

FORM-BASED CODE and SEPA INFILL EXEMPTION
FOR DOWNTOWN COVINGTON

EXISTING CONDITIONS ANALYSIS & CODE AUDIT

April 2020

This audit compares current policy, zoning standards, and design guidelines against best practices and expected market conditions. It considers the feasibility of development against the goal for Downtown to transition to walkable, denser mixed-use formats, as well as any opportunities for city actions or investments to catalyze desired changes.

Each table identifies the policy or code section, provides any relevant excerpts, and contains MAKERS' comments, considerations, or recommendations for improvement.

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Table I: Downtown Vision & Policy Audit

This table examines the existing vision statement associated with downtown along with land use designations and policies. The comments/considerations column includes relevant observations and items to be considered in this code update process. The comments and considerations are based on a combination of the consultant team’s technical review, staff input, and stakeholder input received thus far.

Component	Detail	Comments/Considerations
Vision & Land Use Designations		
Vision statement	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.	<i>The reference to “development-friendly zoning” is notable and for downtowns in the region, quite unusual. Is an updated vision statement and policies associated with this effort possible and anticipated?</i>
Downtown land use mix	To provide the majority of the retail commercial and office opportunities within the city, as well as various civic, social, residential, and recreational uses.	<i>Use mix noted.</i>
Downtown land use form	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.	<i>While the term “pedestrian-friendly” wasn’t included in the vision statement, it’s inferred here.</i>
Intended characteristics	<ul style="list-style-type: none"> • 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 	<i>Good characteristics of any downtown, but much of it depends on the available dimensions of streets, blocks, and parcels</i>
Downtown districts	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.	<i>Area still appears to be best opportunity for this. The 2009 concept plan for the Town Center appears to be interrupted by a large multifamily development built in the intervening years.</i>

Component	Detail	Comments/Considerations
	<p>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.</p>	<p><i>The title and description appear appropriate though the boundary may be up for discussion?</i></p>
	<p>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.</p>	<p><i>Most of this includes those properties between Wax Road and Jenkins Creek – which presents a significant attribute and opportunity for downtown. Perhaps this area could be re-branded to emphasize Jenkins Creek corridor, which an emphasis on access to nature and a continuous trail corridor?</i></p>
	<p>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.</p>	<p><i>Area still appears to be best opportunity for this.</i></p>
<p>Downtown Goals and Policies</p>		
<p>Goal LU-IV.</p>	<p>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.</p>	<p><i>Noted.</i></p>
<p>Policy LU-27</p>	<p>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.</p>	<p><i>Check code for barriers to multi-story mixed use development and small-scale retail.</i></p>
<p>Policy LU-28</p>	<p>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.</p>	<p><i>Mix use noted.</i></p>
<p>Policy LU-29</p>	<p>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.</p>	<p><i>Area looks largely built out except on Wax Road, which abuts forestland that may warrant protection. Aggregation and redevelopment of single-family lots may be a challenge.</i></p>

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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.	<i>Standards and Guidelines are being reviewed in separate table below.</i>
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.	<i>Mix use noted.</i>
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.	<i>Mix use noted.</i>
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.	<i>Noted.</i>

Table 2: Downtown Code Analysis & Audit

This table examines those components of CMC Title 18 that relate to Downtown. The comments/considerations column includes relevant observations and items to be considered in this project. The comments and considerations are based on a combination of the consultant team’s technical review, staff input, and stakeholder input received thus far.

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
General organization		<p><i>There no images or graphic support of any kind to illustrate complex dimensional requirements.</i></p> <p><i>Downtown relies on other code chapters outside of 18.31, requiring a complex sequence of cross-references.</i></p>
Chapter 18.15 Zones, Maps, and Designations		
18.15.080 Downtown zone intent statements		<p><i>Confusing and unusual to use the singular term “Downtown zone” to collectively refer to what are actually four separate zones. Consider simply rephrasing as “Downtown zones”.</i></p> <p><i>Introduction cites Downtown Element of Comp Plan that no longer exists.</i></p> <p><i>All zone descriptions: Specific references to permitted uses, conditional uses, design standards, buffers, and building heights strays too far into land use and zoning regulations.</i></p> <p><i>MC: Phrasing “Covington downtown zone” is confusing -should just be “Covington downtown”.</i></p>
Chapter 18.31 Downtown Development and Design Standards		
18.31.010 General.		<p><i>Mix of purpose statements, applicability, and authority in single section could be broken out into separate sections.</i></p> <p><i>(4) Director is already defined for Title 18 under Chapter 18.20 and does not need to be repeated.</i></p>
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.	<p><i>Although hyperlinks are not usually advised, it may be useful here. There is no information about where the Downtown Design Guidelines and Standards can be found.</i></p> <p><i>The name of the Downtown Design Guidelines and Standards document is not capitalized.</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
		<p>As noted in Table 3, applicability statements are mostly absent in the separate standards/guidelines document. For continuity, the statement that all development is applicable should be in the document (just as the item (3) regarding “should vs. shall” is duplicated).</p>
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.	<p>If administrative design review has not resulted in desirable results, consider creation of a volunteer Design Review Board or allowing for hiring of a third-party reviewer.</p> <p>(1) Unclear what “list of options stated under the general guidelines” is referring to.</p> <p>(2)(a) Reasonable departure criteria but could use additional details for procedures and documentation that are not provided in CMC Chapter 14.30.</p> <p>(2)(b) Again refers to nonexistent Downtown Element.</p> <p>(3) Unclear that regulating criteria for a variance should be replicated here. Variance may not be valid to reference at all given the much higher legal standards for approval and relation to underlying zoning requirements (use, lot dimensions, etc.).</p> <p>(4) Unusual to reference application fees here.</p>
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.	<p>Overall - unusual to have nonconforming criteria specific to a subset of zones, when a citywide nonconforming chapter already exists in CMC 18.85.</p> <p>(1) duplicates and potentially conflicts with the definition of a nonconformity in CMC 18.20.800.</p> <p>(2) Building value may inappropriately capture internal modifications that do not affect exterior appearance. Recommend alternatives such as building footprint changes and supporting graphic.</p>
18.31.040 Supplemental town center review criteria.		<p>Throughout - “town center district” should be capitalized. Choose district or zone - do not use terms interchangeably.</p> <p>(2) is not needed because reuse, modifications, and expansions are covered in CMC 18.31.030 above.</p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
		<p>(3) There are no threshold criteria for public meetings. Public notice criteria may be preferably consolidated in CMC 14.40.</p> <p>(3)(b) “photo or sketch of proposed facility” - the term “facility” is usually reserved for public/civic infrastructure, not private development, in the context of development regulations.</p> <p>(4)(b) Again, outdated references to nonexistent Downtown Element. Overall, section (4) appears to not be strong enough, as recent residential development in the TC zone directly conflicts with the Downtown vision’s development pattern and street grid.</p> <p>(7) Reference to commercial site development permit regulations (CMC 18.110.030) should be made where the permit is first referenced.</p>
18.31.045 Development agreements – Town center development.		<p>Subsection (2) is confusingly structured. It should cross-reference to the standards that can be adjusted, rather than copying them verbatim and creating duplication.</p> <p>(2)(d) No requirement is identified</p> <p>(2)(e) Confusing sentence and no clear time requirement is identified</p> <p>(3) relates to (2)(b) and (2)(c) - ideally, this requirement for non-zero ground commercial would be integrated with those standards.</p> <p>(3) and (4) are also interrelated and should be a single provision.</p> <p>(5) and (6) seem out of logical order and would be best placed at the front of the section.</p>
18.31.050 Downtown zoning districts map.		No comment
18.31.060 Downtown zoning districts street types map.		<p>Generally - the map should use different symbology to clarify what streets exist and what streets are proposed or planned.</p> <p>The map needs to be clickable and zoomable because of the large area it covers on a small screen.</p>

