public markets</td>
<td></td>
<td></td>
<td></td>
<td>P5</td>
<td>P5</td>
<td>P5</td>
<td>P5</td>
<td>P5</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Medical/dental</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Laundromat/dry cleaner</td>
<td></td>
<td></td>
<td></td>
<td>P2</td>
<td>P</td>
<td>P2</td>
<td></td>
<td></td>
<td>P2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Commercial printing and publishing</td>
<td></td>
<td></td>
<td></td>
<td>P2</td>
<td>P</td>
<td>P2</td>
<td></td>
<td></td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Legal/financial offices</td>
<td></td>
<td></td>
<td></td>
<td>P3(3)</td>
<td>P3</td>
<td>P3</td>
<td>P3</td>
<td>P3</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

#### B. Development Conditions

1. Only hardware and garden materials stores shall be permitted; provided, that all material and/or equipment of any kind is stored in a fully enclosed building.
(2) Limited to a maximum of 3,000 square feet of gross floor area, unless located in a multi-story, mixed-use building, in which case the limitation does not apply.

(3) Excluding banks. Reserved.

(4) Permitted only in existing single-family structures.

(5) Farmers' and public markets are permitted. Temporary markets require a temporary use permit in accordance with CMC 18.85.125. (Ord. 10-10 § 3 (Exh. C); Ord. 09-09 § 4; Ord. 06-06 § 1; Ord. 42-02 § 2(21A.08.070))

(6) Limited to a maximum of 8,000 square feet of gross floor area, and drive-through facilities are not permitted.

(7) Storage limited to accessory storage of commodities sold at retail on the premises or materials used in the fabrication of commodities sold on the premises.

### 18.25.080 Manufacturing Land Uses

#### A. Table

<table>
<thead>
<tr>
<th>Key</th>
<th>P – Permitted Use</th>
<th>C – Conditional Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIC #</td>
<td>SPECIFIC LAND USE</td>
<td>M</td>
</tr>
<tr>
<td>205</td>
<td>Bakeries</td>
<td>C3</td>
</tr>
<tr>
<td>20</td>
<td>Food and kindred products (except 205)</td>
<td></td>
</tr>
<tr>
<td>2082/2084</td>
<td>Winery/brewery</td>
<td>C3</td>
</tr>
<tr>
<td>22</td>
<td>Textile mill products</td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Apparent and other textile products</td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Wood products, except furniture</td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Furniture and fixtures</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>Paper and allied products</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Printing and publishing</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Chemicals and allied products</td>
<td></td>
</tr>
<tr>
<td>2911</td>
<td>Petroleum refining and</td>
<td></td>
</tr>
<tr>
<td>SIC #</td>
<td>SPECIFIC LAND USE</td>
<td>M</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>30</td>
<td>Rubber and miscellaneous plastics products</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Leather and leather goods</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Stone, clay, glass, and concrete products</td>
<td></td>
</tr>
<tr>
<td>33</td>
<td>Primary metal industries</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Fabricated metal products</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Industrial and commercial machinery</td>
<td></td>
</tr>
<tr>
<td>351-355</td>
<td>Heavy machinery and equipment</td>
<td></td>
</tr>
<tr>
<td>357</td>
<td>Computer and office equipment</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Electronic and other electric equipment</td>
<td></td>
</tr>
<tr>
<td>374</td>
<td>Railroad equipment</td>
<td></td>
</tr>
<tr>
<td>376</td>
<td>Guided missile and space vehicle parts</td>
<td></td>
</tr>
<tr>
<td>379</td>
<td>Miscellaneous transportation vehicles</td>
<td></td>
</tr>
<tr>
<td>38</td>
<td>Measuring and controlling</td>
<td></td>
</tr>
</tbody>
</table>
### HAWK PROPERTY SUBAREA PLAN | DEVELOPMENT REGULATIONS

#### Key

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>instruments</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>Miscellaneous light manufacturing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Motor vehicle and bicycle manufacturing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Aircraft, ship and boat building</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7534</td>
<td>Tire treading</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>781-</td>
<td>Movie production/distribution</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>782</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### B. Development Conditions

1. Except slaughterhouses.
2. Limited to photocopying and printing services offered to the general public. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2(21A.08.080))
3. Limited to 3,000 square feet of gross floor area unless located in a multi-story, mixed-use building, in which case the limitation does not apply.

### 18.25.090 Resource Land Uses

#### A. Table

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Agriculture training facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>FORESTRY:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Growing and harvesting forest product</td>
<td>P4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Final Plan | February 11, 2014
**B. Development Conditions**

1. May be further subject to Chapter 16.05 CMC, Shoreline Management Plan.
2. Excluding housing for agricultural workers.
3. Limited to either maintenance or storage facilities, or both, in conjunction with mineral extraction or processing operation.
4. Only in conjunction with a mineral extraction site plan approved in accordance with Chapter 18.60 CMC.
5. Only as accessory to a primary mineral extraction use, or as a continuation of a mineral processing use established prior to the effective date of or consistent with this title. (Ord. 10-10 § 3 (Exh. C); Ord. 42-02 § 2(21A.08.090))

**18.25.100 Regional Land Uses**

A. Table

**Key**

- **P** – Permitted Use
- **C** – Conditional Use

<table>
<thead>
<tr>
<th>SIC #</th>
<th>SPECIFIC LAND USE</th>
<th>M</th>
<th>US</th>
<th>R4-8</th>
<th>R-12</th>
<th>R-18</th>
<th>MR</th>
<th>CC</th>
<th>NC</th>
<th>RCMU</th>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>*</td>
<td>Jail</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>*</td>
<td>Work release facility</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**Final Plan | February 11, 2014**

**33**
<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Zoning Districts</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public agency animal control facility</td>
<td>C1, C6, C</td>
<td></td>
</tr>
<tr>
<td>Public agency training facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nonhydroelectric generation facility (4)</td>
<td>C1, C6, C</td>
<td></td>
</tr>
<tr>
<td>Wireless communication facility (4)</td>
<td>C1, C6, C</td>
<td></td>
</tr>
<tr>
<td>Earth station</td>
<td>C2, C2, C2, P3, C2</td>
<td></td>
</tr>
<tr>
<td>Energy resource recovery facility</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Soil recycling facility</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Wastewater treatment facility</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Fairground</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Zoo/wildlife exhibit</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>Stadium/arena</td>
<td>C</td>
<td></td>
</tr>
<tr>
<td>College/university (1)</td>
<td>P5, P5, P5, P</td>
<td></td>
</tr>
<tr>
<td>Secure community transition facility (SCTS)</td>
<td>*</td>
<td>7</td>
</tr>
</tbody>
</table>

B. Development Conditions

1. Shooting ranges, either indoor or outdoor, associated with educational programs are not permitted.
2. Limited to no more than three satellite dish antennas.
3. Limited to one satellite dish antenna.
4. Wireless communication facilities (WCFs) are not permitted on any residential structure, undeveloped site located in a residential land use district, or site that is developed with a residential use. WCFs may be located (a) on any residential structure or undeveloped site in R-18, MHO, TC or GC zone districts; or (b) on any nonresidential structure (i.e., churches, schools, public facility structures, utility poles, etc.), or in public rights-of-way in any residential zone district. Chapter 18.70 CMC, Wireless Communication Facilities, outlines the approval and review process. In the event of a conflict between the requirements of Chapter 18.70 CMC and the requirements of this chapter, Chapter 18.70 CMC shall govern.
(5) Permitted as a re-use of a public school facility subject to Chapter 18.85 CMC. A conditional use permit is required if the use is a re-use of a surplus nonresidential facility subject to Chapter 18.85 CMC.

(6) Limited to cogeneration facilities for on-site use only.

(7) Conditional use permit required subject to meeting conditions for siting SCTFs in compliance with the requirements of Chapter 71.09 RCW and CMC 18.125.040. (Ord. 09-12 § 2 (Exh. B); Ord. 01-12 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 16-05 § 2; Ord. 42-02 § 2 (21A.08.100))

**Development Standards**

**18.30 Development Standards – Density and Dimensions**

**18.30.030 Densities and Dimensions – Residential Zones**

A. Table

<table>
<thead>
<tr>
<th>STANDARDS</th>
<th>ZONES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>RESIDENTIAL</td>
</tr>
<tr>
<td></td>
<td>R-1 (14) Urban Separator</td>
</tr>
<tr>
<td>Base density: dwelling units/acre (15)</td>
<td>1 du/ac</td>
</tr>
<tr>
<td>Maximum density: dwelling unit/acre (1)</td>
<td>6 du/ac</td>
</tr>
<tr>
<td>Minimum density (2) (15)</td>
<td>85% (12)</td>
</tr>
<tr>
<td>Minimum lot area (13)</td>
<td>2,500 sf</td>
</tr>
<tr>
<td>Minimum lot width (3)</td>
<td>35 ft (7)</td>
</tr>
<tr>
<td>Minimum street setback (3)</td>
<td>20 ft (7)</td>
</tr>
<tr>
<td>Minimum interior setback (3) (13)</td>
<td>7 ft 6 inches (7)</td>
</tr>
<tr>
<td>Base height (4)</td>
<td>35 ft</td>
</tr>
</tbody>
</table>
B. Development Conditions

(1) This maximum density may be achieved only through the application of residential density incentives in accordance with Chapter 18.90 CMC or transfers of density credits in accordance with Chapter 18.95 CMC, or any combination of density incentive or density transfer. Maximum density may only be exceeded in accordance with CMC 18.90.040(6)(a)(vii). Within the Hawk Property Subarea, this condition shall not apply.

(2) Also see CMC 18.30.060.

(3) These standards may be modified under the provisions for zero-lot-line and townhouse developments.

(4) Height limits may be increased if portions of the structure that exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit, but the maximum height may not exceed 75 feet. Wireless communication facilities, including licensed amateur (HAM) radio stations and citizen band stations, shall not exceed the zone’s base height limit unless allowed pursuant to the provisions of Chapter 18.70 CMC or a height modification is granted pursuant to CMC 18.70.150. Netting or fencing and support structures for the netting or fencing used to contain golf balls in the operation of golf courses or golf driving ranges are exempt from the additional interior setback requirements but the maximum height shall not exceed 75 feet.

(5) Applies to each individual lot. Impervious surface area standards for:
   (a) Regional uses shall be established at the time of permit review;
   (b) Nonresidential uses in residential zones, except those located within the MR zone, shall comply with CMC 18.30.140 and 18.30.250;
   (c) Individual lots in the R-4 through R-6 zones that are less than 9,076 square feet in area shall be subject to the applicable provisions of the nearest comparable R-6 or R-8 zone; and
   (d) A lot may be increased beyond the total amount permitted in this chapter subject to approval of a conditional use permit.

(6) Mobile home parks shall be allowed a base density of six dwelling units per acre.

(7) The standards of the R-4 zone shall apply if a lot is less than 15,000 square feet in area.

(8) At least 20 linear feet of driveway shall be provided between any garage, carport or other fenced parking area and the street property line or back of sidewalk if any portion of the sidewalk has been included in an easement. The linear distance shall be measured along the center line of the driveway from the access point to such garage, carport or fenced area to the street property line.

(9) Intentionally left blank.
(10) Intentionally left blank.
(11) The base height to be used only for projects as follows:
(a) In R-6, and R-8 and R-12 zones, a building with a footprint built on slopes exceeding a 15 percent finished grade.

(12) Density applies only to dwelling units and not to sleeping units.

(13) Vehicle access points from garages, carports or fenced parking areas shall be set back from the property line on which a joint use driveway is located to provide a straight line length of at least 26 feet as measured from the center line of the garage, carport or fenced parking area, from the access point to the opposite side of the joint use driveway.

(14) (a) All subdivisions and short subdivisions in the R-1 zone shall be required to be clustered if the property is located within or contains:
(i) A floodplain;
(ii) A critical aquifer recharge area;
(iii) A regionally or locally significant resource area;
(iv) Existing or planned public parks or trails, or connections to such facilities;
(v) A Class I or II stream or wetland;
(vi) A steep slope; or
(vii) A greenbelt/urban separator or wildlife corridor area designated by the comprehensive plan or a community plan.

(b) The development shall be clustered away from sensitive areas or the axis of designated corridors such as urban separators or the wildlife habitat network to the extent possible and the open space shall be placed in a separate tract that includes at least 50 percent of the site. Open space tracts shall be permanent and shall be dedicated to a homeowners' association or other suitable organization, as determined by the Director, and meet the requirements in CMC 18.35.040. On-site sensitive area and buffers, wildlife habitat networks, required habitat and buffers for protected species and designated urban separators shall be placed within the open space tract to the extent possible. Passive recreation (with no development of recreational facilities) and natural-surface pedestrian and equestrian trails are acceptable uses within the open space tract.

(15) See CMC 18.30.090.

(16) All subdivisions and short subdivisions in the R-1 zone shall have a maximum impervious surface area of eight percent of the gross acreage of the plat. Distribution of the allowable impervious area among the platted lots shall be recorded on the face of the plat. Impervious surface of roads need not be counted towards the allowable impervious area. Where both lot- and plat-specific impervious limits apply, the more restrictive shall be required.

(17) Intentionally left blank.

(18) Except cottage housing, which may have a base density of 12 du/acre. (Ord. 09-12 § 2 (Exh. B); Ord. 10-10 § 3 (Exh. C); Ord. 60-03 § 2; Ord. 57-03 § 2; Ord. 42-02 § 2 (21A.12.030))

(19) Minimum interior setback for underground parking structures is zero (0) feet.
18.30.040 Densities and Dimensions – Resource and Commercial/Industrial Zones

A. Table

<table>
<thead>
<tr>
<th>STANDARDS</th>
<th>RESOURCE</th>
<th>COMMERCIAL/INDUSTRIAL/MIXED USE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>M</td>
<td>CC</td>
</tr>
<tr>
<td>Base density: dwelling units/acre (5)</td>
<td></td>
<td>8 du/ac (1)</td>
</tr>
<tr>
<td>Maximum density: dwelling unit/acre (5)</td>
<td></td>
<td>12 du/ac (2)</td>
</tr>
<tr>
<td>Minimum street setback (6)</td>
<td></td>
<td>0 ft (3)</td>
</tr>
<tr>
<td>Minimum interior setback (6)</td>
<td></td>
<td>20 ft (4)(8)</td>
</tr>
<tr>
<td>Base height (9)</td>
<td></td>
<td>35 ft</td>
</tr>
<tr>
<td>Maximum impervious surface: percentage (7)</td>
<td></td>
<td>85%</td>
</tr>
<tr>
<td>Maximum building size (gross square feet)</td>
<td></td>
<td>30,000 sf (11)(12)</td>
</tr>
</tbody>
</table>

B. Development Conditions

1. These densities are allowed only through the application of mixed-use/integrated development standards. Except for senior housing, no less than 60 percent of the ground floor of a mixed-use/integrated project shall be established for commercial use.

2. These densities may only be achieved through the application of residential density incentives or transfer of density credits in mixed-use developments.

3. Gas station pump islands shall be placed no closer than 15 feet to any property line. Gas islands and their associated canopy structures may not be placed on a street corner in accord with the requirements of the design manual.

4. Required on property lines adjoining residential zones.

5. The floor-to-lot ratio for mixed-use developments shall conform to Chapter 18.35 CMC. Floor-to-lot ratios shall not apply in the Hawk Property Subarea.

6. See CMC 18.60.060 for setback requirements in the mineral zone.

7. The impervious surface area for any lot may be increased beyond the total amount permitted in this chapter subject to approval of the conditional use permit.

8. Required on property lines adjoining residential zones unless a stand-alone townhouse development is proposed to be located adjacent to property upon which an existing townhouse development is located.

9. Structures in excess of the base height limitation may be increased upon approval of a conditional use permit.

10. Structures within 150 feet of R-zoned lands shall have sloped roofs with a pitch at least as steep as that of the roofs of the closest single-family structure.

11. The maximum footprint of any structure is 5,000 square feet. A building’s gross floor area may exceed this figure if the structure includes second or third floors.

12. The total area of the collective footprints of all structures on a site may not exceed 10,000 square feet per acre of lot area. (Ord. 10-10 § 3 (Exh. C); Ord. 06-06 § 2; Ord. 42-02 § 2 (21A.12.040))
18.35 Development Standards – Design Requirements

18.35.150 On-Site Recreation – Space Required

(1) Residential developments in the R and MR zones, stand-alone townhouse developments in the R, MR, CC, and NC, and RCMU zones, and mixed-use developments, if more than four units, shall provide fully accessible recreation space for leisure, play and sport activities as follows:
   (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.

18.35.200 Storage space, loading areas, and collection points for recyclables and refuse.

(4) The collection points shall be designed as follows:
   (a) Dimensions of the collection points shall be of sufficient width and depth to enclose containers for recyclables.
   (b) Architectural design of any structure enclosing an outdoor collection point or any building primarily used to contain a collection point shall be consistent with the design of the primary structure(s) on the site.
   (c) Collection points shall be identified by signs not exceeding two square feet.
   (d) A six-foot wall or fence shall enclose any outdoor collection point, excluding collection points located in industrial developments that are greater than 100 feet from residentially zoned property. All screening shall include the use of landscape material.
   (e) Enclosures for outdoor collection points and buildings used primarily to contain a collection point shall have gate openings at least 12 feet wide for haulers. In addition, the gate opening for any building or other roofed structure used primarily as a collection point shall have a vertical clearance of at least 12 feet.
   (f) Weather protection of recyclables shall be ensured by using weather-proof containers or by providing a roof over the storage area.
   (g) Loading areas within 50 feet and visible from an adjacent street or sidewalk shall be screened by a fence or wall. Collection points shall be fully enclosed.

18.35.310 Hawk Property Subarea (New Section)

(1) Where standards in this Section conflict with other standards in this Title, the standards in this Section shall supersede other standards for the Hawk Property Subarea.

(2) An interconnected system of pedestrian and bicycle facilities shall provide access to all areas of the community, to adjacent neighborhoods, and to regional trails.

(3) The main arterial connecting SR 18 and 204th Ave SE shall attenuate traffic speeds through the community, support active street-level uses, and enhance pedestrian comfort and safety. An interconnected system of pedestrian and bicycle facilities shall provide access to all areas of the community, to adjacent neighborhoods, and to regional trails.
   (a) 60% or more of the length of each block frontage in the MR and RCMU zoning districts shall be occupied by a building unless more than 40% of the length of a block frontage is occupied, individually or collectively, by zoning setbacks, a park, plaza, open space, driveway, or critical area, in which case the building frontage requirement shall be
reduced accordingly. This requirement does not apply where all or a portion of a block frontage is not deep enough for a building.

(b) 50% or more of the length of each block frontage on both sides of all streets in other zoning districts shall be occupied by a building unless 50% or more of the length of a block frontage is occupied, individually or collectively, by zoning setbacks, a park, plaza, open space, driveway, or critical area, in which case the building frontage requirement shall be reduced accordingly. This requirement does not apply where all or a portion of a block frontage is not deep enough for a building.

(c) On lots or parcels with multiple buildings, pedestrian circulation routes shall interconnect all buildings.
(4) Buildings

(a) Sections 18.35.050 and 18.35.080 shall apply only to townhouse developments.
(b) Sections 18.35.090 and 18.35.100 shall not apply to commercial, mixed-use, or integrated developments.
(c) A minimum of 60% of the street-level frontage of commercial and mixed-use buildings should be devoted to commercial uses.

Ground Floor Retail (4c)

(d) The main entrance for all buildings along a street frontage, including single family residences and townhouses, shall be accessed from a public sidewalk or a pedestrian walkway connected to a public sidewalk.

Main Entrance Accessioned from Street Frontage (4d)
(e) At least one public entrance for a commercial use shall be accessed from a public sidewalk or a pedestrian walkway connected to the public sidewalk.

**Entrance Access from Pedestrian Walkway (4e)**

(f) Overhead weather protection shall be provided continuously along 75% or more of the length of a commercial or mixed use building frontage adjacent to a sidewalk or a pedestrian walkway connected to a sidewalk. Overhead weather protection may be composed of marquees, awnings, canopies, a building projection or other permanent structural element and must cover at least five (5) feet of the width of the adjacent public walkway or sidewalk. This requirement applies only to building frontages containing street-level commercial uses.

**Weather Protection (4f)**
(g) The use of sustainably harvested salvaged, recycled or reused products is encouraged.

(5) Pond Area

(a) The area abutting the pond shall contain a continuous route devoted to public access. Public access includes, but is not limited to, parks, plazas, promenades, sidewalks, and multi-purpose trails. Sidewalks shall be a minimum of eight feet wide and shall be designed to be compliant with the standards of the Americans with Disabilities Act (ADA).

Public Access Trails Abutting the Pond (5a)

(b) When buildings containing commercial uses are located around the pond, at least 60% of the length of the pond-facing ground-level building frontage should be devoted to commercial uses. Multi-story buildings located around the pond should include residential uses.

Ground Floor Commercial Uses around Pond (5b)

(c) Public access corridors leading to the pond should be located at intervals of approximately 500 feet, unless not feasible due to topography. Access corridors include, but are not limited to, parks, streets, pedestrian ways, and passive open space.
(d) A least one public gathering place of at least one-half (1/2) acre shall be provided to serve as a major public amenity.

Public Gathering Space (5d)

(6) Gathering Places

(a) In the RCMU zoning district at least one public gathering place of at least one-half (1/2) acre shall be provided that is an integral element of the commercial area and suitable for special events and celebrations.

Community Gathering Space (6a)

(b) Outside of the RCMU zoning district and the pond area at least one park shall be provided that is sufficient in size to include a range of active recreational uses for residents of varying ages and interests.
(c) All public gathering places shall be linked physically and visually to adjacent sidewalks or trails.

**Outdoor Gathering Place Adjacent to Public Sidewalk (6c)**
(7) Blank Walls, Mechanical and Utility Equipment
(a) Any building façade with a blank wall greater than 200 square feet adjacent to a sidewalk, pedestrian walkway, parking lot, trail, park, plaza or other public space, shall be treated architecturally and/or with landscape elements.

Blank Wall Screening (7a)

(b) Roof-mounted mechanical equipment visible from adjacent properties, sidewalks on an adjacent street or from an adjacent park or trail shall be screened from view by integrated building elements, such as walls, landscaped planters, or enclosures.
(c) Building or ground-mounted utility meters or equipment shall be visually screened from an adjacent sidewalk or trail by a fence, wall, or landscaping.
(8) Gateways
   
   (a) Visual "gateways" shall be located in the area of the entrances to the subarea from SR 18 and from 204th Avenue SE.
   
   (b) Gateways can consist of elements as varied as signage, special but significant landscaping, an identifying structure, sculpture or other artwork, a water feature, or some other distinctive element.

Example Gateway Treatments (8b)

(9) The Director may approve alternatives to the standards in this Section provided that the alternatives provide a comparable benefit or functional equivalent to the standard.
18.50 Development Standards – Parking and Circulation

18.50.030 Computation of Required Off-Street Parking Spaces

(1) Except as modified in CMC 18.50.070(2) and (3), off-street parking areas shall contain at a minimum the number of parking spaces as stipulated in the following table. Off-street parking ratios expressed as a number of spaces per square feet means the usable or net square footage of floor area, exclusive of nonpublic areas. Nonpublic areas include but are not limited to building maintenance areas, storage areas, closets or restrooms. If the formula for determining the number of off-street parking spaces results in a fraction, the number of off-street parking spaces shall be rounded to the nearest whole number with fractions of .50 or greater rounding up and fractions below .50 rounding down.

(2) Minimum off-street parking requirements for the downtown zones are subject to the provisions of Chapter 18.31 CMC.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Parking Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential (CMC 18.25.030):</td>
<td></td>
</tr>
<tr>
<td>Single detached/townhouse</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Apartment:</td>
<td></td>
</tr>
<tr>
<td>Studio units (8)</td>
<td>1.2 per dwelling unit</td>
</tr>
<tr>
<td>One-bedroom units (8)</td>
<td>1.5 per dwelling unit</td>
</tr>
<tr>
<td>Two-bedroom units (8)</td>
<td>1.7 per dwelling unit</td>
</tr>
<tr>
<td>Three-bedroom units or larger</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Mobile home park</td>
<td>2.0 per dwelling unit</td>
</tr>
<tr>
<td>Senior citizen assisted</td>
<td>1 per 2 dwelling or sleeping units</td>
</tr>
<tr>
<td>Community residential facilities</td>
<td>1 per two bedrooms</td>
</tr>
<tr>
<td>Dormitory, including religious</td>
<td>1 per two bedrooms</td>
</tr>
<tr>
<td>Bed and breakfast guesthouse</td>
<td>1 per guest room, plus 2 per facility</td>
</tr>
<tr>
<td>Recreation/Cultural (CMC 18.25.040):</td>
<td></td>
</tr>
<tr>
<td>Recreation/culture uses</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td>Exceptions:</td>
<td></td>
</tr>
<tr>
<td>Bowling center</td>
<td>5 per lane</td>
</tr>
<tr>
<td>Golf course</td>
<td>3 per hole, plus 1 per 300 square feet of club house facilities</td>
</tr>
<tr>
<td>Tennis club</td>
<td>4 per tennis court plus 1 per 300 square feet of clubhouse facility</td>
</tr>
<tr>
<td>Golf driving range</td>
<td>1 per tee</td>
</tr>
<tr>
<td>Park/playfield</td>
<td>Director decision</td>
</tr>
<tr>
<td>Land Use</td>
<td>Minimum Parking Spaces Required</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Theater</td>
<td>1 per 3 fixed seats</td>
</tr>
<tr>
<td>Conference center</td>
<td>1 per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats, or 1 per bedroom, whichever results in the greater number of spaces</td>
</tr>
<tr>
<td><strong>General Services (CMC 18.25.050):</strong></td>
<td></td>
</tr>
<tr>
<td>General services uses (9)</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td>Exceptions:</td>
<td></td>
</tr>
<tr>
<td>Funeral home/crematory</td>
<td>1 per 50 square feet of chapel area</td>
</tr>
<tr>
<td>Day care I</td>
<td>2 per facility</td>
</tr>
<tr>
<td>Day care II</td>
<td>2 per facility, plus 1 space for each 20 children</td>
</tr>
<tr>
<td>Church, synagogue, temple</td>
<td>1 per 5 fixed seats, plus 1 per 50 square feet of gross floor area without fixed seats used for assembly purposes</td>
</tr>
<tr>
<td>Outpatient and veterinary clinic offices</td>
<td>1 per 400 square feet of office, labs and examination rooms</td>
</tr>
<tr>
<td>Nursing and personal care facilities</td>
<td>1 per 4 beds</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 per bed</td>
</tr>
<tr>
<td>Elementary schools</td>
<td>1 per classroom, plus 1 per 50 students</td>
</tr>
<tr>
<td>Secondary schools:</td>
<td></td>
</tr>
<tr>
<td>Middle/junior high schools</td>
<td>1 per classroom, plus 1 per 50 students</td>
</tr>
<tr>
<td>High schools</td>
<td>1 per classroom, plus 1 per 10 students</td>
</tr>
<tr>
<td>High schools with stadiums</td>
<td>Greater of 1 per classroom plus 1 per 10 students, or 1 per 3 fixed seats in stadium</td>
</tr>
<tr>
<td>Vocational schools</td>
<td>1 per classroom, plus 1 per five students</td>
</tr>
<tr>
<td>Specialized instruction schools</td>
<td>1 per classroom, plus 1 per two students</td>
</tr>
<tr>
<td>Artist studios</td>
<td>.9 per 1,000 square feet of area used for studios</td>
</tr>
<tr>
<td><strong>Government/Business Services (CMC 18.25.060):</strong></td>
<td></td>
</tr>
<tr>
<td>Government/business services uses</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td>Exceptions:</td>
<td></td>
</tr>
<tr>
<td>Public agency yard</td>
<td>1 per 400 square feet of offices, plus .9 per 1,000 square feet of indoor storage or repair areas</td>
</tr>
<tr>
<td>Land Use</td>
<td>Minimum Parking Spaces Required</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Public agency archives</td>
<td>.9 per 1,000 square feet of storage area, plus 1 per 50 square feet of waiting/reviewing areas</td>
</tr>
<tr>
<td>Courts</td>
<td>3 per courtroom, plus 1 per 50 square feet of fixed seat or assembly areas</td>
</tr>
<tr>
<td>Police facility</td>
<td>Director decision</td>
</tr>
<tr>
<td>Fire facility</td>
<td>Director decision</td>
</tr>
<tr>
<td>Construction and trade</td>
<td>1 per 300 square feet of office, plus 1 per 3,000 square feet of storage area</td>
</tr>
<tr>
<td>Warehousing and storage</td>
<td>1 per 300 square feet of office, plus .9 per 1,000 square feet of storage area</td>
</tr>
<tr>
<td>Self-service storage</td>
<td>1 per 3,500 square feet of storage area, plus 2 for any resident Director's unit</td>
</tr>
<tr>
<td>Outdoor advertising services</td>
<td>1 per 400 square feet of office, plus .9 per 1,000 square feet of storage area</td>
</tr>
<tr>
<td>Heavy equipment repair</td>
<td>1 per 400 square feet of office, plus .9 per 1,000 square feet of indoor repair areas</td>
</tr>
<tr>
<td>Office</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td><strong>Retail/Wholesale (CMC 18.25.070):</strong></td>
<td></td>
</tr>
<tr>
<td>Retail trade uses</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td>Exceptions:</td>
<td></td>
</tr>
<tr>
<td>Farmers' and public markets</td>
<td>2 per vendor space</td>
</tr>
<tr>
<td>Food stores, less than 15,000 square feet</td>
<td>3 plus 1 per 400 square feet</td>
</tr>
<tr>
<td>Gasoline service stations without grocery</td>
<td>3 per facility, plus 1 per service bay</td>
</tr>
<tr>
<td>Gasoline service stations with grocery, no service bays</td>
<td>1 per facility, plus 1 per 400 square feet of store</td>
</tr>
<tr>
<td>Restaurants</td>
<td>1 per 75 square feet in dining or lounge areas</td>
</tr>
<tr>
<td>Wholesale trade uses</td>
<td>.9 per 1,000 square feet</td>
</tr>
<tr>
<td>Retail and wholesale trade mixed-use</td>
<td>1 per 400 square feet</td>
</tr>
<tr>
<td><strong>Manufacturing (CMC 18.25.080):</strong></td>
<td></td>
</tr>
<tr>
<td>Manufacturing uses</td>
<td>.9 per 1,000 square feet</td>
</tr>
<tr>
<td>Winery/brewery</td>
<td>.9 per 1,000 square feet, plus 1 per 50 square feet of testing area</td>
</tr>
<tr>
<td><strong>Resources (CMC 18.25.090):</strong></td>
<td></td>
</tr>
<tr>
<td>Land Use</td>
<td>Minimum Parking Spaces Required</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>Resource uses</td>
<td>Director decision</td>
</tr>
<tr>
<td><strong>Regional (CMC 18.25.100):</strong></td>
<td></td>
</tr>
<tr>
<td>Regional uses</td>
<td>Director decision</td>
</tr>
</tbody>
</table>

(3) An applicant may request a modification of the minimum required number of parking spaces by providing that parking demand can be met with a reduced parking requirement. In such cases, the Director may approve a reduction of up to 50 percent of the minimum required number of spaces.

(4) When the City has received a shell building permit application, off-street parking requirements shall be based on the possible tenant improvements or uses authorized by the zone designation and compatible with the limitations of the shell permit. When the range of possible uses result in different parking requirements, the Director will establish the amount of parking based on a likely range of uses.

(5) Where other provisions of this code stipulate maximum parking allowed or reduced minimum parking requirements, those provisions shall apply.

(6) In any development required to provide six or more parking spaces, bicycle parking shall be provided. Bicycle parking shall be bike rack or locker-type parking facilities unless otherwise specified.
  
  (a) Off-street parking areas shall contain at least one bicycle parking space for every 12 spaces required for motor vehicles except as follows:
    
    (i) The Director may reduce bike rack parking facilities for patrons when it is demonstrated that bicycle activity will not occur at that location.
    
    (ii) The Director may require additional spaces when it is determined that the use or its location will generate a high volume of bicycle activity. Such a determination will include but not be limited to the following uses:
      
      (A) Park/playfield;
      
      (B) Library/museum/arboretum;
      
      (C) Elementary/secondary school;
      
      (D) Sports club; or
      
      (E) Retail business (when located along a developed bicycle trail or designated bicycle route).
  
  (b) Bicycle facilities for patrons shall be located within 50 feet of the building entrance and shall be designed to allow either a bicycle frame or wheels to be locked to a structure attached to the pavement.

  (c) All bicycle parking and storage shall be located in safe, visible areas that do not impede pedestrian or vehicle traffic flow, and shall be well lit for nighttime use.

  (d) When more than 10 people are employed on-site, enclosed locker-type parking facilities for employees shall be provided. The Director shall allocate the required number of parking spaces between bike rack parking and enclosed locker-type parking facilities.

  (e) One indoor bicycle storage space shall be provided for every two dwelling units in townhouse and apartment residential uses, unless individual garages are provided for every unit. The Director may reduce the number of bike rack parking spaces if indoor storage facilities are available to all residents.

(7) All developments that require off-street parking shall be subject to the provisions of the electric vehicle charging stations requirements in CMC 18.50.160 through 18.50.180. (Ord. 19-11 § 1 (Exh. 1); Ord. 10-10 § 3 (Exh. C); Ord. 09-09 § 6; Ord. 42-02 § 2 (21A.18.030))
8. In the MR and RCMU zones, the following standards shall apply to residential units in a mixed-use or multi-family building:

(a) Studio and one-bedroom units: 1.0 per dwelling unit.
(b) Two-bedroom units: 1.5 per dwelling unit.
(c) Three-bedroom units: 2.0 per dwelling unit.
(d) One visitor space for every 10 dwelling units rounded upward to the nearest multiple of 10.
(e) On-street parking on streets along the lot frontage can be used to meet a portion of the required number of parking spaces with an approved parking study.

9. In the MR and RCMU zones, on-street parking on streets adjacent to the lot frontage can be used to meet all or a portion of the required number of parking spaces with an approved parking study.

