

ORDINANCE NO. 14-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON RELATING TO LANDMARK DESIGNATION AND PROTECTION, ADDING COVINGTON MUNICIPAL CODE CHAPTER 2.73 CREATING A LANDMARKS AND HERITAGE COMMISSION, AND REPEALING AND REPLACING COVINGTON MUNICIPAL CODE CHAPTER 18.47 PROTECTION AND PRESERVATION OF LANDMARKS, LANDMARK SITES AND DISTRICTS.

WHEREAS, historic preservation fosters civic pride in the beauty and accomplishments of the past and improves the economic vitality of our communities; and

WHEREAS, the City of Covington desires to designate, protect, and enhance those sites, buildings, districts, structures and objects that reflect significant elements of its cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, and other history; and

WHEREAS, such cultural and historic resources are a significant part of the heritage, education and economic base of the City of Covington, and the economic, cultural and aesthetic well-being of the City cannot be maintained or enhanced by disregarding its heritage and by allowing the unnecessary destruction or defacement of such resources; and

WHEREAS, the purpose of this Ordinance is to:

- (a) Designate, preserve, protect, enhance and perpetuate those sites, buildings, districts, structures and objects which reflect significant elements of the City's, County's, State's and nation's cultural, aesthetic, social, economic, political, architectural, ethnic, archaeological, engineering, historic and other heritage;
- (b) Foster civic pride in the beauty and accomplishments of the past;
- (c) Stabilize and improve the economic values and vitality of landmarks;
- (d) Protect and enhance the City's tourist industry by promoting heritage-related tourism;
- (e) Promote the continued use, exhibition and interpretation of significant sites, districts, buildings, structures, objects, artifacts, materials and records for the education, inspiration and welfare of the people of City of Covington;
- (f) Promote and continue incentives for ownership and utilization of landmarks;
- (g) Assist, encourage and provide incentives to public and private owners for preservation, restoration, rehabilitation and use of landmark buildings, sites, districts, structures and objects;

(h) Assist, encourage and provide technical assistance to public agencies, public and private museums, archives and historic preservation associations and other organizations involved in the preservation, exhibition and interpretation of Covington's heritage;

WHEREAS, the Covington Planning Commission held a public hearing on these amendments on August 17, 2017; and

WHEREAS, King County is able to provide landmark designation and protection services to the City; and

WHEREAS, the City has elected to contract with King County to provide such services; and

WHEREAS, it is in the public interest that the jurisdictions cooperate to provide efficient and cost effective landmark designation and protection;

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

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

Section 2. Landmark Commission. Covington Municipal Code Chapter 2.73 Landmarks and Heritage Commission is hereby added to read as follows:

2.73.010 Landmarks and Heritage Commission– Membership and organization.

(1) The King County Landmarks Commission ("Commission"), established pursuant to King County Code (K.C.C.), Chapter 20.62, as amended, and including the Special Member described below, is hereby designated and empowered to act as the Landmarks and Heritage Commission for the City of Covington pursuant to the provisions of Chapter 20.62 K.C.C. and Chapter 18.47 Covington Municipal Code.

(a) The Special Member of the Commission, provided for in Section 20.62.030 of the King County Code, shall be appointed by the Covington City Council at such time that an application to nominate an historic resource for designation as a landmark or community landmark within the city limits is received by the City of Covington. Such special member shall have a demonstrated interest and competence in historic preservation. Such appointment shall be made for a three-year term. Such special member shall serve until his or her successor is duly appointed and confirmed. In the event of a vacancy, an appointment shall be made to fill the vacancy in the same manner and with the same qualifications as if at the beginning of the term, and the person appointed to fill the vacancy shall hold the position for the remainder of the unexpired term. Such special member may be reappointed, but may not serve more than two consecutive, three-year terms. Such special member shall be deemed to have served one full term if such special member resigns at any time after appointment or if such special member serves more than two years of an unexpired term. The special member of the Commission shall serve without compensation.

(b) The Commission shall file its rules and regulations, including procedures consistent with this CMC Chapter 18.47, with the City Clerk

Section 3. Repeal. The following sections of Covington Municipal Code are repealed

- 18.47.010 Findings and declaration of purpose.**
- 18.47.030 Landmarks and Heritage Commission – Membership and organization.**
- 18.47.040 Designation criteria.**
- 18.47.050 Nomination procedure.**
- 18.47.060 Designation procedure.**
- 18.47.070 Certificate of appropriateness procedure.**
- 18.47.080 Evaluation of economic impact.**
- 18.47.090 Appeal procedure.**
- 18.47.100 Funding.**
- 18.47.110 Penalty for violation of CMC 18.47.070.**
- 18.47.120 Special valuation for historic properties.**
- 18.47.130 Historic resources – Review process.**
- 18.47.140 Administrative rules.**

Section 4. Protection and Preservation of Landmarks, Landmark sites and Districts.
Covington Municipal Code 18.47.010 Protection and Preservation of Landmarks, Landmark Sites and Districts, is hereby added to read as follows:

18.47.010 Protection and Preservation of Landmarks, Landmark Sites and Districts.
The following sections of King County Code Chapter 20.62 are adopted by reference, as amended below, for the protection and preservation of Landmarks, Landmark sites and Districts within the City of Covington:

(1) K.C.C. 20.62.020 – Definitions, except as follows:

(a) Paragraph H. is changed to read “Director” means the Director of the City of Covington Department of Community Development or their designee.

(b) Add paragraph: Z. “Council” is the City of Covington City Council.

(2) K.C.C. 20.62.040 - Designation Criteria, except all references to "King County" are changed to read “City of Covington.”

(3) K.C.C. 20.62.050 - Nomination Procedure, except that an additional requirement that all nominations must have the prior written consent of the property owner(s) is added.

(4) K.C.C. 20.62.070 - Designation Procedure, except all references to "King County" are changed to read “City of Covington.”

(5) K.C.C. 20.62.080 - Certificate of Appropriateness Procedure, except the last sentence of paragraph A thereof.

(6) K.C.C. 20.62.100 - Evaluation of Economic Impact.

(7) K.C.C. 20.62.110 - Appeal Procedure, except that appeals shall be filed with the City of Covington City Clerk for decision by the Covington Hearing Examiner.

(8) K.C.C. 20.62.130 - Penalty for Violation of Section 20.62.080 (CMC 18.47.010(5) above).

(9) K.C.C. 20.62.140 - Special Valuation for Historic Properties, except that the reference to King County in subsection C is changed to City of Covington.

(10) Development proposals and permit applications for changes to landmark properties shall not be considered complete unless accompanied by a certificate of appropriateness pursuant to CMC Section 18.47.010(5) above. Upon receipt of an application for a development proposal or permit which affects a City of Covington landmark or an historic resource that has received a preliminary determination of significance as defined in CMC Section 18.47.010(1) above, the application circulated to the King County historic preservation officer shall be deemed an application for a certificate of appropriateness pursuant to CMC Section 18.47.010(5) above if accompanied by the additional information required to apply for such certificate.

Section 5. 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 6. 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 7. Effective Date. This ordinance shall be in full force and effect five (5) days after publication in the city's newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

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




Mayor Jeff Wagner

PUBLISHED: September 29, 2017

EFFECTIVE: October 4, 2017

ATTESTED:



Sharon Scott
City Clerk

APPROVED AS TO FORM:



Kathy Hardy
City Attorney