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		<i>(2) Process for designating a street type appears arbitrary and drawn out. Recommend designating all streets with a type in the code.</i>
18.31.070 Downtown zoning districts established.		<i>Complete duplication of CMC 18.15.080, which is unnecessary and creates opportunities for conflict.</i>
18.31.080 Permitted land uses.		<p><i>(1) has a definition of “use” that should be deferred to the code-wide definition (CMC 18.20.1345).</i></p> <p><i>(2)(b) Best practice is for “not permitted” uses to have empty boxes.</i></p> <p><i>Some uses are not listed alphabetically.</i></p> <p><i>Certain Business Services (construction and trade office, warehousing, equipment rental, auto rental, truck repair, etc.) should not be permitted in the TC zone, as these uses do not support the levels of pedestrian traffic and compact development from that is desired in the TC zone. Even with footnote #5 requiring indoor use, that is not likely viable for these uses when other land is available in the area.</i></p> <p><i>Consider prohibiting Storage/Self Storage south of State Route 516 in the MC zone, as such uses conflict with the vision for a pedestrian-friendly, mixed-use, and vibrant Downtown economy. The area south of SR 516 is the focal area. Add design standards for where self-storage remains allowed, such as full enclosure, and subject them to usual material and façade articulation standards. Also consider limiting their size within the Downtown boundary, such as developments no larger than 30,000sf.</i></p> <p><i>Consider specifications for live/work uses such as which commercial uses are acceptable, minimum dimensions, parking exception, two-story configuration, etc. Consider prohibiting in high-density TC zone.</i></p>
18.31.080, Table Footnote 1	<p><i>[Applies to all development in the MHO zone]</i></p> <p><i>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;</i></p>	<i>The subdivisions appear to have approximately quarter-acre lots, requiring agglomeration of at least 8 lots for any redevelopment to occur. Cottage housing and townhouses are common on sites less than 2 acres - and after the difficult effort of lot agglomeration, multifamily development will be the greatest economic incentive,</i>

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	<p>b. Be contiguous to a non-single-family use of two acres or more to be eligible to redevelop to a new use; and</p> <p>c. Successive development cannot isolate existing single-family residential lots less than two acres (as a group) between developments.</p>	<p><i>particularly in an area designated as Downtown (though the 24 du/acre maximum may still be a barrier). Consider whether this footnote is still viable - is a minimum acreage still needed - or if cottages and townhouses are desired or will be economically viable.</i></p>
18.31.080, Table Footnote 2	<p>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.</p> <p>b. New single-family homes are allowed on existing single-family lots.</p> <p>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).</p>	<p><i>Discussion of ADUs is merited, if the desire is for single-family parcels to eventually overturn and redevelop.</i></p>
18.31.080, Table Footnote 5	<p>[Applies to business services in MHO, retail in TC and MHO, self-storage in MC]</p> <p>Services and operations other than customer parking shall be fully contained within a structure.</p>	<p><i>This should likely also include employee parking.</i></p> <p><i>This may not be feasible for many types of automotive/truck business services on the relatively small lots of the MHO zone - consider not allowing those types of uses there.</i></p> <p><i>See above for further discussion on self-storage - enclosure could be required in additional zones.</i></p>
18.31.080, Table Footnote 6	<p>Temporary farmers' and public markets shall be permitted in accordance with CMC 18.85.125.</p>	<p><i>Consider separately addressing all temporary use standards under a dedicated chapter or section of the new FBC.</i></p>
18.31.080, Table Footnote 7	<p>[Religious facilities in Town Center are a conditional use]</p> <p>The development shall not occupy more than one acre for the total of the site development, including any planned phases and/or expansions.</p>	<p><i>If there is no past staff report supporting this carve-out, this may violate the 2000 Religious Land Use and Institutionalized Persons Act twice because other similar institutional and assembly uses are not limited to one acre and are not conditional in this zone (see APA article for further guidance). Consider alternative of grouping together civic uses (colleges, community centers, museums, schools, etc.) and regulating permission by building size; require developers to seek shared parking when any nearby lots of 50-100+ spaces exist; require some civic uses to be within a mixed-use building; and other mitigating factors.</i></p> <p><i>Religious facilities are not mentioned at all under the City's other zones and cultural/recreational uses (CMC 18.25.040), rather</i></p>