18.50.110 Off-Street Parking Plan Design Standards

1. Off-street parking areas shall not be located more than 600 feet from the building they are required to serve, unless approved by the Director, for all uses except those specified as follows; where an off-street parking area does not abut the building it serves, the required maximum distance shall be measured from the nearest building entrance that the parking area serves:

(a) For all single detached dwellings the parking spaces shall be located on the same lot they are required to serve;
(b) For all other residential dwellings at least a portion of parking areas shall be located within 150 feet from the building or building(s) they are required to serve;
(c) For all nonresidential uses permitted in residential zones, the parking spaces shall be located on the same lot they are required to serve and at least a portion of parking areas shall be located within 150 feet from the nearest building entrance they are required to serve;
(d) In designated activity, community business and neighborhood business centers, parking lots shall be located to the rear or sides of buildings. Relief from this subsection (1)(d) may be granted by the Director only if the applicant can demonstrate that there is no practical site design to meet this requirement. The Director may allow only the number of parking spaces that cannot be accommodated to the rear or sides of buildings to be located to the front of buildings;
(e) Parking lots shall be so arranged as to permit the internal circulation of vehicles between parking aisles without re-entering adjoining public streets; and
(f) Parking for the disabled shall be provided in accordance with CMC 18.50.060c and
(g) In the MR and RCMU zones, off-street surface parking shall be separated from a street by a building except when:

(i) Parking is located adjacent to a building façade that is not oriented to a street frontage; or
(ii) Parking is located in the driveway of a single-family detached residence or townhouse; or
(iii) Parking is located in a park; or
(iv) Parking is located along up to 20% of the applicable street frontage and is screened by landscaping or other physical barrier, such as a berm, wall or sight-obscuring fence.
Off-Street Surface Parking (1g)

ACCEPTABLE

NOT ACCEPTABLE

PARKING SEPARATED FROM THE STREET FRONTAGE BY A BUILDING

PARKING LOCATED ADJACENT TO A BUILDING FACADE, NOT ORIENTED TO A STREET FRONTAGE

PARKING NOT SEPARATED FROM THE STREET FRONTAGE BY A BUILDING OR VISUALLY SCREENED

PARKING LOCATED ADJACENT TO BUILDING FACADE ORIENTED TO A STREET FRONTAGE

PARKING NOT SEPARATED FROM THE STREET FRONTAGE BY A BUILDING OR VISUALLY SCREENED
This section applies to all electric vehicle charging stations located in off-street parking facilities or parking garages in the R-18, MR, NC, CC, RCMU and I zones.

1) New development located in the R-18 and MR zones shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 30 vehicle parking stalls.

2) New development located in the NC, CC and I zones shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 50 vehicle parking stalls. New development located in the RCMU zone shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station for every 100 vehicle parking stalls.

3) Any new park (CMC 18.25.040) that is publicly owned and maintained and any new government services (CMC 18.25.060) shall provide a minimum of one Level 2 or Level 3 electric vehicle charging station regardless of the number of vehicle parking stalls required for the site. If the number of required off-street vehicle parking stalls exceed the provisions of subsections (1) and (2) of this section, then those regulations shall apply. (Ord. 19-11 § 1 (Exh. 1))

Chapter 12.60 – City of Covington Street Standards, “Design and Construction Standards and Specifications”

Section 2.07.D (New Section)
In the Hawk Property Subarea bulb-outs (also known as curb extensions) shall be provided at street intersections and mid-block crossings for traffic-calming and pedestrian safety purposes. These curb extensions should be made by widening the sidewalk or landscaping strip.
Exhibit F
PORTION OF NE 1/4, SEC. 30, NW 1/4, SEC. 29, SE 1/4 SEC 19, AND SW 1/4 SEC 20, TWP. 22 N., RGE. 6 E., W.M. KING COUNTY, WASHINGTON
Exhibit G
Lakepointe Urban Village

Zoning Map

January 30, 2017

NOTE: THE LOCATION OF DEVELOPMENT, INCLUDING ROADS AND TRAILS, IS APPROXIMATE AND DOES NOT VEST TO THEIR SPECIFIC LOCATION. THE LOCATION OF ALL DEVELOPMENT WILL BE BASED ON EXISTING CONDITIONS AT THE TIME OF APPLICATION AND THE TERMS OF THE PLANNED ACTION, THE DEVELOPMENT AGREEMENT, AND APPLICABLE LOCAL, STATE, AND FEDERAL LAWS.
DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDER- 
SIGNED OWNERS OF THE LAND HEREIN DESCRIBED DO 
HEREBY MAKE A BOUNDARY LINE ADJUSTMENT PURSUANT TO RCW 58.17.040 AND DECLARE THIS ADJUSTMENT TO BE THE GRAPHIC REPRESENTATION OF THE SAME, AND THAT SAID ADJUSTMENT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER(S), IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS.

HAHN FAMILY PROPERTIES AND HUGHES FAMILY INVESTMENT, LTD., A Joint Venture

HAHN FAMILY PROPERTIES LIMITED PARTNERSHIP, A Washington Limited Partnership

By: JAMES A. HAHN, its General Partner

HUGHES FAMILY INVESTMENT, LTD., A Washington Limited Partnership

By: KEVIN HUGHES, its Authorized Limited Partner

HAHN FAMILY PROPERTIES, A Joint Venture

By: JAMES A. HAHN, its General Partner

HAHN FAMILY PROPERTIES LIMITED PARTNERSHIP, A Washington Limited Partnership

By: JAMES A. HAHN, its General Partner

HUGHES FAMILY INVESTMENT, LTD., A Washington Limited Partnership

By: KEVIN HUGHES, its Authorized Limited Partner

APPROVALS

APPROVED THIS _______ DAY OF __________, 20____.

DEVELOPMENT REVIEW ENGINEER

APPROVED THIS _______ DAY OF __________, 20____.

COMMUNITY DEVELOPMENT DIRECTOR

APPROVED THIS _______ DAY OF __________, 20____.

FINANCE DIRECTOR

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS _______ DAY OF __________, 20____.

KING COUNTY ASSESSOR

RECORDING NO. __________

RECORDED'S CERTIFICATE ____________

FILED FOR RECORDED THIS _______ DAY OF __________, 20____, AT ______ IN BOOK ______ OF ______ AT PAGE ______ AT THE REQUEST OF ______.

SURVEYOR'S NAME ____________

MANAGER ____________ "SUPT. OF RECORDS"
NEW PAGE 1

NEW PAGE 2

NEW PAGE 3

NEW PAGE 4

NEW PAGE 5

NEW PAGE 6

NEW PAGE 7

NEW PAGE 8

NEW PAGE 9

NEW PAGE 10

NEW PAGE 11
SCHEDULE B NOTES (CONT.)

11. EASEMENT CONDITIONED IN COUNTY SUPERIOR COURT AND THE TERMS AND CONDITIONS THEREOF:
   GRAVEE: PACIFIC NORTHWEST PIPELINE CORPORATION
   PURPOSE: PIPELINE
   AREA AFFECTED: THE DESCRIPTION CONTAINED ININ IS NOT SUFFICIENT TO DETERMINE ITS EXACT LOCATION WITHIN THE PROPERTY HEREIN DESCRIBED.
   RECORDED: APRIL 10, 1992
   RECORDING NUMBER: 92032529
   AFFECTIONS: PORTION OF PARCEL C AND E

12. CONDEMNATION OF ACCESS TO STATE HIGHWAY NUMBER 184 AND OF LIGHT, VIEW AND AIR BY COUNTY DEED TO THE STATE OF WASHINGTON
   GRAVEE: STATE OF WASHINGTON
   PURPOSE: TEMPORARY CONSTRUCTION EASEMENT AND DRAINAGE
   AREA AFFECTED: A PORTION OF PARCEL C
   RECORDED: AUGUST 26, 2002
   RECORDING NUMBER: 20020826000329
   AFFECTIONS: APPROXIMATE LOCATION paced by COLLIER AND LIND RD. REV. NO. 3 SURVEY NO. 19-22-8-16 GAS LINE LOCATION

13. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
   GRAVEE: NORTHWEST PIPELINE CORPORATION
   PURPOSE: PIPELINE
   AREA AFFECTED: A PORTION OF PARCEL D
   RECORDED: OCTOBER 6, 2003
   RECORDING NUMBER: 20031006000325
   AFFECTIONS: PORTION OF PARCEL D (UNDEVELOPED)

14. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:
   GRAVEE: LUCE CORPORATION A COLORADO CORPORATION
   PURPOSE: TELECOMMUNICATIONS FACILITIES, ELECTRICAL FACILITIES AND GAS FACILITIES AND OTHER APPEARANCES
   AREA AFFECTED: A PORTION OF PARCEL A (UNDEVELOPED)
   RECORDED: OCTOBER 6, 2003
   RECORDING NUMBER: 20031006000320
   AFFECTIONS: PORTION OF PARCEL A

15. EXCEPTIONS AND RESTRICTIONS CONTAINED IN DEED RECORDED UNDER RECORDING NUMBER 8263538
   AFFECTIONS: PORTION D

16. EXCEPTIONS AND RESTRICTIONS CONTAINED IN DEED RECORDED UNDER RECORDING NUMBER 1006495A
   AFFECTIONS: PORTION OF PARCEL E LINING WITHIN SECTION 20

17. RESTRICTIONS CONTAINED IN DEED RECORDED UNDER RECORDING NUMBER 8832758
   AFFECTIONS: PORTION OF PARCEL C LINING WITHIN THE NE 1/4 OF SECTION 30

18. RESTRICTIONS CONTAINED IN DEED RECORDED UNDER RECORDING NUMBER 8370193
   AFFECTIONS: PARCEL B AND C

19. RESTRICTIONS CONTAINED IN DEED RECORDED UNDER RECORDING NUMBER 730255037
   AFFECTIONS: PARCELS A

20. RESTRICTIONS CONTAINED IN DEED RECORDED UNDER RECORDING NUMBER 830254253
   AFFECTIONS: PARCELS A AND B

21. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
   GRAVEE: LANEY INDUSTRIES AND COMINATIONAL WATER DISTRICT
   PURPOSE: WATER SERVICE
   AREA AFFECTED: PORTION OF PARCEL D LINING WITHIN THE NORTHWEST QUARTER OF SECTION 30
   RECORDED: FEBRUARY 27, 1999
   RECORDING NUMBER: 990227154A
   AFFECTIONS: PORTION OF PARCEL D LINING WITHIN THE NORTHWEST QUARTER OF SECTION 30

22. RECONDEMNATION OF ACCESS TO STATE HIGHWAY NUMBER 2 AND OF LIGHT, VIEW AND AIR BY DEED TO THE STATE OF WASHINGTON
   GRAVEE: STATE OF WASHINGTON
   PURPOSE: TEMPORARY CONSTRUCTION EASEMENT AND DRAINAGE
   AREA AFFECTED: A PORTION OF PARCEL C
   RECORDED: MARCH 13, 1997
   RECORDING NUMBER: 9703133067
   AFFECTIONS: PORTION OF PARCEL C

23. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
   GRAVEE: PUGET SOUND ENERGY
   PURPOSE: GAS PIPELINE OR PIPELINES (UNDEVELOPED)
   AREA AFFECTED: A PORTION OF PARCEL C AS DESCRIBED IN SAID INSTRUMENT
   RECORDED: MARCH 13, 1997
   RECORDING NUMBER: 9703133067
   AFFECTIONS: PORTION OF SAID PREREASE AS DESCRIBED IN SAID INSTRUMENT

24. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:
   GRAVEE: PUGET SOUND ENERGY
   PURPOSE: GAS PIPELINE OR PIPELINES (UNDEVELOPED)
   AREA AFFECTED: A PORTION OF PARCEL C AS DESCRIBED IN SAID INSTRUMENT
   RECORDED: MARCH 13, 1997
   RECORDING NUMBER: 9703133067
   AFFECTIONS: PORTION OF PARCEL C
Exhibit I
CRITICAL AREA STUDY ON WETLANDS AND STREAMS

FOR

LAKEPOINTE URBAN VILLAGE

Wetland Resources, Inc. Project #14087

Prepared By:

Wetland Resources, Inc.
9505 19th Ave SE, Suite 106
Everett, WA 98208
(425) 337-3174

For:

Oakpointe Land Covington, LLC
Attn: Kevin Thomas
10220 NE Points Drive #310
Kirkland, WA 98033

April 24, 2015
Revision #1: July 8, 2015
Revision #2: July 30, 2015
Revision #3: July 5, 2016
Revision #4: November 4, 2016
TABLE OF CONTENTS

INTRODUCTION 1
SITE DESCRIPTION 1
REVIEW OF EXISTING INFORMATION 1
WETLAND AND STREAM CLASSIFICATIONS-COWARDIN 2
CRITICAL AREA CLASSIFICATIONS-KING COUNTY 2
WETLAND DETERMINATION REPORT 3
BOUNDARY DETERMINATION FINDINGS 5
FUNCTIONS AND VALUES ASSESSMENT 7
USE OF THIS REPORT 8
REFERENCES 10

APPENDIX A: WETLAND DETERMINATION DATA FORMS
APPENDIX B: WETLAND RATING FORM
APPENDIX C: NWI AERIAL MAP
APPENDIX D: CRITICAL AREA STUDY ON WETLANDS AND STREAMS MAP
INTRODUCTION

The purpose of this revised report is to update information provided in the previously submitted Critical Area Study/Wetland and Stream reports. This report reflects the annexation of two King County parcels into the City of Covington and includes an additional parcel that has been added to the project site (parcel number 3022069090). Parcel number 3022069090 was included in the site investigation on April 17, 2014, but was not mentioned in the original report(s) since it was not officially part of the project at that time. In addition, the name of the project has changed, and the report has been updated accordingly.

SITE DESCRIPTION

Wetland Resources, Inc. (WRI) completed site investigation and wetland delineation April 17, 2014 to locate jurisdictional wetlands and streams on a six-parcel site including a gravel pit and immediate surroundings in Covington, WA. All wetland delineation work was completed in April 2014. An additional site visit on June 30, 2015 was conducted to further evaluate the specific characteristics of the wetland on-site in order to gather information to complete the wetland rating. The site is a total of 212.91 acres, comprised of King County parcel numbers: 1922069012, 1922069041, 2022069152, 2922069162, 13022069001 and 3022069090. The subject site is located just south of State Route (SR) 18, at the exit for SE 256th street. The site is further located in a portion of Sections 19 and 20 in Township 22N, and Range 06E, W.M.

The subject site contains a gravel mine, asphalt plant, and associated access roads. This infrastructure covers the majority of the site, with an area of undisturbed forest along the northeast portion of the site. Surrounding land use is primarily single family residential. Development along the southern side of the site is smaller lots with a higher density of units. Residential lots along the northern side of the site are larger, more rural lots, with a lower density of units per acre.

Jenkins Creek, a known fish-bearing stream, is located within the forested area along the northeast portion of the site. The stream enters the site from the northeast, flows west through the property, and continues flowing slightly north, off-site under SR 18. Jenkins Creek is contained within a large wetland that is present on either side of the stream. This wetland is located on the subject site, and extends off-site to the northeast and west/northwest.

Jenkins creek and the on-site wetland features are discussed in further detail below.

REVIEW OF EXISTING INFORMATION

In addition to conducting on-site investigations of the project area, public resource information was reviewed to identify the presence of wetlands, streams, and other critical areas within and near the project area. The following information was examined:
Critical Area Study on Wetlands and Streams for  
Lakepointe Urban Village  
Revision #4:  November 4, 2016

• **National Wetlands Inventory:** The USFWS National Wetland Inventory (NWI) depicts three wetland areas on the site. Two are listed as “excavated” are shown within the gravel pit area of the site. The third is the forested wetland along Jenkins Creek.

• **USDA/NRCS Web Soil Survey:** Soils mapped within the project area include Everett gravelly sandy loam, Seattle muck, and Orcas peat. Seattle muck and Orcas peat meet the criteria for hydric soils per the Natural Resources Conservation Service (NRCS).

• **WDFW SalmonScape Interactive Mapping System:** SalmonScape shows Coho salmon presence in Jenkins Creek.

• **WDFW Priority Habitat and Species (PHS) Maps (dated March 24, 2015):** The WDFW PHS Map indicates that there are wetland areas on-site along Jenkins Creek and within the excavated areas of the gravel pit operation. These maps also document resident coastal cutthroat trout and Coho salmon within Jenkins Creek.

• **King County iMap Interactive Map:** The iMap interactive map indicates the presence of two wetland areas and a stream on the property. Wetland areas are located in the northeast portion of the subject site and within the excavated area of the gravel pit.

• **Hawk Property Planned Action EIS and the Planned Action Ordinance 04-14:** This document states that additional buffer protection shall be provided by applying the wider King County buffer to Wetland A (which is contiguous with Jenkins Creek) following annexation.

**WETLAND AND STREAM CLASSIFICATIONS – COWARDIN SYSTEM**

According to the Cowardin System, as described in Classification of Wetlands and Deepwater Habitats of the United States, the classification for the on-site critical areas are as follows:

**Wetland:** Palustrine, Forested, Coniferous/Broad-leaved Deciduous, Seasonally flooded.

**Jenkins Creek:** Riverine, Lower Perennial, Unconsolidated Bottom, Sand.

**CRITICAL AREA CLASSIFICATIONS – KING COUNTY**

The Final Environmental Impact Statement (FEIS) for this project requires the buffer widths outlined in King County Code (KCC) are provided for the on-site wetland and stream. In order to determine these buffer widths, the wetland was classified using the Washington State Wetland Rating System for Western Washington, Department of Ecology publication number 04-06-025. Streams were classified according to the water typing system provided in the Washington Administrative Code (WAC), section 222-16-030 and KCC. According to KCC the classifications for the on-site critical areas are:
**Wetland – Category I:** The on-site wetland is a depressional wetland along Jenkins Creek and includes both depressional and riverine components. This wetland contains over one contiguous acre of mature forest, and therefore is a Category I wetland based on special characteristics. When rated for functions, this wetland received an overall score of 50 points, with a habitat score of 22 points. Category I wetlands that receive 22 habitat points are assigned a standard buffer of 165 feet per KCC 21A.24.325.

**Jenkins Creek – Type F:** Jenkins Creek is a known fish-bearing stream, but it is not designated as a Shoreline of the State. Therefore, Jenkins Creek is classified as a Type F stream. According to KCC 21A.24.358, Type F streams with anadromous or resident salmonids, as mapped in Jenkins Creek, typically receive a standard buffer of 115 feet.

---

**WETLAND DETERMINATION REPORT**

**Methodology**
The 2010 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0), (Environmental Laboratory, 2010) was used to make a determination on this site. Under this method, the process for making a wetland determination is based on three sequential steps:

1) Examination of the site for hydrophytic vegetation (species present and percent cover);

2) If hydrophytic vegetation is found, then the presence of hydric soils is determined.

3) The final step is determining if wetland hydrology exists in the area examined under the first two steps.

The following criteria descriptions were used in the boundary determination:

**Wetland Vegetation Criteria**
The 2010 Regional Supplement defines hydrophytic vegetation as “assemblage of macrophytes that occurs in areas where inundation or soil saturation is either permanent or have sufficient frequency and duration to influence plant occurrence.” Field indicators were used to determine whether the vegetation meets the definition for hydrophytic vegetation.

**Wetland Soils Criteria and Mapped Description**
The 2010 Regional Supplement defines hydric soils as “soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part.” Field indicators were used to determine whether a given soil meets the definition for hydric soils.

The soils underlying the site are mapped in the Soil Survey of King County Area Washington as Everett gravelly sandy loam 0-5 percent slopes, Everett gravelly sandy loam 5-15 percent slopes, Seattle muck, and Orcas peat.
The Everett Series is made up of somewhat excessively drained soils that are underlain by very gravelly sand at a depth of 18 to 36 inches. These soils formed in very gravelly glacial outwash deposits, under conifers. In a representative profile, the surface layer and subsoil are black to brown, gravelly to very gravelly sandy loam about 32 inches thick. Soils included with this soil in mapping make up no more than 30 percent of the total acreage. Permeability is rapid. Available water capacity is low.

The Seattle series is made up of very poorly drained organic soils that formed in material derived primarily from sedges. These soils are in depressions and valleys on the glacial till plain and also in the river and stream valleys. Slopes are 0 to 1 percent. In a representative profile, the surface layer is black muck about 11 inches thick. It is underlain by dark reddish-brown, black, very dark brown, and dark-brown muck and mucky peat that extends to a depth of 60 inches or more. The subsurface layers are stratified mucky peat, muck, and peat that formed mostly from sedges. Where these soils adjoin mineral soils, some layers are 25 percent wood fragments. Some areas are up to 30 percent inclusions of Tukwilla soils, which are deep mucks, and Shalcar soils, which are shallow over a mineral substratum; and some areas are up to 15 percent inclusions of the wet Bellingham and Norma soils. Total inclusions do not exceed 30 percent. Permeability is moderate. There is a seasonal high water table at or near the surface. Available water capacity is high. This soil is listed as hydric in the Hydric Soils List for Washington.

The Orcas series consists of very deep, very poorly drained organic soils formed from sphagnum moss. Orcas soils occupy depressions on the glacial drift plains and have slopes of 0 to 2 percent. In a representative profile, the surface layer is dark reddish brown peat about 3 inches thick. It is underlain by dark brown peat to a depth of 12 inches. The third layer is brown peat that extends to a depth of 60 inches or more. The water table is near the surface for most of the year. This series is of small extent, located in Western Washington.

**Wetland Hydrology Criteria**

Wetland hydrology encompasses all hydrologic characteristics of areas that are periodically inundated or have soils saturated to the surface for a sufficient duration during the growing season. Areas with evident characteristics of wetland hydrology are those where the presence of water has an overriding influence on characteristics of vegetation and soils due to anaerobic and chemically reducing conditions, respectively.

Additionally, areas which are seasonally inundated and/or saturated to the surface for a consecutive number of days $\geq 12.5$ percent of the growing season are wetlands, provided the soil and vegetation parameters are met. Areas inundated or saturated between five and 12.5 percent of the growing season in most years may or may not be wetlands. Areas saturated to the surface for less than five percent of the growing season are non-wetlands. Field indicators were used to determine whether wetland hydrology parameters were met on this site.
BOUNDARY DETERMINATION FINDINGS

Investigation of the subject site determined there is one wetland present on-site. Additional areas that NWI and King County have mapped as wetlands are located in the mined area of the gravel pit. The area mapped as Orcas peat is located within the excavated area of the gravel mine.

**Wetland**

The on-site wetland contains both depressional and riverine wetland components per the hydrogeomorphic (HGM) classification system (Brinson 1993). It is located along the north/northeast area of the subject site and continues off-site to the northeast and west. Based on the Cowardin classification system, Wetland A is a Palustrine/Forested/Seasonally Flooded wetland system.

Dominant vegetation within the wetland includes: black cottonwood (*Populus balsamifera*), red alder (*Alnus rubra*), western red cedar (*Thuja plicata*), salmonberry (*Rubus spectabilis*), Scouler’s willow (*Salix scouleriana*), vine maple (*Acer circinatum*), skunk cabbage (*Lysichiton americanus*), and lady fern (*Athyrium felix-femina*). Soils in the wetland area were typically a black (10YR 2/1) sandy clay loam. The soil was saturated to the surface at the time of the wetland delineation, and areas of standing water were observed throughout the wetland.

The wetland was rated as a depressional wetland. This wetland contains over one contiguous acre of mature forest, and therefore is a Category I wetland based on special characteristics. When rated for functions, this wetland received an overall score of 50 points, with a habitat score of 22 points. Category I wetlands that receive 22 habitat points are assigned a standard buffer of 165 feet per KCC 21A.24.325. The following table lists the area of wetland and buffer per parcel of the subject site. There are no wetland or buffer areas present on parcel 2022069162, 13022069001, or 3022069090.

<table>
<thead>
<tr>
<th>Feature</th>
<th>Total Area On-site</th>
<th>Parcel 1922069012</th>
<th>Parcel 1922069041</th>
<th>Parcel 2022069152</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wetland A</td>
<td>928,291 square feet</td>
<td>592,328 square feet</td>
<td>38,971 square feet</td>
<td>296,984 square feet</td>
</tr>
<tr>
<td>Wetland A Buffer</td>
<td>689,934 square feet</td>
<td>372,391 square feet</td>
<td>79,298 square feet</td>
<td>238,245 square feet</td>
</tr>
</tbody>
</table>

**Non-wetland**

Vegetation in the non-wetland area on the west side of the property is comprised primarily of maintained lawn. Vegetation within the non-wetland area of the subject site includes: big leaf maple (*Acer macrophyllum*), western hemlock (*Tsuga heterophylla*), western red cedar (*Thuja plicata*), vine maple (*Acer circinatum*), osoberry (*Oemleria cerasiformis*), Himalayan blackberry (*Rubus armeniacus*), and western sword fern (*Polystichum munitum*).

The upland soils on the west side of the property generally consist of very dark grayish brown (10YR 3/2) in the top layer with a sub layer of dark yellowish brown (10YR 3/4).
textures ranged from a sandy loam to a clay loam. The soils were dry at the time of our April 2014 site visit.

Based on the lack of field indicators, it appears that the non-wetland areas of the site are saturated to the surface for less than 12.5 percent of the growing season, thereby not fulfilling wetland hydrology criteria.

**Gravel Mine**

*Stormwater Pond for Pit Overflow*
There is a rectangular shaped stormwater pond north of the gravel road on the north side of the gravel pit pond. This pond serves as overflow storage/settling pond when water is pumped out of the large pit. There is an outflow channel that leads towards the wetland. This channel appears to convey water infrequently and is separated from the main gravel pit pond by a berm that surrounds this stormwater pond.

![Stormwater pond as observed on 6/30/15](image)

**Wetland Criterion Discussion**
The gravel mine on the subject site is a lawful, permitted operation, which has excavated areas of the site as part of active mining. The National Wetland Inventory, King County iMap, and PHS map depict wetland areas within the gravel pit operation. The NWI lists one of these features as a permanently flooded freshwater pond and the other is listed as a seasonally flooded feature. Both of these depicted features have a special modifier, stating they are “Excavated.” The description of excavated on the NWI website is “Lies within a basin or channel that have been dug, gouged, blasted or suctioned through artificial means by man.” A figure of these areas is shown on the NWI document provided in Appendix C of this report. Note that the aerial photo...
in the NWI document is outdated. An aerial photo from Google Earth, dated July 2014, shows the mining area has since been altered, and the majority of the depicted wetland areas are now no longer vegetated.

Review of site topography, King County iMap, and WDFW resources did not discover any direct connection from the ponded water within the gravel mine to other waterbodies. During WRI site investigations, no pond outlets or any connection to Jenkins Creek or the on-site wetland were observed.

The excavation and mining activities have removed native soil and vegetation as well as altered the natural hydrology of the mining site for over 20 years. As a result, the area of the mine operation mapped as wetland does not support wetland vegetation or contain hydric soils. Considering the depth of the water and steep grade of the pond edges, our conclusion is that the areas mapped as wetland within the gravel mine do not meet the definition of a wetland.

FUNCTIONS AND VALUES ASSESSMENT

Methodology
The methodology for this functions and values assessment is based on professional opinion developed through past field analyses and interpretation. This assessment pertains specifically to the on-site wetland and stream system, but is typical for assessments of similar systems common to Western Washington.

Wetland Functional Components
Wetlands and streams in Western Washington perform a variety of ecosystem functions. Included among the most important functions provided by wetlands are stormwater control, water quality improvement, fish and wildlife habitat, aesthetic value, recreational opportunities, and education. The most commonly assessed functions and their descriptions are listed below. Assessments of these functions for the project site are provided in the “Existing Conditions” section of this report.

Hydrologic Functions
Wetlands often function as natural water storage areas during periods of precipitation and flooding. By storing water that otherwise might be channeled into open flow systems, wetlands can attenuate or modify potentially damaging effects of storm events, reducing erosion and peak flows to downstream systems. Additionally, the soils underlying wetlands are often less permeable, providing long-term storage of stormwater or floodflow and controlling baseflows of downstream systems. Stormwater storage capacity and floodflow attenuation are generally a function of the size of the wetland and their topographic characteristics.

Water Quality
Surface water quality improvement is another evaluated function. Surface runoff during periods of precipitation increases the potential for sediments and pollutants to enter surface water. Wetlands improve water quality by acting as filters as water passes through them, trapping
Sediments and pollutants from surface water. Ponded areas within depressional wetlands also allow sediments to drop out of suspension, thereby increasing water quality. As development increases, the potential for polluted water to reach wetlands and streams also increases.

**Wildlife Habitat**
Wetlands have potential to provide diverse habitat for aquatic, terrestrial, and avian species for nesting, rearing, resting, cover, and foraging. Wildlife species are commonly dependent upon a variety of intermingled habitat types, including: wetlands, adjacent uplands, large bodies of water, and movement corridors between them. Human intrusion, including development within and adjacent to wetlands, and impacts to movement corridors are the most limiting factors for wildlife habitat functions.

**Wetland Functions and Values Assessment – Existing Conditions**

**Hydrologic Function**
The subject wetland is primarily vegetated with native species and is part of a large complex including Jenkins Creek. The large size and depressional nature of this wetland allow it to store storm water and slowly release it to Jenkins Creek. This helps to moderate downstream flows and reduce potential flood damage. This wetland provides a moderate value for this function.

**Water Quality**
The subject wetland provides water quality benefits as water moves through the system. The fairly dense vegetation within the wetland performs a bio-filtration function. The areas of seasonal ponding provide water quality improvement by increasing residence time and allowing particulates to settle. This wetland is near residential and urban areas, providing an opportunity for it to improve water quality. The subject wetland provides a high value for this function.

**Wildlife Habitat**
The presence of multiple Cowardin vegetation classes, multiple hydroperiods, and a moderate diversity of native plant species create the potential for the subject wetland to perform a high habitat function. The large amount of edge habitat and the association with a large stream (Jenkins Creek) provides numerous habitat and forage opportunities for a large variety of wildlife. Jenkins Creek is known to provide habitat for salmonids. This wetland provides a moderate value of habitat functions.

**Use of This Report**
This Critical Area Study is supplied to Oakpointe Land Covington, LLC as a means of determining on-site critical area conditions, as required by the City of Covington during the permitting process. This report is based largely on readily observable conditions and, to a lesser extent, on readily ascertainable conditions. No attempt has been made to determine hidden or concealed conditions.

The laws applicable to wetlands are subject to varying interpretations and may be changed at any time by the courts or legislative bodies. This report is intended to provide information deemed relevant in the applicant's attempt to comply with the laws now in effect.
The work for this report has conformed to the standard of care employed by wetland ecologists. No other representation or warranty is made concerning the work or this report and any implied representation or warranty is disclaimed.

_Wetland Resources, Inc._

Meryl Kamowski  
_Senior Ecologist_
REFERENCES


King County, 2006. King County Code, Title 21A. King County, WA. March 27, 2006.


Project/Site: Lakepointe Urban Village  
City/County: Covington/King  
Sampling Date: 4/15/2014  
Applicant/Owner: Oakpointe Land Covington, LLC  
State: WA  
Sampling Point: S1  
Investigator(s): NW and MK  
Section, Township, Range: S 19, T22, R06E  
Landform (hillslope, terrace, etc.): depression  
Local relief (concave, convex, none): none  
Slope (%): 0  
Subregion (LRR): LRR A  
Lat: 47.376848  
Long: -122.081323  
Datum: NAD83  
Soil Map Unit Name: Everett gravelly sandy loam 0-5 percent slopes  
NWI classification: PFOC  
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ✔ No (if no, explain in Remarks.)  
Are Vegetation, Soil, or Hydrology significantly disturbed? Are “Normal Circumstances” present? Yes ✔ No (If needed, explain any answers in Remarks.)  
Are Vegetation, Soil, or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)  
SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.  

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes ✔ No</th>
<th>Is the Sampled Area within a Wetland?</th>
<th>Yes ✔ No</th>
</tr>
</thead>
</table>

Remarks:  

VEGETATION – Use scientific names of plants.  

<table>
<thead>
<tr>
<th>Stratum</th>
<th>Plot Size:</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Div. Test Worksheet</th>
<th>Prevalence Index Worksheet</th>
<th>Hydrophytic Vegetation Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree</td>
<td>15'x15'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Populus balsamifera</td>
<td>30</td>
<td>Y</td>
<td>FAC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Alnus rubra</td>
<td>30</td>
<td>Y</td>
<td>FAC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sapling/Shrub</td>
<td>15'x15'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Acer circinatum</td>
<td>50</td>
<td>Y</td>
<td>FAC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Herb</td>
<td>15'x15'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Maianthemum dilatatum</td>
<td>30</td>
<td>Y</td>
<td>FAC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Lysichiton americanus</td>
<td>10</td>
<td>N</td>
<td>OBL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Woody</td>
<td>15'x15'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bare Ground in Herb Stratum</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks:
### SOIL

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Color (moist)</th>
<th>%</th>
<th>Redox Features</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-12</td>
<td>10YR 2/1</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12-17</td>
<td>2.5YR 5/6</td>
<td>95</td>
<td>7.5YR 5/6</td>
<td>5</td>
<td>C</td>
<td>M</td>
<td>cl lo</td>
<td></td>
</tr>
</tbody>
</table>

1. **Type:** C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.
2. **Location:** PL=Pore Lining, M=Matrix.

