

ORDINANCE NO. 11-2019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON AMENDING COVINGTON MUNICIPAL CODE (“CMC”) SECTION 14.35.010 PREAPPLICATION CONFERENCE.

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

WHEREAS, the amendments to CMC 14.35.010 Preapplication Conference will provide regulations, including authority to grant extensions related to Preapplication conferences in the City; and

WHEREAS, on July 10, 2019, City Staff transmitted a copy of the proposed code amendments to the Washington State Department of Commerce for review and comment, pursuant to RCW 36.70A.106; and

WHEREAS, the Planning Commission conducted a properly noticed public hearing regarding these proposed changes on August 1, 2019, after which it rendered a recommendation for approval; and

WHEREAS, the City Council, upon review of the facts and findings and recommendations of the Covington Planning Commission, and after review of information provided by City staff find that all applicable and substantive requirements of the law have been met, that adoption of this ordinance promotes the public health, safety, and general welfare of the community and 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. Covington Municipal Code Section 14.35.010 Preapplication Conference is hereby amended as set forth in the attached Exhibit A, incorporated herein by this reference.

Section 2. Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 3. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 4. Effective Date. This ordinance shall be in full force and effect five (5) days from passage and publication in accordance with law.

Passed by the City Council on the 10th day of September 2019.



Mayor Jeff Wagner

ATTESTED:



Sharon Scott, City Clerk

PUBLISHED: September 13, 2019
EFFECTIVE: September 18, 2019

APPROVED AS TO FORM:



Kathy Hardy, City Attorney

Attachment 1- Exhibit A
Chapter 14.35
PERMIT APPLICATION PROCEDURES

Sections:

14.35.010 Preapplication conference.

14.35.010 Preapplication conference.

(1) Prior to filing a permit application for a Type 2, Type 3 or Type 4 decision, the applicant shall contact the Department to schedule a preapplication conference, which shall be held prior to the applicant filing the application.

(2) The purpose of the preapplication conference is to review and discuss the application requirements with the applicant and provide comments on the development proposal. The preapplication conference shall be scheduled by the Department, upon the request of an applicant, and shall be held in a timely manner, within 30-45 days from the date of the applicant's request. Nothing in this section shall be interpreted to ~~require more than one preapplication conference or to~~ prohibit the applicant from filing an application if the Department is unable to schedule a preapplication conference within 30-45 days following the applicant's request.

(3) The Director shall establish procedures, reasonable schedules, and staff participation for preapplication conferences.

(4) ~~An applicant wishing to submit a permit application more than 180 days following a preapplication for the same permit application shall be required to schedule another preapplication conference.~~ If a fully complete land use application has not been submitted within 180 days from the date of the pre-application meeting, a new meeting must be held or an extension request must be granted before the land use application will be accepted. Requests for extension must be submitted in writing detailing the justification for the request along with the extension fee. Extension requests will be granted at the discretion of the Community Development Director.

(5) The discussions at the conference shall not bind or prohibit the City's future application or enforcement of all applicable law since it is impractical for a preapplication conference to be an exhaustive review of all potential issues. (Ord. 02-09 § 3)