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		<i>they are termed “Churches, synagogue, temple” under general services (CMC 18.25.050). Note there are existing religious facilities near TC in the MHO and MC zones.</i>
18.31.080, Table Footnote 8	<p>[Applies to Medical Office/Outpatient Clinic in TC zone]</p> <p>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.</p> <p>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.</p>	<p><i>(a) Is 171st on the west side of Polaris/Affinity? If this is intended as the primary main street or a major pedestrian street, this rule should not apply to just medical offices. This should be a general urban design/block frontage requirement for all uses.</i></p> <p><i>(b) This is a highly specific mix that may not be feasible given market conditions. A more general requirement for non-medical commercial use and relaxed to 50 or 60 percent could be reasonable.</i></p>
18.31.080, Table Footnote 9	<p>[Applies to emergency care and large retail in TC zone]</p> <p>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.</p>	<p><i>Unclear why this applies to emergency care - is that a common or expected use that is problematic?</i></p> <p><i>For retail this appears to limit it to only 2 parcels in the TC zone. Large retail is already conditional in the TC zone but permitted in MC and GC - this carveout may not be worthwhile when significant large retail already exists and contrast with the vision for the Town Center.</i></p> <p><i>It appears 276th now exists, at least partially.</i></p>
18.31.080, Table Footnote 10	<p>[Applies to light industrial/manufacturing in the GC zone]</p> <p>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.</p>	<p><i>First sentence is unnecessary duplication. Otherwise these are important standards to retain going forward.</i></p>
18.31.080, Table Footnote 11	[Applies to all Government/Institutional uses in all zones]	<i>This should be stated directly in the permitted use table.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
	Maintenance yards, substations and solid waste transfer stations are not permitted in the TC, MC, or MHO downtown zoning districts.	
18.31.080, Table Footnote 12	[Applies to government services uses in MHO zones] 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.	<i>This should be stated directly in the permitted use table.</i>
18.31.080, Table Footnote 13	[Applies to schools in TC zone] 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.	<i>Persuading a suburban school district to build a vertical school will be difficult enough - adding a ground floor commercial requirement builds on the difficulties. Suggest replacing this provision with a minimum FAR and maximum surface parking requirements for schools.</i>
18.31.080, Table Footnote 14	[Applies to major utilities in TC zone] 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.	<i>Major above-ground utility sites should perhaps not be allowed at all in the TC zone due to lack of compatibility with the Downtown vision. For reference, the definition includes these examples: solid waste handling and disposal, water storage, sewage treatment facilities, power generating, gas storage...</i>
18.31.080, Table Footnote 15	[Applies to minor utilities in TC zone] 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.	<i>No comment</i>
18.31.080, Table Footnote 16	[Applies to wireless community facilities in all zones] 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.	<i>Good example of a footnote that could go in a reference column in a reorganized table.</i>
18.31.080, Table Footnote 17	All antennas and ancillary wireless communication facilities shall be concealed facilities and mounted on an existing	<i>Unnecessary duplication if already covered in Chapter 18.70.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
	building or structure or placed underground as provided for in Chapter 18.70 CMC.	
18.31.080, Table Footnote 18	<p>[Applies to emergency care facilities in TC zone]</p> <p>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;</p> <p>b. Shall not exceed 50,000 square feet of total building square footage; and</p> <p>c. Shall not exceed more than two stories or 35 feet whichever is greater.</p>	<i>What if developer proposes 3 stories with ground floor commercial?</i>
18.31.080, Table Footnote 19	<p>[Applies to business services in all zones]</p> <p>Gasoline service stations and battery exchange stations are limited to the general commercial and mixed commercial districts and subject to the following conditions:</p> <p>a. A gasoline service station shall be limited to eight pumps and 16 price gauges to service no more than 16 vehicles.</p> <p>b. A battery exchange station shall provide a minimum of three stacking spaces.</p> <p>c. Stacking spaces and drive-through facilities shall be designed in accordance with CMC 18.50.080.</p> <p>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.</p>	<p><i>GC and MC zones should be capitalized.</i></p> <p><i>Fuel stations could be listed directly in the table as a distinct use with size limitations.</i></p> <p><i>No criteria for the Director to provide an exception to enclosure structures.</i></p>
18.31.080, Table Footnote 20	<p>[Applies to Veterinary Clinics, Animal Shelters, Kennels, and Catteries]</p> <p>a. No burning of refuse or dead animals is allowed;</p> <p>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;</p>	<i>Such design standards are best located in a supplemental use criteria chapter/section. These criteria duplicate a similar footnote from CMC 18.25.050.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
	<p>c. Subject to animal keeping provisions of Chapter 18.80 CMC;</p> <p>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;</p> <p>e. Not permitted in any subdivision containing dwelling units; and</p> <p>f. May only treat domestic animals on premises.</p>	
18.31.080, Table Footnote 21	<p>[Applies to single-family dwellings and personal and beauty services]</p> <p>Day care is allowed only as an accessory to a single-family detached unit.</p>	<p><i>Odd placement of footnote. Rather than attached to single-family, day care should be listed in the table.</i></p> <p><i>Footnote appears to be incorrectly placed in the second instance. Daycare is not included in the definition of personal services.</i></p>
18.31.080, Table Footnote 22	<p>[Applies to temporary lodging/hotel in MHO zone]</p> <p>Except bed and breakfasts, guesthouses are permitted outright and do not require a conditional use permit.</p>	<p><i>There is no definition for guesthouses that explains how it is different from a bed and breakfast or a DADU.</i></p>
18.31.080, Table Footnote 23	<p>[Applies to the TC zone]</p> <p>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.</p>	<p><i>By definition, mixed-use structures have ground floor commercial uses. It is unclear if this is saying that single-purpose structures are allowed. If not, requiring mixed-use across the entire 81-acre TC zone is excessive and could be cause for lack of development activity.</i></p>
18.31.080, Table Footnote 24	<p>[Applies to private electric vehicle parking facilities in the GC zone]</p> <p>Parking facilities shall be fully screened from the public right-of-way with Type I landscaping in accordance with CMC 18.40.040.</p>	<p><i>Oddly specific and unlikely land use to begin with (facilities such as Tesla supercharging stations would be considered public because they are not limited to occupants of the premises).</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