#### Hydric Soil Indicators:  
(Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)

- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

#### hydric Soil Present? Yes ☑  No  

**Restrictive Layer (if present):**

- Type: ____________________
- Depth (inches): ________________

#### HYDROLOGY

**Wetland Hydrology Indicators:**

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Presence of Reduced Iron (C4)
- Oxidized Rhizospheres along Living Roots (C3)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1)
- Other (Explain in Remarks)

#### Wetland Hydrology Present? Yes ☑  No  

**Field Observations:**

- Surface Water Present? Yes ☑  No  Depth (inches): ____________
- Water Table Present? Yes ☑  No  Depth (inches): 8_surface__
- Saturation Present? Yes ☑  No  Depth (inches): ____________

#### Wetland Hydrology Present? Yes ☑  No  

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:**
### Hydrophytic Vegetation Present?  Yes ☑️ No ☐

### Hydric Soil Present?  Yes ☑️ No ☐

### Wetland Hydrology Present?  Yes ☑️ No ☐

#### Is the Sampled Area within a Wetland?  Yes ☑️ No ☐

### Remarks:

#### VEGETATION – Use scientific names of plants.

**Tree Stratum (Plot size: 15'x15')**

<table>
<thead>
<tr>
<th>Species</th>
<th>Absolute % Cover</th>
<th>Dominant Indicator?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Populus balsamifera</td>
<td>20</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sapling/Shrub Stratum (Plot size: 15'x15')</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acer circinatum</td>
<td>50</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>2. Rubus spectabilis</td>
<td>50</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>3. Rubus lacinatus</td>
<td>5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Herb Stratum (Plot size: 15'x15')**

<table>
<thead>
<tr>
<th>Species</th>
<th>Absolute % Cover</th>
<th>Dominant Indicator?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maianthemum dilatatum</td>
<td>75</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>2. Polystichum munitum</td>
<td>15</td>
<td>Y</td>
<td>FACU</td>
</tr>
<tr>
<td>3. Dicentra formosa</td>
<td>15</td>
<td>Y</td>
<td>FACU</td>
</tr>
<tr>
<td><strong>Total Cover</strong></td>
<td>105</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Woody Vine Stratum (Plot size: 15'x15')**

<table>
<thead>
<tr>
<th>Species</th>
<th>Absolute % Cover</th>
<th>Dominant Indicator?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Cover</strong></td>
<td>105</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Remarks:**

#### Dominance Test worksheet:

- Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)
- Total Number of Dominant Species Across All Strata: 6 (B)
- Percent of Dominant Species That Are OBL, FACW, or FAC: 67 (A/B)

#### Prevalence Index worksheet:

<table>
<thead>
<tr>
<th>Total % Cover of:</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBL species</td>
<td>x 1 = 0</td>
</tr>
<tr>
<td>FACW species</td>
<td>x 2 = 0</td>
</tr>
<tr>
<td>FAC species</td>
<td>x 3 = 0</td>
</tr>
<tr>
<td>FACU species</td>
<td>x 4 = 0</td>
</tr>
<tr>
<td>UPL species</td>
<td>x 5 = 0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column Totals:</th>
<th>(A)</th>
<th>(B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>= B/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Hydrophytic Vegetation indicators:

- Rapid Test for Hydrophytic Vegetation
- Dominance Test is >50%
- Prevalence Index is ≤3.01
- Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)
- Wetland Non-Vascular Plants¹
- Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

#### Remarks:

- % Bare Ground in Herb Stratum
### SOIL

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Redox Features</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-11</td>
<td>7.5YR 3/2</td>
<td>100</td>
</tr>
<tr>
<td>11-17</td>
<td>7.5YR 4/2</td>
<td>100</td>
</tr>
</tbody>
</table>

**Hydric Soil Indicators:** (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Eppideon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)

**Indicators for Problematic Hydric Soils:**

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

**Restrictive Layer (if present):**

- Type: ______________________
- Depth (inches): ____________

**Remarks:**

### HYDROLOGY

**Wetland Hydrology Indicators:**

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

**Secondary Indicators (2 or more required):**

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

**Field Observations:**

- **Surface Water Present?** Yes ☐ No [ ]
- **Water Table Present?** Yes ☐ No [ ]
- **Saturation Present?** Yes ☐ No [ ]

**Wetland Hydrology Present?** Yes ☐ No [ ]

**Remarks:**
**SUMMARY OF FINDINGS** – Attach site map showing sampling point locations, transects, important features, etc.

- Hydrophytic Vegetation Present? Yes ☑ No ☑
- Hydric Soil Present? Yes ☑ No ☑
- Wetland Hydrology Present? Yes ☑ No ☑

** Remarks:**

**VEGETATION** – Use scientific names of plants.

<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Dominance Test worksheet:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acer circinatum</td>
<td>40</td>
<td>Y</td>
<td>FAC</td>
<td>Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)</td>
</tr>
<tr>
<td>2. Cornus sericea</td>
<td>20</td>
<td>Y</td>
<td>FAC</td>
<td>Total Number of Dominant Species Across All Strata: 4 (B)</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td>Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td>Prevalence Index worksheet:</td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td>Total % Cover of: Multiply by:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>OBL species x 1 = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FACW species x 2 = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FAC species x 3 = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>FACU species x 4 = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>UPL species x 5 = 0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Column Totals: (A) 0 (B)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Prevalence Index = B/A =</td>
</tr>
</tbody>
</table>

- Herb Stratum (Plot size: 15’x15’)
- Woody Vine Stratum (Plot size: 15’x15’)
- % Bare Ground in Herb Stratum ☑

** Remarks:**
**SOIL**

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix</th>
<th>Color (moist)</th>
<th>%</th>
<th>Matrix</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Redox</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-12</td>
<td>10YR 2/1</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>cl lo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12-18</td>
<td>10YR 3/1</td>
<td>93</td>
<td>7</td>
<td>C</td>
<td>7.5YR 5/6</td>
<td>7</td>
<td>M</td>
<td></td>
<td>cl lo</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1^Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.  
2^Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:** (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)

**Indicators for Problematic Hydric Soils:***

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

**Restrictive Layer (if present):**

- Type: __________________________
- Depth (inches): __________________

**Hydric Soil Present?** Yes [ ✔ ] No [ ]

**Remarks:**

**HYDROLOGY**

**Wetland Hydrology Indicators:**

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

**Secondary Indicators (2 or more required):**

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drained Aquatic Invertebrates (B13)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)

**Field Observations:**

- Surface Water Present? Yes [ ] No [ ✔ ]
- Water Table Present? Yes [ ] No [ ✔ ]
- Saturation Present? Yes [ ✔ ] No [ ]

**Wetland Hydrology Present?** Yes [ ✔ ] No [ ]

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:**
**WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region**

**Project/Site:** Lakepointe Urban Village  
**City/County:** Covington/King  
**Sampling Date:** 4/15/2014  
**Applicant/Owner:** Oakpointe Land Covington, LLC  
**State:** WA  
**Investigator(s):** NW and MK  
**Sampling Point:** S4

**Landform (hillslope, terrace, etc.):** depression  
**Local relief (concave, convex, none):** none  
**Slope (%):** 0

**Subregion (LRR):** LRR A  
**Lat:** 47.375657  
**Long:** -122.078533  
**Datum:** NAD83

**Soil Map Unit Name:** Everett gravelly sandy loam  
**NW classification:** 5-15 percent slopes

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☑  
No (If no, explain in Remarks.)

Are Vegetation, Soil, or Hydrology significantly disturbed? Are “Normal Circumstances” present? Yes ☑  
No (If needed, explain any answers in Remarks.)

Are Vegetation, Soil, or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

**SUMMARY OF FINDINGS –** Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☑  
No

Hydric Soil Present? Yes ☑  
No

Wetland Hydrology Present? Yes ☑  
No

Is the Sampled Area within a Wetland? Yes ☑  
No

Remarks:

**VEGETATION – Use scientific names of plants.**

<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acer macrophyllum</td>
<td>25</td>
<td>Y</td>
<td>FACU</td>
</tr>
<tr>
<td>2. Tsuga heterophylla</td>
<td>10</td>
<td>Y</td>
<td>FACU</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>35</td>
<td></td>
<td>Total Cover</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acer circinatum</td>
<td>25</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Cover</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Maianthemum dilatatum</td>
<td>30</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>2. Polystichum munitum</td>
<td>15</td>
<td>Y</td>
<td>FACU</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Cover</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bare Ground in Herb Stratum</td>
<td>0</td>
<td></td>
<td>Total Cover</td>
</tr>
</tbody>
</table>

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 5 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 40% (A/B)

Prevalence Index worksheet:

<table>
<thead>
<tr>
<th>OBL species</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x 1</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FACW species</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x 2</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FAC species</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x 3</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>FACU species</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x 4</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>UPL species</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x 5</td>
<td>0</td>
</tr>
</tbody>
</table>

Column Totals: 0 (A) 0 (B)
Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- Rapid Test for Hydrophytic Vegetation
- Dominance Test is >50%
- Prevalence Index is ≤ 3.0
- Morphological Adaptations (Provide supporting data in Remarks or on a separate sheet)
- Wetland Non-Vascular Plants
- Problematic Hydrophytic Vegetation (Explain)

Hydrophytic Vegetation Present? Yes ☑  
No

Remarks:
### SOIL

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Matrix Color (moist)</th>
<th>%</th>
<th>Redox Features Color (moist)</th>
<th>%</th>
<th>Type¹</th>
<th>Loc²</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-16</td>
<td>10YR 3/2</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>cl lo</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:** (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Eppedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)

Indicators for Problematic Hydric Soils:

- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

**Restrictive Layer (if present):**

- Type: _____________________________
- Depth (inches): ____________________

**Hydric Soil Present?** Yes [ ] No ✔

**Remarks:** ____________________________

### HYDROLOGY

**Wetland Hydrology Indicators:**

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

**Secondary Indicators (2 or more required):**

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

**Field Observations:**

- Surface Water Present? Yes [ ] No ✔ Depth (inches): ______________
- Water Table Present? Yes [ ] No ✔ Depth (inches): ______________
- Saturation Present? Yes [ ] No ✔ Depth (inches): ______________

**Wetland Hydrology Present?** Yes [ ] No ✔

**Remarks:** ____________________________

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:** ____________________________
### Project/Site: Lakepointe Urban Village
- **City/County:** Covington/King
- **Sampling Date:** 4/15/2014

### Applicant/Owner: Oakpointe Land Covington, LLC
- **State:** WA
- **Sampling Point:** S5

### Investigator(s): NW and MK
- **Section, Township, Range:** S 20, T22, R06E

### Landform (hillslope, terrace, etc.): depression
- **Local relief (concave, convex, none):** none
- **Slope (%):** 0

### Subregion (LRR): LRR A
- **Lat:** 47.375032
- **Long:** -122.068791
- **Datum:** NAD83

### Soil Map Unit Name: Everett gravelly sandy loam 5-15 percent slopes
- **NWI classification:** PFOC

### Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☑ No [ ] (If no, explain in Remarks.)

### Are Vegetation, Soil, or Hydrology significantly disturbed? Are “Normal Circumstances” present? Yes ☑ No [ ]

### Are Vegetation, Soil, or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

### SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes ☑ No [ ]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydric Soil Present?</td>
<td>Yes ☑ No [ ]</td>
</tr>
<tr>
<td>Wetland Hydrology Present?</td>
<td>Yes ☑ No [ ]</td>
</tr>
</tbody>
</table>

### Remarks:

### VEGETATION – Use scientific names of plants.

#### Tree Stratum (Plot size: 15’x15’)

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thuja plicata</td>
<td>15</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>Alnus rubra</td>
<td>10</td>
<td>Y</td>
<td>FAC</td>
</tr>
</tbody>
</table>

#### Sapling/Shrub Stratum (Plot size: 15’x15’)

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acer circinatum</td>
<td>30</td>
<td>Y</td>
<td>FAC</td>
</tr>
</tbody>
</table>

#### Herb Stratum (Plot size: 15’x15’)

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maianthemum dilatatum</td>
<td>30</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>Lysichiton americanus</td>
<td>25</td>
<td>N</td>
<td>OBL</td>
</tr>
<tr>
<td>Athyrium felix-femina</td>
<td>15</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>Tolmeia menziesii</td>
<td>10</td>
<td>Y</td>
<td>FAC</td>
</tr>
</tbody>
</table>

#### Woody Vine Stratum (Plot size: 15’x15’)

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Indicator Species?</th>
<th>Status</th>
</tr>
</thead>
</table>

### Remarks:

### Dominance Test worksheet:

- **Number of Dominant Species That Are OBL, FACW, or FAC:** 6 (A)
- **Total Number of Dominant Species Across All Strata:** 6 (B)
- **Percent of Dominant Species That Are OBL, FACW, or FAC:** (A/B)

### Prevalence Index worksheet:

<table>
<thead>
<tr>
<th>% Cover</th>
<th>Multiply by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OBL</td>
<td>x 1 = 0</td>
</tr>
<tr>
<td>FACW</td>
<td>x 2 = 0</td>
</tr>
<tr>
<td>FAC</td>
<td>x 3 = 0</td>
</tr>
<tr>
<td>FACU</td>
<td>x 4 = 0</td>
</tr>
<tr>
<td>UPL</td>
<td>x 5 = 0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Column Totals:</th>
<th>0 (A)</th>
<th>0 (B)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Prevalence Index</th>
<th>= B/A</th>
</tr>
</thead>
</table>

### Hydrophytic Vegetation Indicators:

- Rapid Test for Hydrophytic Vegetation ☑
- Dominance Test is >50% ☑
- Prevalence Index is ≤3.0 ☑
- Morphological Adaptations¹ (Provide support data in Remarks or on a separate sheet)
- Wetland Non-Vascular Plants¹
- Problematic Hydrophytic Vegetation¹ (Explain)

1Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
### SOIL

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Color (moist)</th>
<th>%</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-18</td>
<td>10YR 2/1</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sa cl lo</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.  
2Location: PL=Pore Lining, M=Matrix.

#### Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

#### Indicators for Problematic Hydric Soils:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

### RESTRICTIVE LAYER (if present):

- Type: __________________________
- Depth (inches): __________________

#### Hydric Soil Present?  Yes [ ] No [ ]

#### Remarks:

### HYDROLOGY

#### Wetland Hydrology Indicators:

- Primary Indicators (minimum of one required; check all that apply)
  - Surface Water (A1)
  - High Water Table (A2)
  - Saturation (A3)
  - Water Marks (B1)
  - Sediment Deposits (B2)
  - Drift Deposits (B3)
  - Algal Mat or Crust (B4)
  - Iron Deposits (B5)
  - Surface Soil Cracks (B6)
  - Inundation Visible on Aerial Imagery (B7)
  - Sparsely Vegetated Concave Surface (B8)

- Secondary Indicators (2 or more required)
  - Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
  - Drainage Patterns (B10)
  - Dry-Season Water Table (C2)
  - Saturation Visible on Aerial Imagery (C9)
  - Shallow Aquitard (D3)
  - FAC-Neutral Test (D5)
  - Raised Ant Mounds (D6)
  - Frost-Heave Hummocks (D7)

#### Field Observations:

- Surface Water Present? Yes [ ] No [ ] Depth (inches): __________
- Water Table Present? Yes [ ] No [ ] Depth (inches): __________
- Saturation Present? Yes [ ] No [ ] Depth (inches): __________

#### Wetland Hydrology Present?  Yes [ ] No [ ]

#### Remarks:

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

#### HYDROLOGY

- Field Observations:
  - Surface Water Present? Yes [ ] No [ ] Depth (inches): __________
  - Water Table Present? Yes [ ] No [ ] Depth (inches): __________
  - Saturation Present? Yes [ ] No [ ] Depth (inches): __________

#### Wetland Hydrology Present?  Yes [ ] No [ ]

#### Remarks:
Project/Site: Lakepointe Urban Village  
City/County: Covington/King  
Sampling Date: 4/15/2014  
Applicant/Owner: Oakpointe Land Covington, LLC  
State: WA  
Sampling Point: S6

Investigator(s): NW and MK  
Section, Township, Range: S 20, T22, R06E  
Landform (hillslope, terrace, etc.): depression  
Local relief (concave, convex, none): convex  
Slope (%): 1-2  
Subregion (LRR): LRR A  
Lat: 47.375032  
Long: -122.068791  
Datum: NAD83  
Soil Map Unit Name: Everett gravelly sandy loam 5-15 percent slopes  
NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year?  Yes [x]  No [ ] (If no, explain in Remarks.)

Are Vegetation, Soil, or Hydrology significantly disturbed?  Yes [x]  No [ ]  Are “Normal Circumstances” present?  Yes [x]  No [ ]

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

<table>
<thead>
<tr>
<th>Hydrophytic Vegetation Present?</th>
<th>Yes [x]  No [ ]</th>
<th>Is the Sampled Area within a Wetland?</th>
<th>Yes [x]  No [ ]</th>
</tr>
</thead>
</table>

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 15'x15')

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Dominant Species</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Alnus rubra</td>
<td>15</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>2. Thuja plicata</td>
<td>10</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sapling/Shrub Stratum (Plot size: 15'x15')

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Dominant Species</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acer circinatum</td>
<td>20</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>2. Frangula purshiana</td>
<td>15</td>
<td>Y</td>
<td>FAC</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Herb Stratum (Plot size: 15'x15')

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Dominant Species</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Polystichum munitum</td>
<td>30</td>
<td>Y</td>
<td>FACU</td>
</tr>
<tr>
<td>2. Maianthemum dilatatum</td>
<td>20</td>
<td>N</td>
<td>FAC</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Woody Vine Stratum (Plot size: 15'x15')

<table>
<thead>
<tr>
<th>Species</th>
<th>% Cover</th>
<th>Dominant Species</th>
<th>Indicator Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

% Bare Ground in Herb Stratum

Remarks:

Hydrophytic Vegetation Present?  Yes [x]  No [ ]
### SOIL

**Profile Description:** (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Color (moist)</th>
<th>%</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-8</td>
<td>10YR 3/1</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sa lo</td>
<td></td>
</tr>
<tr>
<td>8-16</td>
<td>10YR 4/3</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sa lo</td>
<td></td>
</tr>
</tbody>
</table>

1^Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.  
2^Location: PL=Pore Lining, M=Matrix.

**Hydric Soil Indicators:** (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)

**Indicators for Problematic Hydric Soils:**

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

**Restrictive Layer (if present):**

- Type: __________________________
- Depth (inches): __________________

**Hydric Soil Present?** Yes □ No ✔

**Remarks:**

---

### HYDROLOGY

**Wetland Hydrology Indicators:**

**Primary Indicators** (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

**Secondary Indicators** (2 or more required)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

**Field Observations:**

- Surface Water Present? Yes □ No ✔ Depth (inches): __________
- Water Table Present? Yes □ No ✔ Depth (inches): __________
- Saturation Present? Yes □ No ✔ Depth (inches): __________

**Wetland Hydrology Present?** Yes □ No ✔

**Remarks:**

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

**Remarks:**
WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Lakepointe Urban Village  
City/County: Covington/King  
Sampling Date: 4/15/2014

Applicant/Owner: Oakpointe Land Covington, LLC  
State: WA  
Sampling Point: S7

Landform (hillslope, terrace, etc.): depression  
Local relief (concave, convex, none): convex  
Slope (%): 0-1

Investigator(s): NW and MK  
Section, Township, Range: S19, T22, R06E

Sampling Date:  
Applicant/Owner: Oakpointe Land Covington, LLC  
State: WA  
Sampling Point: S7

Soil Map Unit Name: Everett gravelly sandy loam 0-5 percent slopes

Are climatic / hydrologic conditions on the site typical for this time of year? Yes [✔] No [ ]  
(If no, explain in Remarks.)

Are Vegetation, Soil, or Hydrology significantly disturbed? Yes [✔] No [ ]

Are Vegetation, Soil, or Hydrology naturally problematic? Yes [ ] No [✔]

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes [✔] No [ ]

Hydric Soil Present? Yes [✔] No [ ]

Wetland Hydrology Present? Yes [✔] No [ ]

Remarks:

VEGETATION – Use scientific names of plants.

<table>
<thead>
<tr>
<th>Tree Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Dominance Test worksheet:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.    Alnus rubra</td>
<td>30</td>
<td>Y</td>
<td>FAC</td>
<td>Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)</td>
</tr>
<tr>
<td>2.    Populus balsamifera</td>
<td>20</td>
<td>Y</td>
<td>FAC</td>
<td>Total Number of Dominant Species Across All Strata: 6 (B)</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td>Percent of Dominant Species That Are OBL, FACW, or FAC: 83 (A/B)</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sapling/Shrub Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Dominance Test worksheet:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.    Acer circinatum</td>
<td>40</td>
<td>Y</td>
<td>FAC</td>
<td></td>
</tr>
<tr>
<td>2.    Cornus sericea</td>
<td>20</td>
<td>Y</td>
<td>FAC</td>
<td></td>
</tr>
<tr>
<td>3.    Spirea douglasii</td>
<td>10</td>
<td>N</td>
<td>FACW</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Herb Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Dominance Test worksheet:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.    Polystichum munitum</td>
<td>20</td>
<td>Y</td>
<td>FACU</td>
<td></td>
</tr>
<tr>
<td>2.    Maianthemum dilatatum</td>
<td>20</td>
<td>Y</td>
<td>FAC</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Woody Vine Stratum (Plot size: 15’x15’)</th>
<th>Absolute % Cover</th>
<th>Dominant Species?</th>
<th>Indicator Status</th>
<th>Dominance Test worksheet:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>50</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

% Bare Ground in Herb Stratum ________

Remarks:

Hydrophytic Vegetation Indicators:
- [ ] Rapid Test for Hydrophytic Vegetation
- ✔ Dominance Test is >50%
- ✔ Prevalence Index is ≤ 3.0
- [ ] Morphological Adaptations (Provide supporting data in Remarks or on a separate sheet)
- [ ] Wetland Non-Vascular Plants
- [ ] Problematic Hydrophytic Vegetation (Explain)

Hydrophytic Vegetation Present? Yes [✔] No [ ]
### Profile Description:
(Describe to the depth needed to document the indicator or confirm the absence of indicators.)

<table>
<thead>
<tr>
<th>Depth (inches)</th>
<th>Color (moist)</th>
<th>%</th>
<th>Color (moist)</th>
<th>%</th>
<th>Type</th>
<th>Loc</th>
<th>Texture</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-6</td>
<td>10YR 3/2</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sa lo</td>
<td></td>
</tr>
<tr>
<td>6-18</td>
<td>10YR 4/3</td>
<td>100</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>sa lo</td>
<td></td>
</tr>
</tbody>
</table>

1^Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains.

#### Hydric Soil Indicators:
(Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)

#### Indicators for Problematic Hydric Soils:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

####Restrictive Layer (if present):

- Type: _______________________________________
- Depth (inches): _____________________________

#### Remarks:

#### HYDROLOGY

**Wetland Hydrology Indicators:**

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Redox Depressions (F8)

**Secondary Indicators (2 or more required):**

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

**Field Observations:**

- Surface Water Present? Yes ✔ No ❌ Depth (inches): ___________
- Water Table Present? Yes ✔ No ❌ Depth (inches): ___________
- Saturation Present? Yes ✔ No ❌ Depth (inches): ___________

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

#### Remarks:

- It appears water rapidly moves through this area after large storm events, thus the water stained leaves, but no hydric soils.
Wetland name or number: Lakepointe

WETLAND RATING FORM – WESTERN WASHINGTON
Version 2 - Updated July 2006 to increase accuracy and reproducibility among users
Updated Oct 2008 with the new WDFW definitions for priority habitats

Name of wetland (if known): Lakepointe Urban Village     Date of site visit: 4/15/2014

Rated by M.Kamowski                Trained by Ecology?  Yes ☑ No ☐ Date of training 4/2013
SEC: 19        TWNSHP: 22        RNGE: 06E   Is S/T/R in Appendix D?  Yes ☐ No ☑

Map of wetland unit: Figure _____    Estimated size ______

SUMMARY OF RATING

Category based on FUNCTIONS provided by wetland

I ☑ II ☐ III ☑ IV ☐

<table>
<thead>
<tr>
<th>Category</th>
<th>Score</th>
<th>Functions Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>&gt;=70</td>
<td>16</td>
</tr>
<tr>
<td>II</td>
<td>51-69</td>
<td>12</td>
</tr>
<tr>
<td>III</td>
<td>30-50</td>
<td>22</td>
</tr>
<tr>
<td>IV</td>
<td>&lt;30</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL score for Functions: 50

Category based on SPECIAL CHARACTERISTICS of wetland

I ☑ II ☐ Does not Apply ☐

Final Category (choose the “highest” category from above)

I

Summary of basic information about the wetland unit

<table>
<thead>
<tr>
<th>Wetland Unit has Special Characteristics</th>
<th>Wetland HGM Class used for Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estuarine</td>
<td>Depressional</td>
</tr>
<tr>
<td>Natural Heritage Wetland</td>
<td>Riverine</td>
</tr>
<tr>
<td>Bog</td>
<td>Lake-fringe</td>
</tr>
<tr>
<td>Mature Forest</td>
<td>Slope</td>
</tr>
<tr>
<td>Old Growth Forest</td>
<td>Flats</td>
</tr>
<tr>
<td>Coastal Lagoon</td>
<td>Freshwater Tidal</td>
</tr>
<tr>
<td>Interdunal</td>
<td></td>
</tr>
<tr>
<td>None of the above</td>
<td>Check if unit has multiple HGM classes present</td>
</tr>
</tbody>
</table>
Does the wetland unit being rated meet any of the criteria below?
If you answer YES to any of the questions below you will need to protect the wetland according to the regulations regarding the special characteristics found in the wetland.

<table>
<thead>
<tr>
<th>Check List for Wetlands That May Need Additional Protection (in addition to the protection recommended for its category)</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>SP1. Has the wetland unit been documented as a habitat for any Federally listed Threatened or Endangered animal or plant species (T/E species)?&lt;br&gt;For the purposes of this rating system, &quot;documented&quot; means the wetland is on the appropriate state or federal database.</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>SP2. Has the wetland unit been documented as habitat for any State listed Threatened or Endangered animal species?&lt;br&gt;For the purposes of this rating system, &quot;documented&quot; means the wetland is on the appropriate state database. Note: Wetlands with State listed plant species are categorized as Category I Natural Heritage Wetlands (see p. 19 of data form).</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>SP3. Does the wetland unit contain individuals of Priority species listed by the WDFW for the state?</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>SP4. Does the wetland unit have a local significance in addition to its functions?&lt;br&gt;For example, the wetland has been identified in the Shoreline Master Program, the Critical Areas Ordinance, or in a local management plan as having special significance.</td>
<td>✔</td>
<td></td>
</tr>
</tbody>
</table>

To complete the next part of the data sheet you will need to determine the Hydrogeomorphic Class of the wetland being rated.

The hydrogeomorphic classification groups wetlands into those that function in similar ways. This simplifies the questions needed to answer how well the wetland functions. The Hydrogeomorphic Class of a wetland can be determined using the key below. See p. 24 for more detailed instructions on classifying wetlands.
Classification of Wetland Units in Western Washington

If the hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1-7 apply, and go to Question 8.

1. Are the water levels in the entire unit usually controlled by tides (i.e. except during floods)?
   - ☑ NO – go to 2
   - ☐ YES – the wetland class is Tidal Fringe

   If yes, is the salinity of the water during periods of annual low flow below 0.5 ppt (parts per thousand)?
   - ☐ YES – Freshwater Tidal Fringe
   - ☑ NO – Saltwater Tidal Fringe (Estuarine)

   If your wetland can be classified as a Freshwater Tidal Fringe use the forms for Riverine wetlands. If it is Saltwater Tidal Fringe it is rated as an Estuarine wetland. Wetlands that were called estuarine in the first and second editions of the rating system are called Salt Water Tidal Fringe in the Hydrogeomorphic Classification. Estuarine wetlands were categorized separately in the earlier editions, and this separation is being kept in this revision. To maintain consistency between editions, the term “Estuarine” wetland is kept. Please note, however, that the characteristics that define Category I and II estuarine wetlands have changed (see p. ).

2. The entire wetland unit is flat and precipitation is the only source (>90%) of water to it. Groundwater and surface water runoff are NOT sources of water to the unit.
   - ☑ NO – go to 3
   - ☐ YES – The wetland class is Flats

   If your wetland can be classified as a “Flats” wetland, use the form for Depressional wetlands.

3. Does the entire wetland unit meet both of the following criteria?
   - ☑ NO – go to 4
   - ☐ YES – The wetland class is Lake-fringe (Lacustrine Fringe)

4. Does the entire wetland unit meet all of the following criteria?
   - ☑ NO - go to 5
   - ☐ YES – The wetland class is Slope

   If the hydrologic criteria listed in each question do not apply to the entire unit being rated, you probably have a unit with multiple HGM classes. In this case, identify which hydrologic criteria in questions 1-7 apply, and go to Question 8.
5. Does the entire wetland unit meet all of the following criteria?

- The unit is in a valley, or stream channel, where it gets inundated by overbank flooding from that stream or river
- The overbank flooding occurs at least once every two years.

*NOTE: The riverine unit can contain depressions that are filled with water when the river is not flooding.*

☐ NO - go to 6  ☑ YES – The wetland class is Riverine

6. Is the entire wetland unit in a topographic depression in which water ponds, or is saturated to the surface, at some time during the year. *This means that any outlet, if present, is higher than the interior of the wetland.*

☐ NO – go to 7  ☑ YES – The wetland class is Depressional

7. Is the entire wetland unit located in a very flat area with no obvious depression and no overbank flooding. The unit does not pond surface water more than a few inches. The unit seems to be maintained by high groundwater in the area. The wetland may be ditched, but has no obvious natural outlet.

☐ NO – go to 8  ☑ YES – The wetland class is Depressional

8. Your wetland unit seems to be difficult to classify and probably contains several different HGM classes. For example, seeps at the base of a slope may grade into a riverine floodplain, or a small stream within a depressional wetland has a zone of flooding along its sides. GO BACK AND IDENTIFY WHICH OF THE HYDROLOGIC REGIMES DESCRIBED IN QUESTIONS 1-7 APPLY TO DIFFERENT AREAS IN THE UNIT (make a rough sketch to help you decide). Use the following table to identify the appropriate class to use for the rating system if you have several HGM classes present within your wetland. *NOTE: Use this table only if the class that is recommended in the second column represents 10% or more of the total area of the wetland unit being rated. If the area of the class listed in column 2 is less than 10% of the unit; classify the wetland using the class that represents more than 90% of the total area.*

<table>
<thead>
<tr>
<th>HGM Classes within the wetland unit being rated</th>
<th>HGM Class to Use in Rating</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slope + Riverine</td>
<td>Riverine</td>
</tr>
<tr>
<td>Slope + Depressional</td>
<td>Depressional</td>
</tr>
<tr>
<td>Slope + Lake-fringe</td>
<td>Lake-fringe</td>
</tr>
<tr>
<td>Depressional + Riverine along stream within boundary</td>
<td>Depressional</td>
</tr>
<tr>
<td>Depressional + Lake-fringe</td>
<td>Depressional</td>
</tr>
<tr>
<td>Salt Water Tidal Fringe and any other class of freshwater wetland</td>
<td>Treat as ESTUARINE under wetlands with special characteristics</td>
</tr>
</tbody>
</table>

If you are unable still to determine which of the above criteria apply to your wetland, or if you have more than 2 HGM classes within a wetland boundary, classify the wetland as Depressional for the rating.
### Depressional and Flats Wetlands

**WATER QUALITY FUNCTIONS** - Indicators that the wetland unit functions to improve water quality

**Points** (only 1 score per box)

<table>
<thead>
<tr>
<th><strong>D 1. Does the wetland unit have the potential to improve water quality?</strong></th>
<th><strong>Figure ___</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>D 1.1 Characteristics of surface water flows out of the wetland:</strong></td>
<td></td>
</tr>
<tr>
<td>□ Unit is a depression with no surface water leaving it (no outlet)</td>
<td>points = 3</td>
</tr>
<tr>
<td>□ Unit has an intermittently flowing, OR highly constricted permanently flowing outlet</td>
<td>points = 2</td>
</tr>
<tr>
<td>✔ Unit has an unconstricted, or slightly constricted, surface outlet (permanently flowing)</td>
<td>points = 1</td>
</tr>
<tr>
<td>（If ditch is not permanently flowing treat unit as “intermittently flowing”）</td>
<td></td>
</tr>
<tr>
<td><strong>S 1.2 The soil 2 inches below the surface (or duff layer) is clay or organic (use NRCS definitions)</strong></td>
<td><strong>Figure ___</strong></td>
</tr>
<tr>
<td>□ YES</td>
<td>points = 4</td>
</tr>
<tr>
<td>✔ NO</td>
<td>points = 0</td>
</tr>
<tr>
<td><strong>D 1.3 Characteristics of persistent vegetation (emergent, shrub, and/or forest Cowardin class)</strong></td>
<td><strong>Figure ___</strong></td>
</tr>
<tr>
<td>✔ Wetland has persistent, ungrazed, vegetation ≥ 95% of area</td>
<td>points = 5</td>
</tr>
<tr>
<td>□ Wetland has persistent, ungrazed, vegetation ≥ 1/2 of area</td>
<td>points = 3</td>
</tr>
<tr>
<td>□ Wetland has persistent, ungrazed vegetation ≥ 1/10 of area</td>
<td>points = 1</td>
</tr>
<tr>
<td>□ Wetland has persistent, ungrazed vegetation &lt;1/10 of area</td>
<td>points = 0</td>
</tr>
<tr>
<td><strong>Map of Cowardin vegetation classes</strong></td>
<td></td>
</tr>
<tr>
<td><strong>D 1.4 Characteristics of seasonal ponding or inundation.</strong></td>
<td><strong>Figure ___</strong></td>
</tr>
<tr>
<td>This is the area of the wetland unit that is ponded for at least 2 months, but dries out sometime during the year. Do not count the area that is permanently ponded. Estimate area as the average condition 5 out of 10 yrs.</td>
<td></td>
</tr>
<tr>
<td>□ Area seasonally ponded is &gt; ½ total area of wetland</td>
<td>points = 4</td>
</tr>
<tr>
<td>✔ Area seasonally ponded is &gt; ¼ total area of wetland</td>
<td>points = 2</td>
</tr>
<tr>
<td>□ Area seasonally ponded is &lt; ¼ total area of wetland</td>
<td>points = 0</td>
</tr>
<tr>
<td><strong>Map of Hydroperiods</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Total for D 1**

*Add the points in the boxes above*

**D 2. Does the wetland unit have the opportunity to improve water quality?**

Answer YES if you know or believe there are pollutants in groundwater or surface water coming into the wetland that would otherwise reduce water quality in streams, lakes or groundwater downgradient from the wetland. Note which of the following conditions provide the sources of pollutants. A unit may have pollutants coming from several sources, but any single source would qualify as opportunity.

