

**ORDINANCE NO. 11- 2017**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON AMENDING THE COVINGTON MUNICIPAL CODE TITLE 18 ZONING CODE TO REMOVE THE MINERAL ZONING DESIGNATION AND AMENDING ASSOCIATED DEVELOPMENT REGULATIONS AND STANDARDS ASSOCIATED WITH MINERAL USES.**

WHEREAS, Chapter 35A.63 of the Revised Code of Washington (RCW) empowers the City of Covington to enact land use and zoning regulations including mineral extraction development standards; and

WHEREAS, city staff transmitted these proposed amendments to Covington's Municipal Code Title 18 Zoning to the to the Washington State Department of Commerce on July 17, 2017, as required under RCW 36.70A.106, and has received no comments from state agencies; and

WHEREAS, the city's SEPA Official conducted a SEPA review and issued a Determination of Non-Significance on July 28, 2017; and

WHEREAS, these amendments to Covington's Zoning Code were discussed by Planning Commission at their August 3, 2017 meeting; and

WHEREAS, on August 17, 2017 the Planning Commission held a duly noticed public hearing and considered the amendments to the Zoning Code CMC Title 18 and forwarded a recommendation to approve to the City Council; and

WHEREAS, the proposed amendments are consistent with the goals, objectives, and policies of the City of Covington's comprehensive plan; and

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

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

**Section 1. CMC 18.10.080 Amended.** Covington Municipal Code Section 18.10.080 is hereby amended as follows:

(2) The Director shall have the authority to grant, condition or deny applications for reasonable use permits, short plat applications, boundary line adjustments, and 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.

**Section 2. CMC 18.15.010 Amended.** Covington Municipal Code Section 18.15.010 is hereby amended to delete “Mineral” zoning designation and “M” zoning map symbol from the table.

**Section 3. CMC 18.15.030 Repealed in its entirety.** Covington Municipal Code Section 18.15.030 is hereby repealed in its entirety.

**Section 4. CMC 18.25.030 Amended.** Covington Municipal Code Section 18.25.030 A. is hereby amended to delete the “M” symbol and column from Table A.

**Section 5. CMC 18.25.040 Amended.** Covington Municipal Code Section 18.25.040 A. is hereby amended to delete the “M” symbol and column from Table A.

**Section 6. CMC 18.25.050 Amended.** Covington Municipal Code Section 18.25.050 A. is hereby amended to delete the “M” symbol and column from Table A.

**Section 7. CMC 18.25.060 Amended.** Covington Municipal Code Section 18.25.060 is hereby amended as follows:

18.25.060 A. delete the “M” symbol and column from Table A.

18.25.060 B. Development Condition (5) is deleted in its entirety.

**Section 8. CMC 18.25.070 Amended.** Covington Municipal Code Section 18.25.070 A. is hereby amended to delete the “M” symbol and column from Table A.

**Section 9. CMC 18.25.080 Amended.** Covington Municipal Code Section 18.25.080 A is hereby amended as follows:

18.25.080 A. delete the “M” symbol and column from Table A.

18.25.080 A. add the following row to Table A

SIC #	Specific Land Use	US	R4-8	R-12	R-18	MR	CC	NC	RCMU	I
<u>2951,</u> <u>3271,</u> <u>3273</u>	<u>Asphalt/concrete mixtures and block</u>									<u>P</u>

**Section 10. CMC 18.25.090 Amended.** Covington Municipal Code Section 18.25.090 is hereby amended as follows:

18.25.090 A. delete the “M” symbol and column from Table A. Delete in their entirety the row for the specific land uses of Mineral extraction and processing, and the row for Asphalt/concrete mixtures and block from Table A.

18.25.090 B. Development Conditions (3), (4), and (5) are deleted in their entirety.

**Section 11. CMC 18.60 Repealed in its entirety.** Covington Municipal Code Chapter 18.60 is hereby repealed in its entirety.

**Section 12. CMC 18.110.010 Amended.** Covington Municipal Code Section 18.110.010 (1) is hereby amended as follows:

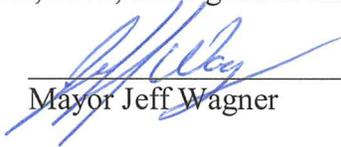
- (1) The purpose of this chapter is to establish a comprehensive site review process of proposed commercial, industrial, ~~mineral~~ or multifamily development, excluding single-family residences, resulting in a permit which can combine any or all of the following:
  - (a) Site development requirements 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.

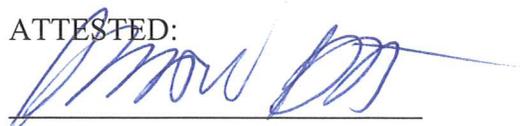
**Section 13. Severability.** If any provision of this ordinance, or ordinance modified by it, is determined to be invalid or unenforceable for any reason, the remaining provisions of this ordinance and ordinances and/or resolutions modified by it shall remain in force and effect.

**Section 14. Corrections.** Upon approval of the city attorney, the city clerk and/or code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state, or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

**Section 15. Effective Date.** This ordinance shall be in full force and effect five (5) days after publication in the city’s newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

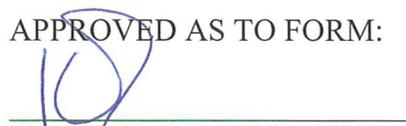
PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof on the 26<sup>th</sup> day of September, 2017, and signed in authentication of its passage.

  
\_\_\_\_\_  
Mayor Jeff Wagner

ATTESTED:  
  
\_\_\_\_\_  
Sharon Scott, City Clerk

PUBLISHED: September 29, 2017

EFFECTIVE: October 4, 2017

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Kathy Hardy, City Attorney