		<i>Why should this parking facility be called out for screening and not other general purpose parking facilities? Landscape screening standards should be developed for all parking facilities.</i>
18.31.080, Table Footnote 25	<p>[Applies to shooting ranges (only allowed in GC zone)]</p> <p>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.</p> <p>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.</p> <p>c. Outdoor shooting ranges are not permitted.</p>	<p><i>Supplemental criteria are reasonable.</i></p> <p><i>Table should perhaps specify between indoor and outdoor shooting ranges instead of tucking it under (c).</i></p> <p><i>Note there are no shooting ranges of any kind within Covington currently.</i></p>
18.31.080, Table Footnote 26	<p>[Applies to multifamily in TC zone]</p> <p>a. Multifamily residential dwellings in the TC zone shall be located in a minimum three-story mixed-use structure; and</p> <p>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.</p>	<p><i>Again, requiring mixed-use throughout the entire 81-acre zone could be cause for development infeasibility. A targeted approach may be more workable. See all footnote 23.</i></p>
18.31.080, Table Footnote 27	<p>[Applies to all single-family development]</p> <p>New and existing single-family attached and detached dwellings within commercial zones shall abide by the</p>	<p><i>Should this be in the density/dimension section?</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
	density and dimension standards for the R-8 zone provided in CMC 18.30.030.	
18.31.080, Table Footnote 28	[Applies to marijuana uses] Subject to the applicable 1,000-foot and 500-foot sensitive use buffers outlined in CMC 18.33.050.	<i>Good cross-reference</i>
18.31.080, Table Footnote 29	[Applies in TC zone] “Physical fitness/recreation clubs” and “recreation, indoor” facilities are permitted outright when located within an existing building or located within a new mixed-use development; otherwise, a conditional use is required for a new standalone facility.	<i>See footnotes 23 and 26. Conceptually, a single-use facility has less impacts than a multi-use development, and so the higher permitting requirement may not be reasonable.</i>
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...	<i>This administrative standard is fairly robust. It should apply to all zones, not just downtown. Consider moving to CMC 18.25.</i>
18.31.090 Downtown zoning districts density and dimension standards.	Setback types: <ul style="list-style-type: none"> • Minimum Setbacks within District • Minimum Setbacks from Any Public Property Other Than a Street • Minimum Setbacks to Adjoining Downtown District • Minimum Setbacks to Zones Outside the Downtown Zone 	<i>Reorder min/max density rows for more intuitive order - minimum, maximum standalone, maximum mixed-use</i> <i>Reorder FAR rows for more intuitive order - maximum without bonus, maximum with bonus</i> <i>Minimum lot frontage by street type is unnecessarily duplicated between columns and in the Downtown Design Guidelines and Standards document</i> <i>“Setbacks from public property” seems to be eclipsed by general setbacks above and is unnecessary. In general, the setback standards based on adjacent zones is unusual and difficult to interpret. There are no maximum setbacks listed.</i>
18.31.100 Maximum floor area ratio (FAR) – Bonus features.		<i>List of public benefits is robust and durable.</i> <i>Consider trading FAR bonus for height bonus, which is less abstract and easier to visualize and calculate.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
18.31.100, LEED and sustainability incentives	<p>1.0 FAR bonus for LEED Platinum</p> <p>0.5 FAR bonus for LEED Gold</p> <p>(a) As certified by the USGBC.</p> <p>(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.</p> <p>(c) Any approvals shall be a condition of approval and applied to any subsequent building permit for the development.</p>	<p><i>This is a strong economic incentive for green buildings, but because it is mixed with a long list of other incentives, it may be passed over for "easier" features such as public space, meeting rooms, water features, and exterior art. Sustainable building design has largely become mainstream and mandatory requirements could be considered.</i></p> <p><i>Example: Seattle requires meeting of green building standard above certain FAR ratios (see SMC 23.45.530 and Director Rule 2017-20). A more fair and predictable threshold would utilize building square footage instead of FAR, since the same size building on a small lot and a large lot are otherwise identical but would be burdened with differing construction requirements.</i></p> <p><i>In addition, consider allowing alternative equivalents to LEED such as Built Green, Passive House, and Living Building Challenge.</i></p> <p><i>Additional sustainability considerations/options:</i></p> <ul style="list-style-type: none"> • <i>Update locally adopted building code to include sustainability standards for all buildings, and/or adopt the ICC international Green Construction Code</i> • <i>Lower energy use than required by Washington State Energy Code or locally adopted version</i> • <i>Mandatory low-impact development stormwater management (on-site retention and treatment, pervious paving standards, etc.)</i> • <i>Less parking provided than required</i>
18.31.110(1-4) Parking, access and circulation standards.		<p><i>Parking location by zone is a fairly imprecise tool. Mapping parking location by street and lot can take into account the detailed context such as existing buildings, lot size, park locations, etc.</i></p> <p><i>Multifamily parking ratios appear adequate compared to other King County urban communities. Townhouse parking (2 per unit) may be most notable issue.</i></p> <p><i>Restaurant parking may be excessive.</i></p> <p><i>Unusual to establish parking spaces for fuel stations.</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
		<p>Home occupation should also have the option to utilize on-street parking for the 1 required space.</p> <p>Greater distinction of a standalone “emergency care facility” from hospitals and medical office is need in the definitions (CMC 18.20).</p> <p>Note on new state law RCW 36.70A.040 regarding reduced parking for affordable units, senior units, and units for people with disabilities near frequent transit service: It appears this does not apply because Metro routes 159 and 168 run every 30 minutes or more.</p>
18.31.110(4), Bicycle parking	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).	Basing bicycle parking spaces on vehicle parking spaces is no longer best practice. Recommend basing on use (like with vehicle spaces) and differentiating design criteria for short-term and long-term parking to account for special security and comfort requirements.
18.31.110(4), Car share vehicle parking	Within the downtown districts the total number of parking spaces provided within 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.	1:3 is a reasonable standard, though the applicability should be lower than 30 units to capture a greater share of residential development. Further details on the agreement and the definition of a car share provider should be added.
18.31.110(4), Electric vehicle parking	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.	<p>Maintenance, signage, and design standards are generally adequate, but see the discussion on Chapter 18.50 for further discussion.</p> <p>The regional trend is substantially higher EV or EV-ready spaces, as much as 10-20%.</p>
18.31.110(4), 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.	Strange to say 0%, and then state a range and then say the range can be essentially ignored by the Director.