- Grazing in the wetland or within 150 ft
- Untreated stormwater discharges to wetland
- Tilled fields or orchards within 150 ft of wetland
- A stream or culvert discharges into wetland that drains developed areas, residential areas, farmed fields, roads, or clear-cut logging
- Residential, urban areas, golf courses are within 150 ft of wetland
- Wetland is fed by groundwater high in phosphorus or nitrogen
- Other

**YES** multiplier is 2  **NO** multiplier is 1

**D TOTAL - Water Quality Functions**

Multiply the score from D1 by D2

*Add score to table on p. 1*

16
### Depressional and Flats Wetlands

**HYDROLOGIC FUNCTIONS - Indicators that the wetland unit functions to reduce flooding and stream degradation**

<table>
<thead>
<tr>
<th>D 3. Does the wetland unit have the potential to reduce flooding and erosion?</th>
<th>Points (only 1 score per box)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>D 3.1 Characteristics of surface water flows out of the wetland unit</strong></td>
<td></td>
</tr>
<tr>
<td>- Unit is a depression with no surface water leaving it (no outlet)</td>
<td>points = 4</td>
</tr>
<tr>
<td>- Unit has an intermittently flowing, OR highly constricted permanently flowing outlet</td>
<td>points = 2</td>
</tr>
<tr>
<td>- Unit is a “flat” depression (Q. 7 on key), or in the Flats class, with permanent surface outflow and no obvious natural outlet and/or outlet is a man-made ditch</td>
<td>points = 1</td>
</tr>
<tr>
<td>(If ditch is not permanently flowing treat unit as “intermittently flowing”)</td>
<td></td>
</tr>
<tr>
<td>✔ Unit has an unconstricted, or slightly constricted, surface outlet (permanently flowing)</td>
<td>points = 0</td>
</tr>
<tr>
<td><strong>D 3.2 Depth of storage during wet periods</strong></td>
<td></td>
</tr>
<tr>
<td>- Marks of ponding are 3 ft or more above the surface or bottom of outlet</td>
<td>points = 7</td>
</tr>
<tr>
<td>- The wetland is a “headwater” wetland</td>
<td>points = 5</td>
</tr>
<tr>
<td>- Marks of ponding between 2 ft to &lt; 3 ft from surface or bottom of outlet</td>
<td>points = 5</td>
</tr>
<tr>
<td>✔ Marks are at least 0.5 ft to &lt; 2 ft from surface or bottom of outlet</td>
<td>points = 3</td>
</tr>
<tr>
<td>- Unit is flat (yes to Q. 2 or Q. 7 on key) but has small depressions on the surface that trap water</td>
<td>points = 1</td>
</tr>
<tr>
<td>- Marks of ponding less than 0.5 ft</td>
<td>points = 0</td>
</tr>
<tr>
<td><strong>D 3.3 Contribution of wetland unit to storage in the watershed</strong></td>
<td></td>
</tr>
<tr>
<td>- The area of the basin is less than 10 times the area of unit</td>
<td>points = 5</td>
</tr>
<tr>
<td>✔ The area of the basin is 10 to 100 times the area of the unit</td>
<td>points = 3</td>
</tr>
<tr>
<td>- The area of the basin is more than 100 times the area of the unit</td>
<td>points = 0</td>
</tr>
<tr>
<td>- Entire unit is in the FLATS class</td>
<td>points = 5</td>
</tr>
</tbody>
</table>

**Total for D 3**

Add the points in the boxes above

6

<table>
<thead>
<tr>
<th>D 4. Does the wetland unit have the opportunity to reduce flooding and erosion?</th>
<th>Points (see p. 49)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Answer YES if the unit is in a location in the watershed where the flood storage, or reduction in water velocity, it provides helps protect downstream property and aquatic resources from flooding or excessive and/or erosive flows. Answer NO if the water coming into the wetland is controlled by a structure such as flood gate, tide gate, flap valve, reservoir etc. OR you estimate that more than 90% of the water in the wetland is from groundwater in areas where damaging groundwater flooding does not occur.</td>
<td></td>
</tr>
<tr>
<td>✔ Wetland is in a headwater of a river or stream that has flooding problems</td>
<td>multiplier</td>
</tr>
<tr>
<td>✔ Wetland drains to a river or stream that has flooding problems</td>
<td></td>
</tr>
<tr>
<td>✔ Wetland has no outlet and impounds surface runoff water that might otherwise flow into a river or stream that has flooding problems</td>
<td></td>
</tr>
<tr>
<td>✔ Other</td>
<td></td>
</tr>
<tr>
<td>✔ YES multiplier is 2</td>
<td>✔ NO multiplier is 1</td>
</tr>
</tbody>
</table>

**D TOTAL - Hydrologic Functions**

Multiply the score from D 3 by D 4

12

Add score to table on p. 1
These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that unit functions to provide important habitat

| Points | (only 1 score per box) |

H 1. Does the wetland unit have the potential to provide habitat for many species?

H 1.1 Vegetation structure (see p. 72)

Check the types of vegetation classes present (as defined by Cowardin)- Size threshold for each class is ¼ acre or more than 10% of the area if unit is smaller than 2.5 acres.

- Aquatic bed
- Emergent plants
- Scrub/shrub (areas where shrubs have >30% cover)
- Forested (areas where trees have >30% cover)

If the unit has a forested class check if:

- The forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the forested polygon

Add the number of vegetation structures that qualify. If you have:

- 4 structures or more points = 4
- 3 structures points = 2
- 2 structures points = 1
- 1 structure points = 0

Map of Cowardin vegetation classes

H 1.2. Hydroperiods (see p. 73)

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ acre to count. (see text for descriptions of hydroperiods)

- Permanently flooded or inundated
- Seasonally flooded or inundated
- Occasionally flooded or inundated
- Saturated only
- Permanently flowing stream or river in, or adjacent to, the wetland
- Seasonally flowing stream in, or adjacent to, the wetland

- Lake-fringe wetland = 2 points
- Freshwater tidal wetland = 2 points

Map of hydroperiods

H 1.3. Richness of Plant Species (see p. 75)

Count the number of plant species in the wetland that cover at least 10 ft². (different patches of the same species can be combined to meet the size threshold)

You do not have to name the species.

Do not include Eurasian Milfoil, reed canarygrass, purple loosestrife, and Canadian Thistle

If you counted:

- > 19 species points = 2
- 5 - 19 species points = 1
- < 5 species points = 0

List species below if you want to:

Total for page 6
**H 1.4. Interspersion of habitats (see p. 76)**

Decide from the diagrams below whether interspersion between Cowardin vegetation classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, medium, low, or none.

- **None = 0 points**
- **Low = 1 point**
- **Moderate = 2 points**
- **High = 3 points**

**NOTE:** If you have four or more classes or three vegetation classes and open water the rating is always “high”.  Use map of Cowardin vegetation classes

**H 1.5. Special Habitat Features: (see p. 77)**

Check the habitat features that are present in the wetland. The number of checks is the number of points you put into the next column.

- ✔ Large, downed, woody debris within the wetland (>4in. diameter and 6 ft long).
- ✔ Standing snags (diameter at the bottom > 4 inches) in the wetland
- ✔ Undercut banks are present for at least 6.6 ft (2m) and/or overhanging vegetation extends at least 3.3 ft (1m) over a stream (or ditch) in, or contiguous with the unit, for at least 33 ft (10m)
- ✔ Stable steep banks of fine material that might be used by beaver or muskrat for denning (>30degree slope) OR signs of recent beaver activity are present (*cut shrubs or trees that have not yet turned grey/brown*)
- ✔ At least ¼ acre of thin-stemmed persistent vegetation or woody branches are present in areas that are permanently or seasonally inundated. (*structures for egg-laying by amphibians*)
- ✔ Invasive plants cover less than 25% of the wetland area in each stratum of plants

**NOTE:** The 20% stated in early printings of the manual on page 78 is an error.

**H 1. TOTAL** Score - potential for providing habitat

\[ \text{Add the scores from H1.1, H1.2, H1.3, H1.4, H1.5} \]

**Comments**
### H 2. Does the wetland unit have the opportunity to provide habitat for many species?

<table>
<thead>
<tr>
<th>H 2.1 Buffers</th>
<th>Figure</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Choose the description that best represents condition of buffer of wetland unit. The highest scoring criterion that applies to the wetland is to be used in the rating. See text for definition of “undisturbed.”</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100 m (330 ft) of relatively undisturbed vegetated areas, rocky areas, or open water &gt;95% circumference. No structures are within the undisturbed part of buffer. (relatively undisturbed also means no-grazing, no landscaping, no daily human use)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 5</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>100 m (330 ft) of relatively undisturbed vegetated areas, rocky areas, or open water &gt; 50% circumference.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 4</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>50 m (170 ft) of relatively undisturbed vegetated areas, rocky areas, or open water &gt; 95% circumference.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 4</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>100 m (330 ft) of relatively undisturbed vegetated areas, rocky areas, or open water &gt; 25% circumference</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 3</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>50 m (170 ft) of relatively undisturbed vegetated areas, rocky areas, or open water for &gt; 50% circumference.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 3</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td><strong>If buffer does not meet any of the criteria above</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No paved areas (except paved trails) or buildings within 25 m (80 ft) of wetland &gt; 95% circumference. Light to moderate grazing, or lawns are OK.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 2</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>No paved areas or buildings within 50m of wetland for &gt; 50% circumference. Light to moderate grazing, or lawns are OK.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 2</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Heavy grazing in buffer.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 1</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Vegetated buffers are &lt; 2m wide (6.6ft) for more than 95% of the circumference (e.g. tilled fields, paving, basalt bedrock extend to edge of wetland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 0</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Buffer does not meet any of the criteria above.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Points = 1</td>
<td>Yes</td>
<td></td>
</tr>
</tbody>
</table>

### H 2.2 Corridors and Connections  (see p. 81)

| **H 2.2.1 Is the wetland part of a relatively undisturbed and unbroken vegetated corridor (either riparian or upland) that is at least 150 ft wide, has at least 30% cover of shrubs, forest or native undisturbed prairie, that connects to estuaries, other wetlands or undisturbed uplands that are at least 250 acres in size? (dams in riparian corridors, heavily used gravel roads, paved roads, are considered breaks in the corridor).** | Yes | 2 |
| H 2.2.2 Is the wetland part of a relatively undisturbed and unbroken vegetated corridor (either riparian or upland) that is at least 50ft wide, has at least 30% cover of shrubs or forest, and connects to estuaries, other wetlands or undisturbed uplands that are at least 25 acres in size? OR a Lake-fringe wetland, if it does not have an undisturbed corridor as in the question above? | Yes | 2 |
| H 2.2.3 Is the wetland: | Yes | 1 |
| within 5 mi (8km) of a brackish or salt water estuary OR | No | 0 |
| within 3 mi of a large field or pasture (>40 acres) OR |  |  |
| within 1 mi of a lake greater than 20 acres? |  |  |
| Points = 1 | Yes | |
| NO = 0 points | Yes | |

Total for page 5
H 2.3 Near or adjacent to other priority habitats listed by WDFW (see new and complete
descriptions of WDFW priority habitats, and the counties in which they can be found, in
the PHS report [http://wdfw.wa.gov/hab/phslist.htm])
Which of the following priority habitats are within 330ft (100m) of the wetland unit? NOTE: the
connections do not have to be relatively undisturbed.

☐ Aspen Stands: Pure or mixed stands of aspen greater than 0.4 ha (1 acre).
☑ Biodiversity Areas and Corridors: Areas of habitat that are relatively important to various
species of native fish and wildlife (full descriptions in WDFW PHS report p. 152).
☐ Herbaceous Balds: Variable size patches of grass and forbs on shallow soils over bedrock.
☑ Old-growth/Mature forests: (Old-growth west of Cascade crest) Stands of at least 2 tree
species, forming a multi-layered canopy with occasional small openings; with at least 20
trees/ha (8 trees/acre) > 81 cm (32 in) dbh or > 200 years of age. (Mature forests) Stands
with average diameters exceeding 53 cm (21 in) dbh; crown cover may be less that 100%;
crown cover may be less that 100%; decay, decadence, numbers of snags, and quantity of
large downed material is generally less than that found in old-growth; 80 - 200 years old
west of the Cascade crest.
☐ Oregon white Oak: Woodlands Stands of pure oak or oak/conifer associations where
canopy coverage of the oak component is important (full descriptions in WDFW PHS
report p. 158).
☑ Riparian: The area adjacent to aquatic systems with flowing water that contains elements of
both aquatic and terrestrial ecosystems which mutually influence each other.
☐ Westside Prairies: Herbaceous, non-forested plant communities that can either take the
form of a dry prairie or a wet prairie (full descriptions in WDFW PHS report p. 161).
☑ Instream: The combination of physical, biological, and chemical processes and conditions
that interact to provide functional life history requirements for instream fish and wildlife
resources.
☐ Nearshore: Relatively undisturbed nearshore habitats. These include Coastal Nearshore,
Open Coast Nearshore, and Puget Sound Nearshore. (full descriptions of habitats and the
definition of relatively undisturbed are in WDFW report: pp. 167-169 and glossary in
Appendix A).
☐ Caves: A naturally occurring cavity, recess, void, or system of interconnected passages under
the earth in soils, rock, ice, or other geological formations and is large enough to contain a
human.
☐ Cliffs: Greater than 7.6 m (25 ft) high and occurring below 5000 ft.
☐ Talus: Homogenous areas of rock rubble ranging in average size 0.15 - 2.0 m (0.5 - 6.5 ft),
composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine
tailings. May be associated with cliffs.
☑ Snags and Logs: Trees are considered snags if they are dead or dying and exhibit sufficient
decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a
diameter at breast height of > 51 cm (20 in) in western Washington and are > 2 m (6.5 ft) in
height. Priority logs are > 30 cm (12 in) in diameter at the largest end, and > 6 m (20 ft)
long.
☑ If wetland has 3 or more priority habitats = 4 points
☐ If wetland has 2 priority habitats = 3 points
☐ If wetland has 1 priority habitat = 1 point
No habitats = 0 points
Note: All vegetated wetlands are by definition a priority habitat but are not included in this
list. Nearby wetlands are addressed in question H 2.4)
<table>
<thead>
<tr>
<th>Wetland Name or Number</th>
<th>Lakepointe</th>
</tr>
</thead>
</table>

**H 2.4 Wetland Landscape** *(choose the one description of the landscape around the wetland that best fits)* *(see p. 84)*

<table>
<thead>
<tr>
<th>Option</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>There are at least 3 other wetlands within ½ mile, and the connections between them are relatively undisturbed (light grazing between wetlands OK, as is lake shore with some boating, but connections should NOT be bisected by paved roads, fill, fields, or other development.)</td>
<td>5</td>
</tr>
<tr>
<td>The wetland is Lake-fringe on a lake with little disturbance and there are 3 other lake-fringe wetlands within ½ mile</td>
<td>5</td>
</tr>
<tr>
<td>There are at least 3 other wetlands within ½ mile, but the connections between them are disturbed</td>
<td>3</td>
</tr>
<tr>
<td>The wetland is Lake-fringe on a lake with disturbance and there are 3 other lake-fringe wetlands within ½ mile</td>
<td>3</td>
</tr>
<tr>
<td>There is at least 1 wetland within ½ mile.</td>
<td>2</td>
</tr>
<tr>
<td>There are no wetlands within ½ mile.</td>
<td>0</td>
</tr>
</tbody>
</table>

**H 2. TOTAL Score - opportunity for providing habitat**

Add the scores from H2.1, H2.2, H2.3, H2.4

TOTAL for H 1 from page 14

**Total Score for Habitat Functions** – add the points for H 1, H 2 and record the result on page 1

<table>
<thead>
<tr>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
</tr>
<tr>
<td>10</td>
</tr>
<tr>
<td>22</td>
</tr>
</tbody>
</table>
CATEGORIZATION BASED ON SPECIAL CHARACTERISTICS

Please determine if the wetland meets the attributes described below and circle the appropriate answers and Category.

<table>
<thead>
<tr>
<th>Wetland Type</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>SC 1.0 Estuarine wetlands (see p. 86)</td>
<td></td>
</tr>
<tr>
<td>Does the wetland unit meet the following criteria for Estuarine wetlands?</td>
<td></td>
</tr>
<tr>
<td>☐ The dominant water regime is tidal,</td>
<td></td>
</tr>
<tr>
<td>☐ Vegetated, and</td>
<td></td>
</tr>
<tr>
<td>☐ With a salinity greater than 0.5 ppt.</td>
<td></td>
</tr>
<tr>
<td>YES = Go to SC 1.1</td>
<td>NO ✔</td>
</tr>
<tr>
<td>Category I</td>
<td>Cat. I</td>
</tr>
<tr>
<td>SC 1.1 Is the wetland unit within a National Wildlife Refuge, National Park,</td>
<td></td>
</tr>
<tr>
<td>National Estuary Reserve, Natural Area Preserve, State Park or Educational,</td>
<td></td>
</tr>
<tr>
<td>Environmental, or Scientific Reserve designated under WAC 332-30-151?</td>
<td></td>
</tr>
<tr>
<td>YES = Category I</td>
<td>NO go to SC 1.2</td>
</tr>
<tr>
<td>SC 1.2 Is the wetland unit at least 1 acre in size and meets at least two of</td>
<td></td>
</tr>
<tr>
<td>the following three conditions? ☐YES = Category I ☐NO = Category II</td>
<td></td>
</tr>
<tr>
<td>☐ The wetland is relatively undisturbed (has no diking, ditching, filling,</td>
<td></td>
</tr>
<tr>
<td>cultivation, grazing, and has less than 10% cover of non-native plant</td>
<td></td>
</tr>
<tr>
<td>species. If the non-native <em>Spartina</em> spp. are the only species that cover</td>
<td></td>
</tr>
<tr>
<td>more than 10% of the wetland, then the wetland should be given a dual rating</td>
<td></td>
</tr>
<tr>
<td>(I/II). The area of Spartina would be rated a Category II while the</td>
<td></td>
</tr>
<tr>
<td>relatively undisturbed upper marsh with native species would be a</td>
<td></td>
</tr>
<tr>
<td>Category I. Do not, however, exclude the area of Spartina in</td>
<td></td>
</tr>
<tr>
<td>determining the size threshold of 1 acre.</td>
<td></td>
</tr>
<tr>
<td>☐ At least ¾ of the landward edge of the wetland has a 100 ft buffer of</td>
<td></td>
</tr>
<tr>
<td>shrub, forest, or un-grazed or un-mowed grassland.</td>
<td></td>
</tr>
<tr>
<td>☐ The wetland has at least 2 of the following features: tidal channels,</td>
<td></td>
</tr>
<tr>
<td>depressions with open water, or contiguous freshwater wetlands.</td>
<td></td>
</tr>
</tbody>
</table>
**SC 2.0 Natural Heritage Wetlands (see p. 87)**

Natural Heritage wetlands have been identified by the Washington Natural Heritage Program/DNR as either high quality undisturbed wetlands or wetlands that support state Threatened, Endangered, or Sensitive plant species.

<table>
<thead>
<tr>
<th>SC 2.1 Is the wetland unit being rated in a Section/Township/Range that contains a Natural Heritage wetland? (this question is used to screen out most sites before you need to contact WNHP/DNR)</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/T/R information from Appendix D [ ] or accessed from WNHP/DNR web site [ ]</td>
</tr>
</tbody>
</table>

**SC 2.2 Has DNR identified the wetland as a high quality undisturbed wetland or as a site with state threatened or endangered plant species?**

| YES [ ] – contact WNHP/DNR (see p. 79) and go to SC 2.2 | NO [ ] not a Heritage Wetland |

**SC 3.0 Bogs (see p. 87)**

Does the wetland unit (or any part of the unit) meet both the criteria for soils and vegetation in bogs? Use the key below to identify if the wetland is a bog. *If you answer yes you will still need to rate the wetland based on its functions.*

<table>
<thead>
<tr>
<th>SC 3.0 Bog Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the unit have organic soil horizons (i.e. layers of organic soil), either peats or mucks, that compose 16 inches or more of the first 32 inches of the soil profile? (See Appendix B for a field key to identify organic soils)? Yes - go to Q. 3 [ ] No - go to Q. 2 [ ]</td>
</tr>
<tr>
<td>Does the unit have organic soils, either peats or mucks that are less than 16 inches deep over bedrock, or an impermeable hardpan such as clay or volcanic ash, or that are floating on a lake or pond?</td>
</tr>
<tr>
<td>Yes - go to Q. 3 [ ] No - Is not a bog for purpose of rating [ ]</td>
</tr>
<tr>
<td>Does the unit have more than 70% cover of mosses at ground level, AND other plants, if present, consist of the “bog” species listed in Table 3 as a significant component of the vegetation (more than 30% of the total shrub and herbaceous cover consists of species in Table 3)?</td>
</tr>
<tr>
<td>Yes – Is a bog for purpose of rating [ ] No - go to Q. 4 [ ]</td>
</tr>
</tbody>
</table>

**NOTE:** If you are uncertain about the extent of mosses in the understory you may substitute that criterion by measuring the pH of the water that seeps into a hole dug at least 16” deep. If the pH is less than 5.0 and the “bog” plant species in Table 3 are present, the wetland is a bog.

<table>
<thead>
<tr>
<th>SC 3.1 Is the unit forested (&gt; 30% cover) with sitka spruce, subalpine fir, western red cedar, western hemlock, lodgepole pine, quaking aspen, Englemann’s spruce, or western white pine, WITH any of the species (or combination of species) on the bog species plant list in Table 3 as a significant component of the ground cover (&gt; 30% coverage of the total shrub/herbaceous cover)?</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES [ ] = Category I</td>
</tr>
</tbody>
</table>

**Lakepointe**

Updated with new WDFW definitions Oct. 2008
**SC 4.0 Forested Wetlands (see p. 90)**
Does the wetland unit have at least 1 acre of forest that meet one of these criteria for the Department of Fish and Wildlife’s forests as priority habitats? *If you answer yes you will still need to rate the wetland based on its functions.*

- **Old-growth forests:** (west of Cascade crest) Stands of at least two tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/acre (20 trees/hectare) that are at least 200 years of age OR have a diameter at breast height (dbh) of 32 inches (81 cm) or more.
  
  NOTE: The criterion for dbh is based on measurements for upland forests. Two-hundred year old trees in wetlands will often have a smaller dbh because their growth rates are often slower. The DFW criterion is and “OR” so old-growth forests do not necessarily have to have trees of this diameter.

- **Mature forests:** (west of the Cascade Crest) Stands where the largest trees are 80 – 200 years old OR have average diameters (dbh) exceeding 21 inches (53cm); crown cover may be less that 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth.

  ✔ YES = Category I  NO not a forested wetland with special characteristics

**SC 5.0 Wetlands in Coastal Lagoons (see p. 91)**
Does the wetland meet all of the following criteria of a wetland in a coastal lagoon?

- The wetland lies in a depression adjacent to marine waters that is wholly or partially separated from marine waters by sandbanks, gravel banks, shingle, or, less frequently, rocks.

- The lagoon in which the wetland is located contains surface water that is saline or brackish (> 0.5 ppt) during most of the year in at least a portion of the lagoon *(needs to be measured near the bottom)*

  ✔ YES = Go to SC 5.1  NO not a wetland in a coastal lagoon

**SC 5.1** Does the wetland meets all of the following three conditions?

- The wetland is relatively undisturbed (has no diking, ditching, filling, cultivation, grazing), and has less than 20% cover of invasive plant species (see list of invasive species on p. 74).

- At least ¼ of the landward edge of the wetland has a 100 ft buffer of shrub, forest, or un-grazed or un-mowed grassland.

- The wetland is larger than 1/10 acre (4350 square feet)

  ✔ YES = Category I  ☐ NO = Category II

---

**Lakepointe**

✔

Updated with new WDFW definitions Oct. 2008
**SC 6.0 Interdunal Wetlands** *(see p. 93)*

Is the wetland unit west of the 1889 line (also called the Western Boundary of Upland Ownership or WBUO)?

- [ ] YES - go to SC 6.1
- [✓] NO not an interdunal wetland for rating

*If you answer yes you will still need to rate the wetland based on its functions.*

In practical terms that means the following geographic areas:
- [ ] Long Beach Peninsula- lands west of SR 103
- [ ] Grayland-Westport- lands west of SR 105
- [ ] Ocean Shores-Copalis- lands west of SR 115 and SR 109

**SC 6.1** Is the wetland one acre or larger, or is it in a mosaic of wetlands that is once acre or larger?

- [ ] YES = Category II
- [ ] NO – go to SC 6.2

**SC 6.2** Is the unit between 0.1 and 1 acre, or is it in a mosaic of wetlands that is between 0.1 and 1 acre?

- [ ] YES = Category III

### Category of wetland based on Special Characteristics

*Choose the “highest” rating if wetland falls into several categories, and record on p. 1.*

If you answered NO for all types enter “Not Applicable” on p.1
This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

User Remarks:
14087 Oakpointe Land Covington
APPENDIX D: CRITICAL AREA STUDY ON WETLANDS AND STREAMS MAP
NOTE: There are no wetland or buffer areas present on parcel 2022069162, 13022069001, or 3022069090.
CRITICAL AREAS STUDY FOR GEOLOGICAL HAZARD AREAS LAKEPOINTE PROPERTY

Covington, Washington

Submitted To: Oakpointe Land Covington LLC
10220 NE Points Drive, Suite 120
Kirkland, WA 98033

Submitted By: Golder Associates Inc.
18300 NE Union Hill Road, Suite 200
Redmond, WA 98052 USA

October 18, 2016

Project No. 123-93277-06
# Table of Contents

1.0 INTRODUCTION AND SCOPE ..................................................................................................................... 1

2.0 LAKEPOINTE SITE DESCRIPTION AND PROPERTY HISTORY ................................................................. 2

2.1 Site Description ........................................................................................................................................... 2

2.2 Property History ........................................................................................................................................ 2

3.0 CONCEPTUAL SITE DEVELOPMENT ...................................................................................................... 4

4.0 GEOLOGIC SETTING, SOIL, AND GROUNDWATER ................................................................................ 5

4.1 Geologic Setting .......................................................................................................................................... 5

4.2 Soil Unit Descriptions .............................................................................................................................. 5

4.3 Groundwater .............................................................................................................................................. 6

5.0 CRITICAL AREAS ASSESSMENT ............................................................................................................. 8

5.1 Flood and Channel Migration Zones ....................................................................................................... 8

5.2 Erosion Hazards ....................................................................................................................................... 8

5.3 Steep Slope Hazard Areas ....................................................................................................................... 8

5.3.1 Natural Steep Slopes ......................................................................................................................... 9

5.3.2 Mine Related Steep Slopes ............................................................................................................ 10

5.4 Landslide Hazard Areas .......................................................................................................................... 11

5.5 Wellhead Protection and Critical Aquifer Recharge Areas ................................................................. 12

6.0 CLOSING .................................................................................................................................................. 15

7.0 REFERENCES .......................................................................................................................................... 16

# List of Figures

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Figure 1</td>
<td>Site Location Map</td>
</tr>
<tr>
<td>Figure 2</td>
<td>Reclamation Plan – Existing Conditions</td>
</tr>
<tr>
<td>Figure 3</td>
<td>Reclamation Plan – Final Conditions</td>
</tr>
<tr>
<td>Figure 4</td>
<td>Conceptual Development Plan</td>
</tr>
<tr>
<td>Figure 5</td>
<td>Steep Slope Hazard Areas</td>
</tr>
<tr>
<td>Figure 6</td>
<td>Geology Map</td>
</tr>
<tr>
<td>Figure 7</td>
<td>USDA Soil Types</td>
</tr>
<tr>
<td>Figure 8</td>
<td>Wellhead Protection Plan</td>
</tr>
<tr>
<td>Figure 9</td>
<td>Aquifer Recharge Potential</td>
</tr>
</tbody>
</table>
1.0 INTRODUCTION AND SCOPE

The initial version of this report was dated July 25, 2016 and was submitted to the City of Covington for review and comment. Comments were provided to Golder verbally in a meeting with City Development Review Engineer, Nelson Ogren, PE. This report revision (Rev. 2) contains revisions based on those comments.

The Lakepointe Property (Lakepointe) is located in the City of Covington south and east of the intersection of State Route (SR) 18 and 256th Street, and occupies about 212 acres (Figure 1). The property was historically used for sand and gravel mining and is now being leased for asphalt production.

Lakepointe is currently undergoing reclamation in accordance with a Department of Natural Resources (DNR) reclamation plan. Excerpts from Lakeside Industries’ reclamation plan (Harmsen 2015) are shown in Figures 2 and 3. The reclamation plan will result in the filling of most of the former sand and gravel pit leaving a portion of the pit unfilled to form a lake/pond in the southwest corner of the property.

Reclamation filling and grading is being engineered to allow for the future residential and commercial development of Lakepointe including the construction of a connector road from the interchange at Highway 18 through the Lakepointe property to 204th Avenue SE south and east of Lakepointe. A conceptual level development plan for Lakepointe is shown in Figure 4 and includes commercial development in the north and west portions of the property and residential development in the southeast.

This report is intended to satisfy the criteria for a critical areas study of Lakepointe in accordance with City of Covington Code (CMC) 18.65.110. The CMC regulates eight types of critical areas: Landslide Hazard; Steep Slope Hazard; Erosion Hazard; Critical Aquifer Recharge Areas; Flood Hazard and Channel Migration Zones; Wetlands; Aquatic and Wildlife. Biologic critical areas will be addressed by others and are not included in this report. This report addresses the following geologic critical areas.

- Critical Aquifer Recharge Areas
- Steep Slope Hazard Areas
- Landslide Hazard Areas
- Erosion Hazard Areas
- Flood Hazard and Channel Migration Zones
2.0 LAKEPOINTE SITE DESCRIPTION AND PROPERTY HISTORY

2.1 Site Description

Lakepointe is located along the south side of Highway 18 between Maple Valley and Covington and is accessed from the SE 256th Street exit off Highway 18. Lakepointe is approximately 212 acres in size and is irregularly shaped with its long axis is oriented roughly east-west with Highway 18 running parallel to the northwest side of the site (Figure 4). Excluding the mine pit and slopes along the south site boundary the property has relatively flat topography ranging from about 390 to 400 feet in elevation. The pit floor contains several man-made water quality ponds and irregular topography generally ranging in elevation from about 315 to 345 feet.

The east portion of the property contains mapped wetlands bordering Jenkins Creek which flows into the site for a short distance along the northeast property border before continuing west under Highway 18. The majority of the property is bare earth or sparse vegetation and sediment ponds with the exception of the forested wetlands at the east end and perimeter vegetated and forested buffer areas. The south and southeast corner of the property slopes up to an upland area of residential subdivisions (about elevation 450 ft.). The slopes are forested and are inclined at approximately 15 to just over 40 percent.

Office and shop buildings for Lakeside Industries asphalt production facilities are located at the west end of Lakepointe along with paved surface parking and a truck scale. A paved access road extends to the east end of the site along the north boundary (parallel to Highway 18). Asphalt batching facilities are located at the north central portion of Lakepointe and consist of small wood-frame buildings, steel tanks and conveyors, stormwater facilities, aggregate material stockpiles, truck maintenance facilities, and equipment storage areas. Stormwater is collected and directed to settlement and water quality treatment ponds within the former gravel pit.

The flat lying property offsite to the west and north contain rural, single-family private property. To the south and east of Lakepointe development consists of single family subdivisions. Williams Natural Gas has a pipeline right of way crossing the east end of the site at the toe of the northwest facing slope.

2.2 Property History

Based on historical air photographs (EDR 2013), sand and gravel extraction began in the central portion of Lakepointe in the 1970s. As the pit excavation deepened and expanded dewatering of the pit was necessary to continue operations. Pumps control natural groundwater seepage into the pit, discharging pumped water to a small pond adjacent to wetlands along Jenkins Creek at the east end of Lakepointe.

Lakepointe was leased to Lakeside Industries (Lakeside) in 1985. Asphalt batching plant facilities are located in the north central portion of the property and Lakeside’s office and shop facility are located near...
the property entrance at the west end. The asphalt batching operations area in the north east portion of the property, the Lakeside office at the west end, the buffer around the south edge of the property, and the undeveloped entire eastern third of the property do not appear to have been mined.

Lakeside conducted a limited amount of additional sand and gravel mining in the west central portion of the mine until about the 1990s when they began using imported aggregate for asphalt. The maximum extent of mining was reached in the late 1990s with a maximum pit depth of approximately 80 ft below surrounding grades. The facilities area presently contains numerous aggregate stockpiles as well as a large recycled asphalt stockpile that is blended into new asphalt.

Once mineral extraction in the pit ceased, reclamation filling began (about 2002) utilizing import fill from construction excavations and road projects. The imported fill was initially placed at the edge of the mine just east of the office and shop at the northwest end of the property. The excavated sidewalls of the original mine pit are still exposed along the entire south edge and part of the southwest corner of the mine, the remaining pit walls have been buried by reclamation fill. Additional reclamation fill was accepted and stockpiled on the north central portion of the site in late 2014. Placement of engineered and compacted structural fills began on the east end of the pit in 2015.
3.0 CONCEPTUAL SITE DEVELOPMENT

The Lakepointe Property development conceptual plan includes commercial and residential developments and construction of a connector road linking the Highway 18 interchange with 204th Avenue SE at the Maple Hills development southeast of Lakepointe. Interior secondary roads will serve the planned residential subdivision and commercial sites in Lakepointe (Figure 4). Achieving design grades will require filling a large portion of the existing sand and gravel mine pit with structural fill. A portion of the existing pit will remain unfilled and be contoured to form a large pond. The pond is expected to fill naturally from springs in the native sand and gravel deposits connected to the regional aquifer. Based on historical data, the water level elevation of the pond is expected to be approximately 381 ft with seasonal fluctuations.