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
18.31.110(5), Maximum parking	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:...	<p><i>This is an important regulation to maintain. It could potentially move above the table to provide improved clarity up front.</i></p> <p><i>Structured parking spaces should not be exempted because of their high cost, and the cost of parking is a major driver in development feasibility and housing affordability.</i></p> <p><i>Greater detail is needed for the content, authorship, and methods for parking studies that justify reduced or increased parking supply.</i></p>
18.31.110(6-10), Parking management plan and joint-use parking		<p><i>Obsolete reference to Downtown Element.</i></p> <p><i>Items (6-10) are all related and could be better integrated as a single section for joint/shared use.</i></p>
18.31.110(11)	<p>(11) Additional Parking Requirements and Parking Design Standards Referenced in This Title.</p> <p>(a) CMC 18.50.050 through 18.50.180 for other applicable standards.</p>	<p><i>The reference to CMC 18.50.180 (EV spaces) is duplicated from the table.</i></p>
18.31.120 Public space requirements.		<p><i>(1) Consider expanding applicability to the GC zone. Auto-oriented shopping centers also benefit from dedicated public space.</i></p> <p><i>(2) 1.5% of floor area is a potentially minimal area, even for multi-floor developments. Consider instead using the gross or net size of the development site, providing a much more predictable and easily-calculated requirement.</i></p> <p><i>(3) Reliance on neighboring development may be inadvisable in case adjacent property redevelops or adds fences or barriers.</i></p> <p><i>(4) Clarification needed on whether public space must be ground-level. Some outdoor space on buildings' terraces and rooftops could be acceptable if freely accessible to the public - and depending on community vision and site context.</i></p> <p><i>(7) Consider adding minimum dimensions, minimum area, and other design details. The referenced "additional standards", as noted in Table 3 of this audit, are lacking in substance.</i></p>
18.31.130(1) Landscape area requirement	(a) In addition to the landscape standards contained in this chapter, five percent of the total area between the building	<p><i>Unusual requirement that muddies the multiple landscaping requirements between here, CMC 18.40, and the Downtown</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
	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.	<i>Development Guidelines and Standards Document street types requirements. If buildings are at the property line, this requirement can be met in planting strips in the public right-of-way that are already required for the street types.</i>
18.31.130(1) Landscape area requirement	(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.	<i>Landscaping mounted to building façade is inadvisable and does not contribute to purpose of shading, water quality, etc.</i>
18.31.130(1) Landscape area requirement	(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.	<i>These cross-references appear outdated or incorrect. (B)(1)(a) refers fixtures, signs, clear walkways, and storefront areas. C(2)(d)(ii) refers to standardized fixtures. C(3)(d)(ii) refers to standardized fixtures. C(4)(d)(iii) does not exist.</i>
18.31.130(2) Public space landscaping	(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.	<i>This would be better consolidated in the public space design guidelines/standards. Such a checklist-type dimensional requirement should be collected in one place for designers and reviewers to easily reference.</i>
18.31.130(3) Landscape buffers	(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.	
18.31.130(4) Additional requirements		
Chapter 18.35 Development Standards - Design Requirements		
18.35.005 Applicability	The standards contained in this chapter shall apply to all zones <u>other than the downtown zone</u> .	<i>MAKERS recommends some key standards apply to the Downtown - either with an updated applicability statement, or copied/adapted over to Chapter 18.31. These are identified in the rows below.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
	<i>[However, staff have been accidentally applying sections CMC 18.35.160, CMC 18.35.170, CMC 18.35.180 to Downtown for the past decade until recently.]</i>	
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	<i>A maximum block length should also apply to Downtown to promote pedestrian and vehicular connectivity. This could be based on the conceptual circulation network in the 2009 Downtown Plan. We typically recommend 500-600 feet.</i>
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	<i>If townhouses continue to be encouraged in Downtown (particularly the MHO zone), a maximum length standard should be replicated. MAKERS usually recommends a maximum number of units rather than explicit building length.</i>
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...	<i>The new form-based code will have a similar standard, based on existing parking location requirements in the existing Downtown Design Guidelines and Standards document. The details will vary since Downtown does not currently have a network of alleys.</i>
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:...	<i>Transitional requirements and building articulation/modulation in the existing Downtown Design Guidelines and Standards document will be carried forward.</i>
18.35.100 Mixed-use development in the CC and NC zones – Design features.	(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...	<i>These provisions are already specific to the CC and NC zones and likely have no impact for Downtown.</i>
18.35.160 Multifamily – On-site recreation facility required. <i>[Staff have accidentally applied this section to Downtown for the past decade until recently.]</i>	(2) Multifamily development shall provide 100 square feet per unit of private recreation facility. The private recreations facility shall meet the minimum design standards pursuant to CMC 18.35.180. (3) Indoor recreation areas or rooftop areas may be credited toward 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	<i>On-site private recreation should be provided for Downtown, where it is currently lacking in code and the Downtown Design Guidelines and Standards document. MAKERS will provide design standards. (2) 100 square feet is generally sufficient. Differing square footage may be recommended by unit size and for townhouses. (3) This has no provisions or guidance for balconies, individual ground-level space, etc. Townhomes are also not addressed.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
	recreational activities provided outdoors or provides areas for social activities, multi-purpose entertainment and education areas.	
<p>18.35.170 Dedication of parks and trails – Required by capital facilities plan.</p> <p><i>[Staff have accidentally applied this section to Downtown for the past decade until recently.]</i></p>	<p>(1) Dedication of park and recreation facility and trails shall be provided by any development when such development is located within an area identified by the capital facilities plan as a park site or trail corridor.</p>	<p><i>A similar requirement should be adopted for Downtown.</i></p> <p><i>This is a particular concern for new development between Wax Road and Jenkins Creek. As this section states, new access and future trail easements need to be identified in the capital facilities plan in order for future development to comply.</i></p>
<p>18.35.180 Private on-site recreation facilities – Minimum design standards.</p> <p><i>[Staff have accidentally applied this section to Downtown for the past decade until recently.]</i></p>	<p>(1) Private park and recreation facilities shall meet the minimum design standards:</p> <p>(g) Private recreation facility, paths and trails shall be placed in a designated recreation facility tract...</p>	<p><i>Odd to have out of order with section 160, where the establishment of required on-site recreation facilities is made.</i></p> <p><i>(1) says private PARK whereas title of section is private ON-SITE RECREATION FACILITIES. These are two different topics. They are intentionally connected by the cross-reference in CMC 18.35.160(2).</i></p> <p><i>This section ignores CMC 18.35.160(3) which states that indoor recreation can also be indoors or on rooftops, and provides no design guidance.</i></p> <p><i>(1)(g) requiring placement in a designated tract is unusual and likely not possible for indoor/attached facilities.</i></p>
<p>18.35.190 Request for impact fee credits – Park and recreation and trail facilities.</p>		<p><i>No comment.</i></p>
<p>18.35.200 Storage space, loading areas, and collection points for recyclables and refuse.</p>		<p><i>These provisions should be applicable to Downtown development in order to provide functional and right-sized space for storage, loading, and refuse collection. Revisions would potentially be needed to ensure consistency with related screening requirements in the Downtown Design Standards and Guidelines document.</i></p>
<p>18.35.210 Fences.</p>		<p><i>No comment.</i></p>
<p>18.35.220 Hazardous liquid and gas transmission pipelines.</p>		<p><i>No comment.</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
18.35.280 Short subdivisions or short subdivision alterations – Adequacy of access – Right-of-way use permits.		<i>No comment.</i>
18.35.290 Proposed formal subdivisions, short subdivisions or binding site plans – Railroad buffer strips.		<i>No comment.</i>
18.35.300 Preliminary subdivision and short subdivision approval – Maintenance of private streets, easements and utilities required.		<i>No comment.</i>
18.35.310 Lakepoint Urban Village subarea.		<i>No comment other than this section is an example of how the Downtown Design Standards and Guidelines could be codified directly and with photos.</i>
Chapter 18.37 - Development Standards and Design Requirements for Cottage Housing		
18.37.010 Purpose.		<i>Good purpose statements.</i>
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.	<i>Consider if unit lot subdivision provisions would be helpful compared to the binding site plan.</i>
18.37.030 Definitions.		<i>Definitions should perhaps be consolidated in the code-wide definitions under CMC 18.20. Allowing community buildings to have carriage house units, and allowing cottages to be attached, are good standards to promote flexibility.</i>
18.37.040 General development standards for cottages (Table I).		<i>Maximum size of 1,600 square feet excluding garage may somewhat larger than the market interest in this housing type.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
		<p><i>though could be reasonable compared to average size of normal single-family homes in suburban areas like Covington.</i></p> <p><i>Density is not clarified whether this is a maximum or a minimum - until subsection 18.37.050(2)(a). It is important to distinguish to compare to the min-max 12-24 du/ac otherwise required in the MHO zone.</i></p> <p><i>Interesting to provide incentives for affordable and “green” cottages. The incentives are strong. However, it is unnecessary to duplicate them here in the table when they are explained in detail in 18.37.050(2).</i></p>
18.37.050 Site requirements.		<p><i>(4) and (6) repeat standards that are already listed in the table in section 040.</i></p> <p><i>Unusual to have an asterisk * note at the bottom of the section. Such explanations should be directly integrated into the relevant provisions so they are not out of order.</i></p>
18.37.060 Building requirements.		<p><i>(1-4) largely duplicate standards that are already listed in the table in section 040.</i></p>
18.37.070 Parking and access.		<p><i>(1)(a) duplicates standards that are already listed in the table in section 040. The justifications listed in subsections (i) and (ii) are unnecessary.</i></p> <p><i>Stronger language on shared/group parking spaces is recommended.</i></p>
18.37.080 Accessory structures.		<p><i>No comment.</i></p>
18.37.090 Community buildings.		<p><i>More distinction should be made between this standards and the definition of “community building” in section 030.</i></p>
18.37.100 Private and common open space.		<p><i>Again, standards are duplicated from the table section 040. Allowing critical areas to count as common open space may be inadvisable unless a provision is added requiring that the critical area be useable for normal recreation activities.</i></p>
18.37.110 Landscaping and vegetation.		<p><i>No comment.</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
18.37.120 Other design requirements.		No comment.
18.37.130 Ownership options.		No comment.
Chapter 18.40 Development Standards - Landscaping		
18.40.010 Purpose.		No comment
18.40.020 Application.	<p>(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.</p> <p>(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.</p>	<p>(2) This statement is unclear - does it mean the other standards are simply "referenced" within Chapter 18.31, or are they actually "contained" with Chapter 18.31? In actuality seems to be both, looking at CMC 18.31.130.(1-3) compared to the separate CMC 18.31.130(4).</p> <p>The "downtown zone" does not exist, there are four zones in the area.</p>
18.40.040 Landscaping – Screen types and description.	<p>(1) Type I Landscaping Screen - full screen and visual barrier for buffering uses</p> <p>(2) Type II Landscaping Screen - filter screen and visual separator for moderate buffering</p> <p>(3) Type III Landscaping Screen - see-through screen and partial visual separator for softening buildings and parking</p>	<p>Good types and standards that are typical of other municipalities. Some refinement on tree density and species rates may be merited. Graphics would help provide a comprehensive picture.</p> <p>These types should be used for downtown.</p>
18.40.050 Landscaping – Street frontages.		<p>This information should be re-formatted as a table and combined with the next section 060 for easier viewing.</p> <p>Consider adopting block frontage approach for more fine-tuned street landscaping standards.</p> <p>(4) Unclear what an "attached/group residence" is and how it compares to attached multifamily development</p>
18.40.060 Landscaping – Interior lot lines.		This information should be re-formatted as a table for easier viewing.