Conceptual grading, stormwater, and road plans are under development and are expected to relate to the anticipated future pond water level elevation. The site grades are expected to be fairly flat. The connector road grade will be fairly flat through most of the site then increase in grade at the southeast corner where it will climb the slope toward the existing Maple Hills subdivision where it will join 204th Avenue SE.
4.0 GEOLOGIC SETTING, SOIL, AND GROUNDWATER

4.1 Geologic Setting
The Site is situated within a flat to gently undulating topographic feature termed the Covington Drift Plain. The area is characterized by near surface soil deposited during the Vashon stade of the Frazier Glaciation, the last of at least seven glacial periods of the Pleistocene Epoch. The Covington Drift Plain is underlain by glacial till deposited below the Vashon glacier. The resistant till is exposed at the surface on the upland hills (such as the upland south of the Lakepointe Property) and was eroded or lies buried in the flat intervening valleys by recessional (post glacial) outwash sand and gravel deposited during retreat of the Vashon glacier. The recessional outwash was deposited by flowing glacial streams and rivers filling in the low areas between the till upland ridges. The soil units mapped at the surface on and adjacent to the Site (WSDNR 2010) as well as fill soils that are the result of mining or reclamation are described below.

4.2 Soil Unit Descriptions
The geologic soil units exposed at Lakepointe are described below and in (Golder 2013). The location of mapped geologic units is shown in Figure 6. The mapped geologic units on the Lakeside site include Qgo, Qvt and Qp. The Qp denotes organic deposits that were removed during mining. The additional soil units described below (Qva, Qvc, and fill) were observed by Golder in the gravel pit and are not represented on the geologic map figure.

Recessional Outwash Deposits (Qgo): This soil unit is the dominant native soil exposed at the surface on Lakepointe. It is present around the facility offices at the west end of the site and the asphalt batching facilities at the east end of the site as well as along the access road along the north side. The unit consists of sand and gravel with minor silt and cobbles. The deposit ranges from about 10 to 50 ft thick in the general Site region (Mullineaux 1965). The recessional outwash deposit is highly permeable and forms a shallow regional groundwater aquifer.

Ground Moraine Deposits (Qvt): These are mostly ablation and lodgement till deposits that mantle the upland area to the south and east of the property and are present on the steep slopes at the east end of Lakepointe. The till consists of a well consolidated mixture of gravel, sand, silt and clay. The till deposit was likely partially, or in places completely eroded, in the Lakepointe area leaving recessional outwash in contact with deeper advance outwash deposits. The depth of the mine pit was likely limited at the east end of Lakepointe due to encountering till below the surface outwash.

Vashon Advance Outwash (Qva) and Pre-Vashon Coarse Glacial Sediments (Qc): Sand and coarse gravel deposits exposed in the lower portion of the pit walls and the floor of the pit appear to consist of advance outwash and older pre-Vashon sediments.
**Reclamation Fill:** This unit consists of imported soil from area construction excavations and has a maximum thickness of approximately 75 ft. Based on historical air photographs, the reclamation fill placement began at the north side (west end) of the former gravel pit from the existing access road in 2002.

**Sediment Pond Fill:** Fine grained fill and organic deposits are present in former and existing sediment control ponds used for water quality treatment of stormwater runoff and process water from gravel washing operations. The deposits consisted of silt, peat, silty clay, and fine sand.

### 4.3 Groundwater

Based on a review of the geologic and hydrogeologic reports for the Covington Plains area of Southwest King County, the general hydrogeology of the area includes several aquifers separated by confining units (aquitards) of low-permeability soil.

The principal aquifers in the Covington Plains area are found in the Qvr, Qva, and Qc; where several aquifers are identified within the Qc unit; these include the “Intermediate Aquifer”, “Sea Level Aquifer”, and the “Deep Aquifer” (Aspect 2011).

Groundwater elevations in the vicinity of the Site were estimated to range from about 380 to 400 feet above mean sea level (amsl) (Hart Crowser 1996). Groundwater flow is generally from east to west in the Covington Plains, discharging to the Green River Valley and ultimately the Duwamish Valley (Aspect 2011, WDWR 1969).

Recharge to the shallow Qvr aquifer is from infiltration of precipitation. Recharge to the deeper aquifer systems in the Qva/Qc is through confining layers from overlying aquifers and where till is absent and the overlying aquifers are connected to the deeper aquifers. Lake Sawyer is considered a recharge source to the aquifer systems in the Covington Plain, but is poorly understood (KC-DNR-PWTD 2010 and Aspect 2011).

The hydrogeology of Lakepointe consists of Qvr underlain by Qvt at the east end and Qva and Qc in the mine pit where excavation reached elevations of about 310 ft. The water level in the excavated pit is likely reflective of the aquifer system of the Qva or Qc; this is likely one of the aquifer systems that the City of Kent’s groundwater supply source comes from (Kent and Armstrong Springs) (Aspect 2011 and KC-DNR-PWTD 2010).

Current groundwater levels in the Lakepointe mine pit reflect the dewatered condition of the mine and do not reflect the natural groundwater state. Based on observations made of the pit pond during the period between the spring of 2012 and summer of 2014 when dewatering was temporarily stopped, the water level rose to a maximum elevation of approximately 381 ft. The natural water level is expected to vary seasonally due to annual precipitation as well as multi-season precipitation trends.
Comments on potential impacts to groundwater from the planned reclamation filling of Lakepointe are discussed in Section 5.5.
5.0 CRITICAL AREAS ASSESSMENT

Golder utilized multiple information sources for our critical areas assessment. In addition to published geologic and hydrogeologic maps and reports and Golder field work our research included information from Lakeside Industries and the City of Covington staff who graciously provided copies of City documents and reclamation plan documents that were not otherwise accessible. Each of the critical areas listed in Section 1.0 of this report are described in the following sections.

5.1 Flood and Channel Migration Zones

“Flood hazard area” are defined as any area subject to inundation by the base flood or risk from channel migration including, but not limited to, an aquatic area, wetland or closed depression. Flood hazard areas are described and mapped in the City of Covington Comprehensive Stormwater Plan (Gray & Osborne 2002). Figure 3-6 in the report illustrates the location of the FEMA 100 year floodplain. There are no flood or channel migration hazards mapped on or adjacent to Lakepointe.

5.2 Erosion Hazards

“Erosion hazard area” means an area underlain by soils that is subject to severe erosion when disturbed. These soils include, but are not limited to, those classified as having a severe to very severe erosion hazard according to the United States Department of Agriculture Soil Conservation Service, the 1973 King County Soils Survey or any subsequent revisions or addition by or to these sources such as any occurrence of river wash (“Rh”) and any of the following when the soils occur on slopes inclined at 15% or more: Alderwood gravelly sandy loam (“AgD”); Alderwood and Kitsap soils (“AkF”); Beausite gravelly sandy loam (“BeD” and “BeF”); Kitsap silt loam (“KpD”); Ovall gravelly loam (“OvD” and “OvF”); The Ragnar fine sandy loam (“RaD”); and Ragnar-Indianola Association (“RdE”).

The City of Covington Comprehensive Stormwater Plan provides a soil classification map for the City on Figure 3-5 (Gray & Osborne 2002). The United States Department of Agriculture Soil Conservation Service online maps of the Lakepointe site were also viewed (USCS, 2016). Figure 7 illustrates the Soil Conservation Service soil mapping for Lakepointe. The soils on Lakepointe are mapped as EvC (Everett gravelly sand loam 5% -15% slopes), EvB (Everett 0-8% slopes), Sk (Seattle Muck), and AgC (Alderwood 8-15% slopes). The soil conservation survey soil types mapped on Lakepointe do not meet the criterial for erosion hazard areas.

5.3 Steep Slope Hazard Areas

Steep slope hazard areas are defined by the CMC as areas on a slope of 40% inclination or more within a vertical elevation change of at least 20 ft. For the purpose of this definition, a slope is delineated by establishing its toe and top and is measured by averaging the inclination over at least 10 ft of vertical relief. Slopes at Lakepointe meeting this criteria are shown on Figure 5. The steep slopes illustrated in Figure 5
have been further categorized for purposes of the following discussion as Natural Steep Slopes and Mine Related Steep Slopes. Each are discussed in the following report sections.

5.3.1 Natural Steep Slopes

Natural steep slopes are identified in Figure 5 as those steep slope areas located along the south and southeast boundary of Lakepointe along an undeveloped forested slope. The natural slope is continuous and generally less than 40% except for the 12 separate fragments of slope that meet the steep slope criteria.

The only part of the proposed Lakepointe development plan that will impact the natural steep slopes or their buffers is the east end of the proposed Lakepointe SE Connector Road shown in Figure 5. The grading required for the route of the connector road transition from the valley floor to the crest of the hill will require fills in the valley floor and the lower portion of the slope and cuts near the crest of the forested slope. The clearing and cuts for the upper portion of the road will likely impact portions of the slope mapped as steep slope hazard area. Provisions for steep slope alterations or other approvals associated with the connector roadway may be needed from the City of Covington based on the development standards summarized below.

Development standards for steep slope hazard areas are contained in CMC 18.65.310 “Steep slope hazard areas – Development standards and alterations” which states the following:

The following standards apply to development proposals and alterations on sites containing steep slope hazard areas:

1. Only the alterations identified in CMC 18.65.050 are allowed within a steep slope hazard area;

2. A buffer or setback is required from all edges of the steep slope hazard. To eliminate or minimize the risk of property damage or injury resulting from slope instability, landsliding or erosion caused in whole or part by the development, the City shall determine the size of the buffer or setback based upon a critical area report prepared by a geotechnical engineer or geologist. If a critical area report is not submitted to the City, the minimum buffer is 50 feet. For building permits for single detached dwelling units only, the City may waive the special study requirement and authorize buffer reductions, if the City determines that the reduction will adequately protect the proposed development and the critical area; and

3. Unless otherwise provided in CMC 18.65.050 or as a necessary part of an allowed alteration, removal of any vegetation from a steep slope hazard area or buffer is prohibited.
The conceptual design of the roadway will include an approach fill and slope cuts to meet grade requirements. The roadway engineering design is conceptual at this time. The grading for the road in the area of the mapped steep slopes could be accomplished by means of open cuts with slopes adjacent to the road cut to stable inclinations. Alternatively, the slope cuts could be reduced or eliminated using engineered retaining walls. The conceptual design is feasible and can be accomplished in a manner that will not result in decreased slope stability. However, future geotechnical investigations and design recommendations will need to be completed to further evaluate the road design options and select the option that maintains slope stability while meeting the road design goals.

Steep slope buffer widths are determined by the City of Covington. For purposes of the planned development at Lakepointe Golder recommends a buffer width of 15 feet for the all of the natural steep slope segments along the south boundary slope west of the proposed Connector Road (Figure 5). We recommend a steep slope buffer of 25 feet for the steep slope area located on the east side of the proposed Connector Road (Figure 5).

5.3.2 Mine Related Steep Slopes

The gravel pit at Lakepointe contains original pit cut slopes along the west and south sides. These slopes range from 60 to 100% and are from 30 to 80 ft in height. They were created 25 to 40 years ago during pit mining. The CMC contains provisions for regrading and stabilizing of slopes formed as a result of a legal grading activity in CMC 18.65.050, subsection 3 and 4.13. We believe this provision would permit the alteration and elimination of steep slopes associated with previous mining activities.

The reclamation plan and conceptual Lakepointe development plan both indicate that filling the mine pit will result in elimination of most of the mine pit slopes illustrated in Figure 5. A description of the existing mine steep slopes illustrated in Figure 5 and their post reclamation/development disposition is summarized below.

**Steep slopes along the west side of gravel pit** (labeled “West” in Figure 5)- The existing mine pit slopes on the west side of the pit will be eliminated by filling or re-grading to create more gentle slopes as part of the reclamation and construction of the future pond.

**Steep slopes along the south side of the mine pit, east of the proposed Lakepointe pond** (labeled “Southeast” in Figure 5) – The steep slopes currently visible on the south side of the gravel pit (east half) will be eliminated by planned filling of the pit.
Steep slopes along the south side of the mine pit adjacent to the proposed Lakepointe Pond (labeled “South” in Figure 5) - The section of existing mine pit slopes located along the south side of the proposed future Lakepointe pond will remain undisturbed under the reclamation and development plan. The steep slope will be largely submerged below the future pond water level which is expected to stabilize at approximately elevation 381 ft. In addition, the area above the crest of the pond slopes is not planned for development. The submerged pit slopes are expected to remain stable after the pond water level is allowed to recover. This is based on observations of the south pit slopes during the period between spring of 2012 and summer of 2014 when dewatering of the pit was temporarily stopped and the pond water level rose to 381 feet and also during subsequent dewatering when the pond water level was lowered once again. The south pit slopes remained stable with no signs of erosion or instability (sloughing, tension cracks, slumps). We recommend a steep slope buffer from the crest of this steep slope of 15 feet.

Steep slopes along north side of mine pit (labeled “North” on Figure 5) - Temporary fill slopes are created as part of active reclamation fill operations in the gravel mine and some portions of these slopes meet the criteria of steep slope hazards. The reclamation fill slopes labeled “North” in Figure 5 are temporary and will be eliminated through re-grading as part of the reclamation plan and site development plan. There are also fill material stockpiles present at Lakepointe that are used for asphalt production. Some of these stockpiles are large and would qualify as a steep slope under the current definition. However, these stockpiles are temporary man-made features and have not been considered steep slopes for the purposes of this report and are not identified in Figure 5.

5.4 Landslide Hazard Areas
For the purposes of this report the Covington code definition of landslide hazard area is an area subject to severe risk of landslide, such as:

1. An area with a combination of: (a) Slopes steeper than 15 percent of inclination; (b) Impermeable soils, such as silt and clay, frequently interbedded with granular soils, such as sand and gravel; and (c) Springs or ground water seepage;

2. An area that has shown movement during the Holocene epoch, which is from 10,000 years ago to the present, or that is underlain by mass wastage debris from that epoch;

3. An area potentially unstable as a result of rapid stream incision, stream bank erosion or undercutting by wave action.
A Golder field Geologist conducted a reconnaissance of the natural steep slopes located along the south boundary of Lakepointe including the slope that the future connector road will ascend at the east corner of the property. The purpose of the reconnaissance was to look for conditions that would meet the criteria for landslide hazard areas described above. The results of the field reconnaissance indicate the following:

- There are no field indications of past slope movement or recent instability.
- The shallow soil conditions observed indicate that the steep slopes are underlain by granular soils consisting of outwash sand and gravel on the lower portion of the slope overlying till which is exposed on the upper portion of the slope. It was difficult to determine if the contact between the till and outwash soil was located on the Lakepointe property or just off the property to the south. Till soils are silty and have low permeability but are strong since they also contain abundant sand and gravel and have been consolidated by past glaciers. The slopes do not contain silt or clay deposits.
- There were no observed springs or active seeps.
- There are no streams or areas of active erosion on the natural steep slope areas.

Golder also consulted the Washington Department of Natural Resources Landslide hazard areas mapped for the City of Covington (The City of Covington Comprehensive Stormwater Plan Updated 2015). The map included approximately the western and south half of Lakepointe and no landslide hazards were mapped. Based on our review of available published data and our geologic field reconnaissance, there are no slopes located on Lakepointe that meet the criteria of landslide hazard areas as defined in the Covington code.

### 5.5 Wellhead Protection and Critical Aquifer Recharge Areas

Critical aquifer recharge areas are defined in the CMC as areas that have a high susceptibility to ground water contamination or an area of medium susceptibility to ground water contamination that is located within a sole source aquifer or within an area approved in accordance with Chapter 246-290 WAC as a wellhead protection area for a municipal or district drinking water system, or an area over a sole source aquifer for a private potable water well in compliance with Department of Ecology and Public Health standards.

The CMC contains a reference to a map illustrating the location of critical aquifer recharge areas (cited as follows).


The map entitled Covington Critical Aquifer Recharge Areas, included in Attachment B to the ordinance codified in this chapter, is hereby adopted as the designation of critical aquifer recharge areas in Covington in accordance with RCW 36.70A.170. (code reference: 18.65.311 Critical aquifer recharge areas – Maps adopted)
The maps referenced in the sections above were not accessible on the Covington website. City of Covington staff were contacted and provided reference copies of the following two maps that illustrate mapped wellhead protection areas and aquifer recharge potential.

City of Covington Wellhead Protection Area – Figure 3-15. By Gray & Osborne, updated November 27, 2002. (Figure 8).

City of Covington Aquifer Recharge Potential – Figure 7.4. By Gray & Osborne, in Appendix A of City of Covington Comprehensive Plan Update 2015 – Review of Best Available Science. February 19, 2014. (Figure 9).

Based on the maps referenced above the southern portion of Lakepointe is located within a mapped wellhead protection area and a Category I and II critical aquifer recharge area (Figures 8 and 9).

The wellhead protection area appears to be for unnamed municipal well(s) located about a mile south of Lakepointe, south of SR-516 near Jenkins Creek. CMC does not contain any special previsions or mitigations for development within wellhead protection areas.

Critical aquifer recharge areas are categorized as follows:

(1) **Category I critical aquifer recharge areas include those mapped areas that Covington has determined are highly susceptible to ground water contamination and that are located within a sole source aquifer or a wellhead protection area;**

(2) **Category II critical aquifer recharge areas include those mapped areas that Covington has determined:**
   
   (a) **Have a medium susceptibility to ground water contamination and are located in a sole source aquifer or a wellhead protection area; or**

   (b) **Are highly susceptible to ground water contamination and are not located in a sole source aquifer or wellhead protection area; and**

(3) **Category III critical aquifer recharge areas include those mapped areas that Covington has determined have low susceptibility to ground water contamination.** (Ord. 14-05 § 5) (code reference: 18.65.313 Critical aquifer recharge areas – Categories)

Section 18.65.315 of the CMC contains development regulations for Category I and II critical aquifer recharge areas. Regulations prohibit numerous activities and list several requirements. The Lakepointe development proposal will not include any of the prohibited activities and meets the requirements of this section. In addition, the development regulations require the following:
“On sites located in a critical aquifer recharge area within the urban growth area, development proposals and alterations for new residential development, including, but not limited to, a subdivision, short subdivision, or dwelling unit, shall incorporate best management practices included in the stormwater manuals adopted in CMC Title 13 into the site design in order to infiltrate storm water runoff to the maximum extent practical.”

The project conceptual civil design is anticipating utilizing infiltration of stormwater runoff and recharge to the site groundwater to the maximum extent practical. Soils where infiltration may be feasible are likely to be located around the perimeter of the former pit (and in former mine buffer areas) where outwash soils were not mined.
6.0  CLOSING

This report has been prepared exclusively for the use of Oakpointe Covington Land LLC. and their consultants and contractors for Lakepointe in Covington, Washington. The recommendations and conclusions of this report are not intended, nor should they be construed to represent, a warranty regarding the proposed development, but are forwarded to assist in the planning and design process.

Judgment has been applied in interpreting and presenting the results. Variations in subsurface conditions over small distances are common, and actual conditions encountered during construction may be different from those interpreted in this report.

GOLDER ASSOCIATES INC.

Sarah J. Morgan, PE  
Senior Engineer  
SJM/JGJ/km

James G. Johnson, LG, LEG  
Principal
7.0 REFERENCES


Gray & Osborne. 2002. City of Covington Stormwater Comprehensive Plan. Figure 3-15 - City of Covington Wellhead Protection Area. Figure 3-5 Soil Classification Map. Figure 3-6 Surface Water Features. March.


King County Department of Natural Resources and Parks Wastewater Treatment Division. (KC-DNR-PWTD). 2010. Working Draft Lowered Groundwater Levels in King County, Washington: A Preliminary Review of Reports.


FIGURES
References:
LAKESIDE INDUSTRIES, INC. COVINGTON PIT EXISTING CONDITIONS MAP - FIGURE R-2. BY HARMSEN & ASSOCIATES INC, UPDATED DECEMBER 2, 2015.
NOTES:
1. STEEP SLOPES ARE DEFINED BY CITY OF COVINGTON MUNICIPAL CODE 18.20.1230 AS HAVING A SLOPE OF 40 PERCENT INCLINATION OR MORE WITHIN A VERTICAL ELEVATION CHANGE OF AT LEAST 20 FEET.

REFERENCE(S):
1. BASE MAP FROM FILE TR-03 COMBINED BASE.DWG. PROVIDED BY OAKPOINTE ON 2016-07-11.
**LEGEND**

- **Approximate Property Boundary**
- **Continental Glacial Outwash, Fraser-age**
- **Continental Glacial Till, Fraser-age**
- **Peat Deposits (removed during mining)**

**REFERENCES:**


---

**LAKEPOINTE CRITICAL AREAS STUDY**

**GEOLOGY MAP**

**CONSULTANT:**

**DESIGNED:**

**PREPARED:**

**REVIEWS:**

**APPROVED:**

**PROJECT NO.:** 1239327706

**REV.:** 001

**Date:** 2016-10-05

**REDMOND**

**GEOLOGY MAP**

**TITLE:**

**PROJECT CLIENT:**

**CONSULTANT:**

**PREPARED:**

**DESIGNED:**

**REVIEWS:**

**APPROVED:**

**YYYY-MM-DD**

**IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM: ANSI D**

**APPROXIMATE PROPERTY BOUNDARY**

**CONTINENTAL GLACIAL OUTWASH, FRASER-AGE**

**CONTINENTAL GLACIAL TILL, FRASER-AGE**

**PEAT DEPOSITS (REMOVED DURING MINING)**

**REFERENCES:**


Image courtesy of USGS Image courtesy of LAR-IAC © 2016 Microsoft Corporation
LEGEND - SOIL TYPES

- ALDERWOOD GRAVELLY SANDY LOAM, 8 TO 15 PERCENT SLOPES
- ORCAS PEAT (REMOVED DURING MINING)
- SEATTLE MUCK
- NORMA SANDY LOAM
- EVB
- EvC
- Or

REFERENCES:

SOIL DATA PROVIDED BY U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE. 2015. SOIL SURVEY GEOGRAPHIC (SSURGO) DATABASE FOR KING COUNTY. HTTP://WEBSOILSURVEY.SC.EGOV.USDA.GOV/APP/HOMEPAGE.HTM.

APPROXIMATE PROPERTY BOUNDARY

USDA SOIL TYPES

LAKEPOINTE CRITICAL AREAS STUDY

OAKPOINTE

CONSULTANT

DESIGNED

PREPARED

REVIEWED

APPROVED

YY-MM-DD

YEAR

PATH: \redmond\geomat$\geomatics\OakPointe_Holding_LLC\Hawk_Project\99_PROJECTS\1239327706_ECA_Report\001_ReclamationFillAnalysis\02_PRODUCTION\DWG

| File Name: 1239327706_001_006.dwg |

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM: ANSI D

0 FEET

200 400

1" = 200'

REFERENCE(S)

SOIL DATA PROVIDED BY U.S. DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE. 2015. SOIL SURVEY GEOGRAPHIC (SSURGO) DATABASE FOR KING COUNTY. HTTP://WEBSOILSURVEY.SC.EGOV.USDA.GOV/APP/HOMEPAGE.HTM.
Exhibit J
NOTE:
THE LOCATION OF DEVELOPMENT, INCLUDING ROADWAYS AND TRAILS, IS APPROXIMATE AND DOES NOT VEST TO THEIR SPECIFIC LOCATION. THE LOCATION OF ALL DEVELOPMENT WILL BE BASED ON EXISTING CONDITIONS AT THE TIME OF APPLICATION AND THE TERMS OF THE PLANNED ACTION, THE DEVELOPMENT AGREEMENT, AND APPLICABLE LOCAL, STATE, AND FEDERAL LAWS.
Exhibit L
Phase 1 - Approximate Years 2017-2021
Establishment of final grade, construction of Covington Connector to Southeast boundary, construction of first phase of commercial development, construction of R-6 Residential Plat in southeast corner.

Phase 2 - Approximate Years 2017-2022
Establishment of final lake perimeter, construction of 191st Place SE extension and associated R-12 residential development, construction of second phase of commercial development on peninsula.

Phase 3 - Approximate Years 2017-2023
Construction of third phase of commercial development.

Phase 4 - Approximate Years 2017-2025
Completion of gravel pit reclamation, construction of MR and R-12 residential development.

NOTE:
THE LOCATION OF DEVELOPMENT, INCLUDING ROADWAYS AND TRAILS, IS APPROXIMATE AND DOES NOT VEST TO THEIR SPECIFIC LOCATION. THE LOCATION OF ALL DEVELOPMENT WILL BE BASED ON EXISTING CONDITIONS AT THE TIME OF APPLICATION AND THE TERMS OF THE PLANNED ACTION, THE DEVELOPMENT AGREEMENT, AND APPLICABLE LOCAL, STATE, AND FEDERAL LAWS.

January 30, 2017
Exhibit M
NOTE: THE LOCATION OF DEVELOPMENT, INCLUDING ROADS AND TRAILS, IS APPROXIMATE AND DOES NOT VEST TO THEIR SPECIFIC LOCATION. THE LOCATION OF ALL DEVELOPMENT WILL BE BASED ON EXISTING CONDITIONS AT THE TIME OF APPLICATION AND THE TERMS OF THE PLANNED ACTION, THE DEVELOPMENT AGREEMENT, AND APPLICABLE LOCAL, STATE, AND FEDERAL LAWS.
<table>
<thead>
<tr>
<th>Area</th>
<th>Existing Tree Canopy Area</th>
<th>Tree Canopy Area Outside of Critical Areas and Buffers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Zoned Areas</td>
<td>8.19 Ac**</td>
<td>8.19 Ac</td>
</tr>
<tr>
<td>Residentially Zoned Area</td>
<td>76.49 Ac*</td>
<td>27.04 Ac*</td>
</tr>
<tr>
<td>Total Tree Canopy Area</td>
<td>84.68 Ac</td>
<td>35.23 Ac**</td>
</tr>
</tbody>
</table>

* A minimum 20% of Existing Canopy Area outside of critical areas and buffers required to remain.
Minimum tree canopy area required to remain: 7.05 Ac
** At least 15% of the significant trees located within the Existing Tree Canopy Area of the Commercially Zoned Land shall remain or be replanted at a 2:1 ratio.
Future Tree Tract Table

<table>
<thead>
<tr>
<th>Future Tree Tract (Excluding Critical Areas)</th>
<th>Approximate Tree Tract Size</th>
<th>Percentage of total area to be saved outside of Critical Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>2.12 Ac</td>
<td>0.80 Ac</td>
</tr>
<tr>
<td>B</td>
<td>4.61 Ac</td>
<td>0.36 Ac</td>
</tr>
<tr>
<td>C</td>
<td>0.36 Ac</td>
<td>1.24 Ac</td>
</tr>
<tr>
<td>D</td>
<td>0.36 Ac</td>
<td>1.24 Ac</td>
</tr>
<tr>
<td>E</td>
<td>0.36 Ac</td>
<td>1.24 Ac</td>
</tr>
<tr>
<td>Total</td>
<td>9.13 Ac</td>
<td>25.92 %</td>
</tr>
</tbody>
</table>

Notes:
1. Dimensions and sizes identified as Residential and Commercial Trees to Remain are approximate only and subject to change at Implementing Project application.
2. A minimum of 20% of the existing trees outside of Critical Areas are required to be saved in the Residentially Zoned Land.
3. At least 15% of the significant trees located within the existing tree canopy area of the Commercially Zoned Land shall remain or be replanted at a 2:1 ratio.
4. The location of development, including roadways and trails, is approximate and does not vest to their specific location. The location of all development will be based on existing conditions at the time of application and the terms of the planned action, the development agreement, and applicable local, state, and federal laws.
July 13, 2016

LAKESIDE INDUSTRIES INC
P.O. BOX 7016
ISSAQUAH, WA 98027-7016

RE: Surface Mining Reclamation Permit #70-011068 (BLACK RIVER S&G)

Dear Permit Holder:

Enclosed is Surface Mine Reclamation Permit #70-011068, which authorizes surface mine reclamation within a 215-acre permitted area in a portion of Section 19, 20, 29 and 30, Township 22 North, Range 06 East, Willamette Meridian, King County. Please refer to the permit number listed above when submitting inquiries or reports.

The Department acknowledges approval of Performance Security No. 103502864 for $415,500.00 issued by Travelers Casualty & Surety Co.

RCW 78.44 requires that reclamation of each segment of the permitted area shall be completed within two years of cessation of mining in that segment. We strongly recommend, however, that reclamation of each segment occur concurrent with the removal of the minerals.

You are required to mail a Permit Fee Invoice and Reclamation Report (Form SM7) annually to Washington Department of Natural Resources. The form must be completed and returned to the Department with the appropriate annual permit fee prior to the anniversary date of the permit.

If you have any questions please feel free to contact me by calling 360-902-1438.

Sincerely,

Carrie Gillum
Surface Mine Reclamation Program
Division of Geology and Earth Resources

Enclosures

c: File #70-011068
Travelers Casualty & Surety Co
City of Covington
King County Department of Permitting and Environmental Review
Hawk Family
Pursuant to RCW 78.44, a Reclamation Permit hereby granted to the above-named permit holder to engage in surface mining on the property described in the application and material on file under this permit. The total area to be disturbed by surface mining, including the deposition of surface-mining refuse, shall be in accordance with the reclamation plan filed with and approved by the Department of Natural Resources under this permit, and in accordance with the conditions and descriptions set forth in Exhibit "A" attached hereto and made a part hereof, and RCW 78.44.

**TERM OF PERMIT**
This permit shall be in effect from the date of issuance and shall remain in effect so long thereafter as the permit holder pays the annual basic fee for each site, complies with the Surface Mining Act and the rules promulgated thereunder, complies with the reclamation plan, and maintains a performance security as required by the Act.

**CHANGE OR MODIFICATION OF RECLAMATION PLAN**
The permit holder shall obtain written approval from the Department prior to any change or departure from the approved reclamation plan.

**PERFORMANCE SECURITY**
A performance security shall be submitted to and approved by the Department prior to commencement of surface mining. The permit holder may submit a cash deposit, assignment of a savings account or certificate of deposit, bank letter of credit, negotiable securities, or a corporate surety bond in the amount specified. The amount of the performance security shall be subject to adjustment according to RCW 78.44.

**TRANSFER OF PERMIT**
The transfer of this permit to another permit holder shall not be made unless approved in writing by the Department. A transfer shall not be approved unless the successor permit holder assumes all duties of the former permit holder to complete the reclamation of the land and the Department approves the successor permit holder's performance security.

**PENALTIES**
The Department may suspend surface mining or impose civil penalties if the permit holder conducts surface mining in any manner not authorized by RCW 78.44, the rules adopted thereunder, the approved reclamation plan, or this permit.

<table>
<thead>
<tr>
<th>Permit issued on</th>
<th>Permit revised on</th>
<th>Signature</th>
<th>Name</th>
<th>Title</th>
<th>Division of Geology &amp; Earth Resources</th>
<th>SE</th>
<th>NE</th>
<th>NW</th>
<th>SW</th>
<th>Total Acreage</th>
<th>Total Permit Acreage</th>
<th>Maximum Vertical Depth Below Pre-Mining Topographic Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 1, 1974</td>
<td>July 13, 2016</td>
<td>Carrie Gillum</td>
<td>Carrie Gillum, LG</td>
<td>Reclamation Geologist</td>
<td>1/4, S</td>
<td>1/4, S</td>
<td>1/4, S</td>
<td>1/4, S</td>
<td>209</td>
<td>209</td>
<td>90</td>
<td>320</td>
</tr>
</tbody>
</table>

TOTAL ACREAGE AND DEPTH OF PERMIT AREA
(Include all acreage to be disturbed by mining, setbacks, buffers, and associated activities during the life of the mine. See SM-8A)

Total permit acreage: 209

Maximum vertical depth below pre-mining topographic grade is 90 feet

Maximum depth of excavated mine floor is 320 feet relative to mean sea level

DNR Surface Mining Reclamation Permit No. 70-011068
EXHIBIT A
Conditions of the Permit
Surface Mining Reclamation Permit # 70-011068
July 13, 2016

1. This surface mining reclamation permit applies to the following permit area: a 209-acre permitted area in a portion of the SE quarter of Section 19, the SW quarter of Section 20, the NE quarter of Section 30 and the NW quarter of Section 29 Township 22 North, Range 6 East, Willamette Meridian, King County.

2. All mining and reclamation shall comply with the rules and regulations pursuant to Chapter 78.44 RCW and Chapter 332-18 WAC.

3. All mining and reclamation shall comply with the reclamation plan dated September 21, 2015 by the permittee, and approved by the Department of Natural Resources on July 13, 2016.

4. Any amendment or change to the plan must be submitted to and approved in writing by the Department. The Reclamation Plan consists of the following documents:
   
   - Permit Letter, dated July 13, 2016
   - Surface Mining Reclamation Permit (Form SM-9) dated July 13, 2016
   - Exhibit A, listing 12 conditions of the permit
   - Standard Reclamation Plan
     - Application for Reclamation Permit (Form SM-8A) dated by the permittee on September 21, 2015, date stamped received by Geology and Earth on February 12, 2016.
     - County or Municipality Approval for Surface Mining (Form SM-6) dated by the permittee on September 21, 2015, and approved by King County Department of Permitting and Environmental Review on September 21, 2015, date stamped received by Geology and Earth on October 5, 2015.
     - County or Municipality Approval for Surface Mining (Form SM-6) dated by the permittee on September 21, 2015, and approved by City of Covington on September 21, 2015, date stamped received by Geology and Earth on October 5, 2015.
     - Narrative, date stamped received by Geology and Earth on February 12, 2016.
     - Reclamation Plan-Geotechnical Summary-Lakeside Industries Technical Memorandum Rev. 01 by Golder Associates dated April 18, 2016 and date stamped received by Geology and Earth on April 25, 2016
     - Attachment A, Covington Pit, Import Fill Material, Screening and Testing Procedure date stamped received by Geology and Earth on April 25, 2016
     - Reclamation Plan Maps: Sheets R-1 thru R-4 each date stamped Received by Geology and Earth on February 12, 2016.
5. If there is any conflict between the conditions in Exhibit A and any other language of the approved reclamation permit (which includes the reclamation plan, maps, and supporting documents), the language in Exhibit A will prevail.

6. The permit holder shall mark the perimeter of the 209-acre permitted area with berms and vegetation as described in the Application for Reclamation Permit SM-8A. These will be used to delineate the permit boundary enabling the operator, permittee, and the Department of Natural Resources (DNR) to monitor the progress of mining and reclamation. Permanent boundary markers shall be visible such that the entire perimeter of the site could be reestablished using GPS, if any marker was destroyed.

7. The permitted depth at this site is 90 vertical feet from the original ground surface. No excavation shall occur below an elevation of 320 feet mean sea level (msl). If additional mining depth is anticipated the reclamation plan shall be revised prior to exceeding the permitted depth.

8. Reclaimed slopes will not exceed 2 ft horizontal and 1 ft vertical except for the existing southern pond slope which shall not exceed 1.5 ft horizontal and 1 ft vertical to ensure that all slopes are stable and shall have a sinuous appearance in both plan and profile views.

9. No setback is required as all mining has ceased and only reclamation is to be completed within the limits of reclamation disturbance area as shown on map sheet R-3.

10. Revegetation shall be completed as detailed in the narrative and in Form SM-8A. Natural revegetation only shall not be deemed satisfactory. Prior to any variation from the revegetation plan, written approval must be obtained from the Department.

11. Backfilled reclamation slopes shall be constructed as outlined in Reclamation Plan-Geotechnical Summary-Lakeside Industries Technical Memorandum Rev. 01 by Golder Associates dated April 18, 2016. Backfill material shall be placed in lifts not to exceed 12-inches in thickness and shall be compacted to approximately 90% of the Modified Proctor to within 5 feet of the final grade and 95% of the Modified Proctor in the last 5 feet of the final grade.

12. Importation of clean soil for use in reclamation is permitted at this site. Imported backfill material shall consist of mineral soils and shall be free of deleterious material (as defined in Attachment A, Covington Pit, Import Fill Material, Screening and Testing Procedure), contaminants, and combustible materials.

13. The permit holder or operator shall maintain a complete copy of this permit, including these conditions and the approved reclamation plan with additions and amendments, at the mine site during all mining and reclamation activities.
Lakeside Industries, Inc.

<table>
<thead>
<tr>
<th>TOTAL ACREAGE AND DEPTH OF PERMIT AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total area permitted will be <strong>215</strong> acres</td>
</tr>
<tr>
<td>Maximum vertical depth below pre-mining topographic grade is <strong>90</strong> feet</td>
</tr>
<tr>
<td>Maximum depth of excavated mine floor is <strong>320</strong> feet relative to mean sea level</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>King</th>
</tr>
</thead>
</table>

No attachments will be accepted. Legal description of permit area:

<table>
<thead>
<tr>
<th>1/4</th>
<th>1/4</th>
<th>Section</th>
<th>Township</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>SE</td>
<td>19</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>N</td>
<td>NE</td>
<td>30</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>NW</td>
<td>NW</td>
<td>29</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>SW</td>
<td>SW</td>
<td>20</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>SE</td>
<td>SW</td>
<td>20</td>
<td>22N</td>
<td>6E</td>
</tr>
</tbody>
</table>

Proposed subsequent use of site upon completion of reclamation:

Mixed-Use Development

Signature of company representative or individual applicant(s):

Karen Deal, Environmental & Land Use Director

Date signed: **9-21-2015**

TO BE COMPLETED BY THE APPROPRIATE COUNTY OR MUNICIPALITY:

Please answer the following questions 'yes' or 'no'.
1. Has the proposed surface mine been approved under local zoning and land-use regulations? **X**
2. Is the proposed subsequent use of the land after reclamation consistent with the local land-use plan/designation? **X**

When complete, return this form to the appropriate Department of Natural Resources regional office.

Name of planning director or administrative official (please print):

Richard Hart

Signature:

Richard Hart

Title (please print):

Community Development Director
City of Covington

Telephone: **253-480-2441**

Date: **9-21-15**

Address:
City of Covington
16720 SE 271st Street, Suite 100
Covington, WA 98042-4964

County or Municipality Approval (SM-6) Revised 3/15
Lakeside Industries, Inc.

PO Box 7016
Issaquah, WA  98027-7016

(425) 313-2660

Mixed-Use Development

Karen Deal, Environmental & Land Use
Director

9-21-2015

Fred M. White

Title (please print)

206 477 0363

9/21/15

70-011068

County or Municipality Approval (SM-6) Revised 3/15
APPLICATION FOR RECLAMATION PERMIT
(Form SM-8A)

Check appropriate box(es): ☐ new permit ☒ revision of existing permit ☐ transfer of permit ☐ expansion

NOTE: Do not attempt to complete this form until you have carefully read "Instructions for Form SM-8A".

1. NAME OF APPLICANT PERMIT HOLDER(S)
   Lakeside Industries, Inc.

2. MAILING ADDRESS
   PO Box 7016
   Issaquah, WA 98027

3. Telephone (425) 313-2660 Email karen.deal@lakesideindustries.com

4. NAME OF MINE
   Covington Pit - DNR #70-011068

5. Street address and milepost of surface mine
   18808 SE 256th St, Covington, WA

6. Distance (miles) 1.3
   Direction from Northeast
   Nearest community City of Covington

7. COUNTY King

   No attachments will be accepted. Legal Description of permit area:

<table>
<thead>
<tr>
<th>1/4</th>
<th>1/4</th>
<th>Section</th>
<th>Township</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>S</td>
<td>SE</td>
<td>19</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>N</td>
<td>NE</td>
<td>30</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>NW</td>
<td>NW</td>
<td>29</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>SW</td>
<td>SW</td>
<td>20</td>
<td>22N</td>
<td>6E</td>
</tr>
<tr>
<td>SE</td>
<td>SW</td>
<td>20</td>
<td>22N</td>
<td>6E</td>
</tr>
</tbody>
</table>

   TOTAL ACREAGE OF PERMIT AREA APPLIED FOR:
   (Include all acreage to be permitted. See Form SM-6) 209 acres

11. Do you or any person partnership or corporation associated with you now hold or have you held a surface mining operating or reclamation permit?
    ☒ yes ☐ no

   If you answered yes to the above, please list:

   Permit Number             Active Operation? Reclamation current/complete?
   --------------------------|-------------------------|-------------------------|
   70-010113                 ☒ yes ☐ no       ☐ Yes ☑ No       ☐ Yes ☑ No
   ☐ ☐ ☐ ☐

   ☐ ☐ ☐ ☐

   Are all of these mines now in compliance with RCW 78.44, WAC 332-18, and conditions of the permits? ☒ yes ☐ no

13. Have you ever had a surface mine operating or reclamation permit revoked?
    ☐ yes ☒ no

   Have you ever had a reclamation security forfeited?
   ☐ yes ☒ no

   If you answered yes to either of the above, give permit number(s):

14. Type of proposed or existing mine: ☒ pit ☐ quarry

    Material(s) to be mined: ☒ sand and gravel ☐ rock or stone
    ☐ clay ☐ metal ☐ limestone ☐ silica
    ☐ other

   Deposit type: ☒ glacial ☐ river floodplain (alluvial)
    ☐ river channel deposits ☐ talus ☐ bedrock ☐ lode ☐ unknown
    ☐ other

15. Total disturbed acreage and maximum depth of permit area:
    (Include all acreage to be disturbed by mining and reclamation during the life of the mine.)
    Total area to be disturbed: 137 acres.
    Area to be disturbed in next 36 months: 0 acres.
    Maximum vertical depth (thickness) mined below pre-mining topographic grade will be 90 feet.
    Lowest elevation of excavated mine will be 320 feet relative to mean sea level.
    Highest elevation of excavated mine will be 410 feet relative to mean sea level.

16. Expected start date of mining: Started in 1970's

17. Estimated number of years: 50

18. Total quantity to be mined over life of mine (estimated):
    0 remaining ☐ tons or ☒ cu yds

19. Estimated annual production:
    0 remaining ☐ tons or ☒ cu yds

20. Subsequent land use: ☐ industrial ☒ commercial ☐ residential
    ☐ agricultural ☐ forestry ☐ wetlands and lakes
    ☐ other

   Reclaimed elevation of floor of mine: 320 feet relative to mean sea level

   Reclaimed elevation is shown on cross sections? ☐ yes ☒ no

   Subsequent land use is compatible with County or Municipal comprehensive plan? ☐ yes ☒ no

   County or Municipality Approval for Surface Mining (Form SM-6) attached? ☐ yes ☐ no

   SEPA Checklist required? ☐ yes ☒ no

   If any answers are no, explain: The City of Covington designated a Planned Action under SEPA for the Hawk Property (Planned Action Area). The City issued the Hawk Property Planned Action Final EIS, November 14, 2013. The City developed and adopted a subarea plan, dated February 11, 2014, to guide redevelopment of the Planned Action Area (Hawk Property Subarea Plan). The Hawk Property (Planned Action Area) is delineated by the Reclamation Permit Boundary.

   The site has historically imported fill approved by and in accordance with the City of Covington Grading Permit No. GR01-0001 and King County Grading Permit Project No. L72GI1461.

21. Application fee for a new reclamation permit is herewith attached?
    Fee paid via check #48440 ☒ yes ☐ no

RECEIVED

FEB 12 2016

Geology and Earth Sciences
22. SEGMENTAL RECLAMATION

| Permit area has been divided into segments for mining and a mining schedule has been developed? | □ yes □ no |
| If no, explain: **Mining has permanently ceased. Site undergoing reclamation only.** |

| Permit area has been divided into segments for reclamation and a reclamation schedule has been developed? | □ yes □ no |
| If no, explain: |

23. SITE PREPARATION

23A. Permit and Disturbed Area Boundaries

| Boundary of the permit area has been marked on the ground with permanent boundary markers? | □ yes □ no |
| Explain boundary markers: **The permit boundary and extent of reclamation area is well established by existing undisturbed vegetation and berms.** |

23B. Saving Topsoil, Subsoil, and Overburden for Reclamation

| Thickness of topsoil is _ feet | Thickness of subsoil is _ feet | Depth to bedrock is unknown feet |
| Total volume of topsoil is _ cubic yards | Total volume of subsoil is _ cubic yards |
| Volume of stored topsoil/subsoil is _ cubic yards and will require _ acres for storage. |

| Storage areas are shown on maps and have been marked on the ground with permanent boundary markers? | □ yes □ no |

| Topsoil will be salvaged? | □ yes □ no |
| If no, explain: **Mine areas have already been stripped of topsoil. Salvaged topsoil has already been placed on reclaimed areas of the mine. Topsoil will be imported to support continued and final reclamation.** |

| Topsoil and overburden will be moved to reclaim an adjacent depleted segment? | □ yes □ no |
| If no, explain: **Available topsoil and overburden has already been used for reclamation. Clean fill will be imported for subgrade preparation of finished grade.** |

| Before materials are moved, vegetation will be cleared and drainage planned for soil storage areas? | □ yes □ no |
| If no, explain: |

| Soil storage areas will be stabilized with vegetation to prevent erosion if materials will be stored for more than one season? | □ yes □ no |
| If no, explain: |

23C. Setbacks and Screens

| The setback for this site will be _ feet wide. |

| Is a permanent, undisturbed buffer planned for this site? | □ yes □ no |
| If no, explain: **Existing vegetated and reclaimed areas will remain undisturbed during overall site reclamation. Future development will occur in accordance with the Hawk Property Subarea Plan and a grading permit to be issued by the City of Covington.** |

| Setbacks are shown on maps and have been marked on the ground with permanent boundary markers? | □ yes □ no |
| If no, explain: **No setbacks.** |

| Does this site have a backfilling plan that addresses the protection of adjacent property and how the final, stable slopes are to be achieved? | □ yes □ no |
| If no, explain: |

23D. Buffers to Protect Streams and Flood Plains

| A stream buffer of at least 200 feet has been marked on the ground with permanent boundary markers? | □ yes □ no |
| If yes, see “Additional Requirements for Mines in Flood Plains” in “Instructions for SM-8A” |

| A buffer of at least 200 feet from the 100-year flood plain has been marked on the ground with permanent boundary markers? | □ yes □ no |
| If no, explain: **Does not apply. The site is not within a flood plain. Jenkins Creek is located over 200 feet from the northeast boundary of the mine and well isolated from the disturbed area.** |
APPLICATION FOR RECLAMATION PERMIT

Copy of Shoreline Permit from local government or the Department of Ecology is attached? □ yes  □ no

Hydraulic Project Approval from the Department of Fish and Wildlife is attached? □ yes  □ no

23E. Conservation Buffers

Conservation buffers will be established for the following purpose(s): (Check all that apply)

☐ unstable slopes  ☐ wildlife habitat  ☐ water quality  ☐ other

Describe the nature and configuration of the conservation buffer(s): Not Applicable

Conservation setbacks are shown on maps and have been marked on the ground with permanent boundary markers? □ yes  □ no

23F. Ground Water

High water table depth is 378 feet ☒ relative to mean sea level, □ below original surface, or □ unknown.
Low water table depth is 370 feet ☒ relative to mean sea level, □ below original surface, or □ unknown.
Annual fluctuation of water table is from 370 feet on March to 378 feet on January.

Direction of ground water flow: west

Are well logs attached? □ yes  □ no

Is the aquifer perched? □ yes  □ no

The shallowest aquifer is □ confined  ☒ unconfined?

The site will be mined: □ wet  □ dry  ☒ both

Describe mining method: Mining has ceased. The mine pit is dewatered to allow for reclamation with compacted fill.

The site is in a:

☒ critical aquifer recharge area  ☐ sole source aquifer  ☐ public water supply watershed
☒ wellhead protection area  ☐ special protection area  ☐ designated aquifer protection area

Ground water study attached?

If yes, see “Additional Requirements for Mines in Hydrologically Sensitive Areas” in “Instructions for SM-8A”. If no, explain: Included in Technical Memorandum, Geotechnical Summary, Golder Associates (February 8, 2016).

23G. Archeology

Are archeological/cultural resource sites present? □ yes  □ no

If yes, describe how you will protect these resources:

24. MINING PRACTICES TO FACILITATE RECLAMATION

24A. Soil Replacement

Topsoil will be saved? □ yes  □ no

Up to 4 feet of topsoil and (or) subsoil will be restored?

If “yes” give details. If “no”, explain: Clean soil backfill will be imported to restore removed subsoil from the closed depression area of the site as depicted in the attached maps. Topsoil will be placed at a depth of 0.5 feet over imported backfill.

Topsoil will be restored and seedbeds prepared as necessary to promote effective revegetation and to stabilize slopes and mine floor?

If “yes” give details. If “no”, explain: Topsoil will be restored evenly over the site to promote revegetation and stabilize slopes.

Subsoil will be replaced to an approximate depth of 0.85 feet on the pit floor and a depth of 0.60 feet on slopes.

Topsoil will be replaced to an approximate depth of 0.5 feet on the pit floor and a depth of 0.5 feet on slopes.

Topsoil will be distributed evenly over the site?

If no, explain:
## APPLICATION FOR RECLAMATION PERMIT

If topsoil is in short supply, it will be strategically placed in depressions and low areas in adequate thickness to conserve moisture and promote revegetation? □ yes □ no

| Topsoil will be moved when conditions are not overly wet or dry? □ yes □ no |
| Topsoil will be imported? □ yes □ no |
| If yes, describe source. If no, explain: Topsoil will be imported as it becomes available from select jobs in the regional vicinity. Topsoil may be purchased and imported as needed for final reclamation. |
| Synthetic topsoil made from compost, biosolids, or other amendments will be used and (or) made on site to supplement existing topsoil? □ yes □ no |
| Materials such as till, loess, and (or) silt are available on site that could be used to supplement topsoil for reclamation. □ yes □ no |
| If yes, explain: |
| Silt from settling ponds or a filter press will be used for reclamation? □ yes □ no |
| Settling pond clay slurries will be pumped or hauled to other segments for reclamation? □ yes □ no |
| If yes, explain: |
| Topsoil will be replaced with equipment that will minimize compaction, or it will be plowed, disked, or ripped following placement? □ yes □ no |
| If no, explain: |
| Topsoil will be immediately stabilized with grasses and legumes to prevent loss by erosion, slumping, or crust? □ yes □ no |
| If no, explain: |
| Topsoil stockpile areas are shown on maps and will be marked on the ground with permanent boundary markers to protect from loss? □ yes □ no |
| If no, explain: There are not topsoil stockpiles currently on-site. When topsoil is imported and stockpiled it will be marked to protect from loss otherwise it will be placed immediately. |
| Segmental topsoil removal and replacement is shown on maps? □ yes □ no |
| If no, explain: Mining has ceased. All original topsoil has been used for reclamation. |
| Topsoil salvage and replacement plan included? □ yes □ no |
| If no, explain: Mining has ceased. All original topsoil has been used for reclamation. |

### 24B. Removal of Vegetation

Vegetation will be removed sequentially from areas to be mined to prevent unnecessary erosion? □ yes □ no

| If no, explain: Mining has ceased. Site undergoing reclamation only. |
| Small trees and other transplantable vegetation will be salvaged for use in revegetating other segments? □ yes □ no |
| If yes, give details. If no, explain: Trees that may be removed to facilitate final reclamation are not salvageable. |
| Wood and other organic debris will be: |
| □ recycled □ removed from site □ chipped □ burned □ buried □ used to synthesize topsoil or mulch |
| □ other (explain) |
| Solid waste disposal, burning, and land use permits are attached? □ yes □ no |
| Some coarse wood (logs, stumps) and other large debris will be salvaged for fish and wildlife habitats? □ yes □ no |
| If yes, give details. If no, explain: No fish and wildlife habitats will be enhanced as part of reclamation and future development of the site. |
### APPLICATION FOR RECLAMATION PERMIT

#### 24C. Erosion control for Reclamation

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pit floor will slope at gentle angles toward highwall, sediment retention pond, or proper drainage?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If yes, give details. If no, explain: See attached plans. Site will be graded to drain to pond remaining on-site or to existing vegetated areas for infiltration.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revegetation, sheeting, and (or) matting will be used to protect areas susceptible to erosion?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If yes, give details. If no, explain: Sediment and erosion control BMPs will be implemented to protect against erosion.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water control systems used for erosion control during segmental reclamation will:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Divert clean water around pit?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>Trap sediment-laden runoff before it enters a stream?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>Result in essentially natural conditions of volume, velocity, and turbidity?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>Handle a 25-year, 24-hour peak event?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td><em>(Have you attached calculation?)</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Be removed or reclaimed?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If any answers are no, explain:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Will any water control systems be removed upon final reclamation?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If yes, explain: Any berms or water control systems will be removed and the site will be graded for final reclamation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water control measure will be established to prevent erosion of setbacks and neighboring properties?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If yes, give details. If no, explain: See attached plans. Site grading and infiltration pond contain and will contain water on-site without impact to neighboring properties.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Storm-water conveyance ditches and channels will be lined with vegetation or riprap?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If yes, give details. If no, explain: Conveyance channels will be vegetated as necessary to prevent erosion and sedimentation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural and other drainage channels will be kept free of equipment, wastes, stockpiles, and overburden?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If no, explain:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 25. RECLAMATION TOPOGRAPHY

##### 25A. Final Slopes

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final slopes will be created using the cut-and-fill method?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>Explain procedure to be used: Slopes along the western and southern boundary of the mine adjacent to the pond have been mined to final slope. Sloping throughout the rest of the mine area will be accomplished with imported backfill. See attached Technical Memorandum (Golder Associates, February 8, 2016).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slopes will be created by mining to the final slope using the cut method?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>Explain procedure to be used: Slopes along the western and southern boundary of the mine adjacent to the pond have been mined to final slope. Sloping throughout the rest of the mine area will be accomplished with imported backfill. See attached Technical Memorandum (Golder Associates, February 8, 2016).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slopes will vary in steepness?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If no, explain:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Slopes will have a sinuous appearance in both profile and plan view?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If no, explain: Slopes must support future development in accordance with the Hawk Property Subarea Plan (February 11, 2014).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large rectilinear (that is, right angle, or straight, planar) areas will be eliminated?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If no, explain: Grading must support future development in accordance with the Hawk Property Subarea Plan (February 11, 2014).</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Where reasonable, tracks of the final equipment pass will be preserved and oriented to trap moisture, soil, and seeds, and to inhibit erosion?</td>
<td>☒</td>
<td></td>
</tr>
<tr>
<td>If no, explain:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### 25B. Slope Requirements for Pits and Overburden/Waste Rock Dumps (non-saleable products)

**If the mine is a quarry or in hard rock, skip to Quarry section (25C):**

<table>
<thead>
<tr>
<th>Slopes will vary between 2 and 3 feet horizontal to 1 foot vertical or flatter, except in limited areas where steeper slopes are necessary to create sinuous topography and control drainage?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

If no, explain:

<table>
<thead>
<tr>
<th>For pits, slopes will not exceed 2 feet horizontal to 1 foot vertical except as necessary to blend with adjacent natural slopes?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

Give details: See attached Technical Memorandum (Golder Associates, February 8, 2016)

**Slope stability analysis required?**

| □ yes □ no |

**If yes, see “Additional Requirements for Mines with Steep or Potentially Unstable Slopes” in “Instructions for SM-8.A”.**

Slope stability analysis provided by Golder Associates, February 8, 2016.

### 25C. Slope Requirements for Quarries and Hardrock Metal Mines

**If mine is a pit in unconsolidated materials covered by Section 25B, go to Section 25D**

Check the appropriate box(es)

| □ Slopes will not exceed 2 feet horizontal to 1 foot vertical. |

| □ Slopes steeper than 1 foot horizontal to 1 foot vertical are an acceptable subsequent land use as confirmed on Form SM-6. |

| □ Hazardous slopes or cliffs are indigenous to the immediate area and already present a potential threat to human life. Photo and maps attached to document presence of cliffs. |

| □ Geologic or topographic characteristics of the site preclude slopes being reclaimed at a flatter angle and are an acceptable subsequent land use as confirmed on Form SM-6. |

**Slope stability analysis required?**

| □ yes □ no |

**If yes, see “Additional Requirements for Mines with Steep or Potentially Unstable Slopes” in “Instructions for SM-8.A”**

Slope stability analysis provided by

<table>
<thead>
<tr>
<th>Measures will be taken to limit access to the top and bottom of hazardous slopes?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

Describe measures, or if no, explain:

<table>
<thead>
<tr>
<th>Selective blasting will be used to remove benches and walls and to create chutes, buttresses, spurs, scree slopes, and rough cliff faces that appear natural?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

Describe procedures, or if no, explain:

<table>
<thead>
<tr>
<th>Reclamation blasting will be used to reduce the entire highwall to a scree or rubble slope less than 2 feet horizontal to 1 foot vertical?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

Blasting plan is attached?

If no, explain:

<table>
<thead>
<tr>
<th>Access to benches will be maintained for reclamation blasting?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

If no, explain:

<table>
<thead>
<tr>
<th>Small portions of benches will be left to provide habitat for raptors and other cliff-dwelling birds?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

**25D. Backfilling**

<table>
<thead>
<tr>
<th>Slopes will require backfilling?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

Depth of backfilling is **0-85** feet.

Slope stability compaction analysis required?

| □ yes □ no |

Compaction analysis provided by Golder Associates, February 8, 2016

<table>
<thead>
<tr>
<th>Backfilling plan and (or) permits are attached?</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ yes □ no</td>
</tr>
</tbody>
</table>

If no, explain: See Technical Memorandum (Golder Associates, February 8, 2016)
Backfilling will be done with overburden material after topsoil has been separated?  
\( \checkmark \) yes  \( \times \) no

If no, describe composition and source of backfill material: **Available overburden material has already been used as backfill. Other sources of backfill are required to complete reclamation. Sources of backfill include regional transportation and construction projects.**

Explain method of placement of fill: **When a truck transporting clean backfill material arrives, it is visually inspected then directed where to dump. The loader operator visually inspects the load again prior to final placement. All fill acceptance, placement, and compaction will be performed in accordance with guidelines set forth in the Technical Memorandum (Golder Associates, February 8, 2016).**

Locations of stockpiles are shown on maps and will be marked on the ground with permanent boundary markers?  
\( \checkmark \) yes  \( \times \) no

Will backfill be imported?  
\( \checkmark \) yes  \( \times \) no

If yes, give volumes needed to meet reclamation plan: **6,000,000 cubic yards**

Areas to be backfilled are shown on maps?  
\( \checkmark \) yes  \( \times \) no

If no, explain:

All grading/backfilling will be done with clean, inert, non-organic solids?  
\( \checkmark \) yes  \( \times \) no

If yes, give details. If no, explain: **See guidelines set forth in the Technical Memorandum (Golder Associates, February 8, 2016).**

Backfilled slopes will be compacted?  
\( \checkmark \) yes  \( \times \) no

If yes, give details. If no, explain: **See compaction guidelines set forth in the Technical Memorandum (Golder Associates, February 8, 2016).**

Will you be backfilling into water?  
\( \checkmark \) yes  \( \times \) no

If yes, is slope stability analysis attached?  
\( \checkmark \) yes  \( \times \) no

If yes, describe method: **Mine is dewatered. Backfill slopes will be exposed to water upon ceasing dewatering.**

25E. Mine Floors

Flat areas will be formed into gently rolling mounds?  
\( \times \) yes  \( \checkmark \) no

If yes, give details. If no, explain: **Subsequent use is residential and commercial. Flat areas will remain to support future development in accordance with the Hawk Property Subarea Plan (February 11, 2014).**

Mine floor will be gently graded into sinuous drainage channels to preclude sheetwash erosion during intense precipitation?  
\( \checkmark \) yes  \( \times \) no

If yes, give details. If no, explain: **Mine floor will be underwater.**

Mine floor and other compacted areas will be bulldozed, plowed, ripped, or blasted to foster revegetation?  
\( \checkmark \) yes  \( \times \) no

If yes, give details. If no, explain: **Mine floor will be backfilled between 0 to 85 feet. When reclamation is complete, pit dewatering will cease and the mine floor will become submerged under water.**

25F. Lakes, Ponds, and Wetlands

Is water currently present in the area or will the mining penetrate the water table?  
\( \checkmark \) yes  \( \times \) no

If no, go to Section 25G.

Reclaimed areas below the permanent low water table in soil, sand, gravel, and other unconsolidated material will have a slope no steeper than 1.5 feet horizontal to 1 foot vertical?  
\( \checkmark \) yes  \( \times \) no

If yes, give details. If no, explain: **See attached maps and Technical Memorandum (Golder Associates, February 8, 2016).**

If not already present, soils, silts, and clay-bearing material will be placed below water level to enhance revegetation?  
\( \checkmark \) yes  \( \times \) no

If yes, give details. If no, explain: **Soils, silts, and clay-bearing material are currently on the mine floor that will be submerged. Backfill slopes that will become submerged will include soils that support revegetation.**
APPLICATION FOR RECLAMATION PERMIT

Some parts of pond and lake banks will be shaped so that a person can escape from the water?  
☐ yes  ☐ no

Armored spillways or other measures to prevent undesirable overflow or seepage will be provided to stabilize bodies of water and adjacent slopes?  
☐ yes  ☐ no

If yes, give details. If no, explain: The pond will remain within a closed depression that supports a storm water flow from 25 year, 24 hr precipitation event.

Wildlife habitat will be developed, incorporating such measures as:
- Sinuous and irregular shorelines?  
  ☐ yes  ☐ no
- Varied water depths?  
  ☐ yes  ☐ no
- Shallow areas less than 18 inches deep?  
  ☐ yes  ☐ no
- Islands and peninsulas?  
  ☐ yes  ☐ no

Give details: See attached maps.

Ponds or basins will:
- Be located in stable areas?  
  ☐ yes  ☐ no
- Have sufficient volume for expected runoff?  
  ☐ yes  ☐ no
- Have an emergency overflow spillway?  
  ☐ yes  ☐ no
- Spillways and outfalls will be protected (for example, rock armor) to prevent failure and erosion?  
  ☐ yes  ☐ no

If any answers are no, explain: Pond is not expected to overflow. Any overflow from the pond will remain within the permit boundary. Future development of impervious surfaces will include additional stormwater controls that will be permitted through the City of Covington.

Proper measures will be taken to prevent seepage from water impoundments that could cause flooding outside the permitted area or adversely affect the stability of impoundment dams or adjacent slopes?

If yes, give details. If no, explain: Not applicable

Written approval from other agencies with jurisdiction to regulate impoundment of water is attached?

If no, explain: Not applicable

25G. FINAL DRAINAGE CONFIGURATION

Drainage will be capable of carrying the peak flow of the 25-year, 24-hour precipitation event?  
☐ yes  ☐ no

(Data are available at DNR Region offices)

If yes, are calculations attached?

If yes, give details. If no, explain: Calculations show the pond will be capable of containing flow from the 25-yr, 24-hr precipitation event.

Drainages will be constructed on each reclaimed segment to control surface water, erosion, and siltation?

Clean runoff is directed to a safe outlet?

If either yes, give details. If no, explain: Stormwater will infiltrate on-site.

Are these shown on maps?

The grade of ditches and channels will be constructed to limit erosion and siltation?

If yes, give details. If no, explain: Channels will be vegetated to limit erosion.

Natural-appearing drainage channels will be established upon reclamation?

If yes, give details. If no, explain: Drainage channels will be established to direct flow to future infiltration facility as necessary.

26. SITE CLEANUP AND PREPARATION FOR REVEGETATION

26A. Dealing with Hazardous Materials

Hazardous materials are present at the mine site?

If no, go to Section 26B

The final ground surface drains away from any hazardous natural materials?

If yes, give details. If no, explain:
APPLICATION FOR RECLAMATION PERMIT

Plan for handling hazardous mineral wastes indigenous to the site is attached? □ yes □ no
If no, written approval from all appropriate solid waste regulatory agencies attached? □ yes □ no

26B. Removal of Debris

All debris (garbage, ‘bone piles’, treated wood, old mining equipment, etc.) will be removed from the mine site? □ yes □ no
All sheds, scale houses, and other structures will be removed from the site? □ yes □ no
If either answer is yes, give details. If no, explain: All structures will be removed from the site. Solid waste will be removed and disposed of in accordance with all applicable rules and regulations.

27. REVEGETATION

The mine site is in: □ eastern Washington □ western Washington
The average precipitation is 45 inches per year.

Revegetation will start during the first proper growing season (fall for grasses and legumes, fall or late winter for trees and shrubs) following restoration of slopes? □ yes □ no
If yes, give details. If no, explain: Reclaimed areas will be seeded in the fall.

Test plots will be used to determine optimum vegetation plans? □ yes □ no

The site will not be revegetated because:
□ It is a rural area with a rainfall exceeding 30 inches annually and erosion will not be a problem (requires approval of DNR).
□ Demonstration plots and areas will be used to show that active revegetation is not necessary.
□ Revegetation is inappropriate for the approved subsequent use of this surface mine.
Explain: Revegetation with grasses will be performed to prevent erosion of the reclaimed area pending future development. Documentation is attached? □ yes □ no

27A. Recommended Pioneer Species

In the Sections below, check the species that will be planted at your mine site:

* indicates nitrogen-fixing species

<table>
<thead>
<tr>
<th>Western Washington Dry Areas</th>
<th>Western Washington Wet Areas</th>
<th>Eastern Washington Dry Areas</th>
<th>Eastern Washington Wet Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ alfalfa*</td>
<td>□ lupine*</td>
<td>□ clover*</td>
<td>□ juniper</td>
</tr>
<tr>
<td>□ cereal rye</td>
<td>□ perennial rye</td>
<td>□ colonial bent grass</td>
<td>□ lupine*</td>
</tr>
<tr>
<td>□ creeping red fescue</td>
<td>□ red alder*</td>
<td>□ Douglas fir</td>
<td>□ ponderosa pine</td>
</tr>
<tr>
<td>□ ground cover</td>
<td>□ shrubs</td>
<td>□ other grass legume mixture</td>
<td>□ deep-rooted ground cover</td>
</tr>
<tr>
<td></td>
<td></td>
<td>and wet soil type plantings</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>along pond</td>
<td></td>
</tr>
</tbody>
</table>

Western Washington Wet Areas

| birdfoot trefoil          | sedges               | cedar            | tubers              |
| cottonwood               | wetland grasses      | creeping red fescue | willow              |
| red alder*               | other                |                  |                     |

Eastern Washington Dry Areas

| alder*                   | grasses              | alfalfa*         | juniper             |
| black locust             | lodgepole pine       | clover           | lupine*             |
| deciduous trees          | ponderosa pine       | shrubs           | deep-rooted ground cover |
| diverse evergreens       | other                |                  |                     |

Eastern Washington Wet Areas

| alder*                   | cottonwood           | poplar           | sedges              |
| serviceberry             | tubers               | willow           |                     |
| other                    |                      |                  |                     |

Give planting details (stems/ acres of trees and shrubs, see Forest Practices manual: lbs/ acre of grass, legume, or forb mixture): Reclaimed area will be seeded with grass legume mixture at 30 lbs/ac.
Describe weed control plan:

See attached narrative.

### 27B. Planting Techniques

Revegetation at this site will require:
- Ripping and tilling? [ ] yes [ ] no
- Blasting to create permeability? [ ] yes [ ] no
- Mulching? [ ] yes [ ] no
- Irrigation? [ ] yes [ ] no
- Fertilization? [ ] yes [ ] no
- Importation of clay- or humus-bearing soils? [ ] yes [ ] no
- Other soil conditioners or amendments? [ ] yes [ ] no

Give details: **See narrative and drawings.**

Trees and shrubs will be planted in topsoil or in subsoil amended with generous amounts of organic matter? [ ] yes [ ] no

If yes, give details. If no, explain: **No trees and shrubs will be planted.**

Mulch will be piled around the base of trees and shrubs? [ ] yes [ ] no

High quality stock will be used? [ ] yes [ ] no

Trees and shrubs will be planted while they are dormant? [ ] yes [ ] no

Stock will be properly handled, kept cool and moist, and planted as soon as possible? [ ] yes [ ] no

Seeds will be covered with topsoil or mulch no deeper than one-half inch? [ ] yes [ ] no

If any answers are no, explain: **Trees and shrubs will not be planted.**

### 28. FINAL CHECKLIST

All required maps are attached? (See “Instructions for SM-8A” for detailed requirements.) [ ] yes [ ] no

All required cross sections are attached? (See “Instructions for SM-8A” for detailed requirements.) [ ] yes [ ] no

Geologic map attached (if required)? (See “Instructions for SM-8A” for detailed requirements.) [ ] yes [ ] no

All documents submitted have the date, the name and address of the permit holder, and the application number on every page of the material? [ ] yes [ ] no

The plan contains predominantly relevant information? [ ] yes [ ] no

Have you completed the SM-6 and has it been signed by the local jurisdiction? [ ] yes [ ] no

Have you provided the SEPA checklist? [ ] yes [ ] no

Have you provided a copy of the SEPA determination (DNS, MDNS, or DS)? [ ] yes [ ] no

Have you attached photographs? [ ] yes [ ] no

Are additional supplemental studies included?