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
18.40.070 Landscaping – Building perimeter.		<p>5 feet of Type III landscaping around every building is a somewhat blunt requirement. Consider foundation screening and utility/service screening standards instead, for obscuring the most critical and unsightly building areas.</p> <p>(1) Unknown what “adopted design manual” refers to.</p>
18.40.080 Landscaping – Surface parking areas. <i>Subsections (3-6) apply to Downtown per CMC 18.31.130(4)</i>		<p>Focusing comments on subsections 3-6:</p> <p>(3)(a) may conflict with Downtown Design Guidelines and Standards B.1.g.7 which says trees should be distributed; whereas code implies trees must be spaced every 10 parking stalls.</p> <p>(4) May need to cross-referenced with 18.50.110(4).</p> <p>(5) Adds unnecessary complication for site designers and appears difficult to calculate</p> <p>(6) These standards should be replaced with Type I, II, or III references for citywide consistency.</p>
18.40.090 Landscaping – Adjacent to freeway rights-of-way.		<p>Downtown has freeway-adjacent parcels and this should apply for citywide consistency and the benefits of noise/traffic buffering.</p>
18.40.100 Landscaping – General standards for all landscape areas. <i>Applies to Downtown per CMC 18.31.130(4)</i>		<p>No comment</p>
18.40.110 Landscaping – Additional standards for required landscape areas. <i>Applies to Downtown per CMC 18.31.130(4)</i>		<p>No comment</p>
18.40.120 Landscaping – Alternative options.		<p>Consider making alternative options be available to Downtown</p>
18.40.130 Landscaping – Plan design, design review, and installation.		<p>(2) Consider exemption of the certification requirement for smaller projects</p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
<i>Applies to Downtown per CMC 18.31.130(4)</i>		
18.40.140 Maintenance. <i>Applies to Downtown per CMC 18.31.130(4)</i>		No comment
18.40.150 Financial guarantees. <i>Applies to Downtown per CMC 18.31.130(4)</i>		No comment
Chapter 18.50 - Development Standards - Parking and Circulation		
18.50.010 Purpose.		No comment
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.	<i>Second sentence should specifically point to 18.31.110(11) and clarify that Downtown is exempt from the rest of the 18.50 sections. A small reference in 18.50.030(2) is considerably hidden.</i>
18.50.030 Computation of required off-street parking spaces.	(1) ... 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...	<i>The calculation clarifications in subsection (1) are also needed for Downtown. Some of the uses listed in the table would be useful to have for Downtown as well. Note that comparisons between here and 18.31.110(4) are somewhat difficult because of different measurement units for commercial uses and different or missing land uses entirely. Consider establishing a streamlined citywide parking code, with key modifications or exceptions for Downtown such as a blanket percentage reduction in required parking for Downtown, or a separate table column for each use for Downtown.</i>
18.50.040 Shared parking requirements.		<i>This is different than the “joint use” standards in CMC 18.31.110(6-10). To simplify administration, a single set of shared parking standards should be developed.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
<p>18.50.050 Exceptions for community residential facilities (CRFs) and senior citizen assisted housing.</p> <p><i>Applies to Downtown per CMC 18.31.110(11)</i></p>	<p>(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:</p> <p>(a) Availability of private, convenient transportation services to meet the needs of the CRF residents;</p> <p>(b) Accessibility to and frequency of public transportation; and</p> <p>(c) Pedestrian access to health, medical, and shopping facilities.</p>	<p><i>The parking quantities here are not listed in CMC 18.31.110, making it unclear whether these provisions actually apply.</i></p>
<p>18.50.060 Parking for the disabled.</p> <p><i>Applies to Downtown per CMC 18.31.110(11)</i></p>		<p><i>No comment.</i></p>
<p>18.50.070 Loading space requirements.</p> <p><i>Applies to Downtown per CMC 18.31.110(11)</i></p>		<p><i>Requirements seem reasonable. Graphics of loading space requirements and photo example may be helpful, as there is a difference spaces for small trucks versus semi-trucks.</i></p> <p><i>(5) Last sentence should apply to all loading spaces, not just for self-storage facilities.</i></p>
<p>18.50.080 Stacking spaces and restrictions for drive-through facilities.</p> <p><i>Applies to Downtown per CMC 18.31.110(11)</i></p>	<p>(3) Restrictions on the Location of Drive-Through Facilities.</p> <p>(a) In the commercial zones, drive-up windows shall not face a public right-of-way.</p> <p>(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.</p>	<p><i>Restricting drive-throughs in the TC zone is appropriate (per CMC 18.31.080). They are probably appropriate to continue in the other zones where indicated.</i></p> <p><i>(a) location standards overlap/duplicate the Downtown Design Guidelines and Standards document B.1.f.</i></p> <p><i>(b) standards could use specific landscape types, wall heights, etc.</i></p>
<p>18.50.090 Transit and rideshare provisions.</p> <p><i>Applies to Downtown per CMC 18.31.110(11)</i></p>		<p><i>(1) Have staff made any observations on whether the 5% of carpool spaces are being utilized as desired?</i></p> <p><i>(2) Covington appears to not have enough density and frequency of transit service, nor compactness of land use, to justify such</i></p>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
		<i>significant parking reductions. US Census data indicates about 3% of the city's employed residents commute by transit.</i>
18.50.100 Pedestrian and bicycle circulation and access. <i>Applies to Downtown per CMC 18.31.110(11)</i>	(1) Pedestrian and bicycle parking standards for the downtown zones are provided in Chapter 18.31 CMC.	<i>Circular unspecific cross-reference is not especially helpful. Also does not clarify whether the rest of this section 100 apply to Downtown or not.</i>
18.50.110 Off-street parking plan design standards. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>Graphics warrant a modern update.</i>
18.50.120 Off-street parking construction standards. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>Graphics warrant a modern update.</i>
18.50.130 Compact car allowance requirements. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>Some cities are moving away from such generous compact space allowances due to the increasing size of vehicles and popularity of SUVs.</i>
18.50.140 Internal circulation street standards. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>No comment.</i>
18.50.150 Trail improvements and connections. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>Appears this should be consolidated under CMC 18.35.180. Trails are an unusual topic for the parking chapter.</i>
18.50.160 Electric vehicle charging station requirements – Downtown zones. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>The standard is 1-2% of spaces. The regional trend is substantially higher EV or EV-ready spaces, as much as 10-20%.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
18.50.170 Electric vehicle charging station requirements – R-18, MR, NC, CC, RCMU, and I zones. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>Does not apply to Downtown unless MAKERS' interpretation of GIS data is correct that a small part of the Industrial zone is within the Downtown boundary.</i>
18.50.180 Electric vehicle charging station design standards. <i>Applies to Downtown per CMC 18.31.110(11)</i>		<i>(2)(a) should only be allowed for small developments, e.g. 20 spaces or less, with an additional requirement for a direct and accessible pedestrian connection. Requiring parking at an adjacent property is inconvenient and discourages EV use.</i>
18.50.190 Recreational vehicles – Parking, storage, and habitation.		<i>If this does not apply to Downtown, it should be clarified that RV parking/storage is not allowed in Downtown except at designated commercial facilities (such as the planned project west of Covington Way).</i>
Chapter 18.110 - Commercial Site Development Permits		
18.110.010 Purpose.	(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.	<i>Same comment as for CMC 18.31.040(3).</i>
18.110.020 Applicability.		<i>No comment.</i>
18.110.030 Complete application.	(6) A property owner declaration. (7) Affidavit concerning sensitive area compliance.	<i>(6+7) Unclear what this refers to.</i>
18.110.040 Public comments.		<i>No comment.</i>
18.110.050 Application of development standards.		<i>(1) would be better formatted as a list. (2) could use clarification for residential development as it hints at unit lot subdivision concept</i>
18.110.060 Approval.		<i>No comment.</i>
18.110.070 Financial guarantees.		<i>No comment. Further review needed of bonding measures for landscaping, site improvements, etc.</i>