If yes, check the appropriate box(es) below:

- Archeological [ ]
- Geohydrologic [ ] yes
- Backfill [ ]
- Slope stability [ ]
- Topsoil [ ]
- Flood plain [ ]
- Conservational [ ]
- Vegetation [ ]

Other permits required? [ ] yes [ ] no

If yes, check the appropriate box(es) below:

- Shoreline Permit [ ]
- Water Discharge Permit [ ]
- Solid Waste Permit [ ]
- Air Quality Permit [ ]
- NPDS or General Discharge Permit [ ] yes
- Hydraulic Project Approval [ ]
- Special or Conditional Use Permit [ ]
- Other [ ]
APPLICATION FOR RECLAMATION PERMIT

When signed by the applicant and approved by the Department of Natural Resources, this document and the associated maps, cross sections, reclamation narrative, and other attachments will be the approved reclamation plan for this permit that the permit holder must follow. Significant variations from the approved reclamation plan may require that a new plan be submitted to the Department for approval.

<table>
<thead>
<tr>
<th>Name and Title of Company Representative</th>
<th>Date signed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Karen Deal, Environmental + Land Use Director</td>
<td>9-21-2015</td>
</tr>
</tbody>
</table>

The applicant shall be considered as the permit holder for this surface mine and shall be responsible for compliance with Chapter 78.44 RCW, Chapter 332-18 WAC, the approved reclamation plan and attachments, and the conditions of the permit if issued by the Department of Natural Resources.

I hereby agree to comply with this plan.
Signature of applicant or company representative

SURFACE OWNERSHIP
Give names, addresses, and signatures of all individuals with possessory interest in land. (Attach signed copies of this page if more than one.)

Hawk Family
18330 SE Hawks Holm Rd
Auburn WA 98092

I verify that the applicant has my permission to mine from my land.
Signature of landowner(s) Date signed

9-21-2015

OWNERSHIP OF RIGHTS TO REMOVE MINERALS
BY SURFACE MINING
Give names, addresses, and signatures of all individuals with rights. (Attach signed copies of this page if more than one.)

Hawk Family
18330 SE Hawks Holm Rd
Auburn WA 98092

I verify that the applicant has my permission to mine this land.
Signature of rights owner(s) Date signed

9-21-2015

I hereby verify that I have seen and approved this plan.
Signature of landowner(s) Date signed

9-21-2015

I hereby verify that I have seen and approved this plan.
Signature of rights owner(s) Date signed

9-21-2015

FOR DEPARTMENTAL USE ONLY

Date accepted | Accepted by: | Title | Reclamation Permit No.
-------------|--------------|-------|----------------------|
7-13-16      | Ceni Yellow Reclamation Deputy             | 11068 |

Comments by Department:
This narrative has been prepared to supplement the responses in the Department of Natural Resources (DNR) Surface Mining Form SM-8A. This information is provided by Lakeside Industries, Inc. (Lakeside) for the Covington Pit located in King County and within the City of Covington.

The site has been operated as a sand and gravel mine since the 1970’s. The mine is owned by Hawk Family Properties and Hughes Family Investment, Ltd. The mine is operated by Lakeside Industries, Inc. Mining has permanently ceased and the site is being reclaimed for future urban development.

The mine area is 209 acres which includes four separate parcels (Parcels A, B, C, D, and E) as depicted on reclamation map set drawing R-1. Parcels A, B, and C are located within the City of Covington and are part of the Hawk Property Subarea. Parcels D and E are located within the City’s urban growth area and are also part of the Hawk Property Subarea. The Hawk Property Subarea is delineated by the mine permit boundary.

In 2013, the City initiated a study to develop the Hawk Property Subarea Plan and an Environmental Impact Statement (EIS) (see Attachment 1). On February 11, 2014, the City of Covington adopted the Hawk Property Subarea Plan, accompanied by a Planned Action Environmental Impact Statement (Planned Action EIS), new zoning, and Comprehensive Plan goals and policies for the conversion of the entire 212-acre site from a mining to an urban village with mixed use commercial and residential (see Attachment 2). The Subarea Plan and Planned Action EIS together contemplate up to 850,000 square feet of local and regional commercial space and 1,500 residential units on the site. The current entitlements also require several acres of public parks and walking trails, as well as ensuring that an approximately 19-acre pond remains for aesthetic and stormwater management purposes.

In early 2015, the City received a petition and application to annex Parcels D and E (see Attachment 3). The parcels are currently located on the northeastern edge of the City and classified in the Comprehensive Plan as Potential Annexation Area 1. As described above, these parcels were part of the subarea planning efforts undertaken over the past few years that resulted in the Hawk Property Subarea Plan and Planned Action EIS. On January 12, 2016 the City Council passed Ordinance 01-2016 annexing Parcels D and E to the City of Covington.

Of the 209 acres within the permit boundary, a total of 137 acres have been disturbed and are undergoing reclamation in accordance with the Hawk Property Subarea Plan and Planned Action EIS. The site has historically operated under DNR Reclamation Permit No. 70-011068, City of Covington Grading Permit No. GR01-0001 and King County Grading Permit Project No. L72G1461. The City of Covington Grading Permit specifically authorized import of approximately 500,000 cubic yards of fill material from Hwy 18 State Project (see Attachment 4). On September 25, 2015, the property developer was issued a SEPA Determination of Non-Significance (DNS) for Hawk Property Grading (Limited Scope), Application No. LU15-0013, for rough grading of 55.37 acres on-site.
The maximum vertical depth mined below pre-mining topographic grade is 90 feet. Mining has permanently ceased at the site.

To achieve final reclamation elevations, backfill will be imported to the site. The fill accepted will be clean, inert, non-organic solids. Lakeside visually inspects imported material and will comply with the recommendations presented in the Technical Memorandum, Golder Associates (February 8, 2016) to ensure acceptance of clean, inert fill material only (see Attachment 5). Lakeside recognizes that specific uses or structures proposed in the future will require additional permitting through the City of Covington and engineering and will be subject to specific recommendations of the engineer at the time of permitting and construction. To ensure the fill will support future development and ensure slope stability, fill will be imported and compacted in accordance with the criteria set forth in the Technical Memorandum.

The site will be graded to allow for primary stormwater drainage toward the infiltration pond. Erosion and sedimentation will be managed through directing stormwater toward the infiltration pond and practicing sediment and erosion control BMPs set forth in the Sand and Gravel General Permit No. WAG50-3267.

Once final grade is reached, topsoil will be distributed evenly over entire site and seeded with an appropriate erosion control seed mix to stabilize soils. Mulching will be done, where needed, to encourage revegetation. Noxious weeds, if encountered, will be managed in accordance with RCW 17.10 and controlled by spraying and mechanical means as necessary to ensure success of revegetation. See attached plans for planting details.
LAKESIDE INDUSTRIES, INC.
COVINGTON PIT
DNR RECLAMATION PLAN UPDATE
IN SECTIONS 19, 20, 29 AND 30 TOWNSHIP 22N, R 6E, W.M.
DNR PERMIT NO. 70-011068
CITY OF COVINGTON, KING COUNTY, WA

PROJECT DESCRIPTION:
THIS PLAN IS PREPARED AS A RECLAMATION PLAN UPDATE TO SHOW CURRENT AND ONGOING RECLAMATION ACTIVITIES AT THE EXISTING SURFACE MINES KNOWN AS THE "COVINGTON PIT" HAVING DNR PERMIT NO. 70-011068 AND RECORDS IN THE CITY OF COVINGTON, KING COUNTY, WA.

CONTACT INFORMATION:
APPLICATION HOLDER:
COWKAREN DEAL
P.O. BOX 905
BEAUMONT, WA 98239
PHONE: 360-352-0566
EMAIL: NARSISI@COWKAREN.COM

RECLAMATION PLAN PREPAREER:
ARMSTRONG & ASSOCIATES, INC.
CO. JASON PETERSON
555 SOUTH 5TH STREET
SPokane, WA 99201
PHONE: 509-326-2000
EMAIL: JPI@ARMSTRONGINC.COM

LEGAL DESCRIPTION:
(M informative deed bearings below 30'' clockwise to be on state plane project bearing system)

PARCEL A:

PARCEL B:

PARCEL C:
THE NORTH half of the northeasterly section 20, Township 22 North, Range 6 East, W.M., more particularly described as follows:

EXECUTED AT THE NORTHWEST CORNER OF SAID SECTION 20.
THEN a northwesterly line along the north line of said section 20, northwesterly to the centerline of northwesterly line of said section 20.
THEN a southeasterly line along the centerline of northwesterly line of said section 20, southeasterly to the northeast corner of said section 20.
THEN a northwesterly line along the north line of said section 20, northwesterly to the centerline of northwesterly line of said section 20, southeasterly to the northeast corner of said section 20.
THEN a southeasterly line along the centerline of northwesterly line of said section 20, southeasterly to the northeast corner of said section 20.

EXCEPT ANY PROPERTY THEREOF AS DESCRIBED IN THAT DEED OF TRUST DATED AND RECORDED APRIL 15, 1975 UNDER AUDITORS FILE NUMBER 205197, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL D:
THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 22N, RANGE 6E, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EXECUTED AT THE SOUTHWEST CORNER OF SAID QUARTER.
THEN a southeasterly line along the south line of said quarter, southeasterly to the centerline of south line of said quarter.
THEN a northerly line along the centerline of south line of said quarter, northerly to the southeast corner of said quarter.
THEN a southeasterly line along the centerline of south line of said quarter, southeasterly to the northeast corner of said quarter.

EXCEPT ANY PROPERTY THEREOF AS DESCRIBED IN THAT DEED OF TRUST DATED AND RECORDED APRIL 15, 1975 UNDER AUDITORS FILE NUMBER 205197, RECORDS OF KING COUNTY, WASHINGTON.

PARCEL E:
THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 22N, RANGE 6E, W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EXECUTED AT THE SOUTHWEST CORNER OF SAID QUARTER.
THEN a southeasterly line along the south line of said quarter, southeasterly to the centerline of south line of said quarter.
THEN a northerly line along the centerline of south line of said quarter, northerly to the southeast corner of said quarter.
THEN a southeasterly line along the centerline of south line of said quarter, southeasterly to the northeast corner of said quarter.

EXCEPT ANY PROPERTY THEREOF AS DESCRIBED IN THAT DEED OF TRUST DATED AND RECORDED APRIL 15, 1975 UNDER AUDITORS FILE NUMBER 205197, RECORDS OF KING COUNTY, WASHINGTON.
This technical memorandum presents a summary of geotechnical conditions and reclamation fill recommendations at the Lakeside Industries Covington Pit located in Covington, King County, Washington. The information is intended to supplement a revised reclamation plan application to the Washington Department of Natural Resources. The reclamation plan revisions include minor changes to final surface grades and contours of the proposed pond.

1.0 SOIL CONDITIONS AND GROUNDWATER

1.1 Soil Conditions

The Covington Pit is situated within a flat to gently undulating topographic feature termed the Covington Drift Plain characterized by thick recessional outwash sand and gravel deposited at the end of the last glacial advance by glacial streams and rivers flowing between the upland ridges underlain by till. The soil units mapped at the surface on and adjacent to the Covington Pit (Mullineaux 1965) include ground moraine deposits (mostly glacial till) and recessional outwash deposits (sand and gravel). The mine excavation has also likely encountered deeper advance outwash deposits. Fill soil has also been imported to the mine from surrounding construction sites and used for reclamation of the mine pit.

1.2 Groundwater Conditions

Groundwater was reportedly encountered on the Covington Pit during mining in the recessional outwash deposit. The mine has been actively dewatered to an elevation of approximately 315 to 320 feet. The natural groundwater level (without active dewatering) is estimated to be approximately 380 feet. This elevation correlates closely to the water level reported in the deeper advance outwash deposit (USGS 1995; King County 2000) and it is believed that the two units may be in contact with each other in the vicinity of the Covington Pit. The water level is expected to vary seasonally due to annual precipitation as well as multi-season precipitation trends. The precise groundwater flow direction is not known but publications (USGS 1995; King County 2000) indicate it is likely toward the west.

Under the proposed fill plan, groundwater levels will remain dewatered as the pit is backfilled to design grades. A gradual reduction in dewatering will occur as structural fill is placed allowing the proposed pond
to re-fill to natural groundwater elevations. The engineered fill slopes will be designed to be stable under the natural groundwater condition when the pond is full. Natural water level fluctuations as well as water quality issues will be mitigated by future stormwater controls designed in accordance with the 2012 Department of Ecology Stormwater Management Manual for Western Washington.

2.0 CRITICAL AREAS

The Covington Pit falls under jurisdictional critical area mapping for both King County (Critical Aquifer Protection Area) and City of Covington (wellhead protection zones). No historical impacts to these critical areas have been documented. Critical Areas related to the Covington Pit include the following:

Critical Aquifer Protection Area (CARA) - King County has designated that portion of the Covington Pit lying within the County as a category 2 CARA. A category 2 CARA is an area the County has determined to have a medium susceptibility to groundwater contamination and is located in a sole source aquifer or a wellhead protection area; or an area highly susceptible to groundwater contamination and not located in a sole source aquifer or wellhead protection area.

- Aquifer Recharge Category 1 – The portion of the Covington Pit lying within the City of Covington limits is mapped as an Aquifer Recharge Category 1 area (high recharge) (Covington 2003). This designation is similar to the King County designation.
- Wellhead Protection Zones - The Covington Pit is located just outside of the 1-year time of travel, partially within the 5-year time of travel, and completely within the 10-year time of travel for the Kent Armstrong Springs wells water system.
- Dewatering – Dewatering of the Covington Pit has been ongoing for decades and is expected to continue under existing permit provisions. Dewatering is actively monitored and managed to comply with discharge turbidity standards. There have been no documented impacts to adjacent groundwater critical areas as a result of dewatering.

Under the proposed reclamation plan the pit dewatering will continue and then gradually decrease as reclamation filling is completed. Dewatering will cease when design grades are reached around the proposed pond and groundwater levels will recover, filling the pond. During and after reclamation groundwater quality will be maintained by the following methods:

- Import Fill Environmental Screening: Fill imported to the Covington Pit will be subject to environmental screening in accordance with a materials testing procedure (Attachment A). The materials testing procedure includes a procedure for documenting sources of import fill being delivered to the site, regular field environmental screening and sampling. In general, the fill will be visually observed and field screened for contaminants. Any fill material that is suspected of containing contamination will be sampled and analyzed. If contamination is confirmed the fill material will be removed from the site.
- Stormwater Best Management Practices (BMPs): Stormwater is managed largely by on-site collection and treatment in settling ponds followed by infiltration in various locations. During reclamation, stormwater quality will be maintained similarly through the use of BMPs including source controls, settling ponds and fill management to minimize sediment transport in stormwater. Monitoring of the quality of the water being pumped during pit
dewatering will continue. When water quality impacts such as high turbidity are detected pumping will be stopped until water quality improves.

3.0 SLOPE STABILITY

The final reclamation site grades will generally be flat with the exception of mostly submerged fill slopes around the pond perimeter and existing mine cut slopes that will remain below and above the permanent pond water level on the south side of the pond. The two slope conditions are described as follows:

- Existing Mine Cut Slopes - The proposed grading plan will maintain a short section of existing mine cut slopes along the south side of the proposed permanent pond. These slopes are about 70 feet in height and are inclined at 1.5H:1V (Horizontal:Vertical) in the east half and 3H:1V in the west half. These slopes have been stable at these cut inclinations for decades and are expected to remain stable in the final reclamation plan configuration.

- Constructed Reclamation Fill Slopes - Compacted fill slopes will be constructed around the pond and will extend below the permanent water level at inclinations of 2H:1V or flatter and slopes at the water/land interface will be sinuous ranging between 2H:1V and 3H:1V or flatter.

Golder completed stability analyses on a section of the fill slope indicated on the attached figure by Harmsen & Associates (Figure R-3). The analysis assumed that the slope was constructed in a de-watered condition and was then analyzed under several water level conditions in the adjacent pond to simulate the condition as the pond fills. The results of the stability analyses indicate that fill slopes constructed of compacted structural fill as described in this memorandum will be stable. No adverse impacts from the proposed existing mine cut slopes or the constructed reclamation fill slopes is anticipated. The stability analysis is described below.

Golder completed the slope stability analyses using limit equilibrium methods set forth by Morgenstern and Price (1965). Analysis was carried out using the commercially available program SLIDE (V 6.0) by RocScience. The analyses focused on a 2H:1V slope consisting of compacted structural fill with a vertical relief of approximately 80 feet adjacent to a pond with a maximum water surface elevation of 378 feet.

3.1 Soil Strength Parameters

The slope stability analyses were completed assuming soil shear strength for compacted structural fill shown in Table 3-1. Golder assumed the backfill soils used for reclamation will consist of silty sand, largely derived from glacial till deposits. The soils shear strength parameters are consistent with published soil properties and correlations for similar materials and Golder's experience with similar soils. Friction angles for the subsurface soils were estimated using correlations provided in Washington State Department of Transportation (WSDOT 2012). The strength parameters for the proposed fill material were selected based on typical values for compacted fill (NAVFAC 1988) and engineering experience.
Table 3-1: Summary of Design Soil Parameters

<table>
<thead>
<tr>
<th>Soil Name</th>
<th>Unit Weight, (\gamma) (pcf)</th>
<th>Friction Angle, (\phi) (degrees)</th>
<th>Cohesion, (c) (psf)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compacted Silty Sand Structural Fill</td>
<td>125</td>
<td>34</td>
<td>100</td>
</tr>
</tbody>
</table>

3.2 Groundwater

For purposes of these analyses, the maximum groundwater was assumed to be elevation of 378 ft mean sea level (msl) based on the maximum water elevation in the adjacent pond.

3.3 Seismic Design Criteria

The peak ground acceleration (PGA) values on bedrock for seismic design were estimated using the USGS US Seismic Design Maps (USGS 2016). Assuming a risk level of 2% probability of exceedance (PE) in 50 years (approximately a 2,500-year recurrence interval) for the site, a PGA of 0.502g was used for seismic stability analysis.

Using the United States Geological Survey (USGS) 2008 Interactive Deaggregations website (https://geohazards.usgs.gov/deaggint/2008/; USGS 2008), the Southern Whidbey Island Fault Zone (Mw 7.4), the Seattle Fault Zone (Mw 7.2) and subduction zone earthquake (Mw 9.0) were found to be the predominant seismic sources for the Site. A 6.7 magnitude is given as the mean value for Earthquake Magnitude for the site.

3.4 Slope Stability Analysis Results

3.4.1 Static Stability

The static stability of the proposed 2H:1V slope was analyzed for a range of water elevations in the adjacent pond (320 feet to 378 feet). Results of the static stability analyses are shown in Table 3-2. Static stability sections met the minimum required factor of safety of 1.5. An example of the output from Slide is attached to this memorandum.

Table 3-2: Static Stability Results

<table>
<thead>
<tr>
<th>Water Elevation</th>
<th>Factor of Safety</th>
</tr>
</thead>
<tbody>
<tr>
<td>378 feet (maximum)</td>
<td>1.86</td>
</tr>
<tr>
<td>365 feet</td>
<td>1.89</td>
</tr>
<tr>
<td>355 feet</td>
<td>1.61</td>
</tr>
<tr>
<td>349 feet (mid-point)</td>
<td>1.59</td>
</tr>
<tr>
<td>345 feet</td>
<td>1.58</td>
</tr>
<tr>
<td>340 feet</td>
<td>1.58</td>
</tr>
<tr>
<td>335 feet</td>
<td>1.59</td>
</tr>
<tr>
<td>320 feet (bottom of pond)</td>
<td>1.65</td>
</tr>
</tbody>
</table>
3.4.2 Pseudostatic Seismic Analysis
A pseudostatic seismic analysis of the proposed 2H:1V slope was completed for the peak ground acceleration of 0.502 g. A seismic acceleration equal to 50% of peak ground acceleration was used in the pseudostatic analysis. The results of the analysis indicate a factor of safety of less than one. Output from Slide is attached. Based on calculation of a pseudostatic factor of safety of less than one, a displacement based analysis was completed to further evaluate the seismic slope stability. Details of the displacement based analysis are presented in the following section.

3.4.3 Seismic Slope Displacement Analysis
A Makdisi-Seed Analysis was completed to estimate slope displacements associated with the peak ground acceleration of 0.502 g. The procedure is described in detail in Geotechnical Earthquake Engineering (Kramer 1996) and in the original paper (Makdisi and Seed 1978). Slide was used to calculate the earthquake acceleration resulting in a Factor of Safety equal to 1, which is called the yield acceleration. The ratio of the yield to peak acceleration can then be used to estimate slope displacement resulting from the earthquake. Parameters used in the Makdisi-Seed Analysis are summarized in Table 3-3.

Table 3-3: Parameters for Displacement Analysis

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yield Acceleration</td>
<td>0.16 g</td>
</tr>
<tr>
<td>Peak Acceleration</td>
<td>0.50 g</td>
</tr>
<tr>
<td>Yield to Peak Ratio</td>
<td>0.32</td>
</tr>
<tr>
<td>Earthquake Magnitude</td>
<td>6.7</td>
</tr>
</tbody>
</table>

Results of the Makdisi-Seed Analysis indicate slope displacement on the order of 6 inches to 1 foot. The displacement will be largest near the slope crest and face with decreasing displacement with increasing distance from the crest. No adverse impacts would be anticipated as a result of these minor seismic displacements.

4.0 FILLING

4.1 Imported Reclamation Fill Material
All imported fill should be native material excavated from a construction site. The fill should meet the requirements of the import fill material screening and testing procedure (Attachment A) and be free of any construction debris, visible organic material, and topsoil. Fill soil should not contain any detectable/quantifiable listed dangerous waste or constituent as defined in WAC 173-303. In addition, fill soil should be classified as a Category 1 Soil\(^1\) that contains no detectable/quantifiable petroleum hydrocarbons or constituents.

---

\(^1\) Department of Ecology Publication No. 10-09-057, September 2011, table 12.2
Fill soil should not contain any detectable/quantifiable hazardous substance as defined in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

Fill soil should not contain any substance that exceeds Model Toxics Control Act (MTCA) Method A or B cleanup levels for unrestricted land use as set forth in the MCTA implementing regulations (Chapter 173-340 WAC).

4.2 Fill Placement and Compaction
Reclamation fill shall be placed on dewatered subgrade and be capable of being compacted to specifications listed below. When possible, fill should be placed in horizontal lifts not exceeding 12 inches in loose thickness, and each lift should be thoroughly compacted with a mechanical compactor. Where existing slopes are present (slopes steeper than 5H:1V), imported fill shall be keyed into the undisturbed ground with horizontal benches of sufficient width to allow for the proper operation of compaction equipment.

4.3 Fill Compaction and Testing Criteria
All reclamation fill material placed to establish permanent grades shall be observed and tested in accordance with the compaction testing plan elements listed below. Temporary fills such as berms, stockpiles or material being moisture conditioned are exempt from the requirements listed below.

Compaction Testing Plan
- Fill placed within 5 feet of the final design grade: Minimum 95% of Modified Proctor
- Fill placed below 5 feet of the final grade: Minimum 90% of Modified Proctor
- Compaction Test Frequency: Minimum one test per 1000 cubic yards of fill placed

If compaction test results do not meet the minimum specifications listed above the fill shall be moisture conditioned, re-compacted, and re-tested until the compaction criteria is met. Compaction test results shall be recorded along with the approximate location and elevation of the test. Summary records of the compaction testing shall be recorded in field reports.

4.4 Subgrade Preparation
All areas to receive structural fill shall be properly investigated and prepared to support the anticipated fill loads. Areas of soft or weak subgrade soils should be investigated and remediated (removed, re-compacted, or remediated to provide a stable subgrade and significantly reduce the potential for soil liquefaction impacts).
GOLDER ASSOCIATES INC.

James G. Johnson, LG, LEG
Principal

Alison J. Dennison, LG
Senior Project Geologist

List of Attachments:
Harmsen & Associates Inc. Reclamation Plan Figure R-3
Static Stability – Fill Slope SLIDE – RocScience
Attachment A – Environmental Screening and Testing Procedure
6.0 REFERENCES


King County Department of Natural Resources. 2000. Potentiometric Surface in the Q(A)c Aquifer, South King County Groundwater Management Area. http://your.kingcounty.gov/dnrp/library/archive-documents/wlr/wg/pdf/0002SKCgwtrPLATE3b.pdf


ATTACHMENT A

COVINGTON PIT
IMPORT FILL MATERIAL
SCREENING AND TESTING PROCEDURE

Imported fill to the Covington Pit shall be regularly observed (visual inspection) and tested (if indicated) to comply with the material acceptance criteria listed below. The acceptance criteria includes soil characteristics and material properties as well as environmental contamination.

Field screening and testing site visits will be conducted depending on factors such as the import fill volume, number of sites that fill is being sourced from and the type of source site (to the degree the information is available). Field screening and testing events shall be conducted, on average, twice per week while fill material is being imported. The following tasks will be completed during each field visit:

SOIL SCREENING:

- Identify areas where imported soil has been placed and describe and photograph the location of fill dumping and grading;
- Document to the degree possible the fill source locations;
- Record a description of the soil type, noting USCS soil description and percentage of visible debris and organics; and
- Screen for Environmental Contamination: Screening shall include visual inspection of the soil for staining or the presence of debris, sheen testing, odor screening using olfactory senses and screening for volatile organic compounds (VOCs) with a photo-ionizing detector (PID). If contamination is suspected based on results of screening then analytical testing will be completed in accordance with procedure described at the end of this attachment (Analytical Testing Procedure).

MATERIAL ACCEPTANCE CRITERIA:

- Imported fill materials shall be mineral soil composed of a mixture of sand, gravel and fines that are capable of being compacted as structural fill;
- High clay content soils are not acceptable;
- The soil shall be inert, non-combustible, free of construction debris, wood debris, and topsoil; and
- Import fill shall be free of environmental contamination as demonstrated by the field screening and testing procedures outlined in this testing plan.
- If any import fill material is deemed by the geotechnical engineer to fail to meet the material acceptance criteria described in this procedure it shall be removed from the site. The excavation and removal of the fill will be completed by the site contractor and will be observed and documented by the geotechnical engineer. Soil index testing and/or environmental sampling shall be completed around the perimeter of the excavation removal limits to verify that all unsuitable soil was removed.

ANALYTICAL TESTING PROCEDURE:

If any fill soils are suspected of being contaminated based on the soil screening criteria listed above, a sample will be collected and analyzed in accordance with the procedure listed below. If contaminated soils are confirmed, a removal plan will be developed and the affected soil removed from the site.

- Collect soil samples for analytical testing;
- Record the location of the soil sample collection point using GPS coordinates;
- Notify the contractor of the location of the suspected contamination and request that the area be secured from grading until the disposition of the test results are known; and
- Deliver the soil samples to laboratory for analytical testing in accordance with the analytes and methods listed below. No less than a 3 day laboratory turnaround:
  o Tier 1 analytes and methods
    - Petroleum hydrocarbons:
      → Diesel through oil range by NWTPH-Diesel_{extended}
      → Gasoline range petroleum hydrocarbons by NWTPH-Gasoline
    - Volatile Organic Compounds (VOCs) by EPA Method 8260C
    - RCRA Metals by EPA Method 6010C and 7470A/7471A
  o Tier 2 analytes and methods
    - Additional analysis maybe required pending results of Tier 1 including but not limited to:
      → Semi-VOCs by EPA Method 8270D
      → Polychlorinated biphenyls (PCBs) by EPA Method 8082
      → Carcinogenic polycyclic aromatic hydrocarbon (cPAHs) by 8270D modified
Exhibit P
EXHIBIT P
LAKEPOINTE URBAN VILLAGE SUBAREA DESIGN STANDARDS
(“SUBAREA DESIGN STANDARDS”)

Contents
1. Subarea Design. .......................................................................................... 3
   1.1. Underground Utilities ........................................................................... 3
   1.2. Transit Facilities .................................................................................... 3
   1.3. Pedestrian Circulation/Wayfinding and Street Crossings ..................... 3
      1.3.1. Mid-Block Pedestrian Street Crossing ........................................... 3
      1.3.2. Connecting Pedestrian Access Routes .......................................... 4
   1.4. Overcrossings and Underpasses .......................................................... 4
   1.5. Decorative Retaining Walls ................................................................. 4
2. Compatibility with Existing Residential Development along the Subarea’s Southern Boundary .... 4
   2.1. Green Buffer ....................................................................................... 4
   2.2. Surface Parking Lots ............................................................................ 5
   2.3. Refuse Loading and Collection Areas .................................................. 5
3. Subarea Building Design ........................................................................... 5
   3.1. Consistency ......................................................................................... 5
   3.2. Visual Interest ...................................................................................... 5
   3.3. Transparency ....................................................................................... 5
   3.4. Prominent Entrances ................................................................. 6
      3.4.1. Ground floor residential units ............................................. 6
   3.5. Single-Family Residential Design Elements ......................................... 6
      3.5.1. Diminished Garages on Detached Single Family Residential Units ...... 6
      3.5.2. Townhouse development standards ............................................ 6
   3.6. Building Materials ............................................................................. 8
      3.6.1. Metal Siding Standards ................................................................. 8
      3.6.2. Concrete Block Standards ............................................................ 8
      3.6.3. Standards for Stucco or Other Similar Troweled Finishes ............... 8
   3.7. Minimum Building Height ................................................................. 9
   3.8. Facade Elements ................................................................................. 9
   3.9. Window Design ................................................................................... 9
   3.10. Blank Walls ....................................................................................... 9
   3.11. Roof and Rooftop design .............................................................. 11
3.11.1. Rooftop Landscaping/ Greenroofs ................................................................. 11
3.11.2. Rooftop solar installations ............................................................................... 11
3.11.3. Screening of mechanical and communication equipment ............................. 11
3.12. Drive-Through Facilities .................................................................................... 11

4. Surface Parking Lots and Parking Structures ......................................................... 11
   4.1. Surface Parking Lots ......................................................................................... 11
   4.2. Exterior Parking Landscape Screening ............................................................... 12
   4.3. Surface Parking Lot Pedestrian Walkway Design ............................................... 12
       Wheelstops ........................................................................................................ 13
   4.4. Multi-Purpose Parking Lot Areas ..................................................................... 13
   4.5. Parking Structure Design ................................................................................ 13

5. Storage, Service & Truck Loading Areas and Mechanical Equipment ..................... 14

6. Garbage, Recyclables and Compostable Collection Enclosures ............................... 15
   6.1. Fully Enclosed .................................................................................................. 15
   6.2. Materials & Design ....................................................................................... 15
   6.3. Roof ................................................................................................................ 15
   6.4. Height .............................................................................................................. 15
   6.5. Gates .............................................................................................................. 15
   6.6. Layout and Location ....................................................................................... 15
   6.7. Landscape screening ....................................................................................... 15
   6.8. Detached Single-family house and Townhouse ............................................... 16

7. Landscape Design .................................................................................................... 16
   7.1. Maintenance .................................................................................................... 16
   7.2. Amount and Location ..................................................................................... 16
   7.3. Building Entries .............................................................................................. 16
   7.4. Building Facades ............................................................................................ 16
   7.5. Continuity ....................................................................................................... 16
   7.6. Suitable Plant Species .................................................................................... 17
   7.7. Irrigation .......................................................................................................... 17
   7.8. Mulch ............................................................................................................. 17
   7.9. Soil quality, depth, and volume ...................................................................... 17
   7.10. Trees and Groundcover Maintenance ............................................................ 17
The following design review standards shall be applied to development within the Subarea in addition to the design review standards included in CMC Title 18 (Exhibit B of the Lakepointe Urban Village Development Agreement). In the instance where there is a conflict between the provisions of this Agreement and the CMC regarding design review standards, the most restrictive standard shall apply. When a standard uses the word “shall,” the standard is mandatory. When a standard uses the word “should,” the standard is mandatory unless the applicant can demonstrate, to the satisfaction of the Designated Official, an equal or better means of satisfying the standard and objective. All development in the Lakepointe Urban Village shall provide and incorporate the following elements to attract the interest of residents, shoppers and workers.

1. **Subarea Design.** Subarea design strategies should create or enhance natural features or systems that can be incorporated into the site design. For example, consideration should be given to landscaped bio-retention cells that are aesthetically pleasing, that would emphasize natural features and creates a pedestrian friendly environment by providing landscape designed features or areas of interest and provide separation between pedestrians and traffic.

   1.1. **Underground Utilities.** All development within the Lakepointe Urban Village shall provide for the undergrounding of utility facilities (e.g. control boxes, cable television, data network, electrical, telephone, and similar distribution lines providing direct service to the site) in accordance with the City’s Design and Construction Standards. Necessary above ground facilities that have demonstrated they cannot be located underground or in an adjacent building (e.g. meters, transformers, telephone risers, signal control boxes, etc.) should be located to minimize their appearance and be integrate into the streetscape and landscaping. Artwork and/or landscape elements should be utilized to screen utility facilities that demonstrate they cannot be placed underground.

   1.2. **Transit Facilities.** Transit Facilities for both public and private providers should be integrated into the design of the Lakepointe Urban Village, including bus parking/loading space, pullouts and shelters and facilities for transit users. Plans should be coordinated with public and private transit providers to maximize the interface with community wide and regional transit systems.

1.3. **Pedestrian Circulation/Wayfinding and Street Crossings.**

   1.3.1. **Mid-Block Pedestrian Street Crossing.** Pedestrian crossings, may be provided if warranted, at mid-block of a street and should be provided through one or more of the following, subject to the Designated Officials approval:

   1.3.1.1. Curb bulb-out to reduce the distance traveled in the street
   1.3.1.2. Special paving color/texture/composition to visually accent the crossing
   1.3.1.3. Advanced warning sign(s) to drivers of upcoming crossing
1.3.1.4. Pedestrian level lighting

1.3.2. Connecting Pedestrian Access Routes. A complete network of clearly defined pedestrian walkways should be provided connecting internal site walkways to uses within the site and to the larger street network and trail system in a safe and comfortable manner. Links to the open space and surrounding walkways and trails shall be provided. Pedestrian scale lighting, directional signage, plantings, benches and other similar facilities shall be provided as appropriate to further define the pedestrian space. Walkways shall be at an appropriate width to accommodate the intended user(s).