Code Section/Issue	Excerpt of Current Code/Standards	Comments/Considerations
18.110.080 Limitation of permit approval.		<i>No comment.</i>
18.110.090 Modification to an approved permit.		<i>No comment.</i>
18.110.100 Administrative rules.		<i>No comment.</i>

Table 3: Downtown Design Guidelines and Standards Analysis & Audit

This table below examines the existing design guidelines and standards document in how it approaches four main categories of issues associated with design regulations:

- General document organization & usability
- Block frontage & circulation
- Site planning & design elements
- Building design

For each specific issue, the table summarizes the approach within the existing standards and guidelines and provides comments and considerations for moving forward in this project.

Section	Issue	Document Approach	Comments/Considerations
General Document Organization & Usability			
	Document organization		<i>Covers main design topics but not necessarily in the intuitive order of importance. Street standards appear largely repetitive, both internally and with additional site and building design standards. Lack of bold headers or other formatting makes it difficult to quickly locate subsections.</i>
	Measures to accommodate flexibility	“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 Director, an equal or better means of satisfying the standard and objective.”	<i>Unusual approach - most other cities in the region, by default, use “should” as a strongly encouraged, but ultimately voluntary, direction. No further decision-making criteria is provided for what should satisfy the Director.</i>
	Use of graphics		<i>Some good graphics are included, but they are inconsistent in some sections. Photo examples should be retained in the form-based code where</i>

Section	Issue	Document Approach	Comments/Considerations
			<i>applicable. Illustrations like street sections may need to be updated to NACTO standards.</i>
	Introduction elements		<p><i>Most important: There is no document-wide or section-specific applicability statement clarifying what types and sizes of buildings and types of uses that this document applies to.</i></p> <p><i>There is no definitions section.</i></p> <p><i>Inclusion of “intent” statements for each group of standards is good.</i></p>
B. Design Standards: All Downtown Districts			
I	Site Planning & Design Elements		
	Generally		<p><i>No side or rear yard design considerations.</i></p> <p><i>No cross reference to regular landscaping standards and Types I-III in CMC Chapter 18.40.</i></p>
B. I. a	Sidewalk zones and streetscape features	Requirements for amenity area, clear walkway area, and storefront area.	<p><i>First item under “site design” deals with public right-of-way rather than the private development site. Overlaps with what may be public works standards for outdoor dining and display.</i></p> <p><i>Says “signs, street furniture, lighting, landscaping” shall be located in the amenity area without any further description.</i></p> <p><i>Unclear why the 5-foot clear walkway dimension is located here rather than street standards - and modern standard is 6-or more-feet.</i></p> <p><i>Assumes all sidewalks front on storefronts, no guidance for residential or office frontage.</i></p>
B. I. b	Parking lot screening and landscaping	Requirements for drive aisles, walls, trees, pedestrian access, etc.	<i>Generally, good standards with clear numerical requirements and photo examples. There are different tree quantities depending on parking lot location.</i>
		3. Within any parking area located between the building façade and a street, there are	<i>Intent is understood - but trees serve more than an aesthetic purpose, and side and rear parking</i>

Section	Issue	Document Approach	Comments/Considerations
		<p>shall be at least one tree planted for every 5 parking stalls.</p> <p>4. Within any parking area located to the side of a building, there shall be at least one tree planted for every 8 stalls.</p> <p>5. Within any parking area located behind a building, there shall be at least one tree planted for every 12 stalls.</p>	<p>lots may still be visible from other streets and buildings. A one-size-fits-all standard may be preferable and easier to administer.</p> <p>No standards for minimum size of planting area or how to design parking lot perimeter landscaping.</p>
		<p>“In addition to trees, shrubs and perennials shall be planted as understory at the base of tree planting beds.”</p>	<p>Standard landscaping type/installation standards would be ideally referenced for detailed expectations.</p>
B.1.c	Site lighting		<p>Good basic standards for shielding. 30-foot tall fixtures allowed may be too high to create a “town center” atmosphere. Many cities have more detailed lighting standards for energy conservation and nighttime aesthetics, including for building-mounted lighting, and with variations by land use/zone.</p>
B.1.d	Pedestrian pathways through parking lots and to adjacent development		<p>Good standard to requirement building entry connection. 5 feet wide is not an adequate width for a primary pathway. Alternatives to pavement texture/coloring, such as raised crosswalks, should be allowed. No details provided for landscaping dimensions or planting.</p>
B.1.e	Treatment of outdoor sales, service, and storage areas	<p>Outdoor area allowed for storage or merchandise display is 5% of building area - limit does not apply to fenced/screened activities.</p>	<p>Ground-level service and storage areas should be treated separately from utility structures, storage tanks, and other building-mounted equipment. Other general standards for location and screening are reasonable.</p>
		<p>“4. Other mechanical equipment located on the ground, roof, or wall-mounted and visible from the street, common areas, or public vantage point should be screened in a similar manner. (Also see Design Standards: All</p>	<p>Incorrect cross-reference. If referring to B.2.g, the actual section title is Mechanical Equipment. This section is worded slightly differently, but nonetheless has direct overlap/conflict, with section B.2.g.1.</p>

Section	Issue	Document Approach	Comments/Considerations
		Downtown Districts, Building Design, Mechanical and Utility Equipment, B.2.h.)	
B.1.f	Treatment of drive-through areas	“Drive-through facilities and stacking lanes shall not be located along the street frontage of a building that faces a right-of-way. Stacking lanes shall be designed so as to be able to accommodate all vehicles on-site, and no part of a vehicle using a drive-through facility shall project into the public right-of-way.”	<i>Unclear what “facing a right-of-way” should mean - all buildings do. Update to describe what the minimum/maximum separation between the building and street is. The stacking provision should be a citywide code requirement, and not specific to Downtown. The supporting graphic is otherwise helpful.</i>
B.1.g	Buffers and transitions to MHO and zones outside Downtown		<i>Good intent but no details for dimensions or planting densities. Subjective risk to applicant.</i>
B.1.h	Connections to future trails	“Developments adjacent to existing and future mapped trails shall incorporate pedestrian/ bicycle connections that are visible from public rights-of-way and/or building entrances”	<i>There is no map provided. Standard does not make clear WHERE the connections should be provided - putting it away from the trail would be compliant here.</i>
B.1.i	Public spaces		<i>An important subject that should potentially be higher in the document order. The section does not apply to voluntarily-provided public spaces, only those required, which could result in poorly-designed leftover open spaces. Street corner setback requirement needs more detail. More detail needed for dimensions, materials, relation to building entries, etc.</i>
2	Building Design		
B.2.a	Prominent entrances	<p>“1. Locate primary entrances so that they are visible from the public right-of-way. The entry shall be marked by architectural elements such as canopies, ornamental lighting fixtures and/or fixed seating that offer visual prominence.</p> <p>2. Residential uses should incorporate a porch or stoop as a transition between the sidewalk and entry.”</p>	<i>Architectural elements can mark entries well, but entries should not depend on nighttime lighting or tenant-provided seating</i>

Section	Issue	Document Approach	Comments/Considerations
B.2.b	Ground level details	“Facades of commercial and mixed-use buildings that face the street shall be designed to be pedestrian friendly through the inclusion of at least four of the following elements...”	<p><i>One of few if only standards that specifies applicability.</i></p> <p><i>Good toolbox approach for commercial buildings. More details for ground-level residential units should be provided, i.e. transition from public to private.</i></p>
B.2.c	Transparency zone	Minimum 40% requirement, with reference to street types for other requirements.	<i>Ideally transparency requirements are not mixed/duplicated between the building design and street design sections. Minimum 40% with alternative design provision is generally sound.</i>
B.2.d	Treatment of blank walls		<p><i>Blank wall is not clearly defined. A very large wall with a small window could meet these requirements.</i></p> <p><i>While the toolbox options are useful, the number of required features (5) is excessive.</i></p>
B.2.e	Massing and articulation		<p><i>Generally good standards and intentions, but lack of numerical/dimensional requirements likely create difficulty in interpretation and enforcement.</i></p> <p><i>A supporting graphic would help define what the “middle” of the building is.</i></p> <p><i>Item 4: Consistent colors and materials are not necessarily a requirement for good design - in fact, variety may sometimes better help achieve the intent here, and this conflicts with multiple other sections that suggest the opposite.</i></p> <p><i>Item (6): Requiring ALL of the articulation methods without detailed numerical standards, photo examples, or other guidance creates significant obstacles for building designers. Item (6)(vi) is a significant waiver without substantial criteria or supporting examples.</i></p> <p><i>The first page has an out-of-place photo of mechanical screening.</i></p>

Section	Issue	Document Approach	Comments/Considerations
		“iii. Windows articulated with mullions, recessed windows, punched windows, etc., as well as application of complementary articulation around doorways and balconies.”	<i>Window design details are important enough to be addressed separately, rather than tucked into a subsection here.</i>
		“iv. Landscaping: (a) Preferred: A Green Wall. For the purposes of this subsection, a “Green Wall” is defined as a vertical trellis or cable /wire net system installed...”	<i>Requiring green walls on ALL facades is excessive - looking at site visit photos, it appears all recent developments have used the alternative opportunity in (b) or (vi). There is no guidance on how much of the façade should be covered and there are obvious problems with enforcement and feasibility of design and maintenance. Again, there should be a dedicated definitions section at the beginning or end of the document.</i>
B.2.f	Roofline and roof-mounted equipment		<i>No comments</i>
B.2.g	Mechanical equipment		<i>B.2.g.1 has direct overlap with roof-mounted equipment guideline B.2.f.1 on the same page. B.2.g.1 section is worded slightly differently, but nonetheless has direct overlap/conflict, with section B.1.e.4. B.2.g.4 on landscaping species would not be necessary with a general landscaping section that applies to all landscaping installed in compliance with this document.</i>
B.2.h	Transitions to MHO and zones outside Downtown		<i>Unclear how some of the items, such as recessed entry or upper level balconies, improve compatibility adjacent to single-family uses. Item (2) duplicates blank walls and does not define what a “public vantage point” is. No graphic examples are provided.</i>
B.2.i	Design of allowed light industrial uses		<i>Unclear why this section is needed. There is not applicability statement that exempts light industrial uses from the other standards. Unclear</i>

Section	Issue	Document Approach	Comments/Considerations
			<i>how item (i) would work for a typical 1-story industrial building. Street-level transparency and weather protection could be addressed in consolidated street type/block frontage standards. No graphic examples are provided.</i>
C. Street Types and Special Standards			
1	Map of Downtown Street Types		<i>No street name labels or downtown boundary</i>
2	Type I Streets		
C.2.a	Description	“Where left turn movements need to be specifically accommodated, planted medians with turn pockets are encouraged rather than a continuous center turn lane.”	<i>Clarify whether this would require wider ROW or to replace the parking lanes at the intersection</i>
C.2.b	Street Standards		<i>5 feet minimum clear passage is too narrow</i>
C.2.c	Street Section Diagram		<i>No comment</i>
C.2.d	Site Design		<i>Requiring a minimum width/frontage of commercial space is unique, but 20 feet is reasonable. More clarification needed for design of parking on the side of the buildings. Some overlap/duplication with B.2.a. Item (ii) is duplicated in Street Types 2 and 4.</i>
C.2.e.i	Entrances on Public Sidewalk		<i>Item (1) duplicates B.2.a.1 Items (2) and (3) are important to retain in the case of parking located behind buildings</i>
C.2.e.ii	Transparency	60% on Type I streets compared to 40% generally.	<i>See comment on B.2.c</i>
C.2.e.iii	Weather Protection		<i>Good standards</i>
C.2.e.iv	Ground Level Details		<i>Requires two additional elements, on top of the four already required in B.2.b.1. This is a potentially confusing setup especially since no</i>

Section	Issue	Document Approach	Comments/Considerations
			<i>cross-reference is provided but the list is duplicated, creating opportunity for errors.</i>
C.2.e.v	Higher Quality Building Materials		<i>Generally good guidelines but they only apply to Type 1 streets rather than across Downtown. No difference made between facades and other building walls. No details on façade design.</i>
C.2.e.vi	Massing	10 feet setback above third floor	<i>Unclear why this section is needed specifically for Type 1 streets. Building massing and articulation addressed broadly in B.2.e, and the “divided into smaller masses” guideline is repeated verbatim in Street Types 2 and 4. No distinction made between commercial and residential developments.</i>
C.2.e.vii	Upper Story Step Back		<i>Providing options is a good approach Item (2) may be excessive given that setbacks already increase costs of construction and the physical difference will have more effect than alternative façade design.</i>
C.2.e.i	Integration with Architecture		<i>Section numbered incorrectly and is empty</i>
C.2.f	Sign Design		<i>A strange section with no detailed guidance (1) Should be covered by the citywide sign code (2) This could be a general objective for the entire downtown, not just Type 1 streets (3) Simply providing a definition is not useful to applicants. Monument signs are generally not considered pedestrian signs.</i>
3	Type 2 Streets		
C.3.a	Description	“Onstreet parking should be present where there are commercial uses.”	<i>Assumes a master developer that is building both new streets and buildings</i>
C.3.b	Street Standards		<i>5 feet minimum clear passage is too narrow</i>

Section	Issue	Document Approach	Comments/Considerations
C.3.c	Street Section Diagram		No comment
C.3.d	Site Design		More clarification needed for design of parking on the side of the buildings. Item (i)(3) duplicates (iii)(1) on same page
C.3.e.i	Entrances on Public Sidewalk		Some overlap/duplication with B.2.a. Item (ii) is duplicated in Street Types 2 and 4.
C.3.e.ii	Transparency	50% on Type 2 streets compared to 40% generally.	See comment on B.2.c
C.3.e.iii	Weather Protection		Unclear why less weather protection is justified on Type 2 streets compared to Type 1 streets, especially in southern part of Downtown
C.3.e.iv	Ground Level Details		Same comment as Type 1 streets
C.3.e.v	Higher Quality Building Materials		Same comment as Type 1 streets
C.3.e.vi	Massing		Same comment as Type 1 streets
C.3.vii	Upper Story Step Back	5 feet setback above third floor	Same comment as Type 1 streets
4	Type 3 Streets		
C.4.a	Description		No comment
C.4.b	Street Standards		5 feet minimum clear passage is too narrow
C.4.c	Street Section Diagram		No comment
C.4.d	Site Design		Unclear whether the LID is encouraged to be on private property or in the ROW
C.4.e.i	Building Placement	“Building facades should not be located at the back of the sidewalk.”	This is better enforced through a minimum setback in code.
5	Type 4 Streets		
C.5.a	Description		No comment
C.5.b	Street Standards		No comment

Section	Issue	Document Approach	Comments/Considerations
C.5.c	Street Section Diagram		No comment
C.5.d	Site Design		More clarification needed for design of parking on the side of the buildings. Some overlap/duplication with B.2.a.
C.5.e.i	Entrances on Public Sidewalk		Some overlap/duplication with B.2.a. Duplicated in Street Types 1 and 2.
C.5.e.ii	Transparency	50% on Type 4 streets compared to 40% generally.	
C.5.e.iii	Weather Protection		40% of a building that is at only the street for only 40% of the frontage adds up to a small amount.
C.5.e.iv	Ground Level Details		Same comment as Type 1 streets
C.5.e.v	Higher Quality Building Materials		Same comment as Type 1 streets
C.5.e.vi	Massing		Same comment as Type 1 streets
C.5.vii	Upper Story Step Back	5 feet stepback above third floor	Same comment as Type 1 streets