1.4. Overcrossings and Underpasses. Overcrossings and underpasses shall be designed to incorporate artwork and decorative features visible on approaches from the roadway, trail and sidewalk. An artist familiar with integrating art into large infrastructure projects should be an integral part of the design team for design of any overcrossings or underpasses.

1.5. Decorative Retaining Walls. Any retaining walls constructed within the subarea that are visible from a street, sidewalk, trail, park or public gathering area shall be a decorative retaining wall. An artist familiar with integrating art into large infrastructure projects should be an integral part of the design team for the retaining wall. The aesthetic treatment of retaining walls may involve items such as:
- Form liners to produce interesting and various surface finishes.
- Durable paints, stain, or colored concrete to color surfaces.
- Various wall geometrics to accommodate landscaping and any irrigation.

2. Compatibility with Existing Residential Development along the Subarea’s Southern Boundary.
Surrounding vegetation, topography, street patterns, parking configuration, lighting and building massing should be designed in order to result in a compatible fit between the proposed development and existing residential development abutting the southern border of the subarea.

2.1. Green Buffer. The existing vegetation and natural topography along the southern boundary shall be retained as follows:
- 2.1.1. Proposed commercial uses within the subarea adjacent to existing residential uses – minimum 70 feet wide green buffer.
- 2.1.2. Proposed residential uses of higher density within the subarea adjacent to existing single family residential – minimum 50-foot wide green buffer.
- 2.1.3. Proposed residential of similar density to existing single family residential (adjacent to...
the Maple Hills project)—0’-no green buffer is required (e.g. the Maple Hills subdivision). Shire Hills Subdivision will abut an area within the subarea that will be maintained as critical area and/or native open space/tree tracts, so no additional buffer is necessary.

2.1.4. Trails and necessary utilities and construction of the Covington Connector and 191st Place SE extension shall be permitted within the existing vegetation and green buffer along the southern border.

2.2. Surface Parking Lots. Surface parking lots shall provide a landscaped buffer from ground level views of an abutting residential district of a lower intensity. Landscaped buffer may be accomplished by berms, hedges, all-season plantings, walls or combinations thereof. Surface parking lots should be located away from adjacent residential properties where possible.

2.3. Refuse Loading and Collection Areas. Loading and refuse collection areas should be on the side of a building facing away from an abutting residential district of a lower intensity, but not in a front yard setback, or visible from a public right of way.


3.1. Consistency. Design details and high quality materials should be used on all sides of a structure to ensure a “four-sided” quality to the entire building and throughout all of the subarea development.

3.2. Visual Interest. Building facades should be designed with a variety of architectural elements that suggest the buildings’ use and how it relates to other development in the specific focus area. Building facades should provide visual interest to pedestrians. Special care should be given to landscaping, mass and roof forms of buildings to provide visual interest. Street level windows, building setbacks, on-street entrances, landscaping and articulated walls shall be implemented in the building design. Upper-story features shall be included that improve the relationship between the upper stories and the street, while reducing the apparent bulk of buildings and to maintain a pedestrian scale. Architectural features and other amenities should be used to highlight buildings, site features and entries and add visual interest.

3.3. Transparency. Mixed-use and commercial building frontages shall include windows or roll up doors with clear vision, non-reflective glass that allows views of indoor commercial space or product display area, on at least 60% of the area between two and twelve feet above grade for all ground floor building facades that are visible from an adjacent street. Display areas should be a minimum of sixteen inches in depth to allow for changeable displays. Tack on display cases shall not qualify as transparent window area. Windows into parking garage space shall not qualify as part of the transparency requirement. If windows are not appropriate, decorative art (such as noncommercial murals or relief sculpture), significant architectural detailing, or wall-covering landscaping may be used, as approved by the
Designated Official.

3.4. **Prominent Entrances.** Primary entrances shall be marked by landscaping and/or architectural elements such as canopies, ornamental lighting fixtures and/or fixed seating that offer visual prominence. Residential uses in the RCMU, MR and R-12 zoning districts should incorporate a porch or stoop as a transition between the sidewalk and entry if direct access is provided to the unit from the sidewalk.

3.4.1. **Ground floor residential units.** Ground floor residential uses in the RCMU and MR zoning districts fronting on a street should be designed to comply with all of the following elements:

3.4.1.1. The finished floor of the ground floor residential units of a mixed-use or multifamily building fronting on a street shall be elevated so the finished floor of the ground floor residential unit is at least 2 feet above sidewalk grade to provide additional privacy for the residences at the street level.

3.4.1.2. The finished floor of the ground floor unit if designated for ADA (Americans with Disabilities Act) accessibility may have a front door at the same grade as the street sidewalk.

3.5. **Single-Family Residential Design Elements**

3.5.1. **Diminished Garages on Detached Single Family Residential Units.** To avoid lengthy, monotonous rows of single family residential development where the garages are the predominant facade feature, the following should be considered:

3.5.1.1. Recess garage doors a minimum of three (3) feet back from the front porch or front living area of the home,

3.5.1.2. Cantilever the second story living space over the garage,

3.5.1.3. On three-car garages, provide one double door and one single door with either of the two recessed two feet (2) from the other,

3.5.1.4. Integrate color of garage door with the color scheme of the house, utilizing either the main body color or accent color,

3.5.1.5. Provide windows in the garage door, and

3.5.1.6. Provide a trellis or other architectural element above the garage door that projects a minimum 18 inches from the body of the main structure.

3.5.2. **Townhouse development standards.** For the purposes of these design standards
“Townhouse” is defined as a single family dwelling unit in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Townhouse design, style, scale and aesthetics shall blend with the subarea development. Townhouse development should respond to the topography of the site and to break up the bulk and scale of what otherwise would be a large rectangular building. There shall be no repetitive side-by-side development of buildings without changes to color, window treatments and other architectural treatments to differentiate each unit. Townhouse development shall incorporate varying types and styles to make for a pleasant streetscape experience.

3.5.2.1. Townhouse Design.

3.5.2.1.1. Townhouse Repetition with Variety. Townhouse developments shall employ one or more of the following “repetition with variety” guidelines:

3.5.2.1.1.1. Reversing the elevation of two out of four dwellings for townhouses;

3.5.2.1.1.2. Providing different building elevations for external townhouse units (versus internal units) by changing the roofline, articulation, windows, and/or building modulation patterns;

3.5.2.1.1.3. Adding a different dwelling design or different scale of the same design, such as incorporating a two-story version of the basic dwelling design where three stories are typical; and/or

3.5.2.1.1.4. Other design treatments that add variety or provide special visual interest. While the variable use of color on buildings can be effective in reducing the perceived scale of the building and adding visual interest, color changes alone are not sufficient to meet the intent of the guidelines.

3.5.2.2. Entries. Townhouses fronting on a street must all have individual ground-related entries accessible from the street. Configurations where enclosed rear yards back up to a street are prohibited;

3.5.2.2.1. Separate covered entries a minimum of three feet deep are encouraged for all dwelling units;

3.5.2.2.2. For sites without alleys or other rear vehicular access, buildings must emphasize individual pedestrian entrances over private garages to the extent possible by using the following measures:

3.5.2.2.3. Enhance entries with a trellis, small porch, or other architectural features that provide cover for a person entering the unit and a transitional space between outside and inside the dwelling; and
3.5.2.2.4. Provide a planted area in front of each pedestrian entry of at least twenty square feet in area. Provide a combination of shrubs or ground cover and a street tree; and

3.5.2.3. Garages and Driveways.

3.5.2.3.1. Townhouse garage or off-street parking is preferred to be accessed from rear alleys where practical.

3.5.2.3.2. A driveway width (including a walkway leading to the front door) restricted to 10 feet for access to a single car or tandem garage in the front wall of the townhouse

3.5.2.4. Internal Drive Aisle Standards.

3.5.2.4.1. Must meet minimum fire code widths;

3.5.2.4.2. Minimum building separation along uncovered internal drive aisles shall be twenty-five feet. The purpose is to provide adequate vehicular turning radius, allow for landscaping elements on at least one side, and provide adequate light and air on both sides of the dwelling units and drive aisles, which often function as usable open space for residents; and

3.5.2.4.3. Upper level building projections over drive aisles are limited to three feet.

3.6. Building Materials. Consistent with CMC 18.35.310(g) the use of sustainably harvested, salvaged, and recycled or reused products is encouraged.

3.6.1. Metal Siding Standards. Metal siding, is discouraged, but may be used if it is incorporated with other permitted materials and it complies with the following:

3.6.1.1. It features visible corner molding, trim and does not extend lower than grade unless the material is at least as durable as masonry, concrete, or other durable material; and

3.6.1.2. Metal siding shall be factory finished, with a matte, nonreflective surface unless it is Corten Steel.

3.6.2. Concrete Block Standards. Concrete block is discouraged but may be used if it is incorporated with other permitted materials and it complies with the following:

3.6.2.1. When used for the primary facade, buildings must incorporate a combination of textures and/or colors to add visual interest. For example, combining split or rock-facade units with smooth blocks can create distinctive patterns.

3.6.3. Standards for Stucco or Other Similar Troweled Finishes. Such material/finishes, are discouraged but may be used if it is incorporated with other permitted materials and it complies with the following:
3.6.3.1. Stucco and similar troweled finishes (including exterior insulation and finish system or “EIFS”) must be trimmed in wood, masonry, or other material. Departures to this standard will be considered by the city provided design treatments are included to enhance the visual character of the building at all observable scales;

3.6.3.2. Horizontal surfaces exposed to the weather must be avoided; and

3.6.3.3. Stucco, EIFS, and similar surfaces should not extend below two feet above the ground plane unless the material is at least as durable as concrete, masonry, or other durable material.

3.7. Minimum Building Height. One-story structures located adjacent to the public right of way in the RCMU and MR zoning districts shall be a minimum of 15 feet.

3.8. Facade Elements. All facades of multifamily, commercial and mixed-use buildings shall be designed to be pedestrian friendly through the inclusion of at least six (6) of the following elements:

3.8.1. Kick plates for storefront windows,
3.8.2. Transom windows,
3.8.3. Roll-up windows/doors,
3.8.4. Recessed entry, with decorative door, landscaped trellises or other decorative element that incorporates landscaping near the building entry,
3.8.5. Projecting window sills,
3.8.6. Exterior lighting sconces,
3.8.7. Containers for seasonal plantings,
3.8.8. Window box planters,
3.8.9. Benches and seat walls along 15% of the length of the façade,
3.8.10. Decorative paving in the sidewalk,
3.8.11. Decorative brick, tile or stone work on the ground floor façade,
3.8.12. 3rd story setback- building areas stepped back above the third story to reduce apparent bulk. The setback area should be a usable and accessible space such as a terrace for outdoor seating, gardening etc., or
3.8.13. A feature not on the list that meets the intent and is approved by the Designated Official.

3.9. Window Design. Multi-family, Commercial and Mixed-Use buildings should employ techniques to recess or project individual windows above the ground floor from the facade or incorporate window trim that features color that contrasts with the base building color. Departures will be considered by the Designated Official where buildings employ other distinctive window or facade treatment that adds a sense of depth to the facade and/or visual interest to the building.

3.10. Blank Walls. Blank walls should be avoided. Building details and proportions on all sides should be addressed with design details to ensure a “four-sided” quality to the entire building including upper-story features that improve the relationship between the
upper stories and the street. Any blank commercial, mixed-use or multifamily wall shall incorporate at least six (6) of the following features:

3.10.1. An architectural plinth (a stone or masonry base at least 36” high);
3.10.2. Belt course(s) of masonry or other element consistent with the structure architecture;
3.10.3. A Green wall (For the purposes of this subsection, a “Green Wall” is defined as a vertical trellis or cable/wire net systems installed as part of the building envelope system where climbing plants or cascading groundcovers are trained to cover these specially designed supporting structures (also commonly referred to as biowalls, vertical gardens, modular living walls). A Green Wall should be located in association with a raised planter at least 2 feet high and 3 feet wide integrated into the building design. Any structure proposing a green wall shall indicate its structural integrity can support the additional load of the proposed landscaping. A Green Wall shall be planted with climbing vines or plant materials sufficient to obscure or screen at least 60% of the wall surface within 3 years. The use of this element will require the developer to post a 3-year bond to ensure that the planting meets the intent of the design guideline.);
3.10.4. Distinct breaks along the wall with recesses at least 4 feet wide and 2 feet deep, must use a variety of surfaces; monotonous designs will not meet the intent of this feature;
3.10.5. Overhanging roof;
3.10.6. Decorative tile work;
3.10.7. Accent lighting;
3.10.8. Artwork that does not contain a commercial message;
3.10.9. Landscape planting bed at least 5 feet wide, or raised planter bed at least 2 feet high and three feet wide (interior width), in front of the wall. Such planting areas shall include plant materials sufficient to obscure or screen at least 60% of the wall surface within 3 years. The applicant shall utilize plant materials that complement the natural character of the Pacific Northwest; are adaptable to the climatic, topographic, and hydrologic characteristics of the site; should include native species and should be a mix of landscaping that provides visual interest year-round;
3.10.10. Seating (benches or ledges);
3.10.11. Special building detailing that adds visual interest at a pedestrian scale. Such detailing must use a variety of surfaces; monotonous designs will not meet the intent of this feature; or
3.10.12. A feature not on the list that meets the intent, as approved by the Designated Official.
3.11. Roof and Rooftop design

3.11.1. Rooftop Landscaping/ Greenroofs. Rooftop Landscaping and Green Roofs shall be permitted primarily on commercial and multi-family structures and may include a roof-top garden in raised planter beds and/or standalone pots or a green roof system also called an eco-roof, is a light-weight, vegetated roof over a protective root barrier and roof membrane. All rooftop landscaping shall be designed, irrigated and maintained in accordance with the city’s adopted stormwater manual. Any structure proposing rooftop landscaping or green roofs shall indicate its structural integrity can support the additional load of the proposed landscaping.

3.11.2. Rooftop solar installations. Solar panels shall be permitted on all structures. However, the placement and design of the solar panels shall be reviewed and approved by the master development’s Design Review Committee prior to installation. All solar installations should be designed to integrate into the building form. Solar panels shall be located as to not cause substantial glare for adjacent structures.

3.11.3. Screening of mechanical and communication equipment. Any utility, elevator, or mechanical equipment on the roof shall be screened from public view in such a manner that they are not clearly visible from public streets, sidewalks, parks, trails, open space, gathering spaces, or adjacent residential areas. For rooftop equipment, the screening materials shall be at a height to properly screen the mechanical equipment. Mechanical equipment requiring screening includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork, meters, utility boxes and transformers.

3.12. Drive-Through Facilities. Drive-through facilities shall only be allowed in the RCMU zoning district north of the Covington Connector. In addition to the requirements of CMC 18.50.080, Stacking spaces and restrictions for drive-through facilities, the following standards shall apply.

3.12.1. All stacking lanes must be clearly identified, through the use of means such as striping, landscaping, and signs;

3.12.2. The proposed parking and circulation plan for a drive through facility shall provide adequate area for safe queuing and maneuvering of vehicles, not block parking spaces, and the site design shall provide adequate buffering of the use from adjoining land uses; and

3.12.3. The proposed location of the drive-through facility may not result in adverse impacts upon the vicinity after giving consideration to traffic impacts on adjacent right-of-way, a litter clean-up plan, the hours of operation, and the site plan.


4.1. Surface Parking Lots. Surface parking lots shall be landscaped to reduce and break up large areas of asphalt and paving. The landscape design shall incorporate low impact development techniques to manage runoff from parking lot pavement.
A ratio of one tree for every six parking spaces shall be provided throughout any surface parking lot. Of the total number of trees required, 50 percent shall be a minimum of 3 caliper inch, and 50 percent shall be a minimum of 2 caliper inch as measured in compliance with the American Standard for Nursery Stock. Plant a mixture of evergreen and deciduous shrubs and groundcovers for year-round greenery. Select types of trees, such as sapless trees, that do not impact parked cars.

Planting areas for trees required within the parking rows of a surface parking lot shall be achieved by one of the following:

4.1.1. A continuous landscape strip, a minimum of four feet wide (interior dimension), between rows of parking spaces, or
4.1.2. Tree wells, eight feet wide, resulting from the conversion of two opposing full sized spaces to compact spaces, or
4.1.3. Tree wells, at least five feet square, placed diagonally between standard or compact spaces, or
4.1.4. A design or layout that incorporates innovative drainage control measures such as swales or treatment island or pervious pavements, not on the list that meets the intent, as approved by the Designated Official.

4.2. Exterior Parking Landscape Screening. Where practical, all grade-level parking (including parking structures and ramps) shall be separated from the street and from pedestrian view from a sidewalk or trail by a minimum of 10-feet wide landscaping buffer and may include landscape elements such as planted berm, decorative masonry wall, all-season landscaping at least 3-feet in height and a minimum of 24 inches in width, or other comparable plantings or landscaping methods approved by the Designated Official.

4.3. Surface Parking Lot Pedestrian Walkway Design. Pedestrian walkways should be provided through all parking lots with more than 40 stalls. Establish a direct and continuous pedestrian network within and adjacent to parking lots to connect building entrances, parking spaces, public sidewalks, transit stops and other pedestrian destinations. Integrate landscaping, bicycle parking, shopping cart corrals, lighting, pedestrian amenities, public art, and other applicable site elements into the design and layout of the parking lot to delineate safe and comfortable pedestrian circulation within the site. Provide at least one pedestrian route between the main building and the public sidewalk that minimizes interruption by surface parking and driveways. Parking lot design and layout should take in to consideration the following:

4.3.1. Design pedestrian pathways for safe travel through the parking lot between buildings and public spaces.
4.3.2. The width, number and orientation of pedestrian routes should match the anticipated flow of pedestrian traffic through the site.
4.3.3. Consider the space requirements for equipment related to parking lot use, such as
shopping carts, strollers and mobility aids, when planning the width and location of pedestrian routes.

4.3.4. Install raised concrete pavement, subject to fire department review and approval, where pedestrian walkways traverse between parking stall and/or is adjacent to vehicular circulation. Incorporate decorative paving or a change in paving material/color to emphasize edges, pedestrian routes and crossings, entrances, loading areas and other special features within the parking lot.

4.3.5. Amenities such as seating, lighting, and planters should be provided to encourage pedestrian circulation. Provide pedestrian-scaled lighting, such as bollards or lower-scale pole fixtures along pedestrian routes.

4.3.6. Parking lot lighting fixtures should be designed and shielded to confine emitted light to the parking area. The height of the light fixtures within parking lots should not exceed 16 feet.

4.4. Wheelstops. All surface parking areas must be constructed so that the car wheels are kept at least two feet from pedestrian and landscape areas.

4.5. Multi-Purpose Parking Lot Areas. Surface parking areas can provide parking as well as public gathering areas, such as places for special neighborhood functions (markets, gatherings), cultural events (outdoor theater, music), and recreational activities. Examples of elements for public gathering areas include: special surface treatments, art, fountains and seating, locations for removable bollards or other elements to restrict automobile access to public spaces when not used for parking. Use lighting to create a safe environment while minimizing glare onto adjacent properties and sidewalks. Surface parking areas in the RCMU and MR zones should incorporate these elements within surface parking areas to facilitate this multi-purpose use.

4.6. Parking Structure Design. Exterior elevations of any portion of a parking structure above grade shall incorporate design components and materials utilized and compatible with the primary building(s).

4.6.1. Design parking structure facades with architectural elements of appropriate proportions and high quality materials that are compatible with the streetscape and nearby buildings.

4.6.2. The facade should be designed to visually screen cars.

4.6.3. Design entries to be clearly visible and accessible. Building and circulation design shall direct pedestrians towards the pedestrian entrances and minimize the dominance of the vehicular entrance.
4.6.4. Wrap the ground level of parking structures with retail or other activity generating uses, when visible from a city street. Retail or other activity generating uses should be incorporated at the ground level of the parking structure, where appropriate. If less than 50% of the street frontage is wrapped with retail oriented facades, additional landscaping area shall be provided in that location to create a separation from the pedestrian use and the function of structured parking.

4.6.5. Minimize the visual monotony of repetitive structural elements at ground level by varying the facade treatments from bay to bay, integrating green walls, and/or incorporating landscaping along long undifferentiated expanses of wall.

4.6.6. Parking structure walls facing residential buildings or residential zoning districts should minimize openings to avoid noise and light impacts.

4.6.7. Landscaping, such as trees and shrubs, and pedestrian elements, such as benches and tables, should be incorporated around the perimeter of parking structures when appropriate.

4.6.8. Parking structures shall include a high level of architectural detail at the pedestrian level. Architectural details may include elements such as trellises, awnings, planters, and landscaping, or street furnishings. (See facade and blank wall element requirements)

4.6.9. Clearly delineate a distinct base, middle, and top for the parking structures. The upper levels of the building should appear to have less visual weight than those at street level.

5. **Storage, Service & Truck Loading Areas and Mechanical Equipment.** Any storage, service and truck loading areas, elevator and mechanical equipment on the ground, walls or roof shall be screened from public view in such a manner that they are not clearly visible from public streets, sidewalks, parks, trails, open space, gathering spaces, or adjacent residential areas (Highway 18 excluded).

5.1. Consideration shall be given to development of common service courts in the interior of blocks.

5.2. Service areas should accommodate loading, solid waste, recycling facilities, storage areas, utility cabinets, utility meters, transformers etc.

5.3. Service areas shall be located and designed for easy access by service vehicles and for convenient access by each tenant.

5.4. Any emission of noise, vapor, heat or fumes shall be mitigated.
5.5. Loading activities shall be concentrated and located where they will not create a nuisance for adjacent uses.

5.6. Loading docks and other services areas shall include roofs or overhead protections to appropriately meet required stormwater standards. Drainage shall be designed to meet applicable NPDES standards.

5.7. Exterior mechanical equipment, except solar collectors, shall be screened from view on all sides by architectural features that are compatible in color and design with the primary structure. Mechanical equipment requiring screening includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork, meters, utility boxes and transformers.


6.1. Fully Enclosed. Garbage, recyclables and compostable collection areas shall be fully enclosed, including a roof as required in subsection 6.3, such that they are screened from public view.

6.2. Materials & Design. The enclosure shall be constructed of durable and high quality materials, and shall be compatible and consistent in design with the structure to which it is associated. Enclosure areas should be constructed on a concrete pad, for longevity and safety of handlers. Gravel, packed dirt and rutted asphalt are not allowed. The property owner is responsible for regular maintenance of the enclosure and containers and keeping the enclosure fully functional and clean. Drainage shall be designed to meet applicable National Pollutant Discharge Elimination System (NPDES) standards.

6.3. Roof. All garbage, recyclable and composting area enclosures that are not located inside a building shall have roofs to prevent contaminants from washing into the storm drain system. The lowest part of the ceiling cannot be lower than nine (9) feet high. The roof should not overhang the front gate so that garbage trucks can access the bins.

6.4. Height. All enclosures shall have walls a minimum height of six (6) feet.

6.5. Gates. Gates on the enclosure shall be self-closing and constructed of durable material and match the enclosure. Gates should be positioned to swing clear of the enclosure’s front width. Gate pins should be installed to hold gates open for integrity and safety.

6.6. Layout and Location. Enclosures shall be located in an area not visible from public streets. Consideration shall be given to developing common service courts at the interior of blocks. Enclosures shall be designed to provide adequate space for collecting and storing solid waste and recyclable materials, including mixed recycling, separate cardboard, yard waste and food waste/organics (when appropriate). All solid waste, recycling and composting enclosures shall be designed to provide for adequate capacity, based on the volume and tonnage generated by
the development activity as estimated by the Designated Official. Loading and refuse collection areas should be on the side of a building facing away from an abutting residential district of a lower intensity, but not in a front yard setback, or visible from a public rights of way.

6.7. **Landscape screening.** In instances where the enclosure is visible from public spaces, a minimum three (3) foot wide landscape strip running the length of the three (3) non-gated enclosure walls shall be provided to allow for vines or large shrubs to shield the walls and discourage graffiti.

6.8. **Detached Single-family house and Townhouse.** Refuse and recycling containers will be located within each individual unit of a single-family house or townhouse or screened by a fence or an enclosure meeting all setback requirements in order to reduce visual impact.

7. **Landscape Design.** Consistent applicable standards provided CMC Title 18, all planted areas shall include climate-appropriate, all-season landscaping to frame and soften structures, to define site functions, to enhance the quality of the environment, to screen undesirable views and to create identity. Trees and landscaping shall be incorporated into the site design in order to soften and screen the visual impact of hard surfaces such as parking lots, service areas, walls, pedestrian walkways, public rights-of-way, sidewalks and gathering places. Outdoor furniture and fixtures shall be compatible with the project architecture and should be carefully considered as integral elements of the landscape. Whenever possible development should include seating areas and be enhanced by such features as trees and flower displays, fountains, art and open spaces.

7.1. **Maintenance.** All landscaping shall be maintained, as approved, in good condition for the life of the development. Maintenance shall include regular watering, pruning, mowing, clearance of trash, debris and weeds, removal and replacement of dead plants and repair and replacement of irrigation systems. Damaged branches shall be removed, and overgrown areas shall be thinned by the selective removal of unnecessary plants.

7.2. **Amount and Location.** The amount and location of landscaping should complement the design of the development. As a guideline, approximately one square foot of landscape space should be provided for every 100 square feet of gross building floor area. Landscaping shall be selected, placed, and of a scale that relates to adjacent structures and be of appropriate size at maturity to accomplish its intended purpose.

7.3. **Building Entries.** Building entries should be emphasized with special landscaping and/or paving in combination with lighting.

7.4. **Building Facades.** Building facade modulation and setbacks should include features such as courtyards, fountains or landscaping.

7.5. **Continuity.** Landscaping should provide design continuity between the neighboring properties.
7.6. **Suitable Plant Species.** Indigenous, drought tolerant or plant species proven adaptable to the local climate shall be used. The use of turf should be limited in any required landscaped planter areas.

7.7. **Irrigation.** Any landscaped area irrigated with a system consisting of waterlines, sprinklers should be designed to provide head to head coverage and to minimize overspray onto structures, walks and windows. Water conserving types of irrigation systems shall be used.

7.8. **Mulch.** Organic mulch should be applied to the soil surface of landscaped areas for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

7.9. **Soil quality, depth, and volume.** Healthy soils improve plant survival, reduce irrigation demand, and minimize the need for fertilizer and other chemical applications. All new planting areas or areas disturbed during construction must be amended with a minimum of 3” of compost incorporated to a soil depth of 8”, and 3” of mulch must be applied to planting beds. These requirements may be modified based on the recommendations of certified landscape architect for plant survivability.

7.10. **Trees and Groundcover Maintenance.**

7.10.1. Healthy and prominent trees should be preserved.
7.10.2. Trees planted near public curbs or in paved areas shall be installed in such a manner as to prevent physical damage to sidewalks, curbs, gutters, pavement and other public or private improvements.
7.10.3. Groundcover should be planted to have 100 percent groundcover in three-years.
7.10.4. Any tree cutting or pruning shall be consistent with current International Society of Arboriculture (ISA) best management practices guidelines. Tree maintenance shall be performed only by arborists or arborist trainees who, through related training or on-the-job experience, or both, are familiar with the practices and hazards of arboriculture and the equipment used in such operations.
7.10.5. No more than 25% of the crown shall be removed within an annual growing season.
7.10.6. Branches shall be pruned at the branch collar or a lateral branch. Internodal pruning and leaving branch stubs are not permitted.
7.10.7. Flush cuts are not permitted (except for hedges designed to be flush cut).
7.10.8. Lions tailing is not permitted. Lions tailing is the improper practice of removing all or most secondary and tertiary branches from the interior portion of the crown, leaving most live foliage at the edge of the canopy.
7.10.9. Topping is not an acceptable pruning practice and is prohibited. Topping is the reduction of tree’s size using heading cuts that shorten limbs or branches to a predetermined crown limit.
Exhibit Q
NOTE:
THE LOCATION OF DEVELOPMENT, INCLUDING ROADWAYS AND TRAILS, IS APPROXIMATE AND DOES NOT VEST TO THEIR SPECIFIC LOCATION. THE LOCATION OF ALL DEVELOPMENT WILL BE BASED ON EXISTING CONDITIONS AT THE TIME OF APPLICATION AND THE TERMS OF THE PLANNED ACTION, THE DEVELOPMENT AGREEMENT, AND APPLICABLE LOCAL, STATE, AND FEDERAL LAWS.

REQUIRED 100' GREENSPACE BUFFER BETWEEN EAST SIDE OF 191ST PLACE SE EXTENSION AND WILLIAMS PIPELINE EASEMENT

NO GREENSPACE BUFFER REQUIRED EAST OF THIS POINT

EXISTING VEGETATION PROPOSED TO TO REMAIN PER EXHIBIT N.2

50' EXISTING VEGETATION TO REMAIN

70' EXISTING VEGETATION TO REMAIN

EXISTING VEGETATION TO REMAIN PER EXHIBIT N.2

50' EXISTING VEGETATION TO REMAIN

Lakepointe Urban Village

Greenspace Buffer Exhibit

January 30, 2017
Exhibit R
PORTION OF NE 1/4, SEC. 30, NW 1/4, SEC. 29, SE 1/4 SEC 19, AND SW 1/4 SEC 20, TWP. 22 N., RGE. 6 E., W.M. KING COUNTY, WASHINGTON
Exhibit S
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Right Turn Lane $</td>
<td>6%</td>
<td>$54,000</td>
<td>7%</td>
<td>$63,000</td>
</tr>
<tr>
<td>Left Turn Lane $</td>
<td>9%</td>
<td>$58,500</td>
<td>11%</td>
<td>$71,500</td>
</tr>
<tr>
<td>Add Through Lane $</td>
<td>0%</td>
<td>$0</td>
<td>-12%</td>
<td>($54,000)</td>
</tr>
<tr>
<td>Total Project Estimates:</td>
<td>$1,650,000</td>
<td>$547,500</td>
<td>$50</td>
<td></td>
</tr>
<tr>
<td>Cost Per Trip</td>
<td>Not Applicable</td>
<td>$9.16</td>
<td>Not Applicable</td>
<td>$94.07</td>
</tr>
</tbody>
</table>
### Planning Level Cost Estimates:

King County Transportation Projects In Addition to Base Impact Fee

<table>
<thead>
<tr>
<th>Component</th>
<th>Estimated Component Cost</th>
<th>S1</th>
<th>S2</th>
<th>S3</th>
<th>S4</th>
<th>S5</th>
<th>S6</th>
<th>S7</th>
<th>S8</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right Turn Lane</td>
<td>$200,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Left Turn Lane</td>
<td>$600,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Add Through Lane</td>
<td>$400,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Add Receiving Lane</td>
<td>$750,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Striping</td>
<td>$20,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Traffic Signal</td>
<td>$450,000</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Modify Traffic Signal</td>
<td>$250,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Lane Roundabout</td>
<td>$1,500,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-Lane Roundabout</td>
<td>$2,500,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridge/Culvert Replacement</td>
<td>$1,500,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Significant Walls</td>
<td>$400,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor ROW</td>
<td>$200,000</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major ROW</td>
<td>$500,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minor Env</td>
<td>$100,000</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Env</td>
<td>$300,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Major Utility Relocation</td>
<td>$100,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Assumptions:
- This document estimates the cost of each mitigation proposal in Mitigation Measure 35, for a few projects that are outside of Covington.
- Estimates are conceptual level and are based upon the descriptions in the exhibit and "Google maps" site review.
- Estimates are based upon recent experience with similar projects by David Evans and Associates, Inc.
- The percent share for each project is shown.
- The cost per trip is in addition to the base impact fee.
- SR 516 is identified for improvement in the EIS under No Action conditions. However, Alternative 3 results in a decrease of trips west of 204th which would offset the expected increase in trips east of 204th. Therefore consultants have assumed a zero proportional share (and the project is...
<table>
<thead>
<tr>
<th>Component</th>
<th>Estimated Component Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right Turn Lane</td>
<td>$200,000</td>
</tr>
<tr>
<td>Left Turn Lane</td>
<td>$600,000</td>
</tr>
<tr>
<td>Add Through Lane</td>
<td>$400,000</td>
</tr>
<tr>
<td>Add Receiving Lane</td>
<td>$750,000</td>
</tr>
<tr>
<td>Striping</td>
<td>$20,000</td>
</tr>
<tr>
<td>New Traffic Signal</td>
<td>$450,000</td>
</tr>
<tr>
<td>Modify Traffic Signal</td>
<td>$250,000</td>
</tr>
<tr>
<td>Single Lane Roundabout</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Multi-Lane Roundabout</td>
<td>$3,500,000</td>
</tr>
<tr>
<td>Bridge/Culvert Replacement</td>
<td>$1,500,000</td>
</tr>
<tr>
<td>Significant Walls</td>
<td>$400,000</td>
</tr>
<tr>
<td>Minor ROW</td>
<td>$200,000</td>
</tr>
<tr>
<td>Major ROW</td>
<td>$500,000</td>
</tr>
<tr>
<td>Minor Env</td>
<td>$100,000</td>
</tr>
<tr>
<td>Major Env</td>
<td>$300,000</td>
</tr>
<tr>
<td>Major Utility Relocation</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

Assumptions:
- This document estimates the cost of each mitigation proposal in Mitigation Measure 35, for a few projects that are outside of Covington.
- Estimates are conceptual level and are based upon the descriptions in the exhibit and "Google maps" site review.
- Estimates are based upon recent experience with similar projects by David Evans and Associates, Inc.
- The percent share for each project is shown.
- The cost per trip is in addition to the base impact fee.
- SR 516 is identified for improvement in the EIS under No Action conditions. However, Alternative 3 results in a decrease of trips west of 204th which would offset the expected increase in trips east of 204th. Therefore consultants have assumed a zero proportional share (and the project is not included in this matrix).
Exhibit T

January 30